

EQUALITY IMPACT ASSESSMENT - RESULTS

Title of Policy	The Functions of Health Boards (Scotland) Amendment Order 2017
Summary of aims and desired outcomes of Policy	The purpose of this policy is to empower Health Boards in Scotland to provide free abortion care to women from Northern Ireland, in Scotland.
Directorate: Division: team	Population Health, Health Protection Division: Environmental Risks, Infections and Sexual Health

Executive summary

The Scottish Government is laying an amendment to the Functions of Health Boards (Scotland) Order 1991 which will empower NHS Boards in Scotland to provide free abortion services in Scotland to women who normally live in Northern Ireland.

This policy will enable women who are ordinarily resident in Northern Ireland to seek free abortion care in Scotland.

The EQIA process has enabled the Scottish Government to consider how this change would impact on both women from Northern Ireland and women who live in Scotland. We are satisfied that this approach will not impact negatively on people with protected characteristics.

Background

The Scottish Government has stated that women from Northern Ireland, in Scotland, should be able to access an abortion without being charged, on the same basis as women in Scotland.

In order to enable this to happen, the Scottish Government is bringing forward an amendment to the Functions of Health Boards (Scotland) Order 1991 which will empower NHS Boards in Scotland to provide free abortion services in Scotland to women who are ordinarily resident in Northern Ireland.

The Scope of the EQIA

The EQIA assessed the potential impact the provision of free abortion services to women who are ordinarily resident in Northern Ireland may have on protected characteristic groups.

The Scottish Government undertook an initial screening exercise and concluded that it was unlikely that there would be any substantive differential impact on these groups.

Officials drew on published statistics and articles, and advice from stakeholders to develop the EQIA.

Key Findings

The main impact of this policy will be on women who live in Northern Ireland who wish to access abortion services.

The provision of abortion services are generally seen as a positive measure in equalities terms because these service support women in controlling their fertility (where they meet the criteria under the 1967 Abortion Act), and thereby reduce inequality between women and men.

We recognise that some people, because of their religion or belief, think that abortion is wrong. As this policy will be implemented within the constraints of the 1967 Abortion Act, the right of medical staff to conscientiously object to providing abortion treatment will be protected.

Recommendations and Conclusion

The EQIA process has allowed the Scottish Government to consider how the provision of free abortion services in Scotland to women who live in Northern Ireland would impact on both women from Northern Ireland and women who live in Scotland. We are satisfied that the approach taken is appropriate.

However, while undertaking the EQIA it was noted that there is significant uncertainty about how many women will travel from Northern Ireland to

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Scotland to access abortion services. Therefore the equalities impacts of the policy will need to be reviewed again in due course when there is data about how many women travel to access abortion services.