
Home Office Inquiry: Harassment and Intimidation near Abortion Clinics – February 2018

Marie Stopes UK response

- 1) *Have you knowledge of, or have you been involved in protests or other related activity outside healthcare clinics offering abortion services in England and Wales in the last twelve months?*

Yes

If yes, please summarise the extent of your knowledge:

Marie Stopes UK is an independent provider of abortion care services throughout England. We also formerly had a clinic in Northern Ireland, which closed in December 2017. Our services are commissioned by Clinical Commissioning Groups (CCGs) all over England to provide NHS abortion care, and we can also provide abortion care privately. Marie Stopes UK has 55 locations in total where we can provide abortion care services.

We have 9 Centres, which are run from properties that we own and have sole use of. Most of these buildings offer both medical and surgical abortion services, as well as vasectomy services, though these services are held on different days. In the past 12 months we have had anti-choice groups present in protest or, as two such groups mentioned during the recent Home Affairs Select Committee questions, trying to engage in “pavement counselling” at every one of our 9 Centres. Most team members working at the Centres describe how often they come face to face with protestors as “frequently”, or “every week”. The groups that target our facilities are specifically focusing their attention on women who are accessing abortion care. We know this as they are not present during days on which these Centres run vasectomy appointments. Some of these gathering have been happening for the past two decades, but have been escalating in number, size, and harassing behaviour in the past 5 years.

We also frequently have pro-choice groups who gather to counter-protest the recurring or larger planned anti-choice gatherings outside of our Centres.

Our remaining 46 abortion care services are run as guest clinics within host sites across England, most often hosted in GP Surgeries or Health Centres. These Marie Stopes Clinics provide medical abortion services. Anti-choice groups also target some of our small Clinics, though not all.

The groups that we are aware of who target our Centres and Clinics are:

- Abort 67 (South London, Lewisham)
- Good Counsel Networkⁱ (Central London, West London)
- The Friday Group (West London)
- Ealing Pro-Life Group (West London)
- 40 Days for Lifeⁱⁱ (Birmingham, Manchester, Leeds, Central London, West London)

- Helpers of God's Precious Infantsⁱⁱⁱ (South London, West London, Central London, Stevenage, Essex, Hemel Hempstead, Maidstone, Southend, Birmingham, Bristol, Manchester, Leeds)
- Precious Life^{iv} (Northern Ireland)

Society for the Protection of the Unborn Child (SPUC) do not gather in groups themselves but do support these groups mentioned above with materials to distribute.^v

Pro-choice groups that we are aware of who gather in counter protest are:

- Sister Supporter (West London)
- Manchester Irish Abortion Rights Campaign (Manchester)

When the pro-choice groups have been in touch to let us know that they plan to counter protest, we strongly discourage their presence. While we understand that they mean to counteract the intimidation from anti-choice groups with supportive slogans on placards and pink "Pro-Choice" high visibility vests, from a distance you cannot make out the difference between pro or anti-choice group. This can increase the level of apprehension felt on approach to the Centres. On days when there is a large presence of pro and anti-choice groups, we note a sharp increase in clients who do not attend or who rebook their appointments. This delays clients' treatment, forcing them to undergo treatment at higher gestations where they are subject to greater risk and fewer treatment options.

The presence of both pro-choice and anti-choice groups shows clearly that the issue is not intention – many clients find congregations outside of our Centres and Clinics intimidating, regardless of motive. A peaceful gathering in the sense that there is no extreme physical violence does not prevent people from feeling harassed or intimidated by these gatherings when accessing legal and confidential healthcare services.

2) *Have you had any engagement with the following in respect of protests or other related activity outside healthcare clinics?*

- *Healthcare providers*

As our smaller Clinics are hosted within local GP Surgeries, Health Centres, or Hospitals, our Commissioning Team builds up good relationships with the Practice Managers of those sites. Where those sites have experienced protest activity, our teams support the practice where we can. For example, our former Stevenage Clinic was hosted from Dane Street Centre, and experienced constant protestor gatherings. Our Communications team supported the practice with some information for their patients and staff about protestor behaviour and how to best avoid confrontation. When the lease of the Clinic room in this facility had ended, we moved premises to Canterbury Way Surgery. Unfortunately, the protestors followed.

Last year, Practice Managers at the host site of our Lewisham Clinic have been engaging with our District Team Nurses about how to best manage protest activities. Our team member who works at the Lewisham Clinic submitted details through our internal incident reporting system, Datix, following an incident involving protestors and members of the public:

"Practice manager at Lewisham EMU [Clinic] has said that he will also do an incident form and contact MSI to build a strategy for protestors and what to do when they attend the clinic." (Appendix B, page 72-73)

Marie Stopes UK has also been supporting colleagues at BPAS, another independent abortion care provider, in their capacity as coordinators of the Back Off Campaign against harassment outside of Centres or Clinics. We have been sharing incidents of harassment with them, and they share any knowledge of planned anti-choice activity that they become aware of with us.

We have been sharing links to the Back Off Campaign website on our social media channels to allow clients to submit their testimony of any harassment or intimidation experienced outside of Centres or Clinics.

- *Local authorities*

The local councils that we have spoken to agree that the behaviour of protest groups outside of our premises, detailed in testimonies sent to us from team members and clients, equates to harassment and/or intimidation. Where local councils are preparing or have passed motions to consider how to prevent harassment outside of Centres and Clinics locally, Marie Stopes UK have been supporting with evidence, including such evidence as seen in Appendix A, B, and C (sent separately through email).

We have given evidence to, or are in contact to provide evidence of harassment and/or intimidation to the following councils:

- Ealing Council
- Birmingham Council
- Lambeth Council
- Southwark Council
- Manchester City Council

As part of their evidence collection, council members from Ealing Council have also visited our Centre in West London to hear testimony directly from managers and team members. They have also based a council officer in the Centre several days per week to collect testimony directly from clients who have experienced harassment and intimidation outside the Centre. These council officers themselves have reported experiencing the harassment and intimidation that our clients describe to us each day.

- *Police Forces / Police and Crime Commissioners*

Centre Managers maintain a good relationship with local police forces, and are in regular contact with police forces in the areas where protests are more prevalent. Where protests happen daily, local police or community support officers often pro-actively walk by to check that protestors are behaving lawfully. They also often maintain a presence during larger gatherings.

Unfortunately, this does not prevent our clients or team members from feeling harassed or intimidated. Many police forces have said that there is nothing they can do about the groups being there unless they come onto our property, and sometimes they do not arrive when called. Testimonies from our team members suggest that this is the case in Manchester (Appendix A, page 13, 16, 38, 61, 62 and 64); Central London and West London (Appendix A page 18, 33 and 36) Birmingham (Appendix A page 19). Appendices sent separately through email.

Police are also limited in the action they can take without the targets of this harassment and intimidation willing to give statements and personal information. Understandably, while many of our clients have expressed that they felt harassed and intimidated and would like the protest/" pavement counselling" activity to stop, the vast majority do not wish to make a formal complaint or press charges. Our clients want to complete their treatment and return to their lives, rather than extend the experience through police involvement, and many are fearful that their confidentiality will be placed at risk if they provide statements or pursue legal action.

Sally O'Brien, Centre Manager for our West London Centre has described: "I am aware that there is nothing they [police] can actually do and it doesn't seem appropriate to pull police officers away from dealing with things that they actually can deal with. I made an agreement with police to keep a book of events and to only call them if I had a particular client who wished for police to be called and involved in the situation - hence the creation of the protest log at our clinic." An excerpt from the West London Centre protest log can be found in Appendix C (sent separately through email).

If a client makes an allegation to us that a protestor has been physically or verbally harassing, if a client or member of our team feels threatened, if there are acts of vandalism, or if there are a large number of protestors, a member of the Centre team calls the Police or 101. Our Centre teams have described that often by the time the police arrive the situation has de-escalated, or the protestors have left.

If protestor activity escalates to warrant the police being contacted, an incident is logged on our reporting system for internal review (Appendix B). Recently the police were contacted as 27 protestors showed up outside our Central London Centre. The police responded to our Centre Manager that they knew about this planned large gathering – however, the police had failed to inform the Centre. (Appendix B, page 74)

Due to Lambeth Council opening their public consultation on a proposed Public Space Protection Order (PSPO) to prevent harassment outside of local Centres and Clinics, Marie Stopes UK has been in contact with the Police and Crime Commissioner for Lambeth Council. Other councils may connect with us in this way as they prepare their public consultation on local PSPOs.

Further team member testimony of how local police forces are currently able to support us can be found in Appendix A (sent separately through email).

- *Protest groups / supporters*

We have engagement with anti-choice protest groups, in the sense that they are outside our Centres and Clinics listed above most days. The groups that we are aware organise the anti-choice protests are: Abort 67, Good Counsel Network, The Friday Group, Ealing Pro-Life Group, 40 Days for Life, Helpers of God's Precious Infants, and Precious Life. On occasion if the anti-choice protestors are getting particularly close to our Centre or Clinic entrance, or are blocking clients' paths, our team members have asked them to move. Sometimes they comply, but often encroach again afterwards. On other occasions, when team members or managers have attempted to reason with members of these groups, they have been called "murderer" and have had no success reaching any compromise. We advise our team members not to engage with them as they walk past when entering the Centre or Clinic. The anti-choice groups have also sought to harass prospective employees coming to recruitment days hosted in Marie Stopes International's head office in London last year.

Occasionally, our Centre Managers receive letters from the 40 Days for Life group, informing them that their presence should be expected outside of our centres during set 40-day periods. Two examples can be seen in Appendix D (sent separately through email).

Some anti-choice protestors also send harassing letters to our Centres, aiming to intimidate our team members (recent examples can be seen in Appendix D).

Pro-Choice groups that wish to counter-protests contact our Centre Managers on occasion to let us know that they plan to be there. We strongly discourage them and ask that they do not gather outside as larger gatherings of anyone, regardless of stance on abortion, can cause further intimidation to our clients. On occasion groups such as Manchester Irish Abortion Rights Campaign have agreed to limit their numbers to no more than 3 people in counter protest.

- *Other: for example local residents, members of the public*

As Marie Stopes UK are not a campaigning organisation, we have not petitioned members of the public about this issue, but have shown support for the Back Off campaign, and for local council public consultations on PSPOs which do engage with members of the public.

Members of the public sometimes contact our Centres directly to say that they have witnessed clients being harassed and/or kept from entering the Centre. Sometimes, we are able to send a member of staff outside to help escort such clients past protestors/” pavement counsellors”. Other times, members of the public inform us that clients were forced to walk away and not attend their appointment. Members of the public have also come into our Centres upset that this is happening on their street and have asked to speak with our managers about what is being done to stop anti-choice activity.

Members of the public also contact us on social media on occasion to say they have witnessed an anti-choice gathering and would like to do something about it. Sometimes this sighting does not pertain to one of our Centres or Clinics, but we do sign post them to the Back-Off campaign, or to other campaigning organisations such as Abortion Rights.

One recent enquiry on social media came from a member of the public in October 2017.

“Hi, I'm sorry if this is an odd question. There have been anti-abortion protestors outside my local hospital for about a week now and to my knowledge nothing can be done as they are on a public road. However, they have just put up a banner on railings by the hospital with a phone number that just says "Pregnant? Need help?" They've removed their other signs and it looks like a deliberate attempt to make it look like the hospital are displaying the number when it's actually a service with an ulterior motive. I've spoken to someone at the hospital who says they have been told they cannot approach them or ask them to take it down. Is there anything that can be done about them displaying this number so close to a hospital?”

3) *What do you understand to be the purpose of the protests or other related activity outside healthcare clinics?*

From the literature that the anti-choice groups hand out, and from their website, their public facing purposes are to pray to end abortion, and to “counsel” women into not having an abortion. This is why, for most of the anti-choice groups, their activity is two-fold: one person acting as a “pavement counsellor” to loiter by the gate or door of the Centre or Clinic to try to stop women from entering; and a larger group positioned a little further away praying, and sometimes singing. At the Home Affairs Select Committee, representatives from these groups have stated that because their purpose is to individually “counsel” each and every client who approaches our Centres, regardless of whether these clients have sought such an intervention, they refuse any compromise that would move them away from any Centre’s immediate entrance, or prohibit them from directly approaching our clients.

They also have mentioned in letters to our Centres that they would like to “assist you in finding more life affirming work”. We believe that these anti-choice groups try to make our team members and contractors not

want to work at our Centres or Clinics by making the working environment uncomfortable and their walk to work intimidating.

The anti-choice groups also aim to persuade the host sites of our smaller clinics to not to allow us to lease the rooms to hold our appointments in. They do this by sending letters to the Practice Managers, and often by setting up petition stalls outside the premises and asking members of the public to sign in order to evict us. Their presence outside of our host sites which provide a whole range of GP services also puts pressure on the Practice Manager, as the wellbeing of all their patients is at risk.

The pro-choice groups aim to counter-protest the anti-choice groups and would not be present if the anti-choice groups were not present. Their aim is to be a visible representation of people who do support a women's right to access legal abortion services. They also often stand in front of the larger anti-choice groups that pray, with their backs to the Centre or Clinic, so as to act as a barrier. Their aim, we believe, is to create a privacy barrier for clients entering our buildings.

4) *To the best of your knowledge, how many healthcare clinics have experienced protests or other related activity in the last 12 months?*

From both the testimonies of our team members of their experience of protest activity, and of logged incidents on our incident reporting system over the last year, 15 Marie Stopes Centre and Clinics were named as being the location of the activity.

Of those 15, 9 of the locations are buildings which are "Marie Stopes Centres", in which we use the whole premises. The remaining 6 named locations are GP Practices or Health Centres from which we run small Marie Stopes Clinics. All host sites are listed below.

5) *If possible, please list the clinics or state the local authority or police force area in which they have taken place.*

Locations in which these protests have taken place in the last 12 months are as follows:

- Marie Stopes Bristol Centre;
- Marie Stopes Manchester Centre;
- Marie Stopes Leeds Centre;
- Marie Stopes West London (Ealing) Centre;

- Marie Stopes South London (Brixton) Centre;
- Marie Stopes Preston Clinic (Avenham Health Centre);
- Marie Stopes Birmingham Centre;
- Marie Stopes Central London Centre;
- Marie Stopes Stevenage Clinic (formerly in Canterbury Way Surgery);
- Marie Stopes Hemel Hempstead Clinic (Speedwell Pharmacy);
- Marie Stopes Lewisham Clinic (St Johns Medical Centre);
- Marie Stopes Essex Centre;
- Marie Stopes Maidstone Centre;
- Marie Stopes Belfast Clinic (formerly in 14 Great Victoria Street);
- Marie Stopes Southend Clinic (Southend Medical Centre).

6) *What is the frequency of the protest activity?*

4-7 days a week

7) *What is the average number of people in attendance at any one time?*

6-10

8) *What is the nature of the activity undertaken outside clinics? (e.g. handing of leaflets, praying, talking to passers-by)*

With testimonies from team members that work in our Centres and Clinics listed above, the following protestor activity has been identified across the UK. Full team member testimonies are found in Appendix A (sent separately by email).

- Congregate outside Centre/Clinic;
- Watch clients enter and exit the Centre/Clinic;
- Approach clients and team members;

- Trying to enter into conversation with clients (“pavement counselling”);
- Stop female clients and team members from entering;
- Silent praying;
- Loud group praying;
- Verbally give factually incorrect medical information;
- Distribute leaflets / envelopes containing factually inaccurate and manipulative information;
- Distribute bibles;
- Distribute rosaries (pink or blue);
- Distribute baby dolls with “mummy” written on;
- Distribute knitted baby boots;
- Distribute baby vests with “I’ll love you Mum” written on;
- Present a stall with petitions to evict Marie Stopes UK from building;
- Present plastic model foetuses;
- Display graphic images (on signs, on the pavement, on vans);
- Display religious images;
- Spread salt on the floor;
- Follow team members up the street;
- Ask for team members phone numbers;
- Follow clients up the street;
- Harass / shout at team members (e.g. shouting “find another job”);
- Follow clients to the Centre or Clinic gate/path/steps;
- Harass / shout at clients;
- Call “Mum/Mummy” to clients as they enter and exit;
- Call to clients not to enter the Centre or Clinic;
- Cornered clients;
- Offer to buy client’s baby / offer money, food, shelter for the client not to have an abortion;

- Bring children / babies / breastfeed and present baby to Centre window;
- Videoed clients, team members, and contractors
- Play loud music/hymns from vehicles outside of the Centre;
- Perform intimidating gestures to team members (e.g. cutting throat gesture)
- Physical assault on visitors, team members, and clients;
- Physical aggression;
- Verbal aggression toward team members (swears / calls them names e.g. “murderer” and “baby killer”);
- Vandalise team member’s cars;
- Block cars from entering the Centre driveway;
- Lean into car windows
- Spray “water” / “holy water”;
- Throw red liquid;

9) *Do you have any evidence that clients and staff of healthcare clinics are being harassed and / or intimidated?*

Yes

If yes, what evidence do you have?

- *Clients*

In our West London Centre, police have asked us to keep an informal log of the harassment that clients and their companions feel when having to pass protestors outside our Centre. Our team members document details of anyone who has become upset due to the protestors; anyone who mentions that they feel aggrieved at them being there, or any time the Centre team notice the protestors blocking the gate.

On 10/11/17 one client wrote in the West London log, “I feel very traumatised seeing photos of babies and embryos outside of this clinic. The lady outside will not remove the photos and would not listen to my complaint. If there is any way you can remove these people / group from standing outside please make it happen. This is unacceptable and wrong.” (Appendix C, 10/11/17)

On the same day a companion of a client wrote, “Would like to complain with regards to protestors outside of Marie Stopes Ealing was made to feel very uncomfortable upon entering clinic and handed rosemary [sic] beads and leaflets which I feel is not appropriate and upset my daughter no end.” (Appendix C, 10/11/17)

Instances of clients feeling intimidated are captured throughout the West London log, including clients feeling scared, “Client + accompanying friend feeling intimidated by number of protestors approaching them – both felt scared and uncomfortable walking past.” (Appendix C, 22/07/2017)

The Back Off campaign has shared some testimonies they have recently received from women who had accessed services at one of our Centres. The following excerpts are examples of testimonies from clients (sample of responses supplied by the Back Off campaign can be found in Appendix D):

“I nearly turned round and went home. It was so intimidating and I felt very tearful and to a certain extent a bit threatened and judged. It made a terrible situation even worse. I feel anger towards those protestors now when I reflect. They should not be allowed to harass women like this.” – Client visiting West London Centre

“I felt intimidated, scared of my actions being public, upset and angry. I was particularly angry because I knew the information they were providing was factually inaccurate and they were trying to intimidate vulnerable women.” – Client visiting West London Centre

“As it happened I was attending for a contraception appointment but regardless of why I was there, it was intimidating, patronising and insulting that she was forcing misinformation and emotionally manipulative material onto me.” – Client visiting Central London Centre

“I was attending the clinic for contraception advice so it really annoyed and angry that I was being harassed for being responsible! I have had an abortion and luckily I escaped any harassment at appointments related to this, but my point is that most clinics offer other women's health services as well as abortion related services and we are still harassed by these groups.” – Client visiting Central London Centre

Some clients feel trapped or cornered into speaking to the protestors as they try to enter the building. A team member who works in our Central London Centre has described an incident where she has had to help the client come in to the Centre, “When a protestor has cornered a client; I have interrupted and asked the client if she has an appointment and does she want to come inside. When the client has affirmed her wish to come inside the clinic, the protestor has been verbally aggressive.” (Appendix A, page 23)

There is also evidence within the testimonies of our team members that clients feel too intimidated by the protestors to walk out of the Centre or Clinic alone following their appointment. Shelley works in our Manchester Centre and describes, “The clients are so upset when they come through the door. Clients will only come into the clinic if a member of staff collects them from the car. We often have to walk the client's out of the clinic up to the top of the road.” (Appendix A, page 37)

Our West London Centre log also describes similar scenes, “Client came to front desk asking if the lady was still outside. Offered to escort the client outside, which she accepted. Client said she found them unnerving and asked how to contact police. I have signposted her to council complaints department. 3 protestors outside @12:23” (Appendix C, 07/11/17).

There is also evidence that our Centre team members have logged on our internal incident reporting system, Datix (Appendix B). Our Birmingham Centre has logged, “07/03/2017 – Protestor upset client, handed her leaflet and grabbed her by the arm. She came into clinic crying.”

Similarly, another Datix entry from our West London Centre reads, “10/10/2017 - Client stopped by protestor, client does not speak English. Protestor rang someone on mobile who spoke the same language as client and asked client to come away from clinic and to come for a coffee with them to discuss options. Man who was walking past saw client visibly distressed and brought her in. Our translator told scanner the story.” (Appendix B)

- *Marie Stopes UK Teams*

We have many testimonies from our team members who describe feeling harassed and/or intimidated by the groups of protestors. When asked how the protestors made her feel, one of our nurses who worked in small Clinics in the Greater London region explained: "Intimidated. Especially when I have been lone working in EMUs [Clinics] and am the only member of Marie Stopes staff." (Appendix A, page 10)

Shanell Mcleod is a team member at our Leeds Centre. She describes the fear and intimidation she feels when leaving work due to protestor activities, "The ones that are outside the clinic gate are elderly but then the one that comes and shouts abuse has smashed a car window in the car park again today. So we have called the police. As for the abusive one that shouts murders and things and smashes the window and runs off makes me feel unsafe when leaving in the dark." (Appendix A, page 17)

Nikki Lorimer, Matron for our North Region has described her feelings and concerns as, "Angry, anxious, impact clients, frustrated, worried about if they will act with physical violence, follow staff home. They have blocked a nurse in the car park as they recognised her from the church. Nurses feel anxious coming to work and passing them, especially in dark mornings and evenings" (Appendix A, page 14).

Lyn Bradley works at our Manchester Centre, she described instances of harassment and intimidation she has faced: "Some years ago I began working for Marie stopes. One protestor I knew from when I worked at the local hospital. She shouted and asked me why was I working in this clinic. She ran over and hit me across my back. I told her never to do that again. When she is on her own she is very nasty she has made signs to me in the past to cut my throat. She cheers when clients turn away. I speak to some of the protestors say good morning etc. When I mentioned [her] behaviour towards me I don't feel they believe me. She only does all this when she is alone." (Appendix A, page 55)

Other team members from all over the country described feeling similar intimidation, explaining that they feel, "Scared. I fear for my personal safety"; "I try to ignore them but they make me feel intimidated/nervous"; "It can be intimidating having to walk past and through them to get into the building and I also feel angry when I see them harassing someone who is clearly in a vulnerable state"; "...it's very intimidating to have someone that you know is judging you get so close. It does feel like an invasion of private space"; "Tensed. I am scared I may face less peaceful protestors one day"; "Intimidated and judged" (Appendix A).

Further evidence is detailed in Appendix A, B, C, and D (sent separately by email).

10) *Do you record incidents of alleged harassment and / or intimidation that occur to healthcare clinic clients and employees?*

Yes

If yes, how are they recorded and can you supply examples of the type of incidents that have taken place?

At the request of local police services, our West London Centre keeps an informal log to record instances of harassment or intimidation that clients and their companions feel when passing protestors. Our team members document details of anyone who has become upset due to the protestors; anyone who mentions that they feel aggrieved at them being there, or any time the Centre team notice the protestors blocking the gate (Appendix C). Our Central London Centre team is also considering keeping a similar log.

Examples from the West London Centre include clients telling the protestors that they do not wish to talk to them, and the protestors continuing with harassing behaviour:

“I attended the clinic today for an abortion. The man and lady outside made me feel very uncomfortable. He kept trying to speak to me (at least 7 times) despite me telling him to leave me otherwise I would call the police. I feel that they should not be allowed to approach vulnerable women or even young girls who are going through a rough time.” (Appendix C, 26/09/2017)

Clients are also grabbed, as reported in the West London Centre log, “Client grabbed on arm by protestors to stop them entering – described as aggressive. ‘You’re not allowed in’.” (Appendix C, 28/07/2017)

On occasion the protestors attempt to gain access to the Centres to confront our team members. The following is another excerpt from the West London log. “15:10 – Woman buzzed at door, I let her in. She walked in, to which I asked her if I could help. She asked me if this is where we murder babies asked her to leave immediately. She proceeded to tell me that our judgement day was coming. Is this once again where we murder babies. I asked her to once again leave which she did.” (Appendix C, 06/04/2017)

Team members report incidents involving protestors that have affected either clients or the Centre/Clinic teams via our internal incident reporting system, Datix (Appendix B).

Further examples include this Datix report from our West London Centre, “02/08/2017 - The client was grabbed by the protestors outside upon arrival to the centre and was told she cannot go in. The translator stated that it was harassment when she was being arrived at reception and the client was explaining herself. The client was asked if she was alright, the issue was escalated to the Operations Manager immediately and the police have been called to deal with the situation. The client has spoken to police and made her allegation to them.” (Appendix B, page 71)

And a further incident in West London, “02/08/2017 - On the way out of the building the protestors (tall man, wearing glasses) shoved a leaflet in the client’s boyfriend’s face and the client’s boyfriend replied “not now, have some respect”. The client and her partner left the premises. A Datix has been raised as this is the second occasion recently that the protestors have been invasive and behaved in an inappropriate manner to clients.” (Appendix B, page 70)

We ask clients if they would like to report their experience of the protestors to the police. Many do not wish to, but for those that do, their testimony will be evidenced within police records.

Further examples can be found in Appendix B, and C (sent separately by email).

11) *Are you aware of any protestors that may have suffered any harassment and / or intimidation whilst in the vicinity of a healthcare clinic?*

Yes

If yes, please can you supply example of the type of incidents that have taken place?

In our experience, confrontations that occur towards the protestors are from passing members of the public. Within our incident reports from the past 12 months, a team member has logged an incident involving protestors outside of our Lewisham Clinic and two members of the public:

“At approx. 12:30 a local resident had an altercation with one of the protestors as he was unhappy that they had attached a sign to the lamp post and felt that it was an obstruction to the walkway.

“The resident then proceeded to remove the sign and he also decided to call the local police as he felt what was being protested was inappropriate.

“Whilst this was happening another local resident was taking her daughter to the nearby nursery and was very upset by the graphic images that both her and her daughter were subjected too. This young lady became very upset and also started to argue with another protestor.

“The police were called however before their arrival local police on horses stopped to see if the situation could be diffused. Both residents were very angry and the police officers present decided it would be more appropriate for police back-up. Within 10 mins there were approx. 10 uniformed officers to calm the situation. Both residents were spoken to separately. The police also asked myself what happened and spoke with Lewisham practice manager. The police were informed that the protestors had actually not put a sign warning of images at both ends of the road and that the direction that the resident with child walked from was not aware of images until she was in front of the banner.” (Appendix B, page 72).

At the Central London Centre, team member Franki Appleton has mentioned another incident involving protestors and members of the public. “I have also seen passers-by become angry at the protestors being there and confront them. Ironically the protestors then tell these residents that they are harassing them and they will call the police.” (Appendix A, page 66).

12) Have any incidents you are aware of, or have been involved in, been reported to the police?

Yes

If yes, please provide summary details

The police are contacted in any instance where clients have come into the Centre or Clinic and alleged harassment (verbal or physical), instances of violence, aggression or vandalism, if there are large groups of protestors, if the protestors are filming on phones or cameras, or physically blocking entrances to the Centre or Clinic.

Often, clients do not wish to make statements to the police, but on occasion they do.

Iwan Cockman, a team member who was working from our South London Centre has described one particular incident he was aware of, “...we had a woman in her 40s enter the car park right outside the front door of the centre. She had with her an umbrella with a crude crucifix fashioned from wires and was jousting it into the air followed by loud announcements of "Lucifer is the father of all murderers". On this occasion the police were called as the umbrella was being brandished like a weapon and 3 vehicles arrived at the centre to ensure no one was harmed by this erratic behaviour.”

Incidents are logged on our internal incident reporting system, Datix. On 01/12/2017 a violent incident of vandalism was recorded:

“12:10 Male enters gates of the centre car park, holding what appears to be a ‘bat’, walks over to the front window of the centre and pulls out some flowers from the window boxes. He then walks over to a Team Member’s car and kicks the rear passenger wing.

12:11 Male leaves the car park & interacts with 2 protesters outside the gates.

13:10 One of the protesters comes into the centre to report the damage caused.

Police 101 Called & attended at 14.45 to review CCTV, however the image of the male is poor and is of little use..."

Further details of each logged incident from 2017 are listed in Appendix B (sent separately through email). Please note that not every instance of protestor activity is logged on our Datix system, but instances that escalate from day to day protestor activity are. This is not to say that the everyday activities of the protestors do not cause feelings of harassment or intimidation, rather, that our team members would have to spend most days reporting on protestor activities, which is not a constructive use of their time.

13) *Are you aware of any arrests of protestors whilst in the vicinity of a healthcare clinic?*

No

14) *If applicable, what measures, if any, have you taken to address the situation of alleged harassment and/ or intimidation of healthcare clinics clients and / or employees?*

As mentioned previously, our Centre Managers have good relationships with local police services and call on them when incidents happen that the police can assist with. Many of our team members who work in Centres which have daily protestor activity often reiterate to the protestors that they are not allowed on our premises and that we will call the police. This is an attempt to manage and diffuse the harassment and intimidation caused by these groups, but unfortunately our teams cannot watch the protestors at all times.

Our centralised Call Centre are informed if there is a planned protest which will be more large scale than usual (40 Days for Life, for example). This is in order for our call handlers to let clients know there is a risk of protestors being outside certain Centres or Clinic. If the client would like to avoid the protestors, they can be offered an appointment at another Centre/Clinic. This could mean the available appointments in Centres/Clinics without large protests are further away from the client, or at a later date. This could delay treatment, which in turn could limit treatment options for clients. It is forcing clients away from their preferred appointment location.

One of our Centres has an additional side entrance which is unknown to the protest groups. If there are protestors outside of this Centre our clients would be contacted and invited to use the side entrance instead. However, a secondary entrance is not available at most of our Centres and Clinics.

15) *If applicable, what advice and support, if any, do you offer clients and employees of healthcare clinics when encountering protestors?*

In order to support our clients who have to walk past protest groups, we include a forewarning in our information booklets that there may be protestors present outside our Centres or Clinics.

Clients are also welcome to call our main phone number if they have arrived near the Centre or Clinic and have become apprehensive about walking past the protestors. Our call centre teams can arrange for a team member from the Centre or Clinic to come outside to meet with them and accompany them into the building.

Unlike the protest groups, we have trained counsellors available and clients can book appointments with them for a session over the phone, or face-to-face. Our counsellors often must provide extra support for those affected by the protest activity. Margaret Larcombe, a Counsellor in our Maidstone Centre describes, "Being the counsellor at the clinic I explore the emotional implications of termination for the client, often the protestors outside cause my clients to feel even more distressed than they already feel." (Appendix A, page 42)

Clinical team members also find that due to the activities of the protestors, clients require more support during consultation as the protestors have caused undue upset. A team member from our Manchester Centre has given testimony, "Clients have been given misleading info which we then have to talk through. Some women are very distressed and need lots of reassurance and further support due to things the protestors have said." (Appendix A, page 49)

A team member from the West London Centre shares a similar experience when asked if protestors have impacted their ability to provide care, "Because the clients come in the clinic very upset and our staff have to spend time calming them down. In a lot of cases, the protestors make the clients feel guilty because of what they are about to do." (Appendix A, page 51)

Our team members are supported by Centre Managers and are encouraged to report incidents involving protestors through our reporting system, Datix. All incidents are reviewed by the Quality Assurance team and are escalated further if necessary. Marie Stopes UK has a Violence and Aggression Policy, as well as a Lone Working Policy which team members can draw on for guidance on how to escalate incidents, and how to protect their personal safety if working alone in one of our small Clinics. Team member also have use of a free and independent employee helpline and can access counselling sessions from this service. If they feel affected by the harassment or intimidation felt by protestors, this service is available.

16) *Have you any examples of protestors being asked to relocate their demonstrations/gatherings?*

Yes

If yes, what has happened as a consequence?

On the occasions that the local police have arrived and asked them to move, they have moved slightly further away from the Centre, but often do not vacate the area completely. Similarly, our team members have asked the protestors to move away. Some have moved a little further away on request, but again not vacating the area completely. However, other Centre Managers have never known the protest groups to comply.

There have been no instances, that we are aware of, of groups of protestors moving away from our gates, drives, or doorways, and staying at a clear distance the next day.

For many of the protest groups, at least one of the members tries to be as close to the door or gate as possible to confront clients trying to enter. During the Home Affairs Select Committee questions on harassment and intimidation outside of abortion care provider premises, members of Good Council Network mentioned that they would not want to move away from the Centres or Clinics, as the point of them being there was to intercept women on their way in.

- 17) *Do you have any evidence in respect of allegations that protesters being present at healthcare clinics can lead to clients at the clinic feeling harassed and / or intimidated, and deterring women from accessing healthcare services?*

Yes

If yes, what evidence do you have?

Evidence is available from our internal incident reporting system, Datix, that clients do rebook appointments due to the anxiety of having to pass groups of protestors. This delays their treatment, forcing them to undergo treatment at a higher gestation, which increases the risks of the procedure and reduces their treatment choices.

Examples include the following incidents reported by our West London Centre:

“25/03/2017 - Client called in to One Call to tell them that she wanted to cancel her appointment because of the protestors standing outside of the clinic. She will call in again for another appointment at a different date. Attempted to call client in order to offer her support or an escort into the clinic - did not reply.” (Appendix B, page 71)

“23/02/2017 - Client prevented from entering clinic by protestors - witnessed by local resident. Client tried for approximately 15 minutes before walking away, appeared in severe distress. Local police number called for them to come and speak with protestors. Client details unknown, but witness details recorded on this incident.” (Appendix B, page 72)

As a nurse in our Greater London region, Demi McCann has also given personal testimony: “I have spoken to clients who have been put off attending certain centres due to protestor presence and have re-booked their appointment at another centre instead.” (Appendix A, page 10)

Existing powers and tools

A range of civil and criminal powers exist to ensure the rights of protest can be balanced with the rights of individuals to go about their business without fear of intimidation or serious disruption to the community.

- 18) *What is your experience of the use of these powers? Please give details.*

As detailed in previous answers, our Centres and Clinics have good relationships with local police services. However, the local police often feel that they cannot support our Centre Managers to exercise existing civil and criminal powers.

Ian Murray is one of our contracted drivers for clients that require taxi rides to and from the airport in Manchester; he is also a retired Magistrate. He has given testimony regarding the behaviour of the protestors, “Not certain if an offence (as defined in the Criminal Code) is being committed. Nearest might be Harassment, Alarm and Distress Sect. 4).” (Appendix A, page 68)

Sally O'Brien, West London Centre Manager has said,

“Police will always come when called, but then their hands are tied. There is no specific law that deals with group harassment - public order laws require a police officer to witness the offence and then to request a stop in behaviour before they have any powers. They cannot deal with harassment in retrospect and our

clients are often too distressed to get involved in such matters and make statements etc. You can't have a crime without a victim, so police again are tied. It is not their fault, they sympathise, but they are bound by the laws that they police with."

Behaviour that has been identified by our team members and by clients often stops when police arrive. A team member from Manchester describes, "They send PSCO down to have a look - sometimes they turn up several hours later sometimes sooner. Some have talked the protestors [sic] and asked them to take the images down. Police have told us they have the right to stand there. Protestors will stop handing leaflets out and approaching clients whilst the police are there but then they start again once they've left." (Appendix A, page 60)

Our team members will always ask clients who have been distressed by protestors if they would like to make a statement to police – they often do not want to make a statement.

Even in cases of physical harassment, clients and their companions often do not wish to make statements to the police. On 05/03/2017 a team member in Belfast logged an incident, "On return for 2nd stage MA [medical abortion], the client and her mother made us aware that they were harassed by Protestors [sic] outside the building when leaving the day before. They said no to the protestors leaflets and were shown a plastic 'foetus'. The protester tried to draw attention to them by shouting loudly and she grabbed the mother's arm and tried to pull her back." (Appendix B, page 76). The Clinic called the police to report the incident, but the client declined when asked to make a statement.

When clients do make statements to the police, we are unsure of the outcome.

19) If you have taken action, please describe the powers considered and used?

The police are called in instances of the escalation of protestor activities which can be considered public disorder, or escalated harassment and intimidation. However, as described in the answer to question 18, the local police explain that their hands are tied.

A team member who was a lone worker in Clinics throughout London has explained; "We would constantly be on the phone to police if we called every time they were outside of the clinic (everyday!), we are aware of the current laws and that the protestors are most of the time acting within the law, this is very frustrating." (Appendix A, page 11)

20) If applicable, have you considered applying to the courts for a civil injunction to protect individuals?

In Northern Ireland the level of harassment and intimidation felt by team members and clients alike was relentless from when we opened in 2012 up until the Clinic closed in late 2017. As seen in the incident reports from the last year from Belfast (Appendix B), the activity outside of Belfast represented the most intimidating behaviour that could be witnessed outside of any location.

One such report from 05/01/2017 states, "When staff volunteer was entering the building one of the protestors said, 'she's here'. As she opened the door, 2 other protestors walked towards the entrance and glared at her. One of them mouthed 'I'm going to get you' through the glass."

In 2015 our former Programme Director of Northern Ireland, Dawn Purvis, pursued charges of harassment against Bernadette Smyth (Director of Precious Life). Smyth was convicted of having caused harassment

which barred her from the area around the Clinic and from engaging with Dawn. However, the conviction overturned not long after (Appendix E)

The fact that very obvious instances of harassment and intimidation in the case of Dawn Purvis were overturned after having been convicted in the UK, does not fill our team members with confidence that if they were to pursue civil injunctions that they would be better protected.

Buffer Zones

There have been calls for the creation of buffer zones (an area where protests relating to abortion are prohibited) around healthcare clinics. At this stage of the review we would welcome initial views on the practicality and effectiveness of such zones.

21) What is your view on the usefulness of such a tool?

We do believe that this would be a useful tool to prohibit the specific activities which we know cause our clients and team members to feel intimidated and distressed.

There is evidence of similar buffer zones (also called “access zones”, “exclusion zones” or “bubble zones”) being implemented in some localities in U.S.A, Canada and Australia, and have proved to be both practical and effective.

We believe in the right to protest, but we also believe that women should be able to access healthcare services without being harassed or intimidated. The ‘protests’ cause emotional distress to our clients and leave them open to having their privacy invaded. We believe that a designated buffer zone to prevent groups from gathering at the premises of all those who provide confidential sexual and reproductive healthcare services and advice, would help to prevent the harassment and intimidation of women. As such, we fully support this measure.

22) Who do you consider should determine whether and where such a zone is put in place?

We would consider that every site which is licensed to provide abortion care services should have a buffer zone to ensure that access to care is not impeded anywhere in the UK.

A danger of only allowing buffer zones around some providers and not all could be that protest activities will become focused on those areas without the protection of a buffer zone. Therefore, we would support buffer zones to be enacted around all licenced premises which are registered to provide abortion care with the Department of Health.

23) How should buffer zones be enforced?

If clear laws were in place where specific behaviour that caused harassment and intimidation outside of abortion clinics were defined, we would support notifying the police if any infringement of these laws occurs.

Our Centre Managers see the frustration that local police feel when they believe they cannot do anything about the activity which currently causes distress. However, if buffer zones were in place, local police would have the activity specific guidelines required to use their powers if groups continue to harass and intimidate clients and team members.

24) *What benefits or challenges do you envisage?*

- *Benefits*

The benefits of buffer zones outside of abortion care provider premises are numerous. Our clients can access the legal healthcare service that we provide without fear of being confronted, without harassment, without feeling intimidated, and without being presented with factually inaccurate, unregulated information about treatment options. In short, they will not have to face emotional manipulation aimed to deny them an informed choice about their healthcare. They will also be afforded the privacy and confidentiality of any other NHS reproductive health service. They will not feel that they must travel further away to access a Marie Stopes Centre or Clinic due to anxiety that protestors will be stationed at their local one. They will not feel like they must rebook a later appointment because they cannot bring themselves to walk past the protest groups. They will thus be able to access care in a timely manner, should they feel confident in their decision.

For the local police services, it would give clear guidelines on how to protect the public and our teams from facing this type of harassing behaviour, which seems to fall through the gaps of current harassment law.

For our teams, they will be able to come to work with the knowledge that if protestors do gather to harass, intimidate and verbally assault them, there are clear police powers that can be called upon. To signal that the behaviour of the protestors is not acceptable outside of a healthcare setting and, we hope, to allow our team members to not be fearful coming to and leaving work.

For the communities in which our Centres and Clinics are situated, members of the public will be able to walk past without encountering graphic images, intimidating crowds, or upset clients. Our West London Centre, for example, is on the same road as a park, a school, and a theatre. Members of the public and local council members have complained that they are forced to encounter these groups while attempting to enjoy their local community.

- *Challenges*

Those who do not believe that abortion should be a legal service in the UK have publicly said that they will break the law, should buffer zones be introduced, in order to maintain a presence outside of abortion clinics.

In a video shared with us on Twitter, an anti-choice campaigner Richard Carvath says that he will travel to Ealing, should a local PSPO in the area surrounding our West London Centre be introduced, "Pro-life people are not going to stop. They're not going to give up because of PSPOs. Pro-life people will very happily break the law. SPUC people, SPUC pro-life people will break the law, Abort 67 will break the law, pro-life Catholics will break the law, pro-life Christians, pro-life anybody. Anybody that sincerely believes that they have got a life-saving message. They are not going to go away because the council brings in a PSPO order; they're going to say "bring it on, send me to jail".^{vi}

We also expect that there will be legal challenges from the larger anti-choice organisations, including those who are affiliated with and receive support from the large American "pro-life" organisations, which have significant financial resources.

25) *Are there other considerations that you would like to raise regarding the introduction of buffer zones?*

We feel that for buffer zones to work, they would need to very carefully outline all behaviours that are known to cause feelings of harassment and intimidation to clients and team members entering our premises.

For example, in Tasmania, they have stipulated that prohibited behaviours within buffer zones (access zones) includes: besetting, harassing, intimidating, interfering with, threatening, hindering, obstructing or impeding a person; protests in relation to terminations that are able to be seen or heard by a person accessing a clinic; footpath interference; and intentionally recording a person accessing a clinic without their consent.

Considerations would also need to be made as to the distance that a buffer zone would cover. A standardised or set distance may be in danger of not being as effective in some clinic locations. One suggestion could be that when a site is approved to provide abortion care services and registered with the Department of Health, this process could also include proposing buffer zones specific to that site.

26) *Are there other powers or tools you consider would be appropriate?*

We consider that buffer zone legislation is the most appropriate tool to prevent harassment and intimidation outside of abortion clinics. In South Africa, a country in which Marie Stopes South Africa (a sister country programme to Marie Stopes UK, and part of Marie Stopes International) provides services, there are laws in place to protect access to legal abortion services.

The Choice on Termination of Pregnancy Act, 1996 prohibits anyone from "preventing the lawful termination of a pregnancy" or "obstructing access to a facility for the termination of a pregnancy", imposing a penalty of up to ten years' imprisonment.

It is clear from the literature and websites of these anti-choice groups that their aim is to prevent the lawful termination of a pregnancy, as such we would support changes to legislation around abortion provision in order to prevent the harassment and intimidation of clients and team members outside our premises.

27) *What do you think would be the implications to the right to protest and of freedom of speech if buffer zones were created?*

We absolutely believe in, respect, and support the right to protest and freedom of speech, but not the right to harass and intimidate. Our Centres and Clinics are the sites of healthcare provision and should not be the site of an ideological battleground.

The introduction of Buffer Zones around abortion clinics to prohibit activities that cause harassment and intimidation would only mean that the right to protest and free speech of these groups can be exercised somewhere more appropriate.

These groups seek to stop abortions from being a legally accessible healthcare provision in England, Scotland and Wales. Their dislike for the law and for abortion care, and their right to that opinion, should not give them the right to stop women who have made the choice to end their pregnancy from accessing this care at point of service, or to make our team members feel unsafe at work.

Contact

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End Notes

ⁱ <http://www.goodcounselnet.co.uk/Abortion--Clinic--Vigils.html> [Accessed 14/02/2018]

ⁱⁱ <https://www.40daysforlife.com/vigil-search.aspx> [Accessed 14/02/2018]

ⁱⁱⁱ <http://helpersuk.org/weekly-vigils/> [Accessed 14/02/2018]

^{iv} <https://www.preciouslife.com/> [Accessed 14/02/2018]

^v Home Affairs Committee, (2017), *Oral evidence: Harassment and intimidation near abortion clinics*, HC 638, page 18, Q30. Published Tuesday 12 December 2017:
<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/harassment-and-intimidation-near-abortion-clinics/oral/75524.pdf>

^{vi} https://www.youtube.com/watch?time_continue=275&v=mQXhAy-WZD8 [Accessed 14/02/2018]