

BPAS and Back Off Scotland submission of 2 February 2023

PE1991/D: Develop an educational resource on abortion

We are writing to you today with regard to 'PE1991: Develop an educational resource on abortion' as presented by Gemma Clark.

The British Pregnancy Advisory Service (BPAS), along with Back Off Scotland, supports the petition's aim to ensure that Scottish students receive medically accurate and health-focused education on abortion.

As the largest provider of abortion in the UK, BPAS along with Back Off Scotland, a grassroots campaign focused on removing barriers to accessing abortion healthcare in Scotland, we are concerned that relationships, sexual health and parenthood (RSHP) education in the Scottish curriculum is not mandatory¹.

Following research undertaken by the House of Commons Education Select Committee on the value of including sexual education in the curriculum, we believe that the UK Government's decision to put relationships and sexual education on a statutory footing in England is crucial for young people to make informed decisions about their own sexual health.

In an amendment to the Children and Social Work Act 2017, it became a legal requirement in England on 1 September 2020 for²:

- All primary schools to teach relationships education
- All secondary schools to teach relationships and sexual education
- Reformed statutory guidance for schools
- The right of parents to withdraw their children from sex education, with new rights for a child approaching age 16 to 'opt-in'
- Schools to remain flexible in their approach, including faith schools being allowed to teach within the tenets of their faith

As a result of the amendment to the Act, guidance states that pupils should know "*that there are choices in relation to pregnancy (with medically and legally accurate, impartial information on all options,*

¹ https://www.parliament.scot/-/media/files/committees/citizen-participation-and-public-petitions-committee/correspondence/2022/pe1991/pe1991_a.pdf

² <https://commonslibrary.parliament.uk/research-briefings/sn06103/>

including keeping the baby, adoption, abortion and where to get further help)”, as well as being aware of the relevant legal provisions relating to abortion³.

Similarly, the Welsh Government has made Relationships and Sex Education (RSE) a mandatory element of the Curriculum for Wales Framework, supported by statutory guidance and the RSE code. As part of the Code, it is a mandatory for over 11s’ education to include “Understanding how contraception can assist with reproductive choices, including awareness of abortion.”⁴

In light of these requirements in England and Wales, we believe that the Scottish Government is failing students across Scotland by allowing individual schools discretion in teaching such core elements of sexual and reproductive healthcare. Awareness of contraception and abortion, and the rights of women and girls to make decisions about both, are not discretionary or faith-based issues – they are fundamental rights which all students should be empowered to learn about.

In line with PE1991, we believe that Scotland’s lack of mandatory education on abortion constitutes a violation of Articles 3 and 17 of the United Nations Convention on the Rights of the Child (UNCRC). These articles state that a lack of access to ‘*reliable information from a variety of sources*’⁵ would not only breach children’s rights but also have a detrimental effect on their education, livelihoods, and in some cases their health and wellbeing.

BPAS and Back Off Scotland support the petition and call for the establishment of mandatory sex and relationships education which includes specific requirements on inclusion of education about abortion and reproductive health services across all schools in Scotland, including faith schools and independent schools.

³ <https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education/relationships-and-sex-education-rse-secondary>

⁴ <https://hwb.gov.wales/api/storage/421e40ad-dbc6-4d6c-ba38-7d49433a1019/2-sexual-health-and-well-being-strand-mandatory-content.pdf>

⁵ <https://www.unicef.org.uk/rights-respecting-schools/wp-content/uploads/sites/4/2017/01/Summary-of-the-UNCRC.pdf#:~:text=Every%20child%20has%20the%20right%20to%20reliable%20information,them.%20article%2018%20%28parental%20responsibilities%20and%20state%20assistance%29>