

**British Association for Sexual Health & HIV (BASHH) response
to:
Public Health Legislation in Scotland: A Consultation**

7th January 2007

The British Association for Sexual Health & HIV (BASHH) is the UK specialty body for Genitourinary Medicine (see www.bashh.org). It has 989 multidisciplinary Members and Fellows who are involved in service provision for people with sexually transmitted infections including HIV. This response has been compiled by BASHH Scotland following consultation with and feedback from Members and Fellows in Scotland.

BASHH welcomes the review of public health arrangements by the Scottish Executive Health Department to update them for the 21st Century. BASHH is aware that Members and Fellows have provided specialist advice to a range of organisations who have written formal responses to the consultation.

Points for consideration

1. BASHH is grateful for the opportunity to comment, however it was surprised by the exclusion of any specific statutory or non-statutory organisations dealing with sexual health and HIV from the long list of consultees, particularly in light of the large amount of activity currently being undertaken by the SEHD in relation to sexual health.

2. In relation to paragraph 3.19 (p.9) and question 1.5 (p.12), BASHH supports the repeal of the AIDS (Control) 1987 Act in Scotland. BASHH feels that this generates unnecessary additional work and that responses to HIV/AIDS issues are better presented in an overarching local Health Protection Plan, providing that safeguards are in place to ensure accountability in relation to funding for health promotion and treatment & care. Experience from elsewhere in the UK suggests that funding intended to maintain responses to HIV/AIDS can sometimes be diverted elsewhere unless a co-ordinated response is maintained.

3. In relation to paragraph 4.23 (p.17) and question 2.4 (p.18), BASHH firmly takes the view that sexually transmitted infections (STIs) including HIV should continue to be excluded from any new notification system. There are three main reasons for this.

Firstly, the public may perceive that notification compromises confidentiality and be discouraged from presenting for the diagnosis and care of STIs and HIV. This may disproportionately discourage individuals from socially excluded populations from coming forward, particularly given the wider concerns about criminalisation of STI and HIV transmission. Initiatives such as routine HIV testing in settings such as antenatal clinics and screening for Chlamydia amongst

young people as well as improved public education have been far more helpful in reducing stigma.

Secondly, extensive epidemiological data on STIs and HIV are already available from Health Protection Scotland. These draw on a range of data sources including from primary care, laboratories and genitourinary medicine clinic attendance data, to provide details of trends in Scotland and to make comparisons with other parts of the UK. The data currently available is amongst the most comprehensive collected anywhere in the world.

Finally, BASHH believes that making STIs including HIV notifiable would simply deflect resources from addressing the public health challenges of dealing with sexual health issues. Specialist services supported by sexual health advisers already provide an effective means of maintaining public health by partner notification (contact tracing). BASHH feels that effort would be better spent ensuring that access to sexual advisers is available on a consistent basis throughout Scotland.

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