

PCAS consultation Q&A

What is BCAP consulting on?

BCAP is consulting on proposals for the regulation of broadcast advertisements for post-conception advice services (PCAS).

What are the current advertising rules on post-conception advice services?

PCAS that are run on a not-for-profit (charitable) basis are already permitted to advertise on TV and radio subject to certain restrictions such as NHS or Local Health Authority approval or the ability to demonstrate appropriate credentials.

Commercially-based PCAS are currently prevented from advertising on television by the general rule prohibiting advertising for commercial services offering individual advice on personal or consumer problems.

Both commercial and charitable family planning centres may advertise on radio, but only if they have appropriate local authority or NHS approval.

What are BCAP's proposals?

BCAP proposes to change the current advertising rules by introducing the following changes:

- Removing the television rule preventing commercial services offering personal advice from advertising.
- Removing the radio rule permitting advertising only by those Family Planning Centres (FPCs) with local authority or NHS approval.
- Introducing a new rule applying to both television and radio requiring medical and health advice services to provide suitable credentials before being able to advertise;
- Introducing a new rule to require services offering post-conception advice on pregnancy that do not directly refer women for a termination to make that fact clear in their advertisements.

What are PCAS?

PCAS offer a range of post-conception services to women, including for example advice on health and well-being, provision of ultrasound services, as well as advice about women's choice to continue with their pregnancy or to have a termination. PCAS are made available to the public in a number of ways and through a variety of different organisations, including the NHS, voluntary sector and commercial organisations.

NHS-accredited PCAS must provide a full range of impartial advice to women about all available options including termination. Other advice services, which for various reasons (ethical/religious) do not offer advice on termination may also advertise.

Why is BCAP consulting again?

The initial proposals on advertising of PCAS (as part of the full public consultation on the Advertising Codes in 2009) prompted a significant response from the public, health professionals, charities and pressure groups. BCAP considered that the responses warranted further, separate and careful consideration; not least because

the original responses indicated that most respondents appeared to have misunderstood what was being proposed. A significant number of respondents incorrectly believed that an outright ban on the advertising of all PCAS was being lifted and that for the first time services that offer advice on terminations would be able to advertise on television.

This consultation clarifies how PCAS can be advertised under the current rules and the effect of the proposed changes. Holding this further consultation ensures respondents are able to comment on the proposals and respond in a fully informed way.

When will BCAP publish its findings?

The consultation closes at 5pm on Monday 8 August 2011. BCAP will carefully evaluate all responses; it will also take into account the responses it received in the original 2009 consultation. In finalising its evaluation of responses and recommended course of action e.g. to change the Code or leave it unchanged, BCAP must take into account the advice of the [AAC](#), a consumer panel established to provide a consumer perspective to its Advertising Code policy work.

By the end of 2011, BCAP intends to recommend a course of action to Ofcom, who retains the responsibility for approving changes to BCAP's UK Code of Broadcast Advertising.