

Proposed Right to Addiction Recovery (Scotland) Bill

Introduction

A proposal for a Bill to enable people addicted to drugs and/or alcohol to access the necessary addiction treatment they require.

The consultation runs from 7 October 2021 to 12 January 2022.

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

No Response

About you

Please choose whether you are responding as an individual or on behalf of an organisation.
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Professional with experience in a relevant subject

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:

I am one of the authors of the Bill, i work in the sector and i'm also just short of 10 year clean of a 20 year drug addiction.

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Stephen Wishart

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

Aim and Approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposed Bill?

Fully supportive

Q1. Which of the following best expresses your view of the proposed Bill?

Please explain the reasons for your response. We would welcome comments on any experience you have had of accessing, or trying to access, addiction treatment.

I see people every day trying to access treatment, from many different areas. Each experience is different as is what they will be offered - if anything. This Bill at least allows us to challenge a decision that should not be made - like a refusal to access a certain treatment type.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

No - because we have had guidelines for years, including the "orange book", various other unenforceable Acts, now the MAT standards - yet people are still ignored as no one is held to account.

Q3. How do you think the right to treatment established in the Bill would be most effectively implemented and enforced? Tick all options that apply.

Duty on Scottish Ministers

Duty on Health Boards

Established targets/standards

Other (For example Local Authorities - please specify below).

Please explain the reasons for your response.

It would bring accountability on decisions, not just on a worker making the decision as many are forced to, but on the health Boards who decide where money goes. My original Bill asked for a regulator like we have in housing and I ask for that again.

Q4. Which of the following best expresses your view of creating a specific complaints procedure, in addition to the existing NHS complaints procedure?

Neutral (neither support nor oppose)

Please explain the reasons for your response. We would welcome comments on any experience you have had with the existing NHS complaints procedure.

The current system is flawed and often a complaint is passed between NHS, Council and ADP staff - passing the buck. A complaints procedure is fine, but only if the avenue to take judicial action is possible when ignored.

Q5. Which of the following best expresses your view of allowing those suffering from addiction to choose a preferred treatment option, and for them to receive that option unless deemed harmful by a medical professional?

Fully supportive

Q5. Which of the following best expresses your view of allowing those suffering from addiction to choose a preferred treatment option, and for them to receive that option unless deemed harmful by a medical professional?

Please explain the reasons for your response. We would welcome suggestions about how this could work in practice.

Its important that people are given, or at least know, they can access what they need and be part of that choice and plan. We need to build hope in a system that fits around a person and not the other way round - this does that. Again, i ask that the other parts of my holistic bill are included in this, housing for example - as too many people who even get help, are forced into drug ridden accommodation. It cant go on.

Q6. Which of the following best expresses your view of the proposed Bill seeking to prevent treatment being refused?

Fully supportive

Please explain the reasons for your response. We would welcome suggestions about how this could work in practice.

Its important, taking into account that a plan will be between the addict and the worker - and a discussion around refusal given - if the reason for the decision isnt agreed then it can be challenged. If the reason is reasonable and justifiable then support can be given.

Q7. Which of the following best expresses your view of requiring the Scottish Government to establish a national funding scheme?

Partially supportive

Please explain the reasons for your response.

Only if there is a regulator but i do agree on a central pot of funding via a national body - it would remove local health boards from this and bring equality across the nation.

Financial Implications

Q8. Taking into account all those likely to be affected (including public sector bodies, businesses and individuals etc), is the proposed Bill likely to lead to:

some reduction in costs

Please indicate where you would expect the impact identified to fall (including public sector bodies, businesses and individuals etc). You may also wish to suggest ways in which the aims of the Bill could be delivered more cost-effectively.

I think, looking at Dame Carol Black's findings which are similar to my Bill, there will be initial cost but long term savings. An example is the recent Lord Advocate decision to divert low level possession. If we account that 44k per annum on average for prison - half of that could be saved and half spent on a treatment option - when you also reduce that with other cost reduction, say homelessness, then there will be savings.

Equalities

Q9. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

Positive

Please explain the reasons for your response. Where any negative impacts are identified, you may also wish to suggest ways in which these could be minimised or avoided.

It would bring an equality that we do not have. As addiction is exempt under the 2010 act then we often have to look at other challenges, like disability, but other protected characteristics don't have that - so under a EA2010 challenge - only some have protection. This would change that as everyone would get the same treatment, regardless of any PC.

Sustainability

Q10. In terms of assessing the proposed Bill's potential impact on sustainable development, you may wish to consider how it relates to the following principles:

- living within environmental limits
- ensuring a strong, healthy and just society
- achieving a sustainable economy
- promoting effective, participative systems of governance
- ensuring policy is developed on the basis of strong scientific evidence.

With these principles in mind, do you consider that the Bill can be delivered sustainably?

Yes

Please explain the reasons for your response.

It brings everything in line. It will stop the waste of resources too

General

Q11. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

My original Bill proposal really included loads of consultation - yes i'm naive as i dont know the processes but i need to ask that the holistic nature of my proposals is put back in - we need to join the dots, join the sectors, or continue to fail