

# 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.

If you are under 12 years old and making a submission, we will need to contact you to ask your parent or guardian to confirm to us that they are happy for you to send us your views. Please **ONLY** tick this box if you are **UNDER** 12 years of age.

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, I am over 12 years old and I have read and agree the Privacy Notice

**Contact Details**

## 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 was the Creator of and Former Counselling Co-ordinator of Grampian Addiction Problems Service which provided Advice, Counselling and Support to persons addicted to Drugs & Alcohol and their Parents, Family and Friends. We also provided Public Awareness and Education to Schools, Colleges throughout Grampian, Moray and the Highland Regions of Scotland from 1990 till 2004 when our funding was stopped because we disagreed with the then SNP Scottish Government on an Addicts Right to treatment. Which we believed should be at time of need. We also campaigned against the SNP withdrawal of access to Residential Rehabilitation and ongoing support. We did not believe that Addicts should be being "parked" on Methadone and other addictive prescription drugs for life.

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).

Mrs Janet H Jess B.A. (Hons)

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?

Partially supportive

**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.**

For many years the treatment and support services have been woefully inadequate with too much reliance on alternative prescribing and not enough access to qualified counselling and support services which look at the addict as a person with a physical and mental health problem. Too often there is not immediate access to services at the time the person seeks help. Too often the person is fobbed off or pressurised to go down the alternative prescribing route which sees them consuming their prescribed drug at the local chemist or at home and then spending the rest of the day seeking their drug of choice, for example street heroin or top up on. The end result is dual use which we all know is the main contributor to drug overdose and death. The SNP Government's plan to create Consumption Rooms does nothing to address this. Currently addicts, particularly those who are permitted to consume the prescribed drugs at home are often using their prescription drugs as collateral to purchase their street heroin supply. Methadone and other Opioids now have a street value of their own. As has Benzodiazepines and similar prescription only substances. Residential Rehabilitation :- On too many occasions our agency witnessed addicts being denied access to previously available residential rehabilitation on the grounds of cost or because the NHS Health & Social Services did not agree with the patient's General Practitioner's assessment of need. Patients' views on what they thought would help them was ignored until on many occasions the next time the Counsellor or GP saw them was in the local Police Morgue. Addicts are people. Human beings often from less well-off backgrounds but not all. Addiction is no respector of Class or Social Status. Addicts need to be seen in the round. What other health needs they require, for example many are Hep C /HIV/ AIDS positive. Many are malnourished, homeless and poorly supported by their exasperated Parents and Family. Many have missed schooling. All these factors need proper assessment and a common sense approach which can best be enabled and developed in a supportive residential setting. Not in a ten minute appointment with a Methadone Support Counsellor prior to entry to the programme or in a Consumption Room up a back Street.

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.

I am totally opposed to legalisation of drugs. However I do agree that gradual drug withdrawal in a residential hospital setting by using the Addicted Persons drug of choice has had a history of success. Again it is a long term treatment programme and as far as I am aware not readily available at this time in the SNHS. I am also opposed to the decriminalisation of possession for own use. It not only does nothing to stop drug use/misuse and supply, it places the onus on Scottish Police to determine whether it is for personal use or supply and does nothing to stop Scotland's disgraceful drug death record.

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

Duty on Integration Joint Boards (IJB's)

Established targets/standards

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.

Requirement for the Scottish Government to report progress on duty

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

Fully supportive

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

NHS Drug & Alcohol Treatment Programmes have been notorious for their failure to act and record complaints. To many complaints are not taken seriously or get lost in the system. Drug Addicted Patients complaints about lack of access to treatment has for to long been at the bottom of the pile. Therefore a specific complaints procedure is essential. One which should also be carefully monitored and recorded.

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

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

For all the reasons expressed previously.

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.**

For my reasons expressed previously.

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

Fully supportive

## 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:

a significant increase 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 would expect the cost of the Bill to fall on the Scottish Government which has currently failed to provide adequate treatment at time of need and suitable for the client group to get their lives back on track. Frankly if the Scottish Government have money to spend on vanity projects like Road signs and Police, Ambulance and Fire Service vehicles given dual language signage in English and Gaelic and other fripperies like Baby Boxes, Mobile Phones to Prisoners, Lap Tops etc. Then it has the money to spend to save Drug Addicts lives and reduce the appalling Drug Death Statistics in Scotland.

## 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?

Neutral (neither positive nor negative)

## 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

## 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)?

Yes I have other additional comments and suggestions but too lengthy to list here.