

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".)

Member of the public

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 a social worker who has seen the impact of drugs and alcohol across families and communities as well as someone bereaved as a consequence of alcohol and drugs.

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).

Alison Findlay

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 fully support the intention of the bill with reservations about the potential power and control placed on health professionals to make decisions about suitability for treatment. Complete medicalisation of the issues risks sidelining the social impact within families and communities and ensuring a comprehensive right to recovery may require a range of complimentary support services across housing, education, social work, communities, justice system etc

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.

Legislation will create a societal formalised expectation that people will be supported into recovery in the way that best suits them. It provides an acknowledgement that everyone's lives are valuable and worthy of protection, addressing stigma and providing a route for people seeking access to recovery to follow.

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

Requirement for the Scottish Government to report progress on duty

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

Please explain the reasons for your response.

The role of Community Planning Partnerships in supporting and providing services for their localities could be enhanced to have responsibilities for a right to recovery. Restrictions to IJBs focuses too much on health and the protection of health services while CPPs incorporate more stakeholders. The proposed National Care Service poses a significant risk in it's proposed centralised, health focus on supporting people when recovery requires appropriate support that might subsequently require a wider range of community resources such as housing, purpose, activity and belonging.

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.

The opportunity for more independent consideration of complaints with a legal right to compel NHS to provide relevant information would enhance transparency about decisions made. Personal experience of the NHS complaints process was very poor with a delayed, partial response to issues raised.

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.

There should be an array of options available to people so they can make informed decisions about what might work best for them. It is counter productive to have restricted options and a professional snobbery about what is most "appropriate" for the majority. Whether it is complete abstinence or harm reduction with all points in between, if the alternatives are equally available and valued then people will ultimately make their own decisions. Use of Self Directed Support within recovery services would work around commissioning restrictions. Providing people with individual budgets would assist with increasing choice and control.

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.

Treatment should only be refused for any medical condition where there is a fully stated clinical risk. If a specific treatment is not provided by the specific organisation then a budget should be provided to enable the person to source this themselves with appropriate support also made available via independent advocacy and brokerage.

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

Unsure

Please explain the reasons for your response.

Centralised funding risks politicisation of resource allocation. The proposed National Care Service seeks to centralise commissioning of some services which in turn will potentially reduce the range of providers who tender. Having resources closer to communities and people with lived experience helping to inform decisions may provide more responsive and appropriate solutions with recovery support being provided by a broader range of organisations and services.

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.

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:

There requires to be investment in order to ultimately mitigate costs which need to be seen across the public and third sector. Providing opportunities for recovery that are fit for purpose will reduce costs across other areas including social work/child care/education/housing/policing/prisons. The cost to society as a whole needs to be made more explicit and part of a wider story. Example, media coverage of babies born with neonatal abstinence syndrome is told in isolation and linked to drugs deaths instead of potential long term care/ additional education support/ social care support in adulthood. Full financial implications should be considered.

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.

Addiction Recovery impacts on every group with protected characteristics.

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.

Implementation of the Bill would contribute towards a strong, healthy and just society where people and their families and communities can recover without stigma.

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)?

Providing access to a variety of recovery alternatives without judgement is key to reducing the chronic loss of life witnessed in Scotland and alleviate some pressures from families in despair as they cannot secure the help they urgently require.