

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 a former procurator fiscal and retired sheriff who managed many drug treatment and testing orders and opened an alcohol problem court in Edinburgh

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).

Frank Richard Crowe

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.

It has always been difficult managing cases of individuals with drug and or alcohol problems where residential recovery services were in very short supply or non-existent except at commercial rates

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.

It is important to have legislation available for all to see and provisions that are brought into force within a short space of time, providing a legal framework, justification and a Financial Memorandum ring fencing the money for the aims of the legislation to be achieved.

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

Requirement for the Scottish Government to report progress on duty

Please explain the reasons for your response.

Drug deaths are a scandal in Scotland-worse than the rest of the UK and on a par with Oxycontin abuse in the USA. However Scotland moves forward in the future it must show that it has effectively tackled problems with deny or blight life and cause grief to relatives, friends and the community as a whole.

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

Fully opposed

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

I appreciate the other pressures NHS are under at this time but drug addicts and alcoholics have to be given a protective status to ensure their complaints and concerns are properly dealt with to the same standard as in other aspects of their work. A statutory framework will be invaluable here. C.f. the shambles and uncertainty in regard to medical mishap deaths where families are often swept into the NHS complaints system for a long time before finding out they have a right to complain to the Procurator Fiscal who has at least a duty to investigate independently and hopefully seek authority for a discretionary FAI where appropriate.

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.

Most people know how their own bodies work although they may not always be able to give the best history to a medical professional/ or the professional is not skilled enough to ask the right questions. Many addicts will seek residential treatment but that may not be unrealistic after being "parked" on methadone or dyhrocodeine for over 20 years and unable to contribute much to society or offer support to their friends and families

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.

Tough legislative provisions are required after working in an "outpatient" setting with all of its limitations for over 20 years. The COVID-19 lockdown has precluded much personal contact, reassurance support and advice as well as monitoring to check if any progress has been made and whether any other options can be tried.

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

Fully supportive

Please explain the reasons for your response.

it is a serious blight on the performance of any Government if a significant proportion of the public are addicted and such money spent in that connection has little impact on the huge number of deaths as well as those who survive but do not get any better and the impact the problem has on communities.

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 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.

Beefing up the approaches to addiction by having more residential options will cost some more in the short term but lots of money has been spent on cheaper options which do not tackle individual's problems on a

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:

longer term basis. Many addicts just bump along the bottom and need a DTTO or similar every few years but long term dependency is still there and a continual drain on NHS and other services.

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.

Minorities are particularly susceptible if they are faced with discrimination, banishment from the family setting and come up against statutory or voluntary services who do not understand the individual's special needs. Many such organisations are all white/middle class and a bit of a turn off. Cf Crewe 2000 who are non judgmental and have a diverse number of workers and volunteers.

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.

Substance abuse starts in teenage years but often becomes out of control in an individuals 20s where it becomes embedded. Those people become isolated, lose contact with their peer group and get left behind. I fully support the principle of the importance of early years education and Getting it Right For Every Child. It is much more problematic when you are trying to help Adults Get Better from a very low starting point. Three bits of bad luck and a person could end up in the street where drugs and alcohol are easy substitutes to mask problems. Getting out of that rut requires for almost everybody quality professional support and facilities.

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)?

As I have indicated it is a very important topic which drags Scotland, the Scottish people and many communities down. Back in the day there were residential opportunities to get out of a bad locality and have time to be weaned off substances at Phoenix House, the Allenon Centre etc. More recently some desperate families have often clubbed together to send a loved one to Jericho House near Greenock. Betty Ford -type clinics are only for the rich. Wonderful initiatives like the Auchentraive project in Ayr are only free to locals otherwise it is about £1,000 a week. While Drug and Alcohol Courts can offer help within a few days the individual has to remain in the same situation for most of the rest of the order. Help and support must be available locally. Getting offenders to travel up to 30 miles for a 9 30 am court appointment is ludicrous. Courts have not taken on board those court users' special needs. If they are awake early in the morning the first port of call should be to the chemists for a script. The "carrot and stick" court managed approach only works up to a point. Such court orders are usually set at 12-18 months' duration max whereas a complex addiction problem will take longer to sort out especially if the problem involves alcohol and drugs or poly drug abuse. Drug abuse and cultures have changed over the years from heroin to crack cocaine, from cannabis resin to skunkweed which can cause long term psychotic brain damage and the growth of cheap Valium + the arrival of stronger drugs like Gabapentin, Oxycontin and Fentanyl which were designed for patients with serious backpain etc but are now being abused in prodigious quantities making treatment problematic.