

# 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:**

Lived Experience Recovery Development Worker/Recovery Outreach and PNP Coordinator

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).

Peter J. Cochrane

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.**

There is no current clear and concise rights based approach to recovery that is enshrined in law. Having service providers accountable for failing to deliver adequate service provisions has been sorely lacking in Scotland for some time. People are dying because of this and the blame always seems to lay at the feet of those who are dying. They are labeled as 'hard to reach' and 'non engaging' service users. The attitude within some in the sector is absolutely shocking when it comes to accessing treatment beyond prescribing services, and whilst this is a more complex matter, having a rights based approach that would hold services, and staff accountable is essential if anyone else is actually interested in reducing drug deaths.

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 is absolutely required for the reasons outlined previously. If you are going to deliver services, you need to be held accountable for the delivery of said service. Other rights are protected such as disability or gender, so why not addicts?

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

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

**Please explain the reasons for your response.**

Uniform rights and a uniform approach means standard services structure, training, and regulations can be drawn up without room for interpretation or negotiation. This will create accountability and perhaps create more faith in the services, if service users are protected.

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.**

Complaints to the NHS regarding addiction services can often go unheard, or not fully dealt with as there is not enough legislation to protect those making complaints. The pathway is muddy and is often never offered to service users.

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.**

Fully supported as the chosen and most well known, acknowledged pathway seems to be methadone maintenance for a prolonged period of time, as opposed to having a say in the provision and delivery of service.

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.**

Refusing treatment seems to be a factor in people turning to alternative forms of trying to help themselves, such as using street drugs and then not being able to engage with other services. This refusal puts people at greater risk.

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 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.**

The reduced number of deaths, reduced number of people outside of services living chaotic lifestyles, the reduced number of people going to prison and being constantly referred to, or seen by social services, as well as reduced strain on the emergency services, would likely see a significant reduction in costs over time. By being able to access proper treatment, if they do chose, safe and proper prescription methods can be administered, monitoring and evaluation can be employed and partnership working can be improved to better help people get stability and reduce the burden on the already strained, current system.

## 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?

Slightly 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.**

Means that those in addiction services can have protected characteristics, such as those offered by the equality act or disability discrimination act.

The negative aspect is that it may be weaponized by certain people engaging in services, or be adopted by those who are not identified as being suitable, and may create certain additional stigma towards addiction.

## 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.**

As mentioned, allowing people access to services can greatly reduce the impact on other services. It can create accountability and allow further policy to be developed based on the experience of those who actually either use or deliver the services, rather than just being drafted by those who are more interested in fiscal and statistical impacts alone.

Creating a just society will take time but this may go a long way to reducing the stigma facing those who wish to access treatment, but may feel ashamed or not worthy of receiving it.

## 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)?

*No Response*