

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.

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

Transform Drug Policy Foundation has over 20 years experience in the drug policy sector, working locally, nationally and internationally, with UN ECOSOC Observer Consultative status, a partner organisation (MUCD) in Mexico and a long history of advising national and sub-national governments. Within the UK we work extensively with families affected by drugs through our Anyone's Child Project, as well as with police, PCCs, treatment and health groups, local and national politicians, councils, academics etc on a wide range of drug policy related issues from treatment to policing of drugs.

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).

Transform Drug Policy Foundation

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 opposed

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.

Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details

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.

There are other ways to achieve the proposed Bill's aims, but we also question what the aims of the Bill actually are. Among other concerns for example the consultation document barely mentions Harm Reduction provision of which should be core to any approach to illegal drugs, and overtly attacks Opioid Substitution Treatment, despite this being the internationally recognised gold-standard way to reduce drug-related deaths. We cannot support a Bill that appears to be intended to provide a political vehicle to attack OST. Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for more details on this and other concerns

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.

Please explain the reasons for your response.

We support people who use drugs having the right and access to the best possible support and treatment, but do not believe this Bill is the best way to achieve that. Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details

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

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

Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details

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?

Partially supportive

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

Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details

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

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

We support access to treatment for all, but do not think this Bill is the best way to achieve that. Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details

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

Please explain the reasons for your response.

Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details

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:

don't know

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.

One of our concerns is that no serious attempt has been made to cost the impacts of this Bill, or indeed what the impacts would be - so it is impossible to say. Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details

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?

Unsure

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?

Unsure

Please explain the reasons for your response.

Not enough information has been provided through the consultation to make a judgement on this issue.

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)?

Please see the separate longer submission from Transform, Release, Cranstoun and EuroINPUD for details