

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

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).

Tom Halliday

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.

It is imperative we decriminalise drug use, by treating drug use as a medical problem, we will free up all the time, effort and expense of the other agencies currently besieged by the problems criminalisation causes.

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 should be put in place to ensure that drug addicts have clean consumption rooms and supervision, the drugs they require should also be provided to ensure that they receive controlled strength drugs and that they also receive the medical attention they need.

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

Established targets/standards

Requirement for the Scottish Government to report progress on duty

Please explain the reasons for your response.

The Scottish government and its ministers should be held to account, but only once it has been established that drug legislation has been transferred from Westminster to Holyrood, there can be no responsibility if Westminster retain any powers regarding the drug issue, Holyrood will require complete competency, if they do not have that, then any failure has to land at the feet of the Government in England.

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.

A complaints procedure already exists, it may need altering to accommodate new legislation, but to have a separate procedure with additional staff and expense is bonkers.

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 opposed

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

The treatment delivered to drug addicts needs to be one of consensus, addicts by their nature are incapable of making an informed choice, health professionals and possibly specialist drug abuse councillors should be the ones who decide, but they need to work with the patient.

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

Fully opposed

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

No health professional or drugs councillor should be compelled by law to provide treatment, if the addict becomes abusive then they should have the right to refuse to work with the abusive patient.

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

Fully opposed

Please explain the reasons for your response.

If Westminster devolve drug legislation responsibility to Holyrood, then additional funding should follow that, Holyrood do not have the funding from UKgov that would be required to change drug legislation to decriminalise and medicalise it.

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.

It may take a number of years to see the benefits of medicalising drug use, but the savings on police, court, prison expenditure would heavily outweigh the current expenditure on the NHS, but the NHS would need significant increases in funding to properly service its new legislated responsibility. As the criminal aspects reduce overall costs will also reduce.

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)

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.

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?

If the new medicalised legislation is properly funded by the UKgov, then there should be no impact on any of the above groups.

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.

Again with proper funding from the UKgov the proposed bill would have little to no impact on any of the above.

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)?

When you look at other countries and see how they deal with drug addiction, you soon understand that the handling of this issue by the government in England is doomed to failure, it has done nothing to improve the situation in the past 40 yrs, to assume that continuing the fight against drugs (laughs) is going to change the situation is the height of idiocy, the government in England can't see 40 yrs of doing the same thing is not changing things for the better, then it is time to transfer that responsibility to Holyrood along with funding and lets try the medicalisation route.