

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".)

Politician (MSP/MP/peer/MEP/Councillor)

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).

Monica Lennon
Scottish Labour and Scottish Co-op MSP for Central Scotland

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

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 welcome the right to recovery consultation on a proposed bill. People in Scotland who have a drug or alcohol addiction should be able to access person-centred support and treatment, including a full range of harm reduction and recovery services. Drug and alcohol-related deaths in Scotland remain very high. Drug

Q1. Which of the following best expresses your view of the proposed Bill?

and alcohol misuse is a public health emergency in Scotland. Legislation alone will not address these challenges, however, it will establish legal rights for individuals and provide scope to place duties on health boards, ministers and other relevant bodies.

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.

Yes. I believe the right to recovery should be enshrined in law. Existing and previous policies and strategies have not been effective. Legislation will help to speed up system change and a truly rights-based approach. Work that the Scottish Government is undertaking to tackle stigma and embed a public health approach is very welcome and necessary, however, this does not address how difficult it is to navigate services. In many parts of the country, including in my own region, it is almost impossible for people to access residential rehabilitation. Not everyone is ready for treatment and recovery, and individual needs should be respected. The bill could also ensure people can access their rights in relation to harm reduction services.

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)

Requirement for the Scottish Government to report progress on duty

Please explain the reasons for your response.

There needs to be a whole system approach involving all relevant stakeholders and services. This is a view held by the Royal College of Physicians of Edinburgh and is a good guiding principle for the development of the proposed bill. Ultimately, the Scottish Government should be accountable. Good reporting will improve transparency.

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.

A more transparent assessment of people's experiences of addiction services is needed. This will improve accountability. A specific complaints procedure that is centred on the needs of people who misuse alcohol and/or drugs and their families would be a positive development. This should be trauma-informed.

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.

Everyone's situation is different, therefore, a person-centred approach is essential. People should be fully informed of the range of services and treatments that are available to them, whether on a short or long-term basis. This should take into account family circumstances, including caring responsibilities and other health or social care needs.

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.

The refusal of treatment leads to people feeling abandoned, worthless and undeserving. Guaranteeing rights for people who want treatment for drug and alcohol addiction will signal how seriously Scotland takes this public health issue.

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.

Service must be fully funded. In 2021, the First Minister admitted that the Scottish Government had 'taken its eye off the ball' in relation to Scotland's drug deaths crisis. The underfunding of services results in avoidable deaths. This must not be allowed to keep happening.

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.

There could be some increase in costs in initial years and some reduction in subsequent years. The Scottish Government has allocated £50 million annual spending on tackling drug deaths for the next five years. The costs arising from a 'Rights to Recovery Bill' could be supported from that budget. There is an opportunity to achieve savings through preventative spending. The Bill would encourage earlier intervention and people getting the right treatment at the right time, reducing pressure on housing, prisons,

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:

NHS, policing and other public services. Investment in harm reduction and recovery will ultimately save lives and we must be bold and ambitious.

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.

This Bill has the potential to reduce health inequalities and benefit some of the most marginalised citizens in Scotland.

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.

The proposed Bill has the potential to help make Scotland a fairer and healthier country.

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)?

I have been contacted by many constituents who believe a Right to Recovery Bill would be a positive development. The level of harm caused by drug and alcohol misuse is devastating for individuals and communities. I have personal experience of this which I have previously discussed in Parliament. I have been re-elected as the Convenor of the Cross-Party Group on Drug and Alcohol Misuse, and whilst

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speaking in a personal capacity, my CPG experience has also influenced my views that we need system change and that legislation has a positive role to play. I am grateful to everyone who has shared their own experiences, and I hope that all of the constructive ideas and views generated by this consultation are acted on.