

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).

The Free Church of Scotland is a Christian church with a network of around 100 congregations all across Scotland and over 13,000 of us gather at services every week to worship God, but our Christian faith affects all of our life, not just a Sunday at church. Our ministers and others are regularly involved in pastoral care which often involves work with those suffering from addiction. We also have a number of members involved in particular projects seeking to support addiction recovery and we have drawn on their experience in preparing our response to this consultation.

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).

The Free Church of 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.

The Free Church of Scotland welcomes the opportunity to contribute to this consultation regarding the proposed right to addiction recovery. We are all aware of the scale of Scotland's drug problem and that behind the statistics lie many heart-breaking personal experiences. All in society need to come together to respond to these issues. There is no silver bullet for dealing with addiction but we fully support these proposals as being a step in the right direction.

Currently, there are many barriers and blockages in Scotland preventing access to the right treatment. The proposal legislation rightly seeks to remove some of these barriers which currently prevent people from accessing recovery services. Whilst we recognise that not all barriers can be removed, for example mental health issues may prevent someone engaging with treatment, removing as many barriers as possible is a good thing.

The proposals also recognise the importance of a partnership approach which draws on the good work already being done by third sector organisations such as churches and Christian charities. The Scottish Government's Residential Rehabilitation in Scotland: Service Mapping Report 2019/2020 illustrates how much of this work is carried out by third sector organisations and it is also clear that many of these services have a faith-based approach to rehabilitation. We would encourage partnership to continue and for those involved to work with faith-based services.

The legislation also moves us towards a truly person-centred approach to support. This is the approach that Jesus took in Mark's gospel. In Mark 10:51 Jesus asked the blind man, "What do you want me to do for you?" demonstrating a person-centred approach to help. A person-centred approach increases the buy-in from the person as they feel they are being listened to and they are more likely to stick with a program they have chosen. In our view support must be person-centred.

Connected to the person-centre approach we would point out that it is essential that a holistic approach is taken to care which will include spirituality. There is a lot of evidence for the effectiveness of faith-based approaches to recovery and many people want a specifically Christian recovery programme. See for example Avants SK, Warburton LA, Margolin A, "Spiritual and religious support in recovery from addiction among HIV-positive injection drug users." J Psychoactive Drugs. 2001 Jan-Mar; 33(1):39-45; Heinz A, Epstein DH, Preston KL, "Spiritual/Religious experiences and in-treatment outcome in an inner-city program for heroin and cocaine dependence." J Psychoactive Drugs. 2007 Mar; 39(1):41-9; Kendler KS, Gardner CO, Prescott CA, "Religion, psychopathology, and substance use and abuse; a multimeasure, genetic-epidemiologic study." Am J Psychiatry. 1997 Mar; 154(3):322-9 & Piedmont RL, "Spiritual transcendence as a predictor of psychosocial outcome from an outpatient substance abuse program." Psychol Addict Behav. 2004 Sep; 18(3):213-22. While we recognise that a Christian programme might not be the right treatment for everyone it has proven to be helpful to many and if we are truly seeking to be person-centred a faith based, or explicitly Christian based approach should be offered alongside other options.

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.

We believe the legislation is required. There are currently many barriers to people accessing recovery services. These either prevent access altogether or can result in significant delays in accessing treatment. While the legislation cannot remove all of the barriers it will help and make it easier and quicker for people to access treatment. It will also help those working to support those struggling with addiction to help people access recovery services by giving a legal right to access.

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.

Given the scale of Scotland's drug problem, it is vital that all of society comes together to address the issues and accordingly all levels of care need to be involved. This ensures that all of those named work together to achieve the same goal and avoids conflicts over resource allocation. It is also crucial to include local authorities in this as so often they are the ones distributing funding.

In relation to establishing targets / standards we would point out that targets which are linked to funding can lead to some bad decision-making. If different facilities are caring for different groups of people, some with more complex needs than others, then different rates of recovery outcomes would be expected. We would favour a focus on "establishing national standards and guidance" as stated in the consultation document.

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 specific complaints procedure will allow those with experience of addiction recovery services to determine complaints and so should result in better understanding of the issues involved.

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.

We believe this is one most important aspects of the proposals. As Christians, we believe that all human beings have equal worth and dignity. Giving people choice shows respect and care for the dignity of the person involved. It is a truly person-centred approach which we believe is the best approach.

A person-centred approach increases the buy-in from the person as they feel they are being listened to and they are more likely to stick with the preferred treatment option they have chosen. This is also likely to help remove some of the personal barriers to treatment by giving them the choice.

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?

We of course recognise that in some cases the preferred treatment option might be harmful, but that decision is best taken by a medical professional and should not be based on cost alone.

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.

We note that currently people are often refused recovery options until they have managed to reduce how much they are taking but this often results in more harm. Accordingly, anything that can be done to reduce this barrier will help.

We also note that recovery help is often refused because the centres are not equipped to deal with a person's other complex needs – particularly mental health issues. This is because they are not able to deal with anti-psychotics and anti-depressants. A large number of those suffering from addiction also suffer with mental health issues and are therefore not currently able to access recovery services. These proposals should also help remove this barrier.

We also note that proposals to prevent treatment being refused would stop finance being used as the primary motivator in refusing treatment. As Christians, we believe all human beings have inherent dignity and worth and a financial value cannot be placed on a life.

In general, we note that the current approach is too prescriptive in terms of the conditions that must be satisfied for someone to start recovery services. A right to treatment that prevent it being refused would help remove these barriers.

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.

Currently, a lot of time and resource of third sector organisations is spent applying to different local authorities for funding. This fundraising time and resource commitment is reducing the amount of resources available to actually do frontline work. Accordingly, anything that can be done to reduce the amount of administration and duplication of work will result in more resources being available to directly help those suffering from addiction.

Moreover, third sector organisations not only spend a lot of time writing funding bids to local authorities, but to other grant-giving foundations and trusts, as well as seeking funding from a variety of other sources, which can often be one-off or for just one year at a time. A national funding stream would provide more sustainable long-term funding, and again allow them to focus their time and energies on different areas.

We also believe a national funding scheme would ensure consistency across all of Scotland as currently there are different approaches within each local authority. We note that while some local authorities are more willing to fund faith based and specifically Christian based approaches, other local authorities are more sceptical – a national approach could properly recognise the work done by Christian organisations and churches and give the appropriate funding support.

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 proposals are bound to result in an increase in costs initially to help get people out of addiction. However, in the long term getting people out of addiction will result in a reduction in the costs incurred for ongoing, continuous treatment and other costs such as local authority housing and prisons etc.

Moreover, if someone is able to escape addiction they will often then be able to make a meaningful impact on society for the better, will often find employment, and be able to contribute to the wider society through the tax system.

So overall, while there might be an initial increase in costs the long-term result of succeeding to get people out of addiction will be a significant reduction in costs.

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.

The proposals will have a positive impact on equalities as they will improve access of all people to recovery treatment and remove some of the discrimination that currently exists. Moreover, if faith-based organisations are given equal access to funding this will also improve equality.

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

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?

Please explain the reasons for your response.

The proposals in the bill will result in a positive societal impact ensuring a more just and healthy society. Moreover, the proposals will increase the support given to third sector organisations which should make them more sustainable and better able to help those in need.

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)?

Responding to the addiction crisis in Scotland requires all parts of society to work together in partnership to find solutions. The proposals are helpful in seeking to remove some of the barriers to accessing recovery services but this is only one aspect of responding to the issue.

We believe it is vital that more is done to recognise the role of churches and Christian organisations in seeking to deal with these issues. Faith-based approaches to combatting addiction, especially explicitly Christian-based approaches have proven to be effective.

Moreover, the role of church communities can be vital in supporting those who have gone through addiction programmes by providing key support and encouragement. Churches are also often rooted in their communities and know the needs of their community – accordingly, more should be done to encourage public bodies to work with the church communities.

We welcome the proposals in the legislation as a step in the right direction but recognise that more work is needed. As Christians we are committed to doing all that we can to support those who are suffering from addiction and desire to work in partnership with others in society to do this.