

# 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).**

Homeless Network Scotland is a member organisation who's aim is to end homelessness. Many individuals who experience homelessness are also battling addiction issues also.

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).

Homeless Network 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?

Partially 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.**

This response is based on feedback we received at our Right to Recovery Bill event with 50 Homeless Network Scotland members on 14 December. Attendees included frontline organisations and people with lived experience. Answers we have provided against each question present a summary of the views noted at the event.

Attendees were generally very supportive of a new bill being developed that will focus on people's rights to treatment and recovery and provide them with more choice and control, thereby (according to international evidence) increasing the likelihood of successful treatment. People with lived experience told us that they have previously felt they had limited choice and control over the treatments they were offered and would also value more options including those used in addressing trauma e.g. hypnosis, acupuncture and physiotherapy.

The bill needs to be in line with the Scottish Government's current drug strategy to ensure effective delivery and positive impact. Some amendments may be needed to ensure this is the case and this must be very carefully considered.

This response is based on feedback we received at our Right to Recovery Bill event with 50 Homeless Network Scotland members on 14 December. Attendees included frontline organisations and people with lived experience. Answers we have provided against each question present a summary of the views noted at the event.

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 would help ensure everyone will be treated fairly across Scotland. Attendees were clear that the Bill has the opportunity to re-dress current inconsistencies in availability of different treatment and rehabilitation options.

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

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

Clear leadership from Scottish Ministers would help encourage other organisations to support and deliver the legislation. It is essential however that this is not seen as solely an NHS issue, the public sector as a whole should be involved as the social issues being addressed by this bill cut across all sectors. The bill should clearly set out what is expected of which sectors and how they will be expected to work collaboratively to ensure person-centred care is provided. The future role of a National Care Service in relation to a rights-based framework for addiction treatment options should also be considered.

Importantly, taking a collective responsibility for a 'no wrong door' approach to accessing treatment options. This means working across current silos - for example, homelessness, addictions, criminal justice, mental health - so that people can get the best outcome, regardless of their experience of existing service use. People need to be aware not just that they have a right to treatment, but also aware of what options

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.

are available so that they can exercise choice and control to access the best option for them and their family.

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

*No Response*

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.**

Having choice and control is the best approach with the best chance of success. The individual and the service provider both need to have access to the correct information about what treatment is available and provide support to the individual so that they can make an informed choice about what is best for them at that time. People can only access their rights if they know what rights they have.

This would mean a new approach on training and include more focus on treatments to support trauma. People with lived experience also suggest that the methods for treatment should be expanded.

We know from evidence across several sectors that people engage with and buy in to responses and solutions better when they feel that they are involved in the decision making and they have more positive outcomes when they have more control over decisions (including treatment decisions) that impact on them.

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

Fully supportive

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

*No Response*

## 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.**

Implementation of a right to treatment should lead to increased numbers of people taking up treatment options, which would lead to an increase in the costs attached. However, there are a significant number of other costs that must be fully considered (e.g. primary and secondary health care, justice and welfare costs) which could significantly decrease once people are accessing treatment that works for them. There could in the longer term be significant savings as a result of this bill.

Properly reviewing the costs attached to the bill, including those it reduces - primary and secondary - will be important so that it can be implemented effectively, ensuring funding is available for delivery. Cost benefit analysis should be undertaken as part of the implementation plan and subsequent evaluation for the bill.

## 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.**

Development and implementation of the bill has the potential to ensure everyone has the same rights to the treatment that is right for them and ensure people have ownership of their own lives. People should have the opportunity to challenge decisions on their treatment plan. However, development of the bill needs to be informed by an in-depth understanding of robust evidence on equality to sure that delivery of the bill avoids exacerbating current inequalities.

The bill could also help gain a better understanding of what recovery looks like and requires across different groups and characteristics.

## 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.**

As noted above, thorough cost benefit analysis will be required to inform the development of the bill from a sustainable perspective economically. In addition, better community-led treatments as a result of this bill could help more people access and sustain employment.

## 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)?

There are opportunities for this bill to bring a better approach to working with families, including them in decisions about treatment options and harnessing the informal advocacy role they often provide. This may also earn services a better understanding of the person as a whole, the security of their housing, the environment they are living in and the impact on any children or young people in the household. In summary, we support a rights-based framework to underpin access to all addiction treatment options, including recovery. We believe access to new rights, and clear information about those rights, can better ensure people have choice, control and advocacy where required. Having cross party support to move forward on a legal framework will be essential.