

# 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).**

Scottish Families Campaign for Change - FCFC, All responses to the Addiction Recovery Bill are being made on behalf of the collective voices of FCFC.

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).

Scottish: Families Campaign for Change : FCFC

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.**

FCFC are fully opposed to the proposed Bill due to a lack of clarity regarding how the aspirations of this Bill can be funded, implemented and sustained, to meet the complex needs of vulnerable populations affected by addiction.

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 not be required - a redesign of services is required, to understand and address the complex needs of those affected by addiction and the underlying causes of addiction . A more robust public health approach which works in an integrative way with multiple stakeholders to create good health, by addressing inequalities and inequities in services and the justice system.

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.**

None of the above - Scotland requires to innovate with compassion, to address the unique cultural and societal issues which cause and perpetuate addiction, drug related deaths and the criminalisation of vulnerable people.

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 specific complaints procedure has the potential to become counterproductive placing excessive demand on resources with financial implication /costs, which instead should go into services.

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?

Unsure

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

Aspects of the Bill lack clarity and are unbalanced in relation to some statements - particularly in relation to harm reduction and OST. The Bill contains a number of sweeping statements which are unhelpful and may raise expectations which cannot be met in a pragmatic way.

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

Unsure

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

Lack of clarity and unbalanced statements in the proposed Bill as to how this would be addressed or who would be accountable for treatment being refused.

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.**

Scotland should develop an integrative approach to address the underlying causes of addiction and the long term impact of addiction on a person's health - services require to be redesigned accordingly .

## 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.**

Currently there has been no attempt to ascertain what the likely financial implications could be. The Bill may result in those more able to articulate their needs accessing treatment ,with underserved populations being disadvantaged.

## 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

**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.**

Due to a lack of clarity and detail in the Bill.

## 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.**

Due to a lack of clarity and detail in the proposed Bill it is unclear as to how these principles can be met. Access to services, governance and participation should be equitable and sustainable across Scotland. Policy development should also be based on the knowledge, wisdom and experience of those who have lived with addiction.

## 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)?

FCFC are unable to support the proposed Bill due to the lack of detail and clarity therein. Scotland can innovate and redesign services to be humane, compassionate and evidence based integrating a human rights based approach. A redesign and delivery of services is required to achieve an integrative and balanced approach, to end the revolving door of the criminal justice system redirecting resources into services across a range of settings, from harm reduction to rehabilitation.