**RIGHT TO ADDICTION RECOVERY (SCOTLAND) BILL – MEDIA PACK**

**Why legislate?**

* **1,051 people died due to drug misuse in 2022; and there were 1,276 alcohol related deaths in same year;**

(Source: Policy Memorandum Paragraph 14 – from National Records of Scotland stats);

* **Police Scotland figures published in March 2024 suggest that the number of drug deaths in 2023 may have risen again to 1,197;**

(Source: Policy Memorandum Paragraph 14 – from Police Scotland Quarter 4 stats published on 12 March 2024);

* **Quarterly Public Health Scotland drugs statistics published on 30 April 2024 show that drug deaths rose by 11% in the most recent quarter.**

(Source: Policy Memorandum Paragraph 14 – from Public Health Scotland *Rapid Action Drug Alerts and Response (RADAR) quarterly ​report April 2024*.

(Available at: <https://www.publichealthscotland.scot/publications/rapid-action-drug-alerts-and-response-radar-quarterly-report/rapid-action-drug-alerts-and-response-radar-quarterly-report-april-2024/print>))

* **The Cabinet Secretary for Justice and Home Affairs (Angela Constance) has described loss of life from drug deaths as “our national shame”.**

(Source: Policy Memorandum paragraph 15 – from the *Evening Standard*)

* **The outgoing First Minister stated that he was “devastated” to see a rise in drugs deaths in March 2024, describing the problem as “deep-rooted, endemic and insidious”.**

(Source: Policy Memorandum paragraph 15 – from Official Report of the Meeting of the Parliament – 14 March 2024)

* **A 2024 evaluation of the Scottish Government’s Residential Rehabilitation programme found that only 24% of referrers thought that rehabilitation was easily accessible, and only 19% of individuals with experience of using drugs felt reasonably well informed about residential rehabilitation;**

(Source: Policy Memorandum Paragraph 29 – from *Evaluation of the Scottish Government Residential Rehabilitation programme: Baseline report* – February 2024)

* **The same evaluation found that, in 2020-21 10 providers of residential rehabilitation had waits of more than three weeks; and five had waits of two months or more.**

(Source: Policy Memorandum Paragraph 17 – from *Evaluation of the Scottish Government Residential Rehabilitation programme: Baseline report* – February 2024)

**What the Bill does?**

* **The Right to Addiction Recovery (Scotland) Bill creates a right for those diagnosed by a relevant health professional as having an addiction to alcohol and/or drugs to access an appropriate treatment as determined by the professional;**
* **The Bill provides for the diagnosed individual to be as involved and informed as possible through the process around identifying an appropriate treatment;**
* **The Bill provides for a right to access treatment once it is prescribed as soon as is practicable, and within three weeks at most;**
* **The Bill places a duty on the Scottish Ministers to secure delivery of the rights conferred by the Bill, including by conferring functions on other bodies and producing a code of practice detailing how implementation should work in practice; and**
* **The Bill places a duty on the Scottish Ministers to publish an annual report on how the right is to be used in practice, including input from those with expertise and including people with lived experience. This report has to be published and laid before the Parliament so the Government can be held accountable by the Parliament and the public.**

(Source: Policy Memorandum Paragraph 53)

**Impact of the Bill**

Societal benefits

* **The Member considers that the Bill will help any person who has been diagnosed as being addicted to alcohol and/or drugs by giving them the statutory right to access treatment to help them to recover from drug addiction;**
* **The Member believes that the people who will most likely benefit from this provision will be vulnerable individuals who currently struggle to access treatment;**
* **The Member believes that, by receiving timeous and appropriate treatment for their addiction, the life chances of individuals will naturally improve through: greater life expectancy, improved physical and mental wellbeing. There will also be positive associated impacts on their families, the wider communities and also reduced pressures on public services such as elements of the health service.**

(Source: Policy Memorandum Paragraph 67. See also: statement from the Poverty Alliance: *We can't tackle drugs deaths without tackling poverty* - <https://www.povertyalliance.org/we-cant-tackle-drugs-deaths-without-tackling-poverty/>)

Financial savings

* **In 2021, Dame Carol Black carried out an independent review of drugs in England for the UK Department of Health. Phase 2 of that report focussed on prevention, treatment and recovery.**
* **The report stated that, with additional investment in this area:**
  + **“…the payoff is handsome: currently each £1 spent on treatment will save £4 from reduced demands on health, prison, law enforcement and emergency services.”**

(Source: Financial Memorandum Paragraph 96. See also Dame Carol Black review Phase 2 - <https://www.gov.uk/government/publications/review-of-drugs-phase-two-report/review-of-drugs-part-two-prevention-treatment-and-recovery>)

**Background to the Bill / the story so far**

* **On 6 October 2021, Douglas Ross MSP lodged a draft proposal for a Member’s Bill in the following terms:**
  + **“A proposal for a Member’s Bill to enable people addicted to drugs and/or alcohol to access the necessary addiction treatment they require”.**
* **The consultation on this draft proposal ran until 12 January 2022;**

(Source: Member’s Bill webpage)

* **195 responses were received to the consultation:**
  + **78% were fully or partially supportive of the proposal;**
  + **69% of organisations were fully or partially supportive of the proposal;**
  + **80% of individuals were fully or partially supportive of the proposal;**
  + **73% of third sector bodies were fully or partially supportive of the proposal. This included a number of organisations working with individuals affected by addiction, and several faith groups.**

(Source: Policy Memorandum Paragraph 58)

* **A final proposal was lodged on 30 May 2022, in the following terms:**
  + **“A proposal for a Bill to give those addicted to drugs and/or alcohol the right to access the necessary addiction treatment they require”.**

(Source: Member’s Bill webpage)

* **The final proposal gained the support of 32 MSPs from two political parties;**

(Source: Member’s Bill webpage)

* **The Member therefore gained the right to introduce a Bill.**

(Source: Member’s Bill webpage)

**What happens now?**

* **The Bill was introduced on 14 May 2024;**
* **As with all Bills, the Right to Addiction Recovery (Scotland) Bill is accompanied by Explanatory Notes, which explain the Bill’s provisions; a Policy Memorandum, which sets out the Member’s policy underpinning the Bill; and a Financial Memorandum, which makes a best estimate of the costs arising from the Bill. As it confers powers on the Scottish Government to make subordinate legislation to give effect to the detail of the Bill, this Bill is also accompanied by a Delegated Powers Memorandum;**
* **The Bill will now be referred to a lead committee for scrutiny of its general principles at Stage 1. It will be for the Parliamentary Bureau to decide which committee this will be. The lead committee is required to report to the Parliament on the general principles of the Bill. The Bill’s Financial Memorandum will be scrutinised by the Finance and Public Administration Committee, and the Delegated Powers Memorandum will be scrutinised by the Delegated Powers and Law Reform Committee;**
* **The Member expects that those committees will hear from a range of people as part of the Stage 1 scrutiny process (including experts in the area of drug and alcohol treatment, people directly affected by these issues, as well as key decision makers including Scottish Ministers). The Member will give evidence himself as part of this process;**
* **Once those committees have considered the Bill at Stage 1, the lead committee reports to the Parliament and the Parliament as a whole will debate whether to agree to the general principles of the Bill. If the Parliament does agree then the Bill proceeds to Stage 2, and this involves line by line scrutiny of the Bill including amendments being proposed and voted on by the lead committee. Thereafter the Parliament would have a further opportunity at Stage 3 to debate the Bill and decide whether to pass it. If the Bill is passed, it will then receive Royal Assent from the Monarch and become an Act of the Scottish Parliament.**