

Response to calls for views from Douglas Ross MSP on the Proposed Right to Addiction Recovery (Scotland) Bill



Submission from the Scottish Youth Parliament, January 2022

Summary of SYP's recommendations

- SYP supports the premise of this Bill and encourages the proposed outcomes of widening access and guaranteeing recovery as a right.
- SYP believes this is a positive step forward in addiction treatment and has the potential to set a promising precedent for additional legislation.
- SYP does believe however, that aspects of the Bill are slightly too vague and if not addressed could create additional barriers to those the Bill aims to help and see those seeking treatment still fall through the cracks.
- We do not believe that this Bill goes far enough to provide adequate support for those facing addiction and that a holistic approach should be explicitly defined in order to disrupt the addiction cycle, more notably the drug to prison pipeline.
- We believe at a minimum, every person regardless of age or background should have the right to recovery as a baseline human right, whilst also ensuring the quality of recovery is of the highest standard no matter the situation.
- Options for treatment available should be made clear within this bill, as at present it does not set out choices for those who would be seeking treatment.
- MSYPs believe that in order for this Bill to have meaningful impact, looking at how capacity could be affected by granting the right to recovery to everyone is important if the right to recovery is to truly be applied.
- We believe that community-based recovery options are helpful and eliminate barriers to those seeking treatment elsewhere, and therefore should be encouraged throughout the Bill, especially within cultural communities that may have stigmas not necessarily taken into account within mainstream treatment facilities.
- More focus on eliminating barriers for those with mental health issues should be adequately addressed within the Bill, as those with mental health disorders that prohibit them from calling or attending services in person can prevent them from accessing necessary and vital services.
- We believe the Bill would benefit by looking at drug and alcohol culture within Scotland, specifically on how it impacts younger people, as it would be an early intervention practice that can help young people later down the line.
- SYP recommends that regular reviews of treatment services to make sure they are adequate are considered within the Bill so that the right to recovery is up to its highest standard and is capable of providing the right treatment for those seeking it (e.g. example exploring safe consumption rooms and specifically curated programmes for children and young people under 16.)
- We believe that a co-designed approach would be beneficial going forward, working with other organisations to incorporate their data, approaches, and methods as regular practice within the Bill to ensure a wide variety of experience and knowledge is reflected.
- There should be an expansion of addiction education within schools and training teachers to understand the complexities of addictions with children and young people to disrupt addiction and misuse beginning at a young age.

Approach

SYP staff met with 9 MSYPs over a Zoom call to hold a focus group and discuss their thoughts on the Proposed Right to Addiction Recovery (Scotland) Bill. To help understand the intricacies and provisions of the bill, we invited Douglas Ross MSP and Annemarie Ward from FAVOR UK to come along and give their perspectives and explain the bill in more detail to the MSYPs, as well as answer any clarification questions.

In order to gather the best and most accurate views of the MSYPs, some questions from the consultation were slightly altered in wording to be more youth friendly, however they did not change the subject matter within the consultation and were sent ahead of time to Douglas Ross MSP and Annemarie Ward for clarification. The views of MSYPs are used alongside existing SYP policy and research.

Questions and Responses

1. What do you think of the Bill? What do you like and what do you not like?

Over 83% agreed as part of our manifesto that, **“Drug misuse should be treated as a public health issue and should be tackled by investing more in support services for those affected by drug misuse.”**¹ With that understanding in mind, on balance SYP supports the Bill’s underlining aim and MSYPs unequivocally believe that a right to recovery should be given to all and are happy that this Bill will make that a law rather than an amendment to existing policies. MSYPs agreed that drug and alcohol addiction is extremely pervasive, especially amongst young people, and that *“Individuals are crying out for help just by having a drug or alcohol addiction”*.

However, overall consensus was that the provisions and aims of the Bill are too vague and do not take a holistic approach into treating drug and alcohol addiction. It was felt that while the Bill is welcome and a much-needed step into an important conversation, there were a lot of barriers to access not explored within the Bill, as well as the exclusion of young people, and the issue of capacity.

On the lack of inclusion around barriers to those suffering from mental health issues, MSYPs felt those with mental health issues can have anxiety, depression, or more various other problems that would make it significantly difficult to access their right to recovery like phone services, face-to-face appointments, etc. to even start their treatment.

In terms of further barriers, MSYPs did not feel young people were adequately included within the Bill, as there was hardly any mention of the alcohol and drug culture amongst young people in Scotland, which the MSYPs argued only contributes to the cycle of alcohol and drug addiction with young people.

One MSYP said: *“I think the assumption that young drug users don’t need treatment - because its ‘fun’ or a ‘uni thing that they’ll grow out of it’ but lots of drug addicts start that way! Also makes it difficult to identify when [you] have a problem. I think specifying young people in the Bill is so important.”*

Additionally, it was also felt that vague promise of offering treatment options to everyone but not taking a holistic approach on treating addiction overall meant that those more at risk of continuing or developing an addiction from being part of the drug to prison pipeline

¹ From Scotland’s Young People, SYP’s Manifesto P. 18
<https://syp.org.uk/wp-content/uploads/2020/11/SYPS-11.pdf>

were left without much support or options to help them overcome addictions developed within the prison system or avoid developing addictions upon release.

One MSYP said, “*Lots of ex-prisoners turn to drugs either in prison or when released*”, with another agreeing stating, “*...most of the reasoning is because they don’t know how to adjust to life due to being locked away for so long... you [also] find a lot of young people who come out of the Young Offenders Institutions also turn to drugs...due to wanting to stay in prison as they seem safe.*”

The other major concern MSYPs had around the Bill was capacity for treatment in general. During Annemarie Ward’s introduction, it was mentioned the few amounts of beds that exist for those seeking treatment who are already facing barriers that this Bill would see to address. MSYPs were worried that if everyone was given the right to recovery but capacity was not addressed and accommodated for, it would leave those seeking treatment still in a very vulnerable position and potentially cause more problems. MSYPs expressed concerns that if the right to recovery is given, but there is not enough capacity to allow them to access services, is the right to recovery being upheld? Offering clarification on this within the Bill is important.

MSYPs collectively agreed that one of the parts they really liked about the Bill was that there was support for community-based detoxification. They felt that this would lift a lot of barriers and widen access to services to communities that would otherwise not have the opportunity to do so. They also believed a community approach would work well with a holistic approach to addiction recovery, additionally.

Ultimately, while there were aspects of the Bill and the essence of the Bill itself that the MSYPs found very encouraging, the vagueness of the Bill itself left a lot of questions unanswered and calls for the Bill to be fleshed out more to include the above concerns or further legislation to go alongside this Bill would be the most inclusive and holistic approach that can be taken.

2. Do you think it should be a right (recovery) enshrined in law or do you think it should just be a policy change?

Overall, there was not much debate around this question throughout the focus group. The MSYPs were explained the difference between a policy change versus making the Bill a law and unanimously everyone agreed they think the right to recovery should be enshrined in law. The MSYPs stated that there would be more accountability within the court system as a law versus it being a simple policy change.

One MSYP noted: “*human rights are not only fundamental but are interdependent*”. Upon agreement it was said that the right to recovery being enshrined in law ensures a minimum standard that everyone should have access to support and treatment to recover.

3. Do you think someone should be able to choose what type of treatment they get?

Unanimously the group agreed that an individual should be able to choose the type of treatment they receive, as some might need more support than others. However, they did agree that it was important there were services and help available to them to help those in recovery make informed decisions.

An MSYP remarked: “*Nobody knows yourself better than you, but medical professionals should give advice*”. This was echoed by the rest of the group with everyone agreeing

there should always be accessible services and support for different types of treatment to make sure everyone has a fair chance of recovery.

4. Who do you think might be negatively impacted by or left out by this bill (seldom-heard groups, etc.)?

One of the main points of contention that the MSYPs had with the Bill, and who in turn they think would be most negatively impacted by, were young people. They believed the lack of inclusion and awareness of how addiction impacts younger people in many intersectional ways meant that they would potentially be unable to claim their right to recovery for a myriad of reasons. MSYPs specifically noted that young people have very complex drug and alcohol misuse and addiction issues that differ from adults, and it is necessary to make sure those are considered within the Bill.

First, MSYPs spoke about the drug and alcohol culture that is persistent in Scotland and how it is often viewed when young people are caught up in it. As mentioned above, one MSYP noted that it is often seen as a sort of rite of passage, doing it for fun, or something you just do in university and move on. However, MSYPs pointed out that this means it can be often a lot harder for young people to realise they have addiction issues in the first place and there are not a lot of services or help that are targeted towards young people in these positions, especially not within this Bill.

Second, there are significant barriers to accessing treatment for those who may be 16 or under and have misuse or addiction issues but would require parental permission to access these services. If those who are under 16 wish to seek treatment but would face significant consequences at home that could put them in a potentially dangerous situation, this could in turn turn away those who need help and leave young people to develop long-term addictions. Under Article 24² of the UNCRC, children and young people are entitled to the best possible health services, which would mean that recovery and treatment options would need to be specifically curated so that barriers to access for those under 16 are removed and they are able to receive the treatment that best supports them.

On this subject, one MSYP noted: “...young people don't want to take their parents or carers to treatment as I believe young people can't even go to the doctors themselves till they're 16. And a lot of young people do seem to start smoking, drinking, consuming drugs when they're a lot younger than 16.”

Third, the effect that loved ones seeking treatment would have on children and young people is missing from the Bill and this can provide a barrier to adults and caregivers who may need to seek recovery but do not have the opportunity to do so due to childcare and/or guardianship responsibilities. Additionally, the impact it would have on children and young people who have loved ones who would need to go through recovery and services or support that should be in place to help them cope with this. MSYPs felt that by taking the holistic approach and looking at the entire picture instead of just the right to recovery would alleviate these issues.

² UNCRC Summary, UNICEF

[https://downloads.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf?_ad=www.unicef.org.uk.1641473843777&_ad_ca=so%3DGoogle%26me%3Dorganic%26ca%3D\(not%2520set\)%26co%3D\(not%2520set\)%26ke%3D\(not%2520set\).1641473843777&_ad_cw=1641473841968.1641473843777&_ad_id=fa27bc8c-ca7f-424e-8bf6-6210013e5877.1631527845.3.1641473842.1631527845.7d036825-982e-4b25-952d-8b7345b10645.1641473843777&_ga=2.172480675.1034190292.1641473839-1495592610.1631527842](https://downloads.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf?_ad=www.unicef.org.uk.1641473843777&_ad_ca=so%3DGoogle%26me%3Dorganic%26ca%3D(not%2520set)%26co%3D(not%2520set)%26ke%3D(not%2520set).1641473843777&_ad_cw=1641473841968.1641473843777&_ad_id=fa27bc8c-ca7f-424e-8bf6-6210013e5877.1631527845.3.1641473842.1631527845.7d036825-982e-4b25-952d-8b7345b10645.1641473843777&_ga=2.172480675.1034190292.1641473839-1495592610.1631527842)

And fourth, for ethnic, LGBTQ+, and religious communities, significant barriers also exist in terms of stigmas surrounding them, specifically the data mentioned around LGBTQ+ statistics within the Bill. MSYPs believed the equalities section should be expanded and that seldom-heard groups should be routinely consulted on how best to remove these barriers and provide appropriate treatment routes and that this should be included within the Bill.

One MSYP commented: *“Are faith groups being made aware of the full religious implications of their treatment? For example are methadone etc halal/kosher? And, if these methods aren’t appropriate, does limiting religion people’s options violate the right the Bill would grant? If a type of treatment has an inherent barrier are they being denied their right?”*

Overall, there are at present significant barriers for seldom-heard groups and children and young people to seek services and access the right to recovery in general.

5. Further comments

Beyond what has already been noted above, suggestions from MSYPs around drug and alcohol misuse/addiction education within schools to be expanded and to have teachers trained with peer support was widely agreed upon. One MSYP noted that having teachers being trained to offer support for children and young people suffering from addiction is crucial in getting them the treatment they need, as well as giving honest education around drug and alcohol addiction amongst young people and what it is like and how it affects young people would be essential in early intervention and prevention, much like PSE.

MSYPs also believe consultation with various marginalised groups on how to alleviate barriers in accessing non-traditional recovery and treatment options would create better alternatives and make sure that the Government are getting it right for everyone instead of requiring those seeking treatment to choose one specific type of recovery support as it is the only one available. They also agreed this would fall under the right to choose their own treatment and have the support and availability for that to be true.

It was also widely discussed and agreed throughout the focus group that there are lots of organisations, much like FAVOR UK, who have been doing a lot of great work within communities to offer appropriate recovery services and as much treatment and support services as possible and that these methods and approaches should be utilised within the Bill and applied appropriately. MSYPs noted that they are the ones consistently dealing with those directly impacted by misuse and addiction and the Bill would benefit a lot more from that clarity and information that exists currently, more than what is included within the Bill at present.

Overall, MSYPs believe there is a lot that is lacking from the Bill purely from vagueness and that while the intention and the outline is progressive and welcoming, there are entire communities being left out of the conversation and opportunity to receive treatment and, until that is rectified, the right to recovery is not extended to everyone.

Additionally, as conversations around this issue go forward and approaches to solving addiction issues start to open up, the further this important issue has the potential to be explored. SYP believes it is important that, in addressing misuse and addiction holistically, decriminalising the possession of illegal drugs will only help those in their road to recovery. This is something that over half of our MSYPs and wider membership (52%) believe should happen, as detailed in our manifesto: **“Decriminalising the possession of**

illegal drugs, such as through the provision of safe injection rooms³. Our young people believe in treating addiction in every way it has an effect and we hope this Bill will help do the same.

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³ *From Scotland's Young People SYP Manifesto, P. 18*
<https://syp.org.uk/wp-content/uploads/2020/11/SYPS-11.pdf>