

Drug Death Prevention (Scotland) Bill

About You

Q1. Are you responding as:

On behalf of an organisation

Q2. 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

Q3. 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 Drugs Forum (SDF) is a membership-based drugs information and policy organisation. SDF is a national resource of expertise on drugs and drug-related issues

Q4. 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 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 (Note: The name will not be published if you have asked for the response to be anonymous or "not for publication".)

Scottish Drugs Forum - Austin Smith Head of Policy, Practice and Communications

Q5. Please provide 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. (Note: We will not publish these contact details.)

XXXXXXXXXX

Q6. Data protection declaration

In order to proceed, please confirm that you have read and understood the Privacy Notice contained on Page 1

I confirm that I have read and understood the Privacy Notice to this consultation which explains how my personal data will be used.

Q7. If you are under 12 and making a submission, we will need to contact you to ask your parent or guardian to confirm to us that they are happy for you to send us your views.

No Response

Your Views On The Proposal

Q8. Which of the following best expresses your view of the proposed Bill? (please note this is a compulsory question)

Partially supportive

Please explain the reasons for your response.

Scottish Drugs Forum is partially supportive of the proposal for enhanced harm reduction services - safer drug consumption facilities

Scottish Drugs Forum is opposed to the proposals for how these facilities should be established and managed through licensing but would suggest an alternative

Scottish Drugs Forum is opposed to the proposal for establishing a Scottish Drug Deaths Council, as described

Q9. Do you think legislation is required, or are there are other ways in which the Bill's aims could be achieved more effectively? Please explain the reasons for your response.

Scottish Drugs Forum has always maintained that enhanced harm reduction services, safer drug consumption facilities, can be provided under existing provision if the the Lord Advocate acts to reassure those providing these services / managing these facilities that it is not, in her view, in the public interest for these people to be prosecuted and that this is her view in the context of the risk to life and public health. This is the clear implication of the rationale for the lack of prosecution of those who provided a 'injecting van' in Glasgow for many months.

Q10. Which of the following best expresses your view of the proposal to establish overdose prevention centres?

Partially supportive

Please explain the reasons for your response.

NOTE: The services are mis-named as 'overdose prevention centres'. Overdose prevention is too narrow a focus and not the reasonably expected outcome of such facilities. These are enhanced harm reduction facilities. The term safer drug consumption facility is also used.

Partially supportive - proposals around 'overdose prevention centres' are supported in principle. However, the establishment and operation of these facilities should not necessarily be as proposed. The aim should be to make it a straightforward, easily understood process for a range of bodies and services (NHS, statutory, voluntary and community sectors) to establish facilities and services that serve as 'enhanced harm reduction facilities'. These will vary in terms of the premises they occupy, the culture within those premises (some may be 'clinical' and others more informal and community-based).

There may be a variety of staff who could operate within a facility. The proposal exaggerates the necessary qualification level of staff. This is a significant barrier to the provision of such services. It is only necessary that staff are appropriately trained, i.e., can recognise the need for intervention, provide basic life support and, if necessary, naloxone. It would be highly desirable that staff could also offer harm reduction advice and support.

This aim would support the achievement of the desired outcomes:

- To offer a safer alternative to more high-risk drug consumption
- To offer and provide other supports that reduce risk and harm, improve health and social circumstances

The public health emergency we face in Scotland means that we are way beyond the stage of hosting pilots and evaluating the effectiveness of a pilot. The international evidence is clear in terms of effectiveness and the elements of practice necessary to run an effective service. Scotland needs to create a significant volume of these services across the country, now.

Q11. Which of the following best expresses your view of the proposal for a licensing regime to enable the establishment of overdose prevention centres?

Fully opposed

Please provide reasons for your response, including on the proposed conditions for licensing (see pages 12 to 14 of the consultation document) and on the proposal that health and social care partnerships are responsible for licensing and scrutinising OPCs?

Scottish Drugs Forum would oppose the proposal for a licensing framework governed by HSCPs. This would inevitably be cumbersome and delay the process of developing these services and facilities.

Instead of licensing, services should be registered. Registering a service would require compliance with a simple set of standards and guidance which would cover

- Named responsible organisation / individual
- Staffing and management
- Security of premises
- Health and safety
- Emergency procedures

Bodies seeking to register a facility would be provided with a template application which they would complete. This template would be developed nationally and would be designed to ease the registration process. Satisfactory registration would be required before an organisation could open a facility or commence providing a service. Registration would be held by the local ADP stakeholders including local police and HSCP.

It would be the responsibility of the ADP and its stakeholders to develop positive relationships with communities and work with them to identify local issues including street-based injecting drug use, drug-related litter and drug-related deaths and explain how these may be addressed by the provision of an enhanced harm reduction service, safer drug consumption facility.

Q12. Which of the following best expresses your view of the proposal for a new body, the Scottish Drugs Deaths Council?

Fully opposed

Please provide reasons for your response, including views on the proposed functions of the SDDC (see pages 14 to 16 of the consultation document) and on how it should operate in practice.

The proposal, articulated, for a Scottish Drug Deaths Council is opposed by Scottish Drugs Forum. The current landscape around the Government in terms of scrutiny and advice-giving is complex and confusing. This would need to be reviewed before any other structure was added. Adding a new structure at this stage would simply exacerbate the current situation.

It is unlikely that a body with a focus of drug deaths would not quickly spread its remit to other issues that are contributory causes to drug-related deaths – poverty, poly-substance use, housing, welfare, stigma etc. The possibility of overlap with other structures is obvious. There is learning here in terms of the remit of the Task Force which should not be repeated.

Financial Implications

Q13. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

some reduction in costs

Please explain the reasons for your answer, including who you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively.

If the proposals led, as suggested elsewhere in this consultation response, to the delivery of community based facilities run perhaps by third sector and community-based organisations that were hosted in existing community facilities and services and were staffed by people who had training but were not clinical staff, then the cost would be low (and, crucially, they could be delivered quickly and in every community where they are required).

The costs savings are potentially significant - a reduction in ambulance callouts; a reduction in inappropriate attendance at A&E departments; early intervention on injecting wound infections; reduction in blood-borne virus infections; earlier engagement with other supports and crisis intervention are all potentially positive for the individual and save money.

Equalities

Q14. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

There is no legislative requirement to achieve what Scottish Drugs Forum would support around this proposal.

Sustainability

Q15. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? If you do not have a view then skip to next question.

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

There is no legislative requirement to achieve what Scottish Drugs Forum would support around this proposal.