

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:

Other (e.g. clubs, local groups, groups of individuals, etc.)

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).

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 (Note: The name will not be published if you have asked for the response to be anonymous or "not for publication".)

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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.)



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)

Fully supportive

Please explain the reasons for your response.

The Edinburgh City Council Labour Group welcomes Paul Sweeney's consultation on a Drug Death Prevention Bill.

While drug-misuse deaths reduced marginally in Scotland as a whole in 2021, in Edinburgh, they continued to increase significantly, from 92 the previous year to 109. This is well over double the level of drug-misuse deaths ten years previously.

109 deaths in 2021 is an absolute tragedy in its own right, but it is only the tip of the iceberg, in at least two aspects, firstly, the health and wellbeing impacts on a much greater population through drug misuse that thankfully did not end in death during 2021 but nonetheless had significant impact, and secondly, while these impacts on mortality are undoubtedly tragic, there are further impacts of drug misuse on wider health issues, housing, crime, economy, etc.

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.

Measures so far, including the establishment of the Drug Deaths Taskforce, have failed to make any significant impact on this tragedy. Indeed, one could make a connection between these deaths and cuts that have been made to services to support drug-users as a result of a lack of adequate funding from Scottish Government.

The international evidence is that Overdose Prevention Centres (OPC'S) save lives and improve the health and other wellbeing outcomes of drug users. While it is not clear that OPC's would contravene any existing legislation, the experience of Peter Krykant in Glasgow demonstrates the potential ambiguity in relation to the existing legislation. Therefore this Bill would be very welcome in providing the necessary legislative clarity to provide confidence, as well as establishing a licensing regime to further strengthen the contribution and work of OPC's throughout Scotland.

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

Fully supportive

Please explain the reasons for your response.

The Labour Group of Edinburgh City Council recognises the evidence that OPC's save lives, directly through allowing the safer consumption of drugs and indirectly as a means of access to medical advice and assistance, as well as a range of advice and support on a host of related issues, housing, employment, welfare, etc. Consequently, it is supportive of the provision of one or more Overdose Prevention Centres within the City of Edinburgh itself.

Clearly the location of any such facility would be a matter that would require sensitive handling and would require consultation both with the drug-using community and the wider community. However, this is a secondary concern to committing to the provision of such facilities in the first place in order that drug-misuse deaths in the city of Edinburgh are prevented and drug-users are able to access and benefit from the advice and support to which they are entitled.

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 supportive

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?

The proposal of a licensing regime to strengthen and provide confidence in the work of OPC's is welcomed. In particular, the opportunity to provide confirmation that OPC's are operating within the current legislative framework is welcome, as is the proposed engagement with police locally which will be vital to the successful operation of OPC's and ensuring they achieve their maximum potential benefit.

The Edinburgh City Council Labour Group is clearly not in a position to make any comments on behalf of its Health and Social Care Partnership colleagues. However, the proposal that OPC's should be operated by HSCP's, with their accountability to Integration Joint Boards made up of local authority and NHS representatives, is also welcome. The Bill will have to be cognisant of the potential of any development of a National Care Service over coming years. Regardless of governance structures, we would suggest that OPC provision should still be at least in close partnership with local authorities in order that the very clear connections with broader aspects of deprivation, homelessness, economic engagement, welfare support, etc, are supported alongside responses to the presenting drug use issues.

The consultation refers to 'minimum entry requirements to access OPC's'. Detail on what these requirements might be would be welcome alongside an assumption that these would not bar anybody who would potentially benefit from the services of an OPC.

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

Fully supportive

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 Edinburgh City Council Labour Group notes the very modest progress that has been achieved to date by the Drug Deaths Taskforce, alongside the internal difficulties that appear to have beset its work and potential contribution. Consequently we would welcome the establishment of a Scottish Drug Deaths Council, to oversee the work of OPC's and much broader issues that impact on the health and wellbeing of drug-users. In the main, we welcome the proposal that this body should be independent of Scottish Government, though some feel that this continues a practice of Scottish Government offloading responsibilities to arms length organisations, rather than taking responsibility themselves and being held accountable. If the proposed SDDC is to be an independent body, it may be a useful requirement of the legislative underpinning of this body that Scottish Government report to the SDDC on an at least annual basis in relation to its work to address the tragedy of the highest rate of drug deaths per capita in Europe.

A suggestion might be that further consideration be given to the name of this body to focus more on the potential positive benefit that it is anticipated that this newly-established Council would bring about, as opposed to the tragedy it is seeking to address.

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?

a significant 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.

The focus of this Bill would clearly be on saving lives and nothing could be more important than that. However, the consultation makes clear the potential significant financial savings that could be brought about by preventing drug deaths and other drug misuse, in terms of savings to the health service, by providing preventative support, rather than requiring acute, crisis intervention, by reducing the burden on the police, the courts and prisons through the crime that is brought about directly through drug-taking, as well as indirectly through the requirements of supporting an addiction, and by encouraging the economic engagement of drug-users. Through savings to many organisations that are impacted directly and indirectly by the consequences of problem drug use, OPC's would be making a significant net saving to society as a whole and in particular those public and third sector services on which problem drug-users make a significant call.

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.

Problem drug use and its consequences affect all but drug deaths are clearly heavily skewed towards males and towards males between the ages of 35 and 55.

It is also clearly associated with broader issues of poverty and deprivation. Therefore preventing drug deaths and supporting problem drug users will have benefits for those who are most in need in society, and will offer opportunities to support and address associated, complex issues, whether that be other concerns of physical or mental health, or housing, or employment, welfare, etc. Similarly, the substantial contribution of public and third sector services to raise levels of economic activity and other indices of wellbeing in our most deprived communities must be of benefit to problem drug users, as well as the much wider communities that are living in poverty. The association between OPC's and other work to directly support problem drug users must be delivered in close partnership with services that are seeking to raise standards and improve conditions in general among those communities, deprived economically and otherwise, in which problem drug-use is more commonly found.

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?

The question refers to 'achieving a sustainable economy, and creating a strong, just and healthy society for future generations'. Edinburgh City Council Labour Group believes very strongly that the proposed Bill would indeed contribute to these objectives. The detail provided in response to the previous question clarifies the connections we perceive between OPC's and wider work with problem drug-users and achieving these objectives.