Treatment of Drug Users (Scotland) Bill

Bill Number: SP Bill 79  
Introduced on: 29 September 2006  
Introduced by: Rosemary Byrne (Member’s Bill)  
Fell: At dissolution 2 April 2007

Passage of the Bill

A draft proposal for the Bill was lodged on 21 April 2006, with the Member responsible for the Bill conducting a consultation on her proposals between April and August 2006. A final proposal was lodged on 24 August 2006 and the Treatment of Drug Users (Scotland) Bill [SP Bill 79] was introduced in the Parliament by Rosemary Byrne MSP on 29 September 2006. The Parliamentary Bureau subsequently referred the Bill to the Health Committee as lead Committee on 3 October 2006.

Purpose and objectives of the Bill

The objective of the Bill is to provide a statutory right for all drug users to be assessed for an individual holistic care plan within seven days of requesting such assistance, and for this care to be financed in part from a percentage of the monies seized under the Proceeds of Crime Act 2002.

Provisions of the Bill

The Bill places a duty on the Scottish Ministers to promote the integration of health and social care services to secure the prevention of drug misuse and the treatment of drug users.

The Bill provides that in discharging the above duty, the Scottish Ministers will make such further provision, by regulations, as they think fit in connection with (a) the introduction of a scheme to assess the needs of drug users to determine an appropriate care plan to treat their addiction; (b) the delivery of such health, social care and employability services as may be necessary to treat and rehabilitate drug users; and (c) the delivery of social care, child care and child protection services for the families of drug users.

The Bill provides that the regulations will make particular provision for (a) the right of a drug user to be assessed for a care plan within seven days of requesting one; (b) the timeframe in which a care plan will be implemented for a drug user who is susceptible to treatment; (c) the appointment and functions of persons designated to carry out a care plan assessment; (d) the types forms and packages of health and social care services to be deployed for drug users’, including detoxification, residential and community based rehabilitation services and substitute prescribing; (e) the form of employability support to be
deployed to enable drug users to gain employment or voluntary work experience; (f) the types, forms and packages of social care and child care services for the families of drug users; and (g) a complaints procedure for drug users and their families who are dissatisfied with those services which have been provided.

The Bill also provides for the proceeds of drug crime to fund the treatment of drug users and provides that where an accused has been convicted of an offence concerning the possession, supply or trafficking of controlled drugs, proceeds recovered shall be applied to fund care plans for drug users.

**Parliamentary consideration**

At its meeting on 27 January 2007 the Health Committee held a round-table discussion on the broad subject of the treatment of drug users in Scotland. The meeting included senior representatives of the health service, academics and organisations that have a direct interest in the treatment of drug users, including organisations that are involved in the delivery of front-line services to drug users. The meeting was also attended by the Member responsible for the Bill.

The Health Committee will consider the Treatment of Drug Users (Scotland) Bill at its meeting on 6 March 2007.