

**CAMPAIGNING FOR 🌻 ANNE'S LAW 🌻**

**Campbell Duke**

**To Clare Haughey**

**Convener**

**Health, Social Care and Sport Committee**

**Scottish Parliament**

**13 August 2024**

**Dear Ms Haughey**

**Good Afternoon,**

**I write to you with regard to Section 40 of the National Care Service Bill.**

**There is extreme disquiet at the lack of progress of s.40 "ANNE'S LAW" within the overall context of the Bill.**

**By way of background, On 14 Mar '20 my Wife Anne (62) was in a care home with late stage Early Onset Alzheimer's Disease. I arrived to spend personal time with her only to find Locked Doors and be told bluntly I was BARRED.**

**Of necessity, and inspired by a Petition started by our Daughter Natasha Hamilton in Jun '20, we and others such as Care Home Relatives Scotland (of whose Facebook Page I am a Member) began to Campaign for Anne's Law, to guarantee the Right of Care Home Residents to have a nominated relative/friend with them in times of a Pandemic.**

**The experience has been a harsh lesson in human nature and at times an indictment of civic Scotland.**

**Recently at the Covid Inquiry (Mar '24) we heard from my Wife's care home management, that they Locked Down early because they did not like what they saw on the Television from Italy.**

**They Locked Down on a whim and in advance of Government Orders; yet thereafter spent the Entirety of Lockdown enforcing callous**

regulations because paradoxically they were bound by "Government Orders".

**My Wife Died behind those Locked Doors in Nov '21. We continued to Campaign in Her memory and that of Many Others, but became entangled in a growth industry of meetings - committees - inquiries - academic reports – experts - and more meetings.**

**Elsewhere we have witnessed the horrors of the Post Office Horizon IT Inquiry, and are stunned at the ability we have to inflict evil upon our fellow citizens.**

**Amidst all this anxiety we might ask ourselves – WHY?  
We all knew the Care Home Lockdown was happening.  
Some Agonised.  
Some Complained.  
Some Campaigned.**

**Surely we all have a Moral Compass informed by love, poetry, book-learning, scripture, or just plain common sense. We all exist in the public square and need to stand up for “doing the right thing” and find the courage to say “ENOUGH”**

**It seems precious few did.**

**I fear now we are in the thrall of the very system from which we seek redress.**

**Perhaps this anxious little band of concerned citizens will ultimately run out of time, energy and willpower; fearing that in any case there will soon be NO living resident in any care home who was actually “there during the Pandemic”.**

**Most recently as you know an Expert Legislative Advisory Group (ELAG) was created by the Health Minister to further advise on the NCS Bill. On 30 May they specifically deliberated on s.40 ....**

**\*Over Four Years since Covid blighted the planet. (Mar '20)**

**\*Over Four Years since my Wife was cruelly incarcerated behind Locked Doors. (Mar '20)**

- \*Four Years since the Anne's Law Petition was begun. (Jul '20)**
- \*Four Years since Care Home Relatives Scotland was established. (Aug '20)**
- \*Almost Three Years after an overwhelmingly favourable Public Consultation on Anne's Law. (Sep '21)**
- \*Almost three years since Anne died. (Nov '21)**
- \*Over Two Years since the NCS Bill was first published. (Jun '22)**

**And now, after a super-abundance of consultation and discussion on the detail of Anne's Law and which legislative routes might best achieve it; and despite having unequivocally anchored Anne's Law to the fate of the often discredited NCS Bill (e.g. in the Parliamentary Stage 1 Debate of Feb '24, and again at the ELAG Meeting in May '24), the Government is now signalling the possibility of decoupling Anne's Law from the Bill, and introducing a further minimum delay of at the very least least three months and no doubt longer.**

**This is entirely unsatisfactory.**

**Why the apparent volte-face by the Government?**

**Their commitment to Anne's Law seems all show and little substance. After Four Years of endless committee it surely cannot be beyond the assembled talents of the Governing Party, their Civil Servants, and their Lawyers, to arrive at a satisfactory resolution to a 2021 Manifesto Commitment. Why have they not produced any amendment to s.40?**

**Is there something we're not being told?**

**Anne's Law is NOT a glib phrase.**

**It speaks to Real Lives and Human Tragedy.**

**Something has to CHANGE.**

**We need Anne's Law.**

**I ask the Committee that as you resume Meetings in Sep '24 you will consider these matters relevant to s.40 and encourage the "ordinary citizen" - those most directly affected - to give additional information and evidence in person.**

**I thank you in anticipation and remain willing and happy to provide any further information deemed appropriate.**

**With kind regards**

**Campbell Duke**  
**Husband/Widower of Anne Duke**  
**the "Anne" of Anne's Law**