

Health, Social Care and Sport Committee
Tuesday, 27 May 2025
16th Meeting, 2025 (Session 6)

Right to Addiction Recovery (Scotland) Bill – Note by the Clerk

Background

1. Douglas Ross MSP introduced the Right to Addiction Recovery (Scotland) Bill in the Scottish Parliament on 14 May 2024. The Health, Social Care and Sport Committee was designated as the lead Committee for scrutiny of the Bill at Stage 1 on 21 May 2024.
2. Under the Parliament's Standing Orders Rule 9.6.3, it is for the lead committee to report to the Parliament on the general principles of the Bill. In doing so, it must take account of views submitted to it by any other committee. The lead committee is also required to report on the Bill's Financial Memorandum, taking account of any views submitted to it by the Finance and Public Administration Committee.
3. The Bill and its accompanying documents are available on the [Scottish Parliament website](#).
4. The Scottish Parliament Information Centre (SPICe) have published a [briefing on the Bill](#).

Purpose of the Bill

5. The Bill seeks to make provision about the rights of persons addicted to drugs and/or alcohol to receive treatment for addiction.
6. The [Explanatory Notes](#) describe the purpose and scope of the Bill as follows:

“The Bill provides for a right for anyone diagnosed as having a drug and/or alcohol addiction to receive a treatment determination and for the person to be provided with that treatment as soon as reasonably practicable and no later than three weeks from the date of the determination. The Bill provides that the Scottish Ministers must secure the delivery of all of these rights and obliges them to make regulations setting out how they will fulfil that duty. In doing so, it gives the Scottish Ministers the power to confer functions on health boards, special health boards, the Common Services Agency, local authorities and integration joint boards. The Bill also requires the Scottish Ministers to prepare a code of practice to go alongside these regulations.

“The Bill enables a person who has been diagnosed as having a drug and/or alcohol addiction to participate in the decision-making process about their

treatment and for that treatment to commence no later than three weeks from the date of the determination.

“The Bill also requires the Scottish Ministers to report annually to the Parliament on progress made towards achieving the provision of the treatments under this Bill.

“The Bill requires the Scottish Ministers, before preparing a report, to consult representatives of patients and people with lived experience of drug and/or alcohol addiction, as well as health boards, special health boards, the Common Services Agency, local authorities and integration joint boards.”

7. Alongside the Bill and Explanatory Notes, a [Policy Memorandum](#), a [Financial Memorandum](#), a [Delegated Powers Memorandum](#) and a [Statement of Legislative Competence](#) were published. An [Equality Impact Assessment was also published](#).
8. Currently, the main legislation providing the legal framework for the NHS in Scotland is the [National Health Service \(Scotland\) Act 1978](#). This places a duty on Scottish Ministers to promote health improvement and to provide a range of services via health boards.
9. Also, under the [Patient Rights \(Scotland\) Act 2011](#), Scottish Ministers are required to publish a [Charter of Patient Rights and Responsibilities](#) that summarises the existing rights and responsibilities of people who use NHS services and receive NHS care in Scotland. This includes “the right to safe, effective, person-centred and sustainable care and treatment that is provided at the right time, in the right place, and by the most appropriate person”.
10. However, it is worth noting that there are no sanctions in the Patient Rights (Scotland) Act which are enforceable by the courts.

Scrutiny

11. The Committee launched a Call for Evidence on the Bill which ran from 1 November 2024 to 20 December 2024. A total of 129 responses were received which can be viewed on the [Scottish Parliament website](#).
12. The Committee also received a [memorandum from the Scottish Government](#) setting out its position on the Bill on 7 January 2025.
13. The Committee has agreed the following programme of oral evidence on the Bill:
 - Week 1 – 2 Panels – Legal and Human Rights, Professional Organisations
 - Week 2 – 2 panels – Health Boards, IJBs and ADPs

- Week 3 – 2 Panels - Third Sector organisations
- Week 4 – Scottish Government
- Week 5 – Member in Charge

14. The Committee held its four previous evidence sessions on the Bill at its meetings on Tuesday 18 March 2025, Tuesday 25 March 2025, Tuesday 13 May 2025 and Tuesday 20 May 2025. Transcript of these meetings are available via the Official Report ([18 March 2025](#); [25 March 2025](#); [13 May 2025](#); 20 May 2025).
15. The Finance and Public Administration Committee ran a call for views on the Financial Memorandum (FM) on the Bill from 1 November to 20 December 2024 and received 9 responses, which are available on [Citizen Space](#).
16. The Finance and Public Administration Committee then held an oral evidence session with the Member in Charge, Douglas Ross MSP, at its meeting on Tuesday 11 March 2025. A transcript of this meeting is available via the [Official Report](#).
17. The Delegated Powers and Law Reform Committee considered the delegated powers in the Bill at its meetings on [24 September 2024](#) and [29 October 2024](#).

Today's meeting

18. At today's meeting, the Committee will hold its final evidence session in its scrutiny of the Bill at Stage 1 by hearing from the Member in Charge, Douglas Ross MSP and supporting officials from the Non-Governmental Bills Unit (NGBU).

Clerks to Committee

May 2025