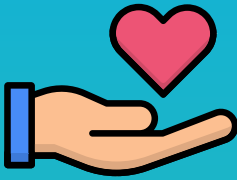


National Collaborative Charter of Rights For People Affected by Substance Use

- Summary



Right to Life



Right to highest attainable
standard of physical and
mental health



Right to an adequate
standard of living



Right to private and
family life



Right to a healthy
environment

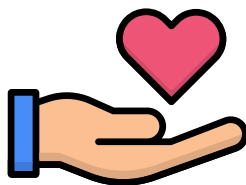
SANCTIONS

Freedom from torture
and other cruel, inhuman
& degrading treatment or
punishment



Freedom from arbitrary
arrest or detention

Human rights are for **everyone**. You have human rights.



This Charter sets out some of the key rights for people affected by substance use, although there are many other rights.

The Charter aims to help people to know their rights and to know what support they can therefore expect to receive.

It has been created by people affected by substance use, including family members and carers, service providers and national organisations.

The full version of the Charter can be found here: [Charter of Rights](#) (see QR code on last page).

Right to Life

Everyone's right to life is protected by law.

This means that everyone should have access to effective treatment and other forms of support which will enable them to live longer lives.

Steps must be taken by services and organisations to positively protect people's lives, especially when they are at risk.

e.g. service providers should put plans in place to support somebody leaving residential, justice and in-patient settings who may be at higher risk of drug related deaths.





Right to the highest attainable standard of physical and mental health

Everyone has the right to receive quality health and care services that are:

- *available* in sufficient quantity, providing choice and are known about,
- *accessible* geographically and financially,
- *acceptable* and provided in a way that works for everyone whatever their background, e.g. women and families, and
- of sufficient *quality* including being trauma-informed, evidence based and supporting participation in decision-making.

This means that everyone should be treated fairly and equally, without stigma and discrimination.

e.g. people should not be turned away from health and care services because they are using drugs or have used drugs in the past.



Right to an adequate standard of living

Everyone has the right to services and things which enable them to live in dignity.

This includes the right to adequate food, clothing and housing with the goal to keep people out of poverty, ensure that their basic needs are met and that they are able to take part in the life of their community.

Steps should be taken by Government and public authorities to respect, protect and fulfil this right.

e.g. access to social security should be available if required.



Right to private and family life

Everyone has the right to respect for their private and family life.

This protects people's dignity and right to make decisions about their own life.

Family life includes the right to have and maintain family relationships. It covers the right not to be separated from your family and to maintain contact if your family is split up.

e.g. a parent's substance use should not be the only reason for removing a child from parental care or preventing contact.

Disclosure of personal health data, including substance test results or treatment history, and other information sharing should generally only happen when the person has given their consent or it is in the interests of the individual, e.g. if their life is at risk.

If a person does not give consent for their information to be shared, professionals can still meet with family members and carers to listen to their concerns and offer general advice.

The right to private and family life may only be interfered with in certain limited circumstances.



Right to a healthy environment

This right means that you should have access to clean, safe air, water, land and soil free from pollution. It also means the place you live should make you feel safe.



SANCTIONS

Freedom from torture and other cruel, inhuman & degrading treatment or punishment

This right protects people from treatment that causes them a lot of pain, physical or mental suffering or which makes them feel worthless or hopeless.

Everyone should have equal access to essential medicines - including for substance dependence, pain treatment and palliative care - and including in places of detention.

e.g. medication should not be withheld as a means of control or punishment in prison or police custody.



Freedom from arbitrary arrest or detention

People should not be detained solely based on their substance use.

Diversion from prosecution should be prioritised for minor substance related offences.



The Charter of Rights for People Affected by Substance Use is a guide to good practice in taking a human rights-based approach in decision-making. It describes rights within our domestic law and international human rights law but does not provide legal guidance.

Advocacy

Advocacy¹ services provide information, advice, support and representation. Advocacy can support you to get your voice, views and wishes heard and explain more about your rights. The Scottish Independent Advocacy Advice Alliance² (0131 510 9410) can help you to find an advocacy service.

Feedback & Complaints

If your rights or those of someone you care for are not being met, you can feed this back to the service or make a complaint.

As a first step, you can speak to someone informally, such as the person most involved in providing care or their manager. You may also be able to give feedback using Care Opinion³, which can be done anonymously. Care Opinion can also be contacted on Freephone 0800 122 3135.

For help and advice with NHS complaints, contact your local Patient Advice & Support Service (PASS)⁴, Advice Line: 0800 917 2127 (Mon – Fri 9am – 5pm). The service is free, independent and confidential.

Further details on complaints can be found within the full Charter: Charter of Rights (see QR code below).

Charter
(including other versions)



National Collaborative



NationalCollaborative@gov.scot

[www.alliance-scotland.org.uk/lived-experience/
engagement/national-collaborative/](http://www.alliance-scotland.org.uk/lived-experience/engagement/national-collaborative/)

References

1. <https://www.mygov.scot/advocacy>

2. <https://www.siaa.org.uk/>

3. <https://www.careopinion.org.uk/>

4. <https://pass-scotland.org.uk/>