

EVIDENCE TO THE REVIEW OF SPCB SUPPORTED BODIES COMMITTEE FROM JEAN ERSKINE

MEDICAL BACKGROUND AND DETAILS OF INVESTIGATION BY SPSO SUPPLIED WITH EVIDENCE WHICH WAS MADE AVAILABLE TO COMMITTEE MEMBERS

1. I feel that the SPSO and the investigators did not examine my case with the thoroughness or rigour to achieve a final worthy conclusion. They appear to have examined a limited amount of evidence, made a judgement and were unable to accept further evidence as it appeared. The door was then closed on me.
2. There was no personal contact (letters only). It seemed to be a mechanical exercise of bureaucracy, with almost an unwillingness to take up the citizen's personal plight.
3. A rigid overall administrative timetable seemed to have been set by the SPSO for replies and conclusions, and this may not have been ideal for me. My situation required extended time for all evidence to be collected and available to the SPSO's investigator, as new evidence continued to come to light. It seemed that the SPSO had drawn a final conclusion before all evidence was in one place and thus the conclusion reached was premature. Later evidence was received that might have changed the final conclusion had it been available before the decision was made. However, the SPSO did not accept the later evidence as valid for a change in the original conclusion.
4. There was no procedure to appeal against the final conclusion.
5. Along the way it seemed that the SPSO had the law working for her benefit, not necessarily mine, but that I had to fend for myself without legal assistance.
6. The SPSO purports to offer "an open, accountable and accessible public services complaints system" and "an independent, free and fair response to complaints about public services." The SPSO website quotes: "We are independent, impartial and free" and "We aim not only to provide justice for the individual, but also to share the learning from our work in order to improve the delivery of public services in Scotland."

This may well have genuinely been the original intention, and it reads well on paper but each case has its own idiosyncracies and what happened in my case for real was a different story.

Jean Erskine
14 January 2009