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The Scottish Parliament
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31 January 2023

Dear Convener,

Thank you for your letter of 14 December 2022 regarding the Scottish Public Services Ombudsman (SPSO). The Committee has asked whether own initiative investigation powers are being considered for the Ombudsman as part of the Scottish Government's work on a forthcoming Human Rights Bill.

Forthcoming proposals for a new Human Rights Bill follow on from the recommendations of the [National Taskforce for Human Rights Leadership](#) ("the Taskforce"), which recommended the Scottish Government consider routes to effective remedies in the context of a potential new statutory human rights framework. As part of our work on this, we are exploring various options to strengthen non-court routes to remedy.

We are liaising with a wide range of stakeholders, including the SPSO, to explore how best we can strengthen non-court routes to remedy under the Bill. This includes exploring the role of the SPSO, including the potential for own initiative investigation powers and receiving complaints in other formats. Alongside this we are also exploring the roles of front-line complaints handling mechanisms of public bodies, further powers for the Scottish Human Rights Commission (SHRC), the role of wider scrutiny bodies and appropriate court routes.

Policy development is continuing ahead of a public consultation that will be launched later this year to inform the Bill. Throughout the Bill development process, we will continue to work closely with stakeholders, including in relation to potential resource implications. We recognise that in relation to resourcing, the SPSO – and the SHRC – are funded by the Scottish Parliamentary Corporate Body, and we will therefore ensure we carefully engage with them.

I hope this information is helpful. I am copying this letter to the Convener of the Equalities, Human Rights and Civil Justice Committee and the Scottish Parliamentary Corporate Body Secretariat for their interests.

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Yours sincerely,

SHONA ROBISON

cc Joe FitzPatrick MSP, Convener of the Equalities, Human Rights and Civil Justice
Committee
Scottish Parliamentary Corporate Body Secretariat

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