

Citizen Participation and Public Petitions Committee

14th Meeting, 2023 (Session 6), Wednesday
4 October 2023

PE2032: Improve the support available to injured soldiers and veterans in Scotland

Petitioner	James Brebner
Petition summary	<p>Calling on the Scottish Parliament to urge the Scottish Government to improve the support provided by public bodies to injured soldiers and veterans in Scotland by:</p> <ul style="list-style-type: none">• ensuring there are clear patient pathways for their injuries to be treated by appropriate consultants;• establishing a veterans trauma network, similar to that which operates in England and Wales;• ensuring all correspondence, raising concerns or making complaints about their treatment, from veterans to the Scottish Government, is acknowledged and responded to; and• reviewing and seeking to update the way in which the Scottish Public Services Ombudsman handles complaints from veterans about health service.
Webpage	https://petitions.parliament.scot/petitions/PE2032

Introduction

1. This is a new petition that was lodged on 20 June 2023.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition can collect signatures while it remains under consideration. At the time of writing, 65 signatures have been received on this petition.

5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.
6. A submission has been provided by the petitioner. This is included at **Annexe D**.

Action

The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

Annexe A

PE2032: Improve the support available to injured soldiers and veterans in Scotland

Petitioner

James Brebner

Date lodged

20 June 2023

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to improve the support provided by public bodies to injured soldiers and veterans in Scotland by:

- ensuring there are clear patient pathways for their injuries to be treated by appropriate consultants;
- establishing a veterans trauma network, similar to that which operates in England and Wales;
- ensuring all correspondence, raising concerns or making complaints about their treatment, from veterans to the Scottish Government, is acknowledged and responded to; and
- reviewing and seeking to update the way in which the Scottish Public Services Ombudsman handles complaints from veterans about health service.

Previous action

I was advised by the UK Veterans Minister, Johnny Mercer MP, to get in touch with the Scottish Veterans Minister.

I have emailed and telephoned the Minister for Veterans, Graeme Dey MSP, but have yet to receive a full response.

Also written to the previous First Minister, who responded with a “thank you for your service”.

Background information

I was injured in the Falklands while serving with the Parachute Regiment. After returning to my trade, I started experiencing sharp pains in the injury to my lower leg. A neuroma was found and excised around June 1986, but months later I started experiencing pain in my lower leg travelling up to my thigh.

In 1992, the pain came back with a vengeance, and I experienced serious electric shocks from the ankle to below the knee. A scan showed I had a very minimum spondylolisthesis.

In 2019, I met with a private neuro-consultant and shared with him my research on a condition called saphenous neuritis, which he had not heard of. The consultant asked to keep my research papers which also contained photos of operations being carried out in America from early 1983, with the condition first described in the 1960s.

Annexe B

The logo for SPICe (The Information Centre) is a purple rounded rectangle. The text 'SPICe' is in white, with 'The Information Centre' and 'An t-Ionad Fiosrachaidh' in white text below it.

The Information Centre
An t-Ionad Fiosrachaidh

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE2032](#): ‘Improve the support available to injured soldiers and veterans in Scotland’, lodged by James Brebner

Brief overview of issues raised by the petition

[PE2032](#) calls on the Scottish Parliament to urge the Scottish Government to improve the support provided by public bodies to injured soldiers and veterans in Scotland by:

- ensuring there are clear patient pathways for their injuries to be treated by appropriate consultants;
- establishing a veterans trauma network, similar to that which operates in England and Wales;
- ensuring all correspondence, raising concerns or making complaints about their treatment, from veterans to the Scottish Government, is acknowledged and responded to; and
- reviewing and seeking to update the way in which the Scottish Public Services Ombudsman handles complaints from veterans about health service.

Serving members of the Armed Forces ordinarily receive medical care through the [Defence Medical Services](#). The NHS provides care for veterans and non-mobilised reservists. In 2022, the Scottish Veterans' Commissioner [published a report](#) exploring health and wellbeing support for former Armed Forces personnel who have transitioned back into civilian life. The report highlighted that although most veterans are well-supported when accessing healthcare, some experience difficulties when receiving health and social care. These challenges included

barriers to accessing information about healthcare; difficulties in accessing the right care at the right time; lack of awareness of the needs of veterans among some healthcare professionals; and the need to protect specialist NHS services that support veterans.

Patient pathways for injured soldiers and veterans, and establishing a veterans' trauma network

The [Armed Forces Covenant](#), which has been signed by NHS Scotland and all of Scotland's NHS Boards, states that veterans [should receive priority treatment](#) for health problems occurring as a direct result of their service, unless there is an emergency case, or a case requiring higher clinical priority. Each NHS Board has an [Armed Forces and Veterans Champion](#), who is responsible for ensuring that these priority treatment guidelines are supported and applied.

In its [response to the petition](#) dated 17 July 2023, the Scottish Government stated that it is:

“working with colleagues across the NHS and the veteran's community to help develop a Scottish Veterans Treatment Pathway (SVTP). The Scottish Government has been working with the Veterans Trauma Network (VTN) in England, to understand the principles of, and the approach taken by, the VTN and how this could be applied to a similar service in Scotland. The intention of the SVTP is to support any veteran presenting with a service-related physical injury, which remains a cause for concern despite treatment, either previous or current. The proposed pathway aims to supplement and support existing service provision, and provide a dedicated pathway to explore treatment options and enhanced coordination of care where required.”

The minutes from [the May 2023 meeting](#) of the Scottish Government's Armed Forces Personnel and Veterans Health Joint Group's Strategic Oversight Group confirmed that the vision, process, and governance structure of the SVTP have been agreed by the relevant working group.

Correspondence, concerns, and complaints

In its response to the petition, the Scottish Government stated that all correspondence received is logged centrally, and the Government aims to reply to such correspondence within 20 days of receipt. However, the response also noted that Scottish Ministers may signpost individual cases to relevant local support or complaints processes.

Scottish Public Services Ombudsman complaints

The Scottish Government advised in its response to the petition that the Scottish Public Services Ombudsman (SPSO) is independent from healthcare providers and Ministers. As such, it is for the SPSO, rather than the Government, to comment on its processes for the handling of complaints from veterans, and any potential scope for review of these processes.

The SPSO [has produced guidance](#) detailing its process for investigating complaints related to NHS Scotland. This guidance does not currently make specific reference to the handling of complaints made by veterans.

Scottish Government actions

On 5 August 2022, the Scottish Government published its [refreshed Action Plan](#) to inform Scotland's delivery of the UK-wide [Strategy for Our Veterans](#). The Action Plan made a series of commitments related to health and wellbeing, including further investment in specialist support services; improving access to health services; and developing collaborative working relationships with key NHS, Local Authority, and other key partners.

In response to written question [S6W-13901](#) on 27 January 2023, the then-Cabinet Secretary for Justice and Veterans, Keith Brown MSP, acknowledged that veterans may have particular health needs as a result of their military service. He confirmed that the Scottish Government works with key NHS partners to ensure that veterans are identified as a distinct group with specific needs within the healthcare system. He added that the Scottish Government has developed a training package for health and social care staff working in general practices, to help them understand the specific health needs with which veterans can present.

Scottish Parliament actions

There has been no Scottish Parliament action concerning this topic to date.

Sarah Swift
Researcher

31 August 2023

Annexe C

Scottish Government submission of 17 July 2023

PE2032/A: Improve the support available to injured soldiers and veterans in Scotland

I refer you to your email of 20 June asking for the Scottish Government's views on the actions called for in petition PE2032. I have addressed the requests contained in the bullet points of the petition below.

- **ensuring there are clear patient pathways for their injuries to be treated by appropriate consultants; and establishing a veterans trauma network, similar to that which operates in England and Wales**

The Scottish Government is committed to ensuring that all serving Armed Forces personnel and veterans living in Scotland, as well as their families, are able to access the best possible care and support, including safe, effective and person-centred healthcare.

The Armed Forces Personnel & Veterans Health Joint Group ("the Joint Group") works on priority areas to drive progress towards our commitments in meeting the health needs of Armed Forces personnel and veterans. It was refreshed in 2018 and brings together NHS Champions, representatives of the serving community, veterans organisations, Scottish Government officials and other stakeholders. The Joint Group's structure consists of a Strategic Oversight Group (SOG) which sets strategic direction and an Implementation Group (IG) which reports to the SOG. The Groups have broad membership, harnessing a range of expertise.

The priorities set by the Joint Group in May 2021 included, as is mentioned in the above petition, exploring setting up a Scottish Veterans Trauma Network.

To reflect the holistic approach needed by such a service, the Scottish Government are working with colleagues across the NHS and the veteran's community to help develop a Scottish Veterans Treatment Pathway (SVTP).

The Scottish Government has been working with the Veterans Trauma Network (VTN) in England, to understand the principles of, and the approach taken by, the VTN and how this could be applied to a similar service in Scotland.

The intention of the SVTP is to support any veteran presenting with a service-related physical injury, which remains a cause for concern despite treatment, either previous or current. The proposed pathway aims to supplement and support existing service provision, and provide a dedicated pathway to explore treatment options and enhanced co-ordination of care where required.

It may also be relevant to note that NHS Scotland has pledged to support the Armed Forces Community and honour the Armed Forces Covenant. The Armed Forces Covenant is a promise that those in the Armed Forces Community should be treated fairly and receive no disadvantage when accessing public services.

For the purposes of upholding the Covenant, disadvantage is described as being *'when the level of access a member of the Armed Forces Community has to goods and services, or the support they receive, is comparatively lower than that of someone in a similar position who is not a member of the Armed Forces Community, and this difference arises from one (or more) of the unique obligations and sacrifices of Service life'*.

The Armed Forces Covenant Duty came into effect on 22 November 2022, and this places a legal obligation on certain public bodies, which includes healthcare services to 'have due regard' to the principles of the Covenant. The Covenant Duty is not prescriptive about the actions that specified bodies should take in order to comply with their legal obligations.

Scottish Government has shared the [Statutory Guidance produced by the MOD](#) to help organisations in scope of the Covenant Duty understand and comply with it. The guidance explains the Armed Forces Covenant, and includes examples of where disadvantage can arise, of good practice, and other useful information.

- **ensuring all correspondence, raising concerns or making complaints about their treatment, from veterans to the Scottish Government, is acknowledged and responded to**

All correspondence received by the Scottish Government is logged centrally and the aim is to reply to such correspondence within 20 days of receipt. Details on how to contact a cabinet secretary or minister can be found at the link below, this link also provides contact details for local MSPs [Contact a cabinet secretary or minister - gov.scot \(www.gov.scot\)](http://www.gov.scot)

However, it should also be noted that, for individual cases, Scottish Ministers will signpost to relevant local support or complaints processes.

- **reviewing and seeking to update the way in which the Scottish Public Services Ombudsman handles complaints from veterans about health service.**

The Scottish Public Services Ombudsman (SPSO) is independent from the providers of healthcare and Ministers. Given the independence of the SPSO from Ministers, it is for the SPSO to comment on its processes and any potential review of how it handles complaints from veterans about the health service.

The SPSO's role is set out in the Scottish Public Services Ombudsman (Scotland) Act 2002. It includes investigating complaints about most organisations providing public services in Scotland and driving learning and improvement from complaints. The SPSO makes independent and impartial decisions.

As an alternative, or in addition, to making a complaint, there is the option to contribute to the Care Opinion website. Care Opinion allows people to post public but anonymous stories about the services that they, or someone they know, have received in NHS Scotland. When a story is published online a notification is sent to the appropriate service provider (health board, hospital ward, surgeon, doctor, nurse etc.) and they have the opportunity to respond to your story in the public forum.

I hope this response is helpful both to the Committee and to the petitioner.

Annexe D

Petitioner submission of 23 July 2023

PE2032/B: Improve the support available to injured soldier and veterans in Scotland

Below is my reply to the [Scottish Government submission](#).

My petition calls for clear patient pathways for their injuries to be treated by appropriate consultants; and establishing a veterans trauma network, similar to that which operates in England and Wales.

Without clear patient pathways, veterans have been left to suffer in extreme pain, with life-changing conditions, over many years. They have not been seen by or referred to the appropriate consultant.

We have a system whereby scans are taken and sent up to Dundee, and doctors sit with their hands clasped stating there is nothing they can do, while other doctors will recognise you have been all over the place but get up, open the door, and stand there until the patient leaves. This is not what is called a clear pathway for injuries sustained to be treated.

The Scottish Government go on about NHS champions, but this is also another system that is not working. How do we as veterans meet these people to make sure our health needs and family needs are being taken care of properly and get the proper support we require?

I first brought my own condition to the attention of the Scottish NHS in 2018, and yet they are just establishing a trauma network. This is too late for some injured veterans and civilian personnel who have already lost a lot, and lost their livelihood and brought serious hardship to their families.

The Scottish Government's response states they aim to reply to correspondence within 20 days of receipt.

In my experience this is not true. I wrote to Humza Yousaf when he was the health secretary about my findings and everything else on this serious condition and received no reply. I also sent the same letters to Alex Cole-Hamilton, and Anas Sarwar, who did not reply. Douglas Ross

was the only one that replied to say that he would be “happy to forward your email to one of my colleagues who has responsibility for your area.”

The above three gentlemen are opposition party leaders and are supposed to hold the First Minister to account when things are going seriously wrong. It is not happening in this case.

When citizens' and veterans' rights are not being adhered to and individuals are left to suffer over many years despite sharing evidence of their suffering, it is my view that this could be considered a breach of Article 3 of the European Convention of Human Rights (ECHR), which protects persons from torture, inhuman or degrading treatment.

When citizens and injured veterans are denied treatment, and not put in front of professionally trained consultants for their injuries, which then result in life-changing, permanent conditions, they should be able to raise these concerns and have them addressed.

If these concerns cannot be investigated by Scottish Public Services Ombudsman (SPSO), then where do we go for answers?

I also wish to make the Committee aware that the condition Saphenous Neuritis was first described in 1741 by the Edinburgh surgeon, Alexander Monro, and not 1960 which I stated in the petition.

Before lodging this petition, I also submitted Freedom of Information requests relating to:

- The number of specialist consultants available to treat soldiers with shrapnel nerve injuries;
- Whether injured soldiers can be referred from Scotland to England, where there more specialists;
- The reasons why veterans or members of the public presenting with multiple neuro conditions are seen by orthopaedic rather than neurology consultants