

ADULTS WITH INCAPACITY COURT

BULLETIN No 1/25

The Minutes of the meeting on 28 August 2025 will be uploaded online shortly. Here are the key discussion points from the meetings on 20 February and 28 August 2025:

- Current AWI sheriffs are Sheriffs Keir, Dickson, Stirling, O'Carroll, Auchincloss, Sharp and Walls with one new addition - Sheriff Thomson
- Sheriff Keir will take over as the AWI administrative sheriff following Sheriff Fife's retirement
- Stats for 2025 to date show an increase in new applications and minutes for renewal from 2024
- There are currently around 20 Safeguarders approved for the AWI court
- Increase in the number of contentious/complex cases where multiple hearings required
- Court loading for Thursday court generally 8 at 10am and 6 at 2pm but capacity can be increased when necessary
- Extra courts on a Tuesday afternoon are set up as and when required
- Urgent hearings can always be arranged at short notice on request
- Additional AWI court will be set up for festive period 2025 onwards
- Standard of interlocutors: overall improvement
- A reminder to practitioners that a pre-registration checklist and styles of final interlocutors are available on the SCTS website for Edinburgh, Lothian and Borders Guardianship Court in addition to the latest Practice Note Number 1 of 2024
- Caution – the Edinburgh AWI sheriffs have agreed the default threshold for finding caution in all financial guardianship cases is where the assets are £1,500 or more, except on cause shown and in the exercise of the sheriff's discretion