

# Scottish Courts and Tribunals Service



Room M3.19  
Brian Whittle MSP  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Chief Executive's Office  
Parliament House  
Parliament Square  
Edinburgh  
EH1 1RQ  
DX 549306  
LP1 Edinburgh 10

Dear Mr Whittle

## **SCOTTISH PARLIAMENTARY QUESTION S5W-03351** ***Processing Times for Power of Attorney***

The Minister for Community Safety and Legal Affairs in his response to the above PQ indicated that it related to operational matters within the responsibility of the Scottish Courts and Tribunals Service (SCTS) corporate body. I am now writing to you in response to the matter you have raised.

**S5W-03351:** *what the target timescale is for power of attorney to be issued after submission of the completed application to the Office of the Public Guardian.*

When Powers of Attorney (POA) became the responsibility of the Office of the Public Guardian (OPG) a timescale of 30 working days for issuing correctly completed POA's was adopted.

However, in recent years there has been a growing trend of POA's becoming part of good life-style planning, rather than something only to be sought when an individual's health deteriorates. While this is of course welcome, it has resulted in a 51% increase in applications.

When POA's are required urgently, normally due to an individual's health deterioration, OPG provide an expedited service which ensures they can be issued within 5 working days. I am satisfied that it is the correct approach to ensure that the interests of individuals and families are safeguarded.

While less urgent applications are currently taking longer than the 30 day timescale, the Public Guardian now has measures in place which will reduce timescales for all applications by the end of the business year. Meantime, our priority remains to ensure that urgent POA's are issued within 5 working days.

I hope this response is helpful. A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eric McQueen', with a long horizontal line extending to the right.

Eric McQueen  
Chief Executive  
0131 444 3301  
[emcqueen@scotcourts.gov.uk](mailto:emcqueen@scotcourts.gov.uk)