

Scottish Courts and Tribunals Service



Alexander Burnett MSP
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Dear Mr Burnett

SCOTTISH PARLIAMENTARY QUESTION S6W-36815

The Cabinet Secretary in her 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 in response to the matter raised.

S6W-36815 Alexander Burnett: To ask the Scottish Government, further to the answer to question S6W-13059 by Keith Brown on 9 January 2023, whether it will provide an update on the Office of the Public Guardian in Scotland (OPG) backlog of power of attorney applications; how many cases are currently affected, and what funding is available to support the OPG to address this backlog.

As at 28 April 2025, there were 67,502 Power of Attorney (PoA) deeds awaiting registration.

In week commencing 28 April 2025, the Office of the Public Guardian in Scotland (OPG) were processing the following PoA applications:

- Electronic (EPOAR) submissions received on 13 May 2024
- Postal submissions received around 11 June 2024

There is an expedited system for urgent applications.

It is important to appreciate that these figures in part reflect a substantial increase in the number of PoA deeds received each year for registration, and in the number of live cases in the system requiring maintenance. In 2024-25 the OPG received almost 95,000 deeds for registration, an increase of 30% since 2016-17. Next year it is likely that this figure will exceed 100,000. The number of amendments to existing powers of attorney has increased even more substantially in the same period, from 18,000 in 2016, to over 31,000 in 2024-25

Within the 2025-26 Budget, the Scottish Government has provided renew, recover and transform funding to the Scottish Courts and Tribunals Service (SCTS) totalling £20.3m. This includes just under £570K to provide additional temporary staff to assist in OPG's recovery efforts.

The key to reducing the backlog on a sustainable long-term basis, however, depends on the replacement of OPG's outdated case management system. This system is 25 years old and is no longer fit for purpose.

Supported by the Scottish Government, SCTS has, in the past 2 years, invested around £4.3m in the development of a new case management system for all of OPG's functions. SCTS's budget for the year 2025-26 contains a further £2.4m to continue the development and deployment of the first three phases of this new system. We have very recently started the roll-out of the first phase of the new system, and we expect to see its benefits, in terms of substantially increased efficiency, as well as greater resilience, security and responsiveness, during the course of this year.

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 'Malcolm Graham', with a horizontal line underneath.

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