

Scottish Courts and Tribunals Service



Equalities, Human Rights and Civil
Justice Committee

By email
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Dear Convener

Registration of Powers of Attorney and the Expedited Process

I am writing in my capacity as Executive Director Court Operations further to the roundtable discussion at the meeting of the Equalities, Human Rights and Civil Justice Committee on 3 September. During the session, I was asked about current waiting times for the registration of powers of attorney and the process for seeking expedited registration.

Applications for power of attorney may be submitted either by post or electronically. As I noted at the committee meeting, the Scottish Courts and Tribunals Service has invested in a new case management system and increased staffing resource to improve the process for granting and managing powers of attorney, and to reduce the time taken from application to grant.

The current average waiting time from submission to grant is approximately 11.5 months reduced from 12 months. However, demand for powers of attorney in Scotland continues to increase, and further investment will be required to support the long-term sustainability of the service. Applications levels have increased by 38% over the last four years to around 100,000 annually. The measures taken by SCTS have increased monthly registrations from around 5,000 to 8,700. However, this improvement has not been enough to keep pace with demand. The OPG received 10,600 new applications in June 2026.

We are currently seeking to work with colleagues from the Scottish Government Health Directorate and the Justice Directorate to develop a clear and robust business case for a sustainable model, that recognises the significant impact on health outcomes that delays can have. This is a challenge that will need to be addressed collectively.

We recognise that, in some cases, there is a genuine need for a power of attorney to be processed urgently due to the granter's circumstances. An expedited registration service is available for such cases, and no additional fee is charged for using this service.

Applicants can find further information and the required forms on the Office of the Public Guardian (Scotland) website at www.publicguardian-scotland.gov.uk.

Where an application to expedite demonstrates a genuine need, it is processed within five working days.

I trust this information is helpful to the Committee.

Yours sincerely

Paul McKinlay
Executive Director Court Operations