| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-1581Responded to: 26 May 2025 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

**I am submitting this request under the Freedom of Information (Scotland) Act 2002 regarding concerns related to the misuse and abuse of Power of Attorney (PoA) arrangements. This is an important area of concern, and access to accurate data is essential to better understand current practices and outcomes.**

**I would be grateful if you could provide the following information for the past five financial years (2019/20 to 2023/24):**

1. **The number of complaints or concerns received regarding the alleged abuse or misuse of PoA arrangements.**
2. **The number of investigations initiated in response to such concerns.**
3. **The outcomes of these investigations, including:**
	* **The number of cases found to be substantiated.**
	* **Actions taken (e.g., revocation of PoA, legal proceedings, referrals to other agencies, preventative measures).**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process part 1, 2 and 3 of your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department crime classifications. There is no crime classification specific to the circumstances outlined within your request. I can advise these crimes would likely be recorded as Fraud. To comply with your request, each crime report would need to be individually reviewed to ascertain whether it was relevant.

1. **Copies of any internal policies, procedures, or decision-making frameworks your organisation follows when assessing and responding to concerns about PoA abuse.**

 The information sought in part 4 of your request, is not held by Police Scotland and section 17 of the Act therefore applies.

By way of explanation, Police Scotland do not hold guidance/ Standard Operating Procedures (SOPs) etc. which relates to responding to concerns of Power of Attorney (POA) abuse. More generic SOPs and procedures would be followed, such as our Fraud and Economic Crime SOP etc.

To assist, Police Scotland SOPs are available via this link: [Standard Operating Procedures - Police Scotland](https://www.scotland.police.uk/access-to-information/policies-and-procedures/standard-operating-procedures/)

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](https://www.foi.scot/appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.