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Dear Dr Simpson

**SCOTTISH PARLIAMENTARY QUESTION: S3W-36009**

The Cabinet Secretary in his answer to your PQ S3W-36009 indicated that the question related to operational matters that are the responsibility of the Scottish Court Service corporate body. I am now writing to you regarding the matter you have raised. I am sorry that it has taken a little longer than it should have to let you have this reply.

You ask ....*what the (a) average, (b) median and (c) longest delays are in courts hearing applications for all forms of guardianship under the Adults with Incapacity (Scotland) Act 2000 in each of the last three years.*

We have used information held by the Public Guardian, who receives notification of all guardianship applications made to a sheriff a few days after the application is lodged in court, to provide the following table.

Year	2007/2008	2008/2009	2009/2010
Average	33 days	31 days	35 days
Median (Mean)	20 days	20 days	21 days
Longest	130 weeks	92 weeks	124 weeks

(periods are expressed in working days and working weeks)

These figures reflect only the time taken by the court stage of the process, that is once an application is presented to a sheriff. In most cases, the court is able to determine the matter in just over a month; however, where the need for a guardian is disputed, or there are issues of particular difficulty for the sheriff to consider, cases will, of necessity, take longer to complete the court process as additional information is obtained, and interested parties' submissions are considered.

I hope this information is of assistance to you.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Court Service website.

Yours sincerely

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