

Response to Scottish Executive consultation on Adults with Incapacity (Scotland) 2000 Act regulations.

Background:

Inclusion Scotland (IS) is a consortium of disabled peoples' organisations and individual disabled people. Currently over 60 organisations of disabled people and over fifty individual disabled people are members. Inclusion Scotland's main aim is to draw attention to the physical, social, economic, cultural and attitudinal barriers that affect disabled people's everyday lives in Scotland and to encourage a wider understanding of those issues throughout Scotland.

The Adults with Incapacity (Certificates in Relation to Powers of Attorney) (Scotland) Regulations 2008:

- **New section 16 A:** Inclusion Scotland welcomes the proposal to amalgamate the three existing forms relating to power of attorney and bringing them together in one form. The current rejection rate of 25% is too high and, like the public guardian, we believe that this is because the current number of forms serves to confuse those making applications. We hope that the new layout of the form will ease understanding and lead to fewer rejections and would ask that the proportion of rejections is monitored to ensure that the change is having the desired effect.
- **New section 22A:** The new certificate seems to have been well drafted and we hope will be readily understood by those seeking to revoke the power of attorney.

The Adults with Incapacity (Accounts and Funds) (Scotland) Regulations 2008: The proposed regulations seem to meet the requirements of the changes made and the 21 day period set for objections is consistent with existing practice.

The Adults with Incapacity (Recall of Guardians' Powers) (Scotland) Amendment Regulations 2008: Inclusion Scotland welcomes the changes in the forms which make express provision for the views of the adult's named person to be taken into account.

The Adults with Incapacity (Reports in Relation to Guardianship and Intervention Orders) (Scotland) Amendment Regulations 2008: Inclusion Scotland welcomes the simplification of the guardianship renewal process and the forms connected with it.