



Mr A Dunn
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Dear Mr Dunn

Freedom of Information Act (FOIA) Request – 180514013

Thank you for your request dated 14 May in which you asked for the following information from the Ministry of Justice (MoJ):

‘You appear to have taken a long winding road around my actual question, please refer to my initial question and provide an answer. Your business transactions has the ability to end people's lives, remove their family and their assets, if you do not have a policy that you can simply refer to and answer this question, then your business is failing to protect the most vulnerable in society.’

Your request has been handled under the FOIA.

The Data Access and Compliance Unit and OPG have responded to your original question in the responses dated 12 February and 2 May.

I can confirm that the MoJ holds a safeguarding policy that you have requested and I have provided it attached.

As previously stated in the response of 2 May, the Public Guardian cannot initiate any criminal proceedings against a person who has made an LPA without the donor having capacity. However, if there are sufficient concerns the Public Guardian will make a referral to the police for a criminal investigation to be conducted.

In previous correspondence dated 4 May, you have stated:

‘Thank you for confirming that the police will be called, it would appear that this was not the case with my mother, even though it was made very clear to the OPG that the person gaining those powers was made aware they could not proceed prior to registration by the local authority.’

If you have concerns over how your mother's case was conducted, please supply the personal details and reference number (if you have a number) and OPG will try to answer your concerns.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gsi.gov.uk

Data Access and Compliance Unit, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Paul Rodden
Knowledge and Information Liaison Officer