

Lasting Powers of Attorney (LPAs)



These are legal documents drawn up and registered with the Office of the Public Guardian to give another or others (attorneys) the power to deal with your affairs and make decisions for you if you are unable to do this for yourself because you lack the capacity.

There are two types of LPAs which can be set up. One covers your financial decisions which would enable your attorneys to run your bank accounts; make or sell investments; pay your bills; buy or sell property. The other covers your health decisions which can include the type of health care and medical treatments you receive including life-sustaining treatment; where you live; who visits you; and daily matters such as your diet and routine.

To complete and register LPAs, there are certain forms which must be completed. You need a certificate provider to certify you are of sound mind and a witness. This is included in our service.

Couples who are married or in a civil partnership do not have the power to make decisions for each other if one loses capacity. LPAs are the only way to ensure that the people you choose would have the legal authority to deal with your affairs.

If you lose capacity (even temporarily) and you have not completed LPAs, your assets will be frozen (this includes joint bank accounts) and your loved ones would need to apply to the Court of Protection for deputyship. Applying to the court (the only secret court in our country) is very costly and it takes several months for a decision.

In a lot of cases the court declines the application and appoints professional attorneys (who charge for their services) to deal with your financial affairs and social services will make all the decisions regarding your health and welfare – not your partner or next of kin.

Take a look at these videos and a BBC article on why you need LPAs:

Why a financial LPA is so important:

https://www.youtube.com/watch?v=Es_8vge6NaQ

Why you should also have a Health and Welfare LPA:

<https://www.youtube.com/watch?v=R8erFoQZs7c>

More recently, you can read an article from the BBC:

<https://www.bbc.co.uk/news/uk-england-oxfordshire-50424600>

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