

August 8, 2006

IPW WELCOMES THE LAW SOCIETY'S SUPPORT BUT URGES IT TO INSIST SOLICITORS MATCH THE IPW'S STANDARDS ON TRAINING, ACCREDITATION AND DEVELOPMENT

- Response to The Law Society press release on regulation of willwriters – August 8, 2006

The Institute of Professional Willwriters (**08456 442042**) has today supported The Law Society's call for regulation of will writers, but has warned that the title 'solicitor' is not enough to guarantee that a practitioner has the relevant experience needed to write a will correctly.

The Law Society's press release dated August 8, 2006 states that eight out of ten people want the government to protect them from untrained and unregulated will writers. This is a stance that The Institute of Professional Willwriters has taken since it was formed in 1991, being the ONLY body in Britain that requires all of its members to have professional indemnity insurance of £2 million and to insist on technical standards from its members through examination and ongoing training in willwriting.

Whilst the Dossier of despair from The Law Society, which details wills that went wrong, is absolutely no surprise to the IPW, it is warning that consumers should be cautious. It is not obligatory for a solicitor to study wills and probate during their training and mistakes still occur when solicitors draw up wills, where a lack of experience and up-to-the-minute training exists.

Writing a will is not as easy as it looks and requires anyone attempting to do so to keep abreast of all new legal developments and tax changes. For this reason, the IPW insists that members pass an approved qualification before joining and that they then continue to keep up their knowledge through on-going training.

The Law Society's report comes at a time when the IPW has conducted a survey into pricing within the market and found a huge leap in will writing charges amongst non IPW members in the last twelve months. It believes this is another symptom of an unregulated market where nobody is controlling pricing and where anyone can set up as a so called will writer.

The IPW also believes that this leap in charges is underpinned by the greed to piggyback on public concerns about Inheritance Tax by inflating the charges for tax efficient wills whilst they are so much in demand.

The IPW Chairman, Paul Sharpe, says: "Since our inception in 1991, no will written by any of our members has ever been the subject of a successful claim of negligence. As a result, our members can purchase professional indemnity insurance at rates that would make any solicitor weep.

"No other organisation in our sector has done as much as the IPW to bring malpractice in the industry to the government's attention. Our lobbying for regulation and higher standards has been continuous and we were hugely disappointed when the government ducked out of introducing regulation last year, following Lord Falconer's review of the sector.

"We are, however, heartened that statutory regulation of the willwriting profession is now back on the agenda following the news that the joint committee studying the Draft Legal Services Bill disagreed with the Government decision that there was not a case for requiring statutory regulation of the willwriting profession.

"For these reasons, we welcome The Law Society's support in backing our stance, but must temper this with words of caution about the service provided by some solicitors. If The Law Society truly wishes to support our views on regulation, it should insist that all solicitors be trained in will writing, pass examinations in this area of law and then commit to on-going training and development in this area. Only then will they be able to match the service provided by IPW members."

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