

# Institute of Professional Willwriters

Midland House - New Road - Halesowen - B63 3HY

Telephone: **08456 442042** Fax: **08456 442043** Email: **chairman@ipw.org.uk**

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## **HIS NAME WAS ERNIE – AND HE PROVIDED THE FASTEST WILLWRITING IN THE WEST!**

Fancy a new Will along with your daily pint of milk, or carton of cream? There's absolutely nothing to stop your friendly milkman drawing one up for you – although thankfully only **6 per cent** of British consumers realise it.

Whilst financial services providers are already under a regulatory microscope and travel agents are set to come under a regulated regime that protects the consumer, the Willwriting profession has no barriers to entry and no regulation.

Worryingly **92 per cent** of consumers have no idea that an unqualified person can write a Will, according to research commissioned by the one Willwriting organisation to care about regulation, the Institute of Professional Willwriters (IPW).

Whether it's Ernie, the fastest milkman in the West, or two ton Ted from Teddington, there is no reason, in law, why they cannot arrive on a doorstep claiming to be an expert Willwriter. Such so-called experts set up, and disappear, on almost a weekly basis, touting for business by knocking on doors, advertising as purported specialists or setting up websites to provide the growing phenomenon of online wills.

The IPW's survey showed that **one in ten** internet users were unaware that unqualified Willwriters could provide a Will, compared to **8 per cent** of consumers in general. This makes the field of online Willwriting a minefield, as there is even less opportunity for consumers to check the credentials of those providing the service and more room for errors in procedures that could a Will invalid.

According to the IPW's survey, the most at risk group are the over 65s, the very ones most likely to need a Willwriting service. Only **4 per cent** of over 65s know a Willwriter can legally provide a Willwriting service even if they do not have a single qualification in this field.

Families should also beware, as **one in twelve people** (8 per cent) with children wrongly believe that an unqualified Willwriter is not allowed to provide a Willwriting service.

Geographically, there are big differences in levels of awareness. Only **1 per cent** of people in Yorkshire know that unqualified Willwriters can prepare Wills, whilst Wales is the most clued up area, with **16 per cent** recognising the real situation in relation to qualifications. In the West Midlands, where the headquarters of the IPW are based, **13 per cent** of consumers know the true position, putting this second in the awareness league.

The IPW's Chairman, Paul Sharpe, says: "People may ask why qualifications matter and the answer is that a Will is a legal document, interpreted in a legal way. Any slip up with wording or incorrect procedure in relation to signatories and witnesses can completely destroy the deceased's intentions when it comes to the distribution of wealth and assets.

"With a Will, we can be looking at hundreds of thousands of pounds involved in a bequest. It is crazy that this amount of money can be left exposed to con artists and opportunists wishing to make a fast buck from Willwriting when the Financial Services Authority is regulating transactions that can often amount to less than £50."

The Institute of Professional Willwriters is not surprised by its research findings. It was established in 1991, to create a self-regulatory regime into which those wishing to provide a professional Willwriting service, backed by qualifications, professional indemnity cover for the consumer's protection and on-going training, could enter to divorce themselves from the distasteful element within the sector.

In the 16 years since its establishment, it has seen the rise and fall of various disreputable Willwriting companies, heard many stories about fees rip offs and had to challenge false advertising by organisations clearly seeking to mislead the consumer.

Despite continuous campaigning and lobbying to convince the Government that regulation of the sector is a must, there has been no move to protect the consumer.

“Consumer organisations and consumer media should care about this situation”, says Paul Sharpe. “There seems to be an easy get-out through the belief that all will be well if consumers use a solicitor for their Will. This ignores the fact that this typically costs the consumer significantly more than would be the case when using a qualified Willwriter and there is no guarantee that a solicitor has even studied Willwriting in the course of their qualification to become a solicitor.

“The other point is that the law does not stand still, but solicitors do not necessarily keep up-to-date with legal changes in the field of Willwriting. We insist that our IPW members continuously attend training courses and stay abreast of new legislation through on-going self-development. The knowledge of our members is the envy of many others who provide Willwriting services.”

To access a qualified Willwriter, the consumer can contact the IPW by calling **(08456 442042)**. There are over 400 members across England and Wales, all of whom are regulated. They use the two ticks IPW logo on their letterhead and can show consumers their professional indemnity certification and their qualifications, if asked. Details of the IPW can be found at [www.ipw.org.uk](http://www.ipw.org.uk)

Consumers are best advised to check credentials before agreeing to commission a service. They should never pay money up front and should obtain written confirmation that the quotation provided for the service is the only money that will exchange hands, as a common practice amongst cowboy Willwriters is that of demanding more money than previously quoted.

Whether the Government will consider it unacceptable to have 92 per cent of British consumers exposed to financial risk thanks to lack of regulation is debatable. Unfortunately, all of those who could lodge complaints about the quality of their Will are no longer here to do so. Until the day of regulation dawns, the untrained Willwriter will still be standing on the doorstep giving no better advice than *do you want it pasteurised, cos pasteurised is best!*

ENDS

Press calls: Jane Hunt, Catapult PR, 01253 595558 – [jane@catapultpr.co.uk](mailto:jane@catapultpr.co.uk)  
**Notes to Editors**

The IPW commissioned research through TNS’s CAPI OmniBus in May 2007 and 1038 consumers, from across the country, were interviewed.