

September 30, 2008

THE IPW URGES CONSUMERS TO TAKE ON BOARD POINTS RAISED BY THE 'TONIGHT' PROGRAMME FOR WHICH IT PROVIDED AN EXPERT VIEW

Leading Willwriting organisation, The Institute of Professional Willwriters (IPW), is strongly urging British consumers to take on board points raised by the Tonight programme's investigation into the Willwriting sector. This is despite the IPW believing the programme could have done more to guide the consumer towards the Willwriters best equipped to draw up their Will.

The IPW's advice follows the IPW Chairman's appearance on the programme aired on Friday, September 26, where he was one of two experts who studied a recording of an unscrupulous Willwriter representing an organisation called Solicitors Probate Services (SPS).

SPS's representative was seen to mislead a consumer by asserting that SPS Willwriters are trained solicitors. It also provided totally inaccurate and potentially damaging advice that no professional and trained Willwriter would give.

The representative went on to push the consumer towards a probate service that SPS offers, which costs 1.75 per cent of the total value of the customer's estate, including VAT and disbursements. It was asserted that a solicitor would charge 5 per cent – an untrue statement. Erroneous information about probate was also given.

The programme highlighted situations arising on a daily basis thanks to a lack of regulation in the Willwriting sector. Real case studies illustrated tactics employed by unregulated Willwriters. This included a case study of a couple who spoke of their dismay on discovering that SPS had named themselves as executors of their Will, without this ever having been requested.

The problems that arise when people die without a Will featured heavily, along with the trauma that can result by not stating intentions clearly, or not updating a Will to take new circumstances into account.

The danger of DIY Wills also fell under the spotlight, with the programme featuring the case of a family who suffered huge amounts of stress when a signature on a DIY Will was forged by a member of the family who then benefited from an inheritance.

Another case featured the distress that resulted from a Will not having been signed – a fairly common loophole that can make a Will invalid.

Paul Sharpe says: "As I stated on the Tonight programme, I was not surprised to see the footage of the unregulated Willwriter misleading a customer, as I hear of such cases on a weekly basis. I am saddened by this situation, but until the Government regulates the Willwriting sector, these practices will continue.

“The IPW was established in 1991 as a reaction to the practices of a Willwriting franchise that went into liquidation, leaving consumers without any form of consumer protection or compensation. The IPW decided it had to differentiate honest, professional Willwriters from the many scoundrels in the sector, so created a system of strict self-regulation. We are the only organisation to have meaningful regulatory rules and have this year completed Stage One of a two stage approval process of our Code of Practice from the Office of Fair Trading. This means a consumer can be assured of a professional, ethical service, provided by a fully trained Willwriter, if they choose an IPW member to draw up their Will.”

Whilst the IPW is pleased that ‘Tonight’ emphasised the need for regulation in the Willwriting sector, showed why DIY Wills are not a good idea and highlighted why having a watertight Will matters, it feels more could have been done to communicate that even a solicitor is not necessarily a Willwriting expert. Solicitors are not required to study Willwriting for their legal exams, so the popular assertion that choosing a solicitor is the best way forward when it comes to drawing up a Will is a 21st Century myth.

Paul Sharpe says: “The key message emanating from this programme has to be that everyone should have a Will, but should also make sure that they employ the services of an expert when drawing up that document. We can point consumers in the direction of their nearest IPW member, if they wish to be assured that their Will will be watertight and that they will not be placing their trust in the hands of cowboys.”

To contact the IPW call 08456 442042 or visit www.ipw.org.uk for more information.

ENDS

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Notes to Editors

Editors wishing to provide readers with an accurate assessment of what they need to do to arm themselves with a watertight Will can contact Catapult PR to arrange an interview with IPW Chairman, Paul Sharpe, one of the experts called in by the ‘Tonight’ programme.

The IPW is keen to differentiate itself from the Society of Willwriters, whose members are not subject to strict controls on continuous professional development and whose system of regulation is far more fluid than the tight self-regulation operated by the IPW. The IPW’s Code of Conduct is yet another example of the IPW’s commitment to self-regulation and its achievement of stage one ratification for this Code of Conduct, from the Office of Fair Trading, underlines the effectiveness of this Code of Conduct in practice.