



## PRESS RELEASE

### Society of Will Writers Call for Regulation

The BBC [The One Show 11.01.2012] highlighted the case of Patricia and James, who having paid over £1800 to Gainsborough based company Minster Legal Services for Wills, Trusts and Powers of Attorney were left without any valid documents when the company ceased trading following the death of its director Gainsborough based solicitor David Hodges last April.

The program featured Brian McMillan, Director General of The Society of Will Writers (SWW), the UK's largest leading trade body representing the will writing profession. The program makers failed to highlight the fact that the SWW had worked with Patricia and James to produce new documents as well as hundreds of other clients of Minster Legal Services.

The SWW regulates its members through a system of self regulation ensuring members are trained, supported and all are properly insured in the unlikely event that something will go wrong in the future. The SWW guarantees that any client of a member will have their documents completed or replaced should the member fail for any reason to provide the services for which the client has paid for.

Future regulation of the will writing profession is likely and the SWW is working closely with the Legal Services Board (LSB), the Office of Fair Trading (OFT) and the Legal Ombudsman (LeO) to find a solution. Matt Baker a presenter of the One Show stated at the end that in Scotland will writing is regulated; it is not and although legislation was granted to regulate will writing eighteen months ago it has not been enacted and may well be another two years before it is.

The SWW is firmly supporting 'soft touch' regulation as a first step towards ensuring that people like Pat and James do not fall victim to scams such as the one they encountered; the SWW has also met with the Legal Ombudsman and hopes that he will in the near future accept will writing into his remit to give consumers the added protection he already affords clients of solicitors and other legal services.

The SWW does believe that all individuals and companies who offer a will writing and estate planning service, in particular for a fee, should be licensed to ensure equality and standardisation of service which would give the consumer better protection from rogue traders.

It is still a fact that more people die without having made a will than with one, leaving loved ones with all the problems of intestacy and possible hardship. And finding the right balance to both regulate the profession whilst at the same time maintaining a professionally drafted will as an affordable service may prove difficult.

Professional will writers are a credible alternative to using a solicitor without all the hassle and inconvenience of having to attend a high street office. Most professional will writers provide their services in the comfort and privacy of your own home at times to suit you. In a recent survey carried out by the LSB's Consumer Panel it showed will writers to be as good as solicitors and in some cases better.

Always make sure you ask your will writer for his or her credentials, all members of the SWW will have an ID card showing their membership number and in many cases photo ID. You can also check on the SWW's web site for a member in your area or call the office on 01522 687888 and ask for assistance.

ENDS

Thursday 12<sup>th</sup> January 2012

## **NOTES TO EDITORS**

*The Society of Will Writers (SWW) is a non-profit making self regulatory organisation which seeks to Protect the Public and serve the interests of those men and women who are active professionals in our field.*

*All SWW members are covered by Professional Indemnity Insurance, with the Society main scheme being underwritten by the UK's leading insurance company Hiscox. Members are bound by the SWW's code of conduct and disciplinary and complaints procedures, copies of which are available from the society upon request.*

*All SWW members go through a stringent vetting procedure and continuing training to ensure that they are suitable persons to properly write a will.*

*For More information please contact Brian McMillan, Director General on 01522 687888*