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## Welcome

By the time this newsletter reaches you our lovely quiet summer commute into the office will be over as the schools reconvene for another school year.

However, what we have seen over the summer is an upsurge in 'children' power, in particular protesting about plastics, something which we have been most impressed with and you can read about further in this issue.

The last 6 months have been busy and very frustrating for us and our clients. Protracted delays at the Probate Registry and HMRC continue, despite assurances that things will improve.

Dealing with this uncertainty of when families obtain probates in the estates of their loved ones is very upsetting at an already emotional time.

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## How can we do our bit?

Over the summer there has been a massive surge against plastic which has been a wonderful thing to witness.

I was captured by a heart-warming story of two sisters aged 9 and 7 who have taken on the fast food giants, Burger King and McDonald's, over the plastic toys given away with each kid's meals. It has been estimated that McDonald's alone sells over 250 meals, worldwide, per second.

The last article I read about the girls stated that they had 400,000 signatures on their petition when they only expected a couple of hundred. They have appeared on national television and are spearheading this campaign with their aim to try and meet these 'giants' of fast food to express their concerns.

When asked whether they still buy these meals they said they did but they handed the toys back to staff. We all need to learn from these amazing girls and the stance children are taking now to protect their planet which, after all, is their future.

This action only enhances our need to try and do more ourselves. In the office we try our best to reuse and recycle as much as possible; taking as much as possible to the recycling banks, sending toners back for recycling, reusing old files for new matters. We are not shy of loading up the car for a trip to the charity shop or even freecycling old office furniture. We also have a couple of compost heaps in our courtyard which we will eventually be able to use to keep our floral displays fertile.

It may take a little more effort but isn't it worth it for our children's' sake?

*Julie*



## The Holmes & Rahe stress scale

In our introduction we mentioned about the additional stress being caused to clients in the past few months due to the delays at the Probate Registry and HMRC.

It is documented that the most stressful life events can contribute to illness and in 1967 psychiatrists examined medical records to determine whether this was actually the case.

After carrying out tests for the validity of their stress scale it was recorded that the top 10 (out of 43) were:

1. Death of a spouse;
2. Divorce;
3. Marital separation;
4. Imprisonment;
5. Death of a close family member;
6. Personal injury or illness;
7. Marriage;
8. Dismissal from work;
9. Marital reconciliation;
10. Retirement.

Lower down in the ranking's we see, unsurprisingly, holidays and trouble with the in-laws.

## IHT, the most unfair tax?

There has recently been a consultation on the proposed reform of Inheritance Tax. In a 2015 YouGov survey it was crowned 'the most unfair tax', particularly as the liability falls highest in London and the South East, and Guildford being crowned inheritance tax capital of the UK in 2015-2016.

The consultation recommends the rules be simplified but how remains to be seen.

Following on from this it was reported in the Sunday Times that around one in four people have given cash to their relatives as a gift while 12% of all UK residents have given large financial gifts. It is important to know your tax-free allowances when considering making gifts.

### **Aretha Franklin; Three handwritten wills discovered**

It has been reported in the BBC that although at the time of her death last August it was thought no will had been left, three documents have since been located.

Two were found in a locked cabinet after the key was discovered and the other under living room cushions.

Sadly, this has led to objections from her surviving children and potentially could lead to protracted legal proceedings.

A reminder to us all that important documents should be kept safely and perhaps notify someone where they are and to ensure that old documents are destroyed so there is only one will.

## **Our wonderful NHS**

I recently returned from a trip to the United States, travelling from Colorado, through Wyoming to Montana and, along the way, I picked up local newspapers to appreciate what was happening in

the town I was passing through. I was saddened to read several articles about the elderly and how they were treated by the health services in the States.

It's okay if you have money, and can afford the very expensive health insurance but even then if you have ongoing conditions, that insurance could well run out.

There is a form of state health service but in one article, and I won't name the county or state, where the newspaper highlighted a scandal, whereby poor elderly people were not given any treatment and basically left to die. The quote from the doctor horrified me.

'These people have mental health problems, usually associated with dementia, and have no quality of life.'

The newspaper indicated it was to save money for the state health service.

On the other side of the equation, we ended up in a tiny town called Jordan and headed for their museum but we were three hours off its opening time. An elderly lady welcomed us, emerging from another part of the building, and offered to open the museum for us. She explained that she was a volunteer for the town's elderly people's luncheon club and, as we entered the museum, we could smell good food cooking from the kitchen. This lady showed us a collection of baby pictures taken from the early 1930s up to the 1980s, taken by the local doctor who had 'worked the town' for over fifty years. She pointed out the picture of herself in 1932 and I was astonished to realise she was nearly ninety, still sprightly and proud of her work at the centre. Her two children had also been brought into the world by the same doctor. I had a feeling that there was a real community spirit in that town, with everyone being very independent, living a good life with a caring doctor in their midst.

But these stories made me think how lucky we are to have a health service that is largely free at the point of service, although of course we pay through our taxes. I was very careful in the US not to have an accident, aware that the first action taken by a doctor or ambulance crew would be to note my credit card details and ask about travel insurance, before taking any steps to treat me.

*Jennifer*

## Giftng errors are costly for heirs

As reported in the Daily Telegraph due to the complex inheritance tax rules tax payers have been caught out to the sum of £372m.

We often mention 'gift with reservation of benefit' to our clients; in such cases the tax relief is lost as a they have continued to benefit in some way from the gift. The prime example of this is where parents want to gift their home to their children but continue to live there.

If this might be something you have considered, then we urge you to take professional advice.

*As reported 'it is better for parents simply to downsize their home and give children a cash sum, rather than giving a property incorrectly that can give rise to the estate paying a considerable tax bill.'*

## Scrapping of the free TV licence for over 75's

In June it was announced that the free TV licence for over 75's would be scrapped by 31 May 2020. The news was generally received with outrage by most, bearing in mind the recent disclosures of BBC salaries which many consider unproportionate.

The BBC released the these statistics following their announcement:

- **£154.50** Annual cost for colour TV
- **£745m** Estimated cost to the BBC of current scheme by 2021/22
- **£250m** Estimated cost of new scheme depending on take-up
- **190,000** people consulted on the change
- **52%** in favour of reforming or abolishing free licence scheme

Up to 3.7 million pensioners potentially will be affected with exemption being given to one member of the household being in receipt of Pension Credit.

## Die tidy

I listened with interest to a recent webinar about death bed wills. Having been called out to prepare such wills in the past I am aware these can be required at very short notice during the last stages of a person's life when they feel the need to get their affairs in order.

Aside from the normal issues about capacity, which we as lawyers need to consider when taking instructions for a will, we still need to comply with our rules and regulations set out by the Solicitors Regulations Authority as well as those set out in law whilst also having regard to the trauma and delicate nature of the situation. We can be called to the person's home or the local hospital or hospice to tidy up those issues that are concerning the terminally ill patient so they can 'die tidy'. In some cases, reassurance is needed that everything is in order, in others they need to prepare a will or amend their existing will to reflect a change of wishes or to protect a beneficiary for example a young or vulnerable child. In such cases we will attempt to assist as quickly as possible before you are too ill to will.

Some on their deathbed decide to marry like Ken Dodd did last year a few days before he died. I am told that there are around 50 emergency applications for marriage each month. Some do not consider the effect of marriage on their wills, but it should be clearly noted that marriage or civil partnership revokes a will. This will result in the intestacy rules applying to your estate rather than what you set out in your will. This may not be what you want so if you plan to marry take legal advice.

In order to avoid the need to address these matters at this late stage it is worthwhile preparing a will sooner rather than later. This allows both you and us time to go over matters carefully and consider your wishes in order to prepare a will for you whilst you can provide us with clear instructions with little chance of any challenge being made to the terms of your will when you die.

I am sure you will agree that at the last stages of life you would rather be surrounded by your loved ones than having to deal with last minute legal matters. But if you or a family member finds yourselves in such need for a will we are here to help if we can.

*Joanne*

*Please note the content of this newsletter is for information only and should not be seen as formal legal advice that readers should rely on.*