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legal & business matters

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All change at Scott Bailey LLP

HOT on the heels of the news of our new satellite office in Lyndhurst, and significant new additions to the conveyancing team, we are now pleased to announce that Richard Wadsworth and Ben Ironmonger became full Equity Partners of the firm from 1 April 2024.

Since joining the firm in 2019, Ben quickly saw the potential for building a dedicated Company and Commercial Department to build on the business law services already offered by the firm's litigation and commercial property teams. Since then, the client base has grown consistently, and they are one of the only law firms based within the New Forest to offer dedicated corporate law support. Ben also heads up the firm's marketing and business development efforts.

Since joining the firm in 2017, Richard Wadsworth has continued to develop his outstanding reputation as an expert Private Client Solicitor, dealing with all aspects of will writing, complex probate and trust

administration, and powers of attorney, as well as building Scott Bailey's sizeable Private Client Department. Whilst his contributions in that regard have been substantial, he has also recently taken on the role of Compliance Officer for the firm.

With their deep understanding of the legal and commercial landscapes, Richard and Ben are both well-equipped to help drive the firm's growth and elevate its standing both within the New Forest region, and further afield.

These investments not only mark personal milestones for the pair, but also demonstrate a confidence in the bright future of Scott Bailey LLP. There is still a

place for local, independent, high street law firms.

Head of Conveyancing, and longstanding Equity Partner James Burford said: "We are fortunate to have so many talented individuals within our team, whose expertise clearly strengthen our capabilities and bolster our commitment to providing exceptional legal services to our valued client base. We continue to evolve, innovate, and deliver outstanding results, with a view to solidifying our position as a leading legal force in the New Forest and across the South Coast region".

Please join everyone at Scott Bailey in congratulating Ben and Richard on their well-deserved new standings. Exciting times lie ahead!



• Richard Wadsworth



• Ben Ironmonger

Why Using a Solicitor for Your Lasting Power of Attorney Beats DIY Online Options

A Lasting Power of Attorney (LPA) is a crucial document that grants trusted individuals authority to make decisions on your behalf if you lose mental capacity. It is a **very powerful document, which enables the attorney to have access to all your assets. An attorney should always act in your best interests, but sadly this is not always the case.** While online DIY forms appear tempting, making your own LPAs or entrusting them to someone with access to a computer might not be the wisest move. The consequence of an attorney making a bad decision might be the loss of a person's home or other assets, or admission into a care facility against their wishes – so making an LPA with the right advice is crucial.

The Powers of Attorney Act 2023 is going to **change** how LPAs are created and managed. It **advertises** a streamlined, digital process but there are some serious concerns especially about online LPA creation.

While the new digital service is still being developed, now is an **opportune** time to come and see a solicitor about getting your LPAs made and registered. We cannot predict how the new digital service will disrupt the current LPA registration process (**which currently takes 5 months**) and the most vulnerable may suffer the consequences if an LPA is not registered in time for attorneys to make critical decisions.

AVOIDING ERRORS AND PITFALLS

The LPA forms may seem straightforward but can be quite complex. Minor errors or oversights **can** leave the document invalid. Solicitors, with years of LPA expertise, can effortlessly guide you through them to ensure that every detail is accurate and watertight, saving you potential legal headaches and heartache down the line.

NO ONE-SIZE-FITS-ALL SOLUTIONS

We recognise that your life and circumstances are unique, and your LPAs should reflect that. We can help you craft LPAs that cater to your individual needs, granting your attorneys the necessary powers to manage your affairs precisely as you envision.

DIGITAL DOWNFALLS

The new digital LPA service is **intended** to deliver speed, efficiency, accessibility and fraud prevention. But not everyone has equal access to technology, which has been recognised by the Law Society president Luba Shuja who stated that the "1.5 million homes in the UK that do not have access to the internet are likely to be composed of people aged over 65 or are households with financial vulnerability". This is a stark reminder that while digitisation may be inevitable, it often leaves the most vulnerable behind.

It is also important to recognise that a digital service provides an even riper opportunity for vulnerable individuals to be pressured into creating LPAs online without fully understanding the implications. Proper advice and support from a solicitor have never been more important.

MOVING FORWARD

Thankfully, a paper LPA application will remain in place even when the new digital service becomes available, which is a cause for celebration among **lawyers** who know that taking the time to give professional, thoughtful and tailored advice to their LPA clients can only provide them better protection in the long run.

While online DIY options **may be cheaper than taking proper advice**, their limitations can have far-reaching consequences. Investing in a solicitor for your LPA is to ensure your wishes are truly protected, come what may.

A final plea – please consider taking advice about making your LPAs sooner rather than later. **If a person does not have capacity to make an LPA, the alternative is for a Deputy to be appointed by the Court of protection. This is much more expensive than an LPA, with the Court taking an annual management fee and, most importantly, the Deputy is not a person of your choice.**

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The legal world can often seem like a maze. Our expert solicitors in Hampshire will personally guide you with intelligent, common sense solutions, whatever situation you may be facing.

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