



LPAs: "I wish someone had told me sooner"

The following story which appeared in a National Association of Retired Police Officers magazine, highlights the real problems of clients not having Lasting Powers of Attorney in place.

"Regarding the article about Lasting Powers of Attorney in the November issue of the magazine, I will tell you why they are essential and how not having one affected me.

My nightmare began when my husband, a retired Chief Inspector in the RUC aged 64 had a DVT in his brain in an aeroplane on the way to visit Australia. When we finally were able to travel home he was admitted into a psycho-geriatric hospital for treatment.

Everything we owned was in joint names: the car, our house, investments and bank accounts. By doing this we thought that we were safe. How wrong we were! I must have been in a state of nerves and anxiety and I have no idea how it happened, but the Court of Protection took over our lives.

I had never heard of it and when someone telephoned to tell me that all our accounts had been closed and I could no longer write any cheques or draw any money I was horrified. As I said, we thought all was safe but money-wise I had nothing.

Old age pension did not come until my husband was 65 and therefore I got none either. I had a teachers' pension but that was in the joint account and I had no access to it now. I was told that I would be given a cheque to pay for my husband's necessities and nursing home fees and it would be topped up as necessary. I was to send receipts for everything I bought for him.

The cheque came and I was told to open a receiver's account in my name as receiver for my husband. The bank tellers did not seem to know what to do and after four banks refused to help I went into bank number five in tears. The sympathetic manager, when I explained what was needed, opened the account for me and one hurdle was crossed. The next problem was to open an account in my own name for my pension to go into, but that took time and the pension was put into the new Court of Protection account before I could stop it. Another month with no money.

The car was bought with a joint account cheque. I was allowed to keep it and was given free car tax, which helped, but I was told that it was only to be used for the benefit of my husband i.e. hospital visits and shopping for him. I did mine at the same time! It took quite a few months before the cheque for my half of all monies came from the Court and life was difficult to say the least in the meantime.

After about 2½ years my husband died. I went to contact my solicitor to tell her of his death and to ask for his Will and for the address of the Court of Protection so that I could tell them too. The solicitor told me that she would do it for me and named her price per hour for the work. By this time, with nursing home fees I was very hard up, so told her that I would do it myself if she would be so kind as to tell me the address.

She looked at me and said "Mrs Smith, I spent four years learning how to be a solicitor, I give nothing away".

After I had dried my tears, as my husband had died that morning, I summoned what dignity I could gather and went straight to the Citizens Advice Bureau, where I was given the address and sympathy.

It took quite some time for the Court of Protection to settle our affairs and to send me the cheque for the remaining part of the money that had not been used for my husband's care, but there was no interest given. When I asked for the interest I was told that it had been used for Court charges plus an extra £61.

I never knew who they were protecting, it certainly was not my husband, as I did all for him, and it was not me.

So, please, please, please, anyone who has not got a Power of Attorney, get it and save yourself and your family money and heartbreak. I only wish someone had told me about it sooner."

We hope this helps to highlight the importance of having an LPA. Please contact us for further information.

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