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**News Release**

15th December 2016

**The Hidden Cost of DIY Lasting Powers of Attorney**

Head of Private Client services at Andrew & Co Solicitors Helen Newson is highlighting the risks of using off-the-shelf and online Lasting Powers of Attorney (LPA) applications.

A LPA is a powerful, legally binding document that gives a person (or ‘attorney’) authorisation over someone else’s health and welfare and / or property and financial affairs.

Attorneys under a finance and Property LPA can act for a person (or ‘donor’) as soon as the donor wishes, provided the power has been registered. Health and welfare attorneys can only act for a donor in the event that they can no longer do so themselves, due to the loss of mental capacity.

Helen, who is a member of Solicitors for the Elderly (SFE), explained: “A LPA is an extremely important document with serious implications for all involved. It is possible to complete the forms yourself by downloading them from the website of the Office of the Public Guardian (OPG), or using their online tool.

“Although this means professional costs can be saved, DIY LPAs could potentially cause serious difficulties if the person signing the LPA is unwell, or if there is a difficult family situation.

“DIY methods are also risky because of the potential repercussions of weaknesses or flaws in the document itself. Without specialist legal advice there is a real risk that the person creating an LPA may not adequately express their wishes and preferences, leaving them with a document that is not fit for purpose.”

SFE is a membership organisation for solicitors, barristers and chartered legal executives who are specialists in advising older people and those considering plans for later life.

In a report entitled [The Hidden Cost of DIY LPAs](http://www.sfe.legal/pdfs/the-hidden-cost-of-diy-lpas.pdf), published in November, SFE outlined the results of a study into the various methods of creating an LPA. The study compared participants’ experiences of using a DIY method (either an off-the-shelf kit or the OPG online service) with their experiences of using a specialist solicitor.

The participants all agreed that they would not feel comfortable submitting an application made using a DIY method without first discussing it with a solicitor.

Helen concluded: “While online forms may be suitable for those who are internet-savvy with very straightforward situations or some legal experience, as with any legal issues, I would advise most people to seek professional advice.

“When people think about appointing an attorney they tend to be older and more vulnerable to coercion or fraud, especially as many people will complete the DIY application in consultation with their chosen attorney. An important part of my role as a solicitor is making sure the applicant is fully aware of and comfortable with what they are signing and I always see the client alone.”

**Ends**

**Notes to Editors**

* [Andrew & Co Solicitors](http://www.andrew-solicitors.co.uk) is one of the longest established independent law firms in the East Midlands, having been set up in 1832.
* It offers a comprehensive range of legal services to private individuals and businesses across a wide range of sectors including renewable energy, agriculture, personal injury, conveyancing, charity and not-for-profit, family and employment law.
* Andrew & Co has 60 staff based at its offices in on Nettleham Road in Lincoln and London Road in Newark.
* ‘The Hidden Cost of DIY LPAs, SFE Report’ is available to view online at [www.sfe.legal/public/welcome](http://www.sfe.legal/public/welcome)

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