

newsletter

making a difference



Partners L to R: Meena Kumari, James Cook, Sue Cash, Nigel Priestley and Sarah Young

Welcome

Thank you for your loyalty and generosity. Most of our new work comes from our existing clients or recommendations; so we simply wouldn't be where we are today without you. If you do recommend us to a friend or family member, please let me know as we'd like to have a chance to thank you personally. Equally well, we'd really like to know if you think there's anything we could do better. We're working on using social media to inform you about current legal issues - how they might affect you as well as what we're doing; we're on twitter and contribute regularly to the blog www.yorkshirelawyer.co.uk

We also have a news section on our website www.ridleyandhall.co.uk which is updated regularly.



On this page you can see that many of you helped us to raise £4,800 for charity through Will Aid. For us, that says it all; together we make a difference.

Have a good Summer

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It's official – Huddersfield people are the most generous!

Ridley & Hall have been named as Yorkshire's top performing firm in 2009 by Will Aid – and they achieved this through their own hard work and the generosity of the people of Huddersfield.

Sue Cash, head of Ridley and Hall's private client team, commented: "This is a remarkable achievement. It was hard work to see so many clients and prepare their Wills, but I'm delighted that we managed to raise so much money for good causes".

During Will Aid Month, people are able to have a basic Will professionally drawn up by a

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solicitor who will not charge their usual fee. Instead the solicitor asks for a donation to Will Aid. Solicitors offer their services for free during Will Aid Month to raise as much money as possible for the Will Aid charities.

Ridley and Hall's clients out-performed much larger firms. We were the top firm in Yorkshire Lancashire and Cheshire. So this shows conclusively that the people of Huddersfield are the most generous in leaving legacies to charities!

Ridley and Hall came 20th out of all firms taking part in the scheme nationally, raising £4,800.

Sue concluded "Everyone should make a Will. Many of our Will Aid clients realised that seeing a solicitor need not be frightening! To make sure you get peace of mind you should always use a solicitor who is properly qualified to advise you."

Fantastic effort in the Leeds 10K



The Jane Tomlinson Appeal was set up by a very determined Yorkshire woman to help children's and cancer charities across Yorkshire, the UK and the globe.

Before her death in 2007 Jane Tomlinson CBE raised £1.85m through a series of incredible physical challenges. Ridley and Hall entered a team in the Leeds 10k and joined the Corporate Challenge to raise funds for the Appeal. For some of us, the training and then the run was quite a physical challenge!

Congratulations to all of our Leeds 10K finishers – and thanks are due to the staff at Ridley and Hall who baked cakes, sold and bought dresses and sponsored the runners. With their help, it made a fantastic day to remember for all of us.

British running legend Paula Radcliffe MBE started this year's run, finishing the last 100m with three-year-old daughter Isla. Even James Cook who lead our team home couldn't keep up with her and the rest of us hadn't a hope!



Husband angry about local care home neglect

A husband has won damages for his wife over the care she received at a private care home.

Sheila Maddison, an elderly lady who suffers from severe Multiple Sclerosis, had to be taken into Aden House Care Home in Clayton West when her husband and carer, Ken, became ill and was taken hospital for emergency surgery

Even though Sheila's Social Worker and the District Nurse made sure that her medical notes and care plan were taken with her, the care that she received from Aden House was seriously lacking. Although Sheila was only in the Care Home for 9 days, her condition deteriorated dreadfully.

After Ken was discharged from hospital and went to visit her, he found her in a deplorable state. Her catheter had been removed and she was soaked in urine; the catheter site was sore, bleeding and oozing pus.

After Ken took her home, the District nurse re-catheterised her and found that she had retained enormous quantities of urine due to the catheter being removed and she had an abscess behind her knee. Sheila is an extremely vulnerable person and must have suffered agonizing discomfort during her time at Aden House.

Ken said that he did not take the action for financial gain but to highlight the total lack of safe care either in care homes or NHS Hospitals for people who can do nothing for themselves.

He also said that he and Sheila would like to thank Sarah Young of Ridley & Hall for taking on the case when no-one else would.

Mr Maddison accepted an out of court settlement of £1,500 from Aden House's Insurers.

Grandmother wins 5 year battle with Kent County

A GRANDMOTHER who battled for five years with Kent County Council to be paid the same rate as a foster carer for looking after her granddaughter, has won her case in the High Court in London.

The grandmother who cannot be named for legal reasons, fought for the right to be paid fairly for looking after the 15-year-old girl since she took over her care at the eleventh hour in 2005 at the request of Kent social services.

The grandmother who has now retired to look after the child was receiving just £63.56 a week for her care – over £80 per week short of the average foster parent who gets around £146.23 weekly. She is now 64 years of age.

Her case was heard before the High Court in London earlier this year. Kent County Council fought the case all the way.

In a landmark decision, Mrs Justice Black gave judgement on 7th May against the County Council.

Nigel Priestley who represented the grandmother, said

“We're delighted with the outcome. The County Council argued that they had no duty to the child even though their fingerprints were all over the case. Kent holds itself out as a model authority but it has been left with egg on its face. It put forward the radical suggestion that it had no significant financial duty to a child they had placed with a relative. They denied that she should be treated as a “looked after” child. The Judge rejected this argument.”

For the full story please go to the news section of our website www.ridleyandhall.co.uk

Family rights group battle the heat for charity

Nigel Priestley completed a gruelling London 10k run last Sunday 11th July.

He ran with a team from the Family Rights Group, a charity in England and Wales that advises parents and other family members whose children are involved with or require social care services. They run a confidential telephone advice service for families.

They finished the run in just under 55 minutes and raised a fantastic £700.

At a time when there is a crippling shortage of foster carers and



increasing Care applications underway, families are taking the strain.

FRG plays a vital role for families needing advice and someone to lobby on their behalf.





Will Warning For Gay Couples

Peter Ikin was a successful executive in the music industry who died on 12th November 2008. Ikin, 62, was the confidante of stars such as Elton John, Rod Stewart and Billy Joel from his days as a boss with Warner Music International. He owned substantial assets and made a Will in 2002 which left his estate to friends, family members and to 3 Australian charities. In April or May 2008 he formed a close relationship with a much younger man, Alexander Despallieres. Despallieres had allegedly told Ikin that he was an internet billionaire dying from a brain tumour. The couple entered into a civil partnership in October 2008.

After Ikin's death, Despallieres alleged that his partner had made a Will in his favour in August 2008 (before the civil partnership) - but family members claimed that that Will was a forgery.

Despallieres moved into Ikin's £3m Chelsea home after his partner's death and emptied £2m from his Channel Island bank accounts.

The August 2008 Will that Despallieres sought to rely on left everything to him and contained a clause that it "shall not be revoked by either subsequent marriage, civil partnership nor adoption". After a legal battle in 2009, a Judge found that even if the Will were valid it was revoked by the civil partnership despite the clause in the Will - because the clause was not specific enough.

So, in summary - a civil partnership (or a marriage) will revoke a previous Will unless it contains a suitable, and very carefully worded clause.

For the full story please go to the news section of our website www.ridleyandhall.co.uk

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The screenshot shows the website's navigation menu with links for home, your property, your family, your money, your health, services for carers, news, profiles, contact us, and job opportunities. The main content area features a 'news' section with several articles, including 'Fantastic effort in the Leeds 10k', 'Family Rights Group battle the heat for charity', and 'Victory for Christian foster mother struck off after Muslim girl converts'. A sidebar on the right contains contact details: telephone (01484 538 421), email (info@ridleyandhall.co.uk), and address (Queen's House, 35 Market St, Huddersfield, West Yorkshire, HD1 2HL). There is also a 'latest news' section with a 'view all news stories' link.

Getting hitched? Get legal advice!

What many people are unaware of is that when someone dies - whether or not they have made a Will - financial claims can be brought against their estate in England and Wales under the Inheritance (Provision for Family and Dependents) Act 1975 (the Act). Eligible claimants are limited - usually to close family who were financially dependent in some way on the deceased.

If you have not entered into a civil partnership or marriage, then your surviving partner is entitled to a lower standard of financial provision "as would be reasonable in all the circumstances of the case for the Applicant to receive their maintenance". This can result in hardship and unfairness to a surviving partner, especially where the couple have simply assumed that the surviving partner will inherit everything.

How can you avoid leaving your loved ones with a legal battle after your death? First of all consult a solicitor and make a Will. That may sound wrongheaded - why make a Will if it can be challenged after your death anyway? The reason is that judges are very reluctant to overturn Wills because, if they are genuine, they are the deceased's persons last expressed wishes and so should not be lightly overruled.

Also if you get good legal advice

before making your Will you may be able to phrase it or otherwise dispose of assets in such a way so as to - quite legally - avoid or substantially minimise the risk of any legal claim being brought. This is why I, advisedly, refer to using a 'solicitor' rather than a 'Will writer'.

In a recent report in the Law Society Gazette, a published survey revealed that 67% of people think that Will writers are solicitors. They are not. Will writers are unregulated and very often completely unqualified individuals, many of whom prey on the unwary.

If you enter into a civil partnership or marriage you should both take legal advice about making a Will.

We are all reluctant to think about death - or consider the fact that our financial circumstances when we die may be very different from what they are now - but if we fail to think and talk and plan for these issues, we could leave our loved ones with a financial crisis as well as their grief when we die.

For more information please contact Sarah Young, specialist in contentious probate tel DD 01484 558838 email: sarah.young@ridleyandhall.co.uk

Sue Cash and Jill Waddington become members of solicitors for the elderly

Sue Cash, head of the private client team at Ridley & Hall, and Jill Waddington, solicitor in the private client team, have, after a rigorous vetting procedure been accepted as members of the national association 'Solicitors for the Elderly' (SFE).

SFE is an association of lawyers who specialise in legal services for older people and their carers. Members of SFE have a wealth of experience within this key legal area and they are required to have spent a substantial amount of time working for elderly clients. The aim of this national association is to improve the knowledge and service provided on legal issues including: tax planning, wills, powers of attorney, long-term social and health care and other retirement issues.

Ridley & Hall solicitors are unique in Huddersfield in that they are the only firm with two SFE members. Ridley and Hall provide a variety of

specialist legal services. The firm has a team of lawyers who specialise in legal issues for the elderly. Sue and Jill's membership of SFE will provide clients with the assurance that Ridley & Hall has wide ranging expertise in providing legal services for older people.

Sue said: "I have been specialising in legal services for the elderly for fifteen years, and am looking forward to continuing my development in this area so that I am able to give my clients and colleagues first class legal advice in a field of law which is constantly evolving, as the requirements of the elderly population change."



Contact:
Jill Waddington Solicitor, Jill.waddington@ridleyandhall.co.uk or Sue Cash Head of Private Client Department
Email: susan.cash@ridleyandhall.co.uk

Fact file



James Cook,
Partner

I adopted Yorkshire as my home county having moved here from Kent as a child.

Having undertaken my training in South Yorkshire I joined Ridley & Hall 4 and a half years ago and was made partner last year.

The family work I undertake is both varied and challenging with clients situated locally and throughout the uk. I believe in clear, honest advice and will try and go the extra mile for the client.

Outside of work my main passion is travel having caught the travel bug during a gap year between college and university. Otherwise I enjoy going to the theatre and concerts as well as catching up with friends.



Susan
Cawtherley,
Senior Paralegal

I have 16 years legal experience and specialised in Welfare

Benefits,
Housing
and

Consumer Credit at Cambridge Independent Advice Centre

I moved to Huntingdon to set up an Advice Centre which became a Law Centre in 2001. I am currently studying and hope to qualify as a solicitor in the new year.

After recently joining Ridley and Hall, I am now looking forward to taking up the new challenge of fighting for the rights of Clients without fear or favour! – in the areas of kinship payments and other aspects of Public Law.

In my spare time, I enjoy a variety of different activities have included doing a parachute jump for Children with Special Needs, sailing and shopping for diamonds in Dubai!

Services include:

Family & Childcare Law

Education

Kinship Care

Commercial Property

Personal Injury

Residential Property

Community Care Law

Contentious Probate

Wills, Probate, Tax and
Trusts

For further information
please look at our

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Whilst we make every effort to ensure that the contents of this newsletter are accurate and up to date, nothing within the newsletter should be construed as advice.