

January 2024
Newsletter No.35

Welcome to our latest newsletter

OUR RECENT CHARITY AND COMMUNITY WORK



We have supported a number of very worthwhile causes in the second half of last year. We are delighted to say that we raised £643.50 for Macmillan Cancer Support, following on from our cake sale back in September. We also raised £125 for Dementia UK through our staff Christmas raffle and £25 for Save the Children, through Christmas Jumper Day. Here are some of our beautiful team in their finery!

As usual, we had a lovely Christmas window display from the students of Sheet School. Their art work took pride of place in our bay window.

Further, we are very proud to have been recognised by Cancer Research UK, after facilitating over £645,000 worth of gifts from people choosing to leave a legacy to the charity in their Will.

BLOOMIN' MARVELLOUS!



We are thrilled to have been announced as the silver winners of the Petersfield in Bloom competition.

We hope you loved our floral display as much as we have loved making up our troughs.

STAFF UPDATE

We are delighted to announce that Jeff Durrant has joined us. Jeff previously practised criminal law and re-trained in private clients, specialising in probates, wills and trusts.



BUILDING UPDATE

We are delighted to say that we have now received the Listed Building consent for the works to be undertaken on the building. We are starting to roll out the plans for the works to be made. Sadly, some works are weather dependent and so will need to be delayed but we are commencing those works that can be undertaken sooner rather than later so that we can address this. We thank all clients for their patience over the last few years of waiting for the commission and for any forthcoming disruptions that may arise when scaffolding is erected for the external repairs.

LEGAL UPDATE

Mr Bates v The Post Office

It is fair to say that a large part of the population have been gripped by the recent drama and news has been developing in relation to this case. While many of the areas addressed in the drama are not covered by this firm the issues are however giving rise to a number of interesting legal developments which will have far reaching consequences. Over the years there has been a presumption that the computer is always right and that everything put forward by a computer will without question be correct. That has now been brought to a head and certainly there is a growing concern about the reliance on a presumption that technology always is superior. It has to be acknowledged that there is always a possibility that computers will fail and the consequences of such can be significant in the worst of scenarios.

Lifetime Mortgages: are they the answer?

There have been a whole load of recent updates and reports showing marketing trends. As we have mentioned in previous newsletters one of the items that is monitored is yield for Inheritance Tax. Reports are now showing that receipts for the period April 2023 to September 2023 were £3.9 billion pounds which is 0.4 billion higher than the same period last year.

A further report has been issued by the Equity Release Council who have in their autumn 2023 market report indicated that more and more homeowners are turning to borrowing against their property value in later life to support them. There are various reasons for people doing so. This can be to support them with the increased cost of living, to bolster pension savings that had not performed as well as hoped or are lacking and on occasions to allow an injection of cash to support other family members.

We are not able to advise on equity release products as this is the role of appropriate qualified financial advisers. However we can provide support with legal documentation product in such documents.

As mentioned above there are a variety of reasons why lifetime mortgages are useful and can fulfil a helpful role.

Unregulated AI Legal Advice

In December the case of Felicity Harber was widely reported following her reliance on fake legal authorities generated by “an AI system such as GPT” in her appeal before the first tier tax tribunal. Felicity’s case is not the first of an unrepresented litigant relying upon legal advice inaccurately generated via an AI source.

However, despite several cases before the Courts/Tribunals highlighting the danger of unregulated AI legal advice platforms, there has been a very muted response from policy makers, regulators and the senior judiciary.

Currently it is understood that such technologies and products are excluded from regulation under the Legal Services Act 2007. This leads to the question of who do you hold responsible (and how do you hold them responsible) if you rely upon legal advice from an AI legal advice programme, when presenting a case in Court?

Whilst certainly AI is clearly an advancing area and one to be closely watched, significant caution should be exercised when any individual tries to rely upon AI generated legal advice when presenting a case in Court. In the absence of legal aid being available for such a wide range of cases and personal circumstances, there is a danger that there will be an increasing reliance upon sources such as AI in the future, rather than traditional legal advice and obvious concern about the long term implications of this.

Clearing your car windscreen could result in a fine!

Whilst we are in the throes of winter, with no doubt further frosted and icy weather to come, many of Britain’s motorists will use a common method to defrost their car windscreens, leaving the vehicle’s engine running to do so.

However, more than half of Britain’s motorists, when asked by research conducted by Skoda, were unaware that clearing frost using a heater (if it takes place on a public road) could result in a fine. Motorists can be issued with a fixed penalty notice if they refuse to switch off their engines when used for this purpose, by an authorised personnel. There is an initial £20 fine which rises to £40 and then later to potentially £80.

Whilst it is not clear how many such fines are handed out each year, with research from the Institute of Engineering and Technology stating that warming up cars in the colder months has a higher carbon impact per year than the population of Cardiff flying to Egypt, combined with growing concerns about environmental impacts, may well result in an increased awareness and clamping down of this potential pollution.

Something to be aware of in the cold winter months!

Disclaimer

This newsletter has been prepared to highlight some key issues. It is intended to be for general guidance only and is not a substitute for specific advice. It is based upon our understanding of the legal position as at January 2024 and may be affected by subsequent changes in the law.

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I would be interested in future newsletters

Name

E-mail address or address

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If you DO wish to receive any further updates or communications from us, please notify Jane Perkins by e-mail perkinsj@macklunt.co.uk or phone on 01730 265111