The importance of understanding the contents of your Will

**A recent case has highlighted the importance of understanding the contents of your Will, particularly if you make a new version which contradicts the previous one.**

Wills can be complicated and when you have a new Will drafted, your solicitor will explain the contents to you and make sure that you completely understand the effect of your Will and that the provisions are what you intended.

## Invalid Will in a £100 million estate case

In one of the largest contentious probate cases ever heard in the courts of England and Wales, a court has found that a Will was not valid because the person making the Will, had not known or approved its content.

An illiterate property tycoon, 71 at the time of his death, had built up a substantial business valued at around £100 million. An orphan who was raised in a convent, Kevin Reeves left school aged 12 and built his property empire by virtue of hard work and force of character.

He made a Will in 2012 leaving 80% of his fortune to be shared equally between three of his children. The remainder was left to two grandchildren, the children of his fourth child, from whom he was estranged.

His son Bill, who brought the case along with the two grandchildren, was close to his father. His father and Bill’s younger sister Louise lived in a large annexe attached to Bill’s property.

## Kevin’s Death

In 2019, Kevin died. Shortly after his death, Louise’s solicitor emailed Bill with a copy of a new Will that Kevin had signed in 2014. The terms of this Will were very different to the earlier Will and a complete surprise to Bill, who had no idea his father had signed a new Will. Bill said that there was no change in circumstances which might have warranted a new Will being made.

The new Will left 80% of Kevin’s fortune to Louise. The remaining 20% was left to Kevin’s other daughter. Bill and his two nephews were not included.

## The Legal Claim

Bill and his nephews went to court, claiming that Kevin could not have been aware of the contents of the Will as Kevin was unable to read or write and could not even spell his own address.

The court heard evidence from some 49 witnesses.

## The Judgment

The judge found that on the balance of probabilities, Kevin was illiterate and the 2014 Will was not read by him, nor was it read out to him before he signed it.

The solicitor who had prepared the Will had inappropriately involved the daughter in the drafting of it and had then tried to cover this up.

The judge held that the later 2014 Will should be set aside as Kevin did not know what the contents were and nor had he approved the contents. This meant his earlier Will signed in 2012 took effect.

The judge considered whether there had been undue influence on the part of the daughter but found that this was not consistent with the lack of knowledge and approval. He found that she had obtained her father’s signature to a Will that he had not approved, so that she could inherit most of his vast estate for herself, saying:

*'I believe that Louise is a risk-taker, and she can be manipulative. She knows what she wants, and she knows how to get it. I believe that she was prepared to take the risk, because the prize was so great, of being found out by the deceased in relation to the 2014 will and she would have taken the consequences.'*

## Understanding your Will

Using a reputable solicitor to prepare your Will and ensuring that you fully understand the implications of signing it are vital to ensure that your Will cannot be challenged for lack of knowledge.

If you do not understand any clauses or wish to have the Will read to you, your solicitor will be able to explain the clause and ensure that you are fully aware of its significance. They will also be able to undertake all other checks to make sure that your Will is valid so that when the time comes, it will be legally binding.

If you would like to speak to someone about your Will or personal affairs, please get in touch on 01789 772955 or email katie.taylor@hallreynolds.co.uk