

The “mince pie box will” case

09 December 2024  Daniel Edwards

November saw another case that grabbed a lot of headlines in the media, a case where a man successfully left a large part of his estate to charity, despite his will being partially written on the back of a mince pie box... with the other half of the will being on the back of a box of frozen battered fish!

Unsurprisingly in the circumstances, the deceased had not used solicitors to prepare his will. Instead, he had signed one of the pieces of cardboard, and then the day before he died he asked two neighbours to witness the signature.

However, when subsequently asked, the attesting witnesses could only recall seeing one of the two pieces of card, not both.

The Probate Registry (quite rightly it is suggested) refused to admit the will to probate on the basis only one of the two “pages” had been signed and witnessed. The Registry was content to admit one page of the will to probate, but the gifts on the unsigned and unwitnessed page would fail, without approval from the court. A large charitable gift to Diabetes UK was contained on this unsigned page.

As of the time of writing the judgment has not been published, but the court has approved the (unchallenged) claim to admit the entire will to probate, ensuring the deceased’s generous charitable gift can take effect.

Some early Christmas cheer for the charity in question.

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Contact



Daniel Edwards

Partner

daniel.edwards@brownejacobson.com

+44 (0)330 045 2533

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