



COVID-19 Briefing: Could an LPA Have Helped Me During the Lockdown?

The coronavirus lockdown has fundamentally changed life in the UK and around the world. Even though this has affected everyone, the sector of the population that was either vulnerable or advised to shield has been affected to a greater degree than most.

For around 12 weeks anyone advised to shield was told not to leave their home, to have minimal contact with family and friends and to have groceries and all essential items delivered where possible.

As life begins to return to normal, it is sensible to take stock of the last few months and to consider whether we would do things differently or whether any lessons can be learned that could help us if we are confronted by a second wave of the virus.

DIFFERENT LOCKDOWN EXPERIENCES

Life under lockdown would have been easier for some people than for others. The more tech savvy would have been able to use internet banking and to have placed online orders for their shopping. They would also have been able to catch up with family and friends using video messaging services such as Facetime or Zoom.

However, even now, there are still a large number of people

who are not connected to the internet and who don't have a smartphone. For people without these, the last several months have been particularly difficult, both practically and emotionally.

As more businesses have reopened, there has been a flurry of activity as people are able to catch up on the tasks they could not complete while the country was locked down.

Fraser Dawbarns remained open for business during the lockdown and even though our doors were closed, we found ways to visit clients and continued to help them with their Wills and LPAs while adhering to social distancing rules and guidelines.

However, many people who were vulnerable or shielding preferred to wait until after the lockdown to limit their exposure to others, waiting until now to sort out their legal documents.

LASTING POWERS OF ATTORNEY

A Lasting Power of Attorney (LPA) allows you to nominate a trusted person who will carry out actions on your behalf when you are not able to.

LPAs are often associated with loss of mental capacity but are in fact much broader than that and can be used to nominate a representative to act on your behalf if you are out of the country or unable to leave your home.

There are 2 commonly used types of LPA, one covering Property and Financial Affairs and another that covers Health and Welfare.

Civil

Commercial

Conveyancing

Family

Probate

As these are separate powers, it is possible to nominate different people to represent you when either medical or financial decisions need to be made.

ATTORNEYS: HELPING TAKE CARE OF YOUR AFFAIRS

Shielding and vulnerable people who had already put a Property and Finances Lasting Power of Attorney in place would have had more freedom to make sure that their essential tasks were carried out.

Your attorney could have assisted you with all aspects of your finances, easing the burden on you when you are unable to leave your home.

The person you have nominated to be your attorney would be registered on your bank account and would therefore have been able to make purchases on your behalf, using your funds, rather than having to use their own until you were able to visit the bank.

They would have been able to ensure that your bills continued to be paid if you normally did this by visiting the bank or the Post Office.

LOOKING AHEAD

We hope that we won't be returning to a full lockdown, but there are no guarantees. It is worth giving some thought to how you may cope if you are again unable to leave your home for a number of weeks.

If you are not able to carry on as normal, it is worth considering whether having an attorney could help to make your life easier.

If you would like advice or more information about Lasting Powers of Attorney and their practical benefits please contact Fraser Dawbarns today.

PEACE OF MIND THROUGH DIFFICULT TIMES

In uncertain times, the only thing we can say for certain is that nothing will stay the same for long.

It is entirely possible, therefore, that new legislation will have been introduced which will mean that all or part of this briefing no longer reflects the current law.

Because of this, we ask you to consider that, although correct at time of printing, information in this sheet may no longer be up to date and it is always best practice to consult with a lawyer about anything contained in this briefing.

Our lawyers are available to help answer any of your questions about this issue or to help with any other legal concern you have.

Please contact Fraser Dawbarns directly for up-to-date information on your specific circumstances.

LOOK OUT FOR OUR OTHER COVID-19 BRIEFINGS

- [Dispute Resolution During the Pandemic](#)
- [Force Majeure and Frustration](#)
- [Coronavirus and Business Interruption Insurance](#)
- [Winding Down the Furlough Scheme](#)
- [Child Maintenance on a Reduced Income](#)
- [Reopening the Housing Market](#)
- [Life After Furlough](#)
- [The Changing Face of Litigation](#)
- [Holding Company Meetings During Lockdown](#)
- [Recovering Debts While Under Lockdown](#)
- [Making a Will Under Lockdown](#)
- [Commercial LPAs - Risk Management in Uncertain Times](#)
- [The Three Month Ban on Evicting Tenants](#)
- [Child Contact and the Coronavirus Lockdown](#)
- [Commercial Tenancies and Rights of Forfeiture](#)
- [Coronavirus, Employment Law and Your Rights](#)

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WE OFFER A WIDE RANGE OF LEGAL SERVICES TO OUR CLIENTS

Agricultural Law • Commercial and Corporate Law • Commercial Property • Family Law • Children Matters • Wills and Administration of Estates
Residential Conveyancing • Lifetime Planning and Wealth Management • Employment Law • Disputes • Lasting Powers of Attorney • Court of Protection