

Estate planning: How to avoid making mincemeat of it!

The High Court has confirmed that a will handwritten on the back of two cardboard food packages is legally binding.

[Home](#) » Estate planning: How to avoid making mincemeat of it!

In an unusual twist, Malcolm Chenery set out his wishes using a Young's frozen fish box and a Mr Kipling mince pie box. He left his £180,000 estate—including a three-bedroom house, jewellery, and a pottery collection—to the charity Diabetes UK. Despite the unconventional medium and the two pieces of card not being physically connected, the court upheld the will. The case highlights how effective estate planning can reduce delays and costs for your beneficiaries.



Under English law, a will is valid if it complies with the [Wills Act 1837](#), which requires it to be in writing, signed by the person making it, and witnessed by two independent individuals present at the same time.

James McMullan, partner and Head of Private Client Services at RIAA Barker Gillette (UK) said:

"While this case highlights that a will doesn't have to follow a traditional format to stand in court, unconventional approaches often lead to unnecessary stress and costs for executors and beneficiaries. Even with the family supporting the charitable donation, this case caused additional complications."

Simple preparation can avoid such confusion. One important step is to organise financial documents and create a clear list of assets, which is kept up to date and in a place known to the executors.

"Executors must obtain valuations for all your assets — whether property, crypto currency, premium bonds, or pottery collections like Mr Chenery's. Providing account details in advance can save time and stress."

A delay in sending information about assets to HM Revenue and Customs following a death can have serious financial consequences. Executors are personally accountable for handling estates correctly,

More News/Insight

By expertise ▾ By year ▾

By type ▾ [Search](#)

Links

[Download page as PDF](#) 

[Send link to PDF](#) 

[Share link](#) 

Contacts

James McMullan

+44 (0) 20 7299 6902

+44 (0) 7773 888 656

[Full profile](#)



[Email](#)

[Download V.card](#)

including paying inheritance tax (IHT) on time. IHT is due within six months of the month of death, with HMRC currently charging 7.5% interest after that time. Delays can result in penalties and mounting costs, which beneficiaries might expect executors to cover from their own funds.

Executors must also act within two years to claim some of the tax-free allowances for married couples or civil partners, who can combine allowances to pass up to £1 million tax-free. Missing this deadline can reduce the inheritance beneficiaries receive.

While a spouse does not have to claim the exemption for gifts between spouses as it is 'absolute', they must claim the transferred nil rate band, where the two-year time limit applies.

James added:

"Think of estate planning as a gift to your loved ones. Discussing your plans with family, whether they're included or excluded, can help avoid disputes and ensure your legacy is handled smoothly. Attention to detail now can make a world of difference later."

Ensure your estate is handled exactly as you intend without unnecessary complications. Proper estate planning can save your loved ones stress, time, and unexpected costs.

Speak to [James McMullan](#) today to secure your legacy.

Note: This article is not legal advice; it provides information of general interest about current legal issues.