



## **A Legal Insight**

### ***Your Monthly Newsletter from Chhokar & Co***

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#### **Editor's note**

Happy thanks giving! Welcome to this month's newsletter which includes articles of the legal happenings that have been taking place over the last few weeks. This is a way for you to stay informed of current news and legislation changes.

All the topics that are covered in this newsletter are areas of law that we deal with as a firm so if you have any questions or queries arising from any of these articles, Chhokar & Co is here to help.

You can contact our Head Office in the United Kingdom by e-mail, via SKYPE and by phone. You can also contact us through our website Enquiry Form: [www.chhokar.com](http://www.chhokar.com).

- Aman Bhambra

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# PROPERTY

## Which UK city has the highest bedroom cost?

Research undertaken by Eachnight.com used data from property search sites to find the average price of a square foot of property in 30 of the UK's most populated cities. It comes as no surprise with London being at the top with the most expensive bedrooms in the UK. The cost of an average bedroom in London is £107,000 with £744 cost per square foot of property. After London, Cambridge is the city with the second costliest bedroom, with a bedroom's worth of space costing £67,000. Having said this, Glasgow was the cheapest city in the UK for a bedroom with a property the size of a bedroom costing £23,800 in the area.

Source: *insideconveyancing.co.uk*



## What is property title fraud?

Property title fraud happens when someone takes out a mortgage on your property and keeps the funds for themselves. The mortgage company will think that money is owed to them, which is likely to cause problems. The Land Registry may be liable to pay compensation, as it has added a non-proprietor to the deeds of the property. A person may be at risk of property fraud if they are in the process of buying a home; particularly if their identity has been stolen, they live overseas the property is empty or has no current mortgage. If you think you're a victim of property title fraud contact

the Land Registry property fraud line (telephone 0300 006 7030 or email [reportafraud@landregistry.gov.uk](mailto:reportafraud@landregistry.gov.uk)) as soon as possible.

## **HM Land Registry moves to digital update applications**

Most applications made to HM Land Registry are submitted as PDF's or scanned copies using the customer portal or business Gateway platform. However this new movement will mean from November 2022, the data will be entered directly into the Land Registry systems and are automatically checked for errors against information held in the register as well as calculating the correct fee. Law firm Taylor Rose MW commented "*The work of getting the application created and submitted is getting done more quickly.*"

Source: [www.propertyurveying.co.uk](http://www.propertyurveying.co.uk)

*At Chhokar & Co we aim to deal with a wide variety of client matters including corporate services in which we offer property management and rent collection, if you would like more information or have an issue you wish to discuss with us please contact us at +44 (0) 208 574 2488 or [law@chhokar.com](mailto:law@chhokar.com)*

# FAMILY

## **Domestic abuse support for LGBTQI+ victims**

A recent report by charity Galop has been unveiled by the Domestic Abuse Commissioner. The report highlights the need for more specialist support for LGBTQ+ victims of domestic abuse. Some of the findings of the report highlighted that on average, LGBTQ+ domestic abuse services are small, with just one or two staff members employed. Also, most services have no main source of funding. The management of multiple funders is an extra set of pressures for the LGBTQ+ specialist domestic abuse sector. The report also concluded, no funded LGBTQ+ 'by and for' domestic abuse services exist in the South West and North East of England, or in Wales.

*Source: [www.familylaw.co.uk](http://www.familylaw.co.uk)*



## **Crowther v Crowther & Ors - A divorce costing £2.3 million**

In the case of Crowther v Crowther & Ors, Mr Justice Peel revealed the total costs towards lawyers for both parties accumulated £2.3 million. With £1.4 million being the wife's legal costs and £900,000 for the husband. The couple's estimated £1.75 million in assets has now been eradicated. Mr Justice Peel stated there had been an "almost complete breakdown of constructive communication" between the divorcing husband and wife during proceedings and criticised both parties and their lawyers for a lack of co-operation resulting in "enormous" legal costs. Mr Justice Peel observed that the proceedings were "intensely acrimonious" and that each party thought the other was "out to destroy" them.

Source: [www.todaysfamilylawyer.co.uk](http://www.todaysfamilylawyer.co.uk)

## **Britain's biggest divorce case underway**

The High Court hearing, which is due to last ten days, is currently underway to decide the final pay out of the biggest divorce case in British Legal history. Princess Haya Bint al-Hussein is demanding a share of husband, Sheikh Mohammed bin Rashid al-Maktoum's, vast wealth. This is estimated to amount to £10billion. The hearing, which will be taking place in the UK, will decide the pay-out for Princess Haya and the welfare arrangements for her two children, Al Jalila 13, and Zayed, 9.

*Here at Chhokar & Co, we pride ourselves in our family law work, if you have any enquiries regarding the article or any other family law issue, contact us contact us for a consultation at +44 (0) 208 574 2488 or [law@chhokar.com](mailto:law@chhokar.com).*

# IMMIGRATION

## **Woman saved from deportation to USA over drugs offence**

Ms Gordon, a 75 year old woman was facing deportation to the USA over serious drugs offences. Ms Gordon has been living in the UK since 1968 and was sentenced to 12 months' imprisonment. It was confirmed in the 2020 case of *HA (Iraq) v Secretary of State for the Home Department* that the actual sentence, not the pre-discount sentence, is relevant at the deportation stage. Consequentially, the Upper Tribunal in the case of Ms Gordon also confirmed the same rules apply in Scotland where the criminal sentencing took place. the Upper Tribunal's decision was ultimately that she should not be sent back to the United States after all. The general rule in sentence length for deportation case is, that the seriousness of the offending is established by the length of sentence.

Source: [www.freemovement.org.uk](http://www.freemovement.org.uk)



## **Legal Agreement to Forestall a Repeat of Windrush Failures**

The 'Hostile environment Policy', now known as the 'Compliant Environment Policy', was set up in 2012 to make it difficult for illegal migrants to live in the UK. The policy also affected the Windrush generation, who entered the UK legally from the Caribbean, with hundreds being deported. A report by the Equality and Human Rights Commission (EHRC) found that the Home Office broke equalities law in

setting up, implementing and monitoring its hostile environment policy agenda. A legal agreement, introduced by the Home Office, has been set up to address its failures to comply with equality law in the Windrush scandal. The agreement commits the Home Office to a two-year action plan of improvements to address lapses that negatively impacted many migrants.

Source:[immigrationnews.co.uk](http://immigrationnews.co.uk)

*Immigration is a serious and complicated matter, here at Chhokar & Co we have years of experience dealing with immigration matters. Feel free to contact us for a consultation at +44 (0) 208 574 2488 or [law@chhokar.com](mailto:law@chhokar.com)*

# WILLS, TRUST & PROBATE

## **The will of Prince Philip**

Under British Law, when a person passes away, any will they have left behind is automatically made public. This is to ensure the will is acted upon, to bring it to the attention of potential beneficiaries, and to prevent fraud against a person's estate. The Windsor family is exempt from this requirement because the monarch's will are hidden from the public by law. However, there is no statute passed by parliament requiring the wills of other members of the royal family to be hidden. There is also no established legal definition of who is, and who is not, a member of the royal family. The High court ruled in secret hearing in September that Philip's will should be hidden from public for 90 years. Legal action against the attorney general and the Queen's private lawyers has been initiated over a decision to ban media organisations from a court hearing about the Duke of Edinburgh's will.



## **The importance behind the 'intestacy rules'**

A partner from the law firm Raythornes, Mr Jak Ward, recently explained the importance behind the 'intestacy rules'. When a person dies leaving no Will, they are said to have died 'intestate'. If the individual has not provided directions as to how they wish their assets to be dealt with, their estate is shared out in accordance with a set of legal principles known as "the intestacy rules". This is set out in legislation at section 46 of the Administration of Estates Act 1925 (as amended). Mr Ward points out key points to take away from these rules; firstly if the estate is worth less than £270,000 and the deceased dies leaving a surviving spouse, the surviving spouse shall take everything absolutely. Secondly, where the estate is worth more than £270,000, and the deceased dies leaving a spouse and no children, the surviving spouse

shall take everything absolutely. It is important to note that the intestacy rules do not recognise unmarried “common law” partners.

*Source: [www.legalfutures.co.uk](http://www.legalfutures.co.uk)*

### **Barclays takes 5 years to trace late father’s £4,000**

Barclays informed E.W that there is still money left in an investment account left by his father five years after he passed away. The bank insisted that before parting with the money, it wanted the grant of probate which would have meant a legal bill for £400 or more. Mr Tony Hetherington, an investigator, commented “the problem would never have arisen if Barclays had revealed the savings account at the proper time”. A Barclays spokesman stated: 'We offer our sincere apologies to Mr W for failing to identify his father's investment account when executing his estate back in 2015”and offered compensation for the initial error and a gesture of goodwill. The bank has added £788 interest and a further £250 by way of apology bringing the total amount to £5,130.

*Here at Chhokar & Co we are experienced in wills, trust and probate. If you have any enquires regarding your Will arrange for a consultation by calling +44 (0) 208 574 2488 or emailing [law@chhokar.com](mailto:law@chhokar.com).*

# WHAT'S NEW? -The Latest news from Chhokar & Co Solicitors



## Happy Thanksgiving from Chhokar & Co!

Fill your heart with gratitude, and happiness will come to you!

*To find out more about our legal services call us on for a free initial consultation on:*

*0207 935 3335*

*or visit our website for more information:*

*[www.chhokar.com](http://www.chhokar.com)*

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