

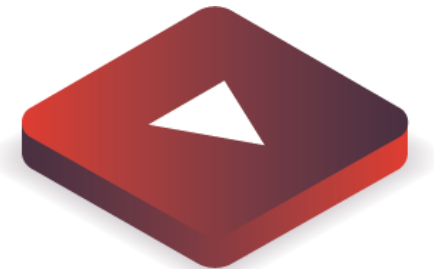


THE INSTITUTE
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MANAGEMENT

Monthly Market Update

With Emily Weidner – Law Society

Friday 24th November 2023



Changing Mood?



Positive HMCTS commitments to Charity Sector



Backlog falling and notifications on the rise



Probate Enquiry

Pressure on Charities



Inflation driving up costs



Public and Corporates have less money to give to good causes



Charities are looking at cost savings and reducing headcount

Pressure on Legacies



Charities are looking at Legacy Officers to plug the gap



Income and Notifications are down on last year and budget



Reducing HMCTS backlog will deliver income charities need

Lobbying Success

- **ILM pressure has delivered and HMCTS have committed to**
- **Providing more regular updates and forecasts, including greater clarity on the level of stopped estates* held up in the system**
- **Delivering a programme of webinars for charities to provide further information and an update on the Probate Registry's approach**
- **Adding a form field on digital applications (80% of cases) identifying whether the estate includes a charitable gift, enabling better future tracking, forecasting and normalising the inclusion of charitable gifts in Wills**

Probate Update

Welcome to ILM Probate Update: For all the latest probate information, articles, data, and events. On this platform, we aim to provide you with comprehensive updates on probate matters, ensuring you stay well-informed about the latest developments.

EVENTS

Join Matthew Lagden and guests for **ILM's Monthly Probate Update** webinars – a platform to share information on the latest updates and developments related to HM Courts and Tribunals Service (HMCTS). **Click below to register.**

NEWS



HM Courts & Tribunals Service

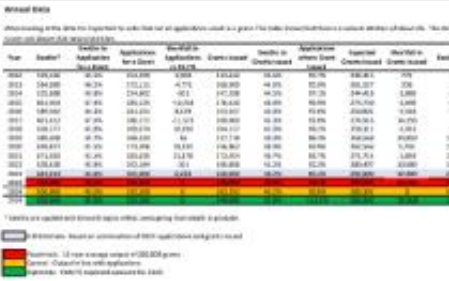
Update news on probate from HMCTS

22 NOV 2023




ILM Public Probate Data | 17 Nov

20 NOV 2023



ILM Public Probate Data | 10 Nov

10 NOV 2023



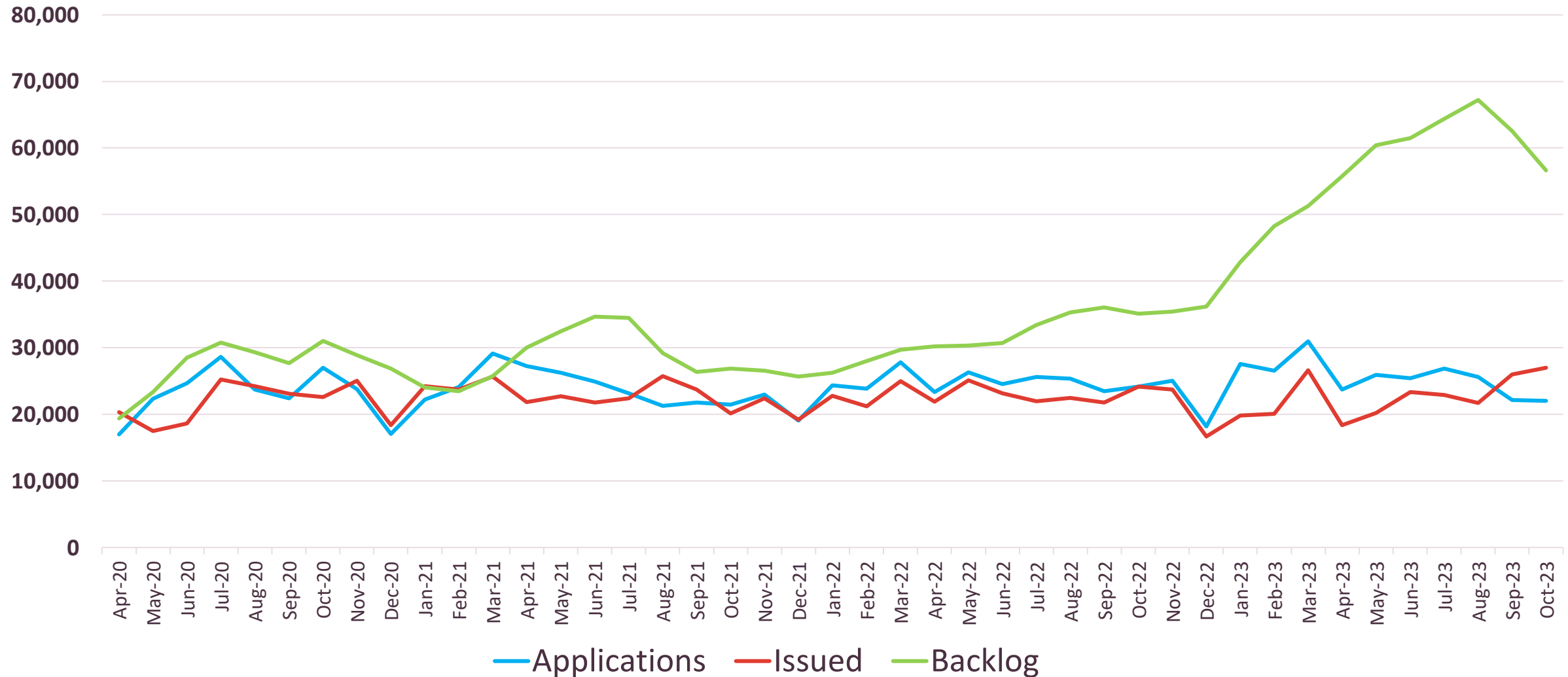
Behind The Scenes At The Probate Registry

22 JUN 2023



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HMCTS Backlog



What are HMCTS doing about this?

The government has three tools available to fix systems like this:

- New IT systems – we all know about this one – the root cause of the 2019 problems
- Additional people – they have done this, and so far, it hasn't improved the situation – but might be starting to have an impact?
- Better management – they are making strides on this, improving their team structures so that every team has the equivalent of a registrar, and changing incentives to encourage people to progress cases to completion.

And what are we doing to apply pressure?

Prospects for 2024

When looking at the data it is important to note that not all applications result in a grant. This table shows that there is a natural attrition of about 4%. The shortfall is over and above that natural attrition.

Year	Deaths*	Deaths to Application for a Grant	Applications for a Grant	Shortfall in Applications vs 45.7%	Grants Issued	Deaths to Grants Issued	Applications where Grant Issued	Expected Grants Issued	Shortfall in Grants Issued	Backlog
2012	559,426	45.5%	254,599	1,059	243,642	43.6%	95.7%	244,415	773	773
2013	584,989	46.5%	272,111	-4,771	260,969	44.6%	95.9%	261,227	258	1,031
2014	555,688	45.8%	254,602	-653	247,298	44.5%	97.1%	244,418	-2,880	-1,849
2015	601,503	47.4%	285,135	-10,248	276,420	46.0%	96.9%	273,730	-2,690	-4,540
2016	589,562	44.3%	261,251	8,179	253,347	43.0%	97.0%	250,801	-2,546	-7,086
2017	601,412	47.6%	286,371	-11,526	260,660	43.3%	91.0%	274,916	14,256	7,170
2018	628,377	42.8%	269,074	18,094	264,227	42.0%	98.2%	258,311	-5,916	1,254
2019	589,408	45.7%	269,343	16	237,719	40.3%	88.3%	258,569	20,850	22,105
2020	659,827	41.5%	273,506	28,035	256,862	38.9%	93.9%	262,566	5,704	27,808
2021	671,583	42.1%	283,035	23,878	273,554	40.7%	96.7%	271,714	-1,840	25,968
2022	638,628	45.8%	292,184	-331	269,808	42.2%	92.3%	280,497	10,689	36,657
2023	681,014	44.8%	305,000	6,223	260,000	38.2%	85.2%	292,800	32,800	69,457
2024	656,000	45.0%	295,200	0	260,000	39.6%	88.1%	283,392	23,392	92,849
2024	656,000	45.0%	295,200	0	283,392	43.2%	96.0%	283,392	0	69,457
2024	656,000	45.0%	295,200	0	340,000	51.8%	115.2%	283,392	-56,608	12,849

* Deaths are applied with 8 month lag to reflect average lag from death to probate.

	Pessimistic - 10 year average output of 260,000 grants
	Central - Output in line with applications
	Optimistic - HMCTS expected outcome for 2023

Committees

[UK Parliament](#) > [Business](#) > [Committees](#) > [Justice Committee](#) > Probate

Probate

Inquiry

The Probate Registry has been experiencing significant delays. There are wider concerns about how effectively beneficiaries, executors and the bereaved are supported through the process and protected from rogue traders. The inquiry will take evidence on capacity, resources and delays across the probate service, and the impact of digitisation and centralisation, including the effectiveness of the online probate portal. The inquiry is interested in people's experiences of applying for probate including how the administration of probate could be improved for people who are already coming to terms with the loss of a loved one.

[Read the Call for evidence to find out more about this Inquiry.](#)

Working with the Law Society

Blerta Clubb, ILM Director is also a member of the Law Society Wills and Equity Committee.

Obviously, they are also very concerned about the situation, and have recently produced a report: [Online court services: delivering a more efficient digital justice system.](#)

They have made several recommendations which will help government resolve the issues identified in our report. This research has also helped the Law Society produce some fresh ideas for practical, affordable changes to our civil justice system that will enhance access to justice in the long term and could save the system £72 million over a five-year period. You can read more about this work here: [Fresh ideas for 21st century justice | The Law Society](#)

We have invited a representative from the Law Society to speak at our next monthly briefing on 24th October.