

Your rights in the AIDS era. 4, Wills / Immunity.

Contributors

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Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
<https://wellcomecollection.org>

immunity

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Society for HIV Research and Education

YOUR RIGHTS IN THE AIDS ERA

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4. Wills

Even if you don't own very much, there are still good reasons for making a will. Here are some of them:

- You can choose who deals with your estate after you die.
- You can choose who is to benefit (within certain limits – see below), and leave special things to special people.
- You can avoid expense. It is often cheaper to deal with your affairs if you have made a will.
- You can express special wishes about your funeral, disposal of your body and other personal matters.
- It can save argument and bad feeling.

To make a will

It is not always a good idea to make your own will. There are technical rules that have to be obeyed, like how a will should be signed and witnessed.

Many of them have been designed to prevent fraud or undue pressures being put on the person making the will.

If you do decide to make your own will, there is one golden rule – express your wishes simply, in plain language.

Do not use words or phrases which you may have heard and think sound “legal”, but which you do not understand. Legal phrases are a sort of shorthand, and not many of us know shorthand!

Also, make sure you have dealt with all your assets in your will.

One common mistake is to give money or investments and to forget that there are clothes,

or some other belongings which have not been provided for.

So, if you are giving all your property to one person, don't try and list it, but say, simply, for example, "I give everything I own to X".

If you have given a list of individual items to various people, finish up by saying, for example, "I give everything else I own to X".

Signing your will

You must sign your will in the presence of two witnesses who then have to countersign it.

You should all be together at the same time, so that you can all see what the others are doing. But the witnesses do not need to read the will or to know what is in it.

Remember: Your will should not be witnessed by anyone who benefits under it, or by their husband or wife.

If it is, they will lose their benefit (although the will is still effective as to the rest of its provisions).

If you use a will form bought from one of the large stationers, it will have instructions about signing and how the will should be written. Read the instructions carefully and follow them.

Consulting a solicitor

Because of the traps and technicalities in making a will it is often best to have it done by a solicitor.

There is nothing against ringing round and asking how much it will cost. Charges vary enormously. We have known them vary between £15 and £175 for a simple Will (at 1984 prices!) – but many solicitors are reasonable in their charges. They

know that they are likely to get the business back when you die.

Free legal help in making a will has been curtailed. If you are severely ill, you may still qualify. It's worth asking your solicitor about that. If you have a London address, Immunity's Legal Centre will make your will for you free of charge

Limits on making a will

Anyone can make a will, but there are some limits on what you can do with your money.

The Inheritance (Provisions of Family and Dependents) Act 1975 gives certain relatives and people wholly or partially maintained by you the right to apply to the court if you fail to make proper provision for them in your will.

If you are not making provision for someone who would normally expect it and there is good reason for this, you can say so in your will.

And there are various ways of minimising the amount of inheritance tax payable on your estate on which it is best to get expert advice.

If you own a house, for example, its value will swallow up most if not all of the tax exemption, so advice is necessary.

Is it the end?

Making a will is not the end. It is prudent planning for life as much as death.

You can always change your will, but never write over or cross out anything in the original will. You have to make a properly witnessed formal supplement to your will – lawyers call it a codicil – or a completely new will.

LONDON AND NATIONAL GROUPS AND SERVICES

Afro Caribbean Helpline Service: Black advisers offering specialised advice and support, Fridays 6pm - 10pm, on the National AIDS Helpline (0800-567 123). Calls free

AIDS and Housing Project: Write: 16-18 Strutton Ground, London SW1P 2HP

AIDS Healthline: Information from the College of Health. Daily, 2pm - 10pm

Asian AIDS Helpline: Advice given in Bengali, Gujarati, Hindi and English, Wednesdays 6pm - 10pm, on 0800-282 445. Calls free

Cantonese AIDS Helpline: Advice given in Cantonese, Tuesdays 6pm - 10pm, on 0800-282 445. Calls free

Body Positive: Mutual help and support group. Drop-in centre at 51b Phillbeach Gardens, London SW5. Write: PO Box 483, London W14 0TS. Helpline: (7pm - 10pm) 01-373 9124

Body Positive Support Group: For newly diagnosed people with HIV infection and others with the infection who are anxious, plus the lovers, close friends and relatives of both groups. Meets Sundays at 12.15pm (or 12.30pm) on the second floor at the London Lesbian and Gay Centre, 69 Cowcross Street, London EC1

Care and Resources for People Affected by AIDS/HIV (CARA): Christian group offering support to Christians and non-Christians affected by HIV infection and by AIDS. Write: 178 Lancaster Road, London W11 1QU. Phone: 01-792 8299.

Dentists who treat people with HIV infection: NHS Special Needs Dental Clinic, Alderney Street, London SW1. (Mondays, 3pm - 5pm, Tuesdays, Wednesdays 9am - 12pm) Phone: 01-630 8436 Or: advice on who to see from Mrs Satchell at City and Hackney Health Authority. Phone: 01-253 3020

Drug Users and Ex-Users with HIV infection/AIDS/ARC: run by Terrence Higgins Trust. Meets Fridays 7pm - 9pm at Trust's offices (52-54 Gray's Inn Road, WC1) Info: David Bickerton on 01-831 0330

Ealing AIDS Response: Local group. Write: PO Box 16, Isleworth, Middlesex, TW7 6AG. Phone: 01-963 8872

Frontliners: Mutual help and support group for people who have AIDS. Write: c/o Terrence Higgins Trust, BM AIDS, London WC1N 3XX. Phone 01-831 0330

Haringey Health Authority Helpline: Counselling and advice on the phone on 01-801 1490/01808 - 1061, extension 212 (10am - 6pm)

Haemophilia Society: Information, advice and support for everyone who has haemophilia - and special representation of and support for people with haemophilia infected with HIV by using Factor 8. Write: 123 Westminster Bridge Road, London SE1. Phone: 01-968 2020

Immunity: HIV research and health education charity. With full-time specialist legal centre for anyone with a legal problem connected with HIV infection, AIDS or an AIDS-related complex. Advice and court representation on offer. Also welfare rights advice. Open 10am - 5.30pm. Phone to fix an appointment. Charity and legal centre at 260A Kilburn Lane, London W10 4BA. Phone: 01-968 8909

Italian Drug Users and Ex-Users Group: run

by Terrence Higgins Trust. Meets Wednesdays 6pm - 7.30pm at Basement, SCODA, 1-4 Hatton Place, London EC1 8TD. Info: David Bickerton on 01-831 0330 or Dr Massimo Roccio on 01-362 8161

The Landmark: Day centre for people who have HIV infection and people who have AIDS. Will offer advice, recreational facilities, meals. Plus info for other people. 47 Tulse Hill, London SW2. Phone 01-871 7611/2

Lesbian Employment Rights: Non-AIDS specialist. Good on rights at work. Address: see LAGER Phone: 01-587 1636 (Mon-Thur 7pm - 10pm)

Lesbian & Gay Employment Rights (LAGER): Specialist in rights at work. Mainly men. Write: Room 203 Southbank House, Black Prince Road, London SE1 7SJ. Phone: 01-587 1643. (Mon-Fri, noon - 5pm)

London Lesbian and Gay Switchboard: The original helpline. Not an AIDS specialist - but helpful. Write BM Switchboard, London WC1N 3XX. Phone: 01-837 7324 (24hrs)

London Lesbian Line: Information, support and advice for women. Phone 01-251 6911, Mondays and Fridays 2pm - 10pm, Tuesdays-Thursdays 7pm - 10pm

London Lighthouse: Hospice and drop-in centre. Offers counselling, health advice, support at home, breaks for carers and terminal care. 111 Lancaster Road, London W11 1QU. Phone 01-792 1200

National AIDS Helplines: Phone - free of charge for free leaflets (0800-565 777) or confidential advice (0800-567 123). 24 hours a day

North London Social and Support Group: Info: Joe on 01-482 4107

Nurses Support Group: Runs helpline for healthcare workers who need advice and help on HIV problems, Mondays and Wednesdays 7pm - 10pm, on 01-708 5605

Positively Women: Group of women who have HIV infection or have AIDS. Meets in central London. Info: 01-837 9705 (Mondays-Fridays, 10am - 5pm)

Project for Advice, Counselling and Education (PACE): One-to-one counselling and training in counselling. Meetings and write c/o London Lesbian and Gay Centre, 69 Cowcross Street, London EC1. Phone: 01-251-2689

South London Support and Social Group: Info: Rick, 01-675 3919

Standing Conference on Drug Abuse (SCODA): Information officer keeps up-to-date list of needle exchange schemes. 1-4 Hatton Place, London EC1. Phone: 01-430 2341/3

Terrence Higgins Trust: Information and counselling about HIV infection and AIDS. Plus support groups and trained volunteers to help people with HIV infection and people with AIDS. Write: BM AIDS, London WC1N 3XX. Phone: 01-831 0330 (admin only) 01-242 1010 (helpline, daily, 3pm - 10pm)

Women's Health and Reproductive Rights Information Centre: Not an AIDS specialist - helpful. Advice on all health issues affecting women, including HIV infection and AIDS. 52-54 Featherstone Street, London EC1. Phone: 01-351 8332

Women's Support Group: Run by Terrence Higgins Trust. Info: 01-831 0330

What's AIDS?

AIDS is short for the Acquired Immune Deficiency Syndrome. If you have AIDS your body's defence system against all sorts of infections is weakened so much you catch diseases which people whose immune systems aren't affected can just shrug off. And when you catch them, the diseases turn out to be much more serious than they are in people with healthy immune systems. Nobody knows for certain, but it looks as if everyone who has AIDS dies of one of the diseases they catch, such as a fairly rare form of pneumonia. You can't catch AIDS. It develops in you for some reason. HIV probably causes that to happen.

What's HIV?

HIV is short for the Human Immunodeficiency Virus. It was first discovered in 1983. Since then it has been called LAV and HTLVIII. But since 1986 the proper name for it has been HIV. It may cause AIDS to develop in you. You can catch HIV infection by allowing your body fluids – blood, semen or vaginal fluids – to become mixed with the body fluids of someone who's already infected. HIV isn't like most viruses because, when you're infected it lives inside blood cells which are part of your body's defence system.

What's Immunity?

Immunity is a charity started in 1985 to research into HIV and to find ways of helping people who have HIV infection stay well. It also runs fitness classes and produces information leaflets and relaxation tapes. With funds from the London Boroughs Grants Scheme, Immunity runs a legal centre in London to give advice and assistance to people who have HIV infection and people who have AIDS. If you'd like more information about Immunity or to visit the legal centre for the first time contact us at the address and phone number at the bottom of this page.

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260A KILBURN LANE, LONDON W10 4BA TELEPHONE 01-968 8909

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