

## **EWHC rejects man's accusation that his mother forged his father's Will**

Synopsis: The claims by a son against his 92-year-old mother that she forged her husband's signature on his Will made in 2000 are rejected by the England and Wales High Court (EWHC).

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### **The case**

Eustace Watts had been married to Jobyna Watts for 45 years and, when he died in 2008, he left his whole estate to his wife.

His Will had been executed correctly being signed and witnessed by a solicitor and legal secretary at their local law firm.

However, the couple's son, Carlton Watts, alleged that the deceased did not execute the Will and that the signature was a forgery. His claim was supported by evidence provided by a handwriting expert he had appointed. He also alleged that the deceased had made a Will in 1994 under which he was a one-third beneficiary, together with his mother and her other son. He said his relationship with the deceased had been good, or at least good enough not to justify his being disinherited.

He also reported his mother to the police for fraud and money laundering. However, after investigation no action was taken.

Jobyna also instructed a handwriting expert, who looked at 18 samples of the deceased's handwriting and signatures and that of the mother over a 65-year period. His report identified natural variations and made a forensic assessment of the deceased's and the mother's handwriting and signatures. He concluded there were no significant differences between the deceased's disputed signature on the Will and the reference signatures that had been examined.

The deciding testimony came from Sarah Evans, the solicitor who had taken the instructions for the deceased's last Will and had arranged and witnessed its execution in 2000. She had a clear recollection of the deceased, who had been a long-standing client of the firm. She recalled the deceased's instructions as being clear and consistent, stating that his surviving spouse was to be the sole beneficiary and that Watts was not to inherit anything if the mother survived him. Evans identified and recognised her own signature and that of the other witness. She also recalled the deceased attending her office and signing the 2000 Will, which the firm kept in an electronic register, although the Will file itself has not survived.

### **The outcome**

The judge observed that the claimant, Carlton Watts, held a fixed belief that his mother has dishonestly and unfairly deprived him of his entitlement to his father's

estate, and that this has coloured and distorted his view of the factual matters relevant to this case.

The judge duly rejected the conclusions of the son's handwriting expert and instead accepted the testimony of Jobyna's expert and Sarah Evans. Accordingly, he ruled that the Will was genuine. You can read the full case [here](#).

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