

# Dealing with a missing relative's financial and legal affairs: how your MP could help

Depending on your missing relative's circumstances, they may have left financial and legal commitments that you or other family members may want to maintain whilst they are away. These may include housing payments, insurance policies, bills and benefits, and may be more pressing if you share commitments with your loved one, such as a mortgage.

## Why might I need support from my Member of Parliament (MP)?

Unfortunately there is no legal system currently in place to enable families to become the formal guardian of a missing relative's affairs. In March 2015, the Justice Minister announced proposals to introduce guardianship legislation which will allow relatives of a missing person to look after finances and property in their absence. However, at the time of writing, a timetable for the legislation has yet to be announced. Missing People is [campaigning](#) for a commitment to a Parliamentary timetable for this legislation. The absence of a system of guardianship can leave families in an unclear legal situation, and organisations can be uncertain as to whether they can take legal direction from anyone other than the missing person.

Families therefore need to approach organisations relevant to their relative's circumstances on an individual basis, e.g. banks, benefit providers, insurers, pension companies. Unfortunately, families have reported mixed experiences here. Whilst some receive excellent service, others can be left disappointed. If you are unable to get the outcome you hoped for when approaching institutions, it may be helpful to know that your MP could be a source of information and help.

## How could contacting my MP be helpful?

Contacting your MP could be helpful in two ways. Firstly, they may be able to help you resolve an issue you are concerned about, and secondly, they may support the campaign to get a commitment to a timetable for Guardianship legislation.

Firstly, MPs are elected to serve their constituency and those who live within it. If you make them aware of an issue in connection to your missing relative, they may be able to make representations on your or your relative's behalf. For example, if you are struggling to inform a particular service provider of your circumstances, such as a local authority or a housing association, or if you are having problems finding the right person to talk to about your relative's pension or benefits, they might be able to help with this.

Secondly, involving your MP in these processes highlights the issues families can face following a disappearance, and may encourage them to help get commitment to timetabling the legislation for introducing a formal guardianship system. This could benefit both your family and many others for years to come.

## What is the best way of approaching an MP?

Depending on the urgency of the issue you are looking to resolve, you can choose between contacting an MP by phone, email or letter. Here, it can be helpful to think about how you would like them to assist you ahead of making contact, in order to guide the conversation.

If your issue is very time sensitive (e.g. you are worried property is at risk of repossession), telephone is often the quickest way to bring your concerns to an MP's attention. In other instances, an email or letter is generally a useful way of making contact, and you can always follow this up with a phone call if you would like to ensure it is receiving attention, or if they do not respond in the timeframe you were hoping.

Some MPs also hold surgeries where you can talk to them about your situation face-to-face. These tend to be held on a Friday at a public venue within their constituency. You can usually find out if your MP holds a surgery and how to get an appointment by either phoning their office or looking at their website.

## How can I find who my MP is and their contact details?

You can find out who your / your relative's MP is by putting the relevant postcode into the following webpage on Parliament's website: <http://findyourmp.parliament.uk> or you can phone the House of Commons Information Office on 020 7219 4272.

Alternatively, you could use *Write to Them* to email your MP. This website can be found at <http://www.writetothem.com/> and finds your MP based on your postcode, and guides you through emailing them using a web form.

## What information should I give my MP?

Whichever method you use to contact your MP, you will need to give them your home address so that they can verify you live in their constituency. You should include your full name, and details of how you would like them to get back to you, e.g. via an email address.

When leaving or writing a message, it is generally useful to give your MP an outline of your circumstance (for example, how you are related to the missing person, how long they have been missing, etc), before explaining what the issue is that you would like them to be aware of or help you with. It is up to you how much detail you would like to give, but as a rule of thumb you should only include information that you would be happy to be shared with the organisations they may approach to help you with your concern, as your MP may use these details when making contact on your behalf.

## Should I also contact my relative's MP?

MPs are only able to act on behalf of the people living within their constituency (see above for details on how to find out your constituency and who your MP is). If you and your missing relative live in the same constituency, your MP can act on behalf of both of you. If you live in different constituencies however, you should consider whether the matter you are looking to address primarily impacts on you or your relative, and make a decision based on this.

For example, if a missing person lives in a different constituency, and the family is concerned about their relative's housing association tenancy, they should contact their relative's MP. Alternatively, if a family is concerned about the money they are spending on storing their missing relative's belongings, they should contact their own MP.

As a rule of thumb however, if you and your relative live in different constituencies it is a good idea to address a letter or email to your decided MP, whilst also copying in the other MP to keep them aware of your and your relative's situation.

### **Who can support me through this time?**

Missing People recognises that dealing with a missing relative's affairs can be both daunting and upsetting. Our team is available around the clock if you would like to talk about how you are feeling throughout this process. You can reach them by calling or texting **116 000**, or by emailing [116000@missingpeople.org.uk](mailto:116000@missingpeople.org.uk).

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For further information and guidance on the issues addressed in this guidance sheet, or for support relating to any aspect of someone going missing, call or text Missing People's free and confidential 24 hour helpline on **116 000** or email [116000@missingpeople.org.uk](mailto:116000@missingpeople.org.uk)

Whilst this information has been provided in good faith, it should not be taken as legal advice. For information tailored to your circumstances, please contact your police force, solicitor or an advisory organisation as appropriate to your query.