

Wills and Estates

Friday 16 August 2024

Session 8 – 9:35am - 10:35am

Digitising inheritance: Expectations and reality

The increasing prevalence of digital assets and AI calls for greater consideration of the way digital matters fit into the law and process of inheritance. Surveys suggest the general public rarely thinks of the digital, including digital access to non-digital property, when giving instructions for wills, and lawyers' attention to this is only slightly more frequent. Testators may know very little about their digital assets and be very surprised to learn they do not own the material on their streaming services. This session suggests ways to manage. Where overseas jurisdictions have passed legislation, this may not always be useful. Data protection, post-mortem privacy and the right to be forgotten or to be memorialised are all aspects of this developing area of law.

Meet the speaker

Professor Prue Vines, School of Private & Commercial Law, UNSW Law & Justice

Prue Vines has been a member of the University of New South Wales Law School since 1990. Her major areas of interest are torts (especially attribution of responsibility in negligence and apologies in civil liability) and succession law; in this area, she is especially interested in the making of culturally appropriate wills for Indigenous people. She is Co-Director of the Private Law Research and Policy Group UNSW and a Fellow of the Australian Academy of Law. Prue is the author/editor of some 26 books, including *Fleming's Law of Torts* (11th edition, 2024); *Succession: families, property and death* (6th edition, 2024); *Unexpected Consequences of Compensation Law* (Hart Publishing, 2020); and *The Aboriginal Wills Handbook: making culturally appropriate wills for Aboriginal People* (3rd edition, 2020); and numerous articles and chapters on these subjects.