



Institute of Legacy Management: Law Commission consultation on wills response press release DRAFT

9 November 2017

PRESS RELEASE

For further information, or to arrange an interview with an Institute of Legacy Management spokesperson, please contact Louisa Struben at Amazon PR on 020 7700 6952 or email louisa.struben@amazonpr.co.uk

The Institute of Legacy Management says Law Commission consultation overlooks growing problem of digital wills

The Institute of Legacy Management has raised concerns that the Law Commission's consultation on wills fails to pay sufficient attention to the increasing impact of technology on will making.

In its response to the consultation, the Institute of Legacy Management said the growing trend towards writing wills through the use of technology was already affecting the probate process, but that the consultation failed to acknowledge this, and the issues it may cause.

Chris Millward, Chief Executive of the Institute of Legacy Management, says: "The consultation seems to defer all conversation on technology in the will process, suggesting it's a future problem. But we know that people writing wills online is having an impact now and requires considerable consideration, fast."

The consultation proposes that the Lord Chancellor is given the power to introduce fully electronic wills by statutory instrument, without specifying a timeline or the level of public consultation this would involve.

"Our members are already seeing the consequences of wills made online, and as we become more reliant on technology, this is likely to increase. There is a risk of badly drawn up wills resulting in donors' final wishes being frustrated, and failing, meaning charities and their beneficiaries miss out on vital support. The introduction of fully electronic wills would complicate the process further.

"The law needs to catch up quicker with the changing way people are writing wills. We can embrace technology while retaining essential safeguards and standards to make sure such wills are legally robust and vulnerable people are protected. Tighter regulation and standardisation of online will-writing platforms would help achieve this.

"We encourage the Law Commission to revisit the issues around online wills as a matter of urgency, and would welcome the chance to discuss this with them further."

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Notes to editors:

About the Institute of Legacy Management

The Institute of Legacy Management is the membership body for legacy professionals – those responsible for the successful and sensitive administration of donors’ final gifts to charitable organisations.

Today the Institute of Legacy Management represents and supports more than 600 individuals, working in over 350 charities, not-for-profit organisations and associated professions. Across the sector, legacy professionals are responsible for over £2.56bn of charitable income each year – income that many charitable organisations rely on for their survival.

Ultimately the Institute of Legacy Management seeks to ensure that every donor’s charitable legacy achieves its greatest potential. In working towards that goal, the Institute partners with a range of companies and professional bodies to ensure the legal environment supports and promotes charity legacy giving, and to offer members additional support, information and collaboration opportunities.

<http://www.legacymanagement.org.uk/>

About the Law Commission consultation on wills

The Law Commission is consulting on proposals to make changes to the law on wills. The consultation closes today, 10 November 2017.

<https://www.lawcom.gov.uk/project/wills/>