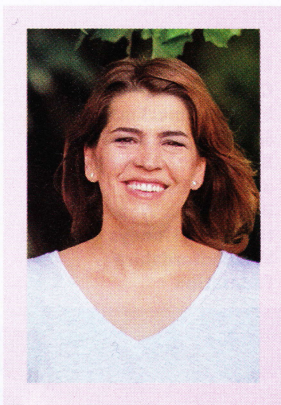




With so much of our lives played out online, what happens to your digital footprint when you die? Phone photos, your Facebook page, videos, journals, songs, blogs... what do family and friends need to know? Writer and WI member **Suzanne Locke** reports on leaving a new type of legacy

## Digital LEGACY



Last year I completed a chore that had been on my list since my son was born: to write a will and name guardians. However, even as a digital specialist, I didn't think to include a so-called digital legacy – nor did the solicitors that I employed suggest adding a digital element to my will.

Yet this is what the Law Society advocates in order to deal with everything from your social media profiles to videos, photos, and music you have stored online. This also applies to any websites or blogs you run; Air Miles or other virtual loyalty

points; digital money stored in online-only banks, and even cryptocurrencies such as bitcoin.

It recommends people write a 'personal assets log', including all digital assets, stored alongside your will and copied to your executors – giving clear instructions about what to do with your digital assets. If those assets have financial value, you may also want them to be included in your will.

There are 45m social media users in the UK, according to the Digital 2019 report by Hootsuite and We Are Social: that's two-thirds of the population.

The Office for National Statistics says that 96 per cent of households in Great Britain have internet access.

Meanwhile, research by password manager Dashlane found that there were an average of 118 online accounts registered to one UK email address, and 37 'forgotten password' emails per inbox.

These are all very good reasons for you to start keeping records

of your digital footprint to pass on to your executors.

'There is a lack of understanding that, when it comes to digital assets such as music held online, you don't really own those assets in the same way that you own assets in the tangible world,' says Gary Rycroft, resident lawyer on BBC1's *Rip Off Britain*.

'You have a licence to listen to that music in your lifetime – but it's not a licence you can pass on, like an old-fashioned record or CD. The nature of ownership is different in the digital world.'

If you sign up to any digital platform, he says, the technology company behind that platform only has a relationship with you. They have no connection to your partner or children.

If you die, the technology company's stance is currently that it has a duty of confidentiality when it comes to its client's data and cannot share that data with you. Gary says he believes that to be 'quite insensitive' as it does not 'take account of the wider picture'. More confusingly still, most of the technology giants have very different policies.

In 2019, Rachel Thompson won a three-year legal fight against Apple to release 4,500 family photos and 900 videos belonging to her late husband, who died by suicide in 2015 without leaving a will. Apple subsequently announced a new digital legacy programme for its 2021 software update, iOS 15. This allows users to nominate 'legacy contacts' on their digital devices, so that they could access an account after a death.

While the simple solution would seem to be leaving a list of passwords and PINs, it is currently a criminal offence under the Computer Misuse Act for even an executor to use them to access an account after someone's death.

Instead, your executor should contact each online service

to request accounts are closed, which often requires the executor to fill in a form and provide a copy of the death certificate.

However, in a survey it carried out four years ago, the Digital Legacy Association found that 51.91 per cent of people do ensure someone else knows their passwords.

Gary Rycroft acknowledges that this is an area where there ‘needs to be reform’, to recognise that ‘in the real world, people do these things’. He adds that you should break down your digital assets into four sections: financial; social; sentimental (music, photos, videos, media); and intellectual (blogs, websites and other online content of value).

‘Around 25 years ago,’ he says, ‘someone would have had a folder or drawer in the sideboard to store their Premium Bonds, bank statements and life policies in one place. The digital world now means that it’s all scattered to the four winds.’

The Digital Legacy Association ([digitallegacyassociation.org](http://digitallegacyassociation.org)) provides a template for a social media will, which lists: the username or email address for each account; who you choose as its executor; whether you want the account closed, memorialised or deactivated, and whether you have backed up and also downloaded a copy of files from the site.

In the Digital Legacy’s survey, the association found that only eight per cent of people had made plans for the legacy of their social media once they had died.

‘As a society, we place high value on digital assets and are increasingly investing our time and lives in the online world,’ says James Norris, founder of the Digital Legacy Association.

‘But we are not necessarily thinking about it in terms of death and planning. It can be quite daunting,’ he concedes.

Aly Dickinson is an end-of-life doula – who helps people prepare for dying, in the same way that expectant mothers may hire a birth doula – and she is also a director of the social enterprise End Of Life Doula UK.

She says that her clients tend to be people who have just had a terminal diagnosis or are close to the end of their life. Few think of their digital legacy, she adds.

‘If you use the words “digital legacy”, people can look blank,’ Aly Dickinson says. ‘It sounds difficult. But using myself as an example, I tell them I am an addictive online shopper; I do all my banking online; I have Facebook and Twitter accounts.’

‘I also talk about the emails that I probably wouldn’t want anybody to see,’ she adds.

‘Letting a trusted person or people know your wishes, and what to do with your online accounts after you die, can be a gift.’

Aly also says that sorting out your ‘digital estate’ can be a ‘lovely thing’, and may even offer comfort. One client living with a terminal illness set up a private Facebook group to give everyone in her life a space in which to tell her the impact she had made on their life.

Others, Aly says, choose to set up a free ‘memorial’ page on hosting sites such as [whatmattersnow.org](http://whatmattersnow.org) with updates, photographs and a guest book. ‘Even clearing down emails and thinking about voicemail messages to leave for your loved ones



can be significant, and a weight off your mind,’ she concludes.

‘The key to it all is what it’s always been,’ solicitor Gary Rycroft sums up: ‘Make a will, and name executors to give them authority to deal with your estate upon your death.’ The only difference is that now you name executors for *all* your estate: your ‘real-world’ one, *and* your digital property and accounts.

Perhaps the best thing you can do, he says, is to act like the Swedish and get on with your *döstädning* or ‘death cleaning’ right now – whatever your stage of life. ‘We all need to live like that, no matter how old we are,’ he says.

## Screen wipe

### Unsure where to start? Here are a few ideas for managing your digital data

- ◆ **Facebook** Backup and download your data and set up a legacy contact. Decide if you want your account memorialised or deleted by a verified family member. Go to the **Help Centre** on Facebook to get started.
- ◆ **Twitter** Download your tweets archive and authorise someone to act on behalf of your estate, or a family member, to request the deactivation or removal of your account. Visit [help.twitter.com](http://help.twitter.com) for a how-to.
- ◆ **Instagram** Back up photos and videos. Your account can be memorialised or deleted, as with Facebook.
- ◆ **LinkedIn** Download your connections contact list. Your next of kin can memorialise or close your account. Transfer administrative rights for groups you manage. Any user can report a dead person to LinkedIn by sending an obituary link.
- ◆ **Google** Give access for your Google content: Gmail; Google Photos; YouTube, and Google Drive, to a digital executor using Google’s **Inactive Account Manager**. You can even send a message to loved ones and set up a new autoreply for your email from there.

◆ Suzanne Locke is a member of Egham Nightingales WI, Surrey Federation

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