



# Murder for profit

Succession law conference looks at forfeiture rule.

Recent cases such as the assisted suicide trial of Marin Nielsen and the murder charge against Gerard Baden-Clay following his wife's death have rekindled public interest in the forfeiture rule.

It will undoubtedly be a topic of particular interest for practitioners at this year's 11th Annual Queensland Law Society Succession Law Conference on 2 and 3 November at the Novotel Twin Waters Resort on the Sunshine Coast.

Brisbane barrister Caite Brewer, *pictured*, will deliver a session on practical implications of the disqualification of killers under the forfeiture rule.

"With the recent media attention on these cases, there is more public interest in this area of law and succession lawyers need to be on top of the issues," Caite said.

"The forfeiture rule is a rule of public policy which prevents a killer from inheriting all or part of the estate of a person they kill. There are different levels of culpability and therefore different rules may apply for murder, manslaughter and insanity pleas.

"Under the rule, different rules can apply to different types of assets, such as jointly held property, life insurance policies, superannuation (especially where there is a binding death benefit nomination in favour of the killer) and general estate assets.

"Succession lawyers who attend the session will hear a discussion on some of the more practical aspects of potential forfeiture cases, such as whether the rule disqualifies a killer

from acting as an executor and what urgent interim measures may need to be taken pending an alleged killer's trial."

Caite has practised for more than 18 years as both a solicitor and barrister, having worked exclusively in estate litigation over the last 6½ years.

She is a QLS accredited specialist in succession law and in 2009 received the award for the highest achievement in her accreditation course.

Caite is also chair of the Queensland branch of STEP (Society of Trust and Estate Practitioners – a worldwide professional body with over 17,000 members in more than 80 countries), a member of the QLS Succession Law Committee and a regular presenter at seminars on succession law issues.

More details on this year's conference will be available soon at [qls.com.au](http://qls.com.au).

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