



Treasury
Solicitor's
Department

Bona Vacantia Division (BVD)
PO Box 70165
London
WC1A 9HG

T +44 (0)20 7210 4700
F +44 (0)20 7210 3104

DX: 123240 KINGSWAY

www.gov.uk

Our reference: BVFOI/332/13 re Margaret O'Neill

Freedom of Information Act 2000 Request

You asked for the following information from the Treasury Solicitor's Department ("the Department"):

1. Provide the deceased's exact name, date of death and date probate was granted as on the Grant held.
2. Give details on the birth certificate we are holding on file.

Your request will be dealt with by the Bona Vacantia Division ("the Division") under the Freedom of Information Act 2000.

The Division holds all the information that you have requested.

The date of birth can be found on the death certificate. The Division holds a copy of a birth certificate with a different name, date and place of birth from that shown on the death certificate and has no information to confirm that it relates to the deceased. As this information may relate to a living person, it is exempt from disclosure under section 40(2) of the Act. The information is exempt from disclosure because it constitutes the personal data of a living individual as defined in section 1(1) of the Data Protection Act 1998 and disclosure of the information would be in breach of the data protection principles set out in Schedule 1 of that Act. In particular, disclosure of the information would contravene the first data protection principle, which requires that personal data be processed fairly and lawfully.

It is also possible for you to make a search of the births of individuals with names matching that of the deceased that may have taken place during the same time period as listed on the death certificate. Certificates can be obtained from the General Registrar Office (GRO), PO Box 2, Southport, Merseyside, PR8 2JD or by telephoning 0845 603 7788. Further details can be obtained from the GRO's website at <https://www.gov.uk/browse/births-deaths-marriages/register-offices>. The information relating to the possible birth certificate is reasonably accessible to you by other means and is therefore exempt from disclosure under section 21 of the Act. This exemption confers absolute exemption from the requirement to provide information pursuant to section 1(1)(b) of the Act.

The Division hold information on the Grant of Probate for the deceased's estate. The Division holds information that the deceased's date of death is 19 September 1986 as recorded on the death certificate, not 19 November 1986 as stated in your request. The Division holds information that the Grant of Probate is dated 29 September 2000. Further information can be obtained from the Probate Registry, who can be contacted at the Principal Registry of the Family Division, First Avenue House, 42-49 High Holborn, London WC1V 6NP. We note that for searches of probate calendars, you will now need to visit court 38 in the Royal Courts of Justice, Strand, London WC2A 2LL between 9am and 1pm and 2pm and 4pm.

The information is reasonably accessible to you by other means and is therefore exempt from disclosure under section 21 of the Act.

