



# Government Legal Department

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Our reference: BVFOI/054/16 re Anthony Harry Secker

## Freedom of Information Act 2000 Request

You asked for the following information from the Government Legal Department ("the Department"):

Can you confirm that no person has benefited from the estate?

Please would you also send scanned images of letters that have been exchanged?

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

I have interpreted the first part of your request to mean that you wish to know if the estate is still claimable.

The Division holds all the information that you have requested.

I have withheld the information as to whether the estate is claimable as it is exempt from disclosure under section 21 of the Act. This information is reasonably accessible to you by other means (see unclaimed estates list at: <http://www.gov.uk/government/statistical-data-sets/unclaimed-estates-list>) The list is updated each working day and only contains estates which are claimable and solvent. This exemption confers absolute exemption from the requirement to provide information pursuant to section 1(1) (b) of the Act.

I have withheld certain information from the file, copies of correspondence, as 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.

I have also withheld this information as it is exempt from disclosure under section 41 of the Act as the Division considers that the information was received in confidence, and that to reveal the information would constitute an actionable breach of the duty of confidence

In considering whether disclosure would be an actionable breach of confidence the Division has considered whether there is a public interest in disclosing the information that would outweigh the public interest in keeping the information confidential.

There is a strong public interest in keeping confidential information that has been disclosed in confidence, and in this case there is no specific reason in favour of disclosure of the information. Disclosure would not protect public safety, nor would it expose wrongdoing such as misfeasance, maladministration, negligence or other iniquity on the part of the Division. In this case the Division considers that the public interest in keeping the information confidential outweighs the public interest in disclosing it.

