



# Treasury Solicitor's Department

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Our reference: BVFOI/038/15 re Vera Gwendoline Morris

## Freedom of Information Act 2000 Request

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

I should be grateful if you would assist with the following information and queries as soon as possible:

1. If the Treasury completed the administration of the estate kindly supply a copy of the revoked grant so that my client can obtain a re-issued grant in her favour.
2. Please confirm whether a grant was required from the claimant in order to distribute funds or whether funds were paid on the usual indemnity basis.
3. Please confirm whether the estate was administered by the Treasury Solicitor in the first instance. This information will allow us to consider whether the administrators administration charges are reasonable or not.
4. Please supply a copy of the estate account releasing monies to the administrator. This will be required by the court to prove the value of the case to set the amount of the court application fee.
5. Please confirm the full name and address of the claimant in this case so that they can be added to the action as a co-Respondent.

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.

I can confirm that the estate was administered by this Division in the first instance.

Your request for information relating to issued and revoked Grants is being withheld. All of the Grants of Probate/Letters of Administration mentioned in this response can be obtained from the Principal Registry of the Family Division, First Avenue House, 42-49 High Holborn, London WC1V 6NP. The Probate Registry also provides an online service to search and request copies of issued Grants ([www.gov.uk/search-will-probate](http://www.gov.uk/search-will-probate)). The information is reasonably accessible to you by other means and is therefore exempt from disclosure under section 21 of the Act.

I am withholding the information regarding the estate account as it is exempt from disclosure under section 31(1)(a) of the Act. Section 31(1)(a) provides that information is exempt from disclosure if that disclosure would, or would be likely to, prejudice the prevention or detection of crime. We believe that disclosure of the requested information to any member of the public would, or would be likely to, help enable the commission of fraud or other criminal activity. In applying the exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information.

There is a strong public interest in ensuring that the Division's activities are conducted in an open, transparent and honest way. However, disclosure of the exempt information could help enable the commission of fraud which would be likely to result in a loss to the public purse. There is a strong public interest in protecting the public purse and it is therefore considered that the public interest in maintaining the exemption in section 31(1)(a) in this case outweighs the public interest in disclosing the information.



I have withheld certain information from the file in relation to the name and address of the successful claimant 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.

The last paragraph of your letter in relation to the admission of this estate will be addressed under separate cover.