



Treasury Solicitor's Department

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Our reference: BVFOI/410/14

Freedom of Information Act 2000 Request

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

Whether the estates below have been claimed:

Sylvia Butcher – D.O.D 02/04/2004

Stella Bird – D.O.D 02/03/2013

Who claimed the estate of Jacqueline MacDonald – D.O.D 23/06/2014

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 Division has not admitted claims to the estates of Sylvia Butcher and Stella Bird.

I have withheld the information regarding the details of the person who made a claim in respect of the estate of Jacqueline MacDonald 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 Division considers that the information you have requested was received in confidence, and that to reveal the information would constitute an actionable breach of the duty of confidence. Accordingly the information is exempt from disclosure under section 41(1) of the Act.

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.