



Government Legal Department

Bona Vacantia Division (BVD)
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Our reference: BVFOI/017/16 re Ernest Richard Carr

Freedom of Information Act 2000 Request

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

We would like any possible information regarding the following estate:

-Ernest Richard CARR
Died 21st February 1986
Grant dated 23rd September 1987 (please see the attachment)

The Estate was granted to the Treasury Solicitor, and no new grant has been issued since 1987. However, the estate does not appear on any of the recent Unclaimed Estates Lists, so I would like to know whether the estate is still administered by the Treasury Solicitor and whether it is possible to make a claim for it and whether the BVD still holds any information or assets for this estate.

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

I note you have requested any information held by the Division. I have interpreted your request to mean that you require any information that we hold about the deceased's origins and/or extended family that will help you find entitled kin.

The Division holds all the information that you have requested.

The Division has admitted the claim of a relative to be entitled to share in this estate in priority to the Crown.

The claimant has not administered the estate and the Division still holds the balance of the estate.

An application to revoke the Letters of Administration granted to the Treasury Solicitor on 23 September 1987 has been lodged with the Probate Registry.

I have withheld information concerning the 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.

I have also withheld information concerning the claimant's representative 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.

The Division holds information that Ernest Carr's died on 21.2.1986 in Haringey. Information regarding his date and place of birth can be found on his death certificate.

The Division also holds information that Ernest Richard Carr was born on 9.10.1906 in Islington. Information concerning his parents' names can be found on the birth certificate. Certificates can be obtained from the local Registrar where the event took place or 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 www.direct.gov.uk/gro. The information 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.