



Treasury Solicitor's Department

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Our reference: BVFOI/012/15 re Beatrice Mary Deary

Freedom of Information Act 2000 Request

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

Please can you provide me with the following which will be of considerable help.

1. The initial BV letter confirming the acceptance of the claim and their value
2. The subsequent account sent to UKPF and could you let me know who the admin is.
3. The final cheque settlement amount and to whom it was paid to.

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 am withholding information relating to the BV letter confirming acceptance of the claim and the value, the subsequent account sent to UKPF and the final cheque settlement amount, 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.

The Division can confirm that the kin claim was accepted on 30 September 2014. The balance of the estate was paid to the administrator.

The Division considers that some of the information you have requested (the administrator's details) 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.