



Our reference: BVFOI/390/16 re George Wilkinson

### Freedom of Information Act 2000 Request

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

1. Please provide us with any information relating to Mr George Wilkinson's estate.
2. Please confirm whether Mr Wilkinson had a Will
3. Please provide us with an indication of the size of the unclaimed estate.

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 approximate net value of the estate is shown on the Grant of Letters of Administration issued to the Treasury Solicitor of which you hold a copy. The Grant of Letters of Administration was issued to the Treasury Solicitor as the deceased died intestate.

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

I am withholding the exact value of the estate 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.

I have interpreted the first part of your request to mean you are requesting information about blood relatives of the deceased held on the Division's file.

I have withheld certain information from the file information about possible relatives 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 withheld certain information from the file information about possible relatives 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.