



# Government Legal Department

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Our reference: BVFOI/069/17 re Derrick Albert Smyth

## Freedom of Information Act 2000 Request

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

At what stage can you reveal the value of the estate?

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

I have interpreted your request to mean that you require the value of the estate.

The Division holds all the information that you have requested. I am withholding this information, 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 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.