



Treasury Solicitor's Department

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Our reference: BVFOI/402/14 re Alan Tyson

Freedom of Information Act 2000 Request

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

We cannot find Mr. Alan Tyson's death anywhere in Italy or the UK and it states on your unclaimed estate list that he died in Cuneo, South Turin, Italy. I was wondering where you got this information and also it says he was a single man but has a married date in 2007 in Oxfordshire.

This information is not matching up to what we have found just yet.

I would appreciate it greatly if you could let me know.

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 holds information relating to the date and place of the divorce of the deceased. This information can be located on the decree absolute. The decree absolute was made final on 22 June 2011 in the Reading County Court 160-163 Friar Street, Reading, Berkshire, RG1 1HE.

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.

The Division holds information relating to the date and place of death. I am withholding this information as it is exempt from disclosure under section 32 of the Act. This is because the information is only held by the Division by virtue of its being held in a court record as defined by section 32 of the Act, and the Division is not therefore obliged to disclose the information. This is an absolute exemption under the Act and there is no requirement to consider the public interest when applying this exemption.

I have interpreted the part of your request which asks "I was wondering where you got this information" to mean who provided the information to the Division. I am withholding certain information from the file regarding who notified the Treasury Solicitor of the death 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 relating to the deceased's status and date and place of death 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.

Information is available in large print, audiotape and Braille formats
Please also visit our website: www.gov.uk



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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.