



# Government Legal Department

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Our reference: BVFOI/427/15 re Stanley Michael Whealan

## Freedom of Information Act 2000 Request

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

- 1) For how long does the Bona Vacantia Division retain an intestate unclaimed estate?
- 2) Does the Bona Vacantia Division itself seek to find relatives of those who die intestate; and if so, what can you do now you know my connection? What is the correct procedure?
- 3) Within an approximate range, (I realise it could not be exact) what is the likely value of the late Mr. Whelan's estate?
- 4) Is there an heir hunters researchers industry association, recognised by you and the legal profession, to whom I can turn? If so please give me their name and address.

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

The Division holds some of the information that you have requested.

The Division has a discretion to admit claims up to 30 years from the date of death.

The Division make enquiries to find entitled relatives by advertising estates on the Bona Vacantia Unclaimed list which can be found at <https://www.gov.uk/government/statistical-data-sets/unclaimed-estates-list>

I am withholding information, the 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.

We hold no information relating to an heir hunters researchers industry association.

