

Response to Request for Information

Reference FOI 001672
Date 08 November 2017

Public Health Funerals

Request:

Under the Freedom of Information Act, I would like to request the following information for public health funerals (for 1 March 2017 to 3 November 2017):

- a) Name of the deceased
- b) Date of birth
- c) Date of death
- d) Last residential address
- e) Have the next of kin/ family members been traced?
- f) What date has the details been transferred to the QLTR, Bona Vacantia, Treasury Solicitor, Government Legal Department, National Ultimus Haeres or Duchy?

Question 1					
Since 01/03/2017 to date (03/11/2017) the Council have carried out 20 Public Health funerals					
Question 2					
<u>Full Name</u>	<u>DOB</u>	<u>DOD</u>	<u>Address</u>	<u>Referred</u>	<u>NOK/Family Traced</u>
Keith Dando	13/04/1944	04/04/2017	*Exempt	No	Yes
Patrick Thornton	11/09/1962	13/04/2017		No	Yes
Meg Willis	21/05/1931	23/03/2017		No	Yes
Terence Brian Stanton	31/10/1938	17/03/2017		No	Yes
James Jerry McKee	30/12/1941	14/03/2017		No	Yes
Jerzy Edmund Miniach	16/11/1953	30/03/2017		No	Yes
Sadie Lilian Williams	13/01/1937	09/04/2017		No	Yes
Steven Earl Williams	16/03/1963	24/03/2017		No	No
Malcolm Bowdler	17/05/1939	12/05/2017		No	Yes

Edna Fletcher	27/08/1925	28/05/2017		No	Yes
Nellie June Bostock	29/06/1938	08/05/2017		No	Yes
Susan Jane Rogers	28/04/1959	21/04/2017		No	No
Christine Jones	06/03/1945	06/06/2017		No	Yes
Melvin David Tudor	01/02/1964	15/06/2017		No	Yes
Robert Charles Miller o/w Hickman	22/03/1965	26/06/2017		No	Yes
Barry John Boyden	25/05/1969	08/05/2017		No	Yes
Rosaline Yema Swarray	16/09/1952	04/07/2017		No	Yes
Michael Uzoras	11/05/1957	07/09/2017		No	No
John Jonathan William French	30/05/1944	04/10/2017		No	Yes
Maurice Dade	10/11/1931	17/10/2017		No	No

*In response to question d) above, the Council will not be disclosing the requested information.

The Council is of the view that this would constitute information whose disclosure to the wider world would raise concerns around the prevention or detection of crime and that Section 31(1)(a) of the Freedom of Information Act 2000 (FOI, The Act) is engaged.

Section 31(1) states that:

“Information which is not exempt information by virtue of Section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –

(a) the prevention or detection of crime...”

In considering the public interest for and against disclosure in this case, the Council has considered the public interest in disclosing the last known address of the identified deceased people could aid the resolution of any estate-related queries.

Set against this however, the Council has also considered that disclosure to the wider world (which is how any disclosure made under the provisions of the Act must be judged) may cause harm such as fraud, identity theft, criminal acts and criminal trespass and damage to vacant residential property especially when this information is put together with information that is already in the public domain.

In reaching this conclusion, the Council has taken account of guidance from the Information Commissioners Office and further considers that its approach is in accordance with the decisions reached by the Information Commissioners Office, published in decision notices FS50454267 regarding Westminster City Council – 4 December 2012 and also the decision in relation to Birmingham City Council FS50584670 – 14 October 2015.

In both cases the ICO accepted the arguments put forward by the public authorities in question regarding the application of Section 31 as detailed above.

The Council has also considered the case involving London Borough of Camden versus Mr Yiannis Voyias heard at the Information Tribunal on 22 January 2013 (EA/2011/0007).

In this case the Tribunal accepted the risk attendant in disclosing details regarding vacant properties to the wider world.