



London Borough of Barnet,  
2 Bristol Avenue,  
Colindale,  
London NW9 4EW  
3 September 2019  
Our ref: 5594508

Thank you for your request received on 3 September 2019, for the following information:

**Please could you kindly send me any information you may hold relating to 'public health act' or 'welfare' or 'contract' or 'paupers' funerals having taken place or due to take place, and/or persons who have died with no known next of kin since 1/7/19 to the day of your reply. Please include:**

- 1. full names of deceased persons,**
- 2. dates of death,**
- 3. marital status,**
- 4. maiden surnames of married or widowed females,**
- 5. dates of birth or ages at death,**
- 6. last known addresses,**
- 7. estimated value of estates,**
- 8. date(s) when the information was passed (or information that is about to be or likely to be passed) to the Government Legal Department (formerly Treasury Solicitor) or the Duchy of Lancaster or Cornwall or any other 3rd party, or, confirmation that this will not be happening and the reason why.**

**If your authority holds this information on your website, please confirm whether or not your website information is up to date and send the link. If it is not please provide full details of any unpublished cases, as per the questions above.**

**I should be grateful if you would supply the information as soon as convenient. Please email replies and let me know if you have any questions, many thanks.**

We have processed this request under the Freedom of Information Act 2000.

## **Response**

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some/all the information you requested and so we are withholding that information. Please see the Refusal Notice below.

We consider that the absolute exemption set out in Section 21 (Information accessible by other means) applies to the information requested because the information requested is already reasonably accessible elsewhere.

<https://open.barnet.gov.uk/dataset?tag=Public%20Health%20Funerals>

We consider that the qualified exemption set out in Section 31 (Law enforcement) applies to the information requested.

Therefore, we have decided to withhold the information in relation to Marital status, maiden surnames of married widowed females, dates of birth or ages at death, last known addresses and estimated value of estates.

Section 31 relates to law enforcement. Disclosure could prejudice the prevention of crime. There is a risk of fraudulent activity if we were to make this information available in the public domain.

The exemption under Section 31 is applicable to all the information you have requested. Releasing information under the FOI Act is equivalent to publishing it “to the world at large”, and so our decision must be based on the likely effect of anyone having access to the requested information.

You have asked for details of those who have died intestate with no known next of kin. The vast majority of such estates contain residential property, which, due to the circumstances of the estate, is likely to be empty, and in many cases will contain assets.

Releasing information that identifies, either directly or indirectly, the whereabouts of such properties (and assets) before they have been secured leads to a real and significant risk of theft and fraud. It may also alert unlawful occupiers to the location of empty properties in the borough.

#### Public Interest Test

Even where Sections 22 and 31 are engaged, we must still release the information unless the public interest in maintaining the exemptions outweighs the public interest in disclosure. This extra step is known as the “public interest test”. In applying this test we have considered the following factors:

#### Factors in favour of disclosure

- The general public interest in the promotion of transparency, accountability, public understanding and involvement in the democratic process.
- The benefits to potential beneficiaries of unclaimed estates of genealogists tracing them down earlier.

#### Factors in favour of withholding

- Disclosure would increase the risk of fraud and theft towards vulnerable estates, and potentially towards individuals
- Such fraud and theft would diminish the value of estates, estates that potentially have beneficiaries
- releasing information which may lead to the identification of empty empty properties in the borough

- The commercial benefits to lawyers and genealogists in tracing beneficiaries. properties increases the likelihood of

unlawful occupation in the borough

On balance this favours withholding this information and therefore the information cannot be supplied to you.

### **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

### **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.