

FOI Response Document

**FOI08039**

Thank you for your request under the Freedom of Information Act 2000 about ***Public Health Funerals*** received on ***19/02/2016***.

1. **Has the Council conducted any public health funerals since 01/10/2015- the present? (by present I mean the date of your response). Can you please include any pending funerals?**
2. **If the answer to question 1 is yes, can you send me the deceased’s:**
	1. **Full name**
	2. **Date of funeral**
	3. **Whether the Council has located a next of kin?**
	4. **Whether the Council has located a will?**
	5. **Whether details of the estate have been/will be referred to the Government Legal Department?**
	6. **Approximate value of estate (if known)?**
	7. **In each case, has the Council given the information away in another FOI request**
	8. **In each case, has the Council passed the information (outside the parameters of FOI) to a probate or genealogy firm? If so which ones and when?**
	9. **Does the Council hold any other information the Council about the deceased?**
	10. **If yes, can you provide it?**

We have considered your request and enclose the following information:

Cardiff Council has arranged 6 funerals under the provision of the Public Health (Control of Diseases) Act 1984 between October 2015 and February 2016., Of these cases 3 had traceable family that were found and 3 cases there was no known next of kin. One case a will was found. None of the cases have yet to be referred to the Treasury Solicitor and appears there will be no necessity to do so. In relation to questions g and h the Council has not provided personal details of the deceased’s to any other sources.

In relation to questions A,B,F,I & J we are not however able to supply the further information you have requested.

In accordance with section 17 of the Freedom of Information Act 200 this letter acts as a Refusal Notice.

The exemption applied is s31(1)(a) – disclosure of the additional information would be likely to prejudice the prevention of crime by enabling or encouraging the commission of offences.

This exemption applies because where a person dies intestate with no known kin the assets of an estate are at risk until they have been properly located and secured e.g. freezing bank accounts and locating title deeds. Placing details of the potential assets of the estate into the public domain before this has been done would provide opportunities for criminal acts of theft or fraud. Further there is a strong likelihood that any property or properties may be unoccupied and may contain removable property and documents which would be at risk of theft or damage if the locations were made public before appropriate steps could be taken to secure these.

We consider that the public interest in withholding the information outweighs the public interest in disclosing it.

The reasons why the public interest favours withholding the information are:

* There is a strong public interest in the prevention of crime
* There is a strong public interest in maintaining the integrity of properties which are empty particularly where no person responsible for the security of the premises can be identified.
* There is a strong public interest in allowing the Treasury Solicitor to carry out appropriate investigations into estates which are referred to it. These investigations may be impeded if information relating to the estates is placed into the public domain at too early a point in time.

In reaching the decision we identified the following factors why disclosure might be in the public interest but considered that they were outweighed by the reasons set out above against disclosure:

* There is a public interest in ensuring that relatives of the deceased are located wherever possible to ensure fair and lawful distribution of an estate. However in our view this public interest is best served by the efforts of the Treasury Solicitor and we note that details of substantial estates (in excess of £5,000) are published by the Treasury Solicitor once their initial enquires are complete and they are satisfied as to security of assets.

The City of Cardiff Council would not have released this information in response to any previous Freedom of Information requests.

If you have any queries or concerns, please do not hesitate to contact us.

Please remember to quote the reference number above in any future communications.