



Response to Request for Information

Reference FOI 003642
Date 5 June 2019

Public Health Act Funerals

Request:

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 1/4/19 to the day of your reply. Please include:

1. full names of deceased persons,
[See information provided on page 3.](#)
2. dates of death,
[See information provided on page 3.](#)
3. marital status,
[In response to question 3, Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at:](#)
 - [Section 1\(1\) \(a\) is to confirm or deny whether the information specified in a request is held.](#)
 - [The second duty at Section 1\(1\)\(b\) is to disclose information that has been confirmed as being held.](#)

[In respect of question 4, it has been established after careful consideration that the Council does not hold the above information.](#)

[Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1\(1\) \(a\) of the Act, that states:](#)

["Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".](#)

4. maiden surnames of married or widowed females,
[Please see our response to question 3 above.](#)

5. dates of birth or ages at death,
See information provided on page 3.
6. last known addresses,
In response to question 6., 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.

7. estimated value of estates,
Please see our response to question 3 above.

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.
[See information provided below.](#)

Name	Gender	Date of Death	Age	Date of Funeral	Type of Funeral	Next of Kin	Referred to Government Legal Department
JOHNSON Keith Stanley	M	24/02/2019	68	01/04/2019	Cremation	Y	N
AKOTANGNI MAXIME	M	22/02/2019	52	09/04/2019	Cremation	Y	N
HILL Margaret Elizabeth	F	27/12/2018	68	11/04/2019	Cremation	Y	N
LESLIE Stewart John Lee	M	04/03/2019	40	29/04/2019	Cremation	Y	N
ALEXANDER Paul Anthony	M	07/04/2019	62	21/05/2019	Cremation	Y	N
WALSHAW Olive May o/w Dannie	F	23/03/2019	74	22/05/2019	Cremation	Y	N
HART Joan Helen	F	06/01/2019	88	30/05/2019	Cremation	Y	N
KILARSKA Maria	F	24/04/2019	79	06/06/2019	Cremation	Y	N