



Foreign &
Commonwealth
Office

Human Resources Directorate
Foreign and Commonwealth Office
King Charles Street
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Website: <https://www.gov.uk>

12 November 2015

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 1000-15

Thank you for your email of 15 October asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

Please release the following information:

- i) Details of all criminal offences allegedly committed by UK diplomats working abroad in the past five years.*
- ii) In each case, please detail the nature of the alleged offence, the date of the offence, and in which country the accused individual was working in at the time.*
- iii) Detail in each case whether the UK government agreed to waive diplomatic immunity for the alleged individual so he/she could be prosecuted.*
- iv) Detail in each case whether the UK government removed the diplomat from the embassy following the allegation.*

I am writing to confirm that we have now completed the search for the information which you requested. I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

In response to point (i) the following table gives details of criminal offences allegedly committed by UK diplomats working abroad in the past five years.

2015 – 0 cases
2014 – 1 case
2013 – 1 case
2012 – 0 cases

2011 – 4 cases

In response to point (iii) diplomatic immunity was not used to avoid prosecution in any cases over the last five years. All Diplomatic staff posted overseas are expected to respect and comply with local laws. HMG policy is that immunity should not be unreasonably maintained and may only be claimed in exceptional circumstances, such as to protect staff from hostile action from host authorities. We expect the highest standard of conduct from British civil servants, and their families, when serving overseas and staff are expected to answer to any criminal or civil charge brought against them.

In response to point (ii) and (iv) it is not possible to provide more detailed information to answer your questions due to the small number of individuals.

Release of the information in these circumstances could lead to the individuals being identified. We therefore judge that the disclosure of such information, which constitutes personal data, would contravene one of the data protection principles. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle which, in our view, would be breached by disclosure. In such circumstances, Section 40 confers an absolute exemption on disclosure.

Diplomatic immunity is governed by the the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations and in agreement with the host nation in accordance with its laws and regulations.

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Yours sincerely,

Knowledge Management Officer
Human Resources Directorate



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