



Foreign &
Commonwealth
Office

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

09 September 2016

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0823-16

Thank you for your email of 30 August 2016 asking for information under the Freedom of Information Act (FOIA).

You wrote:

“Dear Foreign and Commonwealth Office,

Please can you provide details of complaints made by British citizens imprisoned at Dubai Central Prison since 2012? In particular, please can you provide any internal communications relating to a complaint made by British inmates at Dubai Central Prison relating to an Islamic State cell at the prison?”

Outcome of Search Disclosure

We have completed our search and I can confirm that the FCO does hold some information relating to your request. We provide assistance to **British Nationals**, which is a wider category than just British Citizens (there are six types of British Nationality, for more details please see: <https://www.gov.uk/types-of-british-nationality>).

Complaints from Detainees at Central Dubai Prison

Our arrest and detention records are categorised by country/city and for the purpose of this response I can advise only in relation to the United Arab Emirates (UAE) as a whole. We record data based on which post handles it rather than where the individual is. Unless formally reported to us, we do not record general complaints from British national detainees in the United Arab Emirates (at any facility) but instead will follow up with authorities if concerns are raised about food, accommodation and general well being for example. I am not able to provide figures for general complaints from British national detainees as to do so would require a manual search of

approximately 1,350 case files, which is the number of our individual arrest/detention cases in UAE to date from 1 January 2012. This would exceed the cost limit for the reasons set out below.

Complaints about Torture and Mistreatment at Detention Facilities in the UAE

We do record formal allegations of torture and mistreatment. The FCO Consular Directorate is aware of allegations made by 11 British nationals of torture or mistreatment in UAE prisons, police stations or detention centres in 2012. Allegations in each of the years since 2012 are less than 6 and we are therefore not obliged under the Data Protection Act 1998 to disclose this information for the reasons set out below.

Complaints relating to Islamic State Cell at UAE Prisons

We are not able to answer this question as we do not store information in this way within our consular records. Again we would have to search 1,350 records covering the period 1 January 2012 to 31 August records to identify any such references. This would exceed the cost limit.

Withheld Information and Exemptions Applied

We have withheld some of the information you have requested and applied the following FOIA exemptions:

- **Personal Data Section 40**
- **Cost Limit Section 12**

Personal Data Section 40

It is our view that disclosure of this information would breach the first data protection principle, which states that personal data should be processed fairly and lawfully. Section 40(2) and (3) of the Freedom of Information Act therefore apply. It is the fairness aspect of this principle which we believe would be breached by disclosure in this case. In such circumstances section 40 confers an absolute exemption on disclosure. We do not therefore have to apply the public interest test.

Cost Limit Section 12

Section 12 of the Freedom of Information Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. The limit has been specified in the Freedom of Information and Data Protection (Appropriate Limit

and Fees) Regulations 2004. For central government the appropriate limit is set at £600. This represents the estimated cost of one or more persons spending 3 ½ working days in determining whether the Department holds the information, and locating, retrieving and extracting it. Your request as presently formulated is narrowly-framed, but given the way our data is stored I estimate that it will take more than 3 ½ working days to locate, retrieve and extract this precise information. A high level summary data search yielded approximately 1,350 manual consular assistance records from 1 January 2012 to 31 August 2016 covering arrest and detention in the UAE. Each record totalled an average of 50 pages of data. I estimate that in one working day I would be able to assess approximately 30 records. To manually search 1,350 cases would take approximately 45 working days.

Yours sincerely,

FOI/DPA Desk Officer



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.