



Foreign &
Commonwealth
Office

2 August 2013

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0624-13

Thank you for your email of 3 July to the Information Management Department's FOI/DPA Team in which you requested, under the Freedom of Information Act 2000 (FOIA), information about the British nationals who were victims of crime in Brazil in the last 2 years.

Your request stated:

"I am trying to ascertain how many British nationals were victims of crime in Brazil in the last two years. I appreciate that many will not have been reported to the Embassy, I am simply trying to get a breakdown of the consular assistance provided to British victims of crime.

If possible could this be broken down into the following:

*Year
City/area of occurrence
Offence"*

I can confirm that the Foreign and Commonwealth Office (FCO) holds information relevant to your request.

We do not hold centrally data on the number of British nationals who were victims of a crime overseas. However, we do categorise consular assistance cases according to type, and some of these relate to crimes against British nationals. These are death (murder), assault (sexual and general) and rape. I attach a table containing data on the number of recorded cases for Brazil, broken down by region for the last 2 years.

The data has been taken from COMPASS, our global assistance database, and includes cases that were recorded by consular officers where the main or secondary reason that consular assistance was provided to the British national (or family member) was in connection with the murder, sexual assault or rape.

Please note that in all cases the figures reflect the number of services, i.e. the number of case files opened in that year. Each service recorded may, therefore, represent more than one individual. As you are aware, the data reflects only those cases that were reported to the FCO, so the figures will not include all cases involving British nationals in the period.

We have been unable to confirm to number of cases for countries where fewer than 5 are recorded as, given the low numbers, disclosure of this information 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, Section 40 (2) and (3) of the FOIA applies. 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. Section 40 confers an absolute exemption on disclosure. We do not therefore have to apply the public interest test.

Other cases where British nationals have sought consular assistance due to being a victim of a crime are likely to be captured under the advice/self help or welfare categories on our COMPASS database. These include a range of cases and it not possible to extract data on which cases in these categories relate to British nationals who were victims of a crime. The only way to identify such cases is by carrying out a manual search of each case file recorded for Brazil in each category in the last 2 years. This would take time due to the number of recorded cases and the need to determine from the case notes whether they are relevant to your request. We, therefore, assess that the time involved in extracting any additional data would exceed the cost limit under the FOIA.

As you are aware, the FCO is not obliged to comply with requests for information where the cost of dealing with them would be likely to exceed 'an appropriate limit'. Section 12 of the FOIA allows 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 figure represents the estimated cost of one or more persons spending 3½ working days in determining whether the government department concerned holds the information, and to find, retrieve and extract the relevant material.

You may wish to consider refining your request to bring it within the appropriate limit. We would like to be as helpful as possible and are happy to consider a reformulated request. For example, restricting the time-frame may make it possible to conduct manual searches of cases explained above. However, we are unable to guarantee release in advance as any information must be assessed under the FOIA or that a search will produce any meaningful data.