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Date: 24 April 2014

## **FREEDOM OF INFORMATION (FOI) REQUEST REF 0120-14 CONS REF 07-14**

Thank you for your email of 29 January asking for information the Foreign and Commonwealth Office (FCO) holds as detailed below.

***“1) the number of British nationals arrested overseas for terrorism-related offences in each of the past five years.***

***2) If possible, please also confirm in which countries the arrests occurred, if necessary by grouping them together to avoid individual identification”.***

We have completed our search and I can confirm that the FCO does hold some information relating to your request. Some of the information we hold which is relevant to your request is, in our view, already reasonably accessible to you. Under Section 21 of the FOI Act, we are not required to provide information in response to a request if it is already reasonably accessible to the applicant. PQ answers on this subject are available to view at <http://www.parliament.uk/business/publications/hansard/commons/>. For ease of reference, I can release this to you in its entirety below. This relates specifically to detainees rather than arrests specifically.

### **PQ**

*Lord Maginnis of Drumglass: how many (1) British-born people, and (2) British-based immigrants, are known to be (a) in overseas prisons, and (b) in prison in the UK, awaiting trial or having been convicted of extreme Islamist terrorist involvement. HL2760*

### **FCO Reply**

*‘We are aware of twelve British Nationals who are currently being detained overseas on terrorism charges, and are providing consular assistance. We do not hold information on whether these charges relate specifically to Islamist terrorism. The British Government does not record the data in the way requested for British-based migrants in British prisons, and does not maintain records of British-based migrants who are currently detained in overseas prisons on terrorism related charges’.*

We may hold further information on COMPASS (our electronic consular case file system). However COMPASS does not include terrorism-related arrests as one of its report attributes. I am therefore unable to provide data for this request.

We can only provide overall statistics on the number of arrests/detentions for the following attributes covering the period March 2009 to February 2014:

- child sex 333
- drugs 4,043
- general 21,976
- immigration 3,178

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.

Of the 21,976 general arrest cases some may be related to terrorism but we cannot confirm numbers. As this information is not held centrally it would require a manual search of COMPASS, our database for recording assistance cases. Given the number of arrest cases recorded for this period, we assess that the time needed to extract the information would take over 40 hours (six working days) which exceeds the cost limit under the FOI Act. Your request as presently formulated is widely-framed and I estimate that it will take more than 3 ½ working days to locate, retrieve and extract this information if indeed this is held. In these circumstances we are not obliged under the Act to comply with your request.

You may therefore wish to refine your request to narrow its scope to bring it within the appropriate limit. For example you could:-

- be specific about a country and ask for statistics covering a 6-12 month time frame
- ask for information about detainees on terrorism charges rather than arrests

Any such information that we do subsequently find may be subject to exemptions and some material withheld. It may also be the case that in fact we do not hold any such information on our Compass records or elsewhere or that there were found to be less than five such cases (in which case we would not reflect this in our statistics).