



Foreign &
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Office

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FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0026-14

Thank you for your email of 7 January 2014 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

- 1. How many British females have sought assistance from the Foreign Office in India in the past five years?*
- 2. Out of these how many were subjected to sexual assault, rape or harassment while travelling in the country? Could you please break this down by year and offence?*
- 3. Could you specify how many of these crimes were carried out by Indian nationals - and how many resulted in a prosecution?*

I am writing to confirm that we have now completed the search for the information which you requested.

We can provide data on how many British Nationals of both genders have sought consular assistance in India over the last five years. We can also provide data on how many reported cases of sexual assault/rape, covering both genders, were reported and break these down by year. We do not collect statistics on harassment.

Dates (per financial year - Apr to Mar)	Total Consular Assistance provided to British Nationals in India*	Rape cases reported to the FCO in India	Sexual Assault cases reported to the FCO in India
FY 2009-10	429	**<=5	<=5
FY 2010-11	348	0	<=5
FY 2011-12	329	<=5	<=5

FY 2012-13	356	0	<=5
FY 2013-14 (Apr-Nov 2013)	234	0	<=5

* Doesn't include Passport/Emergency Travel

Document assistance stats

**<=5 less than or equal to 5

We are unable to provide precise figures when these are five or less due to the risk that individuals will be identified, as we are required to protect their identity under the Data Protection Act.

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. There is, therefore, no public interest test to apply.

We do not hold statistics on the nationality of the perpetrators of crime and the outcome of any criminal proceedings.

We do not hold data broken down by gender and to interrogate our database to obtain this covering the last five years would exceed the appropriate cost limit. 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 widely-framed and I estimate that it will take more than 3 ½ working days to locate, retrieve and extract this information. In these circumstances we are not obliged under the Act to comply with your request. You should therefore consider submitting a new request and refining this – for example you could ask us to check our records for the last year and we would then be able consider if we would be able to locate the information within the cost limit and subject to exemptions.

The FCO can neither confirm nor deny whether the above information represents all the information held that would met the terms of your request, as the duty to comply with section 1(1)(a) of the Freedom of Information Act does not apply by virtue of sections 23(5). Section 23 confers an absolute exemption on disclosure. We do not therefore have to apply the public interest test.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless it is exempt. The information we have supplied to you may now be published on our website together with any related information that will provide a key to its wider context.