



Foreign &
Commonwealth
Office

Consular Directorate
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH
Email: FOI/DPATeam.Consular@fco.gov.uk
Website: <https://www.gov.uk>

02 March 2015

Dear,

FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: FOI 0220-15

Thank you for your email of 26 February 2015 in which you asked:

I am working in Development within the BBC and we're looking into the potential for a daytime series about crime in the Costa Del Sol. Does the Foreign Office hold statistics for the number of UK citizens arrested (including when on holiday) in the last year or so, and under what offence they were arrested? I am trying to track down some recent statistics and if you are able to point me in the right direction, that would be much appreciated.

We have now completed our search and consultation process and I can confirm that the Foreign and Commonwealth Office (FCO) does hold some information relevant to your request.

The table below shows the total number of reported cases of arrest to our diplomatic mission in Malaga, which covers the Costa Del Sol. The figures are for 2013 and 2014 and are broken down by the four different categories of arrest recorded on our database.

Number of arrest cases reported to British Consulate Malaga	2013	2014
Arrest/Detention - Child Sex	<=5	<=5
Arrest/Detention - Drugs	42	52
Arrest/Detention - General	208	195
Arrest/Detention - Immigration	<=5	<=5

Please note that where the number of reported cases is less or equal to five, these are annotated as <=5, to avoid the risk of identifying the individuals concerned. To release this 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, s.40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

We are also unable to provide you with the exact details of offence because our database does not store this information in a way that is easily searchable. We would have to search each individual case on our database to see if we hold any information relevant to this part of your request, which would exceed the appropriate cost limit. Section 12 of the FOIA 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 FOIA to comply with your request.

It is also possible to obtain our statistics on the GOV.UK website – the link for this is as follows: <https://www.gov.uk/government/collections/consular-data>. The information is available by month, for each of our diplomatic missions overseas.

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Yours sincerely,

Desk Officer

Consular Directorate

