



Foreign & Commonwealth Office

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20 February 2015

Dear,

FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: FOI 0092-15

Thank you for your email of 2 February 2015 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

“Can I please request the following information:

- 1) *How many new cases of international parental child abduction and custody cases was the FCO involved in the following years: 2004, 2005, 2006, 2008*
- 2) *What was the total number of cases, involving non-Hague countries for the following years: 2005, 2014*
- 3) *How many new cases in 2005 involved India and Pakistan.”*

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 child abductions and custody cases reported to the Foreign and Commonwealth Office (FCO) in 2004 – 2006 and 2008, and those in India and Pakistan in 2005.

Year	Child Abduction	Child Custody
2004	209	70
2005	129	97
2006	160	148
2008	182	158
2005		
India	<=5	<=5
Pakistan	33	<=5



This data has been taken from the FCO's global consular assistance database, and includes cases that were recorded by consular officers where the main or secondary reason that consular assistance was provided was in connection with child abduction or child custody.

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.

Please note that where the number of reported cases is less than 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.

For question 2, we do not have statistics for the number of cases in non-Hague countries. We do not have a definitive list of non-Hague countries, including or not including territories. I understand that there are likely to be well in excess of 100 such countries.

It is therefore likely that, even with an agreed list of non Hague countries, this part of the request would exceed the appropriate cost limit. Section 12 of the Freedom of Information Act (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 £600. This represents the estimate cost of one or more persons spending 3.5 working days in determining whether the department holds the information, and locating, retrieving and extracting it. But without the exact number of countries involved it is not possible to confirm it would exceed the cost limit.

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Yours sincerely,

Consular FOI/DPA team
Consular Directorate



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