



Foreign &  
Commonwealth  
Office

Consular Directorate  
WH4.3  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH

[www.gov.uk/government/organisations](http://www.gov.uk/government/organisations)

17 February 2017

**FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0088-17**

Thank you for your email of 23 January, asking for information under the Freedom of Information Act (FOIA) 2000. You asked for:

**‘Confirmation of whether the Foreign and Commonwealth Office holds any information regarding complaints of prisoners in Dubai suffering from inhuman or degrading treatment in prison or ill-treatment, torture or mistreatment within the criminal justice system in Dubai in the last 8 years. Specifically, we are seeking confirmation on whether any individual has complained of:**

- Inhuman or degrading prison conditions;
- Torture;
- Corporal punishment;
- Physical beatings;
- Forced confessions;
- Cruel and unusual punishments;
- Deprivation of legal advice;
- Discrimination on the grounds of nationality, race or religious belief;
- Failure to provide court interpreters at hearings;
- Arbitrary detention for indefinite periods.

If you hold the information above, we request the following further details of the complaints:

- The date the complaint was raised and the period of time it relates to;
- The nature of the complaint (as per the list above);
- The region / locality / prison the complaint relates to.’

**Outcome of Search**

I am writing to confirm that we have now completed the search for the requested information and that the Foreign and Commonwealth Office (FCO) does hold information relevant to request.

## **Disclosure**

We are able to provide information from the year 2011 onwards. We take allegations of torture and mistreatment seriously and where appropriate, and with the permission of the individual, we raise them with the authorities. The FCO is aware of 14 allegations of torture or mistreatment within the criminal justice system in Dubai in 2011 and 7 allegations in 2012. Allegations in each year after 2012 are five or fewer. We are therefore not obliged under the Data Protection Act 1998 to disclose this information, as set out below under the 'information withheld' heading. As standard we do not provide statistics for numbers of five or fewer, as we consider that there is a risk that individuals could be identified.

You asked for a breakdown of numbers against specific headings. I can provide information for the requested heading 'physical beatings'. The FCO is aware of 16 such allegations made since 2011. The figures for all other categories requested are either five or fewer cases and we are therefore not obliged under the Data Protection Act 1998 to disclose information.

## **Information withheld and Exemptions Applied**

### **Personal data Section 40**

It is our view that disclosure of this information would breach the first data protection principle, which states that personal data should be processed fairly and lawfully. Section 40 (2) and (3) of the Freedom of Information Act therefore apply. It is the fairness aspect of this principle which we believe would be breached by disclosure in this case. In such circumstances section 40 confers an absolute exemption on disclosure. We do not therefore have to apply the public interest test.



