



Foreign & Commonwealth Office

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03 February 2017

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0086 and 0087-17

Thank you for your two emails of 20 January 2017 asking for information under the Freedom of Information Act (FOIA). We have combined both requests rather than respond separately.

Details of the Requests

FOI 0086-17 Murders of British Nationals Abroad

You wrote:

“How many murders were reported by British nationals abroad between January 1st 2016 to January 1st 2017? Please break this down by country where the crime was allegedly committed and whether someone has been charged or prosecuted in the case. Where there has been no charge or prosecution please indicate where the British authorities have intervened in the case and what they have done to try and achieve justice”.

FOI 0087-17 Rape and Sexual Assault of British Nationals Abroad

You wrote:

“How many rapes/sexual assaults were reported by British nationals abroad between January 1st 2016 to January 1st 2017? Please break this down by country where the crime was allegedly committed and whether someone has been charged or prosecuted in the case. Where there has been no charge or prosecution please indicate where the British authorities have intervened in the case and what they have done to try and achieve justice”.

Outcome of Search and Disclosure

We have completed our search and I can confirm that the FCO does hold some information relevant to your request.

I attach with this letter a PDF spreadsheet which sets out the statistics we hold in relation to the (a) the death of British Nationals Abroad and (b) the rape and sexual assault of British Nationals abroad between 1 January 2016 and 1 January 2017.

We have respected the confidentiality of third parties by withholding information relating to them as appropriate, as releasing this information would constitute a breach of the Data Protection Act 1998.

I would like to provide some additional background and context to the information disclosed. Consular Directorate collect global statistics of the British nationals, of whom we are aware, who have been murdered overseas or report being victims of rape and sexual assault. The families of murder victims may choose not to notify the Embassy, High Commission or Consulate and likewise victims of rape and sexual assault may also chose not to report what has happened to them or seek consular assistance. There is no requirement for them to do so.

Withheld Information

Statistics

You will notice that we have provided full disclosure of statistics for FOI 0086-17 (death of British Nationals abroad) whereas for FOI 0087-17 (rape and sexual assault of British Nationals abroad) we have withheld some of the data and marked this <5. In the latter case we cannot disclose cases where the totals are 5 or less because to do so may lead to revealing identities, which would be a breach of the Data Protection Act 1998. We have therefore applied Section 40 (Personal Information to this element of your request).

Information about the Outcome of Investigations

In addition to the statistics, you also asked for information in relation to the outcome of any criminal investigations and whether the British Government had intervened in cases where there was no charge or prosecution. This information is not recorded on our data base and we would have to manually search our records. This would take disproportionate time and we will therefore not be providing this information. Additionally any information we did identify within a narrower scope would likely also be withheld as it may lead to the identity of third parties. We are therefore applying Section 12 and Section 40 to this element of FOI 0086-17 FOI 0087-17.

In March 2015 the FCO established a bespoke consular team to provide a specialised service to bereaved families of British nationals who have been murdered abroad. This team offers a compassionate and comprehensive service to the families – and liaises directly with them. The team also engages with relevant NGOs, the UK Police, Coroners Offices and a range of other stakeholders to ensure an inclusive and informed service.

We take any report of rape and other forms of sexual assault seriously and will try to see people to offer support as soon as possible and in private. Support includes giving the person information on what professional help is available locally and in the UK, both for the person and their family. We can also tell people about the local police and legal procedures. We cannot give legal advice, but if the

person wants us to we can give them a list of local lawyers. If the person wants to contact the police, we can go to the police station with them. However, only the person can decide whether or not to report the crime to the police or take legal action – we cannot make that decision for them.

Exemptions Applied

Cost Limit Section 12

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 narrowly-framed, but given the way our data is stored I estimate that it will take more than 3 ½ working days to locate, retrieve and extract this precise information for each request.

Section 40 Personal Information

Some of the information you have requested, is personal data relating to third parties, the disclosure of which 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 keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.