



## Foreign & Commonwealth Office

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17 July 2017

### **FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: FOI 0585-17**

Thank you for your email of 18 June May 2017 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

***“ I am writing to you under the Freedom of Information Act 2000 to kindly request the following information from the Foreign Office:***

- 1. The number of British nationals that have died in foreign countries. Please provide the top five countries where they have died, the number of Britons that have died there and the stated cause of death.***
- 2. The number of Britons jailed or current held pending trial overseas. Could you please state the top five countries and their stated crimes, if possible?***
- 3. The number of Britons held on terrorism charges and which countries.***
- 4. The number of Britons held on espionage charges and which countries.***
- 5. The exact number of British troops in Iraq, Syria and Afghanistan. I understand they are in the public records, however number is ambiguous.”***

#### **Outcome of search**

We have now completed the search for the information you request and I can confirm that the Foreign and Commonwealth Office (FCO) does hold some information relevant to your request. However, we are refusing the disclosure for the reasons set out below.

#### **Disclosure**

Please find below the information held to which you are entitled under the FOIA.



- 1) The following provides a link to the 'Helping British Nationals Abroad' publications on gov.uk, which have figures on deaths: <https://www.gov.uk/government/statistical-data-sets/helping-british-nationals-abroad-2016> See below Section 21 Information accessible by other means refers.
- 2) The following provides a link to the 'Helping British Nationals Abroad' publications on gov.uk, which have figures on arrest/detentions: <https://www.gov.uk/government/statistical-data-sets/helping-british-nationals-abroad-2016> See below Section 21 Information accessible by other means refers.
- 3) We are withholding this information. See below, Section 27 International relations refers.
- 4) We are withholding this information. See below, Section 27 International relations refers.
- 5) The FCO does not hold this information. You should direct your request to the Ministry of Defence at: [cio-foi@mod.uk](mailto:cio-foi@mod.uk)

We are withholding some information held, for the reasons set out below.

### **Withheld information (Exemptions Applied)**

#### **Section 21 Information accessible by other means**

Some of the information requested is, in our view, reasonably accessible in the public domain. Under Section 21 of the FOIA, we are not required to provide information in response to a request if it is already reasonably accessible.

#### **Section 27 International relations**

Some of the information that you requested was considered under Section 27 (1) (a) of the FOIA as the disclosure of the information would, or would be likely to, prejudice relations with another State. Section 27 is a qualified exemption. As such, a public interest test to determine whether or not the information should be released had to be applied. We have now completed our assessment of where the balance of the public interest lies.

The effective conduct of our relationship with other governments depends on maintaining their trust and confidence. If we do not, our ability to work with them on a range of issues would be impeded. We recognise that there is a public interest in transparent and open government and releasing information that would inform public debate about our efforts to co-operate with international partners on consular cases involving British nationals. However, we have to balance this with the need for their co-operation with us in the future.

Our relationship with the foreign governments, including local authorities, allows us to freely discuss foreign policy and to carry out our consular obligations. If we do not honour our part in this relationship, foreign governments, may be more reluctant to share sensitive information with the UK Government in future, and may be less likely to respect the



confidentiality of information supplied by the UK Government to them. This could undermine relations and seriously compromise our ability to work with them, including on ongoing and future consular matters involving British nationals.

In considering where the balance of the public interest lies in this case, we have assessed the damage that would be likely to be caused to relations with foreign governments involved if the information were to be disclosed against the wider public interest in disclosure. We judge that the release of the information would be likely to harm relations. However, we assess the general interest in this information to be relatively small. For this reason, we believe that the public interest in releasing this information does not outweigh the case for exemption on this occasion.

### ***Section 40 Personal information***

The information found contained 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, in our view, that 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.

