



Foreign &  
Commonwealth  
Office

Diplomatic Missions and  
International Organisations Unit  
Protocol Directorate

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19 February 2018

### **FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0065-18**

Thank you for your email of 22 January 2018 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

- 1) *For offences considered by the Diplomatic Protection Group of the Metropolitan Police and the FCO because the offender had diplomatic immunity, please state the number that*
  - a) *Were brought to the attention of the Head of Mission*
  - b) *Led to a request for the withdrawal of the alleged offender from this country*
  - c) *Led to a request to the Head of Mission to waive diplomatic immunity so that a prosecution could take place.*

*Please provide information for 2017*

- 2) *For offences in categories a, b and c in question 1, please provide a description of the incident*

*Please provide information for 2017*

We can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

We expect all foreign diplomats in the UK to abide by UK laws at all times. We take a proactive approach – regularly reminding missions of diplomats' obligations to respect UK laws. We take a firm line with diplomatic missions and international organisations whose diplomats commit offences.

There were 26 alleged offences which resulted in our writing to the Heads of diplomatic missions or, in the absence of a Head of Mission, a Chargé d'Affaires, in 2017. Of those, we asked for one of the alleged offenders to be withdrawn from their post. Additionally one diplomatic mission/sending State decided itself to withdraw an alleged offender. We sought two waivers of immunity on behalf of the Metropolitan Police Service, to allow them to investigate the alleged offences in question. Following any investigation it is for the police and the Crown Prosecution Service to determine whether or not to pursue a prosecution.

Details of nine of the alleged 26 offences will be published in the annual Written Ministerial Statement (WMS) covering alleged serious offences by those entitled to diplomatic

immunity, and so this information is therefore exempt under Section 22 of the FOIA (information intended for future publication). Section 22 provides that:

Information is exempt information if:

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not)
- (b) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

The exemption under section 22 of the FOIA recognises that it must be reasonable in all the circumstances to withhold the information until the date of publication. Given the necessary preparation and administration involved in publishing the information, we consider that our publication timetable is reasonable.

Of the remainder - which do not meet the criteria for publication in the WMS - our records show that thirteen of the alleged 26 offences related to driving a motor vehicle on a road at a speed exceeding the legal limit. The other four offences were single cases of: driving a vehicle in a dangerous condition; common assault; possession of a class B drug; and "making off without payment".

Yours sincerely,

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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.