

Mr Mohammed Mariam
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Reference: FOI 21133/11

23 January 2012

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Dear Mr Mariam

RE: FREEDOM OF INFORMATION REQUEST

Thank you for your further e-mail of 19 December 2011 addressed to the Foreign and Commonwealth Office (FCO) seeking more information under the Freedom of Information Act 2000 about British passport applications processed overseas. Because the Identity and Passport Service (IPS) took on formal responsibility for issuing British passports overseas from the FCO with effect from 1 April 2011, I have been asked to reply.

You asked:-

1. How many British passport application made overseas refused from 2005 till to date?

We do not hold data on the number of British passport applications refused overseas prior to 2006 because the FCO introduced a new passport processing system in 2006 (BRIT) and the system BRIT replaced did not have a reporting facility that allowed for data on the numbers of refusals made overseas up to 2005 to be extracted. The only way to obtain this data for 2005 would be to manually search individual records.

As you may know Section 12 of the Freedom of Information Act (FOI Act) allows public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. For central government the appropriate limit is set at £600. This figure represents the estimated cost of one or more persons spending 3.5 working days to determine whether the government department concerned holds the information and to find, retrieve and extract the relevant material. In this case we estimate that the cost of answering your query for 2005 would exceed the cost limit in the Act.

However, we can confirm that the number of British passport applications refused overseas between 1 January 2006 and 3 January 2012 the FCO's records indicate that, out of a total of 2,158,224 British passport applications received overseas, 6645 were refused.

2. How many passport application granted in the ground of DNA test after their refusal?

This information is not held. Data is not captured centrally by the FCO to record the information requested, and to produce this information would require a significant number of staff at the FCO posts overseas to identify and collate data manually. This would exceed the cost limit under section 12 of the FOI Act, as set out above.

3. What actions were taken for wrong refusal against passport officer's decision? Any compensation claim made by them or not?

4. What is the rule If wrongly refused by officer and if, please let me know the law governed on it.

In response to questions 3-4, in the FCO decisions made by Passport Officers found to be incorrect in nationality law are routinely reviewed by the officer's line manager as part of the reportee's annual appraisal process. If this identifies shortcomings in an officer's performance, or training, in the previous year these issues would be addressed in the officer's annual appraisal and subsequent personal development plan. If such incorrect decisions are found to be, or suspected to be, owing to fraudulent activity they will be investigated by the FCO's internal fraud investigation team (Financial Compliance Unit) and addressed by the (gross) misconduct procedures of the Diplomatic Service Regulations (or Home Service Regulations, if applicable). I attach copies of some extracts from the Diplomatic Service Regulations for your reference. As you might expect any compensation claims resulting from decisions to refuse passport applications to applicants overseas which are found to be incorrect in law would be considered on a case-by-case basis. But, once again, records are not maintained centrally by the FCO of the number of compensation claims that fall into this specific category.

In keeping with the FOI Act, we assume that all information can be released to the public unless it is exempt.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that IPS holds.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference FOICR 201133/11. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
e-mail: FOIRequests@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

H Reid
Parliamentary & Correspondence Management Team