

## BREACH OF THE CODE OF PRACTICE FOR OFFICIAL STATISTICS

This document reports a breach of the Code of Practice for Official Statistics, or the relevant Pre-release Access to Official Statistics Orders, to which the Code applies as if it included these orders.

### 1. Background information

Name of Statistical Output (including weblink to the relevant output or 'landing page')

Tribunals Statistics Quarterly Official Statistics Publication

<https://www.gov.uk/government/collections/tribunals-statistics>

Name of Producer Organisation

Ministry of Justice (MoJ)

Name and contact details of the statistical Head of Profession (Lead Official in an Arm's Length Body) submitting this report, and date of report

Mike Elkins – 12 June 2014

### 2. Circumstances of breach

Relevant Principle/Protocol and Practice

Principle 2 : Impartiality and objectivity

Practice 1: Publish statistical reports in an orderly manner, in accordance with Protocol 2.

Practice 3 : Make official statistics equally available to all, subject to statutory provisions for pre-release access (PRA).

Date of occurrence

11 June 2014 – article on Guardian.com

<http://www.theguardian.com/society/2014/jun/11/work-capability-assessment-collapse-benefits>

4 June 2014 – posted on Rightsnet.org

<http://www.rightsnet.org.uk/forums/viewthread/6471/P15/>

Nature of breach (including links with previous breaches, if any)

Management Information on Social Security and Child Support tribunals was made publicly available by an organisation called Rightsnet on June 4 and was published in an article in The Guardian on June 11 ahead of publication of Official Statistics on Social Security and Child Support tribunals on June 12.

Reasons for breach

An internal MoJ paper contained an article which quoted Management Information (MI) and was not marked as Official Sensitive. This publication was obtained by an organisation called Rightsnet who made it available on the Rightsnet.org website on June 4. The Guardian used some of the information in an article on 11 June.

### **3. Reactions and impact (both within the producer body and outside)**

From a search of other mainstream media we have not found any other instances where the figures have been used on 11 June. There was some further reporting of the figures on a handful of blogs.

### **4. Corrective actions taken to prevent reoccurrence of such a breach (include short-term actions, and long-term changes made to procedures)**

Short term: We are not currently able to ascertain how the information was obtained by Rightsnet. As the figures were published on 12 June no action has been taken to get the figures removed.

Long term: Produce and publish guidelines for working with operational Management Information (MI) which will in due course be published as Official or National Statistics - this will reinforce with MoJ officials and all those with operational responsibilities how the Code of Practice for Official Statistics should be applied and adhered to. They should include guidance on the appropriate use of protective markings and reiterate that where possible, published figures should be referred to in order to help prevent breaches of the Code.

In addition, all MI released by MOJ or its agencies will strengthen existing protective markings and make them more prominent, including making reference to any circulation restrictions in any/all covering documentation.

### **5. Links to published statements about this breach**

Link to statistical notice on MoJ stats page (notice live on 12 June)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/319865/tribs-stats-breach-notice-11-06-14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319865/tribs-stats-breach-notice-11-06-14.pdf)