

REPORT OF A BREACH OF THE CODE OF PRACTICE FOR STATISTICS



1. Core Information

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| Title and link to statistical output | Crown Court Bulletin January to March 2019 (provisional figures) Magistrates' Court Bulletin January to March 2019 (provisional figures) https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research |
| Name of producer organisation | NI Courts & Tribunals Service (NICTS), Department of Justice (DoJ) |
| Name and contact details of person dealing with report | Laura Duncan Email: laura.duncan@justice-ni.x.gsi.gov.uk Tel: 02890 520190 |
| Link to published statement about the breach (if relevant) | https://www.justice-ni.gov.uk/articles/nicts-statistics-and-research |
| Date of breach report | 09/05/2019 |

2. Circumstances of breach

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| Relevant principle(s) and practice(s) | Principle T3 – Orderly Release Practice T3.4 – <i>Content of a statistical report has been shared before publication with someone not on the relevant pre-release access list</i> |
| Date of occurrence of breach | 09/05/2019 |
| <p>As part of pre-release access (PRA) agreements, an email with an attached 'OFFICIAL SENSITIVE Note to the Chief Executive' was circulated to a subset of pre-release access recipients at 9.30am on 09/05/2019. This note, circulated in addition to the publications, contained a high level summary of figures for the Crown Court and Magistrates' Court Bulletins for the period January to March 2019. The attachment highlighted that the information was classified as 'Official Sensitive' and embargoed until 9.30am on 10/05/2019. Text was also included within the body of the email highlighting the security marking of the note and pre-release access requirements.</p> <p>A recipient of this e-mail responded to the Chief Executive, at 11.32am, requesting clarification around certain points, and cc'd in another Senior Civil Servant, who also worked within DoJ, but who was not named on the PRA list. Statistics staff became aware of the breach when the Chief Executive forwarded the email requesting a response to the queries. Corrective action was taken immediately.</p> <p>A meeting with the NICTS Chief Executive took place at 1.30pm on 09/05/2019 to draw attention to the breach. At 13.40pm on 09/05/2019, an email was sent by the Chief</p> | |

Executive to the Senior Civil Servant who had forwarded the email in question highlighting that their actions had constituted a breach of official statistics.

The Senior Civil Servant not on the pre-release list was also contacted and the email was destroyed immediately without reading.

3. Impact of the breach

A DoJ Senior Civil Servant, who was not on the PRA list, received an email containing some of the headline results prior to release. As the email was deleted without being opened, no statistics were released in advance of publication.

4. Corrective actions (taken or planned) to prevent re-occurrence

Statistics staff within NICTS discussed the matter with the Chief Executive stressing concerns about PRA breaches and the potential consequences of continued breaches. These concerns were conveyed to the Senior Civil Servants involved (the sender and recipient of the email) immediately in response to the identification of the breach.

Statistics staff have also implemented corrective actions to ensure that all emails containing restricted information are clearly marked with the list of people for which pre-release access has been granted. Additional text 'DO NOT FORWARD' will be added to the subject of the email. All markings shall also be made more distinctive within the text with the use of highlighting. This will be applied to all outgoing emails containing information relating to publications prior to release.

It is also planned to discuss the pre-release access list with recipients to ensure that all relevant people are included for future publications. This will take place as part of the pre-release exercise for each new publication and has been commenced for the publications in question.