



STATEMENT OF COMPLIANCE
with the
PRE-RELEASE ACCESS TO OFFICIAL STATISTICS ORDER
(NORTHERN IRELAND) 2009

Introduction

This statement sets out the Public Prosecution Service's (PPS) operational arrangements for giving the Director of PPS and his briefing officials pre-release access to official statistics once they are in their final form prior to publication. These arrangements are designed to ensure that such access is justified, limited, controlled and publicised and complies with statutory requirements.

The purpose of these arrangements is to maintain public confidence in the integrity of official statistics while allowing the Director to comment immediately on the implications of statistics covering policy areas for which they, themselves, are responsible.

This statement is published in conformance with Paragraph 9 (c) of the Pre-release Access to Official Statistics Order (Northern Ireland) 2009 which was approved by the Assembly under Section 11 of the Statistics and Registration Service Act 2007 and which came into effect on April 1st 2009.

Exclusion

Different arrangements apply to access to administrative or management data where those data subsequently form the basis for published official statistics.

Details of the administrative or management data systems used by PPS in compiling Official Statistics are set out separately in the Statement of Administrative Sources which can be found at the link below:

[Statement of Administrative Sources](#)

Authority

These arrangements have been drawn up by PPS's senior statistician in consultation with the Northern Ireland Statistics and Research Agency (NISRA) Chief Executive and the Management Board within PPS. The senior statistician in PPS is also responsible for ensuring the day-to-day implementation of these arrangements.

General Principle

The PPS operates under the general principle that pre-release access to official statistics must be:

- limited to the minimum number of persons deemed necessary to allow the Director to either:
 - provide responses to questions, or make statements about those statistics at, or shortly after, their time of publication; or
 - take action just before, at, or shortly after the time of publication.

- allowed in circumstances where the public benefit likely to result from such access outweighs the detriment to public trust in official statistics likely to result from so doing.

Grant of advance access

The arrangements set out in this statement are confined to those persons who meet the eligibility criteria set out in Annex A(i) attached. Recipients can, in addition, share their access with their immediate administrative support staff even though those staff may not directly engage with the statistics in question. Their advance access is limited to statistics which meet the eligibility criteria set out in Annex A(ii) attached, and which are in their final form prior to being published for the first time.

Documentation and Publication

In the interests of openness and transparency, the PPS maintains a public record on its website listing the titles of the statistical releases to which these arrangements apply, as well as the job titles of all those persons to whom pre-release access is granted, and the organisations to which they belong (see Annex B).

Period of access

In line with the legislative rules, pre-release access to the organisation's official statistics is restricted to a maximum of 24 hours before their public release on the following day – usually at 09.30.

In exceptional circumstances only, and in accordance with Paragraph 5 of the Pre-release Access to Official Statistics Order 2008, the senior statistician may grant pre-release access in excess of 24 hours. They will only do this if, in their opinion, the public benefit outweighs the detriment to public trust which is likely to result from such extended access. When this happens, the senior statistician will publish on the PPS's website their reasons for granting extended access, and will also inform the NISRA Chief Executive who will advise, as appropriate, the UK Statistics Authority.

Conditions of access

Those persons who are given access to the PPS's official statistics ahead of their release must keep the statistics secure and under embargo, and they must abide by certain conditions of access. They must avoid:

- disclosing the statistics or any part of a publication containing those statistics to any person not listed as a pre-release recipient;
- providing any indication of the size or direction of any trend revealed by the statistics;
- using such access for personal gain, or taking any action for political advantage;
- exploiting such access to change or compromise the content, presentation, or timing of publication of official statistics.

Special circumstances

Aside from the circumstances described above, the senior statistician may also allow access to statistics ahead of their release to a limited number of persons in a limited number of special circumstances, sometimes for more than 24 hours. In each case, such access will be documented in the relevant release. For example:

- access may be given to the compilers of complementary reports due to be published at the same time as, or shortly after the statistics so that they can incorporate the latest available figures. Such access may also be longer than 24 hours;
- international organisations may gain access in order to compile supra-national statistics; and

- in exceptional circumstances pre-release access may be extended to someone who is not an 'eligible person' as defined in the Order. In this case the UK Statistics Authority will be informed and the reason for such exceptional access published.

Breach of conditions of release

In the event of the PPS becoming aware of a breach of the principles and rules set out in the legislation and described in this statement, the senior statistician will notify the Chief Executive of NISRA who will consider the need to notify the Chair of the UK Statistics Authority. In the event that this is necessary, the Chief Executive will write to the Chair of the UK Statistics Authority regarding the breach using the Authority's standard reporting form. The National Statistician may decide to conduct an inquiry on behalf of the Authority, the results of which will be posted on the Authority's website.

Where the senior statistician considers that a breach was minor in nature, and resulted in no damage to the integrity of the statistics involved, the senior statistician may choose to deal with the matter informally through internal discussion.

Sanctions against non-compliance

The senior statistician within PPS may, for a period, withdraw pre-release access from any person judged to have breached the conditions of their access.

In addition, a heavier sanction can be imposed by the UK Statistics Authority which has a statutory duty to assess the extent to which any organisation's 'National Statistics' comply with the Pre-release Access to Official Statistics Order 2008 and with the associated obligations set out in this statement. The Authority can, for instance, challenge an organisation where it considers that pre-release access is not justified or where an organisation is failing to conform to these arrangements. It can also withdraw, or consider withdrawing, 'National Statistics' designation from the statistics in question.

In the event of any such challenge or withdrawal, the PPS's senior statistician will publish the organisation's response on its website along with its plans for achieving conformance.

DEFINITIONAL NOTES:

(a) Pre-release access

In the context described above, the phrase 'pre-release access' covers privileged access to statistical releases in their final form prior to being placed in the public domain. It does not cover pre-release access available to:

- those staff intimately engaged in the process of producing and disseminating the statistics in question (including those responsible for overseeing this process);
- those persons requested by the producers of statistics to quality assure the statistics before their public release.

However the restrictions listed under 'Conditions of access' above do apply to the above.

(b) PPS Senior Statistician

Organisations which employ a large number of official statisticians or produce a large number of official statistics will normally appoint a senior statistician in consultation with the Chief Executive of NISRA. The senior statistician in PPS has a duty to oversee the professional integrity of the statistics managed, and for the quality of the statistics which their statisticians produce. In particular they are responsible for observing the UK Statistics Code of Practice for Statisticians as well as any professional standards set by the National Statistician.

CRITERIA FOR GRANTING PRE-RELEASE ACCESS

ANNEX A

(i) - Categories of persons within PPS and government to whom PPS would normally grant pre-release access to its statistical releases:

- Those Ministers who have policy or operational responsibility for a particular subject-matter covered by a statistical release; who are accountable to Parliament/the Assembly and the electorate for their stewardship of that policy; and who may need to respond to questions about the statistics, or take appropriate action, at the time of release of those statistics;
- The Director and members of the PPS Senior Management Team who have operational responsibility for a particular activity covered by a release, and who are accountable for their stewardship of that activity to Ministers, and through them to Parliament/the Assembly; and who are in a similar position to those Ministers described above;
- The Organisation's officials with ultimate responsibility for formulating, developing, maintaining, monitoring or implementing that policy;
- Other officials who have been assigned the specific responsibility to brief Ministers or the Director about the statistics in question (e.g. Special Advisers, Policy Advisers, Analysts) ; and
- PPS Press Officers responsible for managing the Director's interface with the media with respect to the policy or statistics in question.

(plus any immediate ancillary staff who support the above)

(ii) - Categories of statistical release to which the PPS would normally grant pre-release access:

- Releases categorised as 'Market-sensitive' (i.e. releases which embody statistics which, when disclosed, would be reasonably likely to have a significant effect on the value or traded volume of any investment);
- Releases which incorporate statistics which are used to monitor or measure the PPS's performance (either generally, or against formal targets);
- Releases which have the potential to impinge substantially on the formulation, implementation, or monitoring of government policy;
- Releases which have the potential to inform, or impact on, decisions about the allocation of public funds;
- Releases which have, demonstrably and historically, had a high public profile (i.e. regularly generate column inches in the print media or regularly attract the attention of the broadcast media) and on which Ministers or Chief Executives with responsibility for the subject-matter might reasonably be expected to comment at the time of release;
- Releases which incorporate statistics derived from other departments' or agencies' administrative or management systems, and for which Ministers or Chief Executives in those other departments have ownership and operational responsibility.
- Compendia or complex publications; and
- Releases which cover matters of wide public interest.

PERSONS WITH PRE-RELEASE ACCESS

ANNEX B

The following list details the named persons who receive 24 hour pre-release access to each publication:

	Statistical Bulletin	Cases Involving Hate Crime	Cases Involving Sexual Offences	Perceptions of the PPS
Director of Public Prosecutions	✓	✓	✓	✓
Deputy Director of Public Prosecutions	✓	✓	✓	✓
Senior Assistant Director, Regional Prosecutions	✓	✓	✓	✓
Senior Assistant Director, Resources and Change (PPS)	✓	✓	✓	✓
Assistant Director Fraud & Departmental (PPS)		✓		
Assistant Director, Serious Crime Unit (PPS)	✓	✓	✓	
Assistant Director, Belfast & Eastern Region (PPS)	✓		✓	
Assistant Director, Western and Southern Region (PPS)		✓	✓	
Departmental Information Manager (PPS)	✓	✓	✓	✓
Head of Communications Unit (PPS)	✓	✓	✓	✓
Hate Crime Lead (PSNI)		✓		
Detective Chief Superintendent, Public Protection Branch (PSNI)			✓	
Strategic Communications and Engagement Manager (PSNI)		✓	✓	
Senior Press Officer (PSNI)			✓	
Principal Statistician, DoJ		✓		