

*Information in this  
email is confidential*

**Joanne Stones**

---

**From:** Christopher Graham  
**Sent:** 26 January 2015 08:11  
**To:** David Murphy; David Smith  
**Cc:** Press Team (internal)  
**Subject:** RE: MoJ story in MoS tomorrow

David

Thanks for your heads up on this. It is very helpful to be alerted to this sort of thing. Unfortunately, I was having Blackberry trouble so didn't see this until Sunday. Doesn't seem to have gone anywhere.

Chris

Christopher Graham  
Information Commissioner  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire  
SK9 5AF T. 01625 545709 F. 01625 524510 ico.org.uk twitter.com/iconews Please  
consider the environment before printing this email

-----Original Message-----

**From:** David Murphy  
**Sent:** 24 January 2015 17:48  
**To:** David Smith; Christopher Graham  
**Cc:** Press Team (internal)  
**Subject:** MoJ story in MoS tomorrow

David, Chris,

Just to let you know that the Mail on Sunday called about the MoJ 'data breach' story. Their angle looks to be the Duggan case. I confirmed we were making enquiries, but declined to comment further.

I'd expect this to get a prominent place in tomorrow's paper, and then follow up from other media outlets.

I have not phoned the MoJ. Given we've been called so late on a sat I am sure they will already have been called by the paper.

David

**BBC NEWS**

UK

29 January 2015 Last updated at 18:52

## Data from death inquiries lost by Ministry of Justice

Discs containing information from three of the UK's most sensitive inquiries have gone missing after being put in the post.

The material relates to inquiries into the role of the police in the deaths of three men, Mark Duggan, Azelle Rodney and Robert Hamill.

Officials realised the discs were missing three weeks ago and one member of staff has since been suspended.

The government said it took the loss "extremely seriously".

Two of the investigations in question relate to fatal police shootings of crime suspects in London - an [inquest into the death of Mark Duggan](#) in 2011 and an [inquiry into the death of Azelle Rodney](#) in 2005.

The third is an inquest into the 1997 murder of Robert Hamill by loyalists in Portadown, Northern Ireland, which campaigners claim involved the collusion of police officers.

In each inquiry there were witnesses, including police officers, who were given anonymity because of possible threats to their safety.

Officials have not confirmed whether any of the missing documents included personal information relating to these witnesses.

### 'Intensive searches'

The government said in a statement that it "takes information security extremely seriously, and this incident is a breach of the arrangements that should be in place."

It said "intensive searches" carried out with the help of police had failed to recover either of the two missing discs.

It specified there was no evidence to indicate that the loss was the result of "malicious intent", and that the Rodney, Hamill and Duggan families had been informed.

Mark Duggan's aunt Carole Duggan said the Ministry of Justice had "questions to answer".

The identity of the police marksman who killed Mr Duggan in north London in 2011, sparking nationwide riots, has never been made public.

She said: "The criminal justice system went out of its way to protect the identities of the officers who killed Mark, issuing all manner of reporting restrictions and anonymity orders in court. Now we learn that this apparently sensitive information has been 'lost in the post' at the Ministry of Justice."

Susan Alexander, the mother of Azelle Rodney said it was "shocking news and very disappointing".

She said: "My lawyers are in contact with the Ministry of Justice on my behalf to establish exactly what data from the case - and particularly that which relates personally to me, is on the discs that have gone missing."

The report on the Robert Hamill inquiry has yet to be published.

In a statement his family said: "We are at a loss to understand why any material relating to the Robert Hamill inquiry should have been posted or sent at this particular time, given the fact that the inquiry report itself was completed in February 2011."

Shadow Justice Secretary Sadiq Khan called the loss "an appalling lapse in security".

He said: "It would be disastrous if this data got into the wrong hands."

#### Data breach

"The justice secretary needs to get an urgent grip on this situation and set out what the government is doing to find this data and reassure the public that measures are in place to prevent it happening again."

The Metropolitan Police, whose officers were involved in the Mark Duggan and Azelle Rodney cases, also emphasised that it was taking the data breach "very seriously".

The force disclosed it had "risk-assessed" the material and taken "appropriate" steps. It added it was offering support to the Ministry of Justice but was not conducting its own investigation.

A spokeswoman for the Information Commissioner's Office told the BBC: "We have recently been made aware of a possible data breach involving the Ministry of Justice."

"We will be making enquiries into the circumstances of the alleged breach before deciding what action, if any, needs to be taken."

#### More UK stories



[Child obesity rates 'levelling off'](#)

[\[news/health-31041864\]](#)

The rise in childhood obesity, which has left one in three children overweight, may be beginning to level off in the under-10s, a study suggests.

[Labour peer backs private role in NHS](#)

[\[news/uk-politics-31052010\]](#)

[Churchill's funeral anniversary marked](#)

[\[news/uk-31041370\]](#)



Copyright © 2015 BBC. The BBC is not responsible for the content of external sites. [Read more](#)

Joanne Stones

---

From: Stephen Eckersley  
Sent: 29 January 2015 12:39  
To: Sally Anne Poole; Joanne Stones  
Subject: FW: incident

FYI



Steve Eckersley  
Head of Enforcement

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow,  
Cheshire SK9 5AF  
T. 01625 545717 F. 01625 545738 [ico.org.uk](http://ico.org.uk) [twitter.com/iconews](https://twitter.com/iconews)  
Please consider the environment before printing this email

From: [REDACTED] [mailto:[REDACTED]]  
Sent: 29 January 2015 12:11  
To: Stephen Eckersley  
Subject: incident

Hi Steve

I thought you would like to know that MOJ has put some information onto .GOV UK about the data incident we discussed yesterday

You can see this using the link: <https://www.gov.uk/government/news/data-management>

Best [REDACTED]

[REDACTED] | Communication and Information Directorate | Ministry of Justice 10 34  
[REDACTED] | London, SW1H 9AJ | [REDACTED]  
[www.justice.gov.uk](http://www.justice.gov.uk) | @MoJGovUK | @MoJPress

*Working together to build a safe and just society*

This e-mail (and any attachment) is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail.

Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail.

This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. E-mail monitoring / blocking software may be used, and e-mail content may be

read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSI may be automatically logged, monitored and/or recorded for legal purposes.

Attachment to  
Lou's email of 27/1

**Joanne Stones**

---

**From:** David Smith  
**Sent:** 29 January 2015 13:30  
**To:** Christopher Graham  
**Cc:** Meagan Mirza, Jonathan Bamford  
**Subject:** FW: Statement

This is the MoJ statement on their data breach in case you haven't seen it

David Smith  
Deputy Commissioner and Director of Data Protection

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.  
T. +44 (0) 1625 545721 F. +44 (0) 1625 524510 [www.ico.org.uk](http://www.ico.org.uk)

**From:** David Murphy  
**Sent:** 29 January 2015 13:12  
**To:** Press Team (internal)  
**Cc:** David Smith  
**Subject:** FW: Statement

David Murphy  
Senior Press Officer

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF  
T. 01625 545223 F. 01625 524510 [ico.org.uk](http://ico.org.uk) [twitter.com/iconews](https://twitter.com/iconews)  
Please consider the environment before printing this email

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 29 January 2015 13:12  
**To:** David Murphy  
**Subject:** Statement

Hi David,

The statement re inquiries is now online at <https://www.gov.uk/government/news/data-management>

Apologies not to have flagged with you earlier

Give me a call if you have any questions.

Thanks,

[REDACTED]

[REDACTED] | [REDACTED] | Criminal, Civil and Family Justice Policy

Ministry of Justice | 10 42 102 Petty France London SW1H 9AJ | [REDACTED]

Ministry of Justice | [www.gov.uk/moj](http://www.gov.uk/moj) | @MOJpress

*Working together to build a safe and just society*

This e-mail (and any attachment) is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail.

Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail.

This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. E-mail monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSI may be automatically logged, monitored and/or recorded for legal purposes.

Joanne Stones

---

From: Sally Anne Poole  
Sent: 29 January 2015 16:49  
To: Joanne Stones  
Cc: Stephen Eckersley  
Subject: FW: PA newsfeed - MOJ data loss

And more....

Sally-Anne Poole  
Group Manager  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire  
SK9 5AF T. 01625 545708 F. 01625 524510 ico.org.uk twitter.com/iconews Please  
consider the environment before printing this email For secure emails over gsi please  
use sallyanne.poole@ico.gsi.gov.uk

-----Original Message-----

From: Robert Parker  
Sent: 29 January 2015 16:48  
To: Sally Anne Poole  
Subject: FW: PA newsfeed - MOJ data loss

-----Original Message-----

From: Robert Parker  
Sent: 29 January 2015 16:45  
To: ET Members Only; Stephen Eckersley; Press Team (internal)  
Subject: PA newsfeed - MOJ data loss

More has been added - inc quotes from number 10 and HM opposition !

POLICE SHOOTING DATA LOST IN POST

POLICE Data  
Jan 29, 2015 4:40:04 PM  
By Emma Clark, Press Association

Page 1

Information relating to three judge-led inquiries, including two fatal police shootings, has gone missing in the post, the Ministry of Justice (MoJ) said.

Officials realised two discs containing documents about the Mark Duggan, Azelle Rodney and Robert Hamill inquiries were lost in early January.

In a statement the MoJ said police have taken "necessary steps" to ensure the protection of any officers whose information could be disclosed.



The police marksman who killed Mr Duggan in north London in 2011, sparking nationwide riots, has never been made public, along with the identities of other officers involved in the case.

Meanwhile, the Government has launched an investigation into the security breach of its guidelines and said disciplinary action will be taken if appropriate.

A statement from the MoJ said: "Government officials became aware on January 8 that two discs containing documents relating to these inquiries were missing, having been dispatched by post.

"Immediate steps were taken, including intensive searches to locate the discs. These searches continue, with police assistance. The discs have not, as yet, been found."

It added: "At this stage there is no evidence to indicate that the information loss arose from malicious intent.

"Nevertheless, it is essential to take the most precautionary view and to take all necessary steps to safeguard the interests of anyone whose information could be disclosed.

"Police and other agencies have undertaken their own risk assessment, and have identified and taken any steps necessary to ensure the protection of officers.

"The Rodney, Hamill and Duggan families and the three judges who conducted the inquiries and inquest have been informed. So too has the Information Commissioner's Office."

Lawyers are undertaking a review of the missing documents to discover if they held confidential or sensitive details, the MoJ said.

A Metropolitan Police spokeswoman said the force has undertaken a risk assessment of the material that was on the discs and has taken "appropriate steps".

Mr Hamill, a Catholic aged 25, was beaten by a gang in Portadown, Co Armagh, in April 1997. He never regained consciousness and died in hospital.

The father-of-three suffered serious head injuries and died 11 days after the attack. His murder was one of the most notorious of the later days of the Northern Ireland conflict.

It was one of four cases examined by retired Canadian judge Peter Cory following claims of security force collusion in the killings.

Allegations that police failed to intervene to help Mr Hamill were the subject of the subsequent public inquiry.

Nationalist SDLP Stormont assembly member Dolores Kelly said it was a brutal murder and the loss of information did nothing to instil confidence in investigations.

"It only leads to the perception that there is a suppression of information."

Mr Duggan was shot by a police marksman when the taxi he was travelling in was stopped by armed officers in Tottenham in August 2011.

His death sparked days of rioting across the country and saw a new low in police and community relations.

A judge-led inquest was set up to probe the death, and after four months the jury found Mr Duggan's death was lawful, despite the father-of-four being unarmed at the time.

The ruling sparked angry scenes at the High Court and was slammed by the Duggan family.

Mr Duggan's aunt Carole Duggan said: "The majority of the people in this country know that Mark was executed. We are going to fight until we have no breath left in our body for Mark and his children."

The inquest heard that Mr Duggan was being tailed by police who believed he had picked up a gun and was heading over to Broadwater Farm in Tottenham.

Officers involved said they believed Mr Duggan had pulled out a gun from the waistband of his trousers when he was shot.

While the jury said the killing was lawful, they found that although Mr Duggan had a gun in the minicab, he most likely threw it onto a nearby grass verge as soon as the car came to a stop.

And they also found police had not done enough to gather and react to intelligence about the possibility of Mr Duggan collecting the gun.

The police marksman who shot Mr Duggan was given anonymity when he gave evidence to the inquest, and was known only as V53.

The identities of the other officers present when Mr Duggan died were also protected. The officers were given codenames and gave evidence from behind a screen.

Prime Minister David Cameron's official spokesman said: "The results of the internal investigation that the MoJ has undertaken have been set out by the department.

"It's absolutely right that they looked into that and have taken the action that they have."

Shadow justice secretary Sadiq Khan said: "This is an appalling lapse in security concerning highly confidential information on very sensitive investigations. It would be disastrous if this data got into the wrong hands.

"The Justice Secretary needs to get an urgent grip on this situation and set out what the Government is doing to find this data and reassure the public that measures are in place to prevent it happening again."

mfi

<http://mediapoint.press.net/article.jsp?id=10316989>

-----  
To unsubscribe, please visit Mediapoint Wire  
[http://www.mediapoint.press.net/saved\\_searches.jsp](http://www.mediapoint.press.net/saved_searches.jsp)  
and amend your saved searches.

Copyright 2015 Press Association  
Terms and conditions [http://www.mediapoint.press.net/terms\\_and\\_conditions.jsp](http://www.mediapoint.press.net/terms_and_conditions.jsp)  
Privacy policy [http://www.mediapoint.press.net/privacy\\_policy.jsp](http://www.mediapoint.press.net/privacy_policy.jsp)

Joanne Stones

*Graham  
29 Jan 2015*

**From:** Louise Mottershead  
**Sent:** 29 January 2015 14:10  
**To:** Christopher Graham  
**Subject:** FW: Statement

Text copied below in case you can't access the link:

The government takes information security extremely seriously, and this incident is a breach of the arrangements that should be in place.

The independent inquiries in question are the Azelle Rodney Inquiry, the Robert Hamill Inquiry and the Mark Duggan Inquest. All 3 have completed their work, although the Hamill Inquiry has yet to publish its report.

At this stage there is no evidence to indicate that the information loss arose from malicious intent. Nevertheless, it is essential to take the most precautionary view and to take all necessary steps to safeguard the interests of anyone whose information could be disclosed.

Police and other agencies have undertaken their own risk assessment, and have identified and taken any steps necessary to ensure the protection of officers.

The Rodney, Hamill and Duggan families and the 3 judges who conducted the inquiries and inquest have been informed. So too has the Information Commissioner's Office.

Government officials became aware on 8 January that 2 discs containing documents relating to these inquiries were missing, having been dispatched by post. Immediate steps were taken, including intensive searches to locate the discs. These searches continue, with police assistance. The discs have not, as yet, been found.

Treasury Solicitor's lawyers were commissioned to undertake a review of all the documents in question, to identify any confidential or sensitive information relating to individuals or agencies and enable any risks to be assessed. Individuals will be contacted, where appropriate, to inform them of any personal information relating to them.

As well as safeguarding individuals' interests, the government has undertaken urgent investigations into how this incident was able to happen, and further investigations continue in relation to both the conduct of individuals and the organisational safeguards against information security breaches of this kind. A member of staff has been suspended to facilitate the investigation. Once concluded disciplinary action will be taken if appropriate.

As part of this, an independent review has been commissioned to look at all the circumstances of this loss and identify lessons learned. The review will report jointly to the Ministry of Justice and Cabinet Office to identify any wider lessons to be learned and shared that pertain to inquiries and other independent processes.

The government will continue to work closely with the Information Commissioner, and will welcome any investigation that his office may wish to undertake.

A copy has been placed in the libraries of both Houses.

From: David Murphy  
Sent: Thursday, January 29, 2015 03:39 PM  
To: David Smith; Christopher Graham  
Cc: Robert Parker; Stephen Eckersley  
Subject: PM interview bid re MoJ

David, Chris,

We've had an interview bid from PM, following the lengthy MoJ statement about the alleged data breach.

My inclination is that this is one to pass on. There's little for us to say beyond that we are making enquiries, and with so much detail provided by MoJ I think we're likely to face quite specific questions.

(There may also be logistical challenges as it would be for today's programme, which airs at 5.)

Of course, if you felt it was worth it to highlight broader dp issues then I'm happy to arrange.

If you can let me know either way I'll liaise with the producer.

David

Joanne Stones

*Statement to the  
press on 29/1/15*

From: Robert Parker  
Sent: 29 January 2015 16:45  
To: ET Members Only; Stephen Eckersley; Press Team (internal)  
Subject: PA newfeed - MOJ data loss

More has been added - inc quotes from number 10 and HM opposition !

## POLICE SHOOTING DATA LOST IN POST

POLICE Data

Jan 29, 2015 4:40:04 PM

By Emma Clark, Press Association

Page 1

Information relating to three judge-led inquiries, including two fatal police shootings, has gone missing in the post, the Ministry of Justice (MoJ) said.

Officials realised two discs containing documents about the Mark Duggan, Azelle Rodney and Robert Hamill inquiries were lost in early January.

In a statement the MoJ said police have taken "necessary steps" to ensure the protection of any officers whose information could be disclosed.

The police marksman who killed Mr Duggan in north London in 2011, sparking nationwide riots, has never been made public, along with the identities of other officers involved in the case.

Meanwhile, the Government has launched an investigation into the security breach of its guidelines and said disciplinary action will be taken if appropriate.

A statement from the MoJ said: "Government officials became aware on January 8 that two discs containing documents relating to these inquiries were missing, having been dispatched by post.

"Immediate steps were taken, including intensive searches to locate the discs. These searches continue, with police assistance. The discs have not, as yet, been found."

It added: "At this stage there is no evidence to indicate that the information loss arose from malicious intent.

"Nevertheless, it is essential to take the most precautionary view and to take all necessary steps to safeguard the interests of anyone whose information could be disclosed.

"Police and other agencies have undertaken their own risk assessment, and have identified and taken any steps necessary to ensure the protection of officers.

Joanne Stones

From: Christopher Graham  
Sent: 29 January 2015 16:19  
To: Robert Parker; David Murphy; David Smith; Simon Entwisle  
Cc: Stephen Eckersley  
Subject: Re: MOJ data loss

----- Original Message -----

From: Robert Parker  
Sent: Thursday, January 29, 2015 04:13 PM  
To: David Murphy; Christopher Graham; David Smith; Simon Entwisle  
Cc: Stephen Eckersley  
Subject: MOJ data loss

Fi only - The Independent are very interested in the story. [REDACTED] asked about the two previous CMPs for the MOJ. I directed him to the enforcement pages on the website for more information, Robert

Robert Parker  
Head of Corporate Affairs  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF T. 01625 545847 F. 01625 524510 ico.org.uk twitter.com/iconews Please consider the environment before printing this email

-----Original Message-----

From: David Murphy  
Sent: 29 January 2015 15:50  
To: Christopher Graham; David Smith  
Cc: Stephen Eckersley; Robert Parker  
Subject: Re: PM interview bid re MoJ

Spoken to journalist, turned this down, but said we would be happy to come on once our investigation is complete.

She has our line.

David

----- Original Message -----

From: Christopher Graham  
Sent: Thursday, January 29, 2015 03:45 PM  
To: David Murphy  
Subject: Re: PM interview bid re MoJ

I agree. No. Plus I'm on a train.

----- Original Message -----

----- Original Message -----

From: David Murphy

Sent: Thursday, January 29, 2015 04:36 PM

To: Christopher Graham

Cc: Robert Parker

Subject: Re: Newsnight?

[REDACTED]

[REDACTED]

[REDACTED] but I'd expect you may be asked about the MoJ case. I don't see any reason to vary from our line, but still worth reading the coverage today by the PA, so you're familiar with the MoJ statement.

David

----- Original Message -----

From: Christopher Graham

Sent: Thursday, January 29, 2015 04:32 PM

To: David Murphy

Subject: Newsnight?

[REDACTED]



"The Rodney, Hamill and Duggan families and the three judges who conducted the inquiries and inquest have been informed. So too has the Information Commissioner's Office."

Lawyers are undertaking a review of the missing documents to discover if they held confidential or sensitive details, the MoJ said.

A Metropolitan Police spokeswoman said the force has undertaken a risk assessment of the material that was on the discs and has taken "appropriate steps".

Mr Hamill, a Catholic aged 25, was beaten by a gang in Portadown, Co Armagh, in April 1997. He never regained consciousness and died in hospital.

The father-of-three suffered serious head injuries and died 11 days after the attack. His murder was one of the most notorious of the later days of the Northern Ireland conflict.

It was one of four cases examined by retired Canadian judge Peter Cory following claims of security force collusion in the killings.

Allegations that police failed to intervene to help Mr Hamill were the subject of the subsequent public inquiry.

Nationalist SDLP Stormont assembly member Dolores Kelly said it was a brutal murder and the loss of information did nothing to instil confidence in investigations.

"It only leads to the perception that there is a suppression of information."

Mr Duggan was shot by a police marksman when the taxi he was travelling in was stopped by armed officers in Tottenham in August 2011.

His death sparked days of rioting across the country and saw a new low in police and community relations.

A judge-led inquest was set up to probe the death, and after four months the jury found Mr Duggan's death was lawful, despite the father-of-four being unarmed at the time.

The ruling sparked angry scenes at the High Court and was slammed by the Duggan family.

Mr Duggan's aunt Carole Duggan said: "The majority of the people in this country know that Mark was executed. We are going to fight until we have no breath left in our body for Mark and his children."

The inquest heard that Mr Duggan was being tailed by police who believed he had picked up a gun and was heading over to Broadwater Farm in Tottenham.

Officers involved said they believed Mr Duggan had pulled out a gun from the waistband of his trousers when he was shot.

While the jury said the killing was lawful, they found that although Mr Duggan had a gun in the minicab, he most likely threw it onto a nearby grass verge as soon as the car came to a stop.

And they also found police had not done enough to gather and react to intelligence about the possibility of Mr Duggan collecting the gun.

The police marksman who shot Mr Duggan was given anonymity when he gave evidence to the inquest, and was known only as V53.

The identities of the other officers present when Mr Duggan died were also protected. The officers were given codenames and gave evidence from behind a screen.

Prime Minister David Cameron's official spokesman said: "The results of the internal investigation that the MoJ has undertaken have been set out by the department.

"It's absolutely right that they looked into that and have taken the action that they have."

Shadow justice secretary Sadiq Khan said: "This is an appalling lapse in security concerning highly confidential information on very sensitive investigations. It would be disastrous if this data got into the wrong hands.

"The Justice Secretary needs to get an urgent grip on this situation and set out what the Government is doing to find this data and reassure the public that measures are in place to prevent it happening again."

mfl

<http://mediapoint.press.net/article.jsp?id=10316989>

-----  
To unsubscribe, please visit Mediapoint Wire  
[http://www.mediapoint.press.net/saved\\_searches.jsp](http://www.mediapoint.press.net/saved_searches.jsp)  
and amend your saved searches.

Copyright 2015 Press Association

Terms and conditions [http://www.mediapoint.press.net/terms\\_and\\_conditions.jsp](http://www.mediapoint.press.net/terms_and_conditions.jsp)

Privacy policy [http://www.mediapoint.press.net/privacy\\_policy.jsp](http://www.mediapoint.press.net/privacy_policy.jsp)

Joanne Stones

Handwritten notes:  
29 January 2015  
10:30 AM

From: Christopher Graham  
Sent: 29 January 2015 15:47  
To: David Smith; David Murphy  
Cc: Robert Parker; Stephen Eckersley  
Subject: Re: PM interview bid re MoJ

I agree. No. Plus I'm on a train.

----- Original Message -----

From: David Smith  
Sent: Thursday, January 29, 2015 03:45 PM  
To: David Murphy  
Cc: Robert Parker; Stephen Eckersley; Christopher Graham  
Subject: RE: PM interview bid re MoJ

David

Unless Chris takes a different view I agree that we should pass on this. The time to do interviews is when we've completed our investigation and imposed a CMP if that's what it comes to. This is so high profile and politically sensitive that it's hard to see how our basic message would be heard and how, if pushed on the specifics which we couldn't talk about, we wouldn't just look weak or defensive.

David

David Smith  
Deputy Commissioner and Director of Data Protection

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.  
T. +44 (0) 1625 545721 F. +44 (0) 1625 524510 [www.ico.org.uk](http://www.ico.org.uk)

-----Original Message-----

From: David Murphy  
Sent: 29 January 2015 15:39  
To: David Smith; Christopher Graham  
Cc: Robert Parker; Stephen Eckersley  
Subject: PM interview bid re MoJ

David, Chris,

We've had an interview bid from PM, following the lengthy MoJ statement about the alleged data breach.

My inclination is that this is one to pass on. There's little for us to say beyond that we are making enquiries, and with so much detail provided by MoJ I think we're likely to face quite specific questions.

(There may also be logistical challenges as it would be for today's programme, which airs at 5.)

Of course, if you felt it was worth it to highlight broader dp issues then I'm happy to arrange.

If you can let me know either way I'll liaise with the producer.

David

Joanne Stones

*Answer to  
Lou's email of 29/1/15*

From: David Murphy  
Sent: 29 January 2015 19:14  
To: Christopher Graham  
Subject: More on MoJ from PA, this time more family reaction

----- Original Message -----

From: mediapoint.business@pa.press.net [mailto:mediapoint.business@pa.press.net]  
Sent: Thursday, January 29, 2015 07:11 PM  
To: David Murphy  
Subject: Information Commissioner's Office

FAMILIES HIT OUT OVER LOSS OF DATA

POLICE Data

Jan 29, 2015 7:10:44 PM

By Emma Clark, David Mercer and Kate Ferguson, Press Association

Page 1

The families of three men whose deaths sparked judge-led inquiries have told of their dismay after it emerged that information relating to the investigations has gone missing in the post.

Officials realised that two discs containing documents about the inquiries into the deaths of Azelle Rodney, Mark Duggan and Robert Hamill were lost in early January.

In a statement, the Ministry of Justice (MoJ) said police have taken "necessary steps" to ensure the protection of any officers whose information could be disclosed.

Mr Rodney's mother, Susan Alexander, branded the revelation "shocking" and "very disappointing", while Mr Duggan's aunt, Carole Duggan, said the MoJ has "questions to answer".

The Government has now launched an investigation into the security breach of its guidelines and said disciplinary action will be taken if appropriate.

All three men were killed either at the hands of the police or in circumstances sparking accusations of police collusion.

Their deaths sparked public outcry, and government officials bowed to pressure and set up judge-led inquiries to probe the killings.

Mr Duggan, 29, was shot by an anonymous police marksman known only as V53 when the taxi he was travelling in was brought to a hard stop by armed officers in Tottenham, north London, in August 2011.

His death sparked days of riots and looting across the country and a judge-led jury inquest was established to probe it.

Police marksman V53 and other police officers involved in the hard-stop were granted anonymity and gave evidence to the inquest from behind a screen.

After four months the jurors found that Mr Duggan's death was lawful, despite ruling that they believed that, contrary to the account of police officers, the father-of-four was unarmed at the time.

In a statement on the Justice For Mark Duggan website, Carole Duggan said: "The criminal justice system went out of its way to protect the identities of the officers who killed Mark, issuing all manner of reporting restrictions and anonymity orders in court.

"Now we learn that this apparently sensitive information has been 'lost in the post' at the Ministry of Justice.

"How did this file go missing? And why? Scotland Yard and the Ministry have questions to answer if we are ever going to get to the bottom of why Mark was shot dead while unarmed and surrendering to police."

Her anger was echoed by the family of Mr Rodney, who was shot dead in Edgware, north London, in 2005, in a swoop by armed officers who believed he was going to stage an armed heist on Colombian drug dealers

Former High Court judge Sir Christopher Holland led an inquiry into the shooting and found there was "no lawful justification" for killing the 24-year-old.

In a statement issued through the charity Inquest today, Mr Rodney's mother, Ms Alexander, said: "This is shocking news and very disappointing.

"My lawyers are in contact with the Ministry of Justice on my behalf to establish exactly what data from the case (and particularly that relates personally to me) is on the discs that have gone missing."

And the family of Mr Hamill, 25, a Catholic beaten to death by a loyalist gang in Portadown, Co Armagh, in April 1997, said they were "dismayed".

His was one of four cases examined by retired Canadian judge Peter Cory following claims of security force collusion in the killing, one of the most notorious of the later days of the Northern Ireland conflict.

Allegations that police failed to intervene to intervene were the subject of the subsequent public inquiry.

In a statement the family said: "We are at a loss to understand why any material relating to the Robert Hamill inquiry should have been posted or sent at this particular time, given the fact that the inquiry report itself was completed in February 2011."

They added: "We are asking our solicitor to seek an urgent meeting with government officials to seek answers to our concerns about this serious breach of data protection."

Deborah Coles, co-director of the charity Inquest, said: "This is an astonishing and unacceptable lapse that will further undermine public and family confidence in the way contentious deaths are dealt with.

"It is shocking that such sensitive material can be treated with such apparent disregard, particularly considering the strict confidentiality undertakings families and their lawyers have to sign up to."

A statement from the MoJ said: "Government officials became aware on January 8 that two discs containing documents relating to these inquiries were missing, having been dispatched by post.

"Immediate steps were taken, including intensive searches to locate the discs. These searches continue, with police assistance. The discs have not, as yet, been found."

It added: "At this stage there is no evidence to indicate that the information loss arose from malicious intent.

"Nevertheless, it is essential to take the most precautionary view and to take all necessary steps to safeguard the interests of anyone whose information could be disclosed.

"Police and other agencies have undertaken their own risk assessment, and have identified and taken any steps necessary to ensure the protection of officers.

"The Rodney, Hamill and Duggan families and the three judges who conducted the inquiries and inquest have been informed. So too has the Information Commissioner's Office."

Lawyers are undertaking a review of the missing documents to discover if they held confidential or sensitive details, the MoJ said.

A Metropolitan Police spokeswoman said the force has undertaken a risk assessment of the material that was on the discs and has taken "appropriate steps".

ends

<http://mediapoint.press.net/article.jsp?id=10316989>

-----  
To unsubscribe, please visit Mediapoint Wire  
[http://www.mediapoint.press.net/saved\\_searches.jsp](http://www.mediapoint.press.net/saved_searches.jsp)  
and amend your saved searches.

Copyright 2015 Press Association

Terms and conditions [http://www.mediapoint.press.net/terms\\_and\\_conditions.jsp](http://www.mediapoint.press.net/terms_and_conditions.jsp)  
Privacy policy [http://www.mediapoint.press.net/privacy\\_policy.jsp](http://www.mediapoint.press.net/privacy_policy.jsp)



# Hamills angry as files go missing



MURDERED: Robert Hamill

Allison Morris  
Security Correspondent  
amorris@irishnews.com

**T**HE family of Portadown murder victim Robert Hamill reacted with anger last night after it emerged that files from the inquiry into his killing have gone missing.

Relatives of the 25-year-old said they were baffled why information was still being sent through the post given the report was completed in 2011.

A member of staff from the Ministry of Justice (MoJ) in England has been suspended after files from three major inquiries went missing on January 8, apparently in the post.

The MoJ said an independent review had also been set up to find out how the information was lost.

Along with two discs of information relating to the Hamill inquiry further information centring on inquiries on Azelle Rodney 2005 and Mark Duggan in 2011, who were both shot dead by the Metropolitan Police, has also gone missing.

Yesterday the Hamill family said they would seek "urgent answers to a number of questions".

They were only told of the security breach after their solicitor was contacted by an

## Blunder relates to three major probes

NIO official yesterday.

"We will be seeking details of the content of the material and whether it included confidential information not previously published on the inquiry website," the family said.

"We are asking our solicitor to seek an urgent meeting with government officials to seek answers to our concerns about this serious breach of data protection."

"We want to know if the information on the disc was posted and how long it took before the loss was discovered."

A spokesman for the MoJ said: "Government officials became aware on January 8, that two discs containing documents relating to these in-



INQUIRIES: Mark Duggan and, right, Azelle Rodney



quiries were missing, having been dispatched by post.

"Immediate steps were taken, including intensive searches to locate the discs."

"These searches continue with police assistance. The discs have not, as yet, been found."

The spokesman added: "The government takes information security extremely seriously and this incident is a breach of the arrangements that should be in place."

"At this stage there is no evidence to indicate that the information loss arose from malicious intent."

Robert Hamill, a father of three, was killed to death by a loyalist mob after a night out on Portadown's main street in April 1997.

An RUC Land Rover with police on board was parked a short distance away but did nothing to stop the attack.

In 2004 an inquiry was set up to investigate the circumstances of his death and the subsequent police investigation.

The inquiry began in January 2009 and heard evidence from 174 witnesses.

In 2010 it was recommended that the Director of Public Prosecutions should reconsider the decision whether or not to prosecute a former RUC man for perverting the course of justice.

The full report was withheld by the inquiry chairman, with the consent of the family so as not to prejudice any criminal proceedings.

Following a review by the DPP charges were brought against three individuals but were later dropped by a judge citing the unreliability of a witness in the case.

Upper Baner Sinn Féin assembly member John O'Dowd said the security breach "raises serious questions" on the nature of the enquiry.

SDFP MLA Dolores Kelly said it was important to establish if the information was "properly backed up and encrypted and if the information now missing poses any risk to individuals".

There are so many great reasons to switch to natural gas...

There'll be some unusually wet weather around...

- ⊗ Never running out
- ⊗ Instant heat
- ⊗ Pay As You Go

- ⊗ Constant hot water
- ⊗ Controllable cooking
- ⊗ No oil tank

- ⊗ Efficient heating
- ⊗ Real flame fires
- ⊗ Kinder to the environment

PHOENIX  
NATURAL GAS

For more great reasons to switch call  
03454 55 55 55 or visit phoenixnaturalgas.com

\*Calls to 0345 numbers are charged at a standard rate on calls to 03 numbers. Service numbers starting with 07 and 02. The cost will be less when you are calling from a landline or mobile. If you have 'free' minutes as part of your mobile phone tariff then calls to 0345 numbers should come out of the 'and there should be no additional charges on your bill.

