Alexander John Owens will say

1. Further to my two previous statements I wish to make a further statement in relation to evidence given about me by the witness Richard Thomas, former Information Commissioner.

2. In his evidence on 6th December 2011 to Lord Justice Leveson Richard Thomas stated (page 30 of his first transcript)

> *"I think it was no secret across the Office. He (Francis Aldhouse) had issued a formal reprimand to Mr. Owens and that had not gone down very well with Mr Owens and it was common knowledge there was not very good feeling between the two of them"*

3. Not only did I know this statement to be false but also recognised it as being detrimental to me personally, attacking both my credibility as a witness as well as the reliability of the evidence I had given.

4. Having already presented my evidence I have never been given an opportunity to refute Richard Thomas's statement that I had been formally reprimanded whilst employed at ICO and as such his statement still stands unchallenged.

5. Having now had the opportunity to make a 'subject access' request to the Information Commissioner's Office, and having now received a response (dated 20th March 2012) I would ask that this statement together with the attached response, marked exhibit AJO 1 received from the Information Commissioner's Office be accepted as read, entered into the Inquiry's records and be placed in the public domain.

I believe the facts in this witness statement are true dated

25/3/12

ico.
Information Commissioner's Office

Upholding information rights

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
T. 0303 123 1113 F. 01625 524510
mail@ico.gsi.gov.uk www.ico.gov.uk

A.J.O 1.

Alexander John Owens
[redacted]

20 March 2012

Dear Mr Owens

I am writing in response to your letter of the 9 March 2012.

In your letter you queried a comment made by the former Information Commissioner, Richard Thomas, in his evidence to the Leveson inquiry. Specifically his reference to your having received a formal reprimand whilst employed by the ICO.

The Human Resources department have reviewed the employee records we hold relating to you. For reference we interpreted this to include anything which could be construed as a formal disciplinary warning. I can confirm that there is no formal reprimand or other disciplinary warning recorded on your file.

I have also enclosed a copy of one further document that was not provided to you with my earlier letter. I apologise for this oversight. As you will see this is a copy of a security declaration signed by you and was provided to Cheshire Police.

If you are not content that your request for your personal information has been dealt with correctly, you have a further right of appeal to this office in our capacity as the statutory complaint handler under the Data Protection Act 1998 legislation. To make such an application, please write to the First Contact Team, at the address above or visit the 'Complaints' section of our website to make a Data Protection Act complaint online.

Yours sincerely

[redacted]
Simon Ebbitt
Internal Compliance Manager

the office to improve our risk management arrangements.
Q. So it's irrelevant for our purposes?
A. Indeed.
Q. Why did you speak to Mr Aldhouse about this?
A. I have no idea or recollection. I mean, simply, you know, he was my deputy and this was something which had come to my attention, but I can't help you, I'm afraid, beyond simply noticing it was on the radar at that time.
Q. One reason might be that he was your deputy, it was a natural thing to discuss with him because after all, it was potentially an important issue?
A. Oh yes.
Q. I must ask you this general question, Mr Thomas. Presumably you have read the transcript of Mr Aldhouse's evidence?
A. Yes.
Q. Do you have any comment you would like to make about his evidence which might assist the Inquiry?
A. Well, I think it's to summarise what he was saying that he was not heavily involved in these matters. Francis Aldhouse had been the Deputy Commissioner for some 18 years when I started, and he was my deputy for about another two and a bit years until he took retirement. He had reached full retirement age. He was primarily focused on the policy aspects of data protection, both

domestically and at the European level, and he didn't have very much of a hands-on operational engagement.
One of the reasons I wanted to make some changes was that I felt there was a need to have a much more active style of management across the office, but I think Francis was somewhat disengaged on these matters. He wasn't excluded altogether, and there are some items of written evidence which show that he played a part in some of these matters, but it is also the case that he had had some sort of falling out with Alex Owens, some -- I think probably one, two years before I arrived, he had -- I think it was no secret across the office. He had issued a formal reprimand to Mr Owens and that had not gone down very well with Mr Owens and it was common knowledge there was not very good feeling between the two of them.
Q. There was an informal meeting, is this right, where at least you were there and Mr Owens was there and possibly others were there a few days later? Are we agreed about that?
A. Well, I can recall the meeting when Mr Owens and some of his colleagues came to me with cardboard boxes of materials, and this was clearly the stuff which had been seized. Whether that was on 10 March or whether it was some time later, I simply can't be sure, but it was

pretty soon after the raid and it could even have been on 10 March.
Q. The date isn't going to matter. Mr Owens put it a few days after the raid.
A. At that time, they came to me and I think in my written statement to you, my first written statement, I said they came in with what I described as a treasure trove. I'm not sure whether that was their language or mine but it was certainly a wealth of material which they had seized.
Q. And was Mr Aldhouse there? I think your evidence is you're not sure?
A. I'm simply not sure.
Q. Did Mr Owens demonstrate the audit trail, if I can so describe it, which led from the newspapers through the journalists to Mr Whittamore, Mr Whittamore's blagger, the target of the request, the nature of the confidential information obtained and then the fact that the newspapers were then invoiced and paid for that information? Did he, in general terms, demonstrate that?
A. In general terms. I wouldn't use the language "audit trail", but in general terms the message was: there's a lot of material here which connects the various players together and I do recall -- I think I used it in

my witness statement -- the phrase "spider's web". There may have even been a diagram of some sort put up to show how they all linked together. So certainly that was the general message, that there was a lot of activity which began to show how the various players were interconnected.
Q. And obviously you had a sense of the scale of the material, the use of the phrase "treasure trove", but did you also have as sense of the seriousness of all of this in terms of the nature of the confidential information which was in question?
A. Yes, very serious, but alongside many other serious matters, if I can put it that way. I was dealing with a wide range of issues. It was serious, but I didn't have the sort of -- I don't want to give the impression that this was earth-stopping time, the entire office was suddenly focused on what had come out of this. This was something which was interesting. It indicated that their suspicions had been vindicated and would lead to prosecutions in due course.
Q. Can I ask you, please, about your fourth witness statement, paragraph 3, which is our tab 59, page 33459. You really cover the first five lines. You say you recall congratulating Mr Owens and team for a job well done; is that right?