

**This is a summary of the decision of the Commissioner.**

IN THE MATTER OF:-

Complainant {Anonymous}

VERSUS

Respondent No.1 {A company represented by its Manager}

Respondent No.2 {Employee of Respondent No.1}

Respondent No.3 {Employee of Respondent No.1}

I received an anonymous complaint which was channelled from the Permanent Secretary of the Ministry of Technology, Communication and Innovation on 25<sup>th</sup> September 2015 to the Data Protection Office regarding allegation on hacking of e-mail as follows:-

- (i) Respondent No.2 has in past abused of his position as IT Administrator and hacked into the e-mail of Respondent No.3 who is also an employee of Respondent No.1.
- (ii) Respondent No.2 forwarded an email of very private nature (exchanged between Respondent No.3 and another person) to the husband of Respondent No.3.
- (iii) Respondent No.2 has been boasting openly that he is the one who hacked into the email of Respondent No.3 and that he will do same for all employees of Respondent No.1.
- (iv) Respondent No.2 affords himself this air of arrogance as he is a relative of a present senior Minister.

My office opened an enquiry and informed Respondents Nos. 1, 2 and 3 about the complaint. They were also requested to provide clarifications on the allegations made by the Complainant.

The Data Protection Office received the statements of Respondents No.1 and No.2 as follows:-

- Respondent No.1 declared that they at management level, are not aware of the details of the anonymous complaint denunciation which this office has forwarded to them.
- In his declaration, Respondent No.2 confirms that he is an employee of Respondent No.1 in the capacity of Systems Coordinator (Corp) and in his capacity of employment, he administers the IT System that maintains records of staff. He has also stated that he has not hacked into the email of Respondent No.3 at no point in time and that it was totally false, malicious and manifestly exaggerated to say that he had openly boasted about himself hacking the computer of Respondent No.3 and that he will do so for other employees.

In her declaration, Respondent No.3 (whose email was allegedly hacked during this complaint) states that:

- Respondent No.2 is an employee of Respondent No.1 working as Systems Coordinator (Corporate).
- She is not aware if Respondent No.2 has hacked her email at any time in the past.
- She is not aware of the insinuations of Respondent No.2.
- She has never come across the emails which were hacked.

With regard to the above evidence adduced at this office, in particular that Respondent No.3 has confirmed that Respondent No.2 is not to her knowledge involved in any of the allegations made anonymously by Complainant and the fact that Respondent No.1 at management level has confirmed that they are not aware of the anonymous complaint, the Commissioner is of the view that no offence has been found committed under the Data Protection Act.