

Message

From: Belinda Crowe [IMCEAEX-
_O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=BELINDA+20CROWE
569F-4526-A078-F5B4958A8917220@C72A47.ingest.local]
on behalf of Belinda Crowe <IMCEAEX-
_O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=BELINDA+20CROWE
569F-4526-A078-F5B4958A8917220@C72A47.ingest.local> [IMCEAEX-
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569F-4526-A078-F5B4958A8917220@C72A47.ingest.local]
Sent: 12/01/2014 12:18:52
To: Andrew Parsons [GRO]
CC: Chris Aujard [GRO]
BCC: Belinda Crowe [GRO]
Subject: Fwd: Proposed Engagement Letter

Sensitivity: Company Confidential

Hi Andy

Please see below. You were going to make some amendments to the letter. Would you be able to do that tomorrow? I have made some comments in CAPS to the points SS have made.

Best wishes
Belinda

Begin forwarded message:

From: Belinda Crowe [GRO]
Date: 12 January 2014 12:04:08 GMT
To: Ian Henderson [GRO]
Cc: Ron Warmington [GRO], Chris Aujard [GRO]
Subject: Re: Proposed Engagement Letter

Thanks Ian,

Would 9.30 be OK? Can I suggest that we meet at Old Street and I will leave it to you and Ron to decide whether Ron dials in? We may want to go through the straightforward issues and bring in Ron on any points which need further debate. I think the key is to do this in the way that allows us to conclude matters if we can on Wednesday.

Please let me know what works best for you and, if necessary, perhaps we can speak tomorrow and finalise the arrangements.

Best wishes
Belinda

On 10 Jan 2014, at 19:01, "Ian Henderson" [GRO] wrote:

Belinda

I think it will just be me attending the meeting. I can brief Ron afterwards or we can get Ron to dial-in.

I'm free all of Wednesday morning so let me know the time and I will come to Old Street

With best wishes

Ian R Henderson CCE CISA FCA
Advanced Forensics - London, UK

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From: Belinda Crowe

GRO

Sent: 10 January 2014 18:13

To: Ian Henderson; Chris Aujard

Cc: 'Ron Warmington'; Belinda Crowe

Subject: RE: Proposed Engagement Letter

Sensitivity: Confidential

Ian

Chris has discussed this with me, and I understand you and he have spoken. Would it be possible for us to meet on Wednesday morning next week to discuss the engagement letter? We think possibly face to face is better if that works for you and Ron. Would that be convenient? If so, would 148 Old Street suit you.

Please let me know if it would be easier to discuss diaries and venues rather than exchanging emails.

Best wishes

Belinda

Belinda Crowe

148 Old Street, LONDON, EC1V 9HQ

GRO

Postline:

GRO

GRO

From: Ian Henderson

GRO

Sent: 10 January 2014 10:18

To: Chris Aujard

Cc: 'Ron Warmington'; Belinda Crowe

Subject: RE: Proposed Engagement Letter

Sensitivity: Confidential

Chris

I would be grateful for an indication as to when we may expect a reply to my email dated 6 January?

I am concerned that the proposed limitations of scope have a significant impact on the reports we are preparing at the moment and are due to disclose to the Working Group later this month. If POL is unable to agree to the proposed changes to the Engagement Letter, this matter will need to be considered by Sir Anthony Hooper and the Rt Hon James Arbuthnot MP in the next few days if we are to comply with the timetable set by the Working Group.

I look forward to hearing from you.

With best wishes

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From: Ian Henderson

GRO

Sent: 06 January 2014 12:55

To: 'Christopher Aujard'

Cc: 'Ron Warmington'

Subject: Proposed Engagement Letter

Sensitivity: Confidential

CONFIDENTIAL

Dear Chris

I raised a number of points on Friday relating to the proposed Engagement Letter between POL and Second Sight. I am sorry that I had to leave before we were able to have a more detailed discussion about this.

The main points of concern were the following:

1. Para 4.2 This should be subject to 30 days notice. THIS SEEMS OK?
2. Para 5.1. I am not sure what is meant by "the Fee Schedule". Please clarify. WE WERE GOING TO ADD IN THE FEES ARRANGEMENTS BASED ON AN HOURLY RATE
3. Para 6.2. As drafted, this is too broad. Concerns about confidentiality are dealt within Para 6.1 and I suggest that Para 6.2 is deleted.
4. Para 7.1. I suggested that in some circumstances Second Sight could be the Data Controller. We both agreed to consider this point. PROBABLY A LEGAL VIEW BUT I PERSONALLY DONT SEE HOW SS WOULD BE ANYTHING OTHER THAN DATA PROCESSOR AS IT IS FOR POL (AS A PROXY FOR THE WG) TO SET THE MANNER ETC.
5. Para 7.8. The reference to "procure" presumably means "ensure"? ASSUME TIS IS JUST LEGAL TERMINOLOGY - DONT HAVE A STRONG VIEW ABOUT THAT BUT UNLESS ITS NECESSARY I WOULD SAY IF SS PREFERS ENSURE THEN USE THAT.
6. Para 8.1.1. Presumably this does not apply to meetings between Second Sight and MPs (which may be open to the public) or the Rt Hon James Arbuthnot's Office? Please clarify. TRICKY. I SEE NO REASON WHY SS SHOULD MEET WITH MPs. I THINK THAT WE SHOULD SET OUT THE LINES TO TAKE IN A SORT OF SCHEDULE WHICH IS LINKED TO THE WG. BY THAT I MEAN THAT THE POSITION SHOULD BE THAT IF SS ARE APPROACHED BY MPs, INC. JAMES ARBUTHNOT THE POSITION SHOULD BE THAT FOLLOWING THE SS REPORT THE SCHEME AND WG TO OVERSEE IT WAS ESTABLISHED AND THE CASES ARE NOW PROGRESSING THROUGH THE PROCESS. IT WOULD BE INAPPROPRIATE TO COMMENT ON INDIVIDUAL CASES AND ISSUES ARISING FROM THE INDIVIDUAL CASES ARE BEING CONSIDERED BY POL AS PART OF ITS BUSINESS IMPROVEMENTS WORK.

7. Para 8.1.2. This paragraph should be deleted as POL has already issued a Press Release describing Second Sight's role in relation to the Scheme. THIS COULD BE COVERED IN THE ABOVE REFERENCE TO THE WG.

The proposed Scope of Services Schedule raises a number of issues that are at variance with assurances previously provided by POL to both Second Sight and to the Rt Hon James Arbuthnot MP. In particular, the Scope of Services Schedule attacks the fundamental principle that Second Sight operates completely independently of POL and conducts its investigations and prepares reports as it sees fit. WE NEED TO CONSIDER CAREFULLY WHAT AND HOW WE SEEK TO FETTER. SAH HAS MADE IT CLEAR THAT SS CAN INCLUDE WHAT IT WANTS SO WE NEED TO TREAD CAREFULLY.

In this regard, Paragraph 1 deals with matters that are more properly dealt with by the Working Group, not POL. Paragraph 3 should be deleted in its entirety, as should Paragraphs 4, and 6.1 as these seek to fetter the discretion of Second Sight to investigate and report on matters at its sole discretion.

If POL is not able to agree to these changes, we suggest that the matter is referred to the Working Group and also to the Rt Hon James Arbuthnot MP. You will appreciate that any action that limits the ability of Second Sight to investigate and report on matters at its sole discretion will result in a "limitations of scope" paragraph in any report produced by Second Sight. JUST FOR INFO I THINK IT UNLIKELY WE WOULD REFER ANYTHING TO JAMES ARBUTHNOT. I DO NOT THINK HE WOULD CONSIDER THAT HE HAS BEEN INVOLVED IN THE ENGAGEMENT OF SS. BUT WE COULD TEST THAT AT THE MEETING WITH ALICE LATER THIS MONTH. JUST TO COVER THAT OFF. I HAVE A MEETING WITH BIS THIS WEEK SO I WILL TRY TO TEST THE GROUND WITH THEM.

Ron and I would be happy to meet with you (or by telephone) to discuss any of these points.

I look forward to hearing from you.

With best wishes

Ian R Henderson CCE CISA FCA
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