
From: Rodric Williams [GRO]
Sent: Tue 25/03/2014 12:59:52 PM (UTC)
To: Chris Aujard [GRO]; David Oliver1 [GRO]; Angela Van-Den-Bogerd [GRO]; andrew.parsons [GRO]
Cc: Belinda Crowe [GRO]
Subject: RE: POL's legal files: DRAFT EMAIL TO SS FOR COMMENT PLEASE

Chris – I think that reads well, and have added my (very minor) amends in red.

One thought – although your response (quite properly) focuses on SS's work on individual cases, they have said they want the legal files for their Thematic Report. The same points can still be made about their professed need to see the files and the resource that will involve, it's just a matter of:

- a. tweaking your email to address that point now; or
- b. (my preferred option) leave it for SS to raise, which would keep the focus of your email on SS getting on with the individual cases on hand.

Please let me know if you would like to have a go at capturing the Thematic Report, or otherwise discuss.

Kind regards, Rod

From: Chris Aujard
Sent: 25 March 2014 10:55
To: David Oliver1; Rodric Williams; Angela Van-Den-Bogerd; Andrew.Parsons [GRO]
Cc: Belinda Crowe
Subject: POL's legal files: DRAFT EMAIL TO SS FOR COMMENT PLEASE

Dear Ian and Ron

I note that you have both made requests, through different channels, for access to POL's legal files. Many apologies for the delay in getting back to you but I thought it important to take the time to consider your request properly before setting out my thoughts in writing.

For me the starting point in considering your request is to understand why you feel you need access to this information. The processes established by the Working Group are fairly clear: upon receipt of a CQR POL produces a report (along with relevant supporting documentation) which is then sent to you for the purpose, inter alia, of providing a basis upon which you can prepare a corresponding report for the Working Group. To the extent that you reasonably feel there are ambiguities or omissions in the POL report you have the option of either commenting on this matter in your report (to the extent it is not material), or (to the extent that it is material) requesting, via appropriate channels (and at all times copying in Angela), clarification of issues raised. The point here is that such requests are specific and focussed on matters directly relevant to the report produced by POL; they should therefore be made after receipt of the POL reports, not before they are written, not be overly general in nature, and certainly not so broad as to require the release of an entire class of document, e.g. an entire legal file. Put another way, it seems to me that the Working Group has not asked you to conduct a trawl of the primary source documentation and records maintained by POL to ascertain what is relevant, and what is not. Apart from the need to maintain an orderly and workable process, there are it seems to me very good reasons to ensure that we maintain discipline and focus on the cases at hand.

The current situation contrasts quite markedly to that which prevailed in the period prior to the release of your

interim report, when you were undertaking what was essentially an investigatory exercise. Given your role then, I can entirely understand why generic information was provided to you (including certain privileged information) as it no doubt formed the factual basis by reference to which you wrote your report. However, the focus of your work now is on the mediation scheme, where your role is significantly different from that which you occupied in respect of the interim report, and as such I cannot see any compelling rationale for disclosure. Indeed, to retrieve files, documents and emails, review them and redact information which is commercially confidential, **privileged** or personal would involve considerable time and resource, which I would find difficult to justify without a clear need.

I would also take this opportunity to remind you of the terms of the attached undertaking which require Second Sight to not disclose any legally privileged information - this includes making reference to that information in any report it produces. Please do feel free to call if you want to discuss the above.

Kind Regards

Chris

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