

Cartwright, Tarita M.

From: Anderson, Collin J
Sent: Wednesday, February 6, 2019 8:25 AM
To: EXEMPT SECTION 23+35
Cc: EXEMPT SECTION 23+35
Subject: RE: Re Payment of Pepper Spray Settlement Funds

Good Morning EXEMPT SECTION 23+35

The payment was processed on our side this morning. Accountant General only has to do their approval and we will ask that this is expedited.

So at the very latest we expect the funds to be in your account by this coming Tuesday, but hopefully sooner (as the electronic payments are run twice a week).

Best regards,
Collin



Collin J. Anderson
Permanent Secretary
Government of Bermuda | **Ministry of National Security**
Church Street | Hamilton, Bermuda HM12

Telephone: 441 294 2799 | Mobile: 441 705 0439 |
Email: cjanderson@gov.bm | Website: www.gov.bm

From: EXEMPT SECTION 23+35
Sent: Tuesday, February 5, 2019 3:24 PM
To: Anderson, Collin J. <cjanderson@gov.bm>; Caines, Wayne M. <wmcaines@gov.bm>
Cc: EXEMPT SECTION 23+35
Subject: Re Payment of Pepper Spray Settlement Funds

Dear Mr Anderson,

I refer to our telephone call yesterday when you indicated payment of the funds will be made to Trott and Duncan today by wire transfer.

Now you are in receipt of the executed settlement agreements, please confirm when we will be in receipt of payment.

Kind regards

Cartwright, Tarita M.

From: Burgess, Crystal L.
Sent: Thursday, February 7, 2019 8:55 AM
To: Cartwright, Tarita M.
Cc: Anderson, Collin J.; Robinson, Jewel C.
Subject: Re: Police Complaints Authority matter - Dec 2 Pepper Spray

Good morning Tarita,

The batch will post overnight and be paid on Tuesday assuming all supporting docs are in order.

Kind regards
Crystal

Sent from my BlackBerry 10 smartphone.

From: Cartwright, Tarita M.
Sent: Thursday, February 7, 2019 7:49 AM
To: Burgess, Crystal L.
Cc: Anderson, Collin J.
Subject: FW: Police Complaints Authority matter - Dec 2 Pepper Spray

Good morning Crystal,
Batch # 6178032 has been approved.

Regards,



Tarita M. Cartwright CPA, CMA, CFE
Ministry Comptroller
Government of Bermuda | **Ministry of National Security**
Global House, Third Floor | 43 Church Street | Hamilton, Bermuda HM12
Direct Telephone: 441 294 9003 | Email: tmcartwright@gov.bm

From: Morrison-Shakir, Dionne A.
Sent: Thursday, January 31, 2019 8:44 AM
To: Cartwright, Tarita M. <tmcartwright@gov.bm>
Cc: Anderson, Collin J. <cjanderson@gov.bm>; Stovell, Curtis <castovell@gov.bm>; Manders, Anthony <amanders@gov.bm>; Burgess, Crystal L. <clburgess@gov.bm>
Subject: RE: Police Complaints Authority matter - Dec 2 Pepper Spray

Good morning Tarita,

The account number for the Contingencies Fund is 100.3205.

You and the administrator in your section should have the access to make entries to this account, so you can go ahead and prepare the purchase order/ payment batch for this payment. Please give me a call if you have any issues here.

Please advise Crystal Burgess (copied in on this email) once you have approved the batch so that we can have the Compliance and Disbursement section group for payment once posted in E1.

Additionally please note that approve batches are posted during the overnight scheduler run so please bear this in mind as to your expectations on how soon the payment can be transmitted to the bank.

Regards
Dionne



Dionne A. Morrison-Shakir
Assistant Accountant General
Accountant General's Department
Extension: 6279-2641
Direct Telephone: 441 279 2641
Email: damorrison@gov.bm

From: Cartwright, Tarita M.
Sent: Thursday, January 31, 2019 7:32 AM
To: Morrison-Shakir, Dionne A. <damorrison@gov.bm>
Cc: Anderson, Collin J. <cjanderson@gov.bm>
Subject: FW: Police Complaints Authority matter - Dec 2 Pepper Spray

Good morning Dionne,
Can advise as to what information you require and the process to make the payment as soon as possible.

Regards,



Tarita M. Cartwright CPA, CMA, CFE
Ministry Comptroller
Government of Bermuda | **Ministry of National Security**
Global House, Third Floor | 43 Church Street | Hamilton, Bermuda HM12
Direct Telephone: 441 294 9003 | Email: tmcartwright@gov.bm

From: Manders, Anthony
Sent: Wednesday, January 30, 2019 9:31 PM
To: Cartwright, Tarita M. <tmcartwright@gov.bm>
Cc: Anderson, Collin J. <cjanderson@gov.bm>; Morrison-Shakir, Dionne A. <damorrison@gov.bm>
Subject: RE: Police Complaints Authority matter - Dec 2 Pepper Spray

To get the payment done quickly you should use the Contingencies Fund. Then you can get the S/E if needed closer to year-end.

The Contingencies Fund is a balance sheet account. Dionne can advise on the account number and she may have to give you authority to post a payment to this account.

I have copied Dionne in on my reply.

AM

From: Cartwright, Tarita M.
Sent: Wednesday, January 30, 2019 1:25 PM
To: Manders, Anthony
Cc: Anderson, Collin J.
Subject: RE: Police Complaints Authority matter - Dec 2 Pepper Spray

Good day FS,
Can you advise me on the process/documents required for requesting a supplemental please.

Regards,



Tarita M. Cartwright CPA, CMA, CFE
Ministry Comptroller
Government of Bermuda | **Ministry of National Security**
Global House, Third Floor | 43 Church Street | Hamilton, Bermuda HM12
Direct Telephone: 441 294 9003 | Email: tmcartwright@gov.bm

From: Manders, Anthony
Sent: Monday, January 28, 2019 6:46 PM
To: Anderson, Collin J. <cjanderson@gov.bm>; Telemaque, Marc <mtelemaque@gov.bm>
Cc: Cartwright, Tarita M. <tmcartwright@gov.bm>
Subject: RE: Police Complaints Authority matter - Dec 2 Pepper Spray

By your Ministry at year-end.

If you don't have funds to replenish then we need to do a supplementary estimates.

It is recognized that this is an extraordinary payment and out of your Ministry's control and is justification for a S/E.

The Minister is aware.

My understanding is legally we have to pay this so there is no choice.

AM

From: Anderson, Collin J.
Sent: Monday, January 28, 2019 6:37 PM
To: Manders, Anthony; Telemaque, Marc
Cc: Cartwright, Tarita M.
Subject: RE: Police Complaints Authority matter - Dec 2 Pepper Spray

How is it replenished?

Collin J. Anderson
Government of Bermuda | Ministry of National Security
Telephone: 441 294 2799 | Email: cjanderson@gov.bm

From: Manders, Anthony
Sent: Monday, January 28, 2019 6:35 PM

To: Anderson, Collin J. <cjanderson@gov.bm>; Telemaque, Marc <mtelemaque@gov.bm>
Cc: Cartwright, Tarita M. <tmcartwright@gov.bm>
Subject: RE: Police Complaints Authority matter - Dec 2 Pepper Spray

Hi Collin,

For the sake of expediency, you can use the Contingency Fund to make this payment, but the money needs to be replenished at the year-end.

You can have your comptroller to call us.

AM

From: Anderson, Collin J.
Sent: Monday, January 28, 2019 6:25 PM
To: Manders, Anthony; Telemaque, Marc
Subject: Police Complaints Authority matter - Dec 2 Pepper Spray

Dear Mr. Manders and Mr. Telemaque:

There is the outstanding matter of the approximately \$225,000 for a settlement for the protesters for the above captioned matter.

Please advise which Fund or Cost Center these funds will come from and the Financial Controller / contact person I should call to arrange for the transfer of the funds to ~~EXEMPT SECTION~~ ²⁴³⁵. I have spoken to my Minister and Chambers and they have advised that I contact you directly.

Best regards,



Collin J. Anderson
Permanent Secretary
Government of Bermuda | **Ministry of National Security**
Church Street | Hamilton, Bermuda HM12

Telephone: 441 294 2799 | Mobile: 441 705 0439 |
Email: cjanderson@gov.bm | Website: www.gov.bm

From: Dill-Francois, Shakira J.
Sent: Tuesday, January 22, 2019 4:07 PM
To: Anderson, Collin J. <cjanderson@gov.bm>; O'Brien, Marva <mjobrien@gov.bm>
Subject: FW: Police Complaints Authority matter

FYI – please see below

From: Dill-Francois, Shakira J.
Sent: Tuesday, January 22, 2019 4:04 PM
To: Caines, Wayne M. <wmcaines@gov.bm>
Cc: Premier David Burt <dburt@gov.bm>; Simmons, Kathy (Attorney General) <klsimmons@gov.bm>
Subject: RE: Police Complaints Authority matter

Good day Minister Caines,

The AG has contacted me to discuss this matter and has instructed me to advise that the best course of action would be as follows:

1. Settle with the 27 Applicants forthwith - if the case is settled with the 27 persons, **EXEMPT SECTION 23+35**
2. **EXEMPT SECTION 23+35**
3. **EXEMPT SECTION 23+35**

I trust that this assists.

Regards,



Shakira J. Dill-Francois B.A, LL.B, LL.M

Deputy Solicitor General

Government of Bermuda | Attorney-General's Chambers

Global House, 4th Floor | 43 Church Street | Hamilton, Bermuda HM12

Extension: 1643

Direct Telephone: 441 297 7643 | Cell: 441 595 6767 | Email: sjdill@gov.bm

Attorney-General's Chambers Direct Line: 441 292 2463

www.gov.bm

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From: Caines, Wayne M.

Sent: Tuesday, January 22, 2019 2:50 PM

To: **EXEMPT SECTION 23+35**

Cc: Premier David Burt <dburt@gov.bm>; Simmons, Kathy (Attorney General) <klsimmons@gov.bm> **EXEMPT SECTION 23+35**

EXEMPT SECTION 23+35

Anderson, Collin J. <cjanderson@gov.bm>; Dill-Francois, Shakira J. <sjdill@gov.bm>

Subject: Re: Police Complaints Authority matter

Sir,

You are right, it has taken too long. You have been very patient and we appreciate it.

We are almost there.

This is significant for all of us. We will work really hard to have this sorted this week.

WC

The Hon Wayne M. Caines JP MP

Minister of National Security

The Government of Bermuda (441) 7048900

On Jan 22, 2019, at 7:24 PM, **EXEMPT SECTION 23+35** wrote:

Good day Minister

With respect, No one wants the Government to rush through the process however this matter has taken far too long resolve

From: Caines, Wayne M . [<mailto:wmcaines@gov.bm>]

Sent: Tuesday, January 22, 2019 2:19 PM

To: **EXEMPT SECTION 23+35**

Cc: Premier David Burt; Simmons, Kathy (Attorney General); **EXEMPT SECTION 23+35**; **EXEMPT SECTION 23+35** Anderson, Collin J.

Subject: Re: Police Complaints Authority matter

All,

I have spent the majority of the day on the phone with **EXEMPT SECTION 23+35** Ms Dill, PS Anderson , and **EXEMPT SECTION 23+35**

We are working out the finer points. This Matter remains a priority. We are hoping to have a resolution this week.

I know that everyone wants to have the Matter resolved. I do too.

I will not however rush through the process and leave the Government exposed.

Again, all the key players are engaged, and we are almost there.

WC

The Hon Wayne M. Caines JP MP
Minister of National Security
The Government of Bermuda (441) 7048900

On Jan 21, 2019, at 10:39 PM, **EXEMPT SECTION 23+35** wrote:

Good Day Premier

I just arrive back in office today and was told by **23+35** this is still not settled.

I spoke with **23+35** today he informed me that he has provided **EXEMPT 23+35** with everything that he needs.

I would have thought that after your email below which states, "This saga has been going on for far too long. Ministers, I want a definitive resolution for this issue by the end of the week". The week has come and gone with no resolution.

23+35 leaves for the privy council on Thursday and he was hoping to have this matter concluded before he leaves.

Not sure what it is going to take to FINALLY RESOLVE this matter.

Premier, whatever you can do to assist would be much appreciated, thank you

From: Premier David Burt [<mailto:dburt@gov.bm>]
Sent: Tuesday, January 8, 2019 4:58 PM
To: Simmons, Kathy (Attorney General); Caines, Wayne M .
Cc: ~~EXEMPT SECTION 23+35~~
Subject: RE: Police Complaints Authority matter
Importance: High

Good Afternoon All.

This saga has been going on for far too long. Ministers, I want a definitive resolution for this issue by the end of the week.

If we can deal with matters relating to economic substance, ~~EXEMPT SECTION 23+35~~, I cannot for the life of me understand why this is taking so long.

Let's get this done.

Regards,

Premier

From: ~~EXEMPT SECTION 23+35~~
Sent: Tuesday, January 8, 2019 9:07 AM
To: Premier David Burt <dburt@gov.bm>, ~~EXEMPT SECTION 23+35~~
Cc: Simmons, Kathy (Attorney General) <klsimmons@gov.bm>, ~~EXEMPT SECTION 23+35~~
Subject: FW: Police Complaints Authority matter

Good Morning Premier,

Can you please look into this matter. Something seems amiss.

~~EXEMPT SECTION 23+35~~

From: ~~EXEMPT SECTION 23+35~~
Sent: Monday, January 7, 2019 4:41 PM
To: ~~EXEMPT SECTION 23+35~~
Subject: RE: Police Complaints Authority matter

Your email was down earlier.

From: ~~EXEMPT SECTION 23+35~~
Sent: Monday, January 07, 2019 7:48 AM
To: ~~EXEMPT SECTION 23+35~~
Subject: FW: Police Complaints Authority matter

EXEMPT SECTION 23+35

As of today the 7th of January, the lawyers Government says it has instructed for the Police Complaints Authority still do not have instructions.

Kind regards

From: **EXEMPT SECTION 23+35**
Sent: Monday, January 07, 2019 7:36 AM
To: **EXEMPT SECTION 23+35**
Subject: RE: Police Complaints Authority matter

Apologies but I am still waiting for instructions from Bermuda. Will chase today and get back to you.

<image001.jpg>

EXEMPT SECTION 23+35
EXEMPT SECTION 23+35

From: **EXEMPT SECTION 23 + 35**
Sent: 03 January 2019 10:29
To: **EXEMPT SECTION 23 + 35**
Subject: RE: Police Complaints Authority matter

Certainly.

From: **EXEMPT SECTION 23 + 35**
Sent: Thursday, January 03, 2019 10:28 AM
To: **EXEMPT SECTION 23+35**
Subject: Re: Police Complaints Authority matter

23+35 am in meetings in London - can we speak tomorrow?
23+35

From: **EXEMPT SECTION 23 + 35**
Date: Thu, 3 Jan 2019 14:12:28 +0000
To: **EXEMPT SECTION 23+35**
Subject: Police Complaints Authority matter

Happy New Year

Any idea when we will settle the litigation, discontinue the action so my clients can get paid? I know you have just been instructed however my clients are really frustrated with the pace at which the settlement is moving.

Kind regards

Cartwright, Tarita M.

From: Myrie, Brian
Sent: Thursday, January 17, 2019 11:21 AM
To: Cartwright, Tarita M.
Cc: Anderson, Collin J.
Subject: RE: ~~Exempt Section 23(3)~~ et al v The Police Complaints Authority - Protests at HOA

Follow Up Flag: Follow up
Flag Status: Flagged

My further thoughts on this retainer is that there is no need for 2 senior counsel on this matter and that there should be a project fee amount for the opinion/advice rather than an hourly rate. (e.g. \$5,000 - \$10,000).

In the event that the work exceeds the Project Fee, there should be an explanation on what else is required so that you can either approve or not.

These are the kinds of changes I will be suggesting in the word letter once received.

Regards,
Brian

From: Cartwright, Tarita M.
Sent: Thursday, January 17, 2019 10:05 AM
To: Myrie, Brian
Cc: Anderson, Collin J.
Subject: ~~Exempt Section 23(3)~~ et al v The Police Complaints Authority - Protests at HOA

Will do



Tarita M. Cartwright CPA, CMA, CFE
Ministry Comptroller
Government of Bermuda | **Ministry of National Security**
Global House, Third Floor | 43 Church Street | Hamilton, Bermuda HM12
Direct Telephone: 441 294 9003 | Email: tmcartwright@gov.bm

From: Myrie, Brian
Sent: Thursday, January 17, 2019 10:04 AM
To: Cartwright, Tarita M. <tmcartwright@gov.bm>
Cc: Anderson, Collin J. <cjanderson@gov.bm>
Subject: ~~Exempt Section 23(3)~~ et al v The Police Complaints Authority - Protests at HOA

Hi Tarita,

When you request the terms and conditions in editable word format from the lawyers, be sure and ask them if these are the complete terms and conditions. If not, please ask them to send any other terms through.

Regards,
Brian

From: Cartwright, Tarita M.
Sent: Tuesday, January 15, 2019 03:15 PM
To: Myrie, Brian
Cc: Anderson, Collin J.
Subject: FW: Protests at House of Assembly, Civil Jurisdiction **EXEMPT SECTION 23+35** et al v The Police Complaints Authority

Good day Mr. Myrie,
Please see the attached agreement for approval.

Regards,



Tarita M. Cartwright CPA, CMA, CFE
Ministry Comptroller
Government of Bermuda | **Ministry of National Security**
Global House, Third Floor | 43 Church Street | Hamilton, Bermuda HM12
Direct Telephone: 441 294 9003 | Email: tmcartwright@gov.bm

From: Anderson, Collin J.
Sent: Tuesday, January 15, 2019 1:11 PM
To: Cartwright, Tarita M. <tmcartwright@gov.bm>
Subject: FW: Protests at House of Assembly, Civil Jurisdiction **EXEMPT SECTION 23+35** et al v The Police Complaints Authority

FYI...

Collin J. Anderson
Government of Bermuda | Ministry of National Security
Telephone: 441 294 2799 | Email: cjanderson@gov.bm

From: **EXEMPT SECTION 23+35**
Sent: Tuesday, January 15, 2019 12:37 PM
To: Caines, Wayne M. <wmcaines@gov.bm>; Anderson, Collin J. <cjanderson@gov.bm>
Cc: **EXEMPT SECTION 23+35**
Subject: Protests at House of Assembly, Civil Jurisdiction **EXEMPT SECTION 23+35** et al v The Police Complaints Authority

Good day Minister and Permanent Secretary,

We have reviewed the documents and correspondence on the behalf of the Police Complaints Authority and can confirm that the terms of the draft settlement will effectively bring the claims to an end. We are happy to assist in the event the outstanding claim bought by **23+35** is made live again.

Due to the urgency of the advice we have also attached our engagement letter for your signature and will send an invoice to you in due course.

With kind regards,

EXEMPT SECTION 23+35

Email secured by Check Point

Cartwright, Tarita M.

From: Anderson, Collin J.
Sent: Tuesday, January 15, 2019 1:11 PM
To: Cartwright, Tarita M.
Subject: FW: Protests at House of Assembly, Civil Jurisdiction ~~exempt section 23+35~~ et al v The Police Complaints Authority
Attachments: ~~exempt section 23+35~~.pdf

FYI...

Collin J. Anderson

Government of Bermuda | Ministry of National Security
Telephone: 441 294 2799 | Email: cjanderson@gov.bm

From: ~~exempt section 23+35~~
Sent: Tuesday, January 15, 2019 12:37 PM
To: Caines, Wayne M. <wmcaines@gov.bm>; Anderson, Collin J. <cjanderson@gov.bm>
Cc: ~~exempt section 23+35~~
Subject: Protests at House of Assembly, Civil Jurisdiction ~~exempt section 23+35~~ et al v The Police Complaints Authority

Good day Minister and Permanent Secretary,

We have reviewed the documents and correspondence on the behalf of the Police Complaints Authority and can confirm that the terms of the draft settlement will effectively bring the claims to an end. We are happy to assist in the event the outstanding claim bought by ~~23+35~~ is made live again.

Due to the urgency of the advice we have also attached our engagement letter for your signature and will send an invoice to you in due course.

With kind regards,

~~exempt section 23+35~~

Email secured by Check Point

EXEMPT SECTION
23 + 35

15 January 2019

Our ref: EXEMPT SECTION 23

PRIVILEGED & CONFIDENTIAL

The Police Complaints Authority
c/o The Ministry of National Security
Global House, Ground Floor
43 Church Street
Hamilton HM 12
Bermuda

Attention: Permanent Secretary Colin Anderson

Dear PS Anderson,

Re: Protests at House of Assembly
Civil Jurisdiction EXEMPT SECTION 23+35
EXEMPT SECTION et al v The Police Complaints Authority
23+35

You have retained our firm to act on the behalf of The Police Complaints Authority in their defence of a claim in the above captioned Bermuda proceedings.

We are pleased to accept this retainer. The purpose of this letter is to summarise and confirm the terms of our retainer, including the nature and scope of our work and the arrangements regarding our fees. The Bermuda Government will be solely responsible for the payment of our fees.

Nature and Scope of Work

We anticipate that our representation will involve taking the following steps on your behalf:

1. Review of all relevant background documentation, including your client retainer, advice given, correspondence, judgments made etc.
2. Legal research and analysis of the claim.
3. Providing legal advice to you on the terms of settlement.

At this time, we have not been retained to represent The Police Complaints Authority generally or in connection with any other matter.

Project Team and Fees

It is anticipated that our work will be performed by a project team consisting of the following attorneys whose current time charges are noted below:

Name	Area of Responsibility	Hourly Rate
EXEMPT SECTION	Legal advice and advocacy	Bda\$650
23 + 35	Legal Advice	Bda\$550
	General paralegal assistance	Bda\$150

EXEMPT SECTION 23 + 35

These hourly rates may be modified from time to time to reflect changes in the experience and expertise of the persons concerned. We will notify you of changes in hourly rates but no changes are anticipated at this time.

Statements of account will be sent to you monthly until completion of the transaction or earlier termination of our retainer. Interim bills may be rendered from time to time.

Disbursements

You will be responsible for reimbursing us for disbursements made on your behalf. Such disbursements include expenses of long distance telephone calls, faxes, deliveries, travel expenses and photocopying, the fees of agents who conduct investigations, searches and registrations, and all other reasonable out-of-pocket expenses. If we are obliged to incur additional expense for staff overtime on evenings or weekends in order to meet deadlines fixed by you, the overtime charges will be charged to you as a disbursement.

We will not be obliged to advance on your behalf the cost of substantial disbursements. In such instances, we will instruct the person providing the service to bill you directly, or we will request payment in advance of the disbursement from you.

Payment of Accounts

Payment of each statement of account, whether for both fees and disbursements or for disbursements alone, is due when the statement of account is rendered. Interest accrues at the rate of 1.5% per month on the balance of any account that remains unpaid 30 days after the date of the statement of account.

Termination of Legal Services

At all times you have the right, with or without cause, to terminate our services upon written notice to that effect and all material belonging to you will be released to you upon payment in full of all outstanding accounts. We may retain copies.

Subject to the fulfilment of our obligations to maintain proper standards of professional conduct, we reserve the right to terminate our services at any time, with or without cause, upon written notice to that effect, and we shall withdraw in the following circumstances:

- (a) if you fail to cooperate with us in any reasonable request;
- (b) if it would be unethical or impractical for us to continue to act;
- (c) if you fail to pay our accounts when rendered.

Jurisdiction

This agreement shall be governed and construed in accordance with Bermuda law.

For our benefit, you agree that the Bermuda courts shall have jurisdiction to settle any dispute under this agreement, and you irrevocably submit to the jurisdiction of the Bermuda courts for such purpose. Our firm shall also be entitled to take proceedings in connection with this agreement in any other court of competent jurisdiction.

Agreement

If you wish to proceed on the basis described above, please sign the enclosed copy of this letter in the space provided and return it to us at your earliest convenience.

Yours faithfully,

Oliver Section
23 & 35

AGREED to this day of January 2019

Per: _____
Authorised signatory, on behalf of The Police Complaints Authority

Name:
Title By:

Oliver AT
section 23 & 35