

Appendix 1

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Dear Kevin

DSD Special Adviser – Fact-Finding Exercise

Thank you for your note of August 20th conveying the Chair's interest in the DSD fact-finding exercise that has been reported in the media in recent days. Conscious that the Committee has announced an inquiry into this and related matters with terms of reference yet to be agreed, the intention was to brief the Committee at an early opportunity.

In common with other special advisers, Mr Brimstone is a temporary civil servant, appointed under Article 3 of the Civil Service Commissioners (Northern Ireland) Order 1999. His terms and conditions require performance with the high standards expected of senior civil servants and also specify that any disciplinary matters which were to arise in relation to him should be dealt with in accordance with the disciplinary procedures set out in the HR Handbook. He is similarly bound by the NICS Code of Ethics.

Recent allegations about the Special Adviser's reported conduct made during a BBC Spotlight programme have led the Permanent Secretary to conclude the need for fact finding to be carried out independent of the Department. When allegations of serious misconduct have been made against an individual, when the individual denies the allegation and where there is a lack of hard evidence to underpin allegations, it is standard practice for line management to carry out a fact finding exercise to establish if there is any basis for proceeding with formal investigation.

In this instance the Permanent Secretary has agreed that the fact-finding interviews and resultant decision on whether there is a basis for proceeding with a formal investigation should be undertaken by someone outside the Department. To that end, Colin Lewis (Department of Finance and Personnel) Head of Corporate HR in the NICS, will carry out the fact-finding which will begin shortly. The outcome of this work will enable the Department to review whether formal investigation needs to be initiated taking account of the terms of reference for and progress on the Committee inquiry.

Terms of reference for the fact-finding exercise are appended for your information.

Yours Sincerely,



Billy Crawford