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STEPHEN NOLAN

The Nolan Show of course is the place to be for RHI inquiry coverage. We heard a lot over recent weeks about the DUP Special Adviser Andrew Crawford, how he didn't read important documents; how he distributed legally privileged documents to people he shouldn't have done; how he gave the First Minister's son information ahead of others. Let's look at another DUP adviser now, Stephen Brimstone. The inquiry has heard that Mr Brimstone phoned a civil servant to ask for details about the RHI scheme, that civil servant was called Stuart Wightman, who happened to be in my class in school by the way, but there we go, and Mr Wightman oversaw DETI's energy efficiency branch. Stephen Brimstone didn't say that he was a DUP Special Adviser, got the info and then got a boiler for himself. Let's hear the inquiry counsel Joseph Aiken...

JOSEPH AIKEN

What seems to happen on the 24th November is your telephone number, as the RHI contact, is given to a Special Adviser colleague, Mr Brimstone. Now the natural implication of that sequence of events is you were going to get a call from Mr Brimstone. Did you get a call from Stephen Brimstone?

STUART WIGHTMAN

I did, but I think it was much later, I think it might have even been 2015. I don't remember, I just can't recall taking a telephone call from Stephen Brimstone at and around November '14, I do recall taking a telephone call, I think, much later and it was about applying for the RHI. I didn't know who he was when he rang me but the name was familiar, and then subsequent to that I sort of put two and two together and realised that that's who he was.

JOSEPH AIKEN

So I want to just, you'll understand there's an importance to this so I want to try and get this as clear as we can. At a point, which you believe may have been in 2015 rather than November 2014, are you able to help us with at what point in 2015, by reference to some of the key events, do you think it was before or after the February Moy Park, March sending emails to Sandra Thompson, things are problematic budget-wise?

STUART WIGHTMAN

I can't, I think it might have been after, but I can't be...

JOSEPH AIKEN

You don't know..

STUART WIGHTMAN

...I can't be 100% sure.

JOSEPH AIKEN

Right, and you know I'm eventually going to come to why is there no record of the call, but for now, you get this call, does he not identify himself to you as the Special Adviser in the Department for Social Development?

STUART WIGHTMAN

No, no.

JOSEPH AIKEN

What, to the extent you can recount the conversation, given that at some later point then you'd realise who you were in fact talking to.

STUART WIGHTMAN

The reason I remember the call is because the call was quite unusual in that it started off, I believe you're the man to talk to about RHI...

SIR PATRICK COGHLIN

Take that slowly please.

STUART WIGHTMAN

Pardon.

JOSEPH AIKEN

Just take it slowly so that we can...

STUART WIGHTMAN

I believe you're the man to talk to about RHI and I think he referenced Andrew Crawford. So at that stage I just thought it was, (unclear) general, just a general applicant, so I would have just treated the telephone call like any other applicant wanting to find out how to apply for either scheme and I talked him through the process and talked him, referred him to the website and so forth. So it wasn't, there was nothing unusual, apart from the start of the telephone conversation, but the name, Brimstone, I was, afterwards I sort of thought that, I know that name, and it was then, it became, subsequent to that if you like, that's who it was, he was a Special Adviser.

SIR PATRICK COGHLIN

He gave his name then in the telephone call?

STUART WIGHTMAN

Yes.

SIR PATRICK COGHLIN

It was like, I'm Mr Brimstone, I believe you're the man to take me through RHI?

STUART WIGHTMAN

Yes.

SIR PATRICK COGHLIN

Alright.

JOSEPH AIKEN

And you said he referenced Andrew Crawford, now can I ask you did, that's a paraphrase, what do you mean by he referenced Andrew Crawford?

STUART WIGHTMAN

I think it might, I think it might have been like Andrew Crawford tells me you're the man to talk to about RHI, something like that.

JOSEPH AIKEN

Can you remember any other details about that conversation?

STUART WIGHTMAN

No, to be fair, I just remember it like any other applicant, just quite a common call in terms of can you tell me how I go about applying for the RHI and what you do in the process is what I can recall, it was just a pretty standard call you would get from somebody ringing up about the scheme.

JOSEPH AIKEN

At what point did you realise in fact you'd been talking to Dr Crawford's Special Adviser colleague?

STUART WIGHTMAN

I can't remember was it at that time, it's difficult because of hindsight now or was it more, a lot more recent than that. But I think, I do think it was after the call, I do think it was at that time, after the call and I might have mentioned it to my colleague, I didn't raise it because the nature of the call was quite standard, it was, and to be fair, anybody could apply for the RHI scheme, there's nothing wrong with that, and there was nothing in the call that would have, that I was suspicious of or would have created concerns. We (unclear) to put the context, we got a lot of calls from a lot of people inquiring. Yes, it turned out this was a Special Adviser, I think I would have found that out sometime after the call, but I didn't think there was a need to raise anything because there was nothing unusual about the call, apart from this person was a Special Adviser.

SIR PATRICK COGHLIN

Just to put it into context, was this within an hour of receiving the call or the next day?

STUART WIGHTMAN

I think it was within a few days or maybe a week, that sort of...

SIR PATRICK COGHLIN

How did it arise, did you say I got a funny call from a man called Brimstone?

STUART WIGHTMAN

No, the name, it was the fact that it said you're, Andrew Crawford tells me you're the man to talk to, it was just a strange way of starting the call...

SIR PATRICK COGHLIN

Yes, I understand that.

STUART WIGHTMAN

The name was familiar and I suddenly remembered there was a whole issue to do with the Red Sky, issues with the Housing Executive contract and I knew there was, I think that was quite live at the time, so maybe that might help, that was quite live at the time so that's how, because you wouldn't, as a matter of course as a Grade 7, you wouldn't know who the Special Advisers are of the various departments. You would know maybe some of the key ones in the likes of OFMDFM along with your own department, but you wouldn't necessarily know all the names of the other advisers.

STEPHEN NOLAN

Sam McBride is with us. Help us with the timing of this, when was Mr Brimstone looking for information so that he could get a boiler for himself?

SAM MCBRIDE

He was looking for this information at the end of 2014, so October/November time. As you heard there Stuart Wightman doesn't think he actually phoned him at that point when Andrew Crawford passed on Mr Wightman's number to his Spad colleague, he thinks it was a few months later, perhaps even after February 2015 so maybe three or more months after this point where he gave him the phone call and I think it is probably important to say at the outset here that on the basis of what we heard there and on the basis of what we heard elsewhere in the inquiry there is no real hinting of anything improper in terms of what happened here, it is just as Mr Wightman said it is quite unusual and it stands out and there is also a particular significance to Stephen Brimstone not just because he is somebody who has been a very controversial Spad within the DUP, in the past he was obviously involved in the Red Sky situation but he is also somebody who Arlene Foster chose as her special adviser, as one of her four special advisers when she became First Minister, he was paid a salary of about £92,000 and he left that post a few weeks before the BBC Spotlight programme in late 2016, it may be that there was no link between those things whatsoever but he is somebody who has a particular link to Arlene Foster and that is why I think as the inquiry delves into this and we may well hear from them in person there will be particular interest in what he did or didn't do and what his precise involvement with the scheme.

STEPHEN NOLAN

Some people might be thinking to themselves why didn't he, there is no impropriety, no suggestion of it, but why didn't he declare who he was, why didn't he tell Stuart Wightman look I am Stephen Brimstone and describe who he was?

SAM MCBRIDE

We obviously have to hear his side of that, we haven't seen his written evidence yet and we may hear from him, there are several explanations I suppose, it may be that he was known widely within Stormont because he was in the public eye at that point. At this point he was really in the eye of the storm in terms of the Red Sky situation, the allegation of what he said to Jenny Palmer who was then his party colleague in the DUP , he was being investigated as part of the social development committee's probe into what happened there and he was publicly questioned by the committee, which in itself was very unusual for a special adviser these are people who are generally behind the scenes, we don't see much from them, so it may be that he thought he was widely known, it may be that by saying he got the number from Andrew Crawford that he thought that that was relevant, we just don't know that at this point.

STEPHEN NOLAN

On Friday the inquiry also heard from Joseph Aiken QC who asked Stuart Wightman, Stuart is the Department of Enterprise official and as I said earlier I remember Stuart as a little 13 year old boy in the same class as me but there we go, NI is a small place, he went to Inst, he is an Inst man, but Joseph Aiken asked Stuart Wightman whether it was ever drawn to the attention of the then Minister Jonathan Bell and his advice was the department had a big problem in terms of the budget for the scheme, let's have a listen...

JOSEPH AIKEN QC

Was there no discussion about how by 3rd of June at the latest, if not 28/29 May a one pager, as Dame (unclear) I think will call it, goes up to the Minister saying we have a problem, we are over budget, there may be a (unclear) consequence, we need to, we believe abandon a significant number of the things we consulted on that we have been working on, we need to put them aside and just do this for the reasons that you would then set out. On a

one page notification to the Minister and special adviser 'we have a big problem'...? Did a discussion like that never occur?

STUART WIGHTMAN

Not at my level. I know obviously there was something after 3rd of June, there was discussions with the Minister and the senior management team about the issue but I am not aware of certainly at my level discussions with the Minister before then, there may have been discussions at Permanent Secretary level with the Minister, I am not part of those.

JOSEPH AIKEN QC

But there were discussions after this?

STUART WIGHTMAN

After the 3rd of June I wasn't part of them but I know the Minister, I think it was around 8th June there was an issues meeting, it was raised at....

STEPHEN NOLAN

And so the significance of this is that there were red flags around what was happening across the water, there were red flags....

SAM MCBRIDE

They knew the scheme was over budget at this point.

STEPHEN NOLAN

And so it has not been pointed out to Jonathan Bell, why not?

SAM MCBRIDE

Well I think there is a really fundamental question about who runs the department. There is the stereotype I suppose, the satire in Yes Minister that really it is a civil servant and the minister is really a figurehead he doesn't really do very much. Often that is not right but this certainly plays into that scenario. The idea here that the civil servants knew concretely that this

scheme was over budget, they knew that for weeks, they knew there was a problem, they were scrambling around trying to fix it, trying to clarify the funding situation, at one point Mr Wightman said that they felt panic at what was going on and yet the Minister doesn't seem to have been the first person to have been told hang on a minute we have a serious problem here, we are working on it, we will come back to you when we have got more details. He comes into the picture at a much later point and then there is a second difficulty where even though it is really common cause between the Minister and the civil servants, that he wasn't immediately told about it for a period of weeks, civil servants think that he was told orally about it at some point because it was put to him in writing in July, which is several months after they were aware that there was a major problem here, but there is no record of that and this is a perennial problem in the inquiry where very important things are just not written down and one of the lessons here I suppose for anybody in the civil service who is ever going to try and defend something that they have done, they say actually I did perform my duty to the Minister is write it down and for whatever reason there was a culture here where things which were of the utmost importance really were not going written down routinely and that was acceptable.

STEPHEN NOLAN

And remember what we are talking about here, I am sure none of you have forgotten, we are talking about here a scheme which eventually started hurtling towards an overspend of many hundreds of millions of pounds of your money, that was subsequently capped but they had to go to court to do that, hundreds and hundreds of millions of pounds of your money this was hurtling towards costing in terms of an overspend. Here is another part of the RHI Inquiry you might be interested in, on Friday the inquiry heard how the truck and bus dealer Dennison Commercials Ltd ordered 11 boilers from FG Renewables on 10 August 2015. They were all accredited on the RHI Scheme by mid-October that year beating the deadline for the changes to the subsidy rate. The inquiry counsel Joseph Aiken outlined the background to that multiple boiler application.

JOSEPH AIKEN

And you can see that they have 11 boilers and of note...

SIR PATRICK COGHLIN

All the applications are the same date....and the accreditation is 14/15 October.

UNKNOWN

Yes.

UNKNOWN

We managed to actually get them installed and commissioned in less than two months.

JOSEPH AIKEN

When you follow through what Mr (unclear) says we placed our order with our supplier on 10 August 2015. So if we scroll back down to the table the order was placed on 10 August so despite the efforts of the supplier Dennison Commercials said we didn't actually bite until 10 August even though they had had emails on 1 July and 10 July.

SIR PATRICK COGHLIN

Yes but it still only takes two months to get accredited.

UNKNOWN

Well it takes 19 days for the 11 boilers to be installed.

JOSEPH AIKEN

It is the application date that is the key and they place their order on 10 August and their application is capable of being submitted and is submitted successfully as it turns out by 18 October.

SAM MCBRIDE

Pretty eye watering example isn't it, it shows several things, it shows that the industry could react incredibly quickly when it got this inside information. Civil servants thought it would take months to get these boilers in, this shows just

how fast they can act. It also is a concrete example I suppose of why the delays to cost controls mattered. If the cost controls had come in when they had meant to come in this would never have happened even if they had come in without the delay which it is alleged DUP people were involved in and they have denied that, even if they had come in in early October this would not have happened and also I think we see here the cause and effect of information coming out of the department from civil servants in this case, where they think in their minds they have told the inquiry that they were really trying to head off any sort of legal challenge to the changes to the scheme by being formally consulting with the industry, that is something which clearly here leads to the effect that industry immediately uses this information as you might expect to make money to their commercial organisations, if they had anything that gives them a commercial advantage of course they are going to use it, that never seems to have crossed the mind of these officials, they seem to have quite naively thought that this was something that was going to be treated responsibly by the industry.