



Wallace Gregg

Personal information redacted by the RHI Inquiry



6 June 2017

Dear Sir

Re: The Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme
Provision of a Section 21 Notice requiring the provision of evidence in the form of a written statement

I am writing to you in my capacity as Solicitor to the Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme (known as 'the RHI Inquiry') which has been set up under the Inquiries Act 2005 ('the Act').

I enclose a copy of the RHI Inquiry's Terms of Reference for your information.

You may be aware from media reports that the RHI Inquiry is conducting its investigations into the matters set out in its Terms of Reference. The Inquiry is continuing with the process of gathering all of the relevant documentation from relevant departments, organisations and individuals. In addition, the Inquiry has also now begun the process of requiring persons who have been, or who may have been, involved in the range of matters which come within the Inquiry's Terms of Reference to provide written evidence to the Inquiry Panel.

In this context, it would be of assistance to the Inquiry to have a statement from you setting out your involvement with the Non Domestic Renewable Heat Incentive Scheme in Northern Ireland ('the Scheme').

In keeping with the approach we are taking with others, the RHI Inquiry is now

issuing to you a Statutory Notice (known as a 'Section 21 Notice') pursuant to its powers to compel the provision of evidence in the form of a written statement in relation to the matters falling within its Terms of Reference.

The Section 21 Notice enclosed with this letter requires you to provide evidence to the RHI Inquiry Panel in the form of a written statement addressing the matters identified in the Schedule to the Section 21 Notice. As the text of the Section 21 Notice explains, you are required by law to comply with it.

The aim of the enclosed Notice is to require you to provide all relevant evidence within your knowledge which is pertinent to the Inquiry's Terms of Reference. The Schedule to the enclosed Section 21 Notice provides further detail as to the matters which should be covered in the written evidence which is required from you. In the event that there is a category of information in respect of which you have no evidence, please state this in your response. Where you can provide evidence, then the more comprehensive your statement is, the less likely it is that the Inquiry will have to revert to you at a later stage for clarification, although in many cases this is likely to be necessary to some degree.

If it would assist you, I am happy to meet with you (or your legal representative) to discuss what evidence you may be able to provide and whether it is covered by the Inquiry's request.

Receipt of this correspondence and its enclosures places you under a duty of confidentiality to the RHI Inquiry in respect of them. You may share the correspondence and the enclosed Notice with a legal representative or representatives, but neither you nor they may show, communicate the contents of, or provide this correspondence or the Notice to any other person or organisation without the express permission of the RHI Inquiry. Any breach of this duty of confidentiality is actionable at the suit of the Inquiry Chairman.

You will also find attached to the Section 21 Notice a Guidance Note explaining the nature of a Section 21 Notice and the procedures that the RHI Inquiry has adopted in relation to such a notice. In particular, you are asked to provide your

evidence in the form of the template witness statement which is also enclosed with this correspondence.

Given the tight time-frame within which the RHI Inquiry must operate, the Chairman of the Inquiry would be grateful if you would comply with the requirements of the Section 21 Notice as soon as possible and, in any event, by the date set out for compliance in the Notice itself.

Finally, I would be grateful if you could acknowledge receipt of this correspondence and the enclosed notice by email to Patrick.Butler@rhiinquiry.org.

Please do not hesitate to contact me to discuss any matter arising.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Patrick Butler', written in a cursive style.

Patrick Butler

Solicitor to the RHI Inquiry

02890408928

SCHEDULE**[No 270 of 2017]**

1. Explain your occupation or employment and why you might be, or might have been, interested in the Non Domestic Renewable Heat Incentive Scheme in Northern Ireland ('the RHI Scheme').
2. Explain any direct or indirect involvement that you had with, or in relation to, the RHI Scheme or any aspect of it prior to its suspension in February 2016.
3. The RHI Inquiry is aware of an email sent from Andrew Crawford for your attention on 23 July 2015, enclosing an official submission to the DETI Minister relating to the RHI Scheme. A copy of this email is attached for your convenience. Arising out of this, please provide full details of the following:
 - a. Your connection to Andrew Crawford;
 - b. Why Andrew Crawford sent you and/or your wife this email;
 - c. Whether he did so of his own initiative, or at your request, or as a result of previous communications between you;
 - d. Why Andrew Crawford thought you and/or your wife might be interested in the submission attached to the email;
 - e. What you did with, or in relation to, the email;
 - f. In what way the information contained within or attached to that email was used;
 - g. Whether you forwarded the email to anyone else or shared the information in the email with anyone else (giving relevant details such as who you shared it with, when, how and why);
 - h. Whether, to your knowledge, anyone else (including, but not limited to, your wife) forwarded the email to anyone else or shared the information in the email with anyone else (giving relevant details such as who it was shared with, by whom, when, how and why);

- i. Whether you took any other action on foot of the email (such as making any further enquiries about the RHI Scheme or possible application under the Scheme), giving details of any such further action; and
 - j. Whether you spoke to or communicated with Andrew Crawford about the email, or the information contained within it, after receiving the email, and, if so, the details of that conversation or communication.
4. Please provide any and all details of all other communications, passing in either direction, between you (on the one side) and Ministers, Special Advisers, Civil Servants, politicians, political parties, or their respective servants or agents (on the other side) in relation to the RHI Scheme.
5. Specify whether you are aware of Andrew Crawford sharing information in relation to the RHI Scheme (in particular, but not limited to, information about the amendment of the Scheme or the introduction of costs controls into the Scheme) with any other persons, other than yourself and your wife, giving details of the identity of such other persons and what information was shared by Andrew Crawford in relation to the RHI Scheme, as far as you can.
6. Please provide details of each and every communication, either direct or indirect, between you and any other person in relation to the RHI Scheme (providing the nature, date, and place of each communication as well as details of the persons between whom each such communication occurred).
7. Provide any further evidence within your knowledge or belief which is relevant to the matters that the RHI Inquiry is investigating as set out in the RHI Inquiry's Terms of Reference.

NOTE:

It is important for the efficiency of the RHI Inquiry that the issues identified above are addressed as fully as possible and by reference, where available, to the dates and locations of specific incidents to which reference is made. The statement should be broken down into paragraphs, which should be numbered sequentially from '1' to the

end. The use of appropriate section headings or sub-headings is also encouraged. A template witness statement is provided with this Notice for your assistance and should be used as the format for your response.

INQUIRY INTO THE RENEWABLE HEAT INCENTIVE SCHEME

RHI REF: Notice 270 or 2017

DATE:

Witness Statement of: WALLACE GREGG

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I, WALLACE GREGG, Farmer of [REDACTED] will say as follows:-

1. I am a dairy farmer. In or around 2015 I considered building a new milking parlour and dairy unit at my farm which may have included a biomass boiler to provide hot water for cleaning purposes. I recall having discussions with various other farmers about biomass boilers in or around 2014-2015. In particular I recall one such conversation which took place with my farm contractor in late June/ Early July where he informed me that changes were likely to be made to the RHI scheme. To date I have still not constructed this new parlour or installed any biomass boilers.
2. I had no direct involvement with the RHI Scheme and I did not purchase a RHI boiler and my only involvement was in respect of general enquiries made as set out at paragraph 1. above.
3.
 - a. Andrew Crawford is my brother-in-law;
 - b. Andrew Crawford sent an email to the joint email account used by my wife and I. My wife, Joan Gregg, is Andrew Crawford's sister. I can only presume that he sent this to me following a query I had in relation to constructing a new dairy unit;
 - c. I believe that Andrew Crawford sent the email to me on his own initiative but as a direct consequence of the query referred to above;
 - d. See above;
 - e. Nothing
 - f. I didn't construct the dairy unit.
 - g. See above;
 - h. I have no such knowledge;
 - i. I did not take any further action in terms of making an application under the RHI Scheme but I did obtain quotes from two suppliers of boilers who I contacted and

who called out to see me at my farm in order to investigate the possibility of installing an RHI boiler in connection with the proposed dairy unit;

j. I do not recall ever speaking to Andrew Crawford about the email or the contents of it after I received the email.

4. None.

5. I am not aware of Andrew Crawford sharing information in relation to the RHI Scheme with anyone else.

6. See 3.i above.

7. None.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: Wallace Gregg

Dated: 7/12/2017