

From: Stewart, Tanya
Sent: 02 October 2018 15:38
To: Butler, Patrick (RHI) <Patrick.Butler@rhiinquiry.org>
Subject: RE: HPRM: Anonymous whistle-blower & HOCS

Patrick

In relation to your e-mail below, I attach note prepared by Sir Malcolm. If my client can be of any further assistance in this matter please do not hesitate to contact me.

Kind regards

Tanya

Tanya Stewart
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Working Pattern - I do not work on Wednesdays

From: Butler, Patrick (RHI)
Sent: 28 September 2018 17:06
To: Stewart, Tanya <Tanya.Stewart@finance-ni.gov.uk>
Subject: HPRM: Anonymous whistle-blower & HOCS

Tanya

One of topics to emerge from Arlene Foster's evidence this week is the suggestion that, (contrary to what Aidan McAteer has suggested in his statement), the anonymous whistle-blower letter provided to AF in January 2016 would have been provided to the DFM side of OFMDFM, after she provided it to HOCS.

Sir Malcolm's second statement touches on this in or about WIT64139/40.

It may be that we will need to send a short S21 notice to Sir Malcolm / TEO on this discrete point, however, it would be helpful if, in the first instance, you could take instructions and see if there is any light which can be shed on that subject?

Happy to discuss.

Regards,

Paddy

Patrick Butler
Inquiry Solicitor (RHI)
Phone: 02890 408928 (Ext: 73928)



Chairman: **Rt Hon Sir Patrick Coghlin** | Secretary: **Andrew Browne** | Solicitor: **Patrick Butler**

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I have quite a clear recollection of this meeting.

I had intended to brief dFM Martin McGuinness on 27/1/16 about the RHI problems I had just been made aware of but he was not available. I contacted Aiden McAteer on the morning of 28/1/16 because dFM was at an event in Belfast. I advised him I needed to speak to him urgently about the RHI problems and also about an issue that had arisen about the Commonwealth Youth Games.

Aiden arranged for me to meet the dFM at lunchtime. As briefing material I used some handwritten notes I had taken during my phone call with Andrew McCormick on 26/1/16 and the e-mail I had sent him on 27/1/16. I did not have the attachment of the RHI scheme alleged abuse letter from an anonymous constituent of the FM.

I briefed the dFM on RHI as follows.

- The phone call from Andrew McCormick who was in America on 26/1/16.
- My response to him in an e-mail on 27/1/16.
- Purpose of the scheme.
- The sudden spike in applications in the autumn of 2015.
- The increasing costs and the AME issue.
- The approximate scale of the DEL impact in-year and in future years.
- The difficulties associated with the quick closure of the scheme.
- That I had forwarded an anonymous letter given to me by the FM to DETI to have investigated.
- I had briefed the FM and her view was that DETI was in the lead in securing scheme closure but that it would be an Executive issue as well now.

The dFM was most concerned about the impact on the Bloc now and in the future and queried how we had got into this mess. He said he would discuss this with his SPADs and consider the next steps. He agreed with the FM view that DETI would retain responsibility for the scheme but it would now be an Executive issue as well.

As I left the dFM's office I believe I left my hard copy of the Andrew McCormick letter with the Private Office (not the alleged RHI scheme abuse letter as I did not have that with me).