

Our Ref: PT/DW

22nd September 2015

Mr Daithí McKay
Chairperson
Committee for Finance and Personnel
Room 144
Parliament Buildings
Stormont
Belfast
BT4 3XX

Dear Mr McKay,

I am writing to you on behalf of a number of my clients who have been named on the Jamie Bryson blog site, in relation to the proposed appearance of Mr Bryson before the Committee.

While my clients fully respect the role and objectives of the Committee, nonetheless I would submit that the Committee have a duty of care to my clients, particularly in circumstances where Mr Bryson has had no direct or any personal involvement in the dealings and matters that are the subject of the current controversy. Mr Bryson is not therefore in any position to give reliable, appropriate or indeed any first-hand verbal evidence.

Any information in Mr Bryson's possession has obviously been provided to him by a third party. Putting aside whether this information is fabricated or provided in good faith, it is the original source of this information who should be providing it directly to the Committee or indeed to the Courts or the authorities. Any other scenario, such as that proposed by the Committee is, at the very least, contrary to the fundamental principles of natural justice.

Furthermore, in providing Mr Bryson with a platform for his own agenda, the Committee are affording credibility to his statements and allegations, which in turn will most likely be disseminated with the protection of privilege in the mainstream media.

While my clients are not seeking to obstruct free speech or the workings of the Committee, such serious allegations should only be facilitated if they are accurate and the person making them is in a position to *personally* confirm and attest to that accuracy. This is certainly not the case here. You will appreciate the distinction between direct evidence as opposed to hearsay evidence. If Mr Bryson does in fact have evidence that he can personally prove and confirm

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from his own involvement and presence, then he should be restricted to giving that evidence.

Mr Bryson has since announced that he will be publishing his statements on his blog site immediately after the Committee Hearing, regardless of any time embargo, thereby making a mockery of any directions given by the Committee.

I understand that Mr Bryson has argued that he meets the "*direct link*" criteria on the basis that he has "*primary documentation*" that establishes such a link. Even if this were the case, then one has to ask the question as to why this documentation cannot simply be handed over to the Committee with an appropriate explanation in writing? More importantly, why has this documentation not been produced by either Mr Bryson or his "source" and handed to the authorities to assist in any ongoing investigations?

Furthermore, I would submit that it is totally inappropriate and extraordinary for a Committee of Inquiry to invite someone to make allegations unless the quality and validity of their evidence has first been established from written documentation. At the very least, I would expect the Committee to examine Mr Bryson's so called primary documentation in the first instance, in order to make an assessment of its authenticity, relevance and value.

What appears to be happening here is that the Committee is taking on a role that should be for a Court of Law, and ignoring the fundamental right of all parties to a fair Hearing, where all the evidence is considered and subjected to cross examination at the same time.

I would therefore urge the Committee to reconsider its decision to call Mr Bryson in these circumstances.

I would be grateful if you would acknowledge receipt of this letter.

Yours sincerely

Paul Tweed
Senior Partner
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