



**COMMITTEE FOR FINANCE AND PERSONNEL**

**URGENT**

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2 Donegall Square East  
Belfast BT1 5HB**

14 September 2015

Dear Sir,

**Evidence of Gareth Graham before the Committee for Finance and Personnel on  
3rd September 2015**

Thank you for your letter of 9 September 2015 on behalf of your client, Mr Frank Cushnahan. This is timely as the Committee had agreed, at its meeting on 3 September 2015, to invite Mr Cushnahan to respond to the evidence presented by Mr Graham. It is therefore helpful to have received Mr Cushnahan's account of his relationship with the SP Graham Group, which the Committee may wish to publish on its website for the public record.

You point out that Mr Cushnahan is not in a position to consider any invitation to appear before the Committee until the criminal investigation has concluded. However, it would be helpful if you can clarify for me whether, at this stage, he would be willing to continue his written engagement with the Committee by agreeing to respond to any written questions which the Committee may wish to raise and which would be within the Terms of Reference for the Committee's ongoing Review of the National Asset Management Agency (NAMA) Project Eagle sale. The Terms of Reference (available [here](#)) were developed for the purpose of setting out a framework for the Committee to continue with its inquiries whilst seeking to minimise the risk of its work inadvertently prejudicing the ongoing criminal investigation by the National Crime Agency and of undermining the fairness of any future court proceedings.

In particular, any knowledge which Mr Cushnahan may have of the relationship between the Department of Finance and Personnel and NAMA could be of assistance in informing the Committee's work. I look forward to your response on this matter so that I can apprise the Committee accordingly.

You refer in your letter to your client having concerns around 'some elements of procedure and relevance' in relation to the evidence session with Mr Graham. In that regard, you refer to Mr Graham having lobbied a Committee member and that the member in question 'did not disclose this information voluntarily...'. If I am correct in assuming that you are referring in this instance to Mr Máirtín Ó Muilleoir MLA, then I would refer you to the following link to the video of the proceedings on 3 September:

<http://www.niassembly.gov.uk/assembly-business/committees/finance-and-personnel/meetings/03-september-2015/>

You will note a 'disclosure' at approximately 15 minutes and 20 seconds from the start of the meeting and before the Committee reached its decision on proceeding with receiving the evidence from Mr Graham. I trust this is of assistance.

In terms of further witnesses appearing before the Committee as part of the Review, I can assure you that, in chairing the oral evidence sessions, I shall continue to take a robust approach in reminding both witnesses and Committee members to remain within the Terms of Reference for the Review.

Yours faithfully

**Daithí McKay**  
**Chairperson**  
**Committee for Finance and Personnel**