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Ms Shane McAteer
Clerk
Committee for Finance and Personnel
Room 419
Parliament Buildings
Stormont

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Dear Shane

SALE OF NAMA ASSETS IN NORTHERN IRELAND

At the Committee's evidence session on 4th November 2015 officials committed to provide further written clarification around Members' queries relating to:

- i. the extent to which the Department has progressed engagement with individuals whose details are currently redacted in the information shared with the Committee;
- ii. nominations to NAMA's Northern Ireland Advisory Committee - specifically asking if Mr. Ronnie Hanna, NAMA's then head of Asset Recovery, was nominated to serve on the Advisory Committee by then Finance Minister, Sammy Wilson MP; and finally
- iii. the details of conference calls that took place between the Minister and NAMA.

In her letter to the Committee dated 9 October 2015, the Finance Minister outlined fully the rationale for the redactions applied to the information shared with the Committee. And as indicated in that letter, the majority of the redacted material shared with the Committee relates to information associated with matters outside of the scope of the Committee enquiry. In terms of the

other information redacted for data protection and commercial confidentiality reasons, and those documents that the Committee has been asked not to publish at this stage, the Department is engaged in a process, outlined below, which is seeking to address the Committee's request in this regard while observing the requirements of the Data Protection Act.

As outlined in the Minister's correspondence, the Department initiated a comprehensive review of its data management systems in July 2015 in response to the Committee's request for all information relating to NAMA. The culmination of that intensive review was the sharing of a significant volume of information with the Committee, firstly on 22nd July 2015 and latterly on 9th October 2015. As the Department advanced its review, it sought legal advice on the treatment of the personal and/or commercially sensitive information it held and applied redactions as appropriate, to ensure it met its legal obligations in that regard.

In parallel with its ongoing review, the Department sought to develop a robust and secure process for engaging with individuals where the Department held personal/commercially sensitive information relevant to the Committee's request. To ensure the identities of those individuals, and the information shared with the Department is handled appropriately, this involves: identifying the individuals; seeking to confirm their contact details; making first contact with the individuals to confirm their identity; follow up engagement to outline the nature of the information request that has been received and the personal/commercially sensitive information that is held; and seeking views from the individuals in relation to the sharing of that information with the Committee and/or making it publically available.

As was explained at the evidence session on 4th November 2015, some seventeen documents containing individuals' personal information (names/contact details) have been provided to the Committee with redactions applied. These include eleven documents in relation to borrowers or potential borrowers, and six relating to correspondence from bank employees, who wrote to the then Finance Minister, Sammy Wilson MP, in September 2009, to express their concerns at developments in the financial sector and the potential implications on job security.

In terms of engaging with these individuals I can confirm that the process is well underway with opening letters issued, starting from mid-September, to all eleven borrowers or potential borrowers seeking confirmation of their contact details. As of 10 November 2015, six responses had been received and officials are following these up in order to seek views of the individuals concerned in relation to the sharing of their personal information with the Committee. Explicit written consent to the sharing of these personal details has not yet been received. Nevertheless, officials are seeking to expedite the process while ensuring compliance with the Department's relevant legal duties. With respect to the five individuals who have been approached but have not responded to date, the Department has issued reminder letters prior to taking further steps to engage. If there is no response to these, the Department will consider what further options are open to us to further the process of engagement.

In terms of the documents relating to six bank employees who wrote to the then Finance Minister, Sammy Wilson MP, in September 2009, the Department has not sought to engage with these individuals. DFP does not believe that such a step would be justified nor pertinent to the Committee inquiry. Contacting these individuals and raising the possibility that their names could be drawn into an inquiry could cause stress to these bank employees who were not themselves engaged directly with NAMA, but wrote to raise legitimate concerns about their future job prospects.

In terms of Mr Hanna's role in NAMA, the Department is not in position to share either the name of the then Finance Minister's third nomination to the NAMA Northern Ireland Advisory Committee, nor to comment on any names suggested as this could risk the inadvertent identification of the individual in question. However, as is the case with the borrowers referred to above, the Department is engaging with this individual to seek their views on the release of their personal information.

Finally, in relation to the Committee's query about the detail of conference calls between the Finance Minister and NAMA, members will be aware that

the Finance Minister has already shared all relevant information held by the Department with the Committee in her letter dated 9 October 2015, and no records are held of any relevant conference calls.

Yours sincerely

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Departmental Assembly Liaison Officer