



Northern Ireland  
Assembly

Committee for Social Development

# OFFICIAL REPORT (Hansard)

Inquiry into Allegations Arising from a BBC NI  
'Spotlight' Programme Aired on 3 July 2013 of  
Impropriety or Irregularity Relating to NIHE-managed  
Contracts and Consideration of any Resulting Actions:  
Mr Stephen Brimstone

3 April 2014

# NORTHERN IRELAND ASSEMBLY

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Inquiry into Allegations Arising from a BBC NI 'Spotlight' Programme Aired on 3 July 2013 of Impropriety or Irregularity Relating to NIHE-managed Contracts and Consideration of any Resulting Actions: Mr Stephen Brimstone

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**Members present for all or part of the proceedings:**

Mr Alex Maskey (Chairperson)  
Mr Jim Allister  
Ms Paula Bradley  
Mr Gregory Campbell  
Mr Trevor Clarke  
Mr Michael Copeland  
Mr Stewart Dickson  
Mrs Dolores Kelly  
Mr Fra McCann  
Mr Sammy Wilson

**Witnesses:**

Mr Stephen Brimstone                      Special Adviser to the Minister for Social Development

**Please note that this is a fully verbatim Official (Hansard) Report of evidence given under oath or affirmation.**

**The Chairperson:** We are once again in evidence session. I want to welcome Stephen Brimstone, special adviser to the Minister for Social Development, here. Stephen, you are very welcome. Again, just to remind yourself then that, because of the Committee's procedures, that you have been requested to give evidence under oath or an affirmation. I understand you have chosen to give evidence under an affirmation, and you understand obviously all of the implications around this.

Could I ask the Clerk then just to provide Stephen — yourself — with the wording of the affirmation, please?

**Mr Stephen Brimstone (Special Adviser to the Minister for Social Development):** I, Stephen Brimstone, do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be truthful and honest, and that I will give the Committee all such information and assistance as I can to enable it to discharge its responsibilities.

**The Chairperson:** OK, Stephen. Thank you for that.

**Mr Brimstone:** Please, Chair —

**The Chairperson:** Are there any remarks that you want to present to the Committee before you start and before we open it up to members?

**Mr Brimstone:** Thank you, Chairman, for the opportunity to make some opening remarks. I previously attended the Committee inquiry session on 9 January earlier this year. In the letter dated 28 March, requesting me to attend today, there are a number of issues listed in which the Committee believe the additional written and oral evidence received by the Committee may contradict the evidence I previously gave. I would like to cover these issues in my opening remarks.

Firstly, in my evidence to the Committee on 9 January 2014, I stated that:

*"I had no role in changing that note",*

referring to the changes to the note of the meeting on 16 April 2012. In her evidence to the Committee on 9 January, the Minister's former private secretary stated:

*"Well, I'm assuming that the instruction come from either the Minister or the special adviser since they were under the impression that the meeting was with the Glass and Glazing Federation."*

In relation to the amendments to the note of the meeting held on 16 April 2012, I have nothing further to add to my evidence on 9 January, and I advise the Committee that I had no sight of any of the drafts and I had no recollection of having made or requested any changes to the private office meeting.

Secondly, the Committee's letter to me on 28 April states that, in my evidence to the Committee on 9 January in relation to the request to the Minister for meetings from Sean McCaughan, Sandra Overend and Daithí McKay, that I did not see any of the requests for meetings with the Minister, which were subsequently turned down. As I said on 9 January:

*"none of that came through me."*

However, evidence subsequently received by the Committee indicated that all responses to the requests for meetings were sent directly to me for approval. When I said in my evidence on 9 January that:

*"none of that came through me",*

the context of my statement was that, in relation to the meeting with the Minister on 16 April 2012, I was approached in the first instance by a representative of Turkington Holdings, who asked to meet me. I met with them in January 2012, and the outcome of that meeting was that I agreed it would be appropriate that a meeting with the Minister should be requested. However, in relation to the meetings requested by Sean McCaughan, Sandra Overend and Daithí McKay, they did not contact me in the first instance in the same way Turkington's did. Their requests for a meeting were sent to the Minister in the first instance.

It is also not correct to say that all the responses to the requests for meetings with the Minister were sent directly to me for approval. That is not the case. These were sent to the Minister to consider and approve. Departmental procedures are that requests for meetings with the Minister are forwarded to officials for advice. Departmental officials' advice is then forwarded to the Minister, through me, in line with my role as special adviser, which includes reviewing papers going to the Minister and providing advice on any aspect of departmental business. The Minister then makes his decision. Evidence of this has already been provided to the Committee, including submissions from officials to the Minister, which are headed 1. Stephen Brimstone and then 2. Nelson McCausland, as well as the private office pro formas, where I record my advice to the Minister, and the Minister records his response.

In your letter on 28 March, the Committee has also raised that, in my evidence to the Committee on 9 January 2014, I stated that I had no powers to give instruction to the Department, yet evidence received from the Department in respect of the proposed meeting between Dr McCrea, Super Seal and the Minister stated that the special adviser has decreed — or had decreed — that the meeting with William McCrea goes ahead. I have already detailed to you today the process in relation to *[Inaudible.]* Minister for meetings in my role as special adviser. My advice to the Minister in relation to this request is recorded in the private office pro forma, which was copied to the Committee on 4 March. It was the Minister's decision that this meeting should be arranged. I did not decree that the

meeting should go ahead, and I am not responsible for the choice of words used in the email referred to.

Finally, I understand that the Committee also wishes to discuss today that, on 9 January 2014, I confirmed to the Chair that at no point had I sought to change any references to Turkington's to refer to the Glass and Glazing Federation and that further evidence received suggested that on, 24 May 2012, I did request that, in the draft response to Mr Daithí McKay's Assembly question, that the reference to "Turkington Holdings" be removed and replaced with "representatives from the Glass and Glazing Federation". That is correct. I did request that this change was made in line with my role in reviewing documents before they go to the Minister for approval. This change was made to reflect the Minister's stated position at that time, which was that the meeting was with the representatives of the Glass and Glazing Federation. I am content to take Committee's questions, Chair.

**The Chairperson:** OK, Mr Brimstone, thank you for that opening remarks. I have, I suppose, just for me, just a single question, really, and it's against the backdrop of, as I have said early on to the Minister in the previous session, but in respect of yourself, I mean in all of the correspondence that we had received, I mean starting off your contact by request from Turkington's, who phoned you to do a meeting, if I remember correctly, January in the Radisson's hotel. The meeting was requested by Turkington's through yourself with yourself. That was held.

So, from that, if you like, opening gambit in all of this to the very end, with the exception of, however, of your saying that you became aware in July 2013 and you described your response as to be shocked by it. But, nevertheless, however that's characterised, you were aware then in July 2013 that the meeting was, in fact, with Turkington's. And, given that the central allegation or the central argument around all of this, the central allegation is that the Committee was misled around who the meeting was with and so on and so forth and perhaps [*Inaudible.*] people have to draw conclusions on that themselves.

The direct question I have for yourself, Stephen is that, in your own words you are saying in July 2013 you became aware formally that it was Turkington's. I cannot understand — I'm trying to work out why at no time was the Minister then advised that his interpretation of the meeting was incorrect, given all of the controversy. In fact, the allegation that the Committee had been misled has actually led to this inquiry. So, I just — I mean you are asking — Are you telling us that at no time did you then advise the Minister, even post-July 2013, that his assumption that the meeting was with Turkington's was wrong? That's the evidence, that's the nub of the evidence that we are hearing and we have heard from yourself, so I just, given that we're here now second phase of questions, is that your position? Is that still your position?

**Mr Brimstone:** Well, just come back to the letter. Probably, as the Minister indicated earlier on, the word "surprise" should have used as opposed to "shock". And, I think I have made reference to the logo on the letter as opposed to the content of the letter. That was what surprised me. I was expecting to see a letter coming from the Glass and Glazing Federation with their logo on it as opposed to a letter with the Turkington's logo on it. The content of the letter didn't change my view that the meeting was actually with the representative of the Glass and Glazing Federation.

**The Chairperson:** But, the key thing for me to try to understand and obviously what the Committee has to try to get at the heart of is that whatever about the logo — I mean you are saying that you became aware in July 2013 that the meeting was actually Turkington's.

**Mr Brimstone:** I didn't.

**The Chairperson:** You didn't?

**Mr Brimstone:** No.

**The Chairperson:** But, in your evidence, you said:

*"It was a shock to me. When I first saw the letter from Ian Young in July 2013 and the logo at the top of that letter was Turkington's as opposed to the Glass and Glazing Federation."*

That was your written evidence, so I'm just trying to work out because, again, I'm just trying to understand how, given the fact that you were at all of the meetings, you were discussing the

allegations which the Minister described as scurrilous and threatened legal action. The 'Spotlight' programme, letters to this Committee, Assembly debates, a lot of controversy. I'm just trying to work out how the Minister would not have been advised by someone in a key position as yourself as special adviser that you did not then follow the conclusion that you had reached that there was a meeting with Turkington's. You're now saying you don't think it was Turkington's.

**Mr Brimstone:** No, I didn't reach that conclusion probably until mid-December of 2013 that the meeting was with Turkington, and that was after their evidence when they clearly stated, as Minister did, where they clearly stated that they weren't under any illusion that the meeting was with the Glass and Glazing Federation. They felt that they were at the meeting in their own regard as Turkington's.

**The Chairperson:** In your evidence, you said — I'm just quoting your own evidence — you said if you:

*"had seen it at the point in April when the meeting was held, flags would have been raised in my mind."*

So, if you saw it in July 2013, was there a flag not raised in your mind, and would that flag not have reached the Minister?

**Mr Brimstone:** Well —

**The Chairperson:** Just — I'm just going to remind ourselves of the context. This is a very controversial, hot topic; one which has actually brought the Minister subject to an inquiry of this Committee on behalf of the Assembly, so it's a serious matter, and I'm just trying to remind ourselves of that.

**Mr Brimstone:** I can only go back to my recollection of events in July of 2013. I had seen this letter for the first time. That was a surprise to me as to why it was only the first time, and probably the bit that flagged it up to me that it was the first time was that I saw that the logo at the top of the letter was Turkington's as opposed to the Glass and Glazing Federation. It was then I went and investigated and discovered, actually, when the letter arrived in, I was off on paternity leave, so that's why I hadn't seen the letter when it arrived in. The content of the letter; I was still of the belief that the actual meeting itself, whilst the staff members were from Turkington's, but they were there in the capacity of representing the Glass and Glazing Federation.

**The Chairperson:** OK, well, I mean, I'm just to remind yourself again, your evidence, I think, as I understand, the decision is that the letter and so on would've been contained in your — in the brief, with a pre-meeting prior to —

**Mr Brimstone:** And I think I went into that at the last evidence session.

**The Chairperson:** I'm just making a point, but it was available to you, so —

**Mr Brimstone:** But I didn't say it wasn't available. I hadn't seen it.

**The Chairperson:** OK. And, the only very simple question I have is at no time you felt it necessary or appropriate to go the Minister and advise him, "There's a flag to be raised here; there's a query on this"?

**Mr Brimstone:** Back in July, I would've said it was a surprise to me that —

**The Chairperson:** Did you say that to the Minister? The point I am asking is —

**Mr Brimstone:** I'm sure he was there whenever it was stated.

**The Chairperson:** But, see, the Minister says he doesn't; he's no recollection of that whatsoever.

**Mr Brimstone:** He may not have a recollection of it.

**The Chairperson:** Because you do know the Minister — you've heard the Minister's evidence, which he says that he only became aware of that whenever Turkington's gave their evidence to this Committee.

**Mr Brimstone:** He only became aware that the meeting was with Turkington's as opposed to — in their own right as Turkington's — as opposed to them representing the Glass and Glazing Federation. My view was, as Minister's was, up until mid-December 2013, that, yes, it was staff members of Turkington's, but they were there in the capacity of representing the Glass and Glazing Federation. The whole content of the meeting was discussing — the bit of the meeting that I was at — was discussing the guidelines of the Glass and Glazing Federation, so there was nothing to counter my view that the meeting was with the Glass and Glazing — with them representing the views of the Glass and Glazing Federation.

**The Chairperson:** I mean, I'm not going to labour it any more. I'm just going to put the question once more. In your own evidence, you're saying you became aware of it in July. You certainly — in your own evidence, you said if you'd seen it at the point in April when the meeting was held, flags would have been raised in your mind. I'm only asking: was the Minister made aware that you had the flag raised in your mind —

**Mr Brimstone:** That the logo was —

**The Chairperson:** Please tell me yes or no.

**Mr Brimstone:** If the logo was different than I expect, yes.

**The Chairperson:** So, the Minister was aware.

**Mr Brimstone:** I —. Listen —

**The Chairperson:** No, but, I mean —

**Mr Brimstone:** I'm saying I'm sure. That's the best; I'm trying to give my best recollection of events here. I can't point to a date and time on which I said, "Minister, I believe that logo was different — that logo was different to what I expected". I'm fairly sure that would've been raised, but I can't go any further than that, Chair.

**The Chairperson:** You would accept that it is a serious issue, because it goes to the heart of who was at the meeting and why was the meeting held and, because: see, the key problem here is that this is actually ultimately why Minister is subject to an inquiry. In fact, there's a suggestion that the Committee in the Assembly was misled.

**Mr Brimstone:** My view — and, Chair, you can clarify if I am wrong — my view is that the terms of reference of this inquiry is round the letter that was issued to you in May of 2012, I believe, as opposed to what discussions took place in July of 2013. I could be wrong on that, Chair. I am happy for you to guide me on it.

**The Chairperson:** The terms of reference there — there are three terms of reference. The terms of reference are, among others, but what governs this particular phase. I will read it out for you now. It is whether or not the Committee was, and the Assembly was, misled. That is the allegation that has been put out there. They were first made in here. I am just making the point that the Minister now, unfortunately, finds himself subject to an inquiry. I remind that phase one of the inquiry will address — and this is a specific point which was agreed by all the members —

*"allegations that the Committee was misled by the Minister for Social Development over his decision to seek a review of the specification for the supply and fitting of double glazing."*

The only key point I am trying to make, and it is a simple point, I am trying to remind ourselves of the seriousness, because we have an inquiry which is taking this Committee off all other very, very important work. The Minister has found himself subject to an inquiry. Others, like yourself, are now subject to being required to give evidence. All I am trying to get into my head is, notwithstanding all of

that difficulty, nobody appears to have told the Minister, "Actually, hold on; there might be a problem here.". And, you are saying —

**Mr Brimstone:** And, nobody told me either that there might be a problem.

**The Chairperson:** So, you were not aware that there was a whole big controversy. You weren't at the meeting on 20 June discussing the response to the BBC.

**Mr Brimstone:** I thought your question to me was "Did anyone raise a flag with Minister that his impression was wrong as to who the meeting was with, from official level or whoever?" No one did.

**The Chairperson:** That's been the whole subject of the questions during all of the sessions so far.

**Mr Brimstone:** Yes.

**The Chairperson:** So, I'm just making the point. I'm not going to ask it again. Just simply, did you tell the Minister that you think there might be a problem that the meeting may well have been with Turkington's?

**Mr Brimstone:** No.

**The Chairperson:** OK.

**Mr Brimstone:** Because I didn't believe that, Chair.

**The Chairperson:** Even though the letter was from Turkington's, and so on and so forth. OK. Michael Copeland.

**Mr Copeland:** Thanks, Chair; thanks, Mr Brimstone. When did you go on paternity leave?

**Mr Brimstone:** 27 February 2012.

**Mr Copeland:** Was that your last day or the first day?

**Mr Brimstone:** That was a Monday, and my son was born on the 26th.

**Mr Copeland:** Congratulations. Would you normally see communications? Even, would they backed up on your system, when you would return after paternity leave?

**Mr Brimstone:** If you started going back through that, you'd have a backlog.

**Mr Copeland:** I wonder who does what you do when you are on paternity leave.

**Mr Brimstone:** I believe number one went to the permanent secretary on that instance.

**Mr Copeland:** Which instance? On this?

**Mr Brimstone:** Yes. Are you referring to the letter that arrived with the Minister requesting a meeting?

**Mr Copeland:** No. I'm referring to a letter from Susan McCarty, the housing director's office, dated 27 February 2012. I was curious, because our knowledge and attendance are not necessarily the same thing, but this went to the permanent secretary, to the Minister, to Will Haire, Heather Cousins and a whole plethora of others. In that letter, it details the issue, and it explains the issue at that stage as:

*"Ian Young, general manager of Turkington Holdings Ltd ,wrote to you",*

I presume that that is the Minister,

*"on 2 February 2012 regarding the draft Programme for Government target of installing double glazing in all Housing Executive properties by 2015. He would like to meet you",*

and, again, I presume that is the Minister,

*"to discuss how his company",*

I presume that's Turkington's,

*"could help with this".*

There are then some other routine matters. In the detail, it specifies that:

*"Ian Young, general manager of Turkington Holdings Ltd wrote to you and would like to meet to discuss how he could help with this company. Ian Young advises in the letter that Turkington Holdings has been involved in the glazing sector for over 30 years as manufacturers and installers in large replacement contracts. They are also active members of the Glass and Glazing Federation".*

Is there anything in that that would indicate that this was an approach by anything else other than Turkington's?

**Mr Brimstone:** If I can just separate that out for clarity. You asked a separate question at the start, and then you moved on to that question. Are you happy enough with the response I gave to the first part of your question?

**Mr Copeland:** Again, I can accept that looking at a letter, the first thing you look at is to see who it is from, and on some occasions that would be the logo, Turkington's. Then, read what the letter says. Generally, you try to find who it is from. On this occasion, as you quite rightly say, Turkington Holdings. It is addressed to the Minister, and it is from Ian Young, but there is a capacity there as general manager. The only thing that Ian Young could be general manager of is Turkington's. If you read the body — I suppose I'm being kind, but some of it could be open to misinterpretation, but it is a very small amount in my case. It begins by detailing it's to install double glazing in all Housing Executive homes by 2015 Programme for Government commitment. It thanks the Minister for taking time to read the letter, which, he feels, will be of benefit to all concerned. It then says, "I am writing in connection" —

**The Chairperson:** Sorry, Michael. That's at tab 14, for people if they need to refer to it. Michael, you might need to make it a clear question to Mr Brimstone.

**Mr Copeland:** Yeah. What I am driving at, really, is there any reasonable degree of misinterpretation that would lead you to conclude that this was not a letter from Ian Young in his capacity as general manager of Turkington's? He begins it "I" — that is, he — is writing to the Minister regarding this. He then goes on to say that "We" — that is his company. There is a very spurious link to the Glass and Glazing Federation. Indeed, it is couched only again in that wonderful word that appeared in the second letter that I went to:

*"We are also members of the Glass and Glazing Federation".*

I can't see how you could read that —

**Mr Brimstone:** You weren't at my earlier evidence session when I went into detail on that — that I hadn't seen that letter. The first I had seen of that letter was July 2013. Now, in light of all the discussions to this Committee and the investigations that are going on in this Committee, it is well and good looking at this letter and viewing it in the light that you have just outlined, but bear in mind, I had come at this from the outset, where I had had an initial meeting where my belief was that there was going to be a letter sent by Mr Ian Young, who had been vice-chair and fulfilled various roles in the Glass and Glazing Federation. There was going to be a letter coming from him requesting a meeting with the Minister to discuss the Glass and Glazing Federation guidelines. That was my belief, and, I will be honest, that was my belief up until their evidence session in December 2013.



**Mr Copeland:** I fully accept that that is your belief. What I am asking you is, can you understand our impression reading that that it is very difficult to accept that anyone could read that as coming from anyone else other than Ian Young of Turkington's?

**Mr Brimstone:** Absolutely, but that's in the context in which you are reading it. I read it in a different context at the time and place when it was read.

**Mr Copeland:** Thank you, Chair.

**Mr Allister:** You say you didn't see this letter that has been drawn to your attention from Turkington's until July. How did you come to see it then?

**Mr Brimstone:** To be honest, Jim —

**Mr Allister:** And what else would you be?

**Mr Campbell:** Ah, come on now.

**The Chairperson:** Sorry. No comments of that nature, please.

**Mr Campbell:** This is where it goes off the rails again, you see.

**The Chairperson:** Stephen, don't respond to that, just answer the question.

**Mr Brimstone:** I am disappointed, to be honest, Chair. I am doing my best to answer questions in the fullest and honest way.

**The Chairperson:** Again, I will, just before you go back —

**Mr Brimstone:** I have treated the member with respect, and I would appreciate it if he'd do the same with me.

**The Chairperson:** Stephen, I am just going to remind all members. Jim, since you have the floor at the moment, I want no type of remark like that in this evidence session or any other evidence session. Go ahead.

**Mr Allister:** How did you come by this letter?

**Mr Brimstone:** In early July 2013, post the programme. I can't recall if it — was the letter held up at some point during the programme? I asked officials after the programme then to get a copy of the letter. That was the first I had seen of the letter.

**Mr Allister:** You had been the recipient of letters from the BBC?

**Mr Brimstone:** Yes.

**Mr Allister:** And the Minister had been the recipient of such letters? You had seen those?

**Mr Brimstone:** Yes.

**Mr Allister:** And you knew there was a live issue as to with whom the meetings had taken place? Is that right?

**Mr Brimstone:** They had made reference to having a meeting with Turkington's, yes.

**Mr Allister:** Yes. So, did you never think at that time to search out this letter that you had, since you had been off on maternity leave when it came in?

**Mr Brimstone:** To be honest, I didn't even think of the fact that I was off on paternity leave when it did come in. That wasn't the point of what I was getting at.

**Mr Allister:** So what was it that caused you to go looking for it then?

**Mr Brimstone:** Well, the letter was held up, and I saw a letter that had clearly the Turkington's logo. My expectation would have been that there would have been a letter coming with the Glass and Glazing Federation logo at the top of it. That was what took my attention first of all. Then I was — normally, I can recall things fairly well, but I couldn't recall ever having seen that. So I went and looked and discovered, then, the reason I hadn't seen it was because I was off on paternity leave. If you look, my initials were not on the subhead to Minister, and that initially caught my attention. I thought, "Why are my initials not on this going to the Minister?", and then we looked, and it was whenever I was off on paternity leave.

**Mr Allister:** Now, I am not going to go into the stuff that Michael Copeland put to you, but I just want to suggest to you. You obviously read the letter when you saw it; you just didn't see the heading.

**Mr Brimstone:** Yes. That's correct. In July 2013, yes.

**Mr Allister:** And, as Michael took you through, it's very, very clear who the letter is from and who's looking for the meeting, isn't it — on the face of the letter?

**Mr Brimstone:** Yes. Yes.

**Mr Allister:** Yes. There's no, not much room for doubt on the content of the letter that it's Turkington's asking for the meeting. Do you agree with that?

**Mr Brimstone:** In light of the discussion which we are at today, yes.

**Mr Allister:** Yes. And when you read it in July, you couldn't but have reached that conclusion.

**Mr Brimstone:** I clearly did.

**Mr Allister:** So you read that letter — you ask us to believe that you read that letter in July and did not conclude that this is a letter conveying that Turkington's, as Turkington's, are asking for a meeting the Minister.

**Mr Brimstone:** Remember, I am at this Committee here today to give my best recollection of events as they happened at that time. I'm not asking you to believe anything; I'm asking you to listen to what I'm saying. That is my best recollection of events in July 2013 is that that did not ring any great alarm bells to cause me to go and investigate this further.

**Mr Allister:** What did you mean then when you told the Committee the last day you were here that, if you'd seen the letter earlier, it would've raised flags in your mind?

**Mr Brimstone:** Before the meeting was held with the Minister in April of 2012.

**Mr Allister:** Yes, but whether it was before or after, you said, if you'd seen the letter earlier than you did see it, it would've raised flags in your mind. That could've only come from the content of the letter, those flags.

**Mr Brimstone:** Yes, but in the intervening period of time, there had been a number of questions, discussions, all of the rest. Officials weren't querying Minister's stance on who the meeting was with at all. There was no, "Minister, you're wrong". There was nothing like that came back up. I continued on the belief, genuinely, and you can accept it or not, but I continued on the belief up until December of 2013 that the meeting was with representatives of the Glass and Glazing Federation. Yes, staff members of Turkington's, but in their capacity as representatives of the Glass and Glazing Federation.

**Mr Allister:** What would have been the flags that would've been raised in your mind if you'd seen that letter sooner?

**Mr Clarke:** A Union Jack.

**Mr Brimstone:** I am here under an affirmation today to give a response based on my best recollection of events as they happened. I can't go into the subjecture like that.

**Mr Allister:** You're the man who told us, if I'd seen that sooner, flags would've been raised in your mind. I'm simply asking you: what are those flags? What is it would've bothered you.

**Mr Brimstone:** It's what capacity they were coming to meet with the Minister.

**Mr Allister:** Right. Right. So, if you'd seen it sooner, the question of what capacity they were coming in would've been a bother and would've raised itself in your mind. But having seen it in July, you tell us that didn't bother you.

**Mr Brimstone:** That's what I'm telling you, yes.

**Mr Allister:** And that's your explanation for then not drawing it to the attention of the Minister.

**Mr Brimstone:** Drawing what to the attention of the Minister?

**Mr Allister:** The fact, "We may have got this wrong. This seems to have been a meeting with Turkington's, not with the Glass and Glazing Federation". The very flag that would've been raised in your mind if you'd seen it sooner, that suddenly isn't raised in your mind in July, and that's why you didn't have that conversation with the Minister as to who this meeting was actually with.

**Mr Brimstone:** Because I believed at that point the meeting was with Turkington's staff representing the Glass and Glazing Federation.

**Mr Allister:** Despite what the letter said.

**Mr Brimstone:** Despite what the letter said.

**Mr Allister:** And despite the fact that if you'd seen the letter some months earlier, you'd have reached a different conclusion.

**Mr Brimstone:** Some considerable months earlier, yes.

**Mr Allister:** Yes. On the same content in the same letter, you'd have reached a different conclusion as to who the meeting was with.

**Mr Brimstone:** Well, it would've raised questions in my mind, yes.

**Mr Allister:** But not now.

**Mr Brimstone:** Not at that point, no.

**Mr Allister:** Was that because you'd crossed the Rubicon as far as rowing back —

**The Chairperson:** I just ask —

**Mr Allister:** — from saying it was the Glass and Glazing Federation?

**The Chairperson:** Sorry, Jim Allister, I just want you to ask the question because, again, you understand the arguments that we put, and this has been conducted, I think, very, very well this morning for the most part, and I am very thankful to members for conducting the inquiry the way they are doing, but we just need to make sure we're not straying into subjectivity or kind of making suggestions or inferences. We need to ask the questions and accept entirely the right to probe the questions.

**Mr Allister:** I accept your ruling. I didn't think I was. I was simply looking for an explanation as to why that which would have alerted you at an earlier point in time to reach a certain conclusion, or raise a certain concern, didn't alert you or cause you to reach a certain conclusion at a later point in time. I am trying to understand how that could be and is there another reason for that.

**Mr Brimstone:** If I had seen the letter before the meeting, I probably would have sought clarification on it at the meeting in April.

**Mr Allister:** Having seen the letter, did you then conduct any other investigations to see what was the Minister told? You know the whole process of how letters come in, they go through the process etc. Mr Copeland read you out the briefing that went to the Minister, as it were, about who's looking for a meeting with you. Did you go and look at those documents then, and say, "Well, I wonder how this was interpreted."?

**Mr Brimstone:** No, I didn't.

**Mr Allister:** Do you not think that would have been a sensible thing to do?

**Mr Brimstone:** You asked me a question, and I am giving you the honest answer as to what happened at the time.

**Mr Allister:** So, is what you are telling us that the Minister then was, effectively, kept in the dark until December about who had asked for a meeting with him?

**Mr Brimstone:** Could you clarify what you mean by that question?

**Mr Allister:** You became aware in July, having seen the letter, the request was to meet Turkington's.

**Mr Brimstone:** No, I didn't. I haven't said that.

**Mr Allister:** You said you read the letter.

**Mr Brimstone:** Yes.

**Mr Allister:** You agreed that you couldn't read the letter without reaching that conclusion.

**Mr Brimstone:** No, I didn't.

**Mr Allister:** I think you did.

**Mr Brimstone:** No, I don't think I did.

**Mr Allister:** Or do suggest that you could read that letter without reading that conclusion?

**Mr Brimstone:** I did and clearly did, and my view was that the meeting was held with the representatives of the Glass and Glazing Federation up until mid-December 2013.

**The Chairperson:** Sorry, I think I just need to put on the record because I do think the Hansard record will show that just a few minutes ago that you said that the flag which would have been raised in your mind would have been — and I am paraphrasing this — but the issue that would have been troubling you would have been the capacity in which the people from Turkington's attended the meeting. I think you just need to reflect on what you really mean by your understanding of that.

**Mr Brimstone:** If I had seen the letter before the meeting in April 2012, I probably — and I am going to "probably" here on the grounds that I can't confirm — but I probably would have sought clarification as to who they were actually representing, bearing in mind I was the one who was at the pre-meeting and bearing in mind I was the one who had the expectation that a letter was going to come in from the Glass and Glazing Federation requesting a meeting with the Minister to discuss for when Mr Young,

from the Glass and Glazing Federation, requested a meeting with the Minister to discuss their guidelines.

**Mr Allister:** Mr Brimstone, you were still at a critical point. You were serving a Minister who, at this point, was threatening to sue the BBC over allegations, including this allegation. So would it not have been incumbent upon you to exhaustively have established at that point in time, before your Minister goes down the road of suing someone or dealing with this controversy, to establish, through exhaustive investigation, what the record showed as to who the meeting was with? You didn't do that.

**Mr Brimstone:** No, I didn't, because I had no doubt in my mind as to what the circumstances were at that time.

**Mr Allister:** By failing to do that, did you then leave the Minister in the dark until December about who the meeting was actually with?

**Mr Brimstone:** My readout of what you have just said to me is, by implication, by keeping the Minister in the dark, that I kept something back from the Minister that I knew. I didn't.

**Mr Allister:** I suppose I am suggesting what you knew or ought to have known in expectation of the inquiries you would carry out.

**Mr Brimstone:** Officials were carrying out that on behalf of the inquiry.

**Mr Allister:** So nobody told the Minister on the foot of those inquiries, "By the way, this meeting wasn't with the Glass and Glazing Federation; it was with Turkington's"? That is what we are being asked to believe, that no one told the Minister.

**Mr Brimstone:** Yes.

**Mr Allister:** And even though you had the knowledge and the means of knowledge from having read the letter, you didn't think it necessary, even in the context of previously telling us what flags would have been raised in your mind, to do anything about it.

**Mr Brimstone:** That's what I said, yes.

**Mr Allister:** Even though when you saw that letter you were shocked.

**Mr Brimstone:** If I was to use that language again, I'd probably change it to "surprised".

**Mr Allister:** Your language.

**Mr Brimstone:** Yes, that is what I'm saying. I never disputed the fact that it was my language. If I was to say it again, I would probably use the word "surprised" there as opposed to "shocked".

**Mr Allister:** Now, you told us that you had no power to give instructions to the Department.

**Mr Brimstone:** That is correct.

**Mr Allister:** Isn't that right?

**Mr Brimstone:** Correct.

**Mr Allister:** And yet, we have now before us, evidence in documents, where someone interpreted your giving of instructions as the issuing of a decree.

**Mr Brimstone:** Yes.

**Mr Allister:** Isn't that right?

**Mr Brimstone:** That's correct.

**Mr Allister:** You may quibble with the word "decree". Did you give an instruction that despite the Super Seal meeting being having been refused, it was now to be granted?

**Mr Brimstone:** Well, if we go to the document that has my handwriting on it.

**Mr Allister:** Yeah, tab 13, I think, is it? Which document are you taking us to now?

**Mr Brimstone:** Page 36.

**Mr Allister:** Right. So, that is your writing that we see.

**Mr Brimstone:** I am a special adviser, yes.

**Mr Allister:** So we are both looking at the same —

**Mr Brimstone:** Yeah.

**Mr Allister:** Oh, sorry, yeah, the writing at the top, not the more legible writing towards the bottom.

**Mr Brimstone:** That's correct.

**Mr Allister:** Yes, the writing at the top: "Agree to meeting SB".

**Mr Brimstone:** Yes.

**Mr Allister:** And that has been described to us as a decree by you.

**Mr Brimstone:** So it seems, yes.

**Mr Allister:** Does that suggest that that instruction may have been accompanied with some conversation?

**Mr Brimstone:** That is not an instruction for a start; that's my advice to Minister on the —

**Mr Allister:** Right, but that advice may have been accompanied by some conversation.

**Mr Brimstone:** No. That goes to Minister. I had no reason to give any other instructions. There is no evidence to point to any other instruction.

**Mr Allister:** So, someone somewhere thought that was a decree from you.

**Mr Brimstone:** As I said in my opening statement, I did not decree that the meeting should go ahead and I am not responsible for the choice of words used in the email referred to.

**Mr Allister:** Yes, but you were making the political decisions in the Department, as it were.

**Mr Brimstone:** The Minister makes the political decisions.

**Mr Allister:** Yes, but you were advising him on those, and your advice was agree to this meeting. This is the meeting that another MLA had asked for — Ms Overend — and then Mr McCrea asked for it and you advised agree to it.

**Mr Brimstone:** On the back of the additional information that had come in from Mr McCrea, yes.

**Mr Allister:** But you told us you had no power to give instructions.

**Mr Brimstone:** I haven't instructed anybody to do anything. I advised Minister to go ahead with the meeting.

**Mr Allister:** And, on foot of that, the meeting happened.

**Mr Brimstone:** On the foot of Minister agreeing to a meeting; yes, the meeting happened.

**Mr Allister:** You see, might one find it difficult to understand how you can be so influential on whether a meeting happens or doesn't happen, but had no capacity or influence in changing a minute?

**Mr Brimstone:** If I had put on there, "Special adviser advice to Minister: recommend you decline this meeting". Minister has, in the past, and may well in the future decide, "I am still going to agree to that meeting". It is only my advice to Minister.

**Mr Allister:** Yes. Well, wouldn't you have had the power in regard to a minute — I am referring, obviously, to the contested minute of 16 April — wouldn't you have had the power to give advice to the private secretary to change the minute?

**Mr Brimstone:** I can give advice to anybody, but whether they take that advice or not is a completely different matter.

**Mr Allister:** So, it's quite possible that Ms McConaghie could have been told by you to change the minute, is it?

**Mr Brimstone:** But she wasn't.

**Mr Allister:** Yes. But you had, in or about that time, made similar changes, hadn't you?

**Mr Brimstone:** If you specify what they were, we could —

**Mr Allister:** Yes: the answer, the draft answer to the written question on 24 May, at tab 15, which coincides within or about the time that the minutes were changed. You changed an answer which the Minister was going to send out. Isn't that right? Again, it is in your own hand, I think.

**Mr Brimstone:** Yes, that is my handwriting, yes.

**Mr Allister:** Yeah, and the change you made was to say that "I" — the Minister — "and the chief executive of the Housing Executive met with Turkington Holdings". You, personally, changed that to:

*"representatives of the Glass and Glazing Federation".*

**Mr Brimstone:** Yes.

**Mr Allister:** So, in or about the time that the minute was changed —

**Mr Brimstone:** If we can be specific here rather than "in or about", because I think that is important in the whole thing.

**Mr Allister:** I believe the minute was changed in or about May 2012, and I am sure the precise date is available. No doubt, we might get to that in a moment.

**Mr Brimstone:** The date is important in this, and it will become evident why.

**The Chairperson:** OK, we will try and get that.

**Mr Allister:** Let's try and find the date.

**The Chairperson:** We will pause for a second. On 16 May, the finalised version changes from version 5 made by Barbara McConaghie, dated 16 May. That is in tab 5 of your big pack.

**Mr Brimstone:** And this response was on 24 May.

**Mr Allister:** So this is eight days later.

**Mr Brimstone:** Yes.

**Mr Allister:** So, eight days after the minute is changed, we have irrefutable evidence that you were making a parallel change to an Assembly answer.

**Mr Brimstone:** I didn't make the earlier change, but I made the change to this.

**Mr Allister:** Eight days after the earlier change, you were making a parallel change to an Assembly answer.

**Mr Brimstone:** On the same day, I believe, Chair, as the letter was amended to go to you as well. I think that that change was made after the Minister had sought the change to the letter going to you.

**Mr Allister:** Well, it was you who actually wrote on the draft reply, wasn't it?

**Mr Brimstone:** Yes, and Minister signed off on it.

**Mr Allister:** The Minister signed off on it. And it is you who writes on the draft reply to the Assembly question.

**Mr Brimstone:** Which goes back to officials.

**Mr Allister:** Of course.

**Mr Brimstone:** There is a difference between the two.

**Mr Allister:** Of course.

**Mr Brimstone:** The letter going to the Chairman, which was signed off by the Minister — at that point, normally what happens, whenever I make a suggested amendment to anything, it goes back into the system. Officials will look at that and it will come back up to the Minister and the note will be, "The special adviser has recommended this change and there are changes being reflected". In the letter going to you, Chair, the Minister made that change. That change didn't go back into the system. That change was made at the private office level and went straight out to you. This answer here goes back into the system and comes back up to Minister to be signed off.

**Mr Allister:** Yes, the mechanics, I am sure, are interesting, but the fact is that you initiated the change.

**Mr Brimstone:** To reflect Minister's thinking, yes.

**Mr Allister:** Affecting both in the letter and in the answer.

**Mr Brimstone:** Yes.

**Mr Allister:** And that's within the same week, virtually, as the minutes have been changed, yes? Eight days, I think.

**Mr Brimstone:** Yes, OK.

**Mr Allister:** But you ask us to believe —

**Mr Brimstone:** Sorry, the final amendment to the minutes?

**Mr Allister:** Yes. The final and the first time that GFF is written into the minutes and Turkington's are written out.



**Mr Brimstone:** Sorry, I think, if you look, you can go back through the minute of the meetings, because I think Turkington's is on the first line of that. I don't think they are written out at all. You can go back through it for clarification.

**Mr Allister:** Well, in terms of whom the meeting was with —

**Mr Brimstone:** Could we just go back to that, because it is important.

**Mr Allister:** Yes, let us find that.

**The Chairperson:** It is tab 5.

**Mr Allister:** I think we are looking at version 6, is that right?

**Mr Brimstone:** Yes, the first line.

**Mr Allister:** Yes. Of course, the heading —

**Mr Brimstone:** No, the first line of the content; the body of the document.

**Mr Allister:** Is:

*"Ian advised his company Turkington Holdings that ... had extensive ... experience".*

Yes. But, of course, that is not where the change is made.

**Mr Brimstone:** No, but —

**Mr Allister:** The change is made from version 5 to version 6 on the heading. It changes:

*"Meeting with Turkington ... 16 April"*

to:

*"Meeting with Representatives of ... Glass and Glazing Federation"*

and changes the designation of those who were present at the meeting from Jim McKeag and Ian Young, Turkington Holdings — changes it to representatives of the Glass and Glazing Federation. Those are where the changes are made. Is that right?

**Mr Brimstone:** Yeah, but your allegation was that Turkington's were "wrote out" of the document, I think was the phrase you used.

**Mr Allister:** Written out in terms of with whom the meeting was headed as being with. With whom those who were present — who those who were present were representing — that was written out.

**Mr Brimstone:** Yes, but that is not writing the company out of the document.

**Mr Allister:** Right, OK. But, who they were representing was written out of the document.

**Mr Brimstone:** OK, but the allegation was that you made was that Turkington's were writing out of the document.

**Mr Allister:** Well, coming back to the nub of my point to you, here we have it, on 24 May, you making a parallel change to an Assembly question, and, in fact, reply to the Chairman, but you ask us to believe that, eight days earlier, you had nothing to do with making a parallel change to the minutes.

**Mr Brimstone:** I don't ask you to believe. I've said before that's my best recollection of events. And I was quite clear at my earlier evidence session as to what I believed happened at that time.

**Mr Allister:** Had you — Do you remember in your evidence, and it's at page 10 of Hansard, when you last were with us on 9 January, the Chair asked you a point, and you said at no point did you seek to change any references to Turkington's or refer to it as Glass and Glazing Federation representatives?

**Mr Brimstone:** With reference to the note of the meeting, yes.

**Mr Allister:** Well, "at no point". Of course, you now know that, on the Assembly answer, you very definitely made that change.

**Mr Brimstone:** Well, I think I was clear to you there about 10 seconds ago that we are referring to the note of the meeting, as opposed — I think what I said to Dolores Kelly, actually, the next page; sorry, it is not, yes, page 15 of Hansard of the same session, in response to Dolores, Dolores said:

*"Perhaps I misunderstood, but I understood that you said at the outset that you never made any amendments to letters and did not initiate those. Maybe I took you up wrong."*

My response was:

*"I was talking about departmental meeting notes. I have no role in any of that at all. Day and daily, I get papers that come up to me for the Minister. I will put queries and suggested amendments on them. That happens on a day-to-day-daily basis, as a part of the approval process by which it goes to the Minister."*

**Mr Allister:** But, just to finish on this point: you know the conundrum that the Committee has that Ms McConaghie says that she didn't make the change — her own volition. She points to the most likely people being yourself and the Minister. And, therefore, we are left to unravel. Can you help us at all as to who could or did give that instruction?

**Mr Brimstone:** I am here to give my best recollection of events as they happened at that time. I can only speak for myself, and I have given a clear answer with regard to what happened.

**Mr Allister:** Are you saying most emphatically, "I did not give any such instruction" or are you saying, "I don't recall giving any instruction"?

**Mr Brimstone:** Well, what's the difference?

**Mr Allister:** Well, there might be —

**Mr Brimstone:** Unless —

**Mr Allister:** You have told us a number of things you can't remember. But, are you saying emphatically, "I did not have any hand in changing the minute" or are you saying, "I don't remember doing anything that could've resulted in a change to the minute"?

**Mr Brimstone:** That is why — I do not recall, at any time, whether in DCAL or DSD, ever having sought meeting notes, requested changes to meeting notes, and, on that basis, I'm of the belief that I did not in any way seek any changes to the —

**Mr Allister:** So, are you ruling out the possibility that Stephen Brimstone caused that change to be made?

**Mr Brimstone:** Yes.

**Mr Allister:** OK. I have some other points, but I will come back.

**The Chairperson:** Back on it later on. I just want to, before I bring Dolores in, just to remind, just to ask you to reflect on this, maybe for later on, I think, in your evidence a few minutes ago, you said that no official had advised the Minister about any query around the status of who was at the meeting.

**Mr Brimstone:** Yes.

**The Chairperson:** But Michael Sands actually did, and he gave that in his evidence. In fact, there was toing and froing in the drafting of a letter to me to the Committee. So, I am just asking you to reflect on that for a few minutes, because Michael Sands queried that. You —

**Mr Brimstone:** And, if we go back, I mean, I, because we looked into this at the time as to whether there had been any mention of by officials, and it was clear there wasn't; the Minister wasn't informed by anyone that he was wrong in his assumption that the meeting was with the Glass and Glazing Federation.

**The Chairperson:** But, you, I mean, you were explaining the mechanics of the drafting process. Michael Sands, in his evidence, said he pointed out in the letter, actually it's Turkington's.

**Mr Brimstone:** In the original draft —

**The Chairperson:** It was changed.

**Mr Brimstone:** Yeah. This is the letter going to you, Chair.

**The Chairperson:** So, he is an official. Yeah, exactly.

**Mr Brimstone:** So, then, Minister, what happened was the Minister amended that letter, requested me to amend that letter, signed off on that letter, and there was nobody came back to say, "Minister, you are wrong in that". And that is normally what would happen.

**The Chairperson:** Well, I am just making the point that Michael Sands, in his evidence, did say that he actually made it very clear, as far as he was concerned, the meeting was with Turkington's. So, an official did, and did actually say it under evidence. I am just asking for people to reflect on that.

**Mrs D Kelly:** Thank you, Chair, and thank you, Stephen. Stephen, one of the points that puzzles me a bit is in relation to 8 November 2012, when the Glass and Glazing Federation emailed Oliver McHugh in DSD seeking more information regarding the review taking place in relation to the Housing Executive's specification and whether this involves GGF members, and they also requested further information about the tendering process. Would that not have caused some alarm bells? If Turkington's were acting on behalf of the GGF, then why would the GGF then write separately raising their own specific questions, which would appear to contradict that evidence which — or the information which — Turkington's provided to the Minister in relation to savings.

**Mr Brimstone:** Yes, but I — we had no sight of that. They went to — it was Oliver McHugh, you said, the official in the Department, but that did not come back up the line.

**Mrs D Kelly:** So there was no discussions in and around that. Nobody from the Department thought to say to the Minister, "Well, actually, we have a contradictory view from the actual federation, as opposed to the ones that's being promoted".

**Mr Brimstone:** I'm not aware of that at all.

**Mrs D Kelly:** OK. Thank you.

The other point was — I mean, the choice of words actually I found to be quite interesting. You made a remark, a comment, about the word "decreed" used. Because that suggests to me a sort of autocratic-type regime, you know, where there's a dictator in charge. And you did say that — I mean, obviously, you have no control over how people use those words, but you did say in your last evidence sessions that you have no powers to give instructions in the Department, and yet, as Mr Allister pointed out to you also, you overruled the Department's advice in relation to the meeting with Mr McCrea and Super Seal. And furthermore, not only —

**Mr Brimstone:** Just on that point, if you don't mind me addressing it first of all.

**Mrs D Kelly:** Yeah, that's OK.

**The Chairperson:** I was going to say there, aye, because, I mean, I think, I think, you're stretching any inference of overruling. I haven't seen any reference to overruling myself, so I don't know where that's coming from. So —

**Mrs D Kelly:** Well, it actually then says there's an email from an official in the private Member's office which advises that a special adviser has decreed. It's that bit about overruling.

**The Chairperson:** But Mr Brimstone already said he didn't decree anything, and he refutes that categorisation. And he has also said in his evidence here this morning repeatedly that he gives advice rather than instructions. I'm just making the point. So, you're using a term which was quite authoritative.

**Mr Brimstone:** I was surprised when I seen that language myself. King Nebuchadnezzar was the last one I heard decree anything. But I was surprised at that language myself.

**The Chairperson:** OK. Let's stick to the programme here, folks, before we give in to —

**Mrs D Kelly:** Well, Chair, the fact is Mr Brimstone said he didn't give instructions to the Department, and yet we are finding that had there been — and we don't know who these are attributed to in terms of diary entry changes in 2012, minute/aide-memoire changes, changes to Assembly questions, letters from the BBC. And yet it's not until the following year, you know, in 2013, that alarm bells really start to ring, and people then concede that, in actual fact, they were wrong in their interpretation of who was at the meeting. It is a bit of stretch, you know, that there was so much activity around changing it. I mean, I just wonder how often has it been the case that diary entries have had to be changed to reflect who was at meetings, or was this a one-off?

**Mr Brimstone:** I've no idea is the honest answer to that.

**Mrs D Kelly:** That's OK.

But, it was just — the other point, you see, that was the 12 November, you know, the letter, you may recall that came in from MW Advocate was a letter directly to the Minister, and they were supported by Dr McCrea where they were refuting some of the cost-savings that were claimed to be able to be made. And then there was a reply prepared, and you advised that the draft response from the Minister be redrafted to a private secretary response; that is that it should come from Barbara McConaghie and not the Minister. What was your thinking behind that change?

**Mr Brimstone:** Well, normally, Minister would sign off on letters going to elected representatives, whether that be council members or MPs or Members of this legislative Assembly. Normally, any other letters going to individuals out there would come from the private secretary.

**Mrs D Kelly:** OK. Now I just was curious around that.

And, just, are you telling us then that really it was December 2013 whenever the Minister, and then I think in the January, when the Minister finally realised that the meeting was with Turkington's not the Glass and Glazing Federation? When did you come to that conclusion?

**Mr Brimstone:** After I heard the Turkington's evidence on whatever date in December they gave it.

**Mrs D Kelly:** OK. So that was the only time that you can — OK, thank you.

**Mr Campbell:** Yes, I'm gonna try and not go over some of the old ground, but I missed your evidence in January: I was unavoidably absent that day. So I just want to get absolutely clear in my mind, because a number of members have asked questions about the Glass and Glazing Federation/Turkington meeting. You met two representatives — two members, employees — of Turkington's in April.

**Mr Brimstone:** January.

**Mr Campbell:** In January, sorry. January. That's right. That was the first meeting.

**Mr Brimstone:** Yes. 2012.

**Mr Campbell:** January of 2012, yes. And subsequent to that then the April meeting was held, and the Minister and you were both at that meeting.

**Mr Brimstone:** I was at the majority of it. I had to leave for a personal appointment.

**Mr Campbell:** Right, OK. And you've said in your evidence that it was your belief that, as a result of that meeting, an invite would come in from the Glass and Glazing Federation.

**Mr Brimstone:** Yes.

**Mr Campbell:** Now, a huge amount of importance, as you've gathered from previous questioning and today, seems to be attached to who was at the meeting and whom were they representing, and you've given your answers. There appears to be — I'm not going to ask you to comment now on insinuation, but there appears to be a repeated inference that, if we can focus on who was at the meeting and in what capacity they were at the meeting and who changed the note to more accurately reflect who was at the meeting, that that would lead us somewhere, that we would get to some sort of conclusion. So I just want to ask you in terms of whether it was perceived accurately or inaccurately about who was at meeting. In terms of the outcome, what difference would it have been had it been accurately projected on all responses on aide-memoires, on responses to Assembly questions and in letters? If it had been done accurately, what would the outcome have been in terms of difference?

**Mr Brimstone:** We wouldn't be sitting here today, but, other than that, none.

**Mr Campbell:** I don't mean the inquiry, because obviously there appears to be efforts to get us in a particular direction in terms of outcome. The Minister has been very clear in that, as far as he is told, there was no benefit — no tangible benefit — to Turkington Holdings.

**Mr Brimstone:** I'm not aware of any benefit at all to anyone but the taxpayers.

**Mr Campbell:** Right. So all this series of questioning about when it was changed, who authorised the change and, I suppose the unsaid question, why was it changed. We've got to try and get to — there has to have been some substantive reasoning that I can't see. But there has to have been some outcome that somebody is inferring people were going to benefit as a result of this being hidden and then only subsequently being brought to light. Are you saying that there was no change in terms of outcome?

**Mr Brimstone:** No, there was no change in outcome.

**Mr Campbell:** Has there been any correspondence from the Glass and Glazing Federation subsequent to the changes that were done to questions, to letters and to the letter to the Chairman?

**Mr Brimstone:** No, I believe there was some correspondence came in last week from the Glass and Glazing Federation to seek a meeting with the Minister. I don't know if Minister's seen that or not yet, but I believe that, as of last week, there was some request came in.

**Mr Campbell:** Right. Not about this issue.

**Mr Brimstone:** No, no, no. A separate issue.

**Mr Campbell:** You're back now, at a subsequent time, in front of the Committee dealing with this inquiry-related issue. You had said in the January meeting — There was a question that I think Mr Allister had put to you. Yes, on page 7 of the Hansard report, when there was an issue about your belief that the Glass and Glazing Federation was there, represented by the two members from Turkington. And you said that you could not recall.

Then there seems to have been, then, an issue between Mr Allister, the Chairman and yourself about dates, because the Chairman says:

*"That flurry of activity that you described actually occurred on 16 May."*

And then the Chairman says:

*"You said April."*

Is it clear there about the date that you were talking about?

**Mr Brimstone:** I don't think I was talking about any date. I think Jim brought in the fact — and, according to Hansard, he was right — that the date was 16 May, and the Chairman took him up wrong. It was 16 April, potentially.

**Mr Campbell:** Right. So is that just a misunderstanding about dates?

**The Chairperson:** I was just clarifying the date, yes.

**Mr Campbell:** But that has no bearing on your recollection?

**Mr Brimstone:** No.

**Mr Campbell:** OK. I suppose finally then, Chairman, and it is a point I made to the Minister, in terms of preparation for the private office and yourself and the Minister and the permanent secretary, what sort of hours are involved in dealing with the request from the Committee in relation to this inquiry?

**Mr Brimstone:** With regard to myself, there is some preparation involved. Obviously, it is a distraction from what we want to be there to do in the Department. But for housing officials, there is a significant amount of work going on in preparation for this Committee and in the preparation of documents and there's been some reference made to the Department holding back on documents and all the rest, and all I can say is that officials are providing documents as and when they are asked to the best of their ability. And there is significant resource going into servicing this inquiry. Housing officials, who would normally be involved in fuel poverty and other issues in the Department. This inquiry has its place and we as a Department have to operate to service that inquiry, but there is significant resource.

**Mr Campbell:** OK.

**The Chairperson:** Gregory, thank you. Fra, you wanted a point?

**Mr F McCann:** Chair, just —. As I say, given the information that the inquiry of this Committee has now got, and the whole run-up to the 'Spotlight' programme, the evidence there, the allegations that came through the 'Spotlight' programme, the fact that there were meetings, either with the Glass and Glazing Federation or with Turkington's, that there were changes made to certain documents, can you not understand why the Committee would be trying to get the truth of the matter? Because from that time, there were serious questions asked.

**Mr Brimstone:** I'm not sure how I can provide a factual answer to that.

**The Chairperson:** All you can do is give your best answer. You may not have an answer at all for it.

**Mr F McCann:** The reason I am asking it is that the last speaker is saying that this has been a complete distraction and taking you away from your work. I'm asking, and you answered that. What I'm saying is that, given the evidence that we have in front of us and the whole run-through of it, do you not understand why this Committee would try to get to the bottom of the matter, and try to get the truth out there?

**Mr Campbell:** Chairman, just for accuracy, I didn't say it was a distraction. I just asked about the amount of time that was deployed.

**The Chairperson:** Yes, that is fair enough. Can you answer that?

**Mr Brimstone:** I mean, the Committee has to fulfil its functions and I accept that. I'm here, hopefully, voluntarily, to help it in carrying out its functions.

**Mr F McCann:** That's OK. The other question is, and it has been said here, that Turkington's had no benefit at all from the meetings that took place. Had they any indirect benefits, through subcontracts with other companies who might have done it?

**Mr Brimstone:** I wouldn't be in a position to answer that.

**Mr F McCann:** That's fine.

**Mr Clarke:** Thanks, Chairman. Maybe to follow on from where Fra is at, I will maybe ask you it a different way. I think you've been asked it probably already, but I am going to ask you a different way, maybe. Fra was trying to draw out in terms of, maybe, the purpose of this inquiry, and — he didn't use these words but — the usefulness of it or the necessity of it. But I think in an earlier question — maybe it was even asked to the Minister — if the focus — if this had been purely Turkington's, no reference to the Glass and Glazing Federation, what difference would it have made?

**Mr Brimstone:** To me or to the outcome?

**Mr Clarke:** To the outcome.

**Mr Brimstone:** None.

**Mr Clarke:** No difference. Well, then, I mean it's sitting on this side of the table, and I mean, last week, I was accused of being a human shield for the Minister, which I refute. But, to me, and it is up to you whether you want to answer it or not, you can see how some can draw the conclusion that there is a witch-hunt, not only for the Minister in this but also a company who just so happened to be a company who made donations to this political party. Yet and all, they brought forward —

**Mr Campbell:** Amongst others.

**Mr Clarke:** — brought forward — yeah, well, a donation to our party and others, yes —

**Mr Campbell:** Amongst others, yes.

**Mr Clarke:** — who brought forward a proposal to save Northern Ireland plc — *[Interruption.]*

**The Chairperson:** Sorry, folks —

**Mr Campbell:** You can make a declaration if you wish. *[Interruption.]*

**The Chairperson:** I am not interrupting you, Trevor, but there are other members cross-talking —

**Mr Allister:** Absolutely wrong. *[Interruption.]*

**The Chairperson:** Sorry, Gregory. Sorry, Trevor, just a wee second, because I want you to be able to make your point clear without any interruption. Jim Allister, please, and Gregory, please, no cross-talking because there is a witness here giving evidence. It's difficult enough, enough pressure on the witness. Trevor, go ahead and ask your question.

**Mr Clarke:** I appreciate that, Chairman. So the point I was making, so we have a company who has made donations to this party, other parties, even other members who have started their own parties in this room today in the past in terms of their involvement with European elections and so forth.

**Mr Allister:** When a member of your party.

**The Chairperson:** Sorry, folks, let's not have any cross-argument about this.

**Mr Clarke:** Sorry. So the point I am making is, given that they have had that involvement with others, would you see it as an indictment against them now that they have come forward with a proposition

which could save Northern Ireland plc some millions of pounds and, yet and all, haven't benefited in any way after bringing forward that piece of work?

**Mr Brimstone:** I don't think I could comment on that.

**The Chairperson:** OK, I just want to make a couple of points there, because I want to make sure that everybody gets their say. As chair of this inquiry, I actually made it very clear when Turkington's representatives were here in the first session of the evidence, when they were here, that there's nothing wrong with an organisation or a company giving a donation to a political party — nothing. There's nothing wrong with that at all, and I wouldn't accept that, and I wouldn't accept any characterisation of a company giving donations to parties as something somehow wrong.

**Mr Campbell:** As many do, Chairman, as many do.

**The Chairperson:** So, in fact, the whole question —

**Mr Clarke:** Mr Chairman, I accept what you are saying. My difficulty is that so much has been focused round, and, in terms of the questioning, the very fact that Turkington's/Glass and Glazing Federation have been involved in this inquiry and, yet and all, many characteristics have been drawn in terms of their involvement with this party and, as my colleague said, other parties as well. But the only focus is the fact that they have made donations to this party. But the bit that concerns me most is, and I think this is where it's been lost, the whole thing has been lost on this one here. This company has come forward, and I think even in terms of the letter they've written to this Committee and how that could have affected the outcomes for them as a company. They have come forward with a genuine attempt to show how, in their opinion, the operation of the fitting of windows was done and was done incorrectly, which could save some millions. And because of that, and because of the connection with our party and others, that it somewhat could affect their company as well. What has been lost in this is the fact that we have saved millions of pounds as opposed to getting into detail of whether someone had a logo of the Glass and Glazing Federation or another company.

**Mr F McCann:** *[Inaudible.]*

**The Chairperson:** Sorry. Fra McCann, please don't interrupt. I'm not letting any others interrupt, so the same applies.

**Mr F McCann:** *[Inaudible.]*

**The Chairperson:** Fra, sorry. I am just directing you now — no interruptions. OK, Trevor?

**Mr Clarke:** Yes.

**The Chairperson:** I accept your point, and I don't accept any characterisation of a witch-hunt against anybody, because this is an inquiry which will follow evidence. Just to finalise making the point that all the members of this Committee agreed to hold an inquiry and agreed the terms of reference and so on, and, for the most part, almost unanimously and at all times, people have been very responsible. I accept that these things are a little bit difficult, but we are where we are. So, Jim, you wanted to —

**Mr Allister:** Yes, I wanted to make a couple of points. The meeting of 28 June relating to the correspondence from the BBC: were you at that meeting?

**Mr Brimstone:** As frustrating as you are going to find this, I can't confirm whether I was at that meeting or not. I've no record of me being at that meeting. I don't particularly recall that meeting, so I can't —

**Mr Allister:** Were you at work that day?

**Mr Brimstone:** I was at work. Whether I was at the Department that day or not, I can't recall.

**Mr Allister:** Had you been at any meetings discussing correspondence from the BBC?

**Mr Brimstone:** Absolutely, yes.



**Mr Allister:** Because you'd received some yourself.

**Mr Brimstone:** Yes.

**Mr Allister:** Yes, and had you held meetings with officials in that connection?

**Mr Brimstone:** Yes, well the Minister had had a number of meetings with officials —

**Mr Allister:** Yes.

**Mr Brimstone:** — regarding the letters from BBC.

**Mr Allister:** So you just don't recall whether or not — We have noted you are absent from the list of attendees.

**Mr Brimstone:** Is there a list of attendees?

**Mr Allister:** I think there is.

**The Chairperson:** From 20 June. There is a diary entry, yeah. I am advised that there is a diary entry.

**Mr Brimstone:** Is there a list of attendees?

**The Chairperson:** No, I don't — I can't give any clarification on that, so I will not give a misleading answer.

**Mr Allister:** If I'm wrong about that —

**Mr Brimstone:** I'm not prevaricating here. If there was a list of attendees —

**The Chairperson:** If you don't have it, we can't deal with it, so —

**Mr Campbell:** Well, Chairman, is there a list of attendees or not?

**The Chairperson:** That's what I'm saying, I'm not going to — sorry, just could everybody settle down — I'm not going to give a misleading answer.

**Mr Clarke:** Just a misleading question, but.

**The Chairperson:** Sorry, a wee second. People just hold a second. Unless I have written confirmation in front of us here, then I'm not going to allow it to be considered because we don't have clarification, and we can't mislead ourselves. We'll just check it. Tab 17. Let's go to tab 17. Minister's diary entry, with list of attendees for meeting of 28 June. Do we have that?

We have a diary entry there, as I said, it's just referred to and it says:

*"Meeting with officials. Lighthouse Building. Will Haire. Jim Wilkinson. Michael Sands. Susan McCartney."*

**Mr Brimstone:** That wouldn't exclude me from being at the meeting, but I can't particularly recall being at that particular meeting on that day.

**Mr Allister:** So it wasn't a misleading question.

**Mr Clarke:** It's not like you, Jim, but, yeah, it wasn't like you.

**Mr Allister:** And because you weren't listed on it, that is the reason I was asking, because I anticipated that maybe you would be at that meeting.

**Mr Brimstone:** It wouldn't be unusual for me not to be listed.

**Mr Allister:** Yes, and it would be — So you can't help us whether you were there or not, but it would be no surprise if you were there.

**Mr Brimstone:** No surprise at all, no. If I was there, I would expect that I would've been at the meeting.

**Mr Allister:** If you'd been at work.

**Mr Brimstone:** No, if I had been in the Department headquarters that day.

**Mr Allister:** Oh, in the headquarters. And, you have no indication you were elsewhere.

**Mr Brimstone:** No, but I can't particularly recall being at that meeting.

**Mr Allister:** Had you any hand in drafting replies to the BBC?

**Mr Brimstone:** No, I would have seen them as they came back up from officials, but I don't recall having any role in drafting them at all.

**Mr Allister:** And you were acquainted with the BBC allegations.

**Mr Brimstone:** Yes.

**Mr Allister:** But you never asked officials to check out the departmental record against those allegations, did you?

**Mr Brimstone:** No, we didn't, no.

**Mr Allister:** Final question. Apart from your meeting on 25, I think it was, January, with Turkington's, and your attendance at some of the meeting on 16 April, have you held any other meetings at any time with Turkington's or their representatives?

**Mr Brimstone:** I think I had a telephone conversation with someone from Turkington's with regard to houses of multiple occupancy. It must've been 2011, 2012. That was all. They were querying as to where the Department was at with regard to its review of HMO regulations. That's the only thing I can think of.

**Mr Allister:** No other face-to-face meetings.

**Mr Brimstone:** No, except back in DCAL, I think.

**Mr Allister:** Yes, I'm talking about DSD terms.

**The Chairperson:** Stephen, can I just ask you one question just from myself? And that would be: we had evidence obviously from Turkington's, I think on 14 November 2013, and we had something additional evidence from Ian Young and a letter from Trevor Turkington. I am asking you: can you offer any explanation? This relates to the meeting in January that you had with Turkington.

**Mr Brimstone:** Sorry, Chair, I was distracted there. You mentioned the letter coming from Turkington's.

**The Chairperson:** Yeah, it is in tab 19.

**Mr Brimstone:** Is that shared with officials in the Department, no?

**The Chairperson:** The question, actually, is that Turkington's, in their evidence, said that they met yourself in January, in the Radisson, if I remember correctly.

**Mr Brimstone:** Yes, that is correct.

**The Chairperson:** Can you offer any explanation as to why you believe that the letter then coming as a result of that meeting would be on behalf of the Glass and Glazing Federation? Because their evidence is that they were clear that they were Turkington's.

**Mr Brimstone:** Yes. I can only go back to what I said at the last meeting. Although I cannot recall the details of the meeting, I do recall forming the impression that Mr Young was going to write to the Department on behalf of the Glass and Glazing Federation asking for a meeting with the Minister in relation to realising potential savings. After that, actually, whenever I spoke to the Minister and then subsequently to his private secretary — and I think that the private secretary brought this out in her evidence, that I had said to her to expect a letter coming from the Glass and Glazing Federation, and she brought that out in her evidence session, from what I recall, when she was up here last.

**The Chairperson:** But, Turkington's are clear that they have made no suggestion.

**Mr Brimstone:** I accept that. I can only go on my recollection of the meeting and what I expected.

**The Chairperson:** OK. Thank you. There are no other members indicating to ask any further questions of Mr Brimstone, so on that basis, Stephen, is there anything else that you want to add or any comments you want to make?

**Mr Brimstone:** No, thank you.

**The Chairperson:** You are happy enough. OK. Thank you for your evidence here this morning. I thank members. We have agreed then, at this point, that we are going to have a short adjournment for lunch.