



FROM THE PERMANENT SECRETARY  
RICHARD PENGELLY CB

Rm B5.10, Castle Buildings  
Stormont Estate  
BELFAST BT4 3SG  
Tel: I&S  
email: richard.pengelly@justice-ni.gov.uk

Tracey McCavigan  
NICS Internal Audit Services  
Via e-mail: [Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)

21 November 2023

Dear Tracey,

**Re: NICS Mobile Device Fact Finding Investigation**

I am responding to your email received on the 18 October 2023. I can confirm that the then Permanent Secretary, Mr Peter May did receive the letter dated 16 September 2021 entitled COVID-19 PUBLIC INQUIRY – RECORD RETENTION. I&S

I&S

Mr May confirmed receipt of the letter of 16 September 2021 to HOCS on the 13 October 2021. Mr May wrote and I quote *"Thank you for your letter of 16 September asking that I take steps to assure myself that my Department and ALBs will be ready to meet its obligations to provide relevant records, information and data to an inquiry as it is requested"*.

On the 15 October 2021, Mr May advised his Department and ALBs and attached a copy of the letter from HOCS and the guidance notes to all recipients; a copy of the circulation list has been provided in **Appendix A**. Furthermore, Mr May wrote to all Heads of Division on the 30 November and again attaching the letter dated 16 September and guidance notes for reference.

On the 29 November 2021 Deborah Brown, the Director for Justice Delivery, wrote to the SCS Forum and Heads of ALBs reinforcing the message in Peter May's letter dated 15 October 2021 on the Covid 19 Inquiry and record retention and to provide an update on the preparatory work that was undertaken by the Records Management Teams to ensure the Department was well placed to respond to any record requests that would be made. A copy of this letter has been provided at **Appendix B**.

In addition to the above specific request from HOCs, DoJ reinforced the messaging around the requirement to ensure that all relevant information was preserved. Retention holds were applied from 8 December 2021 and this first stage covering records from January 2020 to December 2021 was completed by the end of the year. An advice note was issued to all Information Asset Owners in January 2022. A copy of the advice note has been provided in **Appendix C**.



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A letter dated 21 September 2023 was sent to all SCS and Non- Executive Board members requesting a full explanation in writing regarding the use of informal communications and all signed responses were received.

During this period, DoJ has continued to follow NICS policy and guidance on the use of electronic devices; all such devices are issued and managed centrally by ITAssist, to ensure their security. A list of relevant NICS policies has been provided in **Appendix D**.

Yours sincerely,

Personal Data

**RICHARD PENGELLY CB**