

From: Stewart, Chris (DFE)
To: [McCormick, Andrew \(DFE\)](#)
Cc: [McIlwrath, Linda](#)
Subject: FW: Transcript: Jonathan Bell interview
Date: 19 December 2016 14:31:00
Attachments: [Executive - Stephen Nolan Interview - RHI scandal - 15.12.16.DOCX](#)

From: Morton, David
Sent: 19 December 2016 09:37
To: DfE SpAd; 'johnrobinson@dup.org.uk'; Tweedie, Siobhan; McCormick, Andrew (DFE); Baker, Derek; Stewart, Chris (DFE); Rooney, Eugene; Cousins, Heather; Wightman, Stuart; Marten, Lucy
Cc: All DFE Branches Press Office
Subject: Transcript: Jonathan Bell interview

All,

Please see attached transcript of the Nolan Show interview with Jonathan Bell.

Regards,

David

| | |
|------------------------|-------------------------------------------|
| Programme | Stephen Nolan Interview – BBC1 |
| Date & Time | 15.12.16 (22.40) |
| Subject | RHI scandal – Jonathan Bell |
| Prepared By | Typist: PC/DA/JY MMU: PF/PC/KC |

STEPHEN NOLAN

On the face of it, it sounds like just another government scheme with a suitably dull name, the Renewable Heat Incentive Scheme; in reality it has become one of the biggest financial scandals ever to hit NI politics. More than £400m of your money committed over the next 20 years to subsidise the uptake of renewable energy. The problem is there was no cap, the more you burn, the more you earn; cash for ash to put it simply. For every £1 a company uses they are paid £1.60, hundreds of millions of pounds of public money set to go up in smoke. Here is another question, why wasn't it closed down after the alarm bells rang? Instead it was kept open and when news came last autumn that the subsidy was to be reduced there was a huge rush to get in, massive spike in applications, accounting for almost half of the total projected spend. The claim is that that autumn deadline was extended despite warnings and because of political pressure, how was it all allowed to get so far?

Tonight the DUP MLA and former minister, Jonathan Bell, goes on the record to, in his own words, tell the truth about what he believes actually happened. We will hear that interview with me in just a second and then we will get the response of the First Minister Arlene Foster who spoke to me shortly before we came on air tonight.

Let's hear what Jonathan Bell had to say, before his interview he prayed.

JONATHAN BELL

I have undertaken before God that I will tell you the truth and yes hundreds of millions of pounds has been committed and significant amounts of money has been spent. I am authorising every detail, every document, every civil service document that I signed, every submission that I signed to be made publicly available and to be examined exactly as the truth I now give you.

STEPHEN NOLAN

And you are saying you believe this scandal was avoidable? Is that your position?

JONATHAN BELL

Yes.

STEPHEN NOLAN

Let's start then when you became minister, that is May 2015, day one, were you aware of this?

JONATHAN BELL

No, there was nothing mentioned there that was urgent.

STEPHEN NOLAN

So how do you feel about that?

JONATHAN BELL

It should have been closed on day one.

STEPHEN NOLAN

Why?

JONATHAN BELL

Hundreds of millions of pounds have now been overspent which is going to have to be clawed back out of schools and hospitals and roads.

STEPHEN NOLAN

So you believe there was an awareness in May that this was a problem?

JONATHAN BELL

There should have been an awareness of the cost of the scheme, that should have been brought to my attention as minister with an urgency heading on it and to be immediately addressed.

STEPHEN NOLAN

So that is May, let's move now to June because there was a significant event in June 2015 involving the Permanent Secretary, Andrew McCormick, what happened?

JONATHAN BELL

The Permanent Secretary, who let me say, is a person, of all the times I have worked with him, is a man of the utmost integrity and one of the finest servants of the civil service that the public could ask for. He came to me and raised with me concerns over the scheme.

STEPHEN NOLAN

What did he say?

JONATHAN BELL

That the scheme would overspend, they weren't sure of by how much, it was difficult to calculate.

STEPHEN NOLAN

But was he expressing low level concern, or was he very concerned or what was his demeanour?

JONATHAN BELL

Significant concern with the scheme and the advice that I was being given was that we could manage this if we reduced the tariff.

STEPHEN NOLAN

And just to be clear, when we are talking about closing this scheme there are two parts of the scheme and for this section that we are talking about, we are talking about closing the lucrative part of the scheme. The part of the scheme where there was only one tariff being paid out to the public and the more you burn, the more you earn. So why didn't you close it?

JONATHAN BELL

Because his explanation was that now these concerns were raised it takes a month period to process a submission for me to address and that we would do that immediately, we would take action on that immediately.

STEPHEN NOLAN

And did you?

JONATHAN BELL

And we did, and there is a submission...

STEPHEN NOLAN

So when was this put on record?

JONATHAN BELL

...on record which they have allowed me to see but they won't allow me to photocopy and that submission will show a date in the very early part of September signed Jonathan F Bell where I sought to reduce the tariff.

STEPHEN NOLAN

So you sought to close that part of the lucrative scheme?

JONATHAN BELL

Yes.

STEPHEN NOLAN

...and you are the minister in charge.

JONATHAN BELL

And my signature at the earliest possible date I believe is on a document currently with the Department of Economy signed by me at the most immediate practical point...

STEPHEN NOLAN

When, what date?

JONATHAN BELL

In September 2015.

STEPHEN NOLAN

So why didn't it?

JONATHAN BELL

Other DUP SpAds involved themselves in the process.

STEPHEN NOLAN

If you hear us talking about SpAds, these are Special Advisers, these are the key advisors within government, they are senior people, they are senior political advisors.

JONATHAN BELL

I was then informed by my special advisor in the Department that other DUP SpAds were not allowing this scheme to be closed.

STEPHEN NOLAN

Now that is a big allegation.

JONATHAN BELL

It is a fact.

STEPHEN NOLAN

Not allowing it to be closed.

JONATHAN BELL

This is a fact...

STEPHEN NOLAN

How had they the power?

JONATHAN BELL

This is a fact that will not only be borne out by me, but I have had discussions with my Permanent Secretary at the time and the explanation was that these other Special Advisers, I had to act by what they term 'collective responsibility'. In the words of my Permanent Secretary, this is the way government works. If the other Special Advisers are saying the scheme has to be delayed then you cannot, you have to work in collective responsibility with them.

STEPHEN NOLAN

Which department are you talking about had the power to overrule you?

JONATHAN BELL

The Office of First Minister's Special Advisers and the Department of Finance and Personnel Special Advisers.

STEPHEN NOLAN

Do you know for a fact that they influenced this scheme staying open?

JONATHAN BELL

Here is the fact that I do know which reveals it. The Deputy Permanent Secretary of my department, Chris Stewart, asked for something that was highly unusual and only done once in the five years that I sat in the Executive, he asked to meet the minister, as he is entitled to do, to whistle-blow on a one to one basis. One to one basis.

STEPHEN NOLAN

What did he say?

JONATHAN BELL

He said the purpose of me being here today and for you not having even your own Special Adviser with you is, minister we have to advise you that without your knowledge the Special Adviser in your department has been asked by the other Special Advisers to remove references to Arlene Foster, the First Minister, and to the Department of Finance and Personnel. I have spoken about this subsequently to the Permanent Secretary who has verified all of this and is prepared if asked to put it formally on the record in an inquiry. I have asked for the changes that were sought to be made, when I said to him how can I see the evidence of what your deputy Permanent Secretary was telling me, he said there is an email trail, I cannot show you the email trail because you are only entitled to see the final email but he said you will see the changes that there were to take out the references to the Office of First Minister the Department of Finance and Personnel. Fact.

STEPHEN NOLAN

Now why would they want to do that?

JONATHAN BELL

That is for them to answer.

STEPHEN NOLAN

Why do you think? You have told me you are going to tell me the truth from your heart today. Why?

JONATHAN BELL

I can tell you the truth from my heart.

STEPHEN NOLAN

Why would they want to do that?

JONATHAN BELL

I cannot tell you what their thinking or motivation was. Personally I was deeply; deeply hurt that as a minister, the supposed number one in that department, the person who the buck stops with that without my knowledge and without my consent this attempt was made. It took a whistle-blower, a person of considerable integrity to brief me as minister that this was happening.

STEPHEN NOLAN

So why was this scheme kept open?

JONATHAN BELL

I have asked questions, can I say...

STEPHEN NOLAN

What is your belief? Now let's not come off this point, what is your belief of why this scheme was kept open, because we are now going to be getting into the period where hundreds of millions of pounds of the money of the people watching this programme right now was committed to, I want you to tell me why do you believe this was kept open?

JONATHAN BELL

I believe the scheme was kept open wrongly, inappropriately and when I commit to telling the truth I am not prepared to speculate why other people did what they did. Factually it is on the record I wanted to close the scheme on 1st October, the outside interference of the Special Advisers ensured the scheme was kept open for another four weeks.

STEPHEN NOLAN

Who?

JONATHAN BELL

They are going to have to detail that, my understanding from both my own Special Adviser at the time and also from the belief of the Permanent Secretary was it was the Special Advisers in the First Minister's Office and it was also the Special Adviser...

STEPHEN NOLAN

Who

JONATHAN BELL

The name that was given to me in the First Minister's Office was Timothy Johnston, the name that was given to me from the Department of Finance and Personnel of which Arlene Foster was the First Minister (sic) was Dr Andrew Crawford.

STEPHEN NOLAN

These are astonishing allegations that you are making, and I want to go over this again, you are telling me that the Special Adviser to the First Minister, the now First Minister, when she was the minister in the Department of Finance and Personnel, you are telling me that Special Adviser attempted to keep this scheme open against your will?

JONATHAN BELL

Yes.

STEPHEN NOLAN

Timothy Johnston is one of the most senior people in the DUP. He is at the heart of your party, he is one of, Timothy Johnston is the most senior adviser in the DUP and has been for a long time. What are you saying about him?

JONATHAN BELL

I am saying factually and as the record will bear out I sought to close the scheme on the 1st October to a lower tariff which would have left us in a manageable situation, I was informed by my Special Adviser I wouldn't be allowed to do it.

STEPHEN NOLAN

Here is the implication of this, October, 429 more applications, your money, a projected £250m, November, the scheme continued until November 2017, this is the lucrative part of the scheme, the tier then changed after November, but November those first two and a half weeks, 452 applications, another £235m of your money committed over a 20 year period. £485m of your money and you are telling me that is because Special Advisers against your will kept this open?

JONATHAN BELL

Yes and I can tell you more, the Permanent Secretary has confirmed to me in recent days, I said look why could my instruction as minister not be followed and he said it is the way that government works in NI that when the other Special Advisers interfere you must work by collective responsibility, you wouldn't have been able to do it on your own.

STEPHEN NOLAN

Have you evidence that the Department of Finance and Personnel when Arlene Foster was the minister knew about the soaring numbers in this scheme and the financial problems that this would cause?

JONATHAN BELL

My understanding is when my Permanent Secretary was telling me this, that it is inconceivable that the Permanent Secretary in my view, David Sterling, would not have been telling the Department of Finance and Personnel of the nature of this.

STEPHEN NOLAN

And do you believe that the Special Adviser in Arlene Foster's department at the time, he was her Special Adviser, do you believe he was acting with her knowledge?

JONATHAN BELL

As I say I will only speak factually and I wasn't there for any of those meetings so I can't comment on that. But what I can comment on is factually my Permanent Secretary informs me that when a Special Adviser of a minister informs the Department the rules are that they are taking it as the instructions of the minister.

STEPHEN NOLAN

What about the Office of First Minister?

JONATHAN BELL

Same applies. That is what my Permanent Secretary is telling me, he is clear that the reason the scheme was delayed on the record was because of the outside influences and interferences of the DUP Special Advisers.

STEPHEN NOLAN

Why didn't you fight on behalf of the people in this country in October and November when you knew this was out of control, because you were seeing the numbers by then right?

JONATHAN BELL

And I was not getting daily updates.

STEPHEN NOLAN

So you had no notion in October or November that anything was wrong, that can't be true because Andrew McCormick told you in June he had concerns and he wanted it closed by September. Why didn't you fight for us Jonathan?

JONATHAN BELL

Please don't say things can't be true, what Andrew McCormick told me in June is true, what I have told you is true. I was not given, and there is a record of this, I was not given a daily update or a weekly update, and the reason...

STEPHEN NOLAN

My point is you knew something was wrong...

JONATHAN BELL

That is true...but there is a difference...

STEPHEN NOLAN

And you should have had concern, why didn't you?

JONATHAN BELL

I had major concerns.

STEPHEN NOLAN

So why didn't you shout about it?

JONATHAN BELL

Because the Permanent Secretary told me at that time you are under collective responsibility as a minister in this government, and as part of the ministerial collective responsibility you cannot breach those codes. What I did do at the time was I did raise my concerns, those concerns were on the record and I was also told that I was overruled. The minister of the department was overruled by the outside Special Advisers.

STEPHEN NOLAN

Arlene Foster might be watching this right now saying this is a revisionist history.

JONATHAN BELL

The history will show, the documents and the facts because I will make them all available, because I am given to understand that if I make a referral to the Commissioner for Standards every document, every email, everything that is currently being withheld from me is available to them. I don't want a revisionist history. I want a public inquiry, judge led, to examine every single document I am giving them completely permission, my complete permission everything to do with me and my department, every document, every submission to be laid out. You will see factually that every document will stack up the truth that I am telling you today.

STEPHEN NOLAN

Arlene Foster has been saying in recent days that she has nothing to hide and she is very much putting the spotlight on the officials, those officials she says she passed the whistle-blowers concerns onto those officials and she says she has nothing to hide. Do you believe she is hiding something?

JONATHAN BELL

I believe my officials when they tell me there is a documented email trail which shows an attempt behind my back without the knowledge of the minister of the department to cleanse the record, my officials are telling me at the time. By the way when they told me at the time I did inform my party leader, Arlene Foster, my deputy leader, Nigel Dodds MP and Lord Morrow, the chairman of the party, in writing of my concerns because it was so serious.

STEPHEN NOLAN

You have known her a long time.

JONATHAN BELL

Arlene and I go way back to 1989 when we were at Queens University as students together, I think I was one of if not the first people to sign her nominations to be leader. When she became leader I told her she had my full support, she had 100% loyalty and service from me.

STEPHEN NOLAN

Does she have it now?

JONATHAN BELL

I'm at a position of major and massive pain. The truth overrides anything else. Dr Paisley once taught us that you must tell the truth until the heavens fall. This is not easy for me in any way.

STEPHEN NOLAN

Okay so we are now at January 2016 and the reason why this period is critical is because the Treasury in this month had sent notice to the government in NI that they

were not picking up the bill for this Renewable Heating Scheme overspend. What happened in January?

JONATHAN BELL

I went to close it immediately.

STEPHEN NOLAN

Why?

JONATHAN BELL

For the reasons you have just said the Treasury are telling us.

STEPHEN NOLAN

What advice were you given?

JONATHAN BELL

The advice from the Treasury or the advice from my Permanent Secretary?

STEPHEN NOLAN

What did he say?

JONATHAN BELL

It was to the effect that this is so significant it is unsustainable and needs to be closed immediately. I fully agreed with him on the basis of the evidence that I analysed and reviewed. In fact what he said to me was you have to close the scheme and I am no longer prepared to deal with these outside influences. I am putting this on the record to you and what Andrew said to me was if you want me to

continue the scheme as your principle civil servant you must issue me with a ministerial directive to keep the scheme open. I said to him Andrew I will guarantee you I will not issue and never issued him ever with a ministerial directive to keep the scheme open, I refused.

STEPHEN NOLAN

And yet the scheme didn't close Jonathan Bell.

JONATHAN BELL

What happened was I went away and was informed on a confidential business trip where I was trying to secure jobs in my recollection for NI, the First Minister of NI was ordering me to keep the scheme open.

STEPHEN NOLAN

So by this stage, because this is January 2016, by this stage Arlene Foster is First Minister of our country, you fly back from your trip abroad, what happens the next day?

JONATHAN BELL

So I leave Canada from my recollection, January, February, just towards the end, I'll need to give you the precise dates, they're on the record, and I refused Arlene's instruction to keep it open because I'm refusing to give a Ministerial directive because I'm not going to ask the Permanent Secretary to do something that's wrong in the face of all the evidence. I then got told, I flew back, I think, from 8 o'clock from Canada, Montreal to London, got in the early hours of the morning, about 5 o'clock, 6 o'clock, I was on the 9.20 flight back to Belfast. I went straight home because I'd literally flown all night, I changed my suit and had a shower and I was to answer questions at 2 o'clock, I was ordered to appear in front of the First Minister before my Question Time. In the strongest terms, both in volume and force, Arlene Foster as First Minister overruled me and told me to keep the scheme open.

STEPHEN NOLAN

What do you mean by that? Describe the scene when you're in her office, describe it to me?

JONATHAN BELL

I went in and sitting in front of her desk, at that stage I think there were two special advisers, Stephen Brimstone and Richard Bullick, in the room...

STEPHEN NOLAN

Was she controlled, was she...

JONATHAN BELL

She was highly agitated and angry because I'd been refusing the whole way for the last period and telling them I wasn't going to do this.

STEPHEN NOLAN

So I want you to give me more of a sense of what the atmosphere was like in that room?

JONATHAN BELL

Hostile, fear, it was abusive.

STEPHEN NOLAN

Abusive in what way, she's sitting down just talking...

JONATHAN BELL

She walked in and shouted at me that I was keeping the scheme open. In fact she shouted...

STEPHEN NOLAN

She's shouting?

JONATHAN BELL

Yes, and she shouted so much that Timothy Johnson then came into the room...

STEPHEN NOLAN

That's her special adviser?

JONATHAN BELL

Yes and who was already there and Stephen Brimstone and Richard Bullick were already there and she said you will keep it open and to be fair I was fairly strongly telling her back no I wasn't because I will never break the law and I'm not, if I'm not prepared to do it I'm certainly not prepared to instruct somebody else to do it.

STEPHEN NOLAN

But the image that you are portraying on this programme is that our First Minister in her room was shouting at you?

JONATHAN BELL

Voices raised ordering me to reopen the scheme and it caused me a lot of problems because, people know I closed it and I turned to the special advisers and I said, you knew I was closing this, what on earth are you thinking of now reopening it for two weeks and they sat and dropped their heads, they had no answer to me.

STEPHEN NOLAN

Well you must have asked the First Minister, Arlene Foster, why, you must have said why?

JONATHAN BELL

We are now at about 1.15, 1.20, I hadn't been to bed in 24 hours and at 2 o'clock I'm to appear at the despatch box for 45 minutes to answer questions and the determination to ensure that I wouldn't confirm the scheme as closed and I was determined to tell her also that I would not and never have, and I doubt I ever will, issue a Ministerial directive to tell a civil servant to do something which in my heart of hearts I believe to be wrong.

STEPHEN NOLAN

There is of course a counter narrative to this which is as many other political parties were doing at that time, demanding, calling for the scheme to be kept open and Arlene Foster may very well of been of this view, to be fair to her, that people throughout Northern Ireland had invested in these boilers or had orders in place or had legitimate businesses, many legitimate businesses, to use this environmentally friendly product and that might be why she was insistent to you I want this kept open?

JONATHAN BELL

This was a luxury that was not only not affordable but to fulfil what was legally contracted; you were going to have to take that money from the future budget and generations of Northern Ireland...

STEPHEN NOLAN

You've got a problem, no, you've got a problem with my next question...

JONATHAN BELL

Any question I'll answer.

STEPHEN NOLAN

You walked out of that room and you told the Assembly, you told the public of Northern Ireland that the right thing to do was to extend that scheme, keep it open, that was out of your mouth that was Jonathan Bell saying it, you've a problem?

JONATHAN BELL

The way the government works is you have all your arguments and all your difficulties behind closed doors, but the way collective responsibility works is that no matter how fierce the row, no matter how much the bullying or no matter whatever it is that the final decision is then defended by all of the Ministers, that's collective responsibility.

STEPHEN NOLAN

You said, I have decided to defer closure for another two weeks, you said it, I...

JONATHAN BELL

Under the orders of the First Minister...

STEPHEN NOLAN

You can't stand up to Arlene Foster, you're standing up to her now.

JONATHAN BELL

I can't overrule it, I can't overrule it...

STEPHEN NOLAN

But you can walk into that Assembly and...

JONATHAN BELL

The regret that I ultimately have now when we are seeing terminally ill children being sent home from hospital is that I didn't resign and I'm sorry I didn't resign. I'm sorry now that hundreds of millions of pounds, yes I was overruled, yes I can claim collective responsibility, yes the truth will back up everything I say, but I'm sorry I didn't resign.

STEPHEN NOLAN

Do you apologise to the people of Northern Ireland for the money which was committed to be spent over a 20 year period?

JONATHAN BELL

I apologise for that for which I was responsible, I am deeply, most profoundly sorry for what has occurred.

STEPHEN NOLAN

Do you think Arlene Foster, your party leader, owes the people of this country an apology?

JONATHAN BELL

I think we all should hang our heads in shame for what has occurred.

STEPHEN NOLAN

Should she?

JONATHAN BELL

All of us.

STEPHEN NOLAN

I'm asking you a direct question about Arlene Foster, she's the First Minister, Jonathan, she was the Minister in charge of the department when this process was designed, you've gone over the processes, it's a direct question about Arlene, do you think she owes the people of this country an apology?

JONATHAN BELL

Yes.

STEPHEN NOLAN

For what?

JONATHAN BELL

For the fact that a scheme was allowed to run, for the fact that special advisers were allowed to overrule me and when I apologise I'm apologising for what I wanted to do which was to close it on the 1st October. I'm not apologising for those who overruled me and here's the rub, we are hurting the most vulnerable people in Northern Ireland and that doesn't make me sorry it makes me sick. I've come into this studio because my obligations to God to tell the truth are greater than my obligations to anybody else. Dr Paisley was right, tell the truth should the heavens fall on you. You have no idea how difficult this is for me, I've been told I'll be ostracised, I'll be demonised, my political career is finished...

STEPHEN NOLAN

Are you involved in a coup to try to take Arlene Foster down as the First Minister and leader of your party?

JONATHAN BELL

Nothing, as God is my judge, could be further from the truth. I'm the boy that signed her papers, I believe I was one of the first to sign her papers, I campaigned for her, I've been involved in nothing other than telling the truth of what has occurred.

STEPHEN NOLAN

What's your message to Arlene Foster now?

JONATHAN BELL

I think the situation is so significant that you first of all have to deal with the major problem, you can't stick a plaster over a gaping wound and you deal with it by means of a public inquiry...

STEPHEN NOLAN

And during that time when that investigation that you are asking for is happening, if indeed it does happen, do you believe Arlene Foster should step aside as the First Minister of our country while that investigation is being conducted?

JONATHAN BELL

I believe that people have to act according to their conscience before God.

STEPHEN NOLAN

What do you believe will now happen to you within the DUP when this interview is broadcast?

JONATHAN BELL

I have no idea, my only aim is that the truth is told and I've now told it.

STEPHEN NOLAN

You are a family man, you have children, you must have thought of the implications of doing this interview?

JONATHAN BELL

I talked with my wife, I do talk with my children and given the level of exposure and all the criticism that comes with that, it will not be easy, but my wife told me this morning, Jonathan tell the truth please, tell the truth. I've now done it.

STEPHEN NOLAN

You prayed, Jonathan, before this interview, your faith and God is clearly very important to you?

JONATHAN BELL

I'm a very poor Christian, but I've got a great God.

STEPHEN NOLAN

Why are there tears in your eyes?

JONATHAN BELL

Because it's difficult, because hospitals in Northern Ireland will not be built, because terminally ill children are being sent home, children that are dying, they're coming into our hospitals and we're sending them home or telling them just to die 40 miles

away from their house. There's a ward in the Ulster Hospital, the Maynard Ward is closed. Do you think I could sit back and not tell the truth? My God told me to tell the truth and Dr Paisley was right, tell the truth should the heavens fall on you. So do with me as they will.