

From: PAUL SWEENEY
25 January 1999

To: Professor Monica McWilliams
Councillor Eileen Bell
Councillor Billy Hutchinson
Councillor Fred Cobain
Councillor Carmel Hanna
Councillor Mary Nelis
Mr David Ferguson
Dr Graham Gudgin
Mr Colm Larkin
Mr Hugh Logue

CONSULTATIVE CIVIC FORUM STUDY GROUP

Following the 22 January meeting of the Civic Forum Study Group please find enclosed a fourth draft of the report to be submitted to the First and Deputy First Ministers (Designate). I would be grateful for **drafting comments by lunchtime on Thursday, 28 January**. Please also inform me if you are content for the report to be finalised by correspondence (as suggested) or if you would prefer a meeting of the Study Group to be convened for Friday, 29 January.

May I draw your attention to the following:

- Paragraphs 1.5 and 1.7 in the third draft have been moved to the concluding section.
- I have taken advice on how a representative from the 'fishing' industry could be nominated to the Civic Forum. Seemingly it would be extremely difficult to identify one individual who would command the confidence of the 'fishing' industry (the sector is relatively small and is fragmented with several representative bodies including 2 sea fishing associations and several angling associations. On balance I suggest that 'fisheries' is excluded as a specified category for nomination.

- When I added up the number of nominating bodies in the proposed business agriculture consortium (ie 7) I realised that we should propose a range of nominees between 7-10 rather than 6-10.
- On the proposed voluntary/community sector consortium I have beefed up the relationship between the consortium and the networks, see 3.4 "in consultation with the wide range of voluntary/community networks associated with the issue groupings outlined in 3.5 below". This may provide greater assurance to Mr Cobain. If not, I have proposed a codicil to paragraph 3.4.
- With regard to Cross Community Issues and Victims in paragraph 3.6 I have suggested a possible consortium rather than simply allocate these places to the voluntary/community sector.
- A new paragraph 3.7 provides for the various consortia to nominate twice the actual numbers of nominees required. (This may give rise to a degree of resentment on the part of some of the proposed nominating bodies).
- In paragraph 4.1 I have added an additional criterion as a means of attracting "new faces" to the Civic Forum, as suggested.

Please also find enclosed a copy of my reply to Ms Geraldine Keys' correspondence on behalf of FOCUS, Omagh. As agreed, individual parties may wish to respond to Ms Keys direct.

I shall await comments.

Paul Sweeney

Paul Sweeney
 ☎ 21015

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1. **Introduction**

- 1.1 Paragraph 34 of Strand One of the Agreement provides that "A consultative Civic Forum will be established". Section 56 of the Northern Ireland Act 1998 makes provision for the Forum. (Annex A outlines the relevant extracts.)
- 1.2 At a round-table meeting with 6 of the Assembly Parties on 12 November 1998, as part of the First Minister's and Deputy First Minister's intensive consultation with Parties on those matters referred to the Assembly by the Secretary of State, it was agreed to establish a Study Group to consider all issues relevant to the establishment of the consultative Civic Forum and to prepare a report for consideration by the First Minister and Deputy First Minister.
- 1.3 This report has been prepared by the Study Group comprised of one representative from 6 Parties in the Assembly (UUP, SDLP, SF, Alliance, PUP, NIWC) and Special Advisers in the Office of the First and Deputy First Ministers. The Group's work was facilitated by the Executive Support secretariat (see Annex B).
- 1.4 The Study Group met in formal session on [] occasions. In addition to reviewing the various submissions on the Civic Forum made to the First Minister and Deputy First Minister, the Study Group considered background material on a number of other civic forums.
- 1.5 In preparing this report the members of the Study Group were struck by the divergence of views on the possible role and

structure of the Civic Forum. This is commented upon further in the concluding section. What follows is intended to reflect the broad conclusions of the Study Group after considerable discussion over a number of lengthy sessions. The report does not seek to examine the pros and cons of the various options, nor to capture the essence of every argument before recommending a particular course.

2. **Remit**

2.1 The Agreement defines the remit of the Civic Forum as a consultative mechanism on social, economic and cultural issues. Against this background the overall aim of the Civic Forum should be to offer comment to the Northern Ireland Assembly on the development and performance of policy and public administration.

2.2 The Civic Forum should respond to policy issues being addressed by the Assembly but might also consider social, economic and cultural issues on its own initiative.

2.3 The functions of the Civic Forum are likely to include:

2.3.1 offering comment to the Assembly through a process of pilot initiatives, reports, research and reviews;

2.3.2 addressing specific policy issues and bringing forward, where possible, new thinking and alternative options, by adopting a problem solving focus;

2.3.3 making a contribution to the emergent cross-cutting themes of Government such as sustainable development, community relations, unemployment – the so called ‘wicked problems’ whose resolution is long-term;

2.3.4 commenting upon the ‘programme for government’ of the Executive including public expenditure priorities in the context of the annual and triennial review of government expenditure;

2.3.5 promoting active citizenship and the fullest possible contribution by the community to the political process;

2.3.6 to consider its relationship with the possible establishment of an independent consultative forum, and whatever functions, if any, are devolved to it, arising from paragraph 19 of Strand Two of the Agreement.

3. **Membership**

3.1 The Civic Forum should consist of 60 members drawn from four strands of the community:

business/agriculture		7-10
trade union	-	7-10
voluntary/community	-	28-22
others	-	18

3.2 Business: The Chamber of Commerce, the Institute of Directors, the Confederation of British Industry, the Federation of Small

Businesses, the Federation of the Self-Employed, the Ulster Farmers' Union, and the Northern Ireland Agricultural Producers' Association should be invited to form a consortium for the purposes of nominating 7-10 representatives. The consortium would take responsibility for reaching agreement on how the 7-10 places should most appropriately be allocated (but see also paragraph 3.7 below).

- 3.3 Trade Unions: The Northern Ireland Committee of the Irish Congress of Trade Unions should be invited to nominate 7-10 representatives from the trade union movement.
- 3.4 Voluntary/Community Sector: The Northern Ireland Council for Voluntary Action (NICVA), the Rural Community Network (RCN), the Northern Ireland Council on Disability (NICOD) and the Women's Resource Development Agency (WRDA), in consultation with the wide range of voluntary/community networks associated with the issue groupings outlined in 3.5 below, should be invited to form a consortium for the purposes of nominating 22-28 representatives. In making their nominations the voluntary/community consortium should aim to nominate individuals who have direct experience of issues related to social inclusion.

[One of the six Party representatives on the Study Group prefers an arrangement whereby organisations associated with each of the issue groupings outlined in 3.5 below should have direct nomination rights, rather than nominations being filtered through the proposed consortia of NICVA, RCN, NICOD and WRDA. The Study Group sees merit in either arrangement with the majority of members favouring

the consortium approach. It was not possible to achieve a full consensus on this matter, hence the First Minister and Deputy First Minister will wish to deliberate further on this.]

3.5 The nominations from the voluntary/community sector should comprise representatives from the following:

Older people	-	2	
Youth (including students)	-	2	<i>[If we reduce the</i>
People with disabilities	-	2	<i>business and trade</i>
Women's groups	-	2	<i>union sectors to 7, we</i>
Ethnic Minorities	-	2	<i>need to allocate an</i>
Carers	-	2	<i>additional 6 places</i>
Families and Children	-	2	<i>across the various</i>
Community Development	-	2	<i>voluntary/community</i>
Community Health	-	2	<i>categories]</i>
Community Education	-	2	
Environmental groups	-	2	

3.6 Others: The Agreement specifies that the Civic Forum will comprise representatives of the business, trade union and voluntary sectors and such other sectors as agreed by the First Minister and Deputy First Minister. Representatives from the following sub-sectors of the community should comprise a fourth strand of the Civic Forum membership, namely:

- Churches 6 members
To be nominated by a consortium of the churches in Northern Ireland

- Culture, Arts and Sports 6 members
To be nominated by the Cultural Traditions Group of the
Community Relations Council
- Cross Community Issues & Victims 6 members
To be nominated by a consortium of the newly established
Victims' Memorial Fund and the Community Relations
Council.

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3.7 To equality proof the membership consistent with the selection guidelines in section 4 below, the First Minister and Deputy First Minister will have to aggregate the various nominations from the specified nominating bodies and achieve the necessary balances. For this reason each of the nominating consortia should submit twice the number of nominations required. This will also provide a balanced pool of potential nominees for casual vacancies that may arise.

4. **Guidelines for Selection**

4.1 To gain the confidence of the community, the Civic Forum must reflect the diversity of the community which it seeks to serve. All nominations to the Civic Forum should adhere to the principles of public appointments being based on equality, merit, openness and transparency of process. The guidelines for selection should apply to all nominating bodies and should consist of the following:

- a gender balance;
- community background balance;

3.2 Tenure of Office

- a balanced age profile to include young people and older people;
- geographic spread throughout Northern Ireland;
- diversity of skills, expertise and experiences;
- disqualification for anyone holding more than one public appointment;
- a predisposition towards nominating talented individuals who to date have had a relatively low profile in civic society and who are not currently in prominent positions in existing interest groups/lobbyist organisations; and
- agreement that elected representatives would not allow their names to go forward for nomination.

4.2 The various nominating bodies should have responsibility for ensuring that procedures and selection guidelines are properly adhered to before nominations are made. The First Minister and Deputy First Minister should reserve the right to ensure that the Civic Forum is as broadly representative of the community as possible.

5. **Tenure of Office**

- 5.1 Members should serve for a typical period of 3 years and a maximum of two consecutive terms (see 5.2 below for exceptions to this).
- 5.2 The initial membership should retire on a staggered basis to ensure continuity, ie one-third retire at the end of two years membership, one-third at the end of three years membership and one-third at the end of four years membership.
- 5.3 Casual vacancies should be filled by the respective nominating bodies.

6. **Chairperson**

- 6.1 For the first year of the Civic Forum a Chairperson should be appointed by a process of public appointment. Representatives from the various nominating bodies should form a consortium to oversee the selection of a Chairperson, with final approval resting with the First and Deputy First Ministers. At the end of the first year the membership of the Civic Forum may continue with an external Chairperson or decide to appoint a Chairperson from within its membership.
- 6.2 A maximum of two vice-Chairpersons should be appointed by the membership of the Civic Forum.

7. **Members' Expenses**

7.1 The effectiveness of the Civic Forum will be dependent upon the expertise and commitment of its members. It is not envisaged that members will be paid a per diem rate or annual fixed sum. The general assumption is that the majority of the Forum membership will be associated with or belong to organisations that adopt a civic responsibility towards public service and accordingly allow time off with full pay for this purpose. However, as a general principle no member should be out of pocket as a result of obligations to the Civic Forum. Arrangements for paying travel and subsistence, any actual loss of earnings and childcare expenses will require detailed consideration, but are recommended in principle.

7.2 Given the likely demands on the office of Chairperson it is proposed that an honorarium be paid at rates to be determined by the First and Deputy First Ministers. It is not proposed that honoraria should be paid to the vice-Chairpersons.

8. **Secretariat**

8.1 Administrative support will be provided under the aegis of the Office of the First and Deputy First Ministers in line with the Agreement and the provisions of the Northern Ireland Act 1998. This will comprise of an annual budget in the region of £375,000 to cover the costs of a professional secretariat, operating expenses and consultancy fees.

8.2 The appointment of a skilled and committed secretariat will be critical to the successful functioning of the Civic Forum.

8.3 The post of Director and other senior posts to be determined by the membership should be publicly advertised and appointed by the initial membership of the Civic Forum in conjunction with the Northern Ireland Civil Service Commission. In the interim the post of Director should be provided by the Office of the First and Deputy First Ministers.

8.4 The public advertisements for posts to the secretariat should specify that secondments from the public, private and voluntary sectors will be considered.

9. **Working Arrangements**

9.1 The internal structures, working arrangements and standing orders of the Civic Forum should be determined by its membership. It is likely that the Civic Forum will work through:

- Plenary Sessions
- a Management Committee
- Project Teams; and
- Ad Hoc Working Groups

9.2 A minimum of four plenary sessions should be held each year. Except when dealing with issues related to the internal management of the Civic Forum the plenary sessions should be held in public, including representatives from the media. The venue for plenary sessions should include a Belfast City Centre location and various locations throughout Northern Ireland.

- 9.3 The Management Committee should be comprised of representatives from each of the main sectors and should be responsible for the management of the Civic Forum and in ensuring its overall effectiveness and functioning.
- 9.4 It is envisaged that the Project Teams and Ad Hoc Working Groups will be assisted, where necessary, by outside advisers. The task of these advisers should be to facilitate the work of the Teams/Groups through the preparation of position papers, participation at meetings (but not voting) and where appropriate the drafting of reports or sections of reports.

10. **Conclusion**

- 10.1 The Study Group is grateful to those organisations and individuals who took the trouble to make submissions to the First Minister and Deputy First Minister. The range of views and suggestions were both interesting and informative.
- 10.2 We had lengthy discussions about whether this was enough or whether it reflected only a part of the debate in the wider community that should be heard. Indeed, there was a strong argument advanced that more time should be taken to consult with outside interests. However, the majority of the Group concluded that there was a balance of advantage in ensuring that the establishment of the Civic Forum is progressed in tandem with the implementation of the other institutional arrangements arising from the Agreement.

10.2 That said, the Group believes that the Forum should be viewed as an evolving organisation, whose role and structure can be modified in the light of experience. In due course the method of securing the membership can be reviewed. This could be achieved by the initial membership establishing a sub-committee to specifically consider the issue of community participation and the representation of the Forum, with a view to making a full report on these issues to the Forum itself within the first 12 months.

10.3 We commend this report to the First Minister and Deputy First Minister for consideration.

Civic Forum Study Group

[] January 1999

PARAGRAPH 34 OF STRAND ONE OF THE AGREEMENT

“34. A consultative Civic Forum will be established. It will comprise representatives of the business, trade union and voluntary sectors, and such other sectors as agreed by the First Minister and the Deputy First Minister. It will act as a consultative mechanism on social, economic and cultural issues. The First Minister and the Deputy First Minister will be agreement provide administrative support for the Civic Forum and establish guidelines for the selection of representatives to the Civic Forum.”

SECTION 56 OF THE NORTHERN IRELAND ACT 1998

“ 56.-(1) The First Minister and the deputy First Minister acting jointly shall make arrangements for obtaining from the Forum its views on social, economic and cultural matters.

(2) The arrangements so made shall not take effect until after they have been approved by the Assembly.

(3) The expenses of the Forum shall be defrayed as expenses of the Department of Finance and Personnel.

(4) In this section “the Forum” means the consultative Civic Forum established in pursuance of paragraph 34 of Strand One of the Belfast Agreement by the First Minister and the deputy First Minister acting jointly. ”

ANNEX B

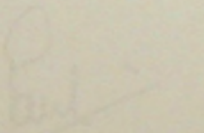
STUDY GROUP MEMBERSHIP

Mr Fred Cobain	UUP
Mrs Carmel Hanna	SDLP
Mrs Mary Nelis	Sinn Féin
Mrs Eileen Bell	Alliance
Mr Billy Hutchinson	PUP
Professor Monica McWilliams/ Ms Jane Morrice	NIWC
Dr Graham Gudgin	Special Adviser
Mr Colm Larkin	Special Adviser
Mr Hugh Logue	Special Adviser
Mr David Ferguson	Executive Support
Mr Paul Sweeney	Executive Support

However, the individual parties within the Study Group may wish to respond to you directly on your invitation.

Should you proceed with a public meeting on the Civic Forum, may I remind you that neither the Democratic Unionist Party, the Northern Ireland Unionist Party, the United Unionist Assembly Party nor the United Kingdom Unionist Party are members of the Civic Forum Study Group. Hence, you may wish to extend invitations to these parties.

Yours sincerely


Paul Sweeney

THE NEW NORTHERN IRELAND ASSEMBLY

Office of the First and Deputy First Ministers (Designate)

Parliament Buildings

Stormont

BELFAST

BT4 3XX

Telephone: 01232 521015

Fax: 01232 521067

Ms Geraldine Keys
Development Officer
Forum
15 Sedan Avenue
OMAGH
Co Tyrone
BT79 7AQ

25 January 1999

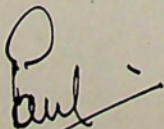
Dear Geraldine

Your letter of 15 January was considered by the consultative Civic Forum Study Group at their 22 January meeting. The Group also benefited from Mrs Nelis' account of her attendance and input to the public meeting on the Civic Forum held in Omagh on 11 January 1999.

The Study Group is clear that their role, on behalf of the First Minister (Designate) and Deputy First Minister (Designate) is not to undertake consultations with the wider community at this stage. This would preclude the members of the Study Group collectively attending the proposed meeting in Omagh. However, the individual parties within the Study Group may wish to respond to you directly on your invitation.

Should you proceed with a public meeting on the Civic Forum may I remind you that neither the Democratic Unionist Party, the Northern Ireland Unionist Party, the United Unionist Assembly Party nor the United Kingdom Unionist Party are members of the Civic Forum Study Group. Hence, you may also wish to extend invitations to these parties.

Yours sincerely



Paul Sweeney