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An Runaiocht Angla Eireannach
Beal Feirste

7 January, 1986

Mr. Eamonn O'Tuathail
Assistant Secretary
Department of Foreign Affairs

Dear Eamonn,

With reference to my earlier telex, I enclose a copy of the paper on Public Appointments which was handed to us by the British side on 6 January. The paper is in four parts.

- (i) an introductory note prepared by the Northern Ireland Civil Service;
- (ii) Annex 1 which contains the names of 147 public bodies in Northern Ireland and the ten United Kingdom bodies to which a Northern Ireland representative is appointed or nominated on the Secretary of State's recommendation. Appointments are divided into 3 categories A, B and C. A (225 appointments) are those which are deemed to be politically sensitive or carrying a salary of £2,500 per year or over. All these appointments require the Secretary of State's approval and a small number the Prime Minister's approval. Category B amounts to some 760 appointments which are less important or sensitive than those in Category A. Departments consult with the Central Secretariat before advising on them. Category C

are the remaining 1260 appointments, are of a very specialised or non controversial nature and Northern Ireland Departments make them without reference to the Central Appointments Unit in the Central Secretariat.

(iii) the second annex consists of a list of the Category A appointments.

(iv) the final annex deals with the 5 public bodies named in Article 6 of the Agreement, lists the present membership and gives the termination dates.

In handing over this document Elliott said that they would like to have an indication of the appointments in which we might have an interest. They would also wish to have a list of suitable candidates from us both for specific bodies and of a general nature to add to the list of suitable persons which is held by the Central Appointments Unit.

The Department will wish to examine in detail the various bodies. It would seem to us that we would have a definite interest in all the Category A appointments and that we should propose, as appropriate, names for consideration for these appointments. In addition it would seem to us that we may have a particular interest in some of the Category B and Category C appointments. One specific example here might be those appointments which are made by the Department of Education, many of which are Category C, but which would possibly have an interest for us because of the need to respect and recognise the identities of the two communities in Northern Ireland. We might for example wish to indicate an interest in the Standing Conferences for primary and secondary education. Another example which springs to mind is that the appointments

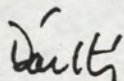
made to the Foyle Fisheries Commission are all categorised as Category C. We might have a specific interest there and in other areas covered by the Department of Agriculture.

An examination of the details provided about the membership of the 5 bodies mentioned in Article 6 would show that few of the appointments will become vacant in 1986 except on the Standing Advisory Commission on Human Rights and the Police Complaints Board. You will also note that the current term of the chairman of the Police Authority will expire late this year.

There is also some overlap in the membership of these 5 bodies. An example is Mrs. Carswell (the wife of Judge Carswell) who is a member of the Standing Advisory Commission on Human Rights and Deputy Chairman of the Police Complaints Board.

The British are not expecting a response from us at the next meeting of the Conference and they do not expect us to provide them with a general list of names at an early date. In considering the paper the Department may want to consult other Departments as well as the SDLP.

Yours sincerely,



Daithi O'Ceallaigh

NOTE FOR ANGLO-IRISH INTERGOVERNMENTAL CONFERENCE

PUBLIC APPOINTMENTS

Introduction

1. Article 6 of the Agreement provides that:-

"The Conference shall be a framework within which the Irish Government may put forward views and proposals on the role and composition of bodies appointed by the Secretary of State for Northern Ireland or by departments subject to his discretion and control including:

the Standing Advisory Commission on Human Rights;

the Fair Employment Agency;

the Equal Opportunities Commission;

the Police Authority for Northern Ireland;

the Police Complaints Board."

2. This paper lists the public bodies in NI, outlines the arrangements for making public appointments and deals in more detail with the five bodies named in the Agreement.

Public Bodies

3. Annex I contains the names of the 147 public bodies in NI. It describes also the 10 UK bodies to which a NI representative is appointed or nominated and

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certain Crown appointments made on the Secretary of State's recommendation.

Appointments

4. The Secretary of State and the Heads of NI Departments are responsible for a total of 2256 places on NI public bodies. A Central Appointments Unit (CAU) created in 1974 and located in the Office of the Head of NICS provides advice on all aspects of appointments.
5. Around 70% of appointments are made on the nomination of outside bodies like District Councils, the CBI and NIC/ICTU. In some cases this right of nomination is a statutory one. In others it has become the "custom and practice" to consult certain bodies under a statutory reference such as "persons appearing to the Minister to be suitable for appointments by reason of their interest in the services for which the Board is responsible".
6. It has on occasions proved difficult to persuade nominating bodies to submit a panel of names from which a choice may be made in the interests of achieving a reasonably 'balanced' body. NIC/ICTU has, in particular, insisted that it will nominate those it deems most suitable to represent it and some District Councils have tended to nominate only members from the controlling party or parties.
7. Appointments are divided into 3 categories:-

Category A These are 225 appointments - listed in Annex 2 - which are politically sensitive, or carry a salary of £2,500 or more

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per annum; these appointments require the Secretary of State's approval and some require the Prime Minister's approval. (The latter group include the Chairmanship of the Police Authority, the Economic Council, the Industrial Development Board, Harland and Wolff Ltd, Short Bros Ltd, the Electricity Service and the Housing Executive).

Category B

These amount to some 760 appointments which are less important or sensitive than those in Category A and not as specialised and non-controversial as those in Category C. Departments consult with the CAU before advising on Category B appointments.

Category C

These cover the remaining 1260 or so appointments and are of a very specialised or non-controversial nature which NI Departments make without reference to the CAU.

8. Strenuous efforts have been made to achieve a fair and equitable balance in public bodies in terms of religion, sex, age and geographical spread. There is a continuing search for new talent. The CAU maintain and openly invite additions to a central list of people who can be considered for public appointments and there have been several initiatives over the years to improve the list. The most serious weaknesses are:-
 1. the relatively small number of high quality people identified as available for service on public bodies;

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2. the reluctance of many members of the minority community to be considered for appointment to certain of the bodies; and
3. a continuing difficulty in identifying a reasonable number of female members.

The 5 bodies

9. Annex 3 deals with the 5 public bodies named in the Agreement and lists the present membership with the appropriate dates.

Evidence of discrimination

10. Public appointments in Northern Ireland have to be made in the context of Section 19 of the Northern Ireland Constitution Act 1973 which makes it unlawful for the Secretary of State or a Department to discriminate against "any person or class of persons on the ground of religious belief or political opinion".

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PUBLIC BOARDS AND COMMITTEES

ANNEX 1.

SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985

DEPARTMENT OF AGRICULTURAL

	ADVISORY OR EXECUTIVE	CAU REF	CATEGORY		
			A	B	C
Agricultural Research Institute		156			All C
Fisheries Conservancy Board for NI	E	75			All C
Foyle Fisheries Commission		74			All C
Livestock Marketing Commission for NI	E	73	Chmn A		Members C
Milk Marketing Board for NI		19			3 Mbrs C
NI Agricultural Wages Board	E	1		(Chmn & 2 Mbrs) B	
NI Drainage Council	A	7			All C
NI Fishery Harbour Authority	E	10	Chmn A		Members C
NI Water Council - (Appts are made jointly with DOE)	A	29		All B	
Pigs Production Development Committee	E	77			All C
Water Appeals Commission (Appts made jointly with DOE)		192	Chief Cmmr & P/T Cmmr A		
(Appt of Chief Commissioner and part-time Commissioner made by Secretary of State)					

PUBLIC BOARDS AND COMMITTEES
SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
DEPARTMENT OF ECONOMIC DEVELOPMENT

	ADVISORY OR EXECUTIVE	CAU REF	CATEGORY		
			A	B	C
Belfast Harbour Commissioners Board of Directors:		308	Chmn A	Mbrs B	
Harland and Wolff Ltd*		243	All A* [∅]		
Short Bros Ltd*		32	All A* [∅]		
[Lear Fan Ltd		343			
Ben Sherman (1975/Ltd)]		244			
Compensation Tribunal (Loss of Employment through Civil unrest)		178			All C
(3) Committees for the Employment of Disabled People (Belfast Northern and Southern)	A	185			All C
Enterprise Ulster	E	122	Chmn A	Mbrs B	
Equal Opportunities Commission	E	162	All A		
Fair Employment Agency	E	163	All A		
Fair Employment Appeals Board		264	All A		
General Consumer Council for NI		373	Chmn A	Mbrs B	
Health and Safety Agency	E	286	Chmn A	Mbrs B	
Industrial Development Board*	E	360	All A*		
Labour Relations Agency	E	260	All A		
Local Enterprise Development Unit	E	18	All A		
Local Enterprise Development Unit Area Panels	E	18ABCD	Chmn A	Mbrs B	
Londonderry Port & Harbour Commission		211	Chmn A	Mbrs B	
Manpower Council		358			All C
NI Electricity Board*		27	All A*		
NI Industrial Court		154	President A [‡]		Mbrs C
NI Industrial Tribunals		155	President A [‡] 2 Full-time Chairmen		Pt time Chmn & Mbrs C
NI Training Authority	E	153	Chmn A		Mbrs C
NI Tourist Board	E	48	Chmn A	Mbrs B	

* The appointment of the Chairman requires the Prime Minister's approval.

[∅] The appointment of non Executive Directors requires the Secretary of State's approval.
The appointment of Executive Directors are only referred to the Secretary of State for information.

[‡] The President of the NI Industrial Tribunals is also the President of the Industrial Court.

PUBLIC BOARDS AND COMMITTEES
SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
DEPARTMENT OF ECONOMIC DEVELOPMENT

	ADVISORY OR EXECUTIVE	CAU REF	CATEGORY		
			A	B	C
Training Boards for:					
Catering Industry	E	60			All C
Clothing Industry		55			All C
Construction Industry		62			All C
Distributive Industry		61			All C
Engineering Industry		63			All C
Food and Drink Industry		57			All C
Road Transport Industry		59			All C
Textile Industry		56			All C
Ulster Sheltered Employment Ltd	E	177		All B	
Wages Councils	E	222			All C
Warrenpoint Harbour Authority		42	Chm A	Mbrs B	

PUBLIC BOARDS AND COMMITTEES

SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
DEPARTMENT OF EDUCATION

	ADVISORY OR EXECUTIVE	CAU REF	CATEGORY		
			A	B	C
Arragh Observatory - Board of Governors (1 Governor appointed by SOS)	E	108	1 Governor A	.	
Arts Council for NI - Board of Governors	E	2		All B	
Board of Governors:-					
Stramillis College of Education		84			All C
St Mary's College, Belfast		98			All C
Council for Continuing Education	A	277			All C
Education & Library Boards:-					
Belfast		53		All B	
North Eastern		49		All B	
South Eastern		52		All B	
Southern		51		All B	
Western		50		All B	
Governing Bodies of certain Voluntary Grammar Schools		164			All C
Mountain, Cave & Cliff Rescue Co-ordinating Committee		241			All C
Negotiating Machinery for Teachers' Salaries & Conditions of Service:-	A		Chrm A		Mbrs C
(a) Salaries Negotiating Committee (schools)		333			
(b) Conditions of service negotiating Committee (schools)		334			
(c) Negotiating committee for academic staff in the 2 colleges of education		354			
(d) Negotiating Committee Further Education		335			
NI Business/Technician Education Liaison Committee		276			All C
NI Council for Educational Development	E	352			All C
NI Schools Examination Council	E	26A		Chrm B	Mbrs C
Sports Council for NI	E	33	Chrm A	Mbrs B	

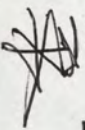
PUBLIC BOARDS AND COMMITTEES

SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
DEPARTMENT OF EDUCATION

	ADVISORY OR EXECUTIVE	CAU REF	CATEGORY		
			A	B	C
Queen's University Senate (5 members nominated by SOS)	E	94	All A		
Standing Conference for Primary Education		250			All C
Standing Conference for Secondary Education		249			All C
Standing Conference for Further Education		274			All C
The Staff Commission for Education & Library Boards		54	Chrm A	Mrbs B	
Ulster Folk & Transport Museum	E	39		All B	
Ulster Museum	E	38		All B	
UNESCO - Committee of	A	240			All C
Visitor to the University of Ulster (Appt approved by the SOS and made by the Queen in Council)		399B	A		
Youth Committee for NI	A	43		All B	

PUBLIC BOARDS AND COMMITTEES

SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
Department of Environment

	Advisory or Executive	CAU REF	CATEGORY		
			A	B	C
Committee for Nature Conservation	A	67			All C
Compensation Appeals Tribunals		232			All C
Fire Authority for NI		102	Chmn A	Members B	
Historic Buildings Council	A	16			All C
Historic Monuments Council	A	17			All C
Local Government Staff Commission for Northern Ireland		93	Chmn A	Members B	
National House Building Council - NI Committee		188			All C
NI Building Regulations Cttee	A	89			All C
NI Construction Industry Advisory Council	A	24			All C
NI Housing Executive*		22	All A*except Housing Council		Members
 NI Local Government Officers' Superannuation Committee	E	23		All B	
NI Transport Holding Company		96	All A		
NI Railways Ltd		144			All C
Citybus Ltd		141			All C
Ulsterbus Ltd		40			All C
NI Airports Ltd		142			All C
NI Water Council (appts are made jointly with DANI)	A	29		All B	
Planning Appeals Commission (Appts made by SOS)		65	All A		
Rent Assessment Panel		284	Rent Officer & Deputy A	Members B	
Review Body (Driver, Operator & Vehicle Licensing)		298			All C
Ulster Countryside Committee	A	68			All C
Water Appeals Commission (Appts are made jointly with DANI) [Appt of Chief Commissioner and Part-time Commissioner made by		192	Chief Commr & Deputy A		

PUBLIC BOARDS AND COMMITTEES
SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
DEPARTMENT OF FINANCE AND PERSONNEL

	ADVISORY OR EXECUTIVE	CAU REF	CATEGORY		
			A	B	C
NI Economic Council	A	72	All A		
Charities Advisory Committee	A	4			All C
Lay Observer under the Solicitors Order		273	A		
Public Service Training Council	E	139			All C
Security Appeal Board		326			All C
Statute Law Committee		87			All C
Ulster Savings Committee	E	88			All C
Vaughans Charity (Trustees)		127			All C

PUBLIC BOARDS AND COMMITTEES
SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
DEPARTMENT OF HEALTH AND SOCIAL SERVICES

	ADVISORY OR EXECUTIVE	GAU REF	CATEGORY		
			A	B	C
Attendance Allowance Board	E	83			All C
Central Advisory Committees for:-					
Dental		120			All C
Medical		119			All C
Nursing		123			All C
Personal Social Services		239			All C
Pharmaceutical		118			All C
Distinction and Meritorious Service Awards Committee	A	112			All C
Clinical Engineering and Medical Physics Services Agency		414			All C
Clinical Imaging Service Advisory Committee		412			All C
Health & Social Services Boards:-					
Eastern		14	Chmn A	Mbrs B	
Northern		12	Chmn A	Mbrs B	
Southern		13	Chmn A	Mbrs B	
Western		41	Chmn A	Mbrs B	
Laboratory Services Advisory Committee		413			All C
Medical Appeal Tribunal		415			All C
Medical Boards		416			All C
Mental Health Commission		409	Chmn A	Mbrs B	
Mental Health Review Tribunals (Appts made by the Lord Chief Justice)		114			All C
NI National Board for Nursing, Midwifery and Health Visiting	E	351			All C
NI Central Services Agency for H&SS		20	Chmn A	Mbrs B	
Poisons Board	A	106		Chmn B	Mbrs C
NI Health & Social Services Council	A	15			All C
NI & H&SS Training Council		21	Chmn A	Mbrs B	
NI Council for Postgraduate Medical Education	E	113			All C
Therapeutic Paramedical Advisory Committee	A	258			All C
Tribunal to inquire into the Disqualification of Persons providing General Practitioner Services (SOS appts the professional members, the LCJ appts the Chairman and lay members).		212	Professional Members A	Chmn & Lay Mbrs B	

PUBLIC BOARDS AND COMMITTEES

SCHEDULED APPOINTMENTS
AS AT 26 NOVEMBER 1985
NORTHERN IRELAND OFFICE

	ADVISORY OR EXECUTIVE	CAU REF	CATEGORY		
			A	B	C
Board of Visitors:					
HM Prison, Armagh		146		All B	
HM Prison, Belfast		151		All B	
HM Prison, Magilligan		147		All B	
HM Prison, Maze		131		All B	
Visiting Committee - Young Offenders' Centre - Hydebank Wood		325		All B	
Boundary Commission for NI	A	199	All A		
Joint Consultative Committee for Prison Industries in NI		322		All B	
Police Authority*	E	149	All A*		
Police Complaints Board for NI	E	268	All A		
Probation Board for NI		349	All A		
Rathgael & Whiteabbey Schools Management Board	E	92		All B	
Standing Advisory Commission on Human Rights	A	35	All A		
District Electoral Areas Commissioner for NI		382	A		
Chief Electoral Officer		207	A		
*Chairman's Appointment requires the Prime Minister's approval.					

CATEGORY 'A' APPOINTMENTS

Department	Body	Chairman/Members
Agriculture	Livestock Marketing Commission NI Fishery Harbour Authority * Water Appeals Commission [appointments made jointly with DOE]	Chairman Chairman Chief Commissioner and 1 Part-time Commissioner
Economic Development	Belfast Harbour Commissioner - Board of Directors Harland & Wolff Ltd Short Brothers Ltd Enterprise Ulster Equal Opportunities Commission Fair Employment Agency Fair Employment Appeals Board General Consumer Council for NI Health & Safety Agency Industrial Development Board Labour Relations Agency Local Enterprise Development Unit - Board of Directors [Local Enterprise Development Unit Area Board (4)] Londonderry Port & Harbour Commission NI Electricity Service Board NI Industrial Tribunals NI Industrial Court NI Training Authority NI Tourist Board Warrenpoint Harbour Authority	Chairman Chairman/Chief Executive and 9 Non-Executive Directors Chairman/Man Director and 6 Non-Executive Directors Chairman Chairman and 11 Members Chairman and 11 Members Chairman and 2 Members Chairman Chairman Chairman and 11 Members Chairman and 8 Members Chairman and 7 Members 4 Chairmen who are also Members of the main Board Chairman Chairman, Deputy Chairman and 7 Members President and 2 full-time Chairmen President who is also President of NI Industrial Tribunals Chairman Chairman Chairman
Education	Armagh Observatory - Board of Governors Negotiating Machinery for Teachers' Salaries & Conditions of Service Sports Council for NI Queen's University Senate Staff Commission for Education & Library Boards Visitor to the University of Ulster	1 Governor Chairman Chairman 5 nominees of SOS Chairman 1

Department	Body	Chairman/Members
Environment	Fire Authority for NI Local Government Staff Commission for NI NI Housing Executive NI Transport Holding Company Planning Appeals Commission Rent Assessment Panel † Water Appeals Commission [appointments made jointly with DANI]	Chairman Chairman Chairman and 6 Members Chairman and 6 Directors 5 Full-time Commissioners including the Chief Commissioner + 5 part-time Commissioners Rent Officer and Deputy (Deputy not yet appointed) Chief Commissioner who also acts as Chief Planning Appeals Commissioner and one Commissioner who also acts as a Senior Professional Planning Appeals Commissioner
Finance & Personnel	NI Economic Council Lay Observer under the Solicitors Order	Chairman and 14 Members 1
Health & Social Services	Health & Social Services Boards: Eastern Northern Southern Western Mental Health Commission NI Central Services Agency for NI NI Health & Social Services Training Council Tribunal to inquire into Disqualification of Persons providing General Practitioner Services	Chairman Chairman Chairman Chairman Chairman Chairman Chairman 11 Professional Members
Northern Ireland Office	Boundary Commission for NI Police Authority Police Complaints Board for NI Probation Board for NI Standing Advisory Commission on Human Rights District Electoral Areas Commissioner for NI Chief Electoral Officer	2 Members Chairman, Vice-Chairman, and 16 Members Chairman, Deputy Chairman and 5 Members Chairman and 16 Members Chairman and 10 Members 1 1