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Ministers ignored advice on Victims' post hunt

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Leaders initiated second search for commissioner

Thursday, January 10, 2008

By Chris Thornton

First Ministers Ian Paisley and Martin McGuinness went against the advice of civil servants in deciding to run a second search for a Victims' Commissioner, material released under the Freedom of Information Act has revealed.

The Executive leaders were advised to make an appointment from the shortlist handed to them when they took up office last May, but decided to extend the hunt - which has now lasted almost a year.

The delay has held back an £8million fund for victims that the temporary commissioner, Bertha McDougall, said should have been in place by the end of 2007.

Material released to the Belfast Telegraph under FoI also shows that the Commissioner for Public Appointments told Mr Paisley the first phase of recruitment was "well run" - weeks before he told the Assembly "that the beginning of the process did not stick to merit".

And the documents also reveal that the first shortlist of six candidates was only kept in the process at the suggestion of an OCPA official.

At least one leading candidate from that shortlist is believed to be in the running for the final selection, which could be announced on Monday, when the Assembly returns from its Christmas break.

The appointment of a Victims' Commissioner, which Mr Paisley described as "essential" before he took up office on May 8, has been in train since January last year.

After interviewing more than a dozen applicants for the £65,000 a year post last February, officials gave Mr Paisley and Mr McGuinness a shortlist of six candidates on the day they were appointed First Ministers.

The two men later told the Assembly that they hoped to appoint by mid-July.

But when no appointment was made, they announced in October that they were seeking new applicants - claiming some potential candidates may have been discouraged from applying because direct rule ministers had started the process.

At that stage, they said they hoped to appoint by the end of 2007, but later missed that target.

In the meantime, the fund recommended by Mrs McDougall in her final report a year ago had not been put in place.

Material released under FoI includes minutes of a meeting between the First Ministers, their senior advisors and Felicity Huston, the Commissioner for Public Appointments for Northern Ireland.

They met on September 11, 2007 for "a purely exploratory and confidential discussion" about the ministers' idea for second appointments process.

According to the minutes, Mrs Huston "noted that the civil servants' advice to proceed by selecting one of the candidates found to be fitted under the current competition".

She suggested the ministers could meet the shortlisted candidates "to gain an additional perspective".

Mr Paisley said he and Mr McGuinness were "very keen that the person appointed has the credibility associated with being appointed under a process which is taken forward under the FM and dFM".

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Mr McGuinness said they were interested in running a new recruitment process to "bring forward a greater number of candidates and, potentially, achieve a greater level of representativeness".

Mrs Huston said that would be "a legitimate basis" for re-running the competition.

An official working for her then suggested that the existing shortlist should remain.

"Ministers noted this and welcomed the suggestion", the minutes say.

Three months later, Mr Paisley told the Assembly that more people had applied for the post - then suggested there were problems with the merit principle in the first phase of the competition.

"I believe in merit, and I regret that the beginning of the process did not stick to merit," he said.

But the minutes of the September 11 meeting show that Mrs Huston told the ministers the first recruitment process was "very well run".

"The commissioner responded that she had been following this process closely," the minutes say.

"Since her role involves responding to complaints, she personally has to maintain a level of independence from the details of the process, but she regularly receives feedback from independent assessors on appointment competitions and has done so in this case. In respect of this feedback, she is aware that the competition has been very well run in line with OCPA guidance and that there has been a good level of interest and field of candidates."

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