



Law Research Briefing September 2023

Ensuring Accountability Amid Northern Ireland's Political Stalemate

Professor Colin Murray

The Problem of Government without Ministers

Professor Murray analyses the constitutional role and limitations of civil servants within the UK system of government amid the challenges posed by the absence of a functioning Northern Ireland Executive and the subsequent delegation of decision-making to civil servants.

He highlights the constitutional implications of civil servants stepping into the policy-making arena, which typically requires ministerial approval and accountability. He identifies the conflict within the role imposed on civil servants, who are tasked with managing budgetary constraints while also attempting to maintain public services.

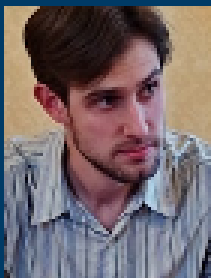
He criticises the inadequacy of consultation and limited role played by public sector equality duties in the decision-making process, emphasising the need for extensive prior consultation and explicit direction from the Secretary of State.

Contribution to Public Policy

Professor Murray highlights the necessity of clear guidance and oversight from the Secretary of State for Northern Ireland to ensure that civil servants' actions align with constitutional principles and public interest.

His work underscores the importance of maintaining accountability and transparency in public sector decision-making, especially in the context of significant budget cuts. By advocating for more robust consultation processes and adherence to public sector equality duties, Murray's contributions aimed to safeguard against the disproportionate impact of cuts on vulnerable communities.

His recommendations called for the reinstatement of public consultations and detailed ministerial guidance to mitigate the adverse effects of austerity measures on public services, particularly in education.



Colin Murray is a Professor of Law and Democracy at Newcastle Law School. He has written extensively on UK constitutional law and on the legal arrangements for devolution in the Northern Ireland context. He co-authors a leading textbook on the UK's governance order - Roger Masterman and Colin Murray, *Constitutional and Administrative Law* (CUP, 2022).



colin.murray@ncl.ac.uk



[@colinmurray.bsky.social](https://bsky.app/profile/colinmurray.bsky.social)



<https://www.ncl.ac.uk/law/people/profile/colinmurray.html>



C. Murray, 'Northern Ireland's Post-Brexit Governance Crisis: What to do when the Post-1998 Centre Cannot Hold' Northern Ireland Legal Quarterly, 2024.