



**NOTICE OF DETERMINATION**  
**CORE PARTICIPANT APPLICATION**  
**MODULE 9 - ECONOMIC RESPONSE**  
**CONOR MURPHY MLA**

**Introduction**

1. In my [Opening Statement](#) on 21 July 2022, I explained that modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each module. On 9 July 2024, the Inquiry opened Module 9 and invited anyone who wished to be considered as a Core Participant to that module to submit an application in writing to the Solicitor to the Inquiry by 6 August 2024.
2. The Inquiry has published the [Provisional Outline of Scope for Module 9](#), which states that this module will examine how economic support was delivered by the UK Government, the Devolved Administrations and Local Government by examining a broad range of economic interventions in response to the Covid-19 pandemic. This includes economic support for business, jobs, the self-employed, vulnerable people and those on benefits. It will also consider additional funding given to relevant public services and the voluntary and community sectors.
3. On 2 August 2024, the Inquiry received an application from Conor Murphy MLA ('the Applicant') for Core Participant status in Module 9.
4. On 13 September 2024 I made a provisional decision not to designate the Applicant a Core Participant in Module 9 ('the Provisional Decision'). The Applicant was provided with an opportunity to renew the application in writing by 4pm on 20 September 2024.

5. The Applicant subsequently submitted a renewed application for Core Participant status in Module 9. This notice sets out my final determination of the Applicant's application for Core Participant status in Module 9.

## **Application**

6. Applications for Core Participant status are considered in accordance with Rule 5 of the Inquiry Rules 2006, which provides:

*5.—(1) The chairman may designate a person as a core participant at any time during the course of the inquiry, provided that person consents to being so designated.*

*(2) In deciding whether to designate a person as a core participant, the chairman must in particular consider whether—*

- (a) the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;*
- (b) the person has a significant interest in an important aspect of the matters to which the inquiry relates; or*
- (c) the person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.*

*(3) A person ceases to be a core participant on—*

- (a) the date specified by the chairman in writing; or*
- (b) the end of the inquiry.*

7. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I have considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 9.

## **Summary of Application**

8. The original application stated that the applicant is a Member of the Legislative Assembly of Northern Ireland and Minister, who was formerly the Northern Irish Minister for Finance from January 2020 until February 2022. The application states it is made pursuant to Rule 5 of the Inquiry Rules 2006 and is understood to be made on the basis of Rule 5(2)(a), (b) and (c).

9. The Applicant submits that he was centrally important to the NI government response to the pandemic, particularly the economic response as Minister for the Department of Finance. In this role, the Applicant says he was pivotal to the interaction between the Department of Finance and HM Treasury. The Applicant submits he will be a significant source of evidence.
10. The particular factors put forward by the Applicant in support of his application are as follows: he played a direct and significant role in all matters relating to the economic response; he has a significant interest in conclusions of the Inquiry in relation to the success and effectiveness of NI contributions; and, as a result of his role as Minister for Finance, may be subject to explicit or significant criticism in the Inquiry report.
11. The Applicant cites the Northern Ireland Court of Appeal's judgment in *Re BP for Judicial Review* (2015) NICA 20 paragraph 20 and s17(3) of the Inquiries Act 2005. He submits that this lends support to his application on the basis of requirements of fairness.
12. The Applicant's renewed application provides further submissions and information, which I have considered with care. In making this determination, the fact that I have not referred to every matter or detail which is set out in the application does not mean that I have not considered it. The points addressed below are intended to capture what appear to be the most important points made in support of the application.
13. In his renewed application, The Applicant emphasises that the Northern Ireland Department of Finance was under the direction of the Applicant during the relevant period and, as such, some key interventions in Northern Ireland such as the repurposing of the Land & Property Service from rates collection to economic support were directed by the Applicant. Further, the Applicant submits that he was involved in and led some of the initial economic and local support to assist economic recovery in Northern Ireland. The Applicant states that his role was pivotal to Executive Committee decision making on the economic response and the interaction between HM Treasury and the Northern Ireland Department of Finance. The renewal application submits that the Applicant will be better able to assist the Inquiry if designated as a Core Participant

## **Decision for the Applicant**

14. I have considered with great care everything that is said in the Applicant's original application and in his renewed application. The renewed application added little of substance to the original application. I have assessed the merits of the Core Participant status in its totality. Having considered the renewed application, I remain of the view that the Applicant does not sufficiently meet the criteria set out in Rule 5(2). I have therefore decided not to designate the Applicant as a Core Participant in Module 9.
15. The Applicant submits that he played a substantial and significant role in Executive decision-making in Northern Ireland. However, high-level decision-making was examined in Module 2C. I appreciate that the Applicant played a role in the executive decision making in Northern Ireland, in particular as Minister for Finance for Northern Ireland during the relevant period but, in my view, he did not play a sufficiently significant role to merit Core Participant status in this Module. Even if I were wrong about whether the Applicant played a direct and significant role and/or has a sufficiently significant interest in matters to which Module 9 relates, I would still decline to exercise my discretion to grant Core Participant status, having regard to the need to manage the Inquiry effectively and in the fair exercise of my discretion. Further, it is far too early to determine if he will be the subject of criticism.
16. It is not necessary for an individual or organisation to be a Core Participant in order to provide evidence to the Inquiry. The Inquiry may seek assistance from the Applicant during the evidence gathering stage of Module 9.
17. I will keep the scope of Module 9 under review. My decision not to designate the Applicant as a Core Participant in Module 9 does not preclude it from making any further applications in respect of any later module. I will consider any future applications the Applicant may wish to make on their merits at the time they are made.

**Rt Hon Baroness Heather Hallett DBE**

**Chair of the UK Covid-19 Inquiry**

**30 September 2024**