

MUCKAMORE ABBEY HOSPITAL INQUIRY

RESTRICTION ORDER PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005

Restriction Order No. 33 ('A4')

I have power under section 19(1)(b) of the Inquiries Act 2005 to make orders restricting disclosure or publication of evidence or documents given, produced or provided to an Inquiry.

I have been invited by Inquiry counsel to make a restriction order under section 19 of the Inquiries Act 2005 in relation to part of the oral evidence of A4 on 14 November 2023. The application relates solely to parts of the evidence that may touch upon the subject matter of ongoing criminal investigation and prosecutions. There are already general restriction orders in relation to the naming of patients and members of staff, but I am asked to make this order to add a further level of protection.

In considering this application, I have had particular regard to the Memorandum of Understanding between the Inquiry, the PSNI and the PPS, in which I have undertaken to make every effort to ensure that the procedure and conduct of the Inquiry respects the integrity of the PSNI investigation and prosecutions. The purpose of this order is to protect against any adverse impact on the criminal justice process in relation to the evidence about to be given.

I am satisfied that these parts of the witness' evidence can be held in a discrete restricted session following on from the main part of the witness's evidence, in respect of which restriction is not necessary.

Therefore, having considered the application and in exercise of the statutory power, IT IS ORDERED THAT:

1. There may be no reporting of any sort whatever of the restricted part of the evidence of the witness A4, commencing at the conclusion of the open part of the evidence, 14 November 2023, until this restriction order is lifted.
2. To make that clear to Core Participants (CPs) that means that there is to be no communication in any form whatever to disclose to any third party the evidence they hear during that restricted part of the evidence, whether by verbal, social media or any other form of communication.

3. The only people allowed to be present to hear the restricted part of the evidence will be lawyers representing CPs and the Inquiry counsel, solicitor and staff accredited members of the press, who understand well enough what this order means, and any CP who has signed a confidentiality agreement.
4. During the restricted part of the evidence, the feed to Hearing Room B is to be cut and no member of the public outside of those just listed will be allowed in this room.
5. Furthermore, the transcript of the restricted part of this witness' evidence will not be published while this restriction order is in place.
6. This Order remains in force for the duration of the Inquiry and at all times thereafter, unless otherwise ordered.
7. I may vary or revoke this Order by making a further Order during the course of the Inquiry.

Any threat to break this Order, or any breach of it, can be certified to the High Court under section 36 of the Inquiries Act, which will deal with it as though the breach had occurred in proceedings before that Court.

Made by the Chair on 14 November 2023



Tom Kark KC
Chair