

MUCKAMORE ABBEY HOSPITAL INQUIRY

**RESTRICTION ORDER
PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005**

Restriction Order No. 64 (“Clare Byrne”)

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 asked by the Public Prosecution Service (PPS) and the Police Service of Northern Ireland (PSNI) to make an additional restriction order under section 19 of the Inquiries Act 2005 in relation to parts of paragraphs 42 and 48 of the statement of Clare Byrne. 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. The purpose of this order is to protect any possible future criminal prosecution in relation to the evidence about to be given. I also have to have regard to the undertaking given by the Inquiry under the Memorandum of Understanding signed between the Inquiry, the PSNI and the Public Prosecution Service.

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

1. There may be no reporting of any sort whatever of the restricted parts of paragraphs 42 and 48 of the statement of evidence of the witness Clare Byrne, 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 restricted part of the evidence of Clare Byrne whether by verbal, social media or any other form of communication.
3. The only people allowed to be present to hear the restricted parts of paragraphs 42 and 48 will be lawyers representing CPs and the Inquiry counsel 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 Furthermore, the transcript of the restricted part of this witness's evidence will not be published while this restriction order is in place.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 08 May 2024

A handwritten signature in blue ink, appearing to read 'Tom Kark', with a horizontal line underneath.

Tom Kark KC
Chair