

MUCKAMORE ABBEY HOSPITAL INQUIRY

RESTRICTION ORDER
PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005

Restriction Order No. 13 (“P68’s brother”)

The Chair has 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 the PPS to make an additional restriction order under section 19 of the Inquiries Act in relation to the evidence of ‘P68’s brother’. 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 against any adverse impact on the criminal justice process 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 evidence of the witness P68’s brother that was read this afternoon (30 November 2022) until this restriction order is lifted.
2. There is to be no communication in any form whatever to disclose to any third party any part of the evidence given this afternoon whether by verbal, electronic, social media or any other form of communication.
3. The only people allowed to be present to hear the evidence will be: Inquiry Counsel; Inquiry Solicitor and staff; accredited members of the press, lawyers representing CPs; any CP who has signed a confidentiality undertaking and anyone attending in support of the witness who has signed a confidentiality undertaking
4. The video and audio link to Hearing room B is to be cut. The video and audio link to CPs who have signed a confidentiality undertaking will continue.

5. The transcript of this witness's evidence will not be published while this restriction order is in place.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 30 November 2022

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

Tom Kark KC
Chair