

**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.
8. This Order shall not restrict any solicitor, acting on behalf of the Inquiry, from putting parts of the statement or oral evidence of A4 to another witness (for the purposes of this Order referred to as "Witness B") in pursuance of a request by the Inquiry to do so.
9. The restrictions imposed by this Order will, however, apply to Witness B and any legal representative, or other representative of Witness B, present at any meeting between the solicitors acting on behalf of the Inquiry and Witness B, in respect of the evidence to which this Order applies.
10. There is therefore to be no communication in any form whatever to disclose to any other third party any of the evidence of A4 put to Witness B, whether by verbal, electronic, social media or any other form of communication.
11. Should any part of the evidence of A4 appear in any form in the statement or evidence of Witness B, this Restriction Order shall apply to that evidence and to any response to it.
12. For the avoidance of doubt, the revealing of the identity of A4 to Witness B for the purpose of putting parts of the statement or oral evidence of this witness to Witness B shall not constitute waiver of Restriction Order No. 32 (Anonymity Order – "A4") for any other purpose.

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.

Varied by the Chair on 15 March 2024.

A handwritten signature in blue ink, appearing to read 'Tom Kark KC'. The signature is stylized with a horizontal line above the first 'T' and a horizontal line below the 'K's.

Tom Kark KC  
Chair