

MUCKAMORE ABBEY HOSPITAL INQUIRY

RESTRICTION ORDER PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005

Restriction Order No. 4 (Staff Identification)

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.

In exercise of that power, IT IS ORDERED THAT:

1. No person may identify or cause or permit to be identified any present or former staff member who is named in evidence received by the Inquiry as being implicated in abuse (as referred to in paragraph 5 of the Terms of Reference) of a patient by way of disclosure or publication by any means whatsoever, except as specified in paragraphs 6, 7 and 8 below.
2. The name of any person who is a present or former staff member of Muckamore Abbey Hospital who is named in evidence received by the Inquiry as being implicated in abuse (as referred to in paragraph 5 of the Terms of Reference) of a patient will be redacted in any document disclosed or published by the Inquiry, except in the circumstances explained at paragraphs 6, 7 and 8 below.
3. This Order does not apply to present or former non ward based staff in a management or governance role (including members of the Trust Board).
4. In addition to information redacted under the authority of Restriction Order No. 1 (Redaction of Personal Details), in any document disclosed or published by the Inquiry the following information relating to any person who is the subject of this Order will be redacted:
 - i. name;
 - ii. date of birth;
 - iii. specific identifying details.
5. Any person whose name is subject to this Order will be allocated a cipher by the Inquiry, which will be inserted in place of the person's name in all statements and evidence for the purposes of the Inquiry.
6. The Inquiry may disclose the identity of a present or former staff member to whom a statement relates to Core Participants and their representatives (subject to those persons having signed the Inquiry's confidentiality undertaking).

7. The Inquiry may disclose the identity of a present or former staff member to whom a statement relates to the PSNI if a duty to notify the PSNI arises under paragraph 47 of the Memorandum of Understanding between the Inquiry, the Police Service of Northern Ireland (PSNI) and the Public Prosecution Service (PPS).
8. This Order shall not restrict any solicitor, acting on behalf of the Inquiry, from disclosing the identity of a person to whom this Order applies to a witness from whom the solicitor is taking a statement (for the purpose of this Order referred to as "Witness A"), where that is necessary to contextualise an allegation or criticism that the Inquiry has directed to be put to Witness A.
9. For the avoidance of doubt, disclosure of the identity of a person to whom this Order applies under paragraph 8 shall be for the sole purpose of the taking of the statement from Witness A and the prohibition in paragraph 1 above shall continue to apply to Witness A and any representative of Witness A.
10. This Order is considered by the Chair to be conducive to the Inquiry fulfilling its Terms of Reference and to be necessary in the public interest to ensure the integrity of the ongoing police investigation and prosecutions referred to in the Memorandum of Understanding between the Inquiry, the Police Service of Northern Ireland (PSNI) and the Public Prosecution Service (PPS).
11. The question of whether redactions effected on the basis of this Restriction Order are conducive to the Inquiry fulfilling its Terms of Reference and are necessary in the public interest will be kept under review.
12. This Order remains in force for the duration of the Inquiry and at all times thereafter, unless otherwise ordered.
13. The Chair of the Inquiry 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 under the authority of the Chair on 16 June 2022.

Varied by the Chair on 12 April 2024.

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

Tom Kark KC
Chair