

MUCKAMORE ABBEY HOSPITAL INQUIRY

RESTRICTION ORDER

PURSUANT TO SECTION 19 INQUIRIES ACT 2005

Restriction Order No. 63 (“H231”)

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 this witness to make a restriction order in relation to this witness’s name and personal details provided in her statement which clearly identify her to the public. Given the nature of her work at MAH, information of a sensitive nature disclosed in her statement and personal issues, there are reasons relevant to this witness which persuade me that it is appropriate and necessary to make a restriction order to the effect that this witness’s name shall be replaced with a cipher (“H231”) and the witness shall not be referred to by name in the Inquiry. I am satisfied that this order is conducive to the Inquiry fulfilling its Terms of Reference and necessary in the public interest.

I have also been asked by this witness to make a restriction order under section 19 (1)(b) of the Inquiries Act in relation to part of her statement which relates to details of a specific alleged assault upon her. In my view the specific details of the alleged assault will not further the Inquiry’s Terms of Reference and may cause harm. The following redaction will therefore be made to the statement: in paragraph 10 of the statement of H231 the words after “sexually assaulted by P54” and before the words “I reported the incident”.

Therefore, IT IS ORDERED THAT:

1. There may be no reporting of any sort whatever of the name of this witness.
2. To make that clear to Core Participants (CPs) that means that there is to be no communication in any form whatever to disclose the name of the witness to any third party, whether by verbal, social media or any other form of communication.
3. The witness’s name will be replaced in the statement and any exhibits by a cipher (“H231”).

4. The witness will be referred to in oral evidence and in the transcript by that cipher.
5. Core Participants who have signed the confidentiality agreement will have access to the cipher list.
6. The evidence described above shall be redacted from the statement.
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 26 April 2024

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

Tom Kark KC
Chair