



MUCKAMORE ABBEY HOSPITAL INQUIRY

RESTRICTION ORDER PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005

Restriction Order No. 48

(Paula McCann)

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 Police Service of Northern Ireland (PSNI) to make a restriction order under section 19 of the Inquiries Act 2005 in relation to the statements of evidence of Paula McCann. The witness made two statements, which are due to be read into evidence on 19 February 2024. This Order relates only to the first statement and exhibit and also limited parts of the second statement. 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 application is made on the basis that the reading of the first statement and exhibit and parts of the second statement in a restricted session is necessary to protect the integrity of the ongoing criminal investigations and prosecutions. I am satisfied that these parts of the witness's written evidence can be read in a discrete restricted session following on from the reading of the evidence in respect of which restriction is not necessary.

I am satisfied that this order is conducive to the Inquiry fulfilling its Terms of Reference and necessary in the public interest, as required by section 19(3)(b) of the Inquiries Act 2005.

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.

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 the evidence of the witness Paula McCann, the reading of which will commence at the conclusion of the reading of the open part of the evidence on the 19 February 2024, 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 that restricted evidence or any part of it to any third party, 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 the evidence being read 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 reading of the restricted parts 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 reading of the restricted parts 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 19 February 2024

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

Tom Kark KC
Chair