



MUCKAMORE ABBEY HOSPITAL INQUIRY

RESTRICTION ORDER PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005

Restriction Order No. 85 (“Brendan Whittle Statement”)

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.

This Order relates to a part of the statement of Brendan Whittle dated 07 June 2024, MAHI – STM – 277. The Order requires that Exhibit 12 (MAHI – STM – 277 – 735 to MAHI – STM – 277 – 766) be redacted. The Order will be kept under review and may be required to be varied or revoked.

I am satisfied that the Order is conducive to the Inquiry fulfilling its terms of reference and is necessary in the public interest having regard to the matters specified in section 19(4). Exhibit 12 contains correspondence and documentation to which an expectation of confidentiality would have attached and contains a highly personal report on a patient.

Therefore, IT IS ORDERED THAT:

1. Exhibit 12 to the statement of Brendan Whittle (at MAHI – STM – 277 – 735 to MAHI – STM – 277 – 766) shall be replaced by the following gist:

“Exhibit 12 comprises a bundle of documents dated between 2005 and 2006 relating to an individual patient about the patient’s discharge. The exhibit includes correspondence between the patient, the patient’s support officer, the Chief Executive of the EHSSB and the Chief Executive of Down Lisburn Trust. It also contains internal correspondence regarding the patient’s complaint and includes a confidential report about the patient’s background and personal circumstances.

Ultimately, the EHSSB and Down Lisburn Trust advised the patient that they were continuing to plan a package of support for him in the community, including agreeing costs, securing funding and appropriate accommodation.”

2. This Order remains in force for the duration of the Inquiry and at all times thereafter, unless otherwise ordered.

3. 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 02 September 2024

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

Tom Kark KC
Chair