



2012 No. 108540

**IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
QUEEN'S BENCH DIVISION**

**Before the Right Honourable Lord Chief Justice
On Wednesday 10th October 2012**

BETWEEN:

JOHN AILBE O'HARA

Plaintiff:

- and -

THE BELFAST HEALTH & SOCIAL CARE TRUST

Defendant:

ORDER

UPON HEARING Ms Anyadike-Danes Q.C. for the Plaintiff and Senior Counsel for the Defendant;

AND UPON reading the affidavit of the Plaintiff;

IT IS ORDERED AND DECLARED THAT:-

1. Subject to the conditions set out in the Schedule to the Order dated 4th October 2012 ("the Schedule"), disclosure by the Defendant of:
 - (i) Documents provided to the Plaintiff on 5th October 2012, which:
 - (a) Concern "Musgrave ward" in addition to the Allen and Cherry Tree wards identified in the Plaintiff's Notice to Produce Documents dated 25th September 2012 ("the Notice")
 - (b) Include notes and records from the date of admission where that pre-dates 22nd October 1996 and the date of discharge where that post-dates 23rd October 1996

- (ii) Documents newly identified by the Defendant to the Inquiry on 6th October 2012 ("the New Documents") as being covered by the Notice and the information contained therein

is lawful in the public interest notwithstanding any obligation of confidence or privacy pursuant to the Human Rights Act 1998 otherwise owed in respect of such documents and information.

2. The Defendant shall forthwith produce a copy of the New Documents to its Senior Counsel, Senior Counsel to the Inquiry and, if appropriate, the Inquiry's expert Consultant Paediatrician, for the purpose of inspection, redaction and use as provided for in the Schedule.
3. Following the redaction of the New Documents the Defendant, shall forthwith provide to the Plaintiff a copy of the Redacted New Documents for the use of the Inquiry in the manner referred to in the Order dated 4th October 2012 and the Schedule.
4. Paragraph (2)(ii)(b) of the Schedule shall be varied to add 'where she was' after "what Dr. Heather Steen was doing" as a purpose of disclosure
5. There shall be permission for any party to apply to the Court in connection with the implementation of this Order, including any resolution of any question as to whether a particular record or document may be disclosed pursuant to it and/or the terms as to confidentiality upon which it may be disclosed.
6. There shall be no order as to costs.



Proper Officer