

Q&A RESTRICTION ORDER

What is the Restriction Order?

As part of the Inquiry's Truth Project, we are asking victims and survivors of child sexual abuse to share their experiences with the Inquiry. It is important that these disclosures are kept entirely confidential. So the Inquiry has made a Restriction Order to guarantee that confidentiality.

The Restriction Order is a legal ruling that prohibits public access to the Truth Project private sessions and prevents anyone from making public:

- the location of the Truth Project private sessions
- the identity of people who have shared their experience with the Inquiry; and
- the details of the experiences shared with the Inquiry.

By making the order, the Inquiry hopes that victims and survivors can share their experiences of sexual abuse in the confidence that their identity and their accounts will remain private.

How does the Restriction Order affect me as a victim or survivor?

The Restriction Order does not prevent you from sharing your experience of abuse with anybody else. It only covers your participation in the Truth Project. It is designed to ensure your involvement - and any disclosure you make as part of that - is protected and remains confidential.

The Restriction Order means that you cannot tell people the names of other victims and survivors who have shared their experience with the Inquiry. And you cannot tell people (except those who are accompanying you) the location of the private sessions. It also means that you cannot discuss the details of exactly what was said in writing to the Inquiry or in a Truth Project private session. This is not just to protect your confidentiality, but also to protect the confidentiality of victims and survivors who will also attend Truth Project sessions.

The Restriction Order does not prevent you from:

- talking about your experience of sexual abuse with anyone else;
- telling others that you wrote to the Inquiry or attended a Truth Project private session;
- discussing how you felt about sharing your experience with the Inquiry.

Can I talk to my therapist or counsellor about the details of what happened in the Truth Project private session?

Yes. There is an exception in the Restriction Order that allows you to discuss all the details of what happened as part of the Truth Project with a therapist, counsellor or doctor.

Are there any other exceptions in the Restriction Order that allow my details to be shared with others?

The Inquiry's terms of reference require it to pass to the police all allegations of child abuse. The Restriction Order allows the Inquiry to do this and also allows the Inquiry to pass on information where it is required to do so under a legal duty of disclosure. However we will not pass to the police a person's name or contact details without their consent, unless it is necessary to protect a child at risk of continuing abuse.

The police have undertaken to hold any information provided by the Inquiry securely and confidentially, and the person who provided the information will not be obliged to provide a further statement to the police or support an investigation or prosecution if they do not wish to do so.

What is the punishment for breaching a Restriction Order?

Breaches of a restriction order can be referred to the High Court. The Inquiry would take seriously any breach, but would always consider whether it was appropriate to take any action on a case by case basis.

ENDS