

# Judicial Communications Office

30 April 2026

## SPRINGHILL INQUEST FINDINGS

### Summary of Judgment

Mr Justice Scoffield, sitting as a coroner, delivered his findings into the deaths of five individuals who died after sustaining fatal bullet wounds in the Springhill and Westrock area of Belfast on 9 July 1972: John Joseph Dougal (aged 16), Father John Noel Fitzpatrick (aged 42), Patrick Joseph Butler (aged 37), David McCafferty (aged 15) and Margaret Gargan (aged 13).

#### Background

An initial inquest held in July 1973 returned open verdicts in respect of all five deaths. On 22 December 2014, the Attorney General for Northern Ireland directed that fresh inquests be held pursuant to section 14 of the Coroners Act (Northern Ireland) 1959. The inquest formally opened on 20 February 2023, hearing oral evidence from more than 80 witnesses over approximately 70 days of hearings, before concluding on 30 April 2024.

The inquest commenced with personal statements from the families of each of the deceased.

In **Chapter 1** of his findings, the coroner noted common themes of profound familial loss, long standing grief, lack of contemporaneous investigative support and the enduring impact of the deaths upon surviving family members. He also identified significant difficulties inherent on conducting an inquest some fifty years after the deaths, including witness mortality, diminished recollection, and reliance upon childhood memory. The coroner said there was little by way of contemporaneous investigative material which has been of assistance to him. The loss of the cipher list identifying seven ciphered soldiers who provided statements to the Royal Military Police setting out their account of events in the area at the relevant time materially constrained the coroner's investigation. The assertion of privilege against self-incrimination under rule 9 of the Coroners (Practice and Procedure) Rules (NI) 1963 by both military and civilian witnesses resulted in gaps in the evidential record on competing narratives surrounding the deaths.

**Chapter 2** of the findings discussed the scope of the inquest, whether article 2 ECHR is engaged, the standards to be applied (self-defence, the "yellow card" and rules of engagement) and privilege against self-incrimination.

In **Chapter 3**, the coroner discussed the layout at Corry's Wood Yard which was used by the army as an operational base. Between 2 and 5 May 1972, there had been sustained repeated attacks on Corry's Wood Yard resulting in injuries to soldiers and workers. On 9 July 1972, the Provisional IRA ceasefire which commenced in late June came to an end following a violent confrontation in the Lenadoon area of Belfast and that information rapidly circulated within Springhill, Westrock and surrounding districts. Two soldiers from the 1<sup>st</sup> Battalion, King's Regiment were shot and seriously wounded in the wider area on the same evening. These events provided a contextual background to the fatal shootings.

The coroner outlined the army narrative and evidence in **Chapter 4** and the community narrative in **Chapter 5**. **Chapter 6** dealt with paramilitary activity at the time. In **Chapter 7** the

# Judicial Communications Office

coroner discussed earlier inquiries or investigations into the deaths. Details of the pathology, forensics and ballistics evidence is contained in **Chapter 8**.

The deaths were grouped into three incidents.

## **Chapter 9 - The death of John Dougal and the shootings of Martin Dudley and Brian Petticrew**

John Dougal (aged 16) died from a single high-velocity gunshot wound entering his back and causing fatal lung injury. Martin Dudley (aged 19) and Brian Petticrew (aged 17) were seriously injured by gunfire in and around the same time and location.

The coroner identified inconsistencies and credibility concerns across a number of civilian accounts. The statements of the seven ciphered soldiers were also found to contain internal inconsistencies, particularly in relation to timing, location and identification of alleged gunmen.

The coroner found that John Dougal was shot in the garden of 60 or 58 Westrock Gardens, between 21:30 hrs and 22:00 hrs on 9 July 1972 and most likely at or about 21:50 hrs. He was shot in the back by a soldier positioned in Corry's Timber Yard, more likely than not to have been Soldier A, whilst bending over for cover and running south (i.e. away from the yard).

While it was accepted that John Dougal was a member of the junior wing of the PIRA, the coroner concluded it had not been proven he was armed the time of his death nor that he was acting innocently. Nonetheless, the coroner said in the circumstances as he found them to be, with John Dougal shot in the back as he ran away from the direction of the yard, and taking into account the requirements of the yellow card, the force used by Soldier A was not reasonable.

## **Chapter 10 - The deaths of Father Noel Fitzpatrick, Patrick Butler and David McCafferty**

Father Fitzpatrick (aged 42), Patrick Butler (aged 37) and David McCafferty (aged 15) each died from a single high-velocity gunshot wound. The coroner heard extensive civilian evidence from witnesses present in the area, including neighbours, first responders and those who assisted in the recovery of bodies. The coroner found broad consistency in the statements on core matters, namely prolonged gunfire emanating from Corry's Wood Yard and that the three deceased were caught in that gunfire while attempting to assist others.

No soldier gave direct oral evidence of shooting any of the deceased. The absence of contemporaneous radio log entries recording these fatal shots was described by the coroner as concerning and weakened the reliability of the military narrative advanced.

The coroner accepted that Father Fitzpatrick and Patrick Butler were together immediately prior to being shot, acting in a humanitarian capacity seeking to minister to or assist wounded civilians. On the basis of expert evidence and eyewitness testimony, the coroner found Father Fitzpatrick and Patrick Butler were struck by the same bullet, which passed first through Father Fitzpatrick (striking him through the left cheek and neck) before striking Mr Butler in the head. The coroner found both men were unarmed and posing no risk to anyone at the time they were shot.

# Judicial Communications Office

The coroner found that David McCafferty was shot on the left side of his back while he was, more likely than not, attempting to assist or recover the body of Father Fitzpatrick. The coroner found he too was unarmed and posing no risk to anyone at the time he was shot.

The coroner concluded all three of the deceased were shot in the vicinity of the southeast corner of 84 Westrock Gardens, Belfast, at or about 22:00 hrs on 9 July 1972 by Soldier A who had lost control further to the shooting incident addressed in Chapter 9 and fired without having first made a proper assessment of the risk (if any) actually posed.

## **Chapter 11 - The death of Margaret Gargan**

Margaret Gargan (aged 13) died from a single high velocity gunshot. The coroner found she was shot directly in the head as she stopped to talk to friends on the pavement at Westrock Gardens on her way home from the Westrock and Whiterock Community Centre. The coroner concluded she was shot by a soldier positioned in Corry's Timber Yard, more likely than not to have been Soldier E, at or about 22:00 hrs on 9 July 1972.

No military witnesses admitted to shooting Margaret Gargan and no direct military account described her death. The coroner considered the statement of Soldier E which described the shooting of an alleged gunman in Westrock Gardens around 22:00 hrs. While there were significant discrepancies between that account and the civilian evidence, the coroner concluded, on balance, that Soldier's E statement likely related to the same incident in which Margaret Gargan was shot. The coroner found that aspects of Soldier E's description, particularly that the person shot was armed, were unreliable and likely mistaken or embellished after the event.

The coroner concluded Margaret Gargan was shot on the pavement at Westrock Gardens at or about 22:00 hrs on 9 July 1972 by a soldier positioned in Corry's Timber Yard, more likely than not to have been Soldier E.

The coroner was satisfied that Margaret Gargan was not armed at the time she was shot and that she was posing no risk to anyone, and, on the balance of probabilities, that no one else in her immediate vicinity was posing any such risk at the time when she was shot.

## **Conclusion**

**Chapter 12** draws the findings of the coroner together. The coroner did not consider that, until now, there has been an adequate and effective investigation of the five deaths.

The shootings are found to have occurred within a short period between approximately 21:30 hrs and shortly before 22:00 hrs. All fatal shootings were found to have been carried out by soldiers acting in breach of the "yellow card" rules governing the use of lethal force. The coroner said four of the deceased were unarmed at the time they were shot and could not determine this issue in respect of one of the deceased. The coroner found that, while suspicions remain regarding the activities of certain individuals prior to the shootings, none of the deceased should have been shot in the circumstances.

The coroner was able to form a view about soldiers who he believed were present at some stage and in some position within Corry's Wood Yard on the night of 9 July 1972 at times material to the five deaths. However, he considered it impossible to conclude, even on the balance of

# Judicial Communications Office

probabilities, the true identity of any of the ciphered soldiers; and, in particular, of Soldier A or of Soldier E.

The coroner expressed the view that Father Fitzpatrick, Patrick Butler and Margaret Gargan were wholly innocent victims. David McCafferty was considered to have been unarmed and not engaged in offensive activity and therefore regarded as an innocent victim. Although the conduct of John Dougal prior to his death remains unclear and suspicious, the coroner said that he too should not have been shot, having been shot in the back while retreating.

## NOTES TO EDITORS

1. This summary should be read together with the judgment and should not be read in isolation. Nothing said in this summary adds to or amends the judgment. The full judgment will be available shortly on the Judiciary NI website (<https://www.judiciaryni.uk/>).

**ENDS**

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