

# Judicial Communications Office

3 July 2026

## COURT ACQUITS DEFENDANTS CHARGED WITH THE MURDER OF LYRA MCKEE

### Summary of Judgment

Mrs Justice Smyth, sitting today at Belfast Crown Court without a jury, acquitted the three defendants charged with the murder of Lyra McKee. They were charged with assisting or encouraging the gunman. The alleged gunman was not before the court.

In relation to the five defendants charged with being directly involved in the rioting, four were acquitted. The fifth, Christopher Gillen was convicted of riot, possession of petrol bombs in suspicious circumstances and throwing petrol bombs.

The four defendants charged with assisting or encouraging those directly involved in the rioting were acquitted.

One defendant, Kieran McCool was convicted of common assault of a community worker.

### Background

Lyra McKee, a journalist, was shot and fatally injured during rioting in the Creggan area of Derry on 18 April 2019. The defendants are charged in relation to civil disturbances which took place in Derry on that date and also on 16 April 2019:

- 18 April 2019 offences: The defendants can be divided into two groups:
  - Masked individuals alleged to have been directly involved in the riot (Paul McIntyre, Peter Cavanagh, Jordan Devine, Christopher Gillen and Joe Campbell).
  - Three of the masked defendants are also charged with murder (McIntyre, Cavanagh and Devine). They are not alleged to have fired the gun used to kill Lyra McKee but with intentionally encouraging or assisting the gunman on a joint enterprise basis.
  - Unmasked individuals alleged to have intentionally assisted or encouraged the masked individuals to commit those offences (Patrick Gallagher, Jude McCrory, Joe Barr and Keiran McCool).
- 16 April 2019 offences: The individuals were all masked and four of the above-named defendants are alleged to have been directly involved (McIntyre, Devine, Gillen and Campbell).

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On 27 February 2026, the court dismissed an application of no case to answer made on behalf of the defendants<sup>1</sup>.

The prosecution case was wholly circumstantial. It relied principally upon MTV documentary footage, expert imagery analysis, telephone and cell-site evidence, DNA evidence, association evidence and, in some instances, bad character evidence. The court emphasised the need for caution in relation to circumstantial and identification evidence and applied the principles governing secondary liability set out in *Jogee*<sup>2</sup>.

The principal issues were whether particular defendants had been correctly identified, whether any defendant intentionally encouraged or assisted riotous conduct or the gunman, and whether the evidence was sufficient to establish guilt beyond reasonable doubt. The court found that the gunman who fired the fatal shots intended to kill or cause really serious injury to police officers. Applying the doctrine of transferred malice, the court held that Lyra McKee was murdered.

## **Patrick Gallagher and Jude McCrory**

In relation to Patrick Gallagher and Jude McCrory, the prosecution alleged that they intentionally encouraged or assisted the rioters by facilitating the presence of the MTV crew, acting as intermediaries between the crew and masked participants, and providing support for the disorder.

The court concluded that, although both men expressed hostile views towards the police and were aware that violence was intended, there was no evidence of any explicit words or conduct amounting to intentional encouragement or assistance. Much of the prosecution case was found to depend upon speculation or inferences equally consistent with innocence. The court declined to draw adverse inferences from their failure to give evidence and found both defendants not guilty of all charges.

## **Joseph Barr**

The prosecution case against Joseph Barr relied on his alleged role in intimidating a community worker, comments said to support the rioters, and his senior position within Saoradh.

The court accepted that Barr had participated in intimidating conduct towards the community worker but was not satisfied that the prosecution had proved intentional encouragement or assistance of the rioters. The court was unable to be sure that words allegedly captured on recordings were attributable to him. Barr was found not guilty of all charges.

## **Kieran McCool**

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<sup>1</sup> *R v McIntyre and others* [2026] NICC 2

<sup>2</sup> *R v Jogee* [2017] AC 387

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The prosecution alleged that Kieran McCool played a significant role in communications preceding the disorder and assisted the continuation of the riot.

The court held that there was no evidence that McCool said or did anything amounting to encouragement or assistance of the rioters. The prosecution case rested substantially upon association and presence. The evidence did not establish guilt beyond reasonable doubt and McCool was acquitted of all charges.

However, the court found him guilty of common assault in relation to a community worker.

## **Paul McIntyre, Jordan Devine and Peter Gearoid Cavanagh**

In relation to the murder charges against Paul McIntyre, Jordan Devine and Peter Gearoid Cavanagh, the court considered whether the masked individuals accompanying the gunman intentionally encouraged or assisted him.

The court concluded that the evidence was insufficient to establish beyond reasonable doubt that Cavanagh intentionally encouraged or assisted the gunman. He was accordingly found not guilty of murder.

As regards McIntyre and Devine, the court held that the poor quality mobile-phone footage of the shooting did not permit reliable identification beyond reasonable doubt. Although there was evidence capable of raising suspicion, the prosecution had not proved that either man was one of the masked individuals who accompanied and assisted the gunman. Both were acquitted of murder and possession of a firearm and ammunition.

The court separately considered the remaining riot-related charges.

In relation to Paul McIntyre, the court held that the identification evidence was insufficient. Similarities in clothing and appearance did not permit the court to exclude coincidence.

The court also found that the prosecution had failed to prove the offences alleged against McIntyre arising from events on 16 April 2019 on a joint-enterprise basis. He was also acquitted of those charges.

In relation to Jordan Devine, the court held that the identification evidence was insufficient. Similarities in clothing and appearance did not permit the court to exclude coincidence. Devine was acquitted of all charges.

The court found that the DNA, cell-site and imagery evidence against Peter Gearoid Cavanagh did not establish guilt beyond reasonable doubt. He was acquitted of all charges.

Christopher Gillen was found guilty of riot and petrol-bomb offences arising from 18 April 2019. He was acquitted of charges relating to 16 April 2019 and of robbery and arson counts.

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Joseph Campbell was acquitted of all charges. The court held that the identification and gait-analysis evidence did not establish guilt beyond reasonable doubt and declined to draw an adverse inference from his silence.

## Conclusion

Accordingly, all defendants were acquitted of murder and firearm-related charges:

- Patrick Gallagher, Jude McCrory, Joseph Barr, Kieran McCool, Jordan Devine, Peter Gearoid Cavanagh and Joseph Campbell were acquitted of all charges apart from a charge of common assault in relation to Kieran McCool.
- Christopher Gillen was convicted of riot and petrol-bomb offences on 18 April 2019 only.

## 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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