

Judicial Communications Office

23 APRIL 2018

MARIAN BROWN INQUEST

Summary of Findings

His Honour Judge McFarland, sitting today as a Coroner without a jury, delivered his draft findings from the inquest into the death of Marian Brown who was shot on 10 June 1972 at Roden Street in Belfast. An inquest into her death was conducted on 4 July 1974 and an open verdict was recorded. This inquest was held at the direction of the Attorney General for Northern Ireland and, in accordance with Article 2 ECHR, was required to consider the broad circumstances in which the death occurred.

Judge McFarland summarised his findings as follows:

- i. The deceased was Marian Brown of 15 Stanhope Drive, Belfast
- ii. Her date of birth was 7 October 1954 and he was born in Belfast the child of James and Teresa Brown.
- iii. She was unmarried and was employed as a stitcher.
- iv. She died on 10 June 1972 and was pronounced dead at the Royal Victoria Hospital, Belfast
- v. The cause of her death was a bullet wound to the neck. The bullet severed the spinal cord at the second cervical vertebrae (C2) causing immediate collapse and death.
- vi. At the time she was struck by this bullet she was located at the western side of the junction of Roden Street and Grosvenor Road, Belfast
- vii. The time was between 00.30 and 01.00.
- viii. Marian Brown was also struck by a number of other bullets which would not have caused her death. It is impossible to determine the sequence of the bullets that struck her.
- ix. All the bullets which struck Marian Brown entered her body from her left hand side and exited her body on her right hand side.
- x. An army vehicle check point comprising soldiers from C Company 3 Royal Anglian Regiment was positioned at the junction of Clifford Street and Roden Street.
- xi. The soldiers were armed with standard issue self-loading rifles (SLRs).
- xii. Prior to the soldiers opening fire an armed civilian travelling in a vehicle on the Grosvenor Road westwards across the mouth of Roden Street opened fire with an automatic weapon.
- xiii. The type of weapon cannot be determined.

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- xiv. The intended target or targets of the armed civilian cannot be determined and could have been either one or more of three groups of civilians who were on Roden Street at the time, or at the soldiers.
- xv. At least five soldiers fired shots aimed north along Roden Street. Two of the soldiers state that they fired a total of 27 rounds towards the position where Marian Brown was standing.
- xvi. No warning was given before the shots were fired.
- xvii. All the soldiers who discharged their weapons held an honest belief that it was necessary to use force in their own defence, in defence of their colleagues and/or in defence of civilians.
- xviii. The direction of travel of the fatal bullet from left to right is not indicative from where the bullet was discharged.
- xix. The nature of the wound is not indicative of the velocity or type of bullet that killed Marian Brown.
- xx. The bullet which killed Marian Brown was fired by a soldier from that soldier's position in or around the junction of Clifford Street and Roden Street.
- xxi. The soldier firing that bullet cannot be identified.
- xxii. The soldier firing that bullet is more likely to have been either Soldier B or Soldier C.
- xxiii. Neither Marian Brown or anyone at her locality was acting in a manner that could reasonably or honestly have been perceived as posing a threat of death or injury to any civilian on Roden Street or to the soldiers positioned in the vicinity of the junction of Clifford Street and Roden Street
- xxiv. The force used was more than absolutely necessary in that the soldier could not have identified any target, and a clear line of fire to that target, that was posing a danger to him, his colleagues and/or to the civilians on Roden Street.
- xxv. The force used by that soldier by firing in the direction of Marian Brown was not justified as it was more than was absolutely necessary.
- xxvi. The rules of engagement in force at the time, as set out in the 'Yellow Card' were not adhered to by that soldier.
- xxvii. The investigation into the death of Marian Brown was inadequate.
- xxviii. The military operation was not planned, controlled or regulated in order to minimise to the greatest extent possible the risk to life.

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 on the Judiciary NI website (www.judiciary-ni.gov.uk).
2. Judge McFarland has requested submissions by noon on 27th April 2018 and will deliver the final ruling thereafter.

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ENDS

If you have any further enquiries about this or other court related matters please contact:

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