



**MADDIE**  
**A VERDADE**  
**DA MENTIRA**

*por*  
**GONÇALO AMARAL**

**CONFIDENCIAL**

## FOREWARD

*"Certainly, this book responds to the need I felt to defend myself, having been discredited by the institution for which I worked for more than twenty-six years, without being given any chance to explain myself, publicly or within the institution itself. I made the request several times, but it was never heard. I, therefore, scrupulously respected the rules of the judiciary police and I refrained from making any comment. But this goes without saying: I experienced that silence to which I was constrained as an attack on my dignity. Later, I was removed from the investigation. It was then that I understood that it was time to speak. To do that, I requested early retirement in order to be able to express myself freely.*

*However, the purpose of this work is more important: to contribute to finding the truth so that justice can finally be done in the investigation known as the "Maddie case." Truth and justice are two values strongly anchored within me, which reflect my profound beliefs: they always guided the work I did for the institution to which I am proud to have belonged. Even in retirement, they continue to inspire me and to be present in my life.*

*In no way does this text seek to challenge the work of my colleagues in the judiciary police or to compromise the ongoing investigation. I am convinced that the disclosure of all the facts may, in the present case, result in harming the investigation. However, the reader will have access to unpublished information, to new interpretations of events - always with respect for the law - and, of course, to relevant enquiries.*

*The only objective of a criminal investigation is the search for truth. There is no place for the "politically correct."*

## Chapter 1

Precipitation?  
Certainly Not.

FEBRUARY 2008, NINE MONTHS AFTER MADDIE'S DISAPPEARANCE.

IT'S CARNIVAL SUNDAY. In the distance the shots of the hare hunters can be heard, resounding above the low-growing vegetation of the Barrocal.

On waking, I decide to stay at home. Recently, I've had no wish to go out, to go walking or to meet people. I yearn instead for peace and silence. That morning, the sun was shining, promise of a lovely day: but in the afternoon, the rain began to fall, ruining the fête and the parades.

From the window I admire the Algarve countryside: the pink and snowy-white of the almond trees contrasting with the blue of the sea that is glimpsed in the distance. Suddenly, the ringing of the telephone – more and more unusual of late – brings me out of my lethargy: I have to face reality.

From the receiver, a friendly voice, swinging between anger and sadness, asks me:

- How are you? Have you heard our national director's interview?

I reply no and wonder what the clearly perceptible anxiety of my questioner is due to.

- He says we were precipitous. That placing the couple under investigation was premature....I wonder what's come over him. He totally validated that decision. What is he intending to do? End the investigation?

He is alluding to the investigations undertaken after the disappearance of a little English girl of nearly four years of age during the night of May 3<sup>rd</sup> to 4<sup>th</sup> 2007, at the Ocean Club, one of the many tourist complexes in the village of Luz in Lagos, Portugal. She was called Madeleine Beth McCann and she was sleeping in a bedroom in the apartment block, beside her sister and her brother – twins aged 2 years. During this time, their parents were dining a hundred metres away with a group of friends and holiday companions. This news story was the beginning of a criminal investigation, unpublished in Portugal and, I think, in the rest of the world. Even so, the case benefited from unprecedented international media coverage. Numerous suggestions were put forward, mixing truth and lies; at the same time as regular information bulletins from the police, a campaign of disinformation was developed with the objective of discrediting the work of the investigators. For me, the investigations came

to an end on October 2<sup>nd</sup> 2007, the date on which there seems to have been a new English ultimatum, incidentally on the same day that the Treaty of Lisbon was being discussed.

Considering the length of time I witnessed that media spectacle, including, at its height, "forcing," by the McCann family with the disclosure of a photo-fit sketch of the alleged abductor, nothing more could have surprised me.

- Don't worry, it's carnival...

I follow the conversation as if it was nothing, but deep down, I have the feeling that the world is caving in.

After hanging up, I go back to contemplating the almond trees in flower, planted in the hard soil of the Algarve. I wonder if a body is resting under that earth and if God, in the end, is not a little precipitous in making these trees flower in the winter....And then I tell myself no. A memory comes to mind of the legend of this princess from a country in the north, married to a Moorish king. She spent her winter days pining for the snow of her country, which she missed. Then, the monarch had the idea of planting almond trees throughout the surrounding region. Thus, when winter arrived, from the castle window, the young woman could contemplate the white mantle of the flowering trees that covered the countryside, and her sadness was dispelled.

#### BRIEF DIGRESSION ON THE ALGARVE AND ITS INHABITANTS

From time immemorial, the Algarve has been a region open to the world. Its geostrategic position, its sky, its climate and the hospitality of its inhabitants have always attracted people from other regions. Phoenicians, Carthaginians and Greeks passed through here; the Romans established themselves here and set up communication routes. Numerous relics; at Estói, Vilamoura, Abicada, Vila da Luz, witness to their presence. The influence of the Moors, who spread Al-Andalus (it is thus that they named the region) to the west of Cordoba, to Al-Gharb, remains very present in the Algarvian culture.

The history of the relationship between the Algarve and England is as ancient as it is turbulent. Between 1580 and 1640, when Portugal lost its independence and was integrated into the Spanish Empire, Faro was attacked by the troops of the Count of Essex. This latter seized, amongst other assets, some precious property – not less than 3,000 volumes – from the library of the Bishop of the Algarve, Jerónimo Osório. Amongst these books was a Pentateuch (the first five books of the Bible) in Hebrew, printed in 1487 in Faro by Samuel Gacon, a Jewish publisher. This historic work (the first book printed in Portugal) is kept at the British

Library in London. Later, the Algarvians will help the English to defend Gibraltar, a strategic place for the fleet of the British Royal Navy.

The Algarvians have always shown great independence, not hesitating to oppose any foreign domination attempt. In the 19<sup>th</sup> century, during the French invasion, the first reverses suffered by the Napoleonic troops were inflicted by the Algarvians. The population of Olhao rose up and drove the invaders back near Quelfes; young people of the town set out aboard a fragile barque to inform King John VI, then exiled in Rio de Janeiro, Brazil, of the liberation of his homeland. Portugal is a country of brave and warm-hearted people, rejecting arrogance and insults, proud of their identity and independence, even from the European Union. It is also a modern state that welcomes a great many investors and tourists and moreover plays an important and recognised diplomatic role. Throughout its history, Portugal has concluded pacts, signed treaties and built bilateral alliances with many countries: the Luso-British Alliance is a good example, proof of the vitality of relations between the two countries, and above all of a deep understanding.

Nowadays, the Algarve is focused on tourism; since the 1960s, it is mostly the British who come to stay here. It is on this welcoming soil that little Madeleine disappeared.

## AN INVESTIGATION DESTINED FOR THE ARCHIVES

I feel it; with that television statement, the national director has the intention of preparing public opinion for the inevitable, that is to say, the end of the investigation and the closing of the case.

I get the impression that that decision was hatched on October 2nd and that all actions taken after that date were only a matter of form, with the sole purpose of sticking to the pre-established schedule. I fear that challenging all the previous work of the investigation is only a pretext for closing a case that was beginning to undermine the judiciary police, the investigators and Portugal. Perhaps that was why it had to come to a close.

Placing Madeleine's parents under investigation - Kate Healy and Gerald McCann as *arguidos* - must have marked a turning point in relations between the police in charge of the investigation and the couple. The Portuguese police officers began to consider the McCanns as potential suspects, which their British counterparts did not. At that time, the two police forces seemed to agree about exploring the hypothesis of the child's death inside the apartment. But the English police - without any really practical justification - suddenly stepped back and gave up on following that track. We have always found it strange the way the couple were treated, even after they were placed under investigation, and we

have often wondered how the McCanns could have had access to information that had not been made public.

I recall various moments in the investigation, and the memories come pouring out; I think of that little girl who was not yet four years old and who was denied the right to live.

It would seem that there are preparations to smother the case, that the importance of the evidence is being minimised, that it's losing its strength. Thus, the rights of that child are flouted, the rights of many other children. Who wants to get to that point? Who required my departure from the operational coordination of the investigation? Who is it who wishes to bring an end to the arguido status of the McCanns and Murat? Those who support the theory of abduction? Those who suggest - I'd go further and say they would - that in England the suspects would already have been arrested? Or those who perpetuate the lie, in straying from the search for the material truth? The closing of the case certainly serves someone's interests.

After my departure from Portimao on October 2nd 2007, I had decided to forget about this case. Perhaps the best thing to do, considering the forces at play. If the authorities of her own country were not worried any more about what had happened to that child and they satisfied themselves with the theory of abduction, why worry myself about it? It's certainly not the unfortunate statement from a director of police (as perhaps inferred by the journalist) that will make the existing evidence be forgotten - I no longer think that was his intention. The only means of erasing the record of everything that was done would be the destruction of the official records. And then, our memory remains, that of all those who set out on this investigation to discover the truth.

I receive another phone call: it's my wife Sofia. She is worried about me, and has been since May 3rd of last year, for nine months now. Previously, our marriage already knew highs and lows; after that date, it was worse. I had become an absent father and husband. At the beginning I distanced myself from my family to protect them from the media pressure, but also because of the pace of work imposed by the investigation; now I live alone and I am seized by a certain bitterness; I can't help feeling betrayed by the institution to which I dedicated myself for more than a quarter of a century. Nothing that happened to me seems justified to me, nothing makes sense. My family did not deserve that.

Sofia is shocked by the national director's statements.

- Come and have dinner with me in Portimao. The children are with their grandparents. We can talk a little about all of that.

I decide to go. I need to hear some reassuring words.

From then on I carefully follow all the details. I become aware of the importance of statements from the national director, who had always maintained that all leads in the investigation must be explored and remain open. That they be left open is possible, but they were explored.

Could the fact have been forgotten that we decided to constitute as arguido a couple suspected of the crime of concealing a body and simulating an abduction?

A short time later, in the course of a television interview, I hear my former professor of political science and constitutional rights, Marcelo Rebelo de Sousa, explaining the national director's statement. I remember very well his course on the separation of power. He maintains that the director's words have killed the investigation. The death of the investigation, once again! But this is about the death of a child! Yes, I affirm it, a child is dead! This certainty is not fed by vague assumptions, no, I base myself on facts, details, clues and evidence recorded in the official records. Many questions have been raised. But where are the answers?

In trying to find them, I think to myself that it would be judicious to go back to the beginning of the investigation - while it's still clear in the memory - from the moment the little girl disappeared. So much has been said....It is time for the story to be told by the one who was responsible for its operational coordination and who lived it intensely in the company of men and women who constitute the élite of the judiciary police.

## THE PRUDENCE OF A DECISION

In Portinmão, I meet chief inspector Tavares de Almeida, a member of the team I directed. We have known each other since we started in the judiciary police. He is worried because of the national director's statements; he heard that our work was going to be the object of an investigation. A request in that direction has allegedly already been placed before the national directorate of the judiciary police. According to him, that would allow the truth to be re-established and would lead to recognition of the quality of our work.

During the five months that the investigations lasted, we had heard all sorts of comments, but we had got on with our job. We remind ourselves of everything that was accomplished, with a great deal of effort, rigour and honesty, and we are certain that nobody could have done better. That might seem presumptuous, but it's just fair recognition of the conscientious attitude of all the police professionals who worked on the case.

- They can't count! How can they accuse us of being precipitous when the couple were only declared suspects four months after the events! Don't they know the principle of non-self-incrimination?

It is legally impossible to continue to take statements from someone as a witness if these statements risk later turning against him. While a witness is making a statement about an ongoing case and at a given moment it is realised that he could himself be involved in an illegal act, he is constituted *arguido*.

Thus, from then on, he has rights and duties. Contrary to what one reads in the press - above all the English -, the *arguido* is protected and acquires the right to silence which no one can reproach him for - which would not be the case if he were being heard as a witness.

- I agree with you. If a mistake was made, it was in taking so long to make the couple *arguidos*. Too much politics, that's what there was, too much politics and not enough policing.

- I'd say rather that the mistake was in treating the McCanns "with tweezers." From the start of the investigation, we realised that certain things did not add up and yet, they continued to benefit from favourable treatment; that's what's not normal!

- Does the national director perhaps think that the couple only left Portugal because they had been placed under investigation?

- In fact, the McCanns stayed in Portugal as long as we stuck to the theory of abduction; from the moment that was placed in doubt, they talked about returning to England.

- From which can be concluded that their being placed under investigation gave them an excuse to leave the country...

- You know, certain English journalists consider Portugal to be a third world country. Of course, I don't agree with that definition. And yet, if it's not a third world country, why is the head of an ongoing investigation dismissed when the quality of his work is not in doubt....

- There is a lot of talk about the "politicising," of the law....they forget the extent to which a police investigation can be influenced.

- It's a matter of either or: either the investigation is entrusted to trustworthy people, or, if things go wrong those responsible are replaced with more "reliable," people.

- I don't believe that was the main reason.

- There are always reasonable and perfectly legal arguments. In fact, those who should stand in the way of this almost political management of the investigation are the most senior police managers. They should object to any situation or action that risks bringing prejudice to the investigation and to its correct operation. They can't agree to everything under the pretext of being afraid of losing their jobs.

- No, you are aware that you don't direct the police according to personal interests but properly according to public interests. It is only thus that we can conceive of a police force in a democratic state.

- OK, but look where we are! You will see, soon the *arguidos* will be choosing who leads the investigation. Maybe that's the modern way..

- The modern way....Rather self-interests, you mean! Deplorable!

- Speaking of deplorable, have you seen any of the Benfica game recently?

- It's not football any more, it's I don't know what. Incidentally, you've met Gaivota?

Gaivota is the surname of a former Benfica player who was living in Portimão at the time of the investigation. A real companion who shared the good and the bad times with us. I remember his kindness, and the patience with which he showed his support for me.

- If he was still at Benfica, maybe their defence would be up to something.

#### BEHIND THE SCENES OF THE INVESTIGATION: THE CRISIS UNIT

Sofia is listening to our conversation. She knows the importance of the work carried out by Tavares de Almeida. It was he who kept the crisis unit operational throughout the investigation, until the departure of the last English police officer, when the McCann family returned to England. As if, from then on, it was no longer necessary to continue the investigations where the disappearance took place.

It was he who, nearly every day, opened the local office at 6 o'clock in the morning, not to leave it until after midnight. All the information passed through there: there we centralised all the data we received, emails, telephone calls, communications from the police officers working on the case. That room was the real nerve centre of the investigation. The bits of information were analysed there in order to distinguish those that were of real interest from the many others - reports or witness statements - raising pure speculation.

A great deal of sorting out had to be done, notably concerning the eye-witnesses, who multiplied as the media coverage took on enormous proportions.

The English investigators occupied the adjoining room: between the two areas, information circulated in an uninterrupted flow. The British investigators participated in our meetings, taking notes in their record book, *Major Incident Enquiry Officer's Rough Book*.

Another room was dedicated to dealing with information of a more practical nature, like, for example, the register of all paedophiles present in the region, in order to look for actual links to the case or the creation of patterns of connections; difficult and meticulous work of great value, which was later sent to the crisis unit.

Amongst other duties, Tavares prepared the documents - many of which had to be translated - so as to allocate the jobs between the various teams who, on the ground, executed the operational orders for the proper management of this lengthy work of verification. The revolt they now feel is legitimate. They suffer a deep sense of injustice: not only did the judiciary police not know how to protect them, but it called into question their reliability.

In the days following the national director's statement, rumour had it that he himself was going to be dismissed. Once again the judiciary police were in crisis; once again this crisis was going to be resolved by a series of resignations in the highest spheres of the hierarchy. Yet, stability is one of the essential conditions for the success of its mission, totally dedicated to the service of the community.

How come a criminal investigation - in this case, the research undertaken following the disappearance of a little English girl - could have caused so much upset to Portuguese justice and the judiciary police, and compromised the cooperation that existed for such a long time between the police of the two countries?

What are the powers that made the investigation so difficult to the point of stopping it abruptly? In recounting its operation, perhaps a response can be outlined and new light thrown on the events.

I invite researchers in communication sciences to look into this case in order to understand how a dramatic event could be transformed into one of the most media covered happenings of our time.

## Chapter 2

### MADELEINE BETH McCANN'S HOLIDAY

Saturday April 28<sup>th</sup>

At the end of April 2007, it's spring in the Algarve, even if the weather is particularly gloomy. It rains often. While the sun shines, the temperature becomes pleasant, but the nights are cold and windy.

On the morning of April 28th, Madeleine, aged 3, goes to Leicestershire airport to board a flight for Faro, accompanied by her parents, Gerald McCann and Kate Healy, both 39, doctors, living in Rothley, England, and her brother and sister, Amelie and Sean, twins aged 2.

The family is taking a short holiday - one week - until the following Saturday, May 5th. Madeleine seems at the same time happy and anxious. In Faro, where she arrives at around 2pm, she boards the minibus provided for tourists by the tour operator, to travel the 70 kilometres that separate her from her destination: the Ocean Club holiday complex at Vila da Luz, not far from the town of Lagos.

The McCanns are traveling in the company of the Payne family, composed of David Payne (41) and his wife Fiona (35), doctors, their daughters Lilly and Scarlett (aged 2 and 1 respectively) and Diana Webster, aged 63, credit manager, Fiona's mother. One hour earlier, at around 1pm, the other members of the group of holiday-makers had arrived from London: the Oldfield couple - Matthew Oldfield (38), doctor, Rachael Mampilly (37) human resources manager, and their daughter Grace (19 months) - as well as the O'Brien couple - Russell O'Brien (37), doctor, Jane Tanner (36) marketing manager, and their daughters Ella and Evie (aged 3 and 1 respectively)

David Payne is the organiser of the trip. These couples have spent their holidays together for several years. In January 2005, while Kate was pregnant with the twins, they stayed for a week in Lanzarote, an island in the Canaries. In September 2003, the McCanns and their friends Matthew Oldfield, Rachael Mampilly, Russell O'Brien and Jane Tanner spent a week in Umbria in Italy, where they went to attend David and Fiona Payne's wedding. In September 2005, Gerald, Kate and their daughter Madeleine, then aged 2 years and 4 months, went to Majorca, in Spain, for a few days of relaxation with the Payne's and other friends.

On their arrival at the Ocean Club, the McCanns are allocated apartment 5A, on the ground floor of one of the apartment blocks, the back of which looks over the swimming pool, the tennis court and the Tapas restaurant. This apartment is on the corner of the building with a public road running alongside. The other couples are accommodated in apartments 5H (Payne family), 5D (O'Brien family), and 5B (Oldfield family); 5B adjoins 5A and is close to 5D. Except for 5H, on the first floor, they're all on the ground floor.

Access to the front door of apartment 5A is through the car park in front of the building. It is surrounded by a 1 metre high wall, with an opening in the middle. Another wall, of the same height, separates the building from the car park with an alley facing the central part of the building. You have to go along the road that runs alongside this wall to get to the front door of apartment 5A. It's a very basic wooden door without any specific security system, fitted with a lock that opens with a key. Anyone approaching this door has to go past the window of the bedroom where Madeleine, her brother and her sister sleep.

Behind the ground floor apartments there are small gardens whose side gates open onto a walkway that separates the building from the leisure area of the Ocean Club. Apartment 5A's small garden opens directly onto the public road. From inside the apartments, the gardens are reached via French windows which have very little security, and only a blind shutting them off from the outside.

The resort complex of the Ocean Club does not stand in a private area; the various buildings of which it is composed are spread throughout the village. The roads serving the club are public. Some of its properties are separated from each other by 2 kilometres - this is the case with the Millennium restaurant. There is no video surveillance system or private security; access to the leisure areas is not controlled either.

Vila da Luz is one of a number of villages built in the years 1960-1970, when the Algarve became a very popular tourist destination, particularly with the British. Drawn by the mildness of the climate and the hospitality of the inhabitants, they built lots of little white houses, interpreting in their own way the architectural style of the region. They took an interest in the Algarvian culture and society and their relations with the local population developed in a harmonious way.

## BRIEF DETOUR VIA THE HISTORY OF VILA DA LUZ

The predecessors called it the beach of Our Lady of Light. It was a little fishing village standing in a bay, benefiting from the fact of an advantageous geographic situation. The fine sandy beach stretches as far as the famous volcanic rock - Rocha Negra - with vivid sandstone cliffs in the background. The remains of an ancient fort dominate the highest points, probably erected to protect the villagers from potential attackers coming from the sea.

A paved walkway bordered by palm trees runs along the seafront.

If you take the road that links the Luz church to the beach, you notice on your left the ruins of the Roman thermal baths; through their cellar run numerous tunnels, which for more than fifty years, have been used by children to reach the beach. A good part of Luz is built over remains from the time of the Romans. Under the reign of King Alphonse III, there was whale hunting here; more recently, there was an active tuna processing factory. With the explosion of mass tourism, the region has become a particularly popular holiday destination and most of its revenue comes from this fast-growing industry. That sector nowadays employs over 80% of the population.

The inhabitants of Lagos have made it their main holiday place. Legend has it that in May, a clever knight came to steal gold from the ladies of Lagos and fled after having accomplished the deed. For the inhabitants of Lagos, the humiliation was so great that they decided to ban the word designating the month from their vocabulary. Thus, after April comes the month....that has to come.

It is in this peaceful seaside resort that Madeleine began her brief holiday.

## GOING BACK TO THE OCEAN CLUB

On the day of arrival at the Ocean Club, a small welcome ceremony is organised at the Tapas restaurant, from 5pm - 6.30pm. Everybody participates, including the children, who spend their time enjoying themselves in the play area. After this reception, the holiday-makers go to the Millenium restaurant, situated nearly 2 kilometres from the apartments, at the entrance to the village of Luz. It's a long way and Gerald and Kate have to carry the twins. Madeleine walks all the way. Between 7 and 8pm, they dine in the restaurant with other members of the group. The return journey is also on foot.

At 9pm, the children are in bed. This is how the first rather tiring day goes. The parents realise that it won't be easy to walk that distance every day at meal times and start to consider other alternatives.

## THE ROUTINE IS ESTABLISHED

Sunday April 29<sup>th</sup>

On the morning of Sunday April 29<sup>th</sup>, at around 8.40am, the McCann couple and their children again walk the 2 kilometres that separate them from the Millenium to have breakfast. Then, the children are entrusted to the play leaders - Madeleine to the day-care centre in the building that houses the main reception of the tourist complex, while Sean and Amelie stay at the playgroup, near the Tapas restaurant, that takes the youngest children. At around 12.30pm, the parents come and fetch them for lunch, play with them sometimes in the swimming pool or in the play area, then, at around 2.30pm, take them back to the play leaders, with whom they stay until 5.30pm. Sometimes the children have dinner with them.

From the first evening, the routine is established. Between 7.30 and 8.30, it's relaxation time for the parents. After having put the little ones to bed, they have a bath and drink some New Zealand wine as an aperitif. Then, they join the other adults of the group for dinner at the Tapas restaurant. The meal starts at around 8.30 and ends at around 11pm. Meanwhile, every half hour, the parents go in turn to the bedrooms to check that everything is OK.

Madeleine will not go back to the Millenium because breakfast from now on is taken in the apartment with the family, with items purchased at the Baptista supermarket, a few metres away. The rest of the day follows what is, from then on, its usual course: 9 o'clock, the children are dropped off at the playgroup and the parents go to play tennis or run on the beach.

## MADELEINE CRIES IN HER PARENTS' ABSENCE

Tuesday May 1<sup>st</sup>

In the Algarve, May 1<sup>st</sup> is celebrated by organising family picnics; the first snails are tasted and, above all, *maios* are displayed - life-sized rag dolls stuffed with straw - on the sides of the roads, in windows or on the doorsteps of the houses. They represent scenes from daily life or from social satire. This popular, one hundred-year-old tradition is carried on and joyously enlivens these first days of spring.

It's not known if Madeleine could see the *maios* that day. Between 10 and 11am, she plays mini-tennis with the children from the day centre. In the afternoon, from 1.30, her parents take her to the beach with her brother and sister, but they only stay there for twenty minutes, because the sky clouds over and the temperature falls. She eats an ice cream on a terrace. Close by, a guitarist, who looks like a tramp, is playing Latino music and collecting money. From there, Madeleine and the twins are taken directly to the day centre. Tennis court number 1 is booked by the McCanns for 2.30 to 3.30. At around 3.30, the play leaders take the children to the beach. They proceed in single file, each holding onto a long rod in the shape of a serpent, Sammy Snake. They play on the sand until 4.30 and participate in various games that are suggested to them.

During the parents' dinner, the children again sleep alone. A restaurant employee notes on the reception register that certain members of the group get up in turn to go and make sure they are OK.

For an hour and a quarter, between 10.30 and 11.45pm, in the apartment where she is in the company of her brother and her sister, Madeleine does not stop crying and calling out for her father. She does not calm down until after her parents return.

Wednesday May 2<sup>nd</sup>

At breakfast, Madeleine asks her parents why they left her to cry the night before, and did not come back immediately. At 9 o'clock, the children are back at their respective playgroups. For an hour, between 3.30 and 4.30, like the day before, Madeleine is taken to the beach, following the usual route. In the evening, when the parents go out for dinner, between 8 and 8.30pm, she is already asleep, like her brother and sister.

Thursday May 3<sup>rd</sup>

At 9.10am, Madeleine arrives at the day centre, accompanied by her father. Between 10.30 and 11 o'clock, the day centre leaders again take Madeleine and her little classmates to the beach. She then goes on a boat trip in a yellow catamaran-type boat, which does not go very far from the shore. At 12.25, her mother fetches her for lunch and takes her back to the day centre at 2.50. At 5.30, after a jog on the beach, she goes back to fetch her, as well as her brother and her sister, and they all go back to the apartment.

### Chapter 3

#### ANNOUNCEMENT OF A DISAPPEARANCE: THE FIRST SEVENTY-TWO HOURS

On this evening, May 3rd 2007, I decide to dine at the Carvi Brasserie, in the centre of Portimão, before going home. I have been living for a year in this town, where I lead the Department of Criminal Investigation of the judiciary police. I had already been there in 1982, when I was 23 and I had just taken up this career. There, I had made the acquaintance of someone who was to become my friend, Manuel João. Former local official and sports fan, a charismatic person. He always lent a hand to members of the judiciary police who went to the town for the purposes of an investigation. As an elected local official, he proposed the creation of a judiciary police department in Portimão. Thus, that evening, while savouring *fruits de mer*, we discuss the problems of Portuguese society.

It is midnight when I receive the news about the disappearance of a little four-year-old English girl. The police officer on call was informed about it by the National Guard of The Republic (GNR) At the time of her disappearance, the little girl was supposed to have been sleeping in an apartment while her parents were dining a hundred metres away. An inspector is sent to the scene immediately to establish the initial facts. A forensic expert assigned to security of the premises will join him. All precautions are taken to preserve possible clues and elements of evidence. I demand to be informed very regularly and, before going home, I call on the police on duty to check that all urgent measures are underway. The head of the Guard has already alerted the police authorities at Faro airport and the control post set up on the Guadiana\* bridge.

(\*The river on the frontier between Portugal and Spain.)

#### THE REPORTS LEAVE A LOT TO BE DESIRED

The examination of the premises by the investigator and the representative of the forensic police just after the announcement of the disappearance turns out to be quite unproductive. A concise report, where their observations are written up, is accompanied by numerous photographs taken inside and outside apartment 5A - which don't give an account of, according to us, everything they could have observed.

This error is explained by the absence of procedures in case of a child's disappearance, notably concerning the actions to be taken when examining the scene.

Lots of people were already in place; however, there were no people in the photos. We don't know, for example, how they were dressed. Such observations can turn out to be important later on. The report mentions that the twins were asleep in their bed, but there is no proof to confirm it; on the contrary, in the photographs, you can see empty cots, where only the mattresses remain - the sheets and blankets having been removed. Why have their beds been stripped? If the sheets had not been removed, traces of their presence could have been found there.

That evening, on arriving home, I see Inès, my younger daughter, who is sleeping close to my wife, Sofia. In silence, in the dim light of the bedroom, I sit on the edge of the bed. Outside, far from her mother's warmth, a child of the same age is lost. Sofia wakes up and asks me what is happening. I tell her about Madeleine's disappearance and instinctively, she holds our daughter tightly in her arms and makes room for me.

I make lots of phone calls and send a text message to the director of the Faro Department of Criminal Investigation (DIC): child, English, aged 4, disappeared from a Praia da Luz hotel. It's sufficient. Reading the message, he will understand the gravity of the situation. Three years before, we had dealt with a similar case, a few kilometres from Praia da Luz. We had not been informed at the time of that disappearance, and we are convinced that if the investigation could have been started immediately we would have been able to discover some physical evidence. The police response is fundamental. The first 72 hours are essential.

## FIRST INTERROGATIONS AND REQUESTS TO THE BRITISH POLICE FOR INFORMATION

Friday May 4th

This morning I am worried; something isn't right in the account of the events: the little girl allegedly disappeared at 10pm while she was sleeping close to her brother and her sister. They were alone in the apartment because their parents were dining with friends. A system of checks had been put in place by the adults. Every 30 minutes according to some - every quarter of an hour according to others -, someone went to have a look at the children.

It is Madeleine's mother who realised she was gone and is immediately talking about abduction.

We need information about the parents and their friends, to know who they are, what they do, if they have problems in their country, if the children were victims of abuse, if the family, neighbours, friends could have noticed any suspicious behaviour, what are their jobs, if they work full-time, etc. Is any member of their family depressed or suffered from depression in the past? Do the couple maintain good relationships? Are they implicated in serious litigation? Do they have enemies? For what reason? So, I telephone Glen Powers, the English liaison officer in Portugal, inform him of events and request that he relay our requests for reports. We consider these to be of the greatest importance and await sensitive responses to guide our investigation.

While I am on the phone and my daughters are sleeping, Sofia makes breakfast for me. She is quiet and regards me with a questioning look, as if she suspects that from today, she won't see much of me. It's not the first time this has happened: she knew that I wouldn't count my time in a case like this.

## THE ORGANISATION OF THE INVESTIGATION

Since dawn, chief inspector Tavares de Almeida has been getting down to the job at the Department of Criminal Investigation in Portimão. He is following through with the first measures taken within the context of the investigation. At this time, he should have been going on holiday, but faced with the gravity of the case, he has decided to put it off until later. Neither the director of the Faro judiciary police nor myself are going to have the time take our holidays anytime soon.

The disappearance of a child must be flagged up as widely as possible, on the national as well as on the international level. All Portuguese police are already on alert, as well as Interpol. During the night, the National Guard, supported by the civilian population, has started to organise searches. They will be continued and widened tomorrow.

The search and examination of the scene were carried out in difficult conditions: when they arrived, the police were met with a large number of people coming and going - family, friends, resort employees, including dogs and members of the National Guard. The contamination of the premises risks bringing serious prejudice, as a consequence, to the investigation. We must ask ourselves if that contamination was deliberate or not - it can make the search for clues particularly complicated.

The Lisbon scenes of crime technicians come as reinforcements to start the examination of the residence, which is from now on empty.

On arrival at the Portimão Department of Criminal Investigation, I call in chief inspector Tavares de Almeida to take stock of the situation and take the measures that are necessary in the immediate future. After the searches undertaken in the surrounding area - dustbins, containers, sewers -, it is necessary to proceed with the interrogation of certain potential witnesses. The parents and their friends will be heard quickly. The first statements are of prime importance: memories are still vivid and crucial details could thus be obtained, which would risk being lost later. The witness statements of the restaurant employees, those from the day centre and the playgroup where Madeleine and the twins spent their day are also all important. The search for witnesses will be widened to all the tourists present, whose names must be submitted to the parents and friends. Perhaps they will recognise a name....The English police are involved: they are being asked to cross-check that list with their files in order to pick out individuals known to their services.

All of the video recordings from the tourist complex - hotels, banks, pharmacies, supermarkets and service stations -, including those from the CCTV cameras of two motorways - one leading to Lagos and one linking Lagos and Spain -, will be viewed. The Spanish customs service has been asked to increase vigilance at the two ports maintaining links with Morocco, Tarifa and Algeciras. The Algarvian coast, very popular with sailing enthusiasts, is bordered by a large number of marinas. Pleasure boats from every province berth here. Situated 120 nautical miles from the African continent, between the Mediterranean and the Atlantic, it is the most accessible coast for entering the continent of Europe. It attracts many yachtsmen, who appreciate the beauty of its beaches and its inlets, but it also attracts all sorts of traffickers

- Make contact with the marinas and the maritime police; we must have access to video recordings as well as the registers of boats entering and leaving in the last few days.

- I am going to contact them and make sure they have started the sea searches.

In anticipation of the volume of information we are going to have to deal with, we decide to fit out a room dedicated to the investigation, our crisis unit.

## THE INFORMATION SOUGHT IS SOMETIMES UNOBTAINABLE

We need reliable information. Apart from all the searches already undertaken, we must also examine the photos and films taken by the McCann family and their friends. From amongst the onlookers, these images could help to identify a suspicious-looking individual or someone whose attitude might be suspicious. Trivialised since the general use of computers, photography is a source of information which the investigators know not to neglect: each holiday-maker takes, in general, hundreds of photos. The McCanns and their friends who were in Vila da Luz make all of theirs available to the investigators, but none of those dating from the evening of the disappearance help us to understand what happened.

## NO SIGN OF A BREAK-IN

At this stage of the investigation, the hypotheses are numerous, and each one must be considered. It is necessary to locate and identify all the paedophiles who live in or who have passed through the Algarve, in order to check that they were not in the proximity of Vila da Luz on the days preceding the disappearance.

The idea of a robbery gone wrong is not to be ruled out either. During the holidays, burglaries are not rare, and the police are not always informed, because hotels avoid spreading this kind of information. Even if the examination of apartment 5A reveals no trace of a break-in - contrary to what the parents insist and that Sky announced - we have to take stock of the petty crimes committed in the seaside resort and at the tourist complex. We are counting on the management of the hotel so that no incident of this nature remains hidden. Even if we don't have much belief in the scenario of a burglar who enters the apartment for a burglary and leaves it with the child, dead or alive, this hypothesis, as ridiculous as it may be, must not be neglected.

## FIRST MORNING OF THE INVESTIGATION;

### AN ABDUCTION?

Still May 4<sup>th</sup>

When drawing up the report of the first observations, which must be forwarded to the district Judiciary Court of Lagos, we are undecided about the legal classification of the events. Finally, we opt for "abduction??" adding two question marks after the word to express our uncertainty. The decision was not taken lightly.

That decision preserves the interests of the various opposing parties, those of the parents, those of the child, not to say those of the investigation itself.

The report by the team who conducted the analyses of the apartment records all observations carried out and statements gathered. It sets out the list of people present and potential witnesses. It also includes fingerprints taken as well as photographic documentation.

On reading this report, which was given to me on the morning of May 4th, I understand that there is no evidence sufficiently convincing to tip the investigation in one direction rather than another. There are many possible leads: voluntary disappearance - the child could have wakened and not seeing her parents, gone off to look for them; accidental death and concealing of a body; physical abuse causing death; murder by negligence or premeditated; an act of vengeance; taken hostage followed by a ransom demand; abducted by a paedophile; kidnap or murder committed by a burglar.

The hypothesis of abduction widens and complicates the investigations; it allows the mobilisation of means and resources that would have been difficult to obtain otherwise, such as the arrival of reinforcements, absolutely indispensable faced with the magnitude of the task, notably in the course of the first 72 hours. In a more calm climate, we could have got down to the search for evidence more effectively, allowing us to understand how that child disappeared, without worrying that suspicion might fall on the friends of the family.

THE VISITS BY THE CONSUL AND THE AMBASSADOR; INFORMATION IS TAKING A LONG TIME TO COME FROM GREAT BRITAIN

At ten in the morning, twelve hours after the disappearance, the British Consul to Portimão comes to the Department of Criminal Investigation. We inform him of the actions taken up to then and the next stages being considered. He doesn't seem satisfied. Someone hears him on the telephone saying that the judiciary police are doing nothing. Now, that's strange! Why that untruth? What objective does he have in mind? Giving another dimension to the case? I have no idea, but this is not the time for conjecture; we have to concentrate on our work, of finding the little girl.

We're not getting any response from Great Britain. We've had no reports on the subject of the couple, their children and their friends, which doesn't help us to tighten up the investigation.

We would like, for example, to know if Madeleine was adopted by the couple, which would allow us to eliminate the hypothesis of parental abduction. If the information is not reaching us, it's obviously reaching the British Ambassador. We are astonished by this prompt mobilisation of the English authorities. So, who are the McCanns? Who are their friends? We don't need diplomatic intervention: what we would like, is answers to the questions sent to the British police authorities by Glen Power.

#### THE SEARCHES CONTINUE; THE ASTONISHING INVASION BY THE PRESS

The searches on the ground continue, with the help of a helicopter from Disaster Management. Interviews of holiday-makers and the resort's employees multiply. We're worried, aware that it's a race against the clock: tomorrow, many tourists will be leaving the resort. As for the McCanns and their friends, who should also be leaving on this date, we are totally unaware of their plans. For the needs of the investigation, it is imperative that they stay put, but we have no legal means of preventing their departure. During the morning, the deputy director of the Faro judiciary police joins us. Until the end of September, his life will be split between Faro and Portimão, which he will travel to every day. He asks how the searches are going and decides to go to Vila da Luz to check for himself the operations that have been set up. I go with him. When we arrive, we find that the media, Portuguese as well as English, are present en masse. It seems that the McCanns' friends have reported Maddie's disappearance to the press before informing the police about it. Another point which we must clarify.

#### TECHNICAL FAULTS

Inside the apartment, police forensic specialists proceed to lift finger and palm prints, a job that is preferably carried out during daylight hours. Others look for traces of blood, samples of fibres and hair. We notice with dismay that one of the technicians, who is working on the outside of the McCann children's bedroom window is not using the regulation suit, thus risking contaminating possible clues. These images of negligence start to circulate world-wide; this isn't, however, the usual behaviour of judiciary police technicians.

It's obvious that no one has broken in and the lock has not been forced.

No prints are lifted that are likely to belong to an unknown person, nor the slightest trace of gloves which could have been worn by a hypothetical abductor. In the middle of this desert of clues, two prints are perfectly easily found: the very distinct mark of a palm print on the

balcony window at the rear of the apartment, and a clearly visible one of fingers on the window pane of Madeleine's bedroom. The excellent quality of the palm print seemed suspicious to us. Later, analyses confirm our suspicions: it belonged to one of the officers who were present the previous night.

In Portugal, no protocol exists for coordinating the work of the different police services in the event of the worrying disappearance of a child, perhaps because until now this type of case has been rare. We have been fighting for several years for the creation of just such a resource. However, we don't have to invent anything: it would be sufficient to adapt the protocols already existent in other countries more used to cases of this type - Great Britain, for example.

#### A SUSPECT WHO, VERY QUICKLY ISN'T; THE SEARCHES CONTINUE

While we continue to gather statements from resort employees, we are informed of the presence in the region of an individual suspected of abusing children. Of British nationality, he was said to frequent a pub situated 150 metres from Madeleine's apartment. In 2005, sought by the police in his own country, he fled abroad and the English authorities had then lost track of him. But we discover that the pub in question doesn't exist any more, and that the information that the man is in the area has no basis in fact. His step-father, contacted by the police, states that he is currently in Iraq, information later confirmed by the British police.

In the main street of Vila da Luz, there are open trenches because of improvement works. They leave the waste water mains exposed. On the night of May 3rd searches were conducted there, with the help of sniffer dogs from the National Guard of The Republic. (GNR) We'd like to proceed with another inspection, but the site foreman assures us that access to the mains is closed during the night and the workmen noticed nothing abnormal when starting work the next morning.

#### STATEMENTS FROM THE PARENTS AND FRIENDS; FIRST INCONSISTENCIES

Still May 4th

Madeleine's parents and friends of the family go to the Department of Criminal Investigation to be interviewed. Their statements should help us to better understand the circumstances surrounding Madeleine's disappearance. Each must be questioned at the same time, but separately, in order to avoid "contamination," of the witness statements -

which happens often when witnesses have the opportunity to exchange information. Sometimes an important detail is held in the memory, but can be lost after a conversation with another witness. This is the usual procedure. In this way, we can establish relevant cross checks, confirm or invalidate certain assertions. But that was not possible today, certain adults having stayed at the resort to look after the children.

We have to retrace their comings and goings very precisely as well as those of the children. What they did during the holiday, where they went...In possession of this information, we will attempt afterwards to collect photos and films taken by holiday-makers who were in the same places: we will succeed perhaps in pinpointing a detail that could be of significance. These same tourists might quite simply help us to better understand the way in which the group of friends was working.

The personality of the victim and of the parents has significance. We have to find out if they were threatened in the past, if they have enemies. We must consider the possibility of a mistake: the target may not have been Madeleine but another child of the group of friends. Therefore, they too must give answers to similar questions.

None of the adults possessing a vehicle, they never go very far and in general stay within the confines of the resort. Their knowledge of the surrounding area is limited and we assume that they limit themselves to the roads linking the beach and their apartments.

During the morning, only Madeleine's father, Matthew Oldfield and Jane Tanner are interviewed. However, already contradictions and improbabilities are appearing from one to another of the statements, notably concerning access to the apartment.

An example: during the course of the evening, Jane encountered Gerald McCann and Jeremiah Wilkins, busy chatting in the street. At that time, Gerald was coming back from his apartment, where he had gone to make sure the children were sound asleep - which he confirmed in his statement. Jane asserts that she noticed a suspicious individual carrying a child in his arms - probably Madeleine, according to her - immediately after having passed the two men. Gerald and Jeremiah should also have seen her, but that was not the case.

The mother of the missing little girl, Kate Healy, and all the other members of the group, David Payne and his wife Fiona, Rachael Mampilly, Russell O'Brien and Diane Webster, are heard later.

They might already be aware of the questions put to their friends and of their responses. In that case, there won't be the element of surprise. The presence of an interpreter doesn't make the interviews any easier either. The witnesses benefit from the translation time to prepare their responses.

Madeleine's parents are insisting on the theory of abduction. They want to convince us of it at all costs. Gerald stresses that the front door was locked; Kate states that she entered the apartment through the rear sliding doors, which weren't locked, and that the window was wide open with the shutters raised.

This theory does not hold water, which will be observed during other interviews. The only witness statement corroborating that assertion is Jane Tanner's.

From now on it's important to shed light on the contradictions raised in these first witness statements.

Here is the chronological sequence of visits to the apartment:

- 21.05: Gerald McCann (the children are fine);
- 21.10/21.15: Jane Tanner (states having observed the alleged abductor with a child in his arms);
- 21.30: Matthew Oldfield: (goes into the apartment, but doesn't go into the bedroom. He only sees the twins);
- 22.00: Kate Healy (goes into the apartment, and finds that Madeleine has disappeared).

If, as Kate states, the window was open when she went into the apartment, how come Matthew didn't notice? At the time when the latter went in, Jane had already seen the alleged abductor with the child. So, logically, if the crime had already been committed, the window should have been open.

Matthew says that the bedroom door was half open, Kate that it was wide open. It can be concluded that Madeleine was already no longer in the room - which Matthew should have noticed, if the other witness statements are to be believed.

Another inconsistency - unexpected - appears. When Kate refers to the individual who allegedly abducted her child, she has no information other than that given to her by Jane, since she, herself, did not see him.

But, the description she gives of him differs from that of Jane Tanner. The latter - extremely sure of herself, and who will be interviewed on several occasions - portrays a man dressed in light-coloured trousers, with hair down to his collar. Kate refers to long hair and jeans.

Gerald tells the police that Jane described to him - after midnight, during the night of May 3rd to May 4th - this stranger she allegedly saw going up the road; his hair was brown, he was between 30 and 40 years old and he was wearing light-coloured trousers. The first police officers to arrive on the premises are convinced that the parents put forward the hypothesis of abduction because Jane had talked about this man with the child. In their report, Jane's description is as follows: it was an individual dressed in light-coloured trousers and a dark shirt, he was 1.78m tall and was carrying a child, probably in pyjamas. She does not describe the pyjamas and doesn't mention any other detail.

Later, during the course of the morning of May 4th, the father gives the same brief description and refers back to Jane for additional details. The latter appears at the offices of the judiciary police in Portimão at 11.30am. This time, the description is very precise: the individual, aged between 35 and 40, was thin and 1.70m tall; his hair was dark brown, falling over his collar; he was wearing cream or beige trousers, probably linen, a sort of anorak - but not very thick - and black shoes, classic in style. He was walking hurriedly, with a child in his arms. He was warmly dressed, the reason she thought he was not a tourist. The child appeared to be asleep - she only saw the legs -, had bare feet and was dressed in pyjamas, which were obviously cotton, light-coloured, probably white or pale pink, with a pattern - flowers maybe, but she isn't certain. Concerning the man, she states that she would recognise him from the back by his particular way of walking. The importance of this statement will be seen later.

Hardly fourteen hours have gone by since the child's disappearance and already Jane's version is known by many people. The father even referred to it during his statement, as can be seen above. Jane insists that she spoke solely to Gerald about this individual and then without going into details. It is only later that she related it all to the police.

Again, we notice an inconsistency. She was not aware, she says, of how Madeleine was dressed, which seems unlikely: on the night of the disappearance, Kate immediately gave a precise description of the clothes the little girl was wearing when she was put to bed.

Everybody knew they were looking for a little girl of nearly four, bare feet, dressed in light-coloured pyjamas on which there was a pink animal design. This description was relayed to all those who mobilised to find the child. How come Jane Tanner took no notice, she who, at that time, was the main witness in the case?

#### FIRST EYE WITNESS STATEMENTS; KATE HEALY'S SURPRISING REACTION

Madeleine's parents are already back in Vila da Luz when we receive photos taken in a service area of the motorway: you can make out the figure of a little girl, who looks like Madeleine, accompanied by a couple. These images come from a CCTV camera on the motorway linking Lagos to the Spanish border. The McCanns are asked to come to Portimão in order to proceed to an identification. It's the end of the day. Kate Healy seems annoyed at coming back and made uncomfortable by the speed of the police car taking her. We are somewhat astonished by her reaction, as if she was not expecting to get her daughter back. The identification turns out negative.

#### POLICE REINFORCEMENTS

A team from the Central Crime Fighting Directorate (DCCB) arrives from Lisbon, accompanied by their director. I wasn't informed of this decision, but I agree with it. The reinforcements are welcomed, because we must get on very quickly. The experience of these police officers in the field of abductions and the taking of hostages is a plus for the investigation and the ways they operate are largely superior to ours. In addition, their experts are the most qualified of the judiciary police. From now on, two deputy national directors, assisted by the coordinator of the Portimão Department of Criminal Investigation, will direct the investigations. A few months later, chief inspector Tavares de Almeida was to share one of his convictions with me: if we had remained solely responsible for the investigation, we would have advanced more quickly.

In reality, I don't know. I don't think we can rewrite history with "if." At that time the directorate of the judiciary police had decided on it, and we had favourably welcomed the arrival of that team. It was about doing our best with these new participants and taking advantage of their ways of working. The motivations behind that decision, whatever they are don't interest us in the slightest.

## MISSING PERSONS POSTER IS ISSUED

In the afternoon, we ask the Public Minister for authorisation to issue a missing persons poster to the press. It is published on May 5th, accompanied by a photo of the child and telephone numbers. We, thus, hope to obtain new information. We are going to be inundated with witness statements of every kind: people who are persuaded that they can help us thanks to their psychic powers; others who have dreamed about Madeleine and believe they know where she is, and yet others who think they have seen her here or there...A great number of reports come to us, that we have to analyse and check out: none must be neglected, even if most of them, on the face of it, seem absurd. In the hypothesis of an abduction, we might imagine that the abductor has tried to modify the child's appearance to more easily pass unnoticed. So, we create portraits of the little girl, modifying the colour and style of her hair.

## THE WEAKNESSES IN JANE'S WITNESS STATEMENT

Friday May 4th, at 8pm, we criss-cross Praia da Luz to take note of the activity in the village at dinner time and to check the street lighting. We stay there until 10pm while the forensic team from the police laboratory get on with their investigation.

Certainly, today there are people who wouldn't normally have been here: police officers and journalists. But, even so, it is noticeable that there is very little movement. The place where the abduction happened to be is dimly lit: how did Jane manage to describe him so accurately? Witnesses confirm that the streets were also deserted yesterday.

Why did the potential abductor choose to walk around like that, in the open, running the risk - in spite of the darkness - of being recognised by a passer-by? If he had planned the abduction, he would have taken the time to study, not only the habits of the family, but also the topography of the place. If he wasn't from the village, he would probably have come by car, and he would have sought to conceal it in a dark corner. But the darkest area is situated in exactly the opposite direction to that indicated by Jane Tanner. Did she actually see that man going towards the east? Wouldn't he rather be going towards the west? Leaving by car, he would inevitably have had to go towards the centre of the village, in which case, he would have to go either past the entrance to the restaurant where Madeleine's parents were dining, or by the main road that leads to EN125\*

*(\*The road running west out of the village towards Sagres and east towards Lagos.)*

We walk around Vila da Luz, covering all the roads, trying to imagine the options that presented themselves to the abductor. Without a car, and not knowing the place, the safest approach to the village is the beach. In the few bars, restaurants and cafés open at this time of year, no one noticed anything at all strange during the evening of May 3rd, no suspicious behaviour, nothing out of the ordinary. Most of the establishments had closed by around 9pm.

## DISCUSSION IN THE CRISIS ROOM

The crisis unit has been operating for several hours now, on the top floor of the building. Basing ourselves on the details gathered in the course of this first day, we are trying to understand the sequence of events. The original hypotheses are still valid: voluntary disappearance, abduction or death. Divergent opinions and heated discussions fire with enthusiasm. But we always finish by returning to an objective analysis of the facts to refocus the discussions.

We are opening the window to let the fresh air expel the smoke from countless cigarettes smoked during the meeting when, suddenly, someone poses a question that shouts out to all of us:

- Tell me then, what is this story about the raised shutters in the bedroom where Madeleine was sleeping - or not sleeping?

We have in mind the statements from Gerald McCann and Kate Healy.

When Gerald saw his daughter for the last time, at around 9.05pm, she was sleeping in the bedroom with the twins. He entered his apartment by the front door, using his key. No windows were open, but he cannot say if they were locked. On the other hand - everybody is in agreement in saying -, the patio door at the rear wasn't locked.

Then, at 10pm, Madeleine's mother goes in her turn into the bedroom, she sees the open window, the raised shutters and the curtains waving in the breeze. This scenario is highly improbable, since the shutters cannot be operated from the outside. Normally, that window is never opened, she says, but she can't say either if it was locked. This vagueness perhaps serves the interests of the witnesses, but arouses the suspicions of the investigators.

Finally, we were able to conclude with certainty that the only opening that wasn't locked was the patio door at the rear of the building, opening onto the area with the swimming pools and the Tapas restaurant, where the parents were dining.

You ask yourself why Gerald went into his apartment through the front door while the one at the back is closer to the restaurant and doesn't need a key. The parents insist that it was visible from the restaurant and that no one could have walked in without being noticed.

But that's false, as we were easily able to verify. At night, with the surrounding vegetation and the opaque plastic tarpaulin that protects the dining room of the restaurant, visibility is nil: anybody could have got into the McCanns' apartment without being noticed, particularly as most of the guests had their back to the apartment.

We understand their insistence. The parents need to affirm that the children were sleeping in complete safety, and they were looking out for their well-being. But, whatever the arguments, one thing is indisputable: Madeleine was not safe.

- Strange, all the same, this burglar who enters by the door and goes out through the window with a four-year-old child in his arms. It would have been easier to go back out by the same door.
- In fact, something isn't right.
- Someone is hiding something...
- You could say they were sharing a secret.

Little by little, clearly because of tiredness, everyone starts speaking at once, words are confused. But, gradually, calm is restored, and the information gathered so far allows us to put forward several hypotheses.

- It's hard to understand how a potential abductor would have had the audacity to enter an apartment and abduct the child, knowing that the parents could burst in at any moment.
- Either or: either the man was informed about the habits of the family, and in that case we would have to also suspect employees of the restaurant, or else he hung around in the vicinity for a while to study the lie of the land.

- Only, if he had studied the lie of the land, he would have taken one and the same door for entering and leaving.
- The parents say that the bedroom window was open and the front door was closed at the time they became aware of the disappearance.
- And if they are not telling the truth?
- Put yourself in their place: you are on holiday in a strange place which you don't know; you leave three children under 4 to sleep alone; one of them disappears while you and your wife are quietly dining at the restaurant. You would take on the blame? You wouldn't be afraid of the reaction from the local authorities?
- OK, but if, in one way or another, the parents had something to do with the disappearance? They would inevitably have to invent a story, so logically, lie.
- That's not right, is it? Don't forget you are dealing with well-educated people, nearly all doctors, the child's father is a surgeon. What a ridiculous idea!
- Right, if I understand you properly, you mean that family dramas are the reserve of the simple-minded and the underprivileged...
- We must not put aside any hypothesis, even if it doesn't really grab us, cuts in one of our colleagues, who was listening to our exchanges.
- OK, but for the moment, we must not raise suspicions. They are totally unfounded in the current state of the investigation.
- Apparently, it's the examination of the window that might provide us with an answer. And the fingerprints?
- In the process of being identified.
- Are there copies of the front door key?
- Yes, of course, they are used by employees responsible for cleaning and maintenance and kept in a safe.
- Everybody has to be interviewed.
- Yes. And have the English responded to our requests for reports? We have more and more need of them.

- No, not yet, they are efficiently waiting to collect all the details before sending us a complete file.
- Well, I hope they won't leave us waiting much longer, Every hour counts.

Obviously, we don't end up with any conclusion that night, ...Dawn is breaking already when we finish: the next stages have been decided upon and teams set up. Thus ends the first day of the investigation. Journalists are lurking around the offices of the judiciary police and in the streets of Vila da Luz. News of the disappearance has spread like wildfire. The eyes of the world are riveted on the Algarve. Little by little the pressure mounts and we have the feeling that our lives will never be the same.

Saturday May 5<sup>th</sup>

The accommodation we are occupying in the town centre rapidly becomes overcrowded: we need more sheets and blankets. Beds are allocated; some investigators have to sleep on sofas, others on the floor. Astonishingly, in this place, however jam-packed, total silence reigns. We all need to rest. Our dreams are disturbed, our worries are multiplying. Thirty-four hours after Madeleine's disappearance, we tackle our second day of the investigation. In this apartment of temporary refuge, it's the morning bustle; we mustn't lie around. In spite of the lack of sleep, no one shows any sign of fatigue: on the contrary, we are all in a hurry to getting back to work and impatiently wait our turn outside the bathroom.

Before going out, we check that there are no journalists in the area. In spite of their pugnacity, they were never able to find our hiding place. A stop for breakfast, and the day begins. Destination DIC (*Department of Criminal Investigation.*)

#### POLISH LEAD IN SAGRES

Hundreds of statements continue to be gathered in Vila da Luz. All the people of the area are interviewed: resort employees, tourists, play leaders from the crèches, residents. Most of them will be of no use to us, but none must be neglected.

Information from Sagres tells us that an individual was caught in the act of taking photos of several children on Mareta beach and in particular of a little girl aged 4, blonde with blue eyes, who looks like Madeleine.

It was the little girl's father who noticed him. This 40 year-old man, wearing glasses, tells the investigators that the photographer tried to kidnap his daughter in the afternoon of April 26th in Sagres.

He allegedly then fled in a hired car with a woman in the passenger seat. The stranger did not look like a tourist; brown hair down to his collar, wearing cream-coloured trousers and jacket and shoes of a classic style. This report reminds us of the individual encountered by Jane Tanner in the streets of Vila da Luz on the evening of Madeleine's disappearance.

Thanks to the father's composure, he managed to take a photograph of the vehicle. It's not very clear and does not allow us to make out the number plate, but we succeed, nonetheless, in finding the car. The car hire firm provides us with the identity of the driver. He is a forty-year-old Polish man, who is traveling with his wife. They arrived in Portugal on April 28th, from Berlin. At Faro airport, they hired a car and put up in an apartment in Budens, near Praia da Luz. Unfortunately, on May 5th, at 7am, they had already left, taking with them their camera and all the photos from their holiday. We ask the German police, through Interpol, to monitor them as soon as they arrive in Berlin. All the passengers are questioned, but no one has seen a child looking like Madeleine. In Berlin, the couple take the train to return to Poland. Thus, the Polish trail comes to an end. We would like to have seen their photos...but that proved impossible.

A lead is only valuable in as far as it is followed to the end, which was not the case with this one. We will realise that we shouldn't have ruled it out so quickly, and that it is still a topic of interest.

#### MORE LEADS, STILL NO RESULTS

Other individuals were seen lurking around the apartment, acting suspiciously, shortly before the events. On May 2nd or 3rd, according to an English tourist, an individual in shabby clothing was staring fixedly in the direction of the apartment. He went off in a white van. Other witness statements go in the same direction. For each, we set in motion the research procedures which sometimes include the development of an Identikit picture.

On the outskirts of Lagos, in the direction of Aljezur, there is a Gypsy encampment. Of course, traveling people are no longer thought of as child-stealers. Nevertheless, it is important to make sure they have nothing to do with the case before they hit the road again.

As soon as they are informed of our searches, they collaborate voluntarily and let the agents do their work and conduct a search of their tents and their cars. No one has seen little Madeleine in the area.

Throughout the day, numerous apartments are visited in the resort and neighbouring areas: the investigators search more than 400, without result.

#### QUALMS ABOUT INVESTIGATING THE McCANNS; THE THEORY OF ABDUCTION GAINS GROUND.

Someone puts forward the hypothesis according to which Madeleine would have died in her apartment, and that a member of the group would have removed her. It's a possibility, but nothing so far, no evidence, happens to support that theory.

The McCanns are lodged with David Payne. We want to search the accommodation of the family friends to try to pick up Madeleine's clothes, especially those she was wearing on May 3rd at 5.35pm when she returned from the day centre with her mother and the twins. Evidently, this initiative is not widely supported. The British ambassador meets with the team directing the investigation. The political and the diplomatic people seem to want to prevent us from freely doing our work.

- I'm sure this check is necessary.

- The clothes? Are you mad? if I understand you properly, you want to go into the apartment to take clothes to have them analysed?

- Yes. What's the problem? It's a perfectly normal procedure in cases like this.

- Of course, but with this media hype...I don't think I have ever in my life seen so many journalists....And I didn't come down in the last shower.

#### THE PJ'S DIFFICULTIES IN COMMUNICATING WITH THE MEDIA; THE PRO McCANN PRESS OFFICE.

From the start of the investigation, we ask for the presence of a press attaché to accompany us and take on communicating with the media. The Justice Minister fulfills this request. Very quickly, however, this decision is contested. The reaction of the press itself is feared and public opinion, which might interpret that presence with direct intervention in the

investigation by the minister....Finally, the person retained is an investigator, who is not working on the case, speaks English and has some experience in this field. With hindsight, it can be said that it wasn't a good decision. In fact, after the reading of our first press release and the parents' press conferences, the press let fly.

We were convinced that the people directly involved in the investigation should remain distanced from the media whirlwind. We needed help: the judiciary police would have to engage staff to dissect published articles, focusing on the analysis of press statements from the parents and their friends. But that didn't happen. The media circus was in full swing: all the time, new articles, live TV, a growing number of journalists running around the streets of Vila da Luz.

It didn't seem normal to us either that a couple whose child has just disappeared engages press attachés to deal with their relations with the media. It is not a question here of minimising the role of the means of communication and ignoring that a subject like this stirs up a lot of curiosity, but that constant preoccupation with the management of their communication by the parents, appeared to us, to say the least, astonishing.

#### TELEPHONE CALLS ON THE NIGHT OF THE DISAPPEARANCE.

The tracking of Portuguese and foreign paedophiles - the majority English - residing in the region or simply on holiday, continues to be checked. In spite of the kilometres covered, the interviews and the searches carried out, there is nothing concrete that leads us to suspect any of them.

The investigators continue to deal with the information collected. They look into all the statements, in particular those of the Ocean Club employees, and go through the lists of telephone calls that have been made available to them.

We must also check all communication via mobile phones during the night of May 3rd. It is possible that the abductor had used a mobile. We locate the relay antennae of various operators covering the sector in order to obtain the summary of calls and messages made or received that transited their antennae. Finally, the only suspicious communications are those involving Robert Murat, a person who is central to this case, who will later be placed under investigation.

The walls of the crisis unit are little by little covered in analytical charts, time-line charts, sketches, plans, task lists, photos and other important elements with, at the centre, the photo of Madeleine, to always remind us of the object of our mission.

#### LOG OF CALLS ON GERRY McCANN'S MOBILE PHONE DELETED

Between 11pm and 3 in the morning, all members of the investigation team meet in the crisis unit; in the same smoke filled atmosphere, we take stock of the situation. Some don't agree with the judiciary police press release and think that the information should not have been disclosed, even by way of official press release. Others think it's possible to interpret the visit by the British ambassador as a form of British government intervention, which may not be impartial. Is it usual for them to get involved with cases of this kind or is it specific to this case, and why? Only they hold the answer.

Until now, the results have hardly been conclusive. New means - in all other investigations, they would already have been put in place - must be deployed.

- Why not monitor and tap the phones of the parents and friends? Their statements are far from convincing. The story about the window is unsound, and Jane's witness statement is not convincing either.

- In that way new details could be obtained.

- We have already discussed it. That would be ideal...Only, we have to get the judge to give us authorisation with the scant details we have at our disposal.

And if the parents get wind of it, we risk having the sky fall on our heads.

- In a kidnapping case with a ransom demand, that procedure would be normal, at least for the monitoring of the parents' phone calls.

- That's for certain, but in our case, that comes back to practically accusing them. Further, we don't even know if there's been a crime.

- Yes, I am well aware, but I insist. This would allow them to be ruled out.

The questions raised are relevant. Telephone taps would also allow unfounded suspicions to be destroyed. In our legal system, that procedure is only used with the sole purpose of gathering evidence.

At this stage of the investigation, it's very tricky for us to express our doubts as to the sincerity of the parents and their friends.

On May 4th, the parents authorise us to check the phone calls logged on their mobile.

- Here's a copy of the summary of calls.
- I only have that of the couple. We have yet to receive the summary from BTS\* (\*)
- OK, what have we got?
- Do you see what I see?
- Yes, I think so: between April 27th and May 4th, Kate did not make any calls. Hum...
- None either, between 11.22am and 11.17pm on the night of the disappearance.
- Kate mustn't like making telephone calls...
- For Gerald, there's nothing before May 4th at exactly 12.15am
- What does that mean? They never made phone calls then?
- Wait, there's something here. Look at the number at the top of the list.
- Yes, so?
- On her telephone, her husbands' number is logged: she called him on May 3rd at 11.17pm, but on Gerald's, nothing, no trace of that call!
- How can that be explained?
- It's simple as anything: the list of calls has been deleted.
- Always the same old question: why?

Summing up: the first phone calls were exchanged one hour after the disappearance. It could be imagined that in that lapse of time, they were busy looking for their daughter. Nevertheless, it's astonishing that they didn't need to speak to each other at such a difficult time.

Later I learn that the English secret service had already placed the couple under telephone surveillance.

If that's true, the Portuguese police were never informed.

(\* *Base Transceiver Station of mobile phone operators*)

## THE POLISH TRAIL LEADS TO AN IMPASSE

Sunday May 6<sup>th</sup>

Meeting room. Seventy-two hours have gone by since the disappearance. We are going through a difficult time: in spite of the searches carried out on the ground and the considerable means deployed, we haven't found Madeleine. The day gets off to a difficult start with bad news from Poland. From all accounts, the police badly interpreted our request for collaboration; all they did was approach the couple and verify that Madeleine was not with them, but didn't seize either their photographic equipment or the photos taken during their holiday. Another lead that remains pending. Perhaps it would have led to the discovery of a paedophile ring.

We are seeking to piece together the couple's itinerary, to find out if anyone noticed them in the vicinity of Praia da Luz, to establish any relationship between them and Maddie's disappearance. We circulate a photo - which we obtained thanks to a surveillance camera in a Lisbon shopping mall - amongst holiday-makers, clients and employees of Praia da Luz restaurants. Fruitlessly. Nobody saw them.

On the other hand, employees of the restaurant they usually went to, in the Burgau-Budens area, remember them: the woman was usually in a bad mood, and both wore clothes totally inappropriate to the place and the time of year. The forensic police won't be able to investigate their hire vehicle, which we managed to locate, because it has already been rented out again. All that's left to us is to find the bin in which the cleaning team dumped the rubbish left in the vehicle. Analyses of the rubbish reveals nothing. Fortunately, no one else has yet occupied the apartment the couple stayed in - it's low season. We go ahead with a thorough search, looking for evidence of a child's presence: shoe prints, fingerprints or footprints. Nothing. We then gather various hair samples - doubtless coming from adults - and notice drops of blood on a kitchen unit. Nothing conclusive. It's probably from an everyday domestic accident.

In the course of a meeting, I ask the director what follow-up to bring to this case, now that the person who took the photos knows he is being sought. The director gives a common sense response.

- It's unfortunate, of course. However, they were never seen in Praia da Luz, much less close to the apartment...The father of the little girl in Sagres was wearing spectacles and we aren't 100% sure of the accuracy of his description.

- Yes, but he took photos of the car. Yet again, it could quite well belong to someone else, but...

- If, in the course of the investigation, there are update details on this lead, we will request a derogatory letter and we will go to Poland to interview them and conduct a search of their apartment.

We doubt that a derogatory letter would be of any use to us. The way this lead was handled makes us think not, but we can't hold it against the Polish police, who collaborated as well as they could.

We refocus our efforts on other leads. Information on more individuals behaving suspiciously continues to flood in.

IN THE REAL WORLD

***"The child, [.....] shall, wherever possible, grow up in the care and under the responsibility of his parents, and, in any case, in an atmosphere of affection and of moral and material security;"***

United Nations Declaration of The Rights of The Child, 1959

## Chapter 4

### THE REAL VICTIM IS THE MISSING CHILD

In a criminal investigation, knowledge of the victim is essential. A physical description is not enough. Her personality, her habits, other interests, her family background and her friendships allow a better understanding of the conditions in which the crime was committed. Knowing about her actions and her movements before her disappearance or her death also helps to determine the motive for the crime. The work is made easier when it's about an adult person with real life experience. When the victim is a child, the information becomes more piecemeal, and it's not easy to define a still evolving personality. All the information about her comes from her parents, her family, their friends, employees, neighbours and sometimes educators. It's not her actions that speak for her, but other people.

According to statistics, including Great Britain, parents and close relatives are involved in the majority of cases of missing children. Certainly that does not constitute proof. A common sense rule, however, says doubt their word, without this meaning that they are to be considered as suspects. The information they provide must be cross-checked against other witness statements, in order to evaluate their veracity and credibility. The public in general, deeply touched by the misfortune that has befallen the family - they can all easily imagine the anxiety and pain that a mother or a father must feel in such a situation - take their side right away. The investigator, however, cannot lose sight of his objectives. He has to devote all his efforts to the discovery of the truth in order to bring justice to the only true victim: the child.

### DISAPPEARANCE AND CRIME

In disappearance cases, the first hypothesis to be considered is that of a voluntary departure. An appeal for witnesses, accompanied by a detailed description, is then issued. Searches are organised immediately, mobilising all the available resources: police forces, civil population, sniffer dogs, announcements in the media... In parallel, the investigator must not rule out the possibility of a crime. The three basic questions to which he must find answers are as follows: what happened? where did it happen? why?

Every place likely to be the crime scene, is gone over with a fine-tooth comb. Searches and inspections are undertaken to gather evidence. Meanwhile, family background, relationship with the parents, neighbours.

friends, school mates and teachers are the object of an extensive investigation.

The victim's personality too: her habits, the games she went in for, illnesses she suffered from, all information about her might turn out to be important later on. The objective of these investigations is to make sure that the child has not been abused either physically or emotionally and that she led a normal, happy life.

#### WHO IS MADELEINE BETH McCANN?

Other than her name and date of birth, the appeal for witnesses launched in the media to find Madeleine Beth McCann mentioned the following description: blonde hair, blue-green eyes, approximately 90 centimetres tall, nearly four years old, dressed in white and pink pyjamas at the time of her disappearance. Certain details - as, for example, the fact that she had bare feet - were not communicated to the public, because this allows us, later on, to validate or rule out certain witness statements.

In the course of the investigation, new details came to enrich what we knew about Madeleine. We knew that she was wanted by her parents, who had recourse to artificial insemination. She clearly led a quiet life, like most little girls of her age. No witness statement, no detail led us to imagine that she had been ill-treated. A child psychiatrist explains that there is a huge difference between wanting a child and later raising the child. Having been wanted doesn't necessarily mean being loved and happy. It is quite possible that a baby, eagerly awaited by the parents, later becomes a responsibility that the latter do not manage to assume. Consequently, the child becomes unwanted. In the course of one of her many interviews, Kate, the mother, referred to situations where the little girl seemed to represent an inconvenience: it was difficult for her to carry out everyday household tasks and even to cook, because she often had to carry her around. It was a relief when her husband returned in the evening. If Kate was experiencing difficulties when she only had Madeleine, it can be imagined that they increased tenfold after the birth of the twins. Having had to face up to these new responsibilities, without much help, and set aside her career to fulfill her role as mother, it can be accepted that she arrived on holiday emotionally exhausted. Kate stated having had a bad feeling before leaving England.

#### MADELEINE'S HOLIDAY

The holidays finally arrive: run on the beach, play tennis, relax with friends...For the parents, this diversion is certainly well earned.

Madeleine's holiday progresses normally: she divides her time between the play centre, where she participates in activities and games, and moments in the company of her parents and the twins. The Portuguese police are astonished that the parents entrust their children to the play leaders from morning till night. In fact, the father - or the mother - drops them off at 9 in the morning and picks them up at around 12.30 for lunch together. Towards 3 o'clock, the children return to their respective play centre where they stay until 5.30pm. The leaders who dealt with Madeleine explained to us that English people consider this way of doing things completely normal. They also helped us to improve our description of Madeleine's personality, seeing her as an active and sociable child, who loved her brother and sister very much, always excited as soon as she saw them coming, and very attached to her father. Other leaders described her for us as a reserved, happy and calm little girl. She was very pretty, but what rather distinguished her from children of her own age was her reserve and shyness.

On the fateful day of May 3rd, the attendance register at the play centre indicates that Madeleine arrived at 9.10, accompanied by her father. Her mother came to fetch her at 12.25 for lunch and took her back at 2 o'clock. After jogging on the beach and going to fetch the twins, she collected Maddie at 5.30pm. From that moment on, no other person saw the little girl, apart from her parents and their friends. What happened then in the apartment remains a mystery.

#### MADELEINE SLEEPS BADLY

One of the police officers who went to the McCanns' home in England, reported that a medical monitoring chart for Madeleine was posted in the kitchen. This referred to her sleep problems and made clear that she was waking several times in the night. The paternal grandfather stated that Kate gave the little girl - and also the twins - Calpol, a medication designed to facilitate falling asleep. That seems to be a common practice in Great Britain; they even talk about a "Calpol generation." In recent years, the possible presence of an antihistamine with sedative effects in Calpol has aroused great controversy. Recently, the same laboratory put Calpol Night on the market, whose ingredients clearly list that it contains an antihistamine.

The mother admits having taken some to Portugal. She insists though that there is no calming effect, its being composed solely of paracetamol, and that she did not give any of it to her daughter during the holiday.

At the time of her disappearance, Madeleine was sleeping in the same room as the twins. The latter, in spite of the noise, the mother's screaming and the comings and goings, did not wake up, as if they had been given sedatives. Would there not be a link between that difficulty in falling asleep and Madeleine's tragic end?

Blood markers on the wall behind the sofa.

Other than her sleep problems, it is possible that Madeleine suffered from an illness, a hypothesis that was never confirmed. Immediately after the discovery of traces of blood in the apartment, the mother, in the course of an interview with a Portuguese magazine, revealed that Madeleine had had a nose bleed. But the bleeding could be associated with certain pathologies.

Her parents have always insisted that Madeleine was in good health. The medical files, requested several times from Great Britain were never sent to us. These could have been deciding factors. Why didn't we have access to them? We never knew the truth of the matter. It's deplorable that the British legal system could be quite so uncooperative in this type of situation. In the course of the investigation, a doctor pointed out to us that Madeleine had a mark in her eye, described by some as a coloboma of the iris, which can be associated with other disorders, for example cardiac insufficiency. In spite of repeated requests to the British Medical Association, we were never able to confirm that hypothesis, a simple photo not being sufficient to establish a medical diagnosis.

## Chapter 5

### THE DAYS THAT FOLLOWED

Seventy-two hours have gone by. All those involved in the investigation are feeling a deep sense of frustration. But it's not a question of throwing in the towel. We need to bring new motivation to the teams and keep the investigation going at the same pace.

### THE ARRIVAL OF THE ENGLISH POLICE

On Monday May 7th, we start to welcome our English colleagues from Leicestershire, the county where Madeleine and her parents live.

When we requested the collaboration of the English police, our request was passed on, according to practice, via the liaison officer of SOCA\* We had thought that a case of abduction was within the jurisdiction of Scotland Yard, who are much more experienced than others in the fight against violent crime. We learned that in Great Britain, investigations are consigned to the region where the victim resides. Nevertheless, Scotland Yard will intervene later on.

(\* *Serious Organised Crime Agency*)

### FIRST LEADS

In the Zavial area, a few kilometres from Vila da Luz, there lives a 46 year-old British citizen, who is suspected of paedophilia by his neighbours. The English police inform us that he doesn't have a record and that he is not on file. In Portugal too, there are no complaints registered against him. He has not been seen hanging about in the areas of Vila da Luz or the beach. The lead goes nowhere.

Research on thefts committed in the area before Madeleine's disappearance leads us to the prison in Portimão. A young man is incarcerated there following a series of thefts in the region. He turns out to be very reticent, and the team sent to question him do not obtain any useful information. Nevertheless, we have to continue research in that direction. At this stage of the investigation, the track of a burglary gone wrong cannot be excluded.

Tuesday May 8th, 5pm, Vila da Luz

The white van seen near the Ocean Club, driven by an individual who looked like a tramp, ends up being identified. It belongs to a British music teacher, aged 56, who is spending his holiday playing the guitar and collecting money on the beach or in the streets of Vila da Luz.

It's certainly him that Gerald McCann passed on the promenade on the day he bought an ice cream for Madeleine. It's also he who was seen near apartment 5A in the vehicle that serves him as living space.

The follow-up investigation totally rules him out.

Tuesday May 8th, 11.45pm, Ocean Club blocks 4 and 5

In the hope of retracing the path that Madeleine might have taken on the night of May 3rd, we set up a search operation, bringing sniffer dogs in from Lisbon from the National Republican Guard. An identical operation had already taken place on the same night as the disappearance with dogs from the local police.

The idea is to start from apartment 5A and to follow all the roads that lead from accommodation blocks 5 and 4. From the start we are aware of the limits of this approach. In fact, the GNR dogs are essentially trained for searching in a rural environment; in addition, the persistence of bodily odours diminishes after 48 hours.

We get them to sniff a towel which, according to Kate, was used to dry Madeleine after her bath. When the dogs finish going along block 5, when, logically, they should have been heading for block 4, they suddenly turn to the left. They then follow the path at the back that separates the apartments from the leisure area. They go quite a long way in that direction. Even if the reaction of the two dogs coincides, the trainers cannot draw any definite conclusions: in fact, it's already been more than two days since the disappearance. What they can state with certainty, is that Madeleine went along there, without being able to pinpoint the date. Gerald McCann confirms this claim: he took that same route with Madeleine a few days earlier.

## MADELEINE IS SPOTTED ALL OVER THE WORLD

From the moment Madeleine's photo is circulated in the media, her presence is reported to us from all over the place. In Portugal first of all, then in Spain and in Morocco, then all over Europe and even in Latin America, like a circle getting a bit wider every day, whose centre is Vila da Luz.

Almost simultaneously, she is in Zurich and on the corner of a Rio de Janeiro street...Faced with this tidal wave, rules have to be established, because it's impossible for us to check everything. So, the local police have to check the veracity of the witness statements and take all necessary measures: viewing CCTV images, lifting fingerprints, DNA profiles...From May 11th the Moroccan saga gets going.

A Norwegian woman who lives in the south of Spain allegedly recognised Madeleine in a service station in Marrakesh. From then on, the greatest number of witness statements come to us from Morocco and, bizarrely, each time someone states that they saw Madeleine, she is always in pyjamas with bare feet.

#### THE LITTLE MOROCCAN GIRL



Leaping forward in time and in the chronology of the investigation, we come to the end of September, a few days after the McCanns' return to Great Britain. Repeated statements from clan McCann, who are not budging from the Moroccan trail - will we ever know why? - encourage a young Spanish woman to examine more closely photos she had taken during her holiday in Morocco. Before leaving, she had not been aware, she said, of this Moroccan lead. In one of her photos, taken from a vehicle, a North African family is seen, walking along a road. A woman is carrying a little girl on her back: it can only be Madeleine. Someone tells me about this witness statement and wants to know what I think.

I have obviously still not seen the photo and even so I respond, convinced: "Unfortunately, it's got to be a mistake."

We ask the chief of Leicestershire police, Stuart Prior, where he is up to with it. He explains that the English police, after having seen the photo, immediately submitted it to the McCanns, asking them if they recognised their daughter. To which they replied with a, "perhaps." Incomprehensible to say the least. We are shocked by the behaviour of the English, who took that initiative, without consulting us, us, the people responsible for the investigation, which is all the more ludicrous given that the McCanns were already considered as suspects.

That way of doing things disrupts the strategy adopted for the investigation, which the Portuguese and English police agreed on.

It's only in the morning papers the following day, that I get to see the photo. There is a group of people, obviously Moroccan, with a woman whose clothes practically cover her from head to foot. She is carrying a blonde child on her back. Those who thought this photo constituted an important lead were missing an important detail: this woman's face - it was plain to see - was white; perhaps she was dressed like that for protection from the sun.

So, the little girl could well be hers. This will be confirmed later on: the mother, of European origin, is married to a Moroccan. Once again, it's wasn't Maddie...Another false hope.

Saturday May 12th, Vila da Luz

The individual seen in the gardens of the Ocean Club on Wednesday May 2nd, not far from apartment 5A is identified: he's a 53 year-old British gardener who has worked a few times for Robert Murat's family's gardening company. The searches carried out in his home and his car produced nothing. Further, his presence on the premises was perfectly justified and there is nothing linking him to Madeleine, whichever way you look at it.

We learn, by chance, that the McCanns are beginning to use their connections and that on May 23rd, they allegedly made contact with the future British Prime Minister, Gordon Brown. We are convinced that the investigation is going to suffer all sorts of pressure and that Madeleine's disappearance will be treated as a political problem, at least in Great Britain.

In spite of our having hundreds of pieces of information in our possession, we begin to realise that there is still some missing. At this time, everybody is aware of the theory of abduction. Residents and tourists present in Vila da Luz on the night of May 3rd have heard about this stranger who was allegedly seen, going around the streets, with a child in his arms. It wasn't ruled out that the man could be a local, quietly going home, carrying his sleeping child. On May 25th, then, we launched an appeal in the media: anyone having seen an individual corresponding to the description given by Jane Tanner should contact us. No one responded.

When Robert Murat is placed under investigation, we review the press photos taken just after Madeleine's disappearance: we want to check what he was wearing and with whom he was in contact . On the morning of May 4th, Murat is seen near some GNR members in the company of two individuals of English nationality - as we find out later -, one of them being of Asian origin. Ocean Club tourists probably. We also examine the photos taken by the McCanns during their holiday. In one of them, Gerald McCann is seen playing with his children in the Tapas restaurant play area. In the background, you can make out an Asian-looking man, the same one as was seen in Robert Murat's company. He seems to be observing the family. We then proceed to identify him and the other holiday-makers that Murat had been in contact with. We get this information to the English police, who interview them locally. They conclude that they weren't involved in Madeleine's disappearance. In fact, the man in the photo was with his daughter - and there was nothing suspicious about his behaviour; as for the others, they had met Murat during the searches organised to find Madeleine. A few days later, these photos will be published in an English newspaper: it is not known how they were obtained or for what purpose they were disclosed. One of the Ocean Club tourists states having heard Gerald McCann saying on the telephone that there were paedophile networks in Portugal, and that it was they who were responsible for Madeleine's abduction.

Absolutely astonishing! Just a few hours after his daughter's disappearance, the father already knows who is guilty!

#### RECONSTRUCTION OR NOT?

In mid-May, we had already submitted the McCanns' group of nine friends to a second round of interviews. In spite of its importance, - too upset seemingly to countenance the exercise - Kate Healy's was left until later. In view of the number of inconsistencies raised by cross-checking the statements, we are thinking of going ahead with a reconstruction. This is a routine procedure, above all when contradictory details pile up. Most of the time, it helps to make rapid headway with the investigation. By placing the various players in the drama - in this case the group of friends, employees of the restaurant, play leaders and other witnesses - into a situation that is identical to what they experienced, differences between the versions become obvious. When an improbability is noticed, the protagonists must then explain immediately.

The reconstruction was never to take place. The reasons put forward to justify that decision - in spite of opinions to the contrary - are multiple. There are lots of holiday-makers at this time and sealing off the perimeter would ruin their stay; the airspace would have to be closed; the hotel complex would be overrun with hordes of journalists; people might think that the parents and their friends were suspects and, of course, the field mustn't be left open for that kind of deliberation. For all that, a more discreet reconstruction, even partial, with only the couple present, might provide useful information. No a priori judgment is implied, quite the contrary. It's quite simply the co-operation that we have the right to expect on the part of parents faced with such a situation.

I am convinced that there is still a need for a reconstruction, whatever form it takes. The staging of the events of May 3rd from the details gathered from numerous witness statements would help to revive memories. It is difficult to understand why that is not possible

#### AN ATTEMPTED EXTORTION AND AN UNCONCERNED FATHER

On June 14th, the parents are contacted by a stranger who states that he is in possession of information about Madeleine's whereabouts. Following the advice of the investigators, the McCanns set up an email address in order to maintain contact more easily and to better evaluate the reliability of the source. In the course of exchanges, the stranger demands 2 million Euros, of which an advance of 500,000 Euros must be sent to a person of his acquaintance in The Netherlands.

A derogatory letter is obtained. The Dutch courts and police are asked for assistance in locating and identifying the individual. The McCanns are anxious and impatient; they think the emails sent are credible and they respond very quickly. They lived in The Netherlands with Madeleine before the birth of the twins. Would someone they knew there have kidnapped their little girl to obtain a ransom? Kate and Gerald are convinced they are going to succeed, thanks to this lead, in finding Madeleine. But that conviction will not last long, as we will find out later.

Informed of these mails, the Portuguese PJ, acting in agreement with the English and Dutch police, engage in negotiations by email with the informant. The police advise Gerald McCann on how to act in order to obtain the maximum information. If the lead turned out to be credible, Madeleine might be freed and her abductors captured.

One day, we were all together at the PJ in Portimão - inspectors and negotiators, members of Scotland Yard and the Leicestershire police -

waiting for a contact to define the place and the conditions for the handing over of the money in Holland; when the tension was at its height and we were all holding our breath, Gerald McCann displayed a nonchalance that surprised all of the police officers present, including the English. The atmosphere got heavier as the waiting drew out, but McCann, relaxed, was reading trivia on the internet and discussing rugby and football with the English police, while licking a lollipop.

On the telephone, he laughed with friends who called him. Perhaps this was nervousness; sometimes it's totally displaced, given what is at stake at the time. His attitude shocked. When, two days later the dutch police informed us that the individual had been arrested, that he was not holding any information and had lied from start to finish with the sole objective of extorting money from the couple, we were not surprised.

Did Gerald McCann know that this lead would take us to a dead end? Is that the reason he appeared to be so nonchalant? Or was it due to the coldness that he never lost throughout the investigation - an attitude that made one of the English police officers say: "Don't forget he's a heart surgeon and he cuts people open before breakfast. "

## Chapter 6

### THE ARRIVAL OF THE ENGLISH POLICE

After Madeleine's disappearance, the first English police officer whom we welcome to the Portimão Department of Criminal Investigation, on May 5th, is Glen Power, liaison officer to Portugal. The brief of this police official attached to his country's embassy is to facilitate communication between police forces. This is one of a number of pivots on which international police collaboration relies.

I have known Glen Power for a long time. Martin Cox, who had held the job in Portugal for some years, came to the Algarve with Glen when the latter replaced him. I had worked with Glen on several cases of violent crime or linked to organised crime; I was aware of his skills, his great capacity for work, his kindness and his modesty. Our relationship went beyond that of a simple professional connection. I was a bit worried when he told me that he wouldn't be around a few days later. He had a lot to do. He wanted to reassure me by telling me that the language of investigation was universal and that his colleagues would have no difficulty in integrating into the ongoing investigation. No doubt, but personalities are important, as is the information committed to memory, knowledge of the details, the cross-checks that allow us to be responsive to the slightest indications. It's for that reason that, in general, the make-up of the team remains the same from start to finish of an investigation.

Two days later, English colleagues begin to arrive. The main idea was for the English police to place at our disposal two specialists in family supervision and support to be the link between the Portuguese investigators and the McCanns. The National Directorate of the PJ had authorised the arrival of these police officers in the context of international collaboration. Bob Small, an officer from the Leicestershire police, and one of his colleagues meet us to take stock of the situation and evaluate the needs of the investigation before making contact with the couple.

We insist on knowing what our English counterparts have come to Portugal to do. I assign one of my investigators to follow the English superintendent like a shadow and to keep me informed about his actions. I want to be informed of everything he learns, the names of the people he meets and the places he goes to.

Then the two police officers arrive who are assigned to psychological support and communication with the family. Little by little, the number of English police officers grows exponentially. We place at their disposal a room next to our crisis unit, *Task Portugal*. These are specialists from various police services, including Scotland Yard. Special surveillance teams as well as information and telecommunications technicians turn up with their laptops and various high-tech equipment. Others will come to join us, notably profilers: they will develop a profile of the alleged abductor from which a number of possible scenarios will be constructed. The analysts trace time-lines and patterns of connections based on the witness statements gathered. They produce giant summary boards that cover the walls of the offices. They attend all our meetings and collaborate in decision-making. They are the intermediary through which requests for information are sent to Great Britain, and it is they who receive the responses and enquiries.

On May 14th, Kate Healy is indignant about the attitude of the liaison officer, who asks her where her daughter is. Neither she nor her husband accepts anyone doubting their word. The officer will be sent packing - and his colleague too - a week after his arrival. That attitude is, to say the least, shocking on the part of parents confronted by such a situation, that, what is more, is in a foreign country. Those two police officers, who distinguished themselves through long experience in the management of situations of kidnap and abduction, had been, all the same, entirely at their disposal; they provided daily logistical and legal support, and afforded them all the help they could have needed.

Curiously, the English do not consider it expedient to disclose the incident and the PJ are not informed. Myself, I only learn of it indirectly. Finally, a solution is found quickly: the two men are replaced by a Portuguese man who speaks fluent English.

During this time, the Leicestershire police continue to receive a considerable number of enquiries that they have trouble sorting and analysing. On May 15th, inspector Ricardo Paiva is sent as reinforcement to the English, who, he says, welcome him warmly and feed him on tea and cakes. Most of the bits of information received from all over the world are of no interest; so, there is no reason for follow-up. People allegedly recognise Madeleine or claim to know exactly where she is; seers, clairvoyants send very confused messages to the police, some well-intentioned, others less so... Rapidly, the sophisticated computer system for managing calls is overloaded.

So much effort and so much money spent financing the appeals in the press for witnesses leaves us wondering; we are not convinced of the expediency of this method that consists of requesting help from the population to resolve a case.

On Tuesday June 12th, Bob Small and Chris Eyre, head of the Leicestershire area police, go to Faro for a meeting, which Guilhermino Encarnação, Luis Neves and myself also attend. We need to make a point about cooperation between police forces and set out the latest requirements. Everything seems to go well. We are aware of the incident between Kate and the liaison officers, but it is not brought up. We have the impression that the politically correct hypothesis of abduction is still favoured, but that other possibilities are not being ruled out.

As time went by, we noticed that a certain number of the police officers sent to Portugal were poorly informed about the progress of the investigation. One of them who - like the majority - was coming to Portugal for the first time, was wearing a green and yellow rubber wrist band, bought for £2, which he played with nervously. The inscription read, "Look for Madeleine." Some of his colleagues told him that he would soon get rid of it. As a matter of fact, he took it off as soon as he got properly into the investigation and he had learned about the evidence placing doubt on the theory of abduction.

## SUSPICIOUS BEHAVIOUR AND CONTRADICTIONS

### THE MURAT CASE

On May 10th, the crisis unit's meeting goes on until 2'oclock in the morning.

I receive a phone call from Sofia, who insists on my going home: our Shitzu dog is dead. She found it that morning, lifeless on the ground, with a head injury. She did everything to make sure the girls did not see it, but she didn't have the courage to remove him. When I arrive, everyone is already in bed. I place the Shitzu in a plastic bag, not sure about where I am going to be able to bury him. The ground is hard here. it's not easy to dig a hole and I hardly have the time for it. I decide to drop his remains into a bin. The animal is small, but he seems to weigh more than usual. I use my car to take her. As I am getting rid of it, I realise just how easy it is to hide a body - and how difficult it is to bury....When I get back, I discuss it with Sofia: she is afraid. She asks me to abandon the investigation and to worry about our daughters rather than other people's. For her, the dog's death is a bad omen. I reply that she is unfair, that her fears are irrational. Justice must be done for Madeleine, as for all other children and adults. It's my duty as a police officer: to seek the truth so that justice may be done.

At around 8 o'clock that morning, I drive towards Portimão. I could drive with my eyes closed; this helps me to focus on the latest developments in the investigation. All I notice is the impasse we find ourselves in. I have the impression that we are chasing a ghost. The previous night, we had reviewed Jane Tanner's witness statement in detail: the individual whom she saw parading around in the open street with a child he had just abducted seems less and less credible to us.

- And where would he go then? If, as we have assumed, he didn't have a vehicle, he must have hidden in an apartment in the area.

- On the route he took, there are several apartment blocks and two houses. They were all searched on May 5th, but nothing was found.

- A thorough search?

- More than 500 apartments were visited that day; in those conditions, only a general examination can be conducted, except where something seems suspicious.

The houses in the area have gardens, swimming pools, numerous hiding places that are not easily spotted during a first visit.

Instead of taking the exit road for Portimão, I continue my journey on the motorway. I need to reconstruct the individual's path. If he had planned his crime, he probably wouldn't have taken this direction.

And if, on the other hand, he hadn't planned it? I need to work it out for myself.

In Vilada Luz, I park my car below the apartment blocks. Journalists are on the lookout around the apartment; fortunately, they don't see me. I walk the same route that the stranger must have taken. I arrive in front of a house with a neglected garden. Inside, there are two parked cars, whose registration numbers I note down. I communicate the numbers to the police in Portimão and wait there for the result of the check. After a few minutes, a green vehicle, driven by an individual wearing glasses, stops in front of the entrance to the house. The driver goes in quickly. His face is familiar to me but I don't know who he is. I notice a child's seat inside the car. The man comes back out a little later, supporting an elderly lady whom he accompanies towards the area of the swimming pools and the Tapas restaurant. They cross a park where a few buildings have been erected. Madeleine's parents took this route to take their children to the play centre, near the main reception area of the hotel complex. Since the start of the investigation, a team has been permanently on the premises and an apartment has been placed at their disposal. I am about to make enquiries of the police officer on duty when the individual comes back from his walk and greets him as he passes.

- You know that man?

- Yes, he presented himself to the GNR on Friday morning and offered his services as an interpreter. He is of English origin but speaks good Portuguese. He's called Robert Murat.

As the law demands, all foreign people interviewed by the police must have the benefit of an interpreter. In this investigation, the considerable number of interviews we had to conduct in record time forced us to call on the services of volunteers.

- And this guy, you checked him out? No criminal record or trouble with the law?

- No, no, it's all OK, but I didn't know he lived here. It's true that his house is on the route taken by the abductor.

- Stay here, carry on being friendly with him; I'm going to Portimão to see what we've got on him: we've got to find out more about this guy.

I immediately telephone the team to alert them. The Director of the Department of Criminal Investigation in Faro will have to be involved in a meeting this morning, where we will discuss the case of Robert Murat.

We decide to request the latter's help again in order not to lose sight of him. We must act with the utmost speed, because Madeleine could be in one of the houses he has access to. The investigators continue to check the information we have about him. He is English, aged 33 and is separated from his wife.

The latter lives in Great Britain with their daughter who is nearly the same age as Madeleine and looks like her. The English journalist to whom he gave this information during an interview was immediately distrusting of him and the reasons that motivated him to help the police. Murat has lived with his mother in Vila da Luz for several years, but he goes to England regularly. Back from his last stay in Exeter on May 1st, he has to return there on the 9th. He is ready to postpone his departure, desirous above all, he states, of helping the police to find Madeleine.

His behaviour starts to seriously intrigue us. He often makes reference to similar cases that happened in the United Kingdom and which he seems to know in detail. He displays suspicious curiosity and seeks to know more. He offers to help us identify possible suspects. He knows the workings of the Ocean Club and the habits of the holiday-makers very well. He even, allegedly, tried secretly to access the investigation files. It is also known that he visits web sites of a pornographic nature.

His mother has set up a desk near the Tapas restaurant in order to gather and give out information about Madeleine. We don't know if this woman's actions are philanthropic in nature, or if she is hoping to keep well-informed of all the information circulating about the case. Members of the British agency CEOP (Child Exploitation and Online Protection Centre), take a close interest in Murat and work to develop his psychological profile.

If it's him that's holding Madeleine, we must monitor all his contacts and places he has access to. His house is therefore being closely watched.

Technicians arrive from Great Britain with sophisticated equipment, capable of detecting the presence of people inside a building.

Unfortunately, the characteristics of the building make this computer application impossible. So, we get on with the investigations and conventional tailing. This is how we discover his relationship with a married woman of German origin, Michaela Walczuch. She is 32 and works as an estate agent. She is the wife of Luis Antonio, a Portuguese man aged 33, a technician responsible for the maintenance of swimming pools. The couple have an 8 year-old daughter and live in Faro. The relationship is strange. Michaela is still living with her spouse, and Robert visits them as if it's no big deal. All of them seem happy with this situation. And the little girl? What does she think about it?

On May 12th, the suspect rents a car, in which he drives kilometres over rough tracks for basic essentials. He explains later: that day, his mother had needed his car for her information desk. We are assuming that he noticed he was being followed.

We then decide to search his residence and the vehicles he uses. During the night of May 13th, the Prosecutor of the Republic and the judge go to the court in Portimão, where, in view of the growing suspicion and the urgency of the situation, a search warrant is issued to them.

#### JANE TANNER FORMALLY RECOGNISES ROBERT MURAT

Before the search, we want to assure ourselves that Jane Tanner recognises him as the individual she saw on the night of the disappearance. She is sitting inside an unmarked car, whose tinted windows allow her to see out without being spotted. The vehicle is parked at the exact spot where she was on the night of May 3rd. Robert Murat, anonymous amongst plain clothes police officers, goes up the road in the same way as the alleged abductor. Jane Tanner is adamant: it certainly is Robert Murat that she saw that night. She definitely recognises his way of walking. But does he resemble the description she painted previously?

The investigator, with whom Murat is on friendly terms, is with him in a bar until 2 o'clock in the morning. We are not about to relax surveillance. As soon as he gets home, police officers are stationed around his house in order to monitor all entrances. The crisis unit is buzzing; the teams are preparing for the search. It will be carried out at 7am - the legally designated time -, when the journalists are not yet on the streets. The operation is kept secret. We request reinforcements from the GNR.

For the moment, we have no evidence against Murat, only suspicions. If we had been certain that Madeleine was in the house, we wouldn't have had to wait for daylight to intervene. Scenes of crime specialists accompany us in the search for evidence. Outside, two rainwater recovery tanks are explored with the help of divers. We pack up a few items of clothing to send to a laboratory that will carry out the search for fibres, hair, traces of blood that possibly came from Maddie. The cars are also gone over with a fine tooth comb. Laptops are seized and their contents examined by specialists. We find a cutting from a British newspaper, dated 23rd September 2006, that refers to a case of paedophilia.

## THE FIRST SUSPECT

Robert Murat is placed under investigation and interviewed at the offices of the police in Portimão from 10am. He does not wish for the presence of a lawyer. He is the first suspect who will be declared *arguido*. As such, he benefits from certain rights, one of them being to remain silent. But he does not assert that right and responds to all questions put to him. Despite obvious nervousness, his statements are clear and precise.

We ask about the reasons for his arrival in Vila da Luz on May 1st, four days after the McCanns' - the hypothesis of planned abduction is considered. Murat could have entrusted the observation to an accomplice, who would have chosen Madeleine and observed the parents' habits as well as their pattern of monitoring the children.

We want to know more about his circle of friends and the places they frequent. During the evening of the disappearance, he remembers having heard a siren shortly after 10.30pm. He was then in the kitchen with his mother. The next morning at around 9 o'clock, he asked a passer-by what had happened, and that was how he learned about Madeleine's disappearance. He then decided to go and offer his help.

All Murat's statements are immediately checked. We check the places he says he went to with Michaela, looking for CCTV cameras or witnesses able to describe the clothes he was wearing that day. We would like to compare them with the description provided by Jane Tanner.

We ask him about a telephone call intercepted after the announcement of the disappearance. His response is very vague. We know that towards 11.30pm, Michaela phoned Murat. Then, he called a certain Sergey Malinka, and straight afterwards, Michaela. We will never know the content of these conversations; no one will give us plausible explanations.

The answers are evasive: "I can't remember now," or "that was about the web site for the estate agency." Sergey Malinka is Russian, aged 23. He works in computers and lives with his parents in Vila da Luz, 300 metres from the Ocean Club. His mother, a housewife, is employed by a cleaning company that does certain apartments for the club. He is seeing a young Portuguese woman, aged 33, mother of a teenager. The wife of one of his associates, of British origin, states that in 2006, he boasted about having had sexual relations with a minor, aged 14, and related how the father had surprised them; he allegedly stated that currently he maintains a relationship with an older woman and her daughter at the same time. Interviewed, he refuted these allegations: he claims that it's vengeance on the part of his associate, unhappy with the way their shared company worked out.

Murat and Michaela intend to open an estate agency together. They were looking for a computer engineer to build a web site and had thus met Sergey. It was to discuss this that they arranged a get-together near the Ocean Club on May 2nd. Luis Antonio was seen in the area. Was he watching his wife? That speculation is hardly credible since he seemed to accept his wife's relationship with Murat.

On May 14th, the home and vehicles belonging to Michaela and Luis Antonio are searched. The couple are interviewed in the afternoon. Michaela hints that she suspects her husband. Luis Antonio, as a person responsible for maintaining swimming pools, has access to a great number of hotel or private residences, spread throughout the Vila da Luz and Lagos area. Certain buildings are closed for a good part of the year, but in spring, the pools are prepared before the summer season. Searches are ordered of all the residences concerned, without success. No trace, anywhere, of Madeleine. We're back to square one.

The discovery of a key at Murat's house revives the hope of finally getting a lead. He tells us that it belongs to Michaela, and that it must have been dropped accidentally. Where was that key before it was found at his house? In Michaela's pocket? In her bag? We learn that it opens the door of a garage where Luis Antonio stores his maintenance products. A team is sent immediately to the part of Lagos where this garage is situated. The search proves as disappointing as the others. Nothing is found. Once again, no evidence of Madeleine's presence.

**FOR THE PROFILERS, MURAT IS THE GUILTY PARTY**

Since Murat's first interview, which they attended, the specialists have continued to refine the profile of the suspect. They have heard about the statement from one of his so-called childhood friends, who has a police record: according to him, Murat had an affirmed penchant for bestiality. He recounted his attempts at sexual relations with a cat and a dog, subsequently killed, he states, with cruelty. Moreover, he allegedly attempted to rape his 16 year-old cousin. This individual describes Murat as someone violent with behavioural problems, a sexual pervert, sadist, and misanthropist. We are somewhat sceptical. All the same, according to the English profilers, there is a 90% chance that he is the guilty party. That seems to us to be a bit too easy. We think that drawing conclusions based essentially on the statement of an ex-convict is rather dangerous.

The McCann family's friends seem to suddenly recover their memory: all - Rachael Mampilly, wife of Matthew Oldfield, Fiona Payne, wife of David Payne, and Russell O'Brien Jane Tanner's partner - recall having seen Murat on the night of May 3rd, shortly after the announcement of the disappearance, in the immediate vicinity of apartment 5A. Meanwhile, of course, Murat's picture has been shown on television and in certain newspapers. They themselves were in direct contact with him during the previous days. However, it is only on May 16th that they deliver this information to us. As for the officers of the National Guard who were on the spot, they didn't see him that night, only the next morning, when he came to offer his services as interpreter.

On July 11th at 10am, a confrontation is organised between the witnesses - Rachael Mampilly, Fiona Payne and Russell O'Brien - and Robert Murat. Nothing new comes out of it. The former persist in stating that the suspect was definitely in the area on the night of the disappearance. Murat denies the whole thing and even accuses them of lying. Each side stands its ground. The only positive aspect of this meeting: the McCanns' friends undertake to return to Portugal for the purpose of the investigation. That will not happen.

## Chapter 8

### A MAN WITH A CHILD IN HIS ARMS

May 3rd, around 9.27pm, Dolphin restaurant, Vila da Luz

The Smiths, from Ireland, are spending their holiday in Praia da Luz. After having dinner at the restaurant, they go to Kelly's bar, 50 metres away. They leave there at around 9.55pm to go back to their apartment in Estrela da Luz, west of the Ocean Club, 300 metres further on. They don't stay late because the next morning one of them has to go back to Ireland. It's a big family, of four adults and five children: the father, aged 58, retired, and his wife; their 12 year-old daughter; their two grandchildren aged 10 and 4 (their mother stayed in Ireland); their son accompanied by his wife - who is pregnant - and their two children aged 13 and 6.

*(For maps and diagrams of the route taken by the Smiths, see [The McCann Files](#). Link is headed, "The Smith's Sighting," roughly the 18th link in the menu on the left of the page.)*

They go in a northerly direction, the group spreading out; the children are never far away from the adults. There's nobody about. They climb a few steps to reach *25 de Abril* street, cross it and turn left into *1 de Maio* street, that runs along the west side of the Ocean Club. They haven't gone 30 metres when they come across a man walking up the middle of the road. He is carrying a child in his arms, head resting on his left shoulder. The Smiths don't see the face of the little girl, whose arms hang by her sides. She is dressed in pale-coloured, maybe pink, pyjamas; her feet are bare, she is white and she has blonde hair that covers her neck. The individual's appearance gives the impression that he is not a tourist. He is wearing cream-coloured or beige trousers, classic in style, perhaps linen or cotton. He is a white man, aged around 30 to 35, with no other distinguishing features: he is between 1.70m and 1.80m tall, is visibly in good physical condition; his brown hair is cut short, his face is tanned.

At this time, images of Robert Murat - considered to be the main suspect - begin to be circulated all over the world. After they return to Ireland, the Smiths continue to follow the case. They learn that, according to Jane Tanner's statements, Murat is definitely the man encountered on the night of the abduction. Mr Smith then gets in touch with the Irish police to relate what he saw on the night of May 3rd. He insists, categorically, that the man they came across with the little girl in his arms was not Robert Murat. He is sure of it because he knows him.

With hindsight, he is utterly convinced that the little girl was definitely Madeleine. We secretly organise for the Smiths to come to Portugal. On May 26th, in the offices of the Department of Criminal Investigation in Portimão, we interview the father and his son. What they say seems credible.

However, because of the dim street lighting, they say they would have a hard time formally recognising the man who was carrying the child. On the other hand, they describe very clearly how the man was holding the little girl and how he was walking. That scene is indelibly printed in their memory. After their interview, they go back to the scene, accompanied by investigators. They indicate the precise place where they came across the man.

Their coming to Portugal as well as their statements are kept secret. Within a few days, they go back to Ireland, but contact is maintained: they undertake to let us have any further details they remember. We finally have credible witness statements about that stranger who, on the night of May 3rd, was walking in the streets of Vila da Luz with a child in his arms.

## Chapter 9

### MAJORCA, SEPTEMBER 2005

Madeleine McCann is two and a half years old and the twins just a few months when they go on holiday to Majorca with their parents. Three couples and their children go with them: David and Fiona Payne with their one-year-old daughter (Fiona is pregnant with their second child); S. and T., with their two children aged 1 and 3; lastly, S.G. and K.G., who have a one and a half year old daughter, E. (K.G., is also expecting a child). The trip was organised by David Payne. The latter rented a villa big enough to accommodate all of them.

S.G. got to know Madeleine's mother at university in Dundee, between 1987 and 1992. K.G. met Gerry McCann for the first time at his wedding to Kate in 1998. They become good friends, see each other regularly, spend weekends together and phone each other often.

After dinner on the third or fourth evening in Majorca, the friends are all settled on the patio. They are having a drink and chatting when K.G. witnesses a scene which flabbergasts her and makes her fear for the safety of her daughter and the other children. She is sitting between Gerry McCann and David Payne when she hears the latter ask if she - probably Madeleine - did "that": he then puts a finger in his mouth and begins sucking it while putting it in and out - the sexual connotation is obvious - while with the other hand, he traces small circles around his nipple in an explicitly provocative way.

While K.G., stupefied, regards Gerry and David, an uneasy silences settles around the table. Then they all start chatting again as if it was nothing. K.G. starts to distrust the way David Payne relates to the little ones.

On another occasion, she sees David Payne making the same gestures while speaking about his own daughter. At this time, it's the fathers who give the children their baths, but K.G. no longer lets Payne near her daughter.

After the holiday, K.G. will only meet the Paynes on one occasion, and she will not speak to them. Over the next two years, relations between K.G., S.G. and the McCanns becomes distanced; they will only see each other now at children's birthday parties.

This witness statement from the couple, S.G. and K.G., is taken by the English police on May 16th, thirteen days after Madeleine's disappearance.

That information, very important for the progress of the investigation, was never sent to the Portuguese police. When the Portuguese investigators learn about similar events that allegedly took place during a holiday in Greece - without, however, obtaining reliable witness statements -, they tell the English police, who, even at this point, refrain from revealing what they know on the subject.

It will only be after my removal from the investigation, in October 2007, that this statement will finally be sent to the Portuguese police. Why did the British keep it secret for more than six months? It is all the more surprising that David Payne, who had planned the trip to Majorca - of whom it was known that his behaviour towards the children was, to say the least, questionable -, is the same person who organised the holiday to Portugal, that he is one of those closest to Madeleine and that he is the first friend of the family to have been seen with Kate McCann just after the disappearance (we will talk further about this). He was still present in Vila da Luz when the English police received that witness statement: why wasn't he interviewed immediately?

Without doubt, the Portuguese police could have made progress with the investigation thanks to that lead: such behaviour would merit close attention. Were we looking in the right direction?

Might we have established a link with the events of May 3rd? It is difficult to seriously doubt these witnesses.

## Chapter 10

### RETHINKING THE FACTS

May 3rd 2007, 5.30pm. Terrace of the Paraiso Restaurant, Praia da Luz, 600 metres from the resort complex.

Apart from the McCanns and Diane Webster, Fiona Payne's mother, the whole group of friends are having something to eat. The children are running and playing on the terrace. Others of Madeleine's age, are coming and going between the restaurant and the beach. Everything is peaceful on this late afternoon. At 6.13pm, the men leave the table and go on foot to the resort. A quarter of an hour later, it's the turn of the women and children to go back. A few minutes go by. David Payne catches up with Madeleine's father, who is playing tennis, and asks him where Kate is. Gerry replies that she has gone back to the apartment with Madeleine and the twins. David goes there immediately.

What did he go there to do? How long did he stay there? How were the children?

Did he see them, did he play with them? From that moment on, the witness statements differ. According to Gerald, he stayed in the apartment for 30 minutes; according to Kate, on the other hand, no more than 30 seconds. This difference of opinion is important enough to be taken into consideration. It's not the only one. David Payne allegedly went to the McCanns' apartment to find out if Madeleine's mother needed anything, if he could help her take the children to the play area. He relates having seen Madeleine and the twins; the image apparently conjured up for him that of three immaculate angels. We note that at 7pm, the last person to see Maddie - apart from her parents - is David Payne.

There is an entirely different version of that late afternoon, that of Fiona Payne. According to her, Gerry was not playing tennis but was in the apartment with Kate and the children. Apparently, she accompanied her husband when he went to the McCanns' apartment. Who is telling the truth? The photos taken on the terrace of the Paraiso prove that Fiona, her friends and their children left the restaurant 15 minutes after the men's departure - one of them David. What do these easily discernible contradictions signify?

May 4th 2007, 7am Sargaçal, a village close to Vila da Luz

Y.M., an English woman, aged 52, a social worker with child protection services for more than twenty-five years, is spending her holiday in the Algarve. She is watching an English television channel when she hears the news about Madeleine's disappearance in Vila da Luz. She decides to go there immediately to support the parents. Shortly after 9.30am, with the help of police officers on the spot, she manages to approach them. They are in the company of a man who is introduced to her as a friend of the family.

The McCanns are deeply upset, and Kate cries a lot. Y.M. starts to ask them questions, to find out the frequency of visits to the children during dinner - they respond that the visits took place every hour - and asks Gerald if he is the biological father in order to immediately eliminate the hypothesis of parental abduction.

Little by little, Kate starts to get annoyed: she thinks it's up to the police to ask those questions; besides, there should be more of them looking for her daughter; she insists that it was a couple who abducted her...Y.M. assumes that the McCanns distrust her. So, she shows them the official documents issued by the police and the English government certifying her professional qualifications.

The friend of the family examines the papers and confirms their authenticity. In spite of this, Madeleine's parents don't seem to be very appreciative of this offer of collaboration. Y.M. tries to take Kate aside to speak to her quietly and ask her for more information about this couple who allegedly abducted her child. But she refuses, reacts aggressively and refuses to be separated from her two companions. Y.M. worries about the extreme state of agitation that Kate is in and notes that the latter has still not been examined by a doctor when she really needs to be.

During this encounter, Kate tells Y.M. that her daughter disappeared thirteen hours ago. If you do the calculation, that means that Madeleine would have been abducted at 9pm and not at 10pm. That contradiction is important; it has to be taken into account in analysing the abduction scenarios that the McCanns and their friends will relate to the police.

The couple's spokesman, the friend who has been present throughout the encounter, ends up telling Y.M. that the McCanns want her to go.

Before leaving the scene, she advises them not to trust the media and to remain silent. Y.M. has the feeling that she has already met this man, his face seems familiar to her. Was he, perhaps, mixed up in one way or another in a case she had dealt with in the context of her work? She will later learn that he is David Payne, organiser of the trips, the same person whose sleazy attitude had been reported by S.G. and K.G. There is nothing incriminating in his past and, as we were able to verify, he has no criminal record.

What we are sure of is that he has been a close friend of Madeleine's father since university.

## Chapter 11

### ANALYSIS OF A CRIME SCENE. APARTMENT 5A

It's 10am. After dealing with everyday matters, I join the team of investigators responsible for the Madeleine case. The Leicestershire police are present at these meetings, as well as José Freitas. The latter, aged 46, is descended from Portuguese people who settled in Madeira and emigrated to the United Kingdom to find work and a better standard of living. Violent crime, abduction and illegal confinement are the speciality of this high-ranking Scotland Yard officer, who joined us eighteen days into the investigation - the English authorities consider that the presence of a man who knows Portugal and its culture could facilitate the investigation. He speaks our language with a British accent: until he left - at the time of the McCanns' return to England -, he never managed to say *imprensa*, which he always pronounced *empresa*. \*

We take stock of the different operations set up, then we examine the photos taken on the night of May 3rd.

The apartment is made up of two bedrooms, a lounge, a kitchen and a bathroom. What immediately jumps out is the order that prevails in the bedroom where Madeleine and the twins were supposed to have slept. There is nothing to indicate that any abductor had passed through the window.

- How high is the window ledge?

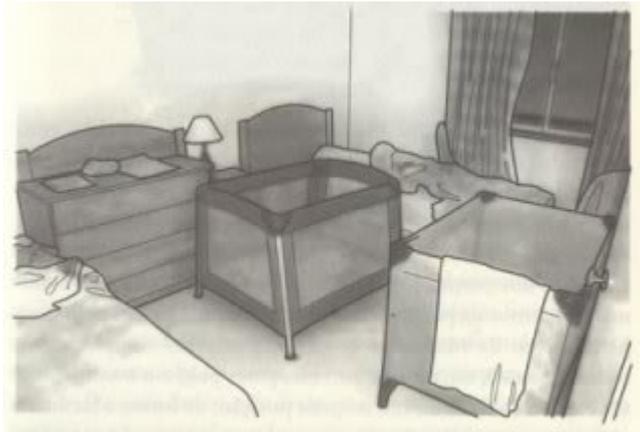
- 91 centimetres. There is a bed against the wall under the window, where it looks like someone had slept. At the foot of the bed, against the same wall, there is a wicker armchair. No shoe prints were found on it.

- What distance between the bed and the window ledge?

- 40 centimetres. But no footprints on the bed either.

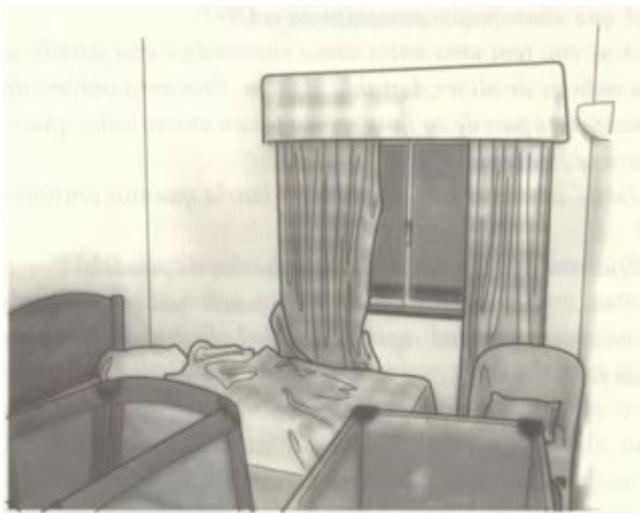
- OK, so either or: either that window plays no role, or we have a case of two people, one inside and one outside.

*(\*These two words, with similar pronunciation, are very often confused by those who do not speak fluent Portuguese, which can give rise to misunderstanding.*



*The first means "press," and the second "business.")*

Looking more closely, the room is not as tidy as it first appears to be. The bedroom window is protected by a shutter that only opens from the inside. A black-out curtain, that keeps out the light, comes down to the window ledge. At the sides, just brushing the floor, are two other curtains with tiebacks; they are drawn towards the centre of the window, but not completely closed.



The right-hand tieback has fallen between the foot of the bed and the wicker armchair - the back of which is stuck to the curtain. On the left, the tieback is hanging from its holder, but the curtain isn't straight, as if someone had tried to close it in a hurry. While the tiebacks should have been hooked up, none was in the correct position. Kate insists that the curtains had been completely closed, and that the abductor must have half-opened them to facilitate his escape through the window. But the tiebacks serve to hold the curtains to the sides while they are open; to close them, of course, they must be unhooked.

So, it's in pulling the curtains to close them that they would inevitably be in that position. It could reasonably be thought that the abductor had tried to close the curtains after he went through; that would only have slowed him down.

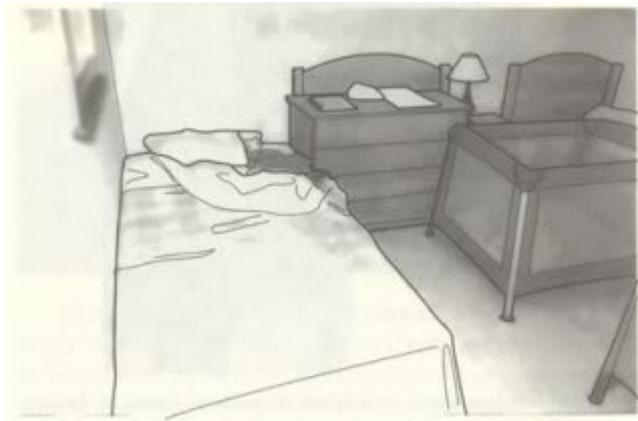


Another hypothesis is to suppose that the curtains had been arranged like that *after* the disappearance. In that case, we would instead be dealing with an attempt at faking the crime scene.

These first observations are not the only ones that lead us to consider a set-up. The way the bed sheets were arranged but also the child's soft toy equally raise doubts.

- Do you see how the sheets are lying? You'd think the child got out by herself....or that she didn't sleep there.
- Someone could have unintentionally touched the curtains while looking for the little girl inside the apartment.
- And the soft toy she slept with? That's not in a natural position either. How would she have found it, along the pillow like that?
- The mother says that the soft toy was beside the pillow when she noticed the disappearance, which, according to her, was its usual place.
- Which means that the little girl slept without holding it? Children normally clutch their security object to fall asleep. But if that's not the case here, the way it's placed doesn't seem natural. She would inevitably have moved it turning over in her sleep.

- The pink blanket is also really tidy, almost folded.



Where cases of missing children involve the close family, modification of the crime scene is common. But the comings and goings and searches inside the apartment might be the source of these changes. We have to be absolutely sure that it's not a deliberate attempt to put up a smokescreen.

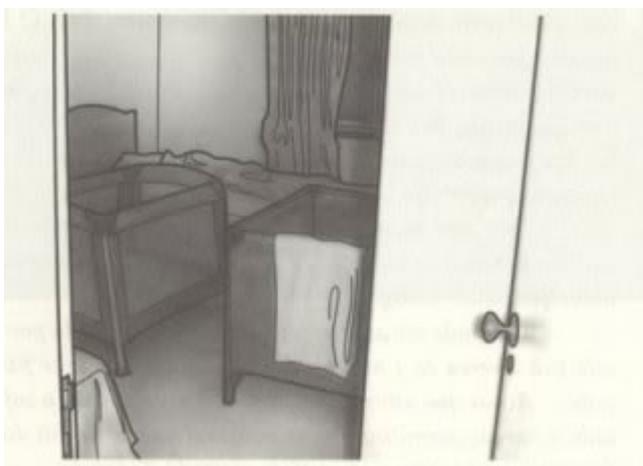
- What does the father say?

- That when he came to see the children, it was all like that, the blanket and the soft toy.

We carry on looking at the photos of the bedroom: the two cots are in the middle of the room and are in the way of an adult moving around.

- Why is there nothing more than mattresses? All the bed linen has been removed. I really wonder why...

- Perhaps a child vomited or soiled the sheets, and they didn't want to leave them in that state...



- The twins only woke up when they were being transferred to the other apartment. They sleep deeply, those English children...

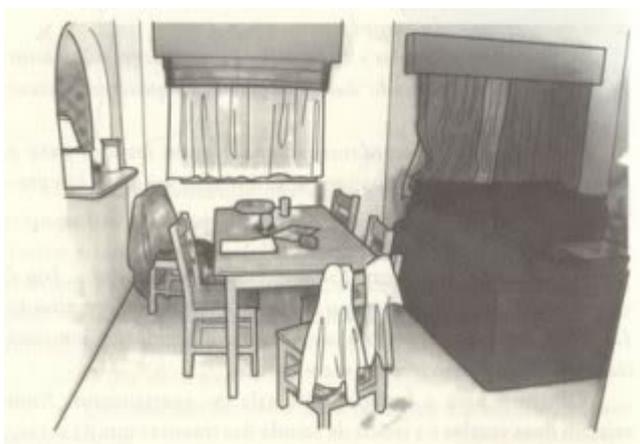
- Yeh! No joking!

- Actually, I'm not joking, I'm thinking aloud...All the same, it's extraordinary. These English little ones are on holiday; in spite of the excitement they must be feeling, they go to sleep every day at the same time. Their sleep is so deep and so calm that they are almost to be envied.

We then examine the photo of the lounge. This room has three openings: two windows and a patio door that opens at the back onto a balcony, from where you can see the area with the swimming pools and restaurants and the road. It is this patio door - and not the front door - that is used when you want to get into the apartment more quickly, coming from the restaurant. We notice that the sofa, situated under one of the windows, has been moved: the back of it is crushing the thick curtains. If these were closed to keep the light out of the room, it's curious that those at the other window were left open.

- That sofa could have been moved when they searched the apartment looking for the little girl.

- It's possible, but consider: the window is 3 metres above the road and directly overlooks the pavement. You can bet your life that the parents were not going to leave the sofa pushed against the wall and risk seeing their children climbing onto it and falling.



- Nothing surprises me any more on the part of those parents.

- Yes, but why did they push the sofa back under the window so hastily, judging by the position of the curtains.

- No doubt it was during the searches; that could have been done by a police officer or anyone else who was present in the house.

It's the father who clarifies this point for us. He, himself, pushed the sofa against the wall because the children would not stop playing behind it. He did not consider the possibility of a fall from the window. The role of this sofa is important if you imagine the hypothesis, not of an abduction, but of an accident inside the apartment itself. If it was really away from the wall before the abduction, it may be that Madeleine had climbed onto it and fallen down the other side.

At this stage of the investigation, we have already requested the holiday photos from all of them. On the dining table, we notice a digital camera and we decide that we must acquire its contents.

- We are really going to need the photos. That would allow us to see exactly what took place during dinner, how they were seated round the table, what they drank, what they ate, how they were dressed, everything is important.

- In fact, do you know that the little girl's father got on his knees imploring the GNR police officers to help him when they arrived?

- That man, usually so cold, apparently lost control?

- ???

- Contamination... deliberately make his trousers dirty to hide compromising marks...

- I think you're watching too many thrillers. Don't forget that it's his daughter who has disappeared!

- There are two beds in the parents' bedroom, which have been pushed together; there is a wide space on the right, up to the wardrobe.

One of the two beds has visibly not been occupied.



- I don't understand the point of leaving so much space on the right.
- Normally, one of the two cots was there.
- So, the couple slept in that bedroom with the twins, and Madeleine in the other? OK... But why, on that night, are the three children sleeping alone in the other bedroom?
- Not necessarily alone. In the photo, you can clearly see that the second bed, under the window, has been occupied.
- So, only one person slept in the parents' bedroom.
- The mother would have left the father to sleep alone? That could mean there was trouble between them?
- Now, they walk around hand-in-hand. And as if something had changed during the holiday?
- So many issues to be clarified.... Is that a little box of.....pills?
- No, no, it's Band-aids.
- Where is their medication? None has been found, not even a bit of Benuron\*. For doctors...

- Perhaps they took it with them when they took the twins from the apartment. Now, it's a bit late to clear up that detail.

- The little ones weren't ill, so why were their parents eager to take the medication along with them?

- Perhaps it was intentional, perhaps not..

- Or it's quite simply at the bottom of a bag, and no one thought to ask them about it.

(\* *Medication for everyday use - paracetamol - for pain and fever*)

## Chapter 12

### A RATHER WEAK MONITORING SYSTEM

One of the main difficulties in this investigation was to reconstruct the chronology of events. To determine the exact time of Madeleine's disappearance, we were dependent on the witness statements of the parents and friends. There is no doubt that the adults (apart from the Paynes, who were using a baby monitor) were taking regular turns during dinner to check that the children were asleep - the restaurant's register confirms it. Nevertheless, after the meal, the children could sometimes be left for more than an hour without supervision. Until May 3rd, the adults made the trip every 30 minutes; on that night, according to what the group said, the intervals between visits did not exceed 15 minutes.

### TWO CONTRADICTORY LISTS AND A TORN UP CHILDREN'S BOOK

It is Russell O'Brien, who hands over to the first police officer to arrive on the scene, two lists written on the cover of a children's sticker album, that probably belonged to Madeleine. How come it had been torn up? A child has just disappeared and one of her books is used to write on? That pays very little consideration to...Didn't they have anything else to hand, a slip of paper or a paper napkin? Another unanswered question.

These two lists describe, hour by hour, how the evening progressed.

On the first, we read:

8.45pm - All assembled at poolside for food.

9.00pm - Matt Oldfield listens at all three windows 5A,B,D

ALL shutters down.

9.15pm - Gerry McCann looks at room A ? Door open to bedroom.

9.20pm - Jane Tanner checkS 5D - Sees stranger walking, carrying a child.

9.30pm - Russell O'Brien in 5D - poorly daughter.

9.55pm

10pm - Alarm raised after Kate

*(At the bottom of this list is the name GERALD in block capitals.)*

On the second list differences are noted that are not trivial.

8.45 - pool

Matt returns 9.00 - 9.05 - listened at all three. - all shutters down

Jerry - 9 10 - 9.15 in to room - all well

? did he check?

9.20/5 - (??) Jane checked 5D Sees stranger I child.

9.30 - Russ + ( word scored through) Matt check all three

9.35 - Matt checks door Sees twins

9.50 Russ returns

9.55 - Kate (word indecipherable) Madeleine

10.pm - Alarm raised.

*(Translator's note: I have tried to copy the above from the originals.)*

The writing is irregular, the syntax unconventional and the description of comings and goings confused. Why two lists? And why, in the first, is apartment 5A left for 45 minutes without checking?

If the witness statements from employees and tourists are to be believed, once the alert was raised - the time is also vague, between 10pm and 10.30pm according to the investigators -, all the dinner guests rushed to the apartment, as if there was a medical emergency. Only the grandmother, Diane Webster, stayed at the table for a few more minutes. It is highly likely that inside the apartment, they went through the consequences of their actions and the failure of their monitoring system. To minimise their responsibility and not be accused of negligence, it was necessary for them to augment the frequency of their visits. With the checks so close together, who could imagine that someone would get into the apartment? It was quite simply impossible.

The existence of two lists proves that there was a debate; the differences between them probably mean that there was no interest in being accurate.

For a reason of which we are unaware, the friends have to state that Jane saw a man carrying a child at around 9.20 - 9.25pm, and between that time and the alert (towards 10pm), someone from the group went to the

apartment, saw the twins in the bedroom, but cannot guarantee that Madeleine was still there. According to the second list, it is Matthew Oldfield, whom the first list says only listened at the windows of apartments 5A, 5B. and 5D; still according to that same list, he was allegedly accompanied by Russell O'Brien at around 9.30pm and saw the twins at around 9.35pm.

Matthew Oldfield's behaviour is perplexing. According to the two time-lines, Gerald's statements and his own affirmations, he and Russell left the restaurant at around 9.30pm to go their respective apartments. Matthew entered his accommodation by the front door, left again that way after glancing at his children, crossed the car park and walked round the building to go into the McCanns' apartment by the rear patio door - the only one not to have been locked. He then went to the children's bedroom. In the first list, there is no mention of this visit: Matthew contented himself with listening at the windows; in the second, Russell notes that his friend saw the twins at 9.35pm.

In the course of the statement which he made to the PJ, Matthew certifies having gone to the McCann's apartment at 9.25pm, having definitely seen the twins and noticing a definite light. What he doesn't explain, is how he could pass the bedroom window twice without noticing that it was open. On the other hand, once inside, he noticed that it was. That happens to conveniently reinforce the hypothesis of an abduction and gives weight to Jane Tanner's witness statement.

- Interesting! From 9.10pm, the intervals between visits go down to 5 minutes and not more than 15.

- Why did they need to tighten up the monitoring?

- Perhaps simply because it was at that time that it all happened.

We deduce from this that the alert was bound to have been raised before 10pm. Matthew Oldfield's and Jane Tanner's witness statements contradict each other. Those of Matthew and Kate too: the latter insists that when she went into the apartment, the bedroom door banged shut, the window was wide open and the curtains were raised by the wind. However, Matthew said nothing about all of that, only "a definite light," in the bedroom. This is rather implausible: from his vantage point - the bedroom doorway -, the line of sight between the door and the window is limited to a straight line of close to 4 metres. Which means that if the window had been open, he would inevitably have noticed it. Why such vagueness?

Another obvious mistake concerns the number of windows: he mentioned two, while in reality, there was only one. His wife repeated the same mistake when she stated that her husband had listened at two bedroom windows during his second round.

Another question concerns Jane Tanner's second visit to apartment 5D. According to what the group says, at 9.30pm, Matt Oldfield accompanied Russell O'Brien as far as his accommodation, 5D, and both heard a child crying. Russell then stayed there. When Matt returned to the Tapas to let Jane know that their daughter was ill, the latter went to the child's bedside, in 5D, and did not come back.

These contradictions cannot hide the reality: the safety of the children left a lot to be desired.

## Chapter 13

### CONTRADICTIONS OR CLUES

How do you explain the differences, from one to another, between the witness statements? What comes immediately to mind is that the parents did not want to be thought of as irresponsible adults. What would people think of these tourists - doctors moreover - who leave their very small children alone in their bedroom, while they dine amongst friends - a well-watered meal, since they usually consume eight bottles of wine, according to witness statements. They were bound to be all the more panic-stricken, given that they were abroad and going to have to deal with a police force and a law which they knew nothing about. So, it was important for them to maintain that the children were safe.

However, none of the buildings was equipped with a security door: on the contrary, it was simple wood-paneled doors equipped with ordinary locks. The Oldfield and O'Brien families, who also occupied ground floor accommodation, considered their children to be in a safe place since all the doors were locked. They forgot about the patio doors opening onto a little balcony at the rear of the building, which they could not watch from their table. The McCanns did not think any differently, even though the patio door wasn't locked and that, from the restaurant, as we have already mentioned, the building could barely be made out...That means that anyone could have got into their apartment without being seen. Kate Healy has always insisted that she went into her apartment the back way while Gerry says he went through the main door, the one at the front, which he opened with his key. Jeremy W., a tourist, who was returning from a walk with his baby, confirms having spoken to him for a few minutes while he was coming out of his apartment by the garden gate, at the rear. Not only is this detail important, but it becomes crucial in understanding what happened during the night of May 3rd.

- Why does Gerald insist that he went in the front way when it's quicker to go the back way?

- To show that his children were safe.

- Matt Oldfield assures us that the first time he went to check on the children, he contented himself with listening at the windows. He didn't hear anyone crying.

- His meal is going cold and, instead of using the back way for speed, he makes this long detour to listen at the windows at the front...?

- Yes, but don't forget that, apart from the McCanns, the others had locked their patio doors, so he would inevitably have had to go round.
- But when Matt goes with Russell, he enters his apartment round the front, comes out, walks round the building and goes into the McCanns' the back way.
- Gerald should have given him his key. He would have gone in the front way and left by the back way, thus saving a good hundred metres.

Besides these inconsistencies, several facts place in doubt the veracity of the witness statements - and the very existence of an abductor.

Anybody accessing the block from the front sees the windows of 5A, 5B and 5D very clearly: they're all on the same level, and are relatively close together. If Jane came across the abductor in the street, as she claims, that means that he was no longer in apartment 5A. As a consequence, the window which Kate says she found wide open, would have been open at that time. But Jane was not aware of this detail and she never spoke of it. When she went back to her apartment to replace her partner Russell sitting with their daughter, she had another opportunity to notice it. But, once again, she noticed nothing.

Jane is certainly not very observant. This remark goes equally for her friends Matt and Russell: both take the same route, alongside all those windows without noticing that one of them is wide open.

Someone has to have lied. Kate Healy's statements leave a lot to be desired.

This is the gist of it: she goes in, notices Madeleine's absence, the open window, the shutter raised and the curtains moving in the breeze. OK. The classic scenario of an abduction by an individual having gone in through the window, which is to some extent corroborated by Jane Tanner, since the man she saw was coming from the car park, just in front of the window in question.

Looking at what follows: Kate looks for Madeleine all over the apartment and, not finding her, goes running towards the Tapas, shouting, "We let her down!"

Looking a little more closely at the facts.

The mother has just discovered:

- that there are only two children in the bedroom;

- that the window is wide open.

And she goes back to the Tapas leaving the twins alone again?

In a bedroom with windows wide open, at night, when it's cold and an abductor is hanging about?

Such behaviour is hardly credible and difficult to justify, even in the grip of panic. A mother would not react like that, she would protect her two other children and not abandon them in their turn. She could have shouted help from the veranda to alert her husband and her friends. She could also have called him on his mobile phone...We find no plausible explanation for her conduct.

Going back to the window, there is no doubt that it was opened at some point. When Amy T., one of the workers from the nursery, heard the alarm drawing attention to the disappearance shortly after 10pm, she went to apartment 5A. She noted that the window was just half-open and the shutter was raised. The twins were still asleep.

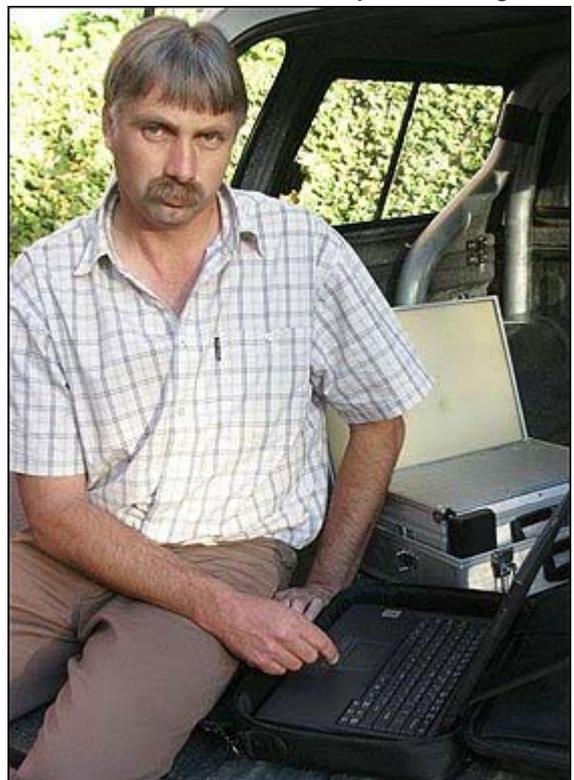
## Chapter 14

### MADELEINE'S PARENTS CALL ATTENTION TO HER DEATH

At the end of May, my wife Sofia visits me at the offices of the Department of Criminal Investigation in Portimão. She brings a flower basket filled with orchids, roses, lilies, and gerberas, decorated with butterflies and birds in shades of green and yellow, the two colours symbolising the mobilisation of effort around Madeleine. A little note from my daughters accompanies it: "Papa, we love you, don't forget about us, but find Madeleine. Rita and Inès." That bouquet stayed in my office, withering as the days went by and the hope of finding Madeleine alive dwindled.

It is at this time that, suddenly, the parents seem to admit the possibility of their daughter's death.

Afterwards - and to this day, if I am not mistaken -, they take exception to this hypothesis. Perhaps we were being naive, but it had seemed to us that Kate was going to provide us, indirectly, with indications about where her daughter's body was to be found. For example, at the beginning of June, she informed us that the body could have been hidden in the outlet of a sewer pipe at Praia da Luz, or on the cliffs to the west of the beach, where she happened to run. She will say later that this information had been given to her by mediums possessing psychic power.



*(Pictured right: Daniel Krugel.)*

### IN SEARCH OF A BODY, WITH KRUGEL'S MACHINE

Kate had heard of a man called Krugel, a former South African army colonel, who had allegedly perfected a machine enabling him to detect the presence of a body. A decomposing body emits particles: if hair from the deceased person is placed in the machine, it detects identical particles. On June 9th, Kate asks friends to go to her home in England to collect some of her daughter's hair and send it to Krugel.

On June 28th, the McCanns request Krugel's presence in the Algarve. They want to make his intervention official and seek the agreement of the PJ. Thanks to Madeleine's hair, the South African allegedly determined a sort of imaginary line that allowed him to state that the body was in the Vila da Luz area.

The Portuguese and English police learn, with amazement, about these supposed cutting-edge technologies dedicated to locating bodies. Of course, we knew that such apparatus existed, especially in the United States, but Krugel's mysterious, "machine," leaves us all speechless. Kate and Gerry, they stick to their guns. They saw a television programme in which the effectiveness of Krugel's method was demonstrated, and so are persuaded that the man will be able to move the investigation forward. Without being convinced as to the validity of the method, the police end up acceding to their request.

The show is about to begin.

At customs - in South Africa as well as in Portugal -, Krugel refuses to allow his machine to be submitted to security control: it must be neither x-rayed nor opened. He claims that this would damage it and that his production secret risked being unveiled. Finally, after long hours of negotiation, the man, his apparatus and the journalist accompanying them take off for the Algarve. It's now the middle of July. In late afternoon, they are driven to the Department of Criminal Investigation in Portimão, where a PJ team of investigators is waiting for them. They suggest that we watch a video about this famous invention - produced by the woman accompanying him - so that we can judge for ourselves. We are still not convinced. The following day, a few inspectors accompany Krugel to Praia da Luz for him to officiate.

Operations progress in the following manner.

- 1) Krugel climbs to the highest point west of Praia da Luz, places a hair into the machine and traces an imaginary line in an easterly direction.
- 2) He repeats the operation to the north of Praia da Luz and traces another line towards the south.
- 3) He then determines the point of intersection of these two lines.
- 4) From this point, he defines a corridor about 300 metres wide, bound by the cliffs on the right and the Roman Baths on the left.

The inventor then states: "Madeleine's body is in this area."

The National Guard - who had already combed this area after the disappearance - conduct more searches. Once again, to no avail.

As harassed when he left as when he arrived, Krugel goes back to South Africa, taking machine and journalist with him.

## Chapter 15

### MEMORY OF A CRIME

The presence or otherwise of a body considerably changes the way investigations are led. In the first instance - at least where the legal definition of a crime is concerned -, the investigation is facilitated. The body is identified, autopsied and then, with the help of any clues picked up, the cause of death is determined. If the conclusion is violent death, caused by a third party, research can get underway from a reliable point of departure.

Faced with a person's disappearance, the situation is more difficult. It's impossible to say that it's a criminal matter, and police officers have to start their investigation not knowing if the individual they are looking for is alive or dead.

If he is alive, he may have disappeared of his own free will - it is then necessary to understand the reasons in order to direct the searches - or been the victim of an abduction - the reasons for such an act are complex: ransom demand, vengeance, paedophilia, etc.

If the missing person is thought to be dead, the death is not necessarily murder: it could have resulted from an accident or third-party negligence. But without a body, we can be sure of nothing.

### A BODY TELLS THE STORY OF A CRIME

I remember the Mariana case, about a little three-year-old girl kicked to death by her own father in 1999 - I was working in Açores then, at the PJ's Ponta Delgada Department of Criminal Investigation.

At 8 o'clock one Monday morning, a woman doctor, required to issue the death certificate for a child, notices that her body is covered in suspicious injuries. She alerts us immediately. We arrive at the family home. The mother is sitting on a blood-soaked towel which she is trying, unsuccessfully, to hide. The parents relate that little Mariana died in her sleep, that she allegedly choked on her feeding bottle. A pitiful lie, that does not stand up to even superficial examination of the body. Signs of violent blows are visible on her back and on her buttocks: these are imprints from the soles of the father's boots. Mariana is showing serious injuries to her skull. After having pummeled her with kicks, the father hurled her, with all his strength, against the wall.

Then, grabbing her by the hair, he violently hit her head several times against the bedroom wall, under the passive gaze of the mother. Animal violence that killed Mariana. The parents then decided to get rid of the body legally, by requesting a death certificate. Tragic mistake. They faked the crime scene, washed the blood off the walls and places where the father had hit the little girl. To get rid of all trace of the crime, they threw into the bin the denim skirt that the little girl wore for the first time that Sunday. The garment covered in dust and the torn out shoulder straps attest to the violence suffered.

Mariana had simply asked to visit her godmother who lived opposite; the father, jealous, mad with rage, lashed out at her, to the point of killing her.

After the examination of the body, the medical examiner and the investigator were in no doubt: Mariana had been savagely killed by her father with the passive consent of the mother, and in front of her 5 year-old brother. In the present case, the perpetrators of the crime did not seek to hide a body but to cover up the truth.

At the time of the confessions, the man described the scene for us in a very cold way, factually, showing not the slightest regret. I had to leave my colleague to continue the interrogation alone. I was so upset. How could a father come to kill his own child? I had to get a grip on myself, I had experienced such things before.....I needed all my composure if I wanted to continue the investigation with the required objectivity. Truth and justice, that's all that remains for these children.

I have often related this case to colleagues to show them to what extent a body can, "talk," to investigators, help them to discover what really happened. Unlike other individuals, these two had neither the imagination nor the intelligence to hide the remains. In order to conceal his crime, the murderer can hide the body, or alter the crime scene in such a way as to divert suspicion. But this is not always the case. Someone may also get rid of a body without having committed a criminal act. For what reasons?

Fear, for example, of being judged by his peers.

Imagine a couple of doctors going on holiday abroad, to a country they hardly know. They leave their three children to sleep alone in their apartment to go to a restaurant, a hundred metres away. When they come back, one of the children is dead.

It could be an accident or murder. What do they do? They call the police and, in a way, admit that they were more than negligent. And what will happen when they go back home? What will the consequences be? Will their professional future be compromised? Will they be charged? Will they retain custody of the younger ones?

As I said at the start of the book, no lead must be abandoned while it has not technically been ruled out. In the course of the investigation, with the discovery of more details, some prove to be more encouraging than others and, for that reason, must be gone into more thoroughly. The overall scope changes. At a certain stage in the investigation, to explain Madeleine's disappearance, we had considered the scenario of the concealment of a body. But before coming to that conclusion, we had to exhaust all leads that favoured the theory of abduction.

#### THE CRIME SCENE IS NOT MEANINGLESS

The place the person disappeared from is the true point of departure for the investigation. It's the spot where clues are concentrated that will direct the research: finger prints, biological samples, blood and other traces. The apartment where Madeleine slept, similar to so many others, differs however on two fundamental points, which add to the difficulties of our work. It's a holiday apartment that acquires new guests every week: moreover, it is situated in a hotel complex in which hundreds of employees are moving around.

The situation is not the same when a child disappears from her usual place of residence. There, she is known, has routines, people encounter her every day with her family. It's not difficult to find out what she was doing in the hours preceding her disappearance.

In a holiday village, there is very little time available to gather the maximum number of witness statements, since some tourists are already on the point of departure. Those not achieved have to be left to the goodwill of the police authorities of the country of origin. Because of the great number of people to interview, a few days are needed to obtain an overall view of the situation. One thing is sure: only the accumulation of many witness statements enables the piecing back together of the puzzle of the events.

## Chapter 16



THE HYPOTHESIS OF DEATH IS CONSIDERED.

THE ARRIVAL OF THE SPECIALISTS

After Krugel's unsuccessful visit, our English colleagues vaunt the work of their specialist dog team from the South Yorkshire Police Department of Criminal Investigation. Their dogs are specially trained to locate the most minute traces of blood and are capable of outstanding performance in the search for human remains and bodily fluids.

### THE FORENSIC SPECIALISTS

It's July. The hypothesis of death, including by the parents, is being seriously considered. However, no lead has yet come to anything, and we find ourselves in a cul-de-sac. We have to re-centre the investigation around its point of departure, apartment 5A at the Ocean Club, in Vila da Luz. We officially request the help of the best experts in criminology and forensics but also the specialist dog team from the English police. A few days later, we welcome Mark Harrison, a specialist in murder, and the search for missing persons and victims of natural disasters. National advisor to the British police, he is well known for his exceptional professional experience. He has already participated in dozens of international criminal investigations.

His work consists of defining new strategies for research. He gets to work immediately, supported by the Portuguese PJ and the investigators from Leicester and Scotland Yard. On his arrival, we place at his disposal details of the case, as well as all our material and human resources. Harrison reads up on the statements and interviews from the principal witnesses - including, of course, those of the parents and friends -, all the analyses, simulations, hypotheses and cross-checking already carried out. He carries out a reconnaissance on the ground, by helicopter and then on foot. He paces the streets and the access roads to Vila da Luz and compares them to the diagrams created in the course of the investigation.

Nothing is left to chance: measurement and timing of possible routes between buildings, apartments and restaurants; analyses, with the help of the best specialists, of weather, geological and maritime factors in relation to the investigation; consultation with the best forensic anthropologist in the country, who indicates for us what would be the actual state of the body in the hypothesis of death occurring on May 3rd; study of the region's natural carrion predators. All the research already conducted by hundreds of people - GNR, civil defence, firemen and other volunteers - is re-examined in detail and re-analysed.

After a week of intense work, Harrison presents the results of his study to my coordinating group. Even if we were expecting it, his conclusions confirm our worst fears. The most plausible scenario is the following: there is no doubt that Madeleine is dead, and her body is hidden somewhere in the area around Praia da Luz. He praises the quality of the work carried out by the Portuguese authorities in trying to find the little girl alive. According to him, the time has come to redirect the searches in order to find, this time, a body hidden in the surrounding area.

## AMAZING STATISTICS

Great Britain has at its disposal the world's biggest data bank on homicide of children under five years old. Since 1960, the count is 1528. Harrison is well acquainted with its contents. He often draws information from there which helps him to resolve similar cases. Valuable information can be found there on various criminal modus operandi, places where bodies are hidden, techniques used to get rid of a body. He relates that on one occasion, thanks to the data, he was able to deduce the maximum distance a body might be found in relation to where the crime had been committed.

The figures quoted in the report he hands over give us the shivers. The crimes, including those of a sexual nature, are committed by the parents in 84% of cases; 96% are perpetrated by friends and relatives. In only 4% of them is the murderer or abductor a total stranger to the victim. In this roundabout way, Mark Harrison points out that the guilty party may be a person close to Madeleine, and even her own parents. From now on, we have to explore this track, especially as the others have proved fruitless.

Harrison also suggests that we use the skills of two totally remarkable dogs: the first an EVRD (Enhanced Victim Recovery Dog), achieves outstanding performance in the detection of human cadaver odour; the second, a CSI dog (Crime Scene Investigation) is capable of smelling the

tinest trace of blood, knowing how to recognise its human origin. To convince us of their capability and the extraordinary work carried out by these very special detectives in the course of over 200 investigations, he screens a video for us, showing their training and their intervention on the ground.

He suggests that we start the operations with the inspection of apartment 5A, then those occupied by the McCanns' friends. Robert Murat's house will also be subjected to thorough examination. In addition, all the vehicles used by all of them will be sniffed by the dogs.

Meanwhile, we were supposed to receive American electronic equipment that detects human bodies thanks to the odour that emanates from them (Scent Transfer Unit 100). But the equipment, blocked by customs, arrived late. We didn't need to use it, having obtained very concrete results, thanks to the dogs.

## THE ENGLISH SPECIALIST DOG TEAM

The heat is scorching on this thirtieth day of July 2007 when two Springer Spaniels, Eddie and Keela, get off the British Airways plane, accompanied by their trainer, Martin Grime. An air-conditioned vehicle is waiting to take them to their accommodation. A vet, who will be on hand during their stay, has been brought in to intervene in case of illness or if the dogs get bitten by a snake. Their mission: to find Madeleine's body and expose those responsible.

Eddie has been involved in a great number of cases, helping the police to resolve a good many riddles, thanks to his sense of smell. Even if the body has been moved, objects the body has touched have been contaminated by its odour, especially porous materials, fabrics, the upholstery in cars, etc. And that odour, Eddie knows how to recognise out of a thousand.

Keela, a scenes of crime specialist, is capable of locating particles of blood even after a place has been cleaned with chemical products or bleach. Sometimes, the residues are so microscopic they are missed by the instruments of the forensic police, as sophisticated as they are, and it's impossible to harvest them without taking all of what they are on.

Eddie is always the first to be brought onto a site. Once he has discerned the odour that he knows so well, it's Keela's turn to go into action, on the lookout for the slightest whiff of blood.

The simultaneous presence of the two elements in a given place - blood and cadaver odours - is taken to indicate that a body has been there and that it's probably there that the death occurred.

The dogs' CV is impressive. Besides collaborating in hundreds of investigations, they passed the practical tests brilliantly at the FBI's "Body Farm," the only place in the world where human cadavers are used to simulate homicide scenarios and concealment of bodies.

Amongst the most media-covered cases, which they contributed to resolving, is that of the disappearance in Northern Ireland of Attracta Harron, who was last seen when she was returning home on foot, after having been to church. All searches carried out by the police were unsuccessful. The main suspect's car having been totally burnt out in a mysterious fire, couldn't be examined. They called in Eddie, who examined the charred remains of the vehicle and immediately picked out the characteristic odour. Human tissue was found amongst the debris, the DNA of which corresponded to the missing woman. Later, the dog indicated the place - close to a river - where the victim's body had been abandoned. At the home of the suspect, where the police were searching for incriminating evidence, Eddie identified cadaver odour in one of the bedrooms. The man confessed to having killed the woman then moving her body to the banks of the river.

The case of Amanda Edwards, reported missing, is also very impressive. The police, who conducted a search of her ex-partner's home, found small bloodstains there, but no trace of a body. The dog, who was brought in for the examination of the man's vehicle, alerted to cadaver odour on the tools stored in the boot (a shovel, a level and a compactor). The police went to the building site where the suspect had worked a few days before and discovered the body, buried in a garage. The murderer had made efficient use of his tools to carry out his task.

It's also thanks to the help of the dogs that the case of Charlotte Pinkley, a missing British woman, who had been imprisoned by her ex-partner, was resolved. The police requested the help of the specialist dog team to try to find the young woman's body. Eddie picked out a place where the abductor had provisionally left his victim. In the surrounding area, the investigators found the button from a dress that had belonged to Charlotte. That clue exposed the murderer, who ended up showing the police the place where he had hidden the body.

More recently, it's Eddie who helps to find a body buried under a flagstone at the former orphanage, Haut-de-la-Garenne, in Jersey, setting for a terrible case of paedophilia and child murder.

The achievements of the dog detectives are the result of a very long apprenticeship. It all starts with the selection of the best puppies when they are only a few months old. The most talented breed for this unusual "profession," is the Springer Spaniel. The trainer, Martin Grime, and his pupils undergo aptitude tests every year in order to obtain certificates proving their capability. In Great Britain, the police have no hesitation in calling in the specialist dog teams to assist in certain criminal investigations. Their skills are nowadays recognised by journalists, police and courts all over the world.

#### EXAMINATION OF THE OCEAN CLUB APARTMENTS BY THE SPECIALIST DOGS

On August 3rd 2007, I am having dinner in Praia da rocha, near Portimão, with my friend Gaivota. Unable to hide my anxiety, I keep looking at my watch and my telephone. Gaivota asks me if everything is OK: I respond with an absent-minded "Yes." A few kilometres away one of the most important search operations ever carried out in Portugal has begun. Perhaps we will finally manage to clear up the mystery of Madeleine's disappearance.

The investigation starts in apartment 5A. The grey jeep transporting the dogs pulls into the car park in front of the building. There is hope and anxiety on people's faces. Martin Grime gets out of the car, holding Eddie on a tight leash. He takes it off and orders Eddie to sit down. Instead of obeying as would be expected of such a well-trained dog, Eddie immediately rushes into the building. He then goes to and fro between the lounge and the bedroom in an agitated manner. Martin wonders what could be making his animal so nervous and calls him back to give precise orders. An investigator is filming the entire scene. A little later, Eddie is examining the floor in the parents' bedroom, near the wardrobe, when he lets out a strident howl, indicating that he has detected a cadaver odour. The investigators have hardly recovered from their amazement, when another, equally impressive, howl startles them. This time, Eddie has picked out that same odour under the window, just behind the sofa, on one of the walls in the lounge. That evening, in apartment 5A, the investigators begin to glimpse what might have happened.

At around 10pm, police officers see Gerry McCann, going past the apartment at the wheel of his hire car, a Renault Mégane Scenic, an impenetrable look on his face.

Then it's Keela's turn to intervene. She points her muzzle at the same place where Eddie gave the alert: traces of blood are found on the tiling between the window and the sofa. Outside, Eddie barks twice: on the veranda at the back of the building and in the garden, just below it. At this place, the dog's bark is weaker and might mean "maybe, who knows...". Thus from the indications provided by Eddie, we can pinpoint the places where the body was moved around. Apartments 5B, 5D and 5H, where the McCanns' friends stayed, are examined that same night. The investigators are expecting new developments. However, nothing happens. Eddie does not show the slightest reaction. Therefore, Keela does not get involved.

From then on, we are sure that, at a given moment, there was a body in apartment 5A. We now have to interview firemen, medical services personnel, previous tenants and employees of the Ocean Club to make sure that no death has taken place in this accommodation, which they confirm. So, we can conclude that the odour discovered is certainly that of Madeleine Beth McCann.

## SEARCHES IN THE AREA AROUND VILA DA LUZ

As planned, the searches with Eddie go ahead in and around the village. To leave nothing to chance, he is also put to inspecting the area outlined by Krugel.

Mark Harrison organises a big meeting to direct the work of the search teams. He has conceived the idea of iron bars, whose production he has consigned to a local company. They will be used to sink holes into the ground which will facilitate the possible release of gas emanating from a decomposing body.

Martin, Eddie, the PJ inspectors and members of the GNR, go over with a fine-tooth comb, all the areas where the body of a child might be found. Eddie runs his nose over kilometres of waste ground, ruins, buildings abandoned or under construction, waterways, pipework, along the beach, under every bush, not forgetting the famous Rocha Negra. No evidence of the presence of a body, no cadaver odour anywhere.

## EXAMINATION OF THE McCANNS' HOUSE.

"The moment of truth has arrived." That's what everybody is thinking when searching begins at the accommodation the family is occupying from now on: either we find evidence of their responsibility in Madeleine's disappearance, or they will definitely be cleared of all suspicion.

Being convinced of having made a mistake in not placing either the couple or their friends under surveillance, we decided to rectify it. We ask the Public Minister for authorisation to search and, at the same time, authorisation for phone taps. Our request is sent to the judge. He being absent, his deputy is called upon. Finally, after 24 hours of anxious waiting, we learn that authorisation is refused. The disappointment is enormous because we will never have access to conversations the McCanns have away from the microphones, and this not least because the McCanns are preparing to return to England. We cannot count on any more than the search of the house they have occupied since May 3rd, 27 Rue das Flores, which they have been able to rent thanks to money collected by the Madeleine Fund.

To avoid contamination of evidence that will be gathered at the McCanns', Mark Harrison has insisted on the availability of decontaminated premises exclusively set aside for this purpose. Julio Barroso, mayor of Lagos, agrees to lend us the garage of a new, unoccupied building in the centre of Lagos. The place is cleaned from top to bottom.

On August 2nd, at 6pm, the inspectors arrive at the McCanns' residence and present the search warrant. The principle of the examination by the specialist dogs is explained. Kate and Gerry are in the swimming pool in the garden with the twins. Contrary to all expectations, they allow us access to their house in a very natural way.

Eddie goes immediately to the lounge. He comes to a stop in front of a wicker armchair on which is lying Madeleine's small pink soft toy, which Kate was never without in the early days of the investigation. Nowadays, she wears a rosary and a green ribbon around her neck. Eddie barks to let us know that he has detected an odour: the soft toy has been in contact with a body.

The soft toy and all the clothes from the house are placed into boxes specially made to preserve evidence. These objects are then conveyed to the decontaminated premises. They are to be placed on the ground, a good distance apart for the dogs to examine.

At 8pm, Tavares de Almeida calls me to let me know that Mark Harrison requires another place because this one is not sufficiently clean.

- How do I find a place at this kind of time?

- Sort it out!

Julio Barroso offers us the new sports hall in Lagos which, finally, meets the required standards. The objects are once again laid out on the ground and the dogs can start. Eddie alerts us to a strong cadaver odour on some of Kate's clothes, but the CSI dog doesn't detect the slightest trace of blood.

#### EDDIE AND KEELA AT ROBERT MURAT'S HOUSE.

Robert Murat's residence and the adjacent grounds are gone over with a fine-tooth comb in their turn. Mark Harrison, rigorously professional, has planned to devote three days to this job. This seems long to us. We want to limit the duration of this operation to avoid having the media besiege the premises. Mark agrees not to prolong the search any longer than is necessary, and manages to finish it in two days.

PJ, GNR, Civil Defence: dozens of men are mobilised. They have to work their way through the jungle that's invaded the land all round the house - Murat will not recognise his garden any more once the investigators have been through. The ground is examined with radar, centimetre by centimetre, by a specialist from Aveiro university. In vain: the dogs detect nothing. No evidence is found anywhere within the area examined. All the same, the radar reveals that Murat's house is built over an ancient Roman villa.

#### EXAMINATION OF THE VEHICLES

Not having been able to find an available garage in Lagos, we appeal to the mayor of Portimão, Manuel da Luz. In this case as in others before, the police have been able to count on the practical support of the mayor's office.

Finally, on August 6th, in the unoccupied floors of an underground car park, opposite the PJ's offices, the inspection of the vehicles takes place.

To be examined are those of Robert Murat, Michaela, Sergey Malinka, Luiz Antonio, the McCann couple, and one that Russell O'Brien may have used. Driven by the investigators, the cars are parked in the reserved areas, doors closed and windows raised, with a space of 10 metres from one to another to avoid contamination. According to planned procedure, Eddie goes in first; Keela will be brought in if necessary.

In the immense underground car park, Martin commands Eddie to begin the examination. The dog then intensively sniffs each of the first three cars, at tyre level, the side doors and the boot, then all round. When he gets close to the fourth, the McCanns' Renault, he becomes agitated, raises his nose while running around, as if he is trying to locate the source of the odour he has detected. Martin tells him to stop running around and concentrate on the search. Finally, he starts to growl, bark and wanting to bite the bottom of the driver's door and the boot. The odour is coming from inside. The PJ's experts examine the vehicle for hours with the help of Keela. At dawn, traces of human blood are found in places indicated by the female dog: the key and the boot. The harvested samples are packed, then sent to a forensic laboratory in Birmingham, Great Britain.

Eddie did not hesitate for a moment. He was only interested in the McCanns' automobile. No other attracted his attention or provoked any reaction whatsoever on his part. So, why would certain people want to minimise the evidence produced by this method?

Later, I am brought the witness statement of a neighbour, according to whom, the McCanns left their car boot open all the time. For Gerry's brother-in-law, the bad smell was explained by the fact that the McCanns transported their bins in it. As for the blood, it had been left by a piece of meat fallen out of a shopping bag. Kate's cousin explained that the unpleasant smells were due to the little ones' dirty nappies.

None of that stands up to scrutiny faced with the reactions of these dogs, who are thoroughly trained to detect only blood and cadaver odours.

#### HARVESTING OF THE SAMPLES DERIVED FROM THE SPECIALIST DOGS' INSPECTIONS.

So that the items of evidence might constitute admissible proof, the harvesting and packing must conform to the rules avoiding all risk of deterioration and contamination. It is experts from our police forensic laboratory who carry out the harvesting.

The minuscule traces cannot be gathered in situ, so the tiling is gently lifted out before being transferred to the Forensic Science Laboratory in Birmingham. Photos bear witness to every stage of the operation. For added security, it is the expert responsible for the collection who takes them to FSS on the morning of August 7th. The choice of this laboratory is not insignificant. Apart from their use of cutting-edge technologies - LCN (Low Copy Number) a DNA identification test, used particularly when only microscopic samples are available -, the results, whatever they might be will not be able to be contested by the British since it's one of their most reliable laboratories. All other items of evidence gathered - the keys to the McCanns' car, hair and traces of blood found in the boot - are also sent to England.

## INITIAL CONCLUSIONS

English and Portuguese police get together to analyse the results of Eddie and Keela's searches.

- What we can deduce at this stage is that only the McCanns are implicated. The dogs did not detect blood or cadaver odour other than with them.
- From now on we have the certainty that there was a body behind the sofa before being taken into the parents' bedroom.
- If the blood found behind the sofa is that of the little girl, we can assume that she died there.
- That could explain why the sofa was pushed up against the curtains.
- In Madeleine's bedroom and on her bed, there was no cadaver odour.
- On the other hand, the odour on the soft toy indicates that she was holding it when she died....

These conclusions do not, for the moment, constitute proof. If the laboratory results are positive, and only in that case, we will have our proof.



*(Eddie alerting to the odour he has detected from the McCanns' hired Renault Scenic)*

## Chapter 17

### IN THE McCANNNS' BEDROOM



The police who searched the house the McCanns were occupying, in particular their bedroom - the room where Gerald set up his office - report that the father and the mother are reacting very differently to the trouble that has befallen them.

Kate seems to be in mourning: numerous photos of Madeleine are pinned to the wall or placed on her bedside table. Spaced between them - as though watching over the child's soul - a representation of a saint, a crucifix or a rosary can be seen.

A bookmark bearing the effigy of a saint is slipped into a copy of the Bible, opening on the second book of Samuel, chapter XII, where the following verses can be read:

*"[13] "I have sinned against the Lord," David said. Nathan replied, "The Lord forgives you; you will not die. [14] But because you have shown such contempt for the Lord in doing this, your child will die."*

*[15] Then Nathan went home. The Lord caused the child that Uriah's wife had borne to David to become very ill.*

*[16] David prayed to God that the child would get well. He refused to eat anything and every night he went into his room and spent the night lying on the floor.*

*[17] His court officials went to him and tried to make him get up, but he refused and would not eat anything with them.*

*[18] A week later the child died, and David's officials were afraid to tell him the news. They said, "While the child was living, David wouldn't answer us when we spoke to him. How can we tell him that his child is dead? He might do himself some harm!"*

[19] *When David noticed them whispering to each other, he realized that the child had died. So he asked them, "Is the child dead?" "Yes, he is," they answered.*

[20] *David got up from the floor, had a bath, combed his hair, and changed his clothes. Then he went and worshiped in the house of the Lord. When he returned to the palace, he asked for food and ate it as soon as it was served.*

[21] *"We don't understand this," his officials said to him. "While the child was alive, you wept for him and would not eat; but as soon as he died, you got up and ate!"*

[22] *"Yes," David answered, "I did fast and weep while he was still alive. I thought that the Lord might be merciful to me and not let the child die.*

[23] *But now that he is dead, why should I fast? Could I bring the child back to life? I will someday go to where he is, but he can never come back to me."*

[24] *Then David comforted his wife, Bathsheba. He had intercourse with her, and she bore a son, whom David named Solomon. The Lord loved the boy*

[25] *and commanded the Prophet Nathan to name the boy Jedidiah, because the Lord loved him."<sup>1</sup>*

For David life had to go on.

In contrast, in the part of the room occupied by Gerald, the walls are bare, cold, no photos of his daughter. It's here that he administers the Madeleine Fund, organises his very busy agenda and writes his blog. His current reading material - *The Interpretation of Murder*, by Jed Rubenfeld, *Spirit Messenger*, by Gordon Smith, *It's Not About The Bike: My Journey Back To Life*, by Lance Armstrong, - leaves nothing at all to the imagination about the drama the family is living through. With amazement the police officers discover a series of books and manuals exclusively intended for police services and government agencies.

- *Missing and Abducted Children: A Law-Enforcement Guide to Case Investigation and Program Management*, National Center for Missing & Exploited Children;

- *Training Courses*, CEOP (Serious Organised Crime Agency - Child Exploitation and Online Protection Centre);

- *Making Every Child Matter...Everywhere*, CEOP (Serious Organised Crime Agency - Child Exploitation and Online Protection Centre).

Mark Harrison himself wonders how Gerald McCann could have obtained these books.

*Notes:*

*1. I have used the Good News Bible for this passage.*

## Chapter 18 PRELIMINARY RESULTS.

### PREPARATION FOR THE INTERROGATIONS.



Analyses of the residues collected following the visit by the dogs is entrusted to the English Forensic Science Service laboratory. To avoid any leaks of information, Stuart Prior, a senior officer with Leicestershire police, is responsible for liaison between the laboratory and José Freitas of Scotland Yard. The latter, who is with us, in Portimão, is passing on any relevant reports.

We confidently wait for the evaluation reports from FSS. A few days after the samples are sent, we are informed that the DNA of the blood found in the boot of the McCanns' car shows a significant match - 50% - with Gerald's, which means that it is definitely the blood of one of his children. We telephone the public minister to pass on this initial result and wait for the follow-up to the analyses and definite conclusions. But the laboratory takes its time.

At the beginning of September, shortly before the McCann couple are placed under investigation, Superintendent Stuart Prior travels to Portimão to present the first of the two preliminary reports from the laboratory and to discuss the progress of the investigation.

At a meeting in our office, with the Portuguese and the English investigation team, Stuart expresses his disappointment over the test results. This is where the saga of the FSS reports begins. We read the part of the report dealing with the traces of blood lifted from the floor of apartment 5A, from behind the sofa and in the boot of the McCanns' car and we don't agree with Stuart's disappointment.

We talk about blood traces because the CSI dog is trained to find only that bodily fluid. The reports that support that decision are clear: the CSI dog was used to detect human blood. Low Copy Number, the technique used to determine the DNA of the samples, does not identify the nature of the bodily fluid they are derived from. But we know it's definitely traces of blood and not other bodily fluids since the CSI dog is trained to detect only human blood.

In the first case, the laboratory considers that the result of the analysis is inconclusive because the samples gathered provide very little information when the DNA comes from more than one person. But all the confirmed DNA components match with the corresponding components in Madeleine's DNA profile!.

As for the second case, after an explanation about the DNA components in Madeleine's genetic profile, it concludes that 15 out of 19 markers in Madeleine's profile are present in the sample examined. Only 4 short of 100% reliability. The FSS specialists qualify the results as, "complex," and state that these 15 markers are not enough to conclude with certainty that it's definitely Madeleine's DNA profile, especially as Low Copy Number picked out a total of 37 in the sample. That means that at least three individuals contributed to this result.

But there was more in this first preliminary report. In the same report, the scientist went further and explained that in the profiles of many of the lab experts, elements from the DNA profile of Madeleine are present. This means that a major part of the DNA profile of any given person can be built by three donors. That is understandable. Two questions arose immediately. The first one: what good is a DNA profile in terms of criminal evidence, if it can be the combination of three or more donors? Another question was simple: why did the DNA profile from those three donors contribute to Madeleine's DNA profile and not to that of any other person, like the scientist who carried out the test? But the surprises from the preliminary reports were not to end there.

On the very day that interrogation of the McCann couple starts, a second preliminary report reaches us. Contrary to the first report, it accords more importance to the DNA profile of the blood lifted from the floor of the apartment. In that sample, the DNA came from more than one donor, but the confirmed DNA components match the corresponding components of Madeleine's DNA profile.

As for the samples lifted from the boot of the car, there is no further mention of the 15 markers, as if they had never existed.

Suddenly, light was starting to be cast on the issue: either this LCN technique is not reliable or it's simply much easier to explain the presence of Madeleine's DNA in the apartment than in the boot of a car hired 24 days after her disappearance.

At our insistence, Stuart contacts the FSS and asks them if they think the Portuguese are idiots. We hear him saying: "With a lot less than that, we would have already arrested someone in England." I look at my colleagues and see that they are as stupified as I am. In fact, in Portugal, it's not so easy to arrest someone. We explain to Stuart that the McCanns interrogations would not result in detention. According to Portuguese law, the crimes of concealment of a corpse and simulating an abduction are not liable to remanding in custody.

#### WHAT THE LABORATORY REPORTS BRING TO LIGHT

The preliminary results from FSS were enlightening in a way, and confirmed the information given by the EVRD (Enhanced Victim Recovery Dog) and the CSI dog.

- The CSI dog, Keela, signaled the presence of human blood where Eddie, the EVRD dog, marked the presence of cadaver odour - on the floor tiles behind the sofa in the lounge, on the key and in the boot of the Renault Scenic that was used by the McCanns from May 27th onwards.

- the bodily fluids, according to the FSS, contain markers from Madeleine's DNA profile.

These elements do not constitute concrete proof but simply clues to be added to those we already possess. In itself, the definition of a DNA profile from LCN is not considered as evidence in a criminal investigation. In his report, the English scientist says that he cannot give answers to the following questions: when was the DNA deposited? In what way? What bodily fluid does the DNA come from? Has a crime been committed?

The scientific evidence is not enough and it has to be accompanied by other types of material, documented and testimonial evidence. It is only in this way that the entire puzzle can be reconstructed and certainties can be achieved, for the material truth to be established.

The FSS has still not provided the result of the technical analysis of the hair found in the boot of the car. Once more, Stuart has to contact the laboratory. Nothing has been done. We want to know two things: if the hair is indeed Madeleine's, and if it comes from a living or a dead person. The FSS can only answer the first question. English colleagues present at the meeting raise the possibility of the hair being sent to other European laboratories which have the resources to clear up the second point for us: hair from a living or a dead person. But the FSS does not seem to want to part with the hair. They claim that using a colour comparison test they can establish if the hair belongs to Madeleine and in a second stage, identify the DNA profile. None of that will happen. We never find out if the hair was Madeleine's or her parents' or her brother's or her sister's, even though the laboratory has the DNA profiles of each member of the family.

Let's remember: it is totally logical to find Madeleine's DNA in the home, but absolutely not in a car rented more than twenty days after her disappearance.

#### FINGERPRINTS ON THE WINDOW

One afternoon, we drive to apartment 5A at the Ocean Club. I am accompanied by Guilhermino Encarnação, the indefatigable Polícia Judiciária Director from Faro, who is following every step of the investigation, with daily trips to Portimão. José Freitas of Scotland Yard is accompanied by Stuart Prior, to whom we explain the theory of an accident. According to Encarnação, the child's death must have resulted from a fall behind the sofa, where the dogs marked the odours of cadaver and blood. The theory is simple and based on evidence in our possession. The parents would have pushed the sofa away from the window as a safety precaution because the window opened easily and it was situated, remember, three metres above the outside pavement. When Gerald went to the apartment at around 9pm to check on his children, used the toilet and then left, Madeleine might have woken up. Hearing her father's voice coming from the street outside, she may have tried to reach the window by climbing on the sofa and could have fallen behind it. Stuart indicates that he understands and agrees with the possibility. He takes this opportunity to ask if any fingerprints were found on that window or on any others, particularly on the one in Madeleine's bedroom.

Initially, we don't understand why he is asking this question, since he has seen our report. He should know that fingerprints were discovered with the lophoscopic\* analysis carried out on the night of May 3rd and the

following day. The results are in the report. Why is he asking about them now? We respond evasively, "Nothing conclusive."

However, on the glass, on the handle and on the right-hand frame of Madeleine's bedroom window, we had lifted five fingerprints - three from a middle finger and two from an index finger - all from a left hand, identified as belonging to Kate McCann.

The technicians who examined the apartment did not place any great importance on the identification of the fingerprints. In fact, in the absence of obvious signs of assault or of a crime - like signs of a struggle, traces of blood or the presence of a corpse -, the technicians proceed to the kind of examination that is carried out in a burglary case. They forget that fingerprints discovered in a particular place, even if they belong to an occupant of the premises, can be of fundamental importance for the progress of the investigation and constitute valuable evidence, even material proof.

The window in question is the one that Kate Healy states she found open to the left, with the curtains fluttering, when she discovered that her daughter was missing. On the window, there were no signs of a break-in or of gloves. It had been cleaned the day before, May 2nd, by an Ocean Club employee, and the only fingerprints found were Kate's. The position of the fingerprints indicate that the window had been opened to the left, as Kate Healy stated: "the window was fully open to the left." There is no doubt that somebody opened that window on the evening of May 3rd and the only fingerprints found on it were those of Kate Healy. The manager of the Ocean Club's crèche, who went to the apartment after the alarm was raised, remarked that, "the window was partially open to the left," confirming Kate's earlier statement.

We prefer not to discuss this with Stuart Prior: we have the impression that he is only here to accompany the McCanns' interrogations and to prevent their detention. His concern on that subject is obvious.

Two pieces of information reach us, which we interpret as diversionary tactics with the obvious purpose of diverting suspicion from the McCanns. The first concerns the couple's active involvement in a campaign to set up an international alert system for missing children. The Policia Judiciaria is approached indirectly through the Department of Criminal Investigation in Portimão and the Directorate in Faro to participate and support the launch of the campaign.

We tell the messenger that we are not the appropriate recipients of this enquiry, that the request should be sent to a higher authority, the National Director of the PJ or the Portuguese government.

The second piece of information comes to us from further afield: Beirut, capital of The Lebanon. Imagine this: an Arab shiekh possessed a video of an orgy by other shiekhs on which Madeleine was allegedly recognisable. He would be prepared to hand over this recording to the British Ambassador in exchange for a sum of money to be sent to his lawyer. Once again, we are stupefied.

- Can you believe it? A sheikh ready to denounce his mates for a few sous...Arab royalty is so strapped for cash?

- I don't understand: haven't all of our English colleagues who have been working with us already concluded that Madeleine may have died in the apartment?

- What more does Stuart need?

- I don't know what he needs. In any case, it was him who told us he had arrested people in England for a lot less.

After the interrogations, I had the opportunity to ask an English colleague about the outcome of the story. Did that video exist? What was on it? He responded that it had come to him in February or March 2007, well before Madeleine's disappearance...It would be interesting to know who, deliberately and with the sole object of scuppering the investigation, went and unearthed a video from before Madeleine's disappearance, to make people believe she was still alive...

THE McCANN'S' INTERROGATIONS.

THE NERVOUS ENGLISH POLICE.

As the date for the interrogations approached, Stuart became more and more nervous and he was a constant presence. He wanted to be kept up to date on the smallest details. We explain to him what is going to happen, notably the sending of a rogatory letter to the English authorities to request specialist dog team examinations of the homes of the McCanns and their holiday friends, in Great Britain, to check if any object or piece of clothing retained any cadaver odour or blood.

We ask Stuart to request that these examinations be carried out by the specialist dog team that we already know, with the same EVRD and CSI

dogs, Eddie and Keela and with Stuart's agreement, we send him the letter.

We don't know what clothes the McCann couple and their friends were wearing on the evening of May 3rd. At the start of the investigation, we had requested all photos and videos from that day and from the other days, but all we received were daytime photos; it was as if in the evenings and during the now famous "Tapas," dinners, no photos had been taken despite the fact that some of the diners had cameras with them. The lack of night time photos was something we have never understood. Within the rogatory letter, we ask the English authorities to seize photos and videos taken throughout the holiday at the Ocean Club.

In the McCanns' home, we would like to check a medical monitoring chart recording Madeleine's problems with sleeping. This chart had been mentioned by Kate and according to her mother, it was only used until April 2006, when Madeleine regained a regular sleep pattern and slept right through every night without interruption. We also wish to pick up the diary that Kate started to keep from May 3rd. Finally, we would like to question the group of friends again, to confront them about their contradictions concerning their system for checking the children during the evening dinners at the Ocean Club.

At the same time, we hope to obtain a response to our request to the British authorities, made through the liaison officer in Portugal on the first day of the investigation, for information on the McCann family and their friends. Given the fact that we have, so far, received no response to this enquiry, we will make the request for the desired information through the rogatory letter. We ask Stuart about this matter and he says that, "they are in the process of gathering that information."

However, a preliminary response comes to us about the McCanns' financial situation: astonishingly, there are no records of the McCanns holding any credit or debit cards.

- That's quite simply not possible!

- They don't have credit cards? However, we know that they hold at least two: one which they used to pay for the flights, and a second which was used for the hire of the Renault Scénic.

- The English need to sort themselves out. We need the McCanns' financial statements from the start of their holiday in Portugal.

It's obvious we're going to have a hard time getting the required details: with such information, it would not be difficult to follow the McCanns' trail, to know about their expenses, their movements, and to draw conclusions from what came up. Meanwhile, Stuart makes another request. He says it would be a good idea to send two rogatory letters: one for the friends and another for the McCann couple. We don't understand this one.

#### FRAUD OR ABUSE OF TRUST?

During a more relaxed moment at one of these meetings, I come out with an ill-judged comment. Inopportune or undiplomatic, but this is my reasoning: thinking about the kinds of crime that may have been committed if the McCanns were involved in their daughter's disappearance, something occurs to me. If they were involved in one way or another, then a crime of fraud or abuse of trust is a possibility concerning the fund that was set up to finance the search for Madeleine.

Donations have reached nearly 3 million Euros.

If such a crime exists, Portugal would not have jurisdiction to investigate and try it. The fund being legally registered in England, it would be our English colleagues who would deal with the case. Our English colleagues then realise a hard reality: the strong possibility that they would have a crime to investigate in their own country, with the McCann couple as the main suspects: a prospect that does not seem to appeal to them. I notice a sudden pallor in the faces of those British people present.

(\*Note: analysis of difficult latent prints - latent from the Latin *latere*, to hide, to lie.)

## Chapter 19



TOWARDS PLACING THE McCANN COUPLE UNDER INVESTIGATION.

In Portugal, the criminal process is comprised of three phases: the investigation, the instruction and the trial. Under the direction and control of the Public Minister, the investigation is led by the criminal police, who enjoy total practical and tactical independence. The police officers may make a declaration of *arguido* status as they think fit. This status confers on a suspect a set of rights and responsibilities. One of the fundamental principles of our code of criminal procedure is that of non-self-incrimination: it is illegal for information given by a witness to later be used against him and to implicate him in a crime. The right of silence, therefore, allows him to avoid giving incriminating details. But the status heaps opprobrium on those who become *arguido*, in spite of the principle of presumption of innocence.

With due regard to procedural regulations and faced with evidence of the concealment of a corpse and simulation of an abduction - partially confirmed by laboratory analyses -, we decide to question the McCanns before their imminent return to England. This decision is taken with full knowledge of the facts by the investigators, the Public Minister and the Director of the Judiciary Police. (PJ)

On September 3rd, the police officer Ricardo Paiva, responsible for relations with the couple, goes to their residence to inform them of the date and time of the interview. Kate reacts quite badly: she is worried about what her parents are going to think and about the reaction of the press. She even states that the Portuguese police, "is submitting to pressure on the part of its government to resolve the case as soon as

possible." English and Portuguese investigators actively prepare the interviews and draw up a list of questions focusing particularly on the course of events on the night of the disappearance. The suspects must clarify for us the various contradictions raised in the course of their previous statements.

## THE INTERROGATIONS

The decision to declare Kate and Gerald McCann *arguidos* was taken. Notification had already reached them. On September 6th, a little before 3pm, Kate arrives at the DIC in Portimão, accompanied by her press officer. Her lawyer has already arrived and the interview room is ready. The crowd has been building up outside for a while. Going through the door, Kate laughs as she says that this media scrum is good for tourism.

Her lawyer requests that she be heard as a witness and not interrogated as an *arguida*. We don't agree with what, to us, constitutes a backward step. Some officers involved in the investigation seem to be hoping for the miracle of a confession. We remain sceptical.

We finally decide to question her as a witness, but not to pose questions on the events after 5.30pm, the time at which she returned to the apartment with her three children. From that time on, everything she said could be held against her. According to the principle of non-incrimination, she would then have to be declared *arguida* since we have sufficient evidence to be able to do that.

On the subject of the press officer who was accompanying her everywhere, including to the police station, the opinion was unanimous: she had nothing to do with anything here.

- I have never heard of the role of the press officer in the penal code!...Perhaps it's the subject of the next amendment, or else it's a new method.

- Drop it. She is only going to sit near the police officers on duty and wait.

Her presence in the offices of the police during the interrogations seems unacceptable to me, useless and prejudicial to the investigation.

However, she was to stay there from start to finish.

At 8 o'clock, we have a break to have something to eat, then the interrogation continues until 11pm. At the end of that day, we have

learned nothing new with the exception of two details: Kate now remembers - five months after the event - that on the evening of May 3rd, Gerald was wearing jeans and trainers. Another detail came back to her: the time that David Payne had spent at her apartment.

Gerald had spoken of 30 minutes, Kate now insists that he was only there for 30 seconds. We have never understood why it was so important to minimise this period of time. When Kate leaves the premises, we make sure that all necessary precautions have been taken to ensure her safety.

### *ARGUIDOS*

On September 7th at 11am, Kate Healy is declared an *arguido* on the basis of strong presumptions of the crime of concealing a body and simulating an abduction. She states her name and gives her address as her home in Great Britain. Taking advantage of the right accorded to her by her status, she remains silent and does not answer questions concerning the circumstances of her daughter's death, on May 3rd 2007, in the Ocean Club apartment.

At 4pm, it's Gerald's turn to be officially declared an *arguido*, for the same reasons. In contrast to his wife, he seems disposed to answer questions. He begins by vehemently denying any responsibility whatsoever in his daughter's disappearance. As far as the time that David Payne spent with Kate and her children is concerned, he now says that the 30 minutes represents the total time that it took David Payne, after having left Gerry on the court at 6.30pm, to drop in and see Kate, go to his apartment to get changed and get back dressed to play tennis. But the court was reserved from 6 to 7pm. Why did David go back at 7pm, ready to play, when he knew there wasn't time?

### SEAN AND AMELIE'S HEAVY SLEEPING.

Questioned about the twins, who on the night of the tragedy, stayed deeply asleep in spite of the comings and goings, the shouts and the arrival of the police, Gerald admits having been astonished himself that they did not wake up in the middle of such a racket. To begin with, he even thought that the children had been drugged - by the abductor, you understand -, but he only spoke to the police about it later.

From the start, the way the children slept had seemed suspicious to us and we wanted to have screening tests carried out: nevertheless, faced with the media coverage of the case, we had put this off, worried about

exposing the parents to trial by the public. This was a mistake.

It is only three months later that Kate speaks about this possibility, suggesting that the police proceed with these tests. The National Institute of Forensic Medicine let's us know that before proceeding with this screening, they would need to know what type of sedative they were looking for. There are hundreds of them on the market. While the grandfather stated on television that Kate gave Calpol to the children to get them to sleep, several months have gone by since May 3rd. Kate, who is a doctor, must be aware that the time for obtaining convincing results has largely passed.

It is known that the sudden withdrawal of sedatives can cause sleep problems. If Kate's journal is to be believed, the twins suffered from problems of that nature during the days following their sister's disappearance.

## Chapter 21



### AN IRISH FAMILY IN A STATE OF SHOCK.

The McCann couple return to Great Britain after more than four months spent in the Algarve. It's an almost triumphant return. The media coverage is such that you'd think you were witnessing the liberation of hostages held for years in a far-off country. Gerald McCann is shown on television carrying his son, as he descends from the plane. The child's head is against Gerald's left shoulder and his arms dangling by his sides. Gerald walks across the tarmac, still holding his son closely against himself.

In Ireland, the Smiths are watching the BBC news, which is broadcasting the event. For them, it's a shock: that person, they recognise him. That way of carrying his child, that way of walking...It's the man they saw at around 10pm on May 3rd, with a little girl, who seemed to be deeply asleep, in his arms.

This image, brings back with a jolt, that of the man they encountered in the streets of Vila da Luz, on the evening of Madeleine's disappearance. It's as if the scene is repeating itself ....Mr Smith thinking he's hallucinating, sees the same report on other channels, ITV and Sky News. From that moment, he is sure: the man they came across that night was Gerald McCann. Of that there is very little doubt. Upset by the implications of this discovery, he alerts the police and waits to be called back by those in charge of the investigation.

When we receive this information, at the end of September, we think we finally have the piece that will allow us to complete the puzzle. Because of this, we may be able to reconstruct the course of events on that cold night of May 3rd in Vila da Luz. We have a better understanding of why Jane Tanner, "sent," the alleged abductor in the opposite direction to that taken by the man seen by the Smith family. Suspicion had to be diverted from Gerald who - if he was the guilty party - would have taken this route: leaving apartment 5A, the individual who was carrying the child, did not go east, towards Murat's house, but west in the direction of the beach.

We decide to get the Smiths back to the Algarve, for a formal identification of Gerry McCann - by means of televised images, certainly - direct confrontation being impossible - and possibly proceed to a reconstruction of the events of the night of May 3rd. The National Director of the Judiciary police agrees, the process is set in motion, all the details are sorted out; all that remains is to choose the hotel where they will be put up. But the Smiths were never to come back to Portugal. After my departure, the PJ were to change their minds. They asked the Irish police to proceed with interviewing the witness. That decision was to seriously delay the process since the Smiths were not interviewed until several months later. Meanwhile, rumours were to circulate and people not involved with the investigation would be made aware of the existence of this witness; someone allegedly even sought out contact with the family, without its being known to what end.

## Chapter 21

### THE DISMISSAL OF THE HEAD OF AN INVESTIGATION: CONSPIRACY OR SUBMISSION?

*From The Portuguese Marquis of Pombal to Lord Chatam of The British Government (1759) It is time to end it. If my predecessors were spineless enough to grant you everything you wanted, I will never accord to you any more than I owe you . This is my final decision and you will have to get used to it.*

Manuel João Paulo Rocha, official and author born in Estombar on June 24th 1856, relates in his work "*Monografia de Lagos - As Forças Militares de Lagos nas Guerras da Restauração e Peninsular e nas pugnas pela liberdade,*" (*Lagos Monograph - Military forces in the restoration and peninsular wars and in the struggle for freedom.*) how a minister of the realm valiantly defended the interests of his country against foreign powers. This involved naval battles between an English fleet and a few French naval ships in Portuguese territorial waters between Lagos and the Cape of St Vincent (which in 1759 included the area of Vila da Luz). The Portuguese government, considering this affront an attack on its sovereignty, had immediately demanded explanations from the British government.

The attitude of those in power at that time contrasts with our present leadership. Nowadays, relations between independent and sovereign states must respect standards of democracy, which weren't in force at that time. Besides, Portugal and Great Britain are now members of the European Union and have participated in the development of a constitutional treaty. The firing of the head of a criminal investigation is just a minor event in relations between nations: the man is a simple official who has to submit to the decisions of his superiors. This is no reason for hiding the grounds for this dismissal and its damaging effects on the progress of the investigation. This untimely removal seems to have been decided not because of incompetence, but for one moment of carelessness.

## FROM COLLABORATION TO PANIC

From the beginning, the parents - perhaps because they doubted the competence of the Portuguese police - were set on having Leicestershire police - and not Scotland Yard - involved in the investigation.

It is important to stress that the professionalism of the English police is not in question; actually a bonus for the investigation, their intervention on the ground did not conflict in any way with Portuguese national sovereignty. On the contrary, it lies within the framework of international cooperation between police forces. Faced with the globalisation of crime, that cooperation becomes essential.

Portugal already works actively with other countries, whether at the level of justice, of the Public Ministry, of the judiciary police or the whole spectrum of police services. In the Algarve for example, every year, dozens even thousands of rogatory commissions, border controls, various transmissions of information are affected. Between May and September, the judiciary police - through the intermediary of the Portimão DIC, however tied up they were with the Madeleine case - actively collaborated with Spanish, English and French police forces on various cases (international trafficking of narcotics and money laundering, fraud, seizure of hundreds of kilos of cocaine) and affected a good many arrests.

We are well aware of what international cooperation between police forces is about. It is based on reciprocity, trust and respect, especially when the investigation is led jointly by two countries, with foreign investigators on the ground.

During the couple's interrogation, at the beginning of September, the two police forces defined a common strategy: to go forward with the search for evidence concerning the crimes of concealment of a corpse and simulation of abduction; actively pursue investigations to find the body; get to the bottom of the causes of death. We realised very quickly that it was not going to be like that. After the interrogations and the McCanns' return to England, the British police lost interest in the case, giving the impression that their work was finished. We were left to pursue the investigation alone. It would seem that the reasons for their presence in our country were linked more to the McCann couple than to Madeleine. The child disappeared in Portugal, not in Great Britain. For what reasons did they depart immediately after the McCanns? A very hard, yet crucial question to answer.

## AN ASTONISHING SHIFT

After the Moroccan lead fizzled out, new elements to the investigation, sometimes brought by the McCanns themselves, continued to feed the theory of abduction, while the British police knew perfectly well we needed to be looking for a body.

On the last weekend in September, I decide to leave Portimão to go to my virtually abandoned house in the Algarvian east. Inès, my four-year-old daughter, goes with me. She loves the countryside, being in touch with nature.

If she is asked which she prefers, living with her grand-parents in Faro or with her mother in Portimão, the answer is immediate: with my daddy.

Not so much because of her father as attachment to the house where she was born.

Here we are then, on the way to her paradise. We stop on the way to eat, and arrive at our destination late in the evening. After finding her toys, she falls asleep very quickly in her canopied bed. The sun is barely up when she is already about, ready to visit our neighbours, a retired couple who have found a peaceful refuge here.

Throughout the day, she goes back knocking on their door, even when they are out. She spends Saturday steeped in her own world and her games.

For my part, I stay in touch with the DIC in Portmão and the investigators in charge of the case. I listen to the news when, once again - things being as they are, this is becoming the norm - I am speechless: a member of the McCanns' staff states that they are in possession of a report that invalidates the work of the EVRD and the CSI dogs: the absence of a body supposedly does not allow the results to be confirmed. Would that be the report from the experts at FSS? How did the McCanns get access to that confidential information? This is hardly reassuring and risks compromising the progress of the investigation.

This statement makes us think of the challenge thrown at the Portuguese police, "Find the body and prove that Madeleine is dead," to which we could have replied with, "Show us Madeleine and prove that she is not dead."

During the night of Saturday into Sunday, our dog does not stop barking. I go out but I see nothing and nobody that could get him so worked up. He then howls by the door. I don't know what's going on, but being on my own with Inès, I decide to stay close to her indoors and not let my anxiety show. The next day, I still don't understand what could have upset the dog so much. Inès, anxious, wants at all costs to see the neighbours, but they haven't returned.

On Monday August 1st, I go back to work at DIC in Portimão, where two pieces of news are waiting for me: officials at Buckingham Palace have received an email informing them that a little girl - Madeleine - has disappeared from a hotel complex situated....in Lisbon! The second was brought to us by an English tourist - Kate - on holiday in Praia da Luz: she allegedly saw a stranger hanging about near the Baptista supermarket in the vicinity of the Ocean Club.

This is where we're at: reduced to receiving that type of tip-off and chasing a phantom, that of the imaginary abductor. This Monday gets off to a bad start, with its load of irritation and preoccupations.

#### BAD RESPONSE TO A JOURNALIST

In the evening, while driving, I receive an unidentified phone call, the last straw...A journalist asks me if I want to comment on the subject of the email. Whether due to the difficult day, the raging storm or the fact of driving through rain...I lose my cool. I reply, irritably, without thinking, that the message is of no interest and that it would be better for the English police to occupy themselves with the Portuguese investigation. Even as I am hanging up, I realise that I have not only made a blunder, but I have been unfair towards the majority of the British police who have helped us throughout these difficult months. I drive on, certain that I have triggered a diplomatic incident with predictable consequences: as soon as these simple words are made public, I risk not being able to continue to direct the Portimão Department of Criminal Investigation.

At last, I get home. It's when I visit my neighbours that I finally understand the reason for my dog's agitation the previous night. Their house has been burgled. The thieves left behind lots of valuable objects but snatched a briefcase containing personal documents. Deep down, I can't help thinking that perhaps they mistook their target.

The next morning, the storm and the rain have still not let up. A bad sign...Accompanied by Guilhermino Encarnação, I have to go to Huelva, in Spain, to attend the commemorative ceremonies for national police day. Before meeting up with him, I see on the front page of the newspaper the phrase I came out with the night before, transformed into a long interview. When I meet Guilhermino, I let him know about my outburst. He immediately tries to contact the national director to explain to him what happened, but can't get hold of him.

We arrive at Huelva Cathedral in time to hear the homily from the bishop of the diocese, dedicated to - this is no coincidence - the role of the police and the protection of children. A choir starts singing Charles Gounod's Ave Maria. Finally a moment of respite in the middle of the storm raging outside. We then go on to the Iberian-American Forum at La Rabida, close to the convent of the same name. It is in this monastery that Christopher Columbus stayed, waiting for financial backing from the Catholic Queen Isabelle before undertaking his voyage of discovery to the New World.

On the way, Guilhermino receives a phone call from the public prosecutor, from then on responsible for the direction of the investigation. Having taken part the night before in a broadcast by a British television channel, where he was questioned about the lack of professionalism by the Portuguese police, he is calling to assure us of his support. Knowing our work pretty well, he is outraged by the injustice of such words and hints that, much to the contrary, we would deserve praise and thanks.

THE DISMISSAL: END OF A CAMPAIGN OF DEFAMATION AND INSULTS.

At the Forum, where we attend the ceremony presided over by the government representative for the province of Huelva, I meet some friends and acquaintances. It is shortly after 2pm, in the middle of lunch, that I receive the news. The National Director has sent a fax to the Portimão DIC: in it, he stipulates the end of my assignment and requests my return to Faro. Today, October 2nd, is my 48th birthday; this is not the present I wanted, but one that I was expecting. Basically, this brings to an end a campaign of defamation and insults that I have been the target of since the start of the case, the whole thing orchestrated and amplified by the British media. The strategy is simple: call into question the investigation and those who lead it and, at the same time, present Portugal as a Third-World country with a legal system and police force worthy of the Middle Ages.

According to a British correspondent, the Prime Minister personally called Stuart Prior to ask for confirmation of my dismissal. Why would the head of the British government be interested in a lowly Portuguese official? We refuse to believe the rumours going around, according to which the signing of the Treaty of Lisbon was dependent on my dismissal. Rumours, of course, nothing more. I cannot help but think that for the first time in its history, the judiciary police has dismissed a simple official from his post because of external pressure.

Those wise words addressed by the Marquis of Pombal to his English ally in the year of Our Lord 1759 seem far removed: "I will never accord to you any more than I owe you."

## Chapter 22

RIA DE ALVOR, ONE YEAR ON.

A GLANCE AT THE PAST AND CASTING AN EYE TO THE FUTURE.

May 8th 2008, Ababuja restaurant.

For several months now, I have not had the pleasure of spending any time in the company of my friend and colleague, Tavares de Almeida. We decide to grab a bite to eat at Ababuja, one of a number of restaurants on the banks of the Alvor, opposite the fish market. We used to go there from time to time - a year ago - for lunch or dinner with English colleagues who were involved in the investigation. The restaurant is full, the clientele mostly British. Amazingly, we pass unnoticed and manage to enjoy some privacy. At last, a long way from the investigation, we find ourselves alone and appreciating the sunshine on this fine afternoon, its rays reflecting on the calm waters of the river that separates Lagos from Portimão, where the investigation was played out. Although Tavares is pleased to say that the whole affair is behind us, our conversation inevitably goes back to Madeleine's disappearance: we recall the extraordinary work that was accomplished, the research, searches of properties, interrogations, the expert opinions, analyses carried out with the sole aim of understanding what happened....and the bitterness of having failed to find the little girl.

- Do you remember the conclusions we reached after the McCanns' interrogations?

- Oh, let it go, it's over.

- You believe it's possible to forget? We shouldn't disregard the past but build on it to move forward.

- Eh, my friend, our Benefica has certainly got a past too, and look what it's become nowadays.

- In fact, experience has taught them nothing.

- They've moved quickly on to other things..

- Exactly, let's not forget what has happened to that little girl.

- It's impossible. What I want to erase from my memory is the cruelty committed by certain people.
- To go back to our conclusions, I am convinced that those who would like to refute them would have a hard time doing so.
- That's certain, since they rest on the facts, the clues and the concrete evidence.

## A DISAPPEARANCE, A WINDOW AND A BODY

It is now important to present a summary of this case, based on our deductions: reject what is false, throw out what we can't show with sufficient certainty and validate that which can be proven.

1. The theory of abduction was defended from the start by Maddie's parents.
2. In their group, only the McCanns state that they saw the bedroom window open. The others cannot confirm it since they arrived at the apartment after the alert was raised.
3. The only person to have seen that window open with the shutters raised is Amy, one of the play workers from the children's centre of the Ocean Club. She made that observation at around 10.20/1030pm, which means well after the alert - which doesn't exclude that the window could have been closed at the time of the criminal act.
4. The witness statements raise a great number of inaccuracies, inconsistencies and contradictions. Jane Tanner's witness statement in favour of the theory of abduction is probably false: little by little it has lost all credibility because of successive modifications introduced by Jane, modifications that have ended up invalidating it.
5. The body, the existence of which has been confirmed by the EVRD and CSI dogs but also by the results of the preliminary laboratory analyses, cannot be found.

The conclusions my team and I have arrived at are the following:

1. The minor, Madeleine McCann died inside apartment 5A of the Ocean Club in Vila da Luz, on the night of May 3rd 2007;
2. There was simulation of abduction.
3. Kate Healy and Gerald McCann were probably involved in the concealment of their daughter's body.
4. The death may have occurred as a result of a tragic accident;
5. The evidence proves the parents' negligence concerning the care and safety of the children.

The sun is going down over this beautiful countryside. Children are playing under the watchful gaze of their parents. I think about the enthusiasm that was characteristic of him when I met Tavares in November 1981, at the judiciary police school, and which still fires him.

The past seems distant, but it's not forgotten. We gave the best of ourselves to resolve this case. Our conclusions rest on the proven facts and the evidence interpreted within the principles of the law.

**Our work was done in the cause of justice, based on the material truth, the only thing that must prevail in a universe where the lie is raised up as truth.**



"Soon, very soon, the world will know the truth about the lie and we will gain truth and justice for a little girl who has no voice, dead on the evening of May 3rd "

Goncalo Amaral