

## Foreword

This e-book is a compilation of some documents relating to specific parts of the ongoing saga of the quest for the truth about the reported disappearance of Madeleine Beth McCann.

It is doubtful whether anyone in the literate civilised world does not know that Madeleine was reported missing by her mother about 10 pm on 3rd May 2007, from an apartment in Praia de Luz, on the Algarve in Portugal.

Almost all other facts have been the subject of claim and counterclaim, of conflict of evidence, and above all of the crushing financial and legal might of the best libel lawyers in the world bearing down on anyone who dares to express a view different from the official one put out by the McCanns and their spokesperson.

It is important to note however, that nothing which has been said or written has ever been proved to be libellous in a Court of Law, after proper examination. Everything has been settled out of court, or by undertakings.

Readers may decide for themselves if the official story is physically possible, or bears a proper relation to the observable facts, but should be aware that they are still in danger of being sued for holding and expressing a different view, or of having those views suppressed in a different way.

It is notable that the amount attributable to legal fees already substantially outweighs the amount paid to the various firms of private detectives, who have notably failed to come up with anything of value.

One test which has been applied when determining what to include is to examine any incongruence between what was said, and what was observed.

For example, this is what was said - about the 8th day of the "search"; the 8th day of the investigation into the disappearance; 12th May 2007, Madeleine's 4th birthday

*"We ate mostly in silence, concentrating on the kids. I couldn't eat much, and alcohol was completely off my agenda. Fiona recalls that Gerry and I were completely shut down that day, barely able to talk, and although our friends tried to remain cheerful and behave normally to get us through it, they all felt awkward about being at this lovely villa, in the sunshine, in these circumstances. There was no cake. Gerry did attempt a toast but he was visibly upset and couldn't manage much more than 'I can't even say happy birthday to my daughter . . .' before choking up. The physical loss was more intense than ever. I ached for Madeleine."*

from the book "madeleine", by Kate McCann - p. 128

This is what was observed as they emerged from a solemn church service that morning.



In preparing the various chapters I have tried to rely on what witnesses and the parents themselves said in their statements.

The statements have not been interpreted, but the obvious inconsistencies and frequent changes of story have been left in and highlighted for readers to make up their own minds.

The structure of the e-book is that each chapter is in the form of a self contained monograph, with its own list of references. For ease of research the original source has also been appended in full where possible.

Although that makes it slightly cumbersome it gives the reader instant access to the source material, so that any mistake or wrong interpretation can be immediately identified.

If there are mistakes they are entirely mine.

If I have quoted anything without giving a reference or acknowledgement, I apologise

There are those who argue that this matter is one which should now be laid to rest, or that the McCann's version should be accepted in its entirety.

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To them I would say we should always bear in mind the following

**Madeleine Beth McCann is missing  
It is not known what happened to her  
Her whereabouts are unknown**

**The search for her, or for her mortal remains must continue  
The search for the truth about what happened must continue**

**No one should seek to prevent or to hinder either of those**

**And in support of those ends -**

**No one with a valid theory or hypothesis should be crushed before the  
theory or hypotheses can be tested**

**No one with a differing point of view should be silenced, except by defeat  
in logical debate, or by production of evidence**

**Bullying, victimisation, name-calling, "trolling" and other techniques  
have no place in the search for the truth.**

**Nor in the search for a missing child.**

It is not known why the McCanns do not publicly distance themselves from the foul language and vile insults, threats and abuse directed by several blog sites against people who are seeking the truth. Nor why they allowed evidence obtained by criminal activity to be adduced.

## Chapter

### 1 **Changes in Story**

*Changing the initial version of events is a classic 'red flag' warning to police investigators*

### 2 **Did they Search ?**

*Did the McCanns physically search for their daughter Madeleine?*

### 3 **Curtains, Door and Windows**

*We examine Kate's claim that the door slammed, and when she went in the curtains "Whooshed" open.*

### 4 **The "Window of Opportunity"**

*We calculate the vanishingly small "window of opportunity" for the alleged abduction.*

### 5 **Sedation**

*In this study we attempt to answer three questions*

- 1 *Were the twins sedated on the night of 3rd May 2007?*
- 2 *If so, were they sedated by an intruder ?*
- 3 *If so, but not by an intruder, then by whom ?*

### 6 **Cold and Windy**

*Was the weather hot, as Gerry insisted, or cold and windy, as the others do, and what are the implications of this apparently trivial remark.*

### 7 **Just Checking**

*We take another critical look at the inconsistencies in the Tapas group's statements, about their checking of the children during dinner.*

### 8 **Egregious examples**

*The most egregious examples of "economy with the truth".*

### 9 **On the reliability of Cadaver Dogs**

*Some of the leading recent cases involving Cadaver dogs are examined.*

The final two chapters are included to show the way in which people are capable of acting out a role, despite the pressures on them and despite their being in possession of the truth. They are relevant only to show sceptics that this can, and does happen, perhaps more often than people remember.

### 10 **Appeals and Pleas**

*Cases in which persons were reported missing or abducted, when in fact they had been harmed by a family member who made the false report.*

### 11 **Crocodile Tears**

*Overlaps with the previous Chapter, but gives more examples of Television appearances.*

## E-BOOK

### What really happened to Madeleine McCann ?

Many years have passed since the original E-book was published on line, and I have been invited to take another look at it.

In the light of what we now know some Chapters still stand up to scrutiny, but others have been superseded.

Right from the start the Abduction story was supported by two pillars

*Smashed Shutters*

*Man seen carrying child*

The smashed shutters were shown to the world to have been a deliberate, calculated but extremely stupid LIE by the parents - to their own close friends and relatives, incidentally, who dutifully put the story into the public domain - when TV footage the following morning showed the fingerprint officer dealing with a clearly untouched and unopened shutter. That Chapter concentrated on the nature of the lie being told, and its persistence

The sighting by Tanner lingered for very much longer, and so the Chapter in which this is dissected and destroyed is still relevant to show the mendacity and stupidity involved.

Some time later DCI Redwood himself destroyed this second pillar by telling the world he had *traced* the man involved, who was merely carrying his child home from the crèche. He also claimed that the original pyjamas had been produced for inspection and the man's original clothing had been seen (after 6 years)

Whether any of that was correct or in any sense '*true*' is beside the point. What the DCI was doing was publicly making it clear that the original story was nonsense, and always had been.

But interestingly, this second pillar of "*Man seen carrying child*" was so powerful for Team McCann and the Abduction story, that even now, years after the DCI made that statement, the image of "Tannerman carrying child" is **still** on the Find madeleine web site.

Without it, they have nothing.

And after the DCI's revelation, the other "*man seen carrying child*" - Smithman - had to be brought out of the relative obscurity to which he had been consigned. TM cannot let the focus change. And that focus **has** to remain on late evening Thursday 3rd May

The DCI followed this up by making a strangely worded statement that "*Madeleine leaving the apartment alive does not necessarily follow with all of our thinking . . .*" and then went to the Algarve with ground penetrating radar and pickaxes to start digging.

The implication and the message to the McCanns and their friends was clear.

The Last Photo, the famous Pool photo, was also said by Mitchell to have been taken on that final day. Since it was Mitchell presenting the photo some took a more independent look, at the EXIF Metadata, and at other aspects concerned with it.

There is little doubt now that the pool photo **CANNOT POSSIBLY** have been taken on Thursday 3rd. They arrived too late on the Saturday, and in the event there were big fluffy clouds, as shown on the children's play area photos. Sunday was totally cloud free, but by late that evening a weather front had begun to move in which eventually brought rain and cold winds for the rest of the unhappy week. This front cleared only late on Thursday evening. A new chapter on the Pool Photo summarising what seems now to be accepted has been added for the benefit of those who did not see it elsewhere

And although that is itself interesting, as is the forensic identification of the people involved in that conspiracy, the ones who handled the photos and who altered the EXIF, the main concern is as always slightly to the right of where we are looking.

A long term and valued researched known to many has looked at everything which happened after Sunday 29th, and realised that there is nothing which provides any concrete or credible evidence that Madeleine was still alive *after* that night or early the following morning

Initial statements are vague and anodyne, but so soon as the Tapas group, mostly educated medics, are put even to the very poor test in the Rogatory interviews, they lapse into gibbering incoherence. Not one seems able to answer a straight question or use normal grammar or syntax, about anything after Sunday 29th. They were under pressure. All of them

The dogs were surely the final straw.

A British Police Advisor organised the top British human blood and human cadaverine detection Spaniels, handled and trained by the top British Police officer. The dogs were given the run of the apartment and of all the others in the block. They were taken to an underground car park with a selection of cars, and another room with a selection of clothing. They alerted to places and items concerned with the McCanns- and importantly to NO OTHER PLACES OR ITEMS, and that fact does need to be repeated as often as we have time to do so.

And the alerts allow a short and tragic story to be told. Behind the sofa, on Kate's shorts, and on Cuddle cat, to a shelf in the parents' bedroom, where a blue tennis bag had been photographed, then in the boot of the car, and on the key fob. The sequence is not difficult to follow !

In the original e-book were chapters about people giving false information about abductions, and about false reactions in front of TV cameras. They have not been updated, and will not be, as they are purely illustrative of the depths to which people will sink, and add nothing to the evidence in this case. The revelation about the lack of evidence of Madeleine's continued existence after Sunday 29th has led to another series of interesting thoughts.

Interesting in that a new scenario can be “purported” (to use Gerry’s lamentable solecism) which simplifies everything.

It is *revelatory* in that much is revealed.

Previously difficult statements begin to make sense, photos fit into place, and crucially most of the reported actions begin to form a pattern.

The once apparently ludicrous shenanigans of Kate and twins leaving by one door and Gerry and - allegedly - Madeleine by the other, ridiculously overemphasised in her autobiography, now seem to make much more sense. And the sense is of ensuring that they were never seen after Monday morning in circumstances where they should have been seen as a family group of five

It looked intricate and meaningless, and set against the 3rd May evening start point, it was.

But set against a Monday morning start, it makes perfect sense.

The crèche records and the fudging and forgeries and bizarre timings compared with the Younger children’s crèche by the Tapas bar, and the strange closeness of one of the nannies, and various other factors suddenly begin to make sense.

It is also *revelatory* in that it can explain what binds the Tapas group together, in their “Pact of Silence”, and why that pact is unlikely to be broken.

Mrs Webster inadvertently used the word “super-*inaudible*”, and it may have been applied to her by the others. The rest of the group may be bound by other personal and professional considerations.

Seven new chapters are added.

- The first distilling the work on the Last Photo - the pool photo, showing how it can **only** have been taken on Sunday 29th
- A second putting Kate’s ludicrous “*Whooshing curtains*” in context, and showing how this was pure invention.
- A third, giving the background to the “Dossier of death” which led directly to the suicide of the late Brenda Leyland. We show how the author of that disgraceful document can be easily identified, and it comes as no surprise.
- The next asking what drives the McCanns to put into the public domain statements which even must realise can be immediately disproved
- We then look at the philosophical issue of whether *Absence of Evidence* can ever amount to *Evidence of Absence*
- A short diversion looks at the possible motivation behind those who continue to insist on the “Abduction” story, and compares them with those who do not

- I then briefly touch on the recent film showing an interview with Peter Hyatt, a Statement Analyst, who dissected the Australian interview with the McCanns, and comes to some firm and evidenced conclusions.
- The final Chapter - for the moment - derives from something which was included in the recent films by Rich Hall, and concentrates on a specific and wholly mendacious story placed in the public domain. We show how it was part of overall strategy to keep the Abduction story alive, in the face of the total lack of evidence.

All of these issues have been discussed at length on CMoMM,  
<http://jillhavern.forumotion.net/>  
but are presented in synopsis, for ease of access

# Changes to the original story

*Changing the initial version of events, especially concerning a report of a missing child, is a classic 'red flag' warning to police investigators to query both, or all, versions of events in great detail.*

## First reports

In the 24 hours following the report of Madeleine's disappearance the following family members and close friends reported almost identical stories to the press

They are of course hearsay as to the state of the shutters and window, but they are direct evidence of what they were told by the McCanns.

That is a crucial difference.

### Trish Cameron -

Gerry McCanns sister, said she received a telephone call from her 39-year-old brother, a consultant cardiologist, who was "hysterical and crying his eyes out". She said: *"They last checked at half past nine and they were all sound asleep, sleeping, windows shut, shutters shut. Kate went back at 10 o'clock to check. **The front door was lying open, the window had been tampered with, the shutters had been jemmied open** or whatever you call it and Madeleine was missing..."* [1]

### Brian Healy -

Madeleine's maternal grandfather, told the Guardian his son-in-law had phoned him shortly after returning "Gerry told me when they went back **the shutters to the room were broken, they were jemmied up** and she was gone," said Mr Healy. "She'd been taken from the chalet. **The door was open.**" [2]

### Jon Corner -

a close friend of Kate McCann and godparent of the twins, said she phoned him in the middle of the night distraught. He said: *"She just blurted out that Madeleine had been abducted. **Kate said the shutters of the room were smashed.** Madeleine was missing It looks as though someone had gone straight past the twins to get to her.* [3]

### Jill (or Gill) Renwick -

a family friend told GMTV the McCanns were certain that Madeleine has been abducted. "They were just watching the hotel room and going back every half-hour and **the shutters had been broken open** and they had gone into the room and taken Madeleine," she said." [4]



### Observation

- 1 In all four cases it is reported that the shutters were *broken open, smashed, or jemmied*.
- 2 Three of the reports include that *the door* was open, or hanging open.

As one commentator, John Blacksmith, has percipiently noted -

*“What must be appreciated, at this point, is that these comments, from closest family and friends - the first to be contacted, are not Chinese whispers. It is not a case that the McCanns rang one person, who got the message wrong, and this got passed on to everyone else. These are four people who received independent telephone calls from Gerry or Kate, in the hours following the 'abduction', and made independent statements. Yet, the statements all recount the same story. The McCanns' apartment was locked, so the 'abductor' must have gained access via the jemmied shutters and left via the front door.” [5]*

## First change of story.

### This change relates to the shutters' being damaged

The first police statements were taken during the morning of 4th May 2007, by which time the story had already changed in regard to the shutters having been damaged. Now they are merely “raised”.

It is also notable that all reference to *the door* being open, or hanging open has been quietly dropped.

**Gerald McCann**, statement, 4 May 2007: 11:15 a.m.

*“... Thus, at 9.05 pm, the deponent entered the club, **using his key, the door being locked**, and went to the children's bedroom and noted that the twins and Madeleine were in perfect condition. . .*

*“... At 10pm, his wife Kate went to check on the children. **She went into the apartment through the door using her key and saw right away that the children's bedroom door was completely open, the window was also open, the shutters raised and the curtains drawn open.** The side door that opens into the living room, which as said earlier, was never locked, was closed. [6]*

**Kate McCann**, statement, 4 May 2007 2:15 p.m.

*“... At around 10pm, the witness came to check on the children. She went into the apartment by the side door, which was closed, but unlocked, as already said, and immediately noticed that **the door to her children's bedroom was completely open, the window was also open, the shutters raised and the curtains open, while she was certain of having closed them all as she always did.** [7]*

### *Observation*

- 1     *The door* is now ignored
- 2     The McCanns and two of their friends were taken from Praia da Luz at around 10 am for the statements to be taken. [8]  
Gerry was first. He was interviewed alone. When his statement was completed Kate followed.  
Unusually Gerry was permitted to remain in the interview room, whilst Kate was interviewed and her statement was taken. [9]  
He was permitted to sit behind her and she states that from time to time he “*would place a hand on my shoulder or give me a reassuring squeeze*”. [10]

### *Further observation*

- 3     Physical contact of this sort may be reassuring. It can also be a very effective method of communication.

During the same morning, whilst those two statements were being taken the PJ started the forensic examination of the apartment, including of the shutters, and took photos.

It is clear that the shutters had not been broken, smashed, or jemmied open. [11]

Meanwhile other people with a knowledge of the resort were giving evidence.

**John Hill** Mr Hill said that *despite the report by a family friend that the shutters to the couple's apartment were broken, there was no sign that anyone had forced their way in while the McCanns ate at the tapas restaurant 200 yards away.* [12]  
*"It's still questionable as to whether it's abduction,"* [13]

Chief Inspector **Olegario Sousa**, spokesman for the investigation, later confided in British former Chief Inspector **Albert Kirby** that neither the windows nor their shutters had been tampered with.

Mr Kirby told The Mail on Sunday: "

*I had a very interesting chat with the officer in charge. **The window shutters are not an issue.** Their mechanism makes them almost impossible to open. The door was left unlocked. They did that every night.*" [14]

Photos exist of the forensic scientist from the PJ examining the shutters. It is clear that the shutters are in perfect condition. [15]

A short video clip of an attempt to open the shutters from outside may also be seen on YouTube. In this it is clear that the shutters jam into the housing above the window, and do not remain in the raised position once released. [16]

## Second change of story

### **This concerns the point of entry of Gerry and Kate into the apartment**

In the second statement, made on 10 May, Dr Gerald McCann changed his story for a second time, this time in relation to his point of entry.

*“He is certain that, before leaving home, the children's bedroom was totally dark, **with the window closed, but he does not know it was locked, the shutters closed but with some slats open, and the curtains also drawn closed.** Asked, he mentions that during the night the artificial light coming in from the outside is very weak, therefore, without a light being lit in the living room or in the kitchen, the visibility inside the bedroom is much reduced. **Despite what he said in his previous statements, he states now and with certainty, that he left with KATE through the back door which he consequently closed but did not lock, given that that is only possible from the inside. Concerning the front door, although he is certain that it was closed, it is unlikely that it was locked, because they left through the back door**”.* [17]

#### *Observation*

This brings his version into line with that of Kate's statement of 4th May, and incidentally makes it more compatible with the first version given by Dr Matthew Oldfield.

*“ That the door through which he entered the apartment was closed but not locked. That he doesn't know if it is usual for Madeleine's parents to leave the door closed but not locked in so far as that door is visible from the restaurant.”* [18]

It also brings it in line with the statement by John Hill [supra, 14]

## Third Change of story

### **This concerns the first acceptance that the window was not the point of entry.**

On 18 October 2007 the Dispatches programme aired “*Searching for Madeleine*”. In that programme it was effectively proved that there was **no way anybody could break into the apartment and leave no forensic trace** or damage to the lightweight aluminium shutters, which are covered with a fine coating of polyurethane paint which marks extremely easily.

David Barclay (Former Head of Physical Evidence UK National Crime and Operations Faculty)

*“We must be very careful that we're not saying this is actually staging, but it is difficult to see how anybody could have interfered with those shutters from the outside without leaving some trace. In fact, having looked at them, I think it's almost impossible.”* [19]

**Important Note:** The statements detailed above were not made available for examination and comparison until the case was shelved in July 2008. What follows is therefore a significant announcement, as it was placed into the public domain BEFORE the public at large were made aware of the previous contradictions and changes in stance.

During the week following the Dispatches programme the McCanns' official spokesman, Clarence Mitchell, announced that the McCanns now reversed their previous stance on the break-in story.

*"THE spokesman for the family of Madeleine McCann has reversed a statement made in the early days of the search for the missing child. . . However, in the early part of the hunt, friends and family members told journalists that the shutter on the apartment where the McCanns were staying had been broken. . . **"There was no evidence of a break-in,"** said Mr Mitchell.*

*"I'm not going into the detail, but I can say that Kate and Gerry are firmly of the view that somebody got into the apartment and took Madeleine out the window as their means of escape, and to do that **they did not necessarily have to tamper with anything.** They got out of the window fairly easily."* [20]

David Barclay repeated this view on "Madeleine McCann - The Mystery," by Sky News 24.12.07 when he said,

*"I think it is impossible for someone to get in and out of that window without leaving a forensic trace . . ."* [21]

The McCanns' change of view was reinforced 18 months later by the McCanns themselves, on their "Find Madeleine" web site, where they admit the force of some arguments.

**"Lisbon 14th January 2010**

*There are few points which have been raised in the last few days which I would like to address specifically:*

*Abduction theory:* *For us, there is only the abduction theory possible because we were not involved in Madeleine's disappearance and we know Madeleine did not wander off by herself. It is obvious and right that the police should consider other theories initially.*

*The window:* *I described to the police officers **exactly what I found that night, as it was and is highly relevant and I knew that every little detail could be helpful** in finding my daughter which is our only aim. The window which is a ground floor window was completely open and is large enough for a person to easily climb through it. Whether it had been opened for this purpose remains unknown. It could of course have been opened by the perpetrator when inside the apartment as a potential escape route or left open as a **'red herring'**.* [22]

#### Observation

- 1 Kate refers to the "abduction" as a theory. Not as a proven fact.
- 2 Kate described in her statement an open window and wide **open** curtains. She described in interviews and in the 'truthful' book an open window and completely **closed** curtains.

# References

## Important Note

- A Many of these references may be accessed on the web site <http://mccannfiles.com> which has a good search engine.  
We have tried wherever possible to find and to quote the original source.
- B In several cases an original interview was reported by different newspapers. In some cases there are slight differences in the actual words in the quotes used, which may be for several reasons. We have tried to attach the correct reference for the exact wording shown, but there may be instances where a slight variation can be detected.  
It is submitted that the importance is the meaning, rather than the actual form of words used.
- C Some of the original web site references are no longer available, having been deleted, or archived beyond the reach of a casual researcher. In those cases we show the original as it was recorded at the time, indicate by strike through that it is no longer available, and where possible show a web reference to which the original material and the original reference was copied and pasted, and where at the time of publication it may still be viewed.

## References and Links

- 1 [http://news.bbc.co.uk/2/hi/uk\\_news/england/leicestershire/6623127.stm](http://news.bbc.co.uk/2/hi/uk_news/england/leicestershire/6623127.stm)
- 2 <http://www.guardian.co.uk/uk/2007/may/05/world.topstories31>
- 3 ~~<http://www.timesonline.co.uk/tol/news/uk/crime/article1750081.ece>~~  
<http://www.mirror.co.uk/news/uk-news/maddy-3-goes-missing-472340>
- 4 ~~<http://www.independent.co.uk/news/world/europe/british-girl-missing-on-algarve-holiday-447404.html>~~  
~~<http://www.24dash.com/news/Communities/2007-05-04-Holidaymakers-join-Algarve-hunt-for-missing-three-year-old>~~  
Reported on <http://hypocriteandliar.wordpress.com/tag/jill-renwick/>
- 5 <http://www.mccannfiles.com/id21.html>  
copied and pasted from *Blacksmith bureau blogspot*  
written by one John Blacksmith

- 6     **Witness statement of Gerald Patrick McCann, on the 4th of May 2007, at 11.15 a.m.**     Processos Vol I, pages 34 - 41     Location: CID Portimão  
          *may be accessed on <http://mccannfiles.com/id192.html>*
- 7     **Witness statement of Kate Marie Healy, on the 4th of May 2007, at 2.20 p.m.**     Processos Vol I, pages 58-65     Location: CID Portimão  
          *may be accessed on <http://mccannfiles.com/id192.html>*
- 8     *Madeleine*, by Kate McCann, 2011, Bantam Press, at p.88
- 9     Ibid. p. 90
- 10    Ibid. p. 91
- 11    <http://mccannfiles.com/id155.html>
- 12    ~~<http://www.independent.co.uk/news/world/europe/british-girl-missing-on-algarve-holiday-447404.html>~~
- Quoted at     <http://themaddiecasefiles.com/topic15821.html>  
      referring to     Press Association ,4 May 2007 By PA Reporters
- 13    [http://news.bbc.co.uk/2/hi/uk\\_news/england/leicestershire/6623127.stm](http://news.bbc.co.uk/2/hi/uk_news/england/leicestershire/6623127.stm)
- 14    <http://www.dailymail.co.uk/news/article-454466/Madeleines-parents-left-patio-doors-unlocked.html>
- 15    [http://www.gerrymccannsblogs.co.uk/ocean\\_club\\_apartment-.jpg](http://www.gerrymccannsblogs.co.uk/ocean_club_apartment-.jpg)
- 16    [http://www.youtube.com/watch?feature=player\\_embedded&v=leuMzyaCnnY](http://www.youtube.com/watch?feature=player_embedded&v=leuMzyaCnnY)
- 17    **Witness statement of Gerald Patrick McCann, on the 10th of May 2007, at 3.20 p.m.**     Processos Vol IV, pages 891-903     Location: CID Portimão  
          may be accessed at     <http://mccannfiles.com/id261.html#tap10>
- 18    **Witness statement of Matthew Oldfield - 11h30, 04 May 2007**  
          may be accessed at     <http://mccannfiles.com/id261.html#tap3>
- 19    ~~[http://www.youtube.com/watch?v=s2xkjU4OB14&feature=player\\_embedded](http://www.youtube.com/watch?v=s2xkjU4OB14&feature=player_embedded)~~  
      (NB; This is no longer available. That account has been closed.)  
      Transcript is to be found at     <http://www.mccannfiles.com/id49.html>
- 20    <http://www.independent.ie/world-news/europe/mccann-family-reverse-story-over-breakin-evidence-1203473.html>
- 21    <http://www.youtube.com/watch?v=6yFZ2eVuC4Q>
- 22    <http://www.findmadeleine.com/updates/updates@page=1.html>

# Did the McCanns physically search for their daughter Madeleine?

Kate McCann - statement 4th May 2007 [1]

*The group immediately headed to the club, and set about searching in all the buildings, swimming pool, tennis courts etc. as well as in the apartment with the help of employees.*

Gerry McCann statement 4th May 2007 [2]

*Immediately, the group headed for the club and searched across all the facilities, swimming pool, tennis etc., as well as in the apartment, with the help of Ocean Club employees, while at the same time they contacted the authorities, that would later appear.*

Gerry McCann statement 10th May 2007 [3]

*They continued with searches outside, around the various apartment blocks, the deponent having asked MATHEW to go to the secondary reception in order to communicate the fact to the local police, since he had no doubt that his daughter had been abducted.*

Gerry McCann statement as Arguido 7th September 2007. [4]

Status "Arguido", under caution (In English Law terms), and with Lawyer present.

*When asked why instead of scouring the land next to the complex they remained inside the apartment, he replies that it did not happen that way. While the guests and resort workers were searching, **he** went to the main reception to check whether they had called the Police, and told Kate to wait inside the apartment. After returning from the reception he went back into the apartment where he stayed in the living room and in their bedroom. [my emphasis]*

## Observations

1 It is evident from the context in the first two statements that "**the group**" means the rest of the group, and does not include the McCanns themselves.

2 There is a clear contradiction between the 10 May statement where it is stated that Gerry sent Matthew to the reception, and the 7th September statement, where he states that he himself went, before returning to the apartment.

3 Matthew Oldfield's statements of 4th and 10th May, are silent on this point. Neither statement goes into details of any search.

4 Matthew Oldfield's rogatory interview a year later states that both he and Gerry went to Reception, apparently independently. [5]

## BBC TV interview

A fortnight after Gerry's second statement, on 25th May 2007, the McCanns were interviewed by Jane Hill of the BBC. [6]

The clip may be viewed on YouTube

Transcript -

**Jane Hill:** *"I met people who didn't go to work for more than a week because everyday they were down on the beach, searching the streets. Did you, as a mother Kate, just sometimes think 'I've got to go and be out there with them. I want to go and just physically look as well.'"*

**Kate:** *"(Pause) I mean, I did. Errm... (Long Pause) Errm, we'd been working really hard really. Apart... I mean, the first 48 hours, as Gerry said, are incredibly difficult and we were almost non-functioning, I'd say, errm, but after that you get strength from somewhere. We've certainly had loads of support and that's given us strength and its been able to make us focus really so we have actually, in our own way, it might not be physically searching but we've been working really hard and doing absolutely everything we can, really, to get Madeleine back."*

**Gerry:** *Made no reply.*

## Observations

1 The parents are being given every opportunity to say publicly what searches they had done. They have the opportunity to emphasise, for example, that Kate had remained to look after the twins and that Gerry had searched extensively. They have the opportunity to explain in great detail what they had done.

2 They remain silent.

3 They do not mention anything which appears in the following extract from the book, *Madeleine*, by Kate McCann, published in 2011.



**From the book.**

**Madeleine, by Kate Mccann Published 2009**

p. 73 *Gerry, David, Russell and Matt split into pairs and dashed around the adjacent apartment blocks, meeting back at our flat within a couple of minutes.*

p. 80 *On my insistence, Gerry and Dave went out again to look for some sign of Madeleine. They went up and down the beach in the dark, running, shouting, desperate to find something;*

p. 81 *I walked briskly up and down Rua Dr Agostinho da Silva, sometimes breaking into a jog, clinging to the hope that I'd spot something in the dark.*

p. 81 *Back in the apartment the cold, black night enveloped us all for what seemed like an eternity. Dianne and I sat there just staring at each other, still as statues. 'It's so dark,' she said again and again. 'I want the light to come.' I felt exactly the same way. Gerry was stretched out on a camp bed with Amelie asleep on his chest. He kept saying, 'Kate, we need to rest.' He managed to drift off but only briefly, certainly for less than an hour. I didn't even try. I couldn't have allowed myself to entertain sleep. I felt Madeleine's terror, and I had to keep vigil with her. I needed to be doing something, but I didn't know where to put myself. I wandered restlessly in and out of the room and on to the balcony.*

*At long last, dawn broke.*

p. 83 *Friday 4 May. Our first day without Madeleine. As soon as it was light Gerry and I resumed our search. We went up and down roads we'd never seen before, having barely left the Ocean Club complex all week. We jumped over walls and raked through undergrowth. We looked in ditches and holes. All was quiet apart from the sound of barking dogs, which added to the eeriness of the atmosphere. I remember opening a big dumpster-type bin and saying to myself, please God, don't let her be in here. The most striking and horrific thing about all this was that we were completely alone. Nobody else, it seemed, was out looking for Madeleine. Just us, her parents.*

*We must have been out for at least an hour before returning to David and Fiona's apartment . . .*

**Observations**

1 This is the first occasion on which we are told that the parents searched.

2 None of these details were included in any statement, nor in any interview prior to publication.

3 If we add the total time spent by the parents in searching, we find "a couple of minutes," plus a "run up and down the beach", plus "a brisk walk up and down the road", plus "at least an hour".

Total search time, it seems no longer than 1 hour 45 min.

4 It is entirely unclear why Kate would need to **insist** that Gerry went out to search.

5 Matthew Oldfield's rogatory interview does not say that he and Gerry were searching together. In the rogatory interview there is an ambiguous passage which may indicate that he and Gerry were together on the beach. [7]

6 It is also made clear that both parents spent the latter part of the night either sleeping (Gerry), or "keeping vigil" (Kate)

7 The use of the word "resumed" on p.83 is therefore questionable.

## References

Note: Nos 1 - 5, and 7 may be found in <http://mccannfiles.com>

1 **Witness statement of Kate Marie Healy, on the 4th of May 2007, at 2.20 p.m.** Processos Vol I, pages 58-65 Location: CID Portimão

2 **Witness statement of Gerald Patrick McCann, on the 4th of May 2007, at 11.15 a.m.** Processos Vol I, pages 34 - 41 Location: CID Portimão

3 **Witness statement of Gerald Patrick McCann, on the 10th of May 2007, at 3.20 p.m.** Processos Vol I, pages 891-903 Location: CID Portimão

4 **Arguido questioning of Gerald Patrick McCann, on the 7th of September 2007, at 4.05 p.m.** Processos Vol IV, pages 2569-2578 Location: CID Portimão

5 <http://mccannfiles.com/id219.html>

6 [http://www.youtube.com/watch?v=\\_YWCVSjIJk8](http://www.youtube.com/watch?v=_YWCVSjIJk8)

7 <http://mccannfiles.com/id219.html>

*The transcript of the Rogatory interview with Matthew Oldfield follows.  
The "raw" transcripts is given first, and then for ease of understanding the relevant parts are rendered in a more coherent form.*

Matthew Oldfield, Rogatory Interview Leicestershire Police HQ, 9th April 2008.

## Reference 5

### Raw Transcript

*Erm, at some point we were back and forth to the, to the reception as well. And I think what the reception probably did was ring the MARK WARNER people and say, there's somebody that's saying there's a child missing, because by that time there were lots of MARK WARNER people around, erm, and they were very good, they, you know, they obviously, you know, got there and that might have been the impetus that got them to ring the Police, if, because I understand that there is some discrepancy about when we thought we'd called the Police and when the Police were actually called and that might be that they went on the, on that route first and then went, I think it's Stuart HILL or, well the Manager, the sort of Manager got involved, that might have been when it occurred. Erm, so there was plenty of running around through the back streets and back to the apartment and then, you know, where's the, where are the Police, where are the Police, erm, and so went back down to the reception, this would have been about thirty minutes or so later, erm, back to reception, erm, and at that point, Gerry had come down as well, erm, and, erm, you know, was obviously, you know, sort of intermittently sort of calm and then completely, you know, hysterically upset, it was sort of, you know, it was sort of pretty sort of upsetting, because you didn't know what to really say, because you can't really say, you know, it's going to be okay, because, you know, you assume the worst and it's going to be particularly awful, you know, it's going, you know, some, erm, person's got, (inaudible), some xxxxxxx's got my, you know, got my daughter and she's so innocent.*

### Edited text

*. . . we were back and forth to the reception as well.*

*And I think what the reception probably did was ring the MARK WARNER people and say there's somebody that's saying there's a child missing, because by that time there were lots of MARK WARNER people around, and they were very good, that might have been the impetus that got them to ring the Police, so there was plenty of running around through the back streets and back to the apartment and then [I] went back down to the reception, this would have been about thirty minutes or so later, and at that point Gerry had come down as well, and, was sort of intermittently calm and then completely hysterically upset . . .*

## Reference 7

### Edited text

*Reply "No I don't remember much about the weather on that night, I'm just thinking more about when we were actually running along the beach and along the front doing the search and I don't recall it being particularly windy .*

**Kate's claim that the door slammed, and when she went in the curtains "Whooshed" open.**

**p. 205 "We'd never lied about anything - not to the police, not to the media, not to anyone else." (Madeleine, by Kate McCann)**

From Kate's police statement, dated 4th May 2007

*"At around 10pm, the witness came to check on the children. She went into the apartment by the side door, which was closed, but unlocked, as already said, and immediately noticed that the **door to her children's bedroom was completely open, the window was also open, the shutters raised and the curtains open, while she was certain of having closed them all as she always did.**"*

Gerry's statement of 4th May 2007 does contain hearsay evidence, but as husband and wife they have obviously spoken between themselves, and the statement may be taken at face value as confirming what Kate had said to him.

*"At 10pm, his wife Kate went to check on the children. She went into the apartment through the door using her key and saw right away that **the children's bedroom door was completely open, the window was also open, the shutters raised and the curtains drawn open.** The side door that opens into the living room, which as said earlier, was never locked, was closed."*

In Gerry's statement of 10th May 2007

*"The deponent ran into the apartment accompanied by the rest of the group who, at the time, were seated at the table. When he arrived at the bedroom he first noticed that **the door was completely open, the window was also open** to one side, the shutters almost fully raised, **the curtains drawn back**, MADELEINE's bed was empty but the twins continued sleeping in their cots. He clarifies that according to what KATE told him, that was the scenario that she found when she entered the apartment.*

*Then he closed the shutters, made his way to the outside and tried to open them, which he managed to do, much to his surprise given that he thought that that was only possible from the inside. "*

Kate made the first half of a statement on 6th September, but it was adjourned late at night, to be resumed the following day. It was at this point that the events of late evening of 3rd May were about to be discussed.

The following day Kate immediately exercised her right to remain silent as *arguida* and said nothing more of evidential interest. The more detailed analysis of her story was therefore never undertaken.

*GNR officer's statement - José María Batista Roque*

*When questioned about the windows in the bedroom, he only remembers that the **window in the girl's bedroom was closed** with the blind raised up the space of the width of a hand. He does not remember the existence of curtains. The father indicated, through the translator, alleging that **when the disappearance was discovered, the windows and blinds were open.***

So in the original statements from the first two people to visit the scene, and from the first Police officer, to whom they spoke we learn

- the window was open
- the curtains were drawn back, drawn open, or fully open.
- the door to the children's bedroom was fully or completely open

We turn therefore to the photos of the scene.

**FOTOS 7 e 8** – Pormenor da janela que de acordo com testemunhas se encontrava aberta.



Here we see

- the window is closed
- the curtains are not open. One is half closed, the other three quarters
- \* In addition the curtains are trapped behind the bed and the wicker chair so that the pleats are flattened

## Second Version

in 2009 Kate gave an interview as part of a programme which was recorded and can be seen on YouTube.

At 1:15 she says

*"I did my check about ten o'clock and went in through the sliding patio doors, and I just stood actually, and I thought, uh, all quiet. And to be honest, I might have been tempted to turn round then, but I just noticed that the door, **the bedroom door** where the three children were sleeping, **was open much further than we'd left it.** I went to close it to about here, and then as I got to here, it suddenly . . . slammed, and as I opened it, it was then, that I just thought I'll just look at the children. I see Sean and Amelie in the cot . . .*

*I was looking at Madeleine's bed which is here, and it was dark and I was looking*

*and I was thinking is that, is that Madeleine or is that the bedding and I couldn't quite make her out, and it sounds really stupid now, but at the time I was just thinking I didn't want to put the light on because I didn't want to wake them, and literally as I went back in, **the curtains of the bedroom which were drawn**, [demonstrates with both forearms together] **that were closed**, "wheesh" like a gust of wind kind of blew them open. And cuddle cat was still there, and the pink blanket was still there. I knew straight away that, err, she'd been . . . taken, yer know."*

We notice a number of significant points in this interview.

- the door was open "further than we had left it", but on the video it is clear and demonstrated that this did not mean fully open.
- the curtains were fully closed, and this is demonstrated on the video by the forearms being held vertically in front of the body and together
- the curtains blew into the room as Kate was standing in the doorway

### **A third version appears in the book.**

p. 71 *"Then I noticed that the **door to the children's bedroom was open quite wide, not how we had left it**. At first I assumed that Matt must have moved it. I walked over and gently began to pull it to. Suddenly it slammed shut, as if caught by a draught. A little surprised, I turned to see if I'd left the patio doors open and let in the breeze. Retracing my steps, I confirmed that I hadn't. Returning to the children's room, I opened the door a little, and as I did so I glanced over at Madeleine's bed. I couldn't quite make her out in the dark. I remember looking at it and looking at it for what was probably only a few seconds, though it felt like much longer. It seems so daft now, but I didn't switch on the light straight away. Force of habit, I suppose: taking care to avoid waking the children at all costs.*

*When I realised Madeleine wasn't actually there, I went through to our bedroom to see if she'd got into our bed. That would explain the open door. On the discovery of another empty bed, the first wave of panic hit me. As I ran back into the children's room **the closed curtains flew up in a gust of wind**. My heart lurched as I saw now that, behind them, the **window was wide open** and the shutters on the outside raised all the way up. "*

From this we learn

- \* the door was open quite wide,
- \* the window was wide open
- \* the shutters were raised all the way up
- \* Kate searched in the other bedroom before returning to the children's room
- \* the curtains [plural] then flew up in a gust of wind

We may wish to note the following.

- \* In none of the three statements made by Gerry and Kate on 4th and 10th May 2007 was there any mention of the slamming door, nor of the "whooshing" curtains.

- \* in her statement Kate makes no mention of Gerry's closing and opening the shutters
- \* The weather that night was mild, with a light breeze,. In Faro it was recorded as reaching only Force 3. At 10pm only 14.4kph. This is the bottom end of Force 3.  
**Beaufort Force 3 Gentle breeze 12–19 km/h (3–5 m/s)**  
**Leaves and small twigs constantly moving, light flags extended.**

## Commentary

Here we have three versions from the main witnesses.  
 They are not merely contradictory, they are mutually exclusive.  
 Only one can be correct. The others must therefore be false.

If the curtains "Whooshed" or blew into the room it would have required a significant gust of wind. When they fell back they would have fallen across the bed and over the wicker chair. There is no mention in any statement of Kate's having tucked the curtains back into their original position nor of trapping them behind the bed.

**p. 205 "We'd never lied about anything - not to the police, not to the media, not to anyone else." (Madeleine, by Kate McCann)**

## References

(First five may be found on [www.mccannfiles.com](http://www.mccannfiles.com))

**Witness statement of Gerald Patrick McCann, on the 4th of May 2007, at 11.15 a.m.**  
 Processos Vol I, pages 34 - 41 Location: CID Portimão

**Witness statement of Kate Marie Healy, on the 4th of May 2007, at 2.20 p.m.**  
 Processos Vol I, pages 58-65 Location: CID Portimão

**Witness statement of Gerald Patrick McCann, on the 10th of May 2007, at 3.20 p.m.**  
 Processos Vol I, pages 891-903 Location: CID Portimão

**Witness Statement José María Batista Roque Date: 17 – 10 - 2007**  
 Processos Volume XII Pages 3281 - 3284

**REPORTAGEM FOTOGRAFICA do Nucleo de Policia Tecnica**  
 Reg Fot. 292107, Fotos: 18, Especialista Adjunto: João Barreiras

**Interview**  
[http://www.youtube.com/watch?v=IhACS6ck-Dw&feature=player\\_embedded](http://www.youtube.com/watch?v=IhACS6ck-Dw&feature=player_embedded) 1:15 onwards

**Weather**  
[http://www.wunderground.com/history/airport/LPFR/2007/3/3/DailyHistory.html?req\\_city=NA&req\\_state=NA&req\\_statename=NA&MR=1](http://www.wunderground.com/history/airport/LPFR/2007/3/3/DailyHistory.html?req_city=NA&req_state=NA&req_statename=NA&MR=1)

# **The “Window of Opportunity” for the Abduction of Madeleine Beth McCann**

**In this study we shall assume that what the McCanns  
and other witnesses said was correct.**

From time to time it is of course necessary to ‘interpret’, as when one witness gives more than one version of an event, or when two or more witnesses give inconsistent testimony. Such points will be identified.

In the early stages of the publicity round the mystery of the disappearance of Madeleine Beth McCann it was widely suggested and reported in the Press that the abductor might have had nearly an hour between Gerry McCann’s last visit and Kate’s discovery of Madeleine’s disappearance to prepare for and then to commit the crime. Alternatively that he may have had half that time, before Matthew Oldfield’s visit, or possibly after Oldfield’s visit

On subsequent analysis of the main statements, and taking into account the McCann’s very early insistence that Jane Tanner’s sighting was of the abductor with Madeleine, that could no longer be sustained. This fact had been recognised by Gerry McCann as early as 1:00am on 4th May. [1]

The McCanns themselves clearly both accept that the “Window of Opportunity” for an abduction was small. During one interview Kate McCann said - in a high pitched and emotional voice - *“Yyyeeah, yeah you’re right. It was a very small window of opportunity but they saw it and then \*click\*!!!!!!* Here Kate makes a clicking sound with her tongue and a simultaneous downward chopping motion with her right hand. [2]

On 10th May 2007 Gerry McCann made a statement in which he confirmed this, although at that time he seemed equivocal about the Jane Tanner sighting.

The passage bears repeating in full, for the avoidance of doubt.

*“The deponent had had the wrong idea that MATHEW had seen the bedroom shutters closed when he was there at 21H30, and therefore he thought the disappearance would have taken place between 21h30 and 22h00, but presently he is fully convinced that the abduction took place during the period of time between his check at 21h05 and MATHEW’s visit at 21H30. It was not until about 01h00 on 4 May 2007 that he learned through RUSSEL that his partner, JANE, at around 21h10, saw a man crossing the top of the road with a child in his arms, that may or may not have been his daughter MADELEINE.* [3]

Quite how small was that window and the consequences that follow are examined here.



From their Police statements we learn the following :-

- The McCanns left the apartment to go for dinner around 8:30pm [4]
- Gerry McCann left the Tapas restaurant at 9:04 pm, walked back and re-entered the apartment. He did a physical check on the children. He saw all three. [5]

**Observation 1 :** From the absence of any further comment in any of his statements it must be assumed that the front door, the patio door, the garden gate and the security gate, and the windows and shutters and curtains in the children's bedroom, were all in order.

**Observation 2 :** It takes one minute to walk at a normal speed from the Tapas bar to the small gate at the bottom of the outside stairs. It would take a further 20 seconds to open the gate, climb the stairs, open the patio doors quietly, enter the apartment and reach the children's bedroom. [6]

- He remained in the apartment for a little time, two or three minutes [7] recording that he stood in the children's room *"and thought to himself, She's so beautiful."* and took the opportunity to use the bathroom. He then left the apartment through the patio doors, and went down the outside stairs, through the gate and out onto the street. There he met Jeremy (referred to throughout as Jez ) Wilkins. The two men spoke for a short time, estimated at between 3 and 4, or 3 to 5 minutes. [8]  
[9] or "only a few minutes" [10]

- Jane Tanner left the Tapas bar at between 9:05 and 9:10 pm. Significantly she times her own departure at five minutes after Gerry's [11] She walked past the men whilst they were talking. She reports seeing the two men [12] although the men state they did not see her. [13]

- Immediately after passing the two men Jane Tanner saw a man carrying a child along the road across the top of the street from left to right. The child was being carried flat, across the forearms, and Jane Tanner saw its feet, which were towards her. She then continued to her own apartment. [14]

- Gerry McCann then returned to the dining table in the Tapas bar. This time is given as between 9:10 and 9:15 pm [15]

Working purely from the statements of **Gerry McCann, Jeremy Wilkins, and Jane Tanner**, and adding the time as we proceed we can estimate the following -

Gerry McCann left the Tapas bar	9:05 pm
Arrived at gate at bottom of stairs	9:06
Climbed stairs, entered apartment and went to bedroom	9:06.30s
Looked at children and had "proud father" moment	9:07
Used toilet	9:08
Left apartment, closing doors, went down stairs, met Jez Wilkins	9:09
Talked to Jez Wilkins	9:09 - 9:13 pm
Jane Tanner left Tapas bar	9:10 pm
JT arrived bottom of stairs, saw and passed the two men	9:11
JT saw abductor carrying child across top of road	9:11.05s

There is therefore, on their own timings, just **two minutes and five seconds** for the intruder to get in, seize Madeleine, get out again, and make his way round to the top of the road. To walk from the front door or window of the apartment to the left behind the low wall, then across the car park, then right to the corner of the street takes around **45 seconds**. and a further 5 seconds to cross the street. **[16]**

He has therefore around **one minute and twenty seconds** to enter, commit the crime, and exit.

**This is an important point for the understanding of what happened.**

Let it be stated once again.

If the man seen by Jane Tanner was the “abductor” and was carrying Madeleine, as the McCanns insist, he had available to him the time from Gerry McCann’s leaving the apartment to the sighting by Jane Tanner. **And no more.**

In this time the intruder has to

- Enter the apartment
- Sedate all three children - in the dark
- Select Madeleine as the victim - in the dark
- Open the shutters and window - if he used the front door to enter
- Pick Madeleine out of her bed - in the dark
- Turn her round so that her head is now to his left, rather than to his right, which is the way he would have approached her in the bed.
- Exit the apartment, either through the opened window and shutters, or through the front door, which he must then close silently behind him.
- Walk to the **left** along the path in front of the apartment, walk straight ahead across the car park, and then walk to the **right** along the road, and cross the street in front of Jane Tanner, the father of the very child he had just abducted, and another man who has his own child in a buggy.

Taking into account the travelling time, he has around **one minute and twenty seconds** in which to achieve the first seven items on the list.

Clearly he could not enter through the patio door within this time frame, since Gerry was standing either at the bottom of the steps, or on the other side of the road. depending whether we follow the statement of Gerry McCann, Jez Wilson, **[17] [18]** or Jane Tanner. (During the televised “documentary reconstruction” Gerry McCann’s version took precedence, and viewers were treated to the sight of Jane Tanner being reduced to tears as her detailed recollection was publicly destroyed.) **[19]**

For our purposes this important contradiction is, for the moment, irrelevant. As Kate has observed, *“What may be important is that all three of them were there.”* **[20]**

It is indeed a very important point, **as it fixes forever Jane Tanner’s sighting relative to Gerry McCann’s leaving the apartment, in a way which cannot be altered by debate or legal argument.**

It could only be altered by admission of error, but Jane Tanner has several times then and since publicly insisted that she was telling the truth. [21] [22]

### **Possible scenarios.**

One scenario is therefore that immediately on Gerry McCann's leaving the apartment, the intruder entered though the front door by means unknown, or, having forced up the shutters, propped or jammed them in a high position, forced open the window, and climbed in. This is not supported by examination of the operation of the shutters, or the locking mechanism of the windows. No implement to support the shutters was found, and no forensic traces were seen on the window sill, or on the windows.

A second scenario has more recently been put forward to the effect that the intruder must have been already in the apartment as Gerry McCann entered. This would allow him a few more seconds or fractions of a minute in which to complete his crime. And in fact we find that this was raised as a possibility by Dr Gerry McCann himself some time later. [23]

But the apartment is largely open-plan, and this theory leads to some vague stories being suggested about where the intruder might have been secreted. None is persuasive. "Behind the door", or "in the cupboard," have been offered. Examination of the photos of the bedroom, and indeed of the entire apartment may lead a researcher to question this. [24]

Gerry McCann recounts seeing all the children, and having the "proud father" moment, and of looking down at Madeleine. In none of his three statements does he report the smell of anaesthetic gas or the presence of any other anaesthetic paraphernalia, and we conclude that this procedure must therefore have been performed after he left.

Kate was initially sure that the children had been sedated. [25]

As the almost infinitely small window of opportunity contracts till further, other possibilities have been put forward.

The intruder had been watching the apartment [26]

The Intruder had been watching the family and taking notes. This was mentioned two years later in the Vanity Fair interview [27]

It is notable that the more details are provided for this scenario, the more difficult it becomes. Adding the sedation, for example, or the opened window and shutters purely as a "red herring", as Kate did nearly two years later, [28] cuts down still further the time available to perform the *actus reus*

Another even more strange possibility put forward by Kate was that the intruder had been 'making notes', and later still there was even a suggestion that he might have done a preliminary reconnoitre, a "dummy run", during one of the previous nights.

This is a consequence of the '*curious incident of the children crying in the night time*', reported at some length and on a number of occasions by Kate. [ 29] [30]

Whether it is remotely credible to think that an intruder would not complete the crime, but would instead choose to repeat the actions on a subsequent evening, when the crying alert given by the children might have been heeded by the parents, is something the critical reader may wish to consider.

I started this piece by attempting to build up a picture of what might have happened during the admitted small window of opportunity.

Gradually, and at each step, the story becomes ever more difficult to follow, and the time available for any action by anyone becomes ever smaller, to the point where one must be permitted to ask if there is anything left which is even remotely possible.

It must surely also be permitted to ask the people who steadfastly proselytise the theory of sedation followed by abduction within the tiny window of opportunity, to give at least some details of how they imagine it might have been carried out.

**“Once you eliminate the impossible, whatever remains, no matter how improbable, must be the truth.” Sherlock Holmes. a.k.a. Sir A Conan Doyle**

## **IMPORTANT OBJECTIONS**

There are at least three important objections to what has been written above.

**The first objection** is that the times given by the various people in their statements were not necessarily accurate. A combination of stress and confusion on the night, and trying to fit the story together within a few hours after the event would have made the times approximate at best.

(In fact one of Clarence Mitchell's more notorious outright lies was to the effect that none of the group had watches or mobile phones with them, and that therefore the exact times were not to be taken as wholly accurate. [31] Unfortunately for him this was nearly a year after the Tapas7 group had drawn up two separate and detailed time lines on the night, and a third mutually agreed amalgamation of both, [32] but also the statements of the Tapas 7, of Gerry McCann *“When asked at what time he went to check on the children the night Madeleine disappeared, he recalls that this was around 21:04 according to his watch”*, [33], and subsequently Kate McCann in her book *“by his watch”*. [34], all contradict his assertion.

He backtracked six weeks later. [35] Quite why Mitchell invented, or was asked to tell this particular lie is difficult to understand.)

But the first objection is a valid one, and it is accepted.

It is however **entirely irrelevant** whether the events described took place exactly between 9:05 pm and 9:15 pm, or five minutes later, or five minutes earlier.

The **time** is not important. It is the **timing**, and the statements of the three main people involved which define the “very small window of opportunity”, and that remains unchanged regardless of the exact start or finish time of that window.

To recap, in case this is not understood or fully appreciated

Any abduction, and all ancillary matters necessary for an abduction,  
**must have been carried out**  
**between the time Gerry McCann left the apartment having seen the children**  
**and the time Jane Tanner passed him and saw the abductor carrying Madeleine**  
**whilst he was talking to Jez Wilkins in the street outside.**

And that time is measured in only a very few minutes and seconds.

**The second objection** is that the timings for climbing the stairs and opening the patio doors, for example, or the 45 seconds allowed for walking from the apartment across the car park and then to the right and across the street might be inaccurate, as they would depend on the individual person’s walking speed.

This is again fully accepted. This objection however is dealing in seconds, or small fractions of a minute. It does not go to the heart of the issue, and could not for example get near to doubling the time available for the preparation and execution of the crime.

**The third objection** is that of considering median times. In other words if it is supposed that Gerry McCann’s talk with Jeremy Wilkins was 5 minutes, and that Jane Tanner passed them at the very end of their conversation, so that Gerry returned to the Tapas bar immediately she had passed, then the total *apartment time* for the abductor might be extended to nearly four minutes.

This is of course accepted, but it still remains to be explained how the first six items on the list of necessary procedures could be carried out, even in this time, undetected and unremarked by two fathers, speaking quietly together in an almost silent street just yards from the *locum delicti*.

And we must remember that Jeremy Wilkins had his own child in a buggy, and that it was a cold night. This is attested to by Jane Tanner “*it was quite a cold night*” “*It was actually quite cold*”: [36] and by Kate McCann “*It was so cold and windy*”. [37] The actual length of the conversation between the two men, who profess to be only passing acquaintances must be judged against those facts.

## Summary and Comments

All the above is based on the assumption that the witnesses have told the truth.

It is difficult to understand how Madeleine Beth McCann could conceivably have been abducted from the apartment in the time available.

The PJ wished the McCanns and their friends to return and to take part in a reconstruction. All refused.

Gerry McCann and Jane Tanner did return to take part in a documentary, in which a partial reconstruction was to take place. The reality was that this was effectively “directed” by Gerry McCann himself, one of only three persons officially named as a suspect, and no important points were explored or challenged. The issue of the “window of opportunity” seems to have been totally ignored. [38]

The bald statement in the book, “I knew”, then repeated in italic, thus - “*I knew*” , - falls, with respect, somewhat short of the burden required in a court of law for proof that a most serious crime has been committed [39] [40]

**Madeleine Beth Mccann remains missing.**

**Her whereabouts and her fate are still unknown.**

## **References And Appendices**

### **Important Note**

A Many of these references may be accessed on the web site <http://mccannfiles.com> which has a good search engine. We have tried wherever possible to find and to quote the original source.

B In several cases an original interview was reported by different newspapers. In some cases there are slight differences in the actual words in the quotes used, which may be for several reasons. We have tried to attach the correct reference for the exact wording shown, but there may be instances where a slight variation can be detected. It is submitted that the importance is the meaning, rather than the actual form of words used.

C Some of the original web site references are no longer available, having been deleted, or archived beyond the reach of a casual researcher. In those cases we show the original as it was recorded at the time, indicate by strike through that it is no longer available, and where possible show a web reference to which the original material and the original reference was copied and pasted, and where at the time of publication it may still be viewed.

**The Appendices** contain the extracts from the statements released by the PJ when the file was archived, from the raw transcript of the rogatory interviews, from Kate McCann’s book and from several other sources. In this way it is intended that this document may stand alone, without the need to search for the original sources.

The numbering follows that of the references above and in the body text

## References

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- 2 [http://www.youtube.com/watch?v=WaYLHtnEr8I&feature=player\\_embedded](http://www.youtube.com/watch?v=WaYLHtnEr8I&feature=player_embedded)
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- 5 Witness statement of Gerald Patrick McCann, 10th of May 2007, op. cit.
- 6 Personal visit and timing. Calculation from available maps
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- 10 *Madeleine*, by Kate McCann, Bantam Press, 2011. p. 71
- 11 Jane Tanner, Statement 4th May 2007 Processos Vol I Pages 42 – 50  
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- 17 Witness statement of Gerald Patrick McCann, 10th of May 2007, op.cit.

- 18     Jeremy Wilkins     Statement to Leicester Police 7th May 2007  
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       <http://themaddiecasefiles.com/post513.html>
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- 40     [http://lawwiki.org/lawwiki/Burden\\_Of\\_Proof](http://lawwiki.org/lawwiki/Burden_Of_Proof)



## Appendices

1 The deponent had had the wrong idea that MATHEW had seen the bedroom shutters closed when he was there at 21H30, and therefore he thought the disappearance would have taken place between 21h30 and 22h00, but presently he is fully convinced that the abduction took place during the period of time between his check at 21h05 and MATHEW's visit at 21H30. It was not until about 01h00 on 4 May 2007 that he learned through RUSSEL that his partner, JANE, at around 21h10, saw a man crossing the top of the road with a child in his arms, that may or may not have been his daughter MADELEINE.

2 *"Yyyeeah, yeah you're right. It was a very small window of opportunity but they saw it and then \*click\*!!!!!!* Here Kate makes a clicking sound with her tongue and a simultaneous downward chopping motion with her right hand.

3 The deponent had had the wrong idea that MATHEW had seen the bedroom shutters closed when he was there at 21H30, and therefore he thought the disappearance would have taken place between 21h30 and 22h00, but presently he is fully convinced that the abduction took place during the period of time between his check at 21h05 and MATHEW's visit at 21H30. It was not until about 01h00 on 4 May 2007 that he learned through RUSSEL that his partner, JANE, at around 21h10, saw a man crossing the top of the road with a child in his arms, that may or may not have been his daughter MADELEINE.

4 Yesterday, after the daily routine, MADELEINE and the twins were put to bed in their respective beds, and he stresses put to bed, at 7.30 pm. The deponent and his wife remained in the apartment to relax and drink a glass of wine until 8.30 pm. After checking the children, the deponent and his wife and the adults went to the "Tapas" restaurant, around 50 metres away, where they had dinner together.

Yesterday, after the daily routine, Madeleine and the twins went into the bedroom and were put in their beds at around 7.30. The witness and her husband stayed in the apartment, relaxing, until 8.30pm. She took a bath, did her make-up and drank a glass of New Zealand wine with her husband. Just after 8.30pm, the witness and her husband, after checking on their children, joined the other adults of the group at the "Tapas" restaurant, about 50 metres away, where they had dinner.

5 Therefore, he entered the children's bedroom and established visual contact with each of them, checking and he is certain of this, that the three were deeply asleep.

6 •

7 He adds that he did not enter any other part of the residence, where he was for only two or three minutes,

8 He crossed the road in JEZ's direction who was walking up on the right-hand side, in the ascending direction, both having chatted for 3 to 4 minutes, about tennis, holidays and children.

9 The conversation lasted for about three (3) to five (5) minutes.

10 "The conversation probably lasted only a few minutes . . . "

11 She remembers that at about 21h10 Gerald left the restaurant (3) to go to the apartment to check on the children. Five minutes later, the witness left, to go to her apartment to see whether her daughters were OK.

12 At this moment she saw Gerry talking to an Englishman called Jez whom they had got to know during the holidays.

13 He was adamant that he did not see any one else in the area. When spoken to in reference to Jane Tanner walking by, he again stated that he saw no one. He also stated that he did not see or hear anyone to his right.

14 About the description of the child, she confirmed that it was being carried in his arms, with the legs in her direction and barefoot. She thought that it was a female child because the pyjamas were a light colour (seemingly pink to her). She never saw the hair of the child. She never saw it move nor make any sound, thinking that it was asleep.

15 He then returned to the TAPAS, between 21h10 and 21h15, dinner having gone as normal.

16 •

17 After leaving through the side gate, and while on his way to the secondary reception entrance, less than 10 metres from the gate, he saw "JEZ" walking up the street on the opposite pavement, bringing with him a baby buggy with his youngest child. He crossed the road in JEZ's direction who was walking up on the right-hand side, in the ascending direction,

18 At this time he was walking on the right side of the road passing the Tapas bar area to his left. He noticed the bad street lighting and although it was not completely dark there was enough light to see clearly. As he approached the corner of the McCanns apartment, he saw Gerry appear from the area of the gate. He crossed the road and engaged in general conversation with Gerry

19 •

20 "Either way, exactly where they were standing is not crucial. What maybe important is that all three of them were there."

21 She swore "by everything most sacred" that what she said is true, namely that she saw an individual with a child in his arms. Confronted, she demonstrated the distance at which the man with the child had passed her, and that was gauged to be about 5 metres.

Confronted with the information that the [tracker] dog teams had followed/followed the scent trails in which, purportedly, Madeleine Beth McCann had not passed the intersection where she indicated a man carried a child, she affirmed, immediately, that she was not lying, maintaining the honesty of her initial version.

22 •

23 Madeleine McCann's parents say they believe that an intruder hid inside their holiday apartment before snatching their daughter from her bed.

Gerry McCann says he is convinced that, when he checked on Madeleine at 9.05pm on the evening she disappeared, the abductor was somewhere inside the ground-floor flat.

24 •

25 “Had Madeleine been given some kind of sedative to keep her quiet ? Had the twins, too?”

26 “I will tell you what I haven’t told anyone,” says Jon Corner, a family friend. “In August, I was with Kate in Portugal. She told me, ‘I wish I could roll back time and go back to the day before Madeleine was abducted. I would slow down time. I would get a really good look around and have a really good think. And I’d think: *Where are you? Who are you? Who is secretly watching my family?* Because someone was watching my family very, very carefully. And taking notes.’?”

27 *ibid.*

28 The window: I described to the police officers exactly what I found that night, as it was and is highly relevant and I knew that every little detail could be helpful in finding my daughter which is our only aim. The window which is a ground floor window was completely open and is large enough for a person to easily climb through it. Whether it had been opened for this purpose remains unknown. It could of course have been opened by the perpetrator when inside the apartment as a potential escape route or left open as a 'red herring'

29 On Thursday 3 May I awoke in the children’s bedroom. I can’t remember who was up first but I know we had all surfaced by about 7.30am. I’m not even sure whether Gerry had actually noticed I’d slept in the other room and I chose not to mention it. At breakfast time, Madeleine had a question for us. ‘Why didn’t you come when Sean and I cried last night?’

We were puzzled. Did she mean when they were having their bath? we asked her. Or just after they’d gone to bed? Children often get a bit fractious around bedtime, though I had no recollection of any tears from either Madeleine or Sean before they settled the previous evening. And it certainly hadn’t been in the early hours, because I’d been in the room with them, even closer than usual.

Madeleine didn’t answer or elaborate. Instead she moved on to some other topic that had popped into her head, apparently unconcerned. She certainly didn’t seem to be at all anxious or upset. Madeleine is bright, articulate and has never been backwards in coming forwards. If something had happened to make her cry, it was pretty unlikely that she wouldn’t tell us about it, assuming she remembered what it was.

Gerry and I were disconcerted. Could Madeleine and Sean have woken up while we were at dinner? If so, it was worrying, obviously, but it didn’t seem very probable. As I’ve said, not only did they rarely stir at all at night, but if they did it was hardly ever, and I mean ever, before the early hours. If they had done so on this occasion, it would mean they’d woken up, cried for a while, calmed themselves

down and fallen asleep again – all within the space of half an hour. Or forty-five minutes, if it had been after our last check. Children usually need some soothing back to sleep once they've woken, especially if two of them are awake and upset at the same time, and it seemed highly unlikely they'd have gone through all these stages without one of them overlapping with one of our checks. It wasn't impossible, but it seemed implausible.

Not for a moment did we think there might be some sinister reason for this occurrence, if indeed anything had occurred. If only foresight came as easily to us as hindsight. Within hours, the explanation for this would seem hugely important, and so haunted have I been ever since by Madeleine's words that morning that I've continued to blame myself for not sitting down and making completely certain there was no more information I could draw out of her.

Why hadn't this rung any alarm bells with me? How did I manage to conclude, subconsciously or otherwise, that if she had woken it was simply a rare aberration with a benign cause: a bad dream, perhaps? If in fact I ever did come to any real conclusion. It was more a case of her question just hanging there quietly, unanswered. This could have been my one chance to prevent what was about to happen, and I blew it. In the infrequent moments when I'm able to be kinder to myself, I can acknowledge, if only temporarily, that there was absolutely nothing to give me any reason for suspicion and that we can all be clever after the event. But it is my belief there was somebody either in or trying to get into the children's bedroom that night, and that is what disturbed them.

30 "Madeleine made a comment, erm, in passing that, erm, "where were you when I cried" . . .

31 Mitchell said he was not surprised by the inconsistencies in the initial accounts. 'You had nine people in a bar without watches on, without mobile phones, and absolute panic set in when they realised what had happened.'

32 •

33 When asked at what time he went to check on the children the night Madeleine disappeared, he recalls that this was around 21:04 according to his watch.

34 "After ordering his food, Gerry left to so the first check just before 9.05 by his watch."

35 "It was made out to be the biggest 'conspiracy' since the Diana 'conspiracy,'" says Mitchell. "Some of the group (of friends in the tapas restaurant) had their watches on that night, and others didn't."

36 *Excerpts from transcript:*

**JT:** Well I could see. . . I could tell it was a child, and I could see the feet and... feet and the bottom of the pyjamas, and I just thought that child's not got any shoes on because you could see the feet, and it was quite a cold night in Portugal in May it's not actually that warm, and I'd got a big jumper on, and I can remember thinking oh that parent is not a particularly good parent, they've not wrapped them up.

**RB:** And could you tell if it was a boy or a girl?

**JT:** Only because the pyjamas had a pinky aspect to them so you presume a girl. It was actually quite cold.

37     “It was so cold and so windy.”

38     •

39     “I’d done that, and I knew, *I knew*, that Madeleine had been abducted.”

40     In English criminal law, the burden of Proof generally lies with the prosecution -- it has to prove all the facts that establish the guilt of the accused, except those which are assumed to be obvious (see judicial notice). The standard of proof is, nearly always, *beyond reasonable doubt*.

# Sedation

In this study we attempt to answer three questions

- 1 Were the twins sedated on the night of 3rd May 2007?
- 2 If so, were they sedated by an intruder ?
- 3 If so, but not by an intruder, then by whom ?

## 1 Were the twins sedated on the night of 3rd May 2007?

The question of sedation of the three McCann children is one which has caused problems since the very beginning.

### Reported facts.

Around 10 pm 3rd May 2007 Kate McCann entered the apartment in the holiday resort and reported Madeleine missing. The younger twins were still in their travel cots in the same room, and were asleep.

What followed is a matter of public record. The apartment was searched, several times, by many people, the surrounding area was searched by large numbers of police and ex-pats and villagers, and huge amount of activity was directed to discovering Madeleine's whereabouts. All were in vain.

BUT . . . during all of this commotion -

**despite** a window and shutters having been open for an hour on a cold night,  
**despite** the door slamming shut,  
**despite** curtains blowing into the room,  
**despite** their mother frantically opening and closing wardrobes and cupboards  
**despite** their mother rushing out screaming for help,  
**despite** the entire Tapas 7 group searching throughout the apartment,  
**despite** Kate and the Tapas group shouting Madeleine's name outside,  
**despite** Gerry McCann's closing and opening the shutters multiple times  
**despite** Mrs Webster's similarly attempting to open the shutters but failing,  
**despite** the Police investigating the scene,  
**despite** Gerry's "roaring like a lion" and then prostrating himself on the floor,  
**despite** both parents repeating this action and wailing  
**despite** Kate's checking the twins for vital signs,  
**despite** the twins being lifted from their cots by people not their parents, and  
**despite** their being carried out into the cold night air, and to another apartment.  
[1.1]

**Despite** all of this . . . **the twins did not wake**

Kate McCann stated in 2011 that she had suspected sedation from the very first. Given the above perhaps this is understandable. [1.2]

In her book, *Madeleine*, which she described as "A Version of the Truth", she says this explicitly.

**3 May 2007** (NOTE: this information was not released until May 2011)  
p. 75 *"Had Madeleine been given some kind of sedative to keep her quiet ? Had the twins, too ?"* [1.3]

She also reported this to the Officer in the case

**3 August 2007** (NOTE: this information was not released until June 2008)  
*"due to which she now presumes that they were under the effect of some sedative drug that a presumed abductor had administered to the three children in order to be able to abduct Madeleine, a situation which Kate refers to being possible . ."*  
[1.4]

The McCanns then organised their own drug tests

**24 September 2007**  
Forensic scientist from Control Risks take hair samples from Kate and the twins at the McCanns' own request [1.5]

A family member was 'allowed' to release this to the press.

**02 October 2007**  
*"Madeleine was drugged by her abductor",* says her grandmother [1.6]

Gerry McCann reconfirms their suspicions

**19 Nov. 2007**  
*"Gerry McCann: The twins were still sleeping in the their cots so . . . we tried to leave it as undisturbed as possible, and they slept very soundly until we moved them out their cots into another apartment . . which does make you wonder if there was [sic] any substances used to keep them asleep."* [1.7]

Independent witnesses report and confirm the McCanns' suspicions

**25 April 2008** (referring to early May 2007)  
*They also wanted to know whether the PJ had any evidence that would suggest that the person who took Madeleine had used any substance to facilitate the abduction.*  
[1.8]

**5 Nov. 2007**  
Diane Webster - Fiona Payne's mother: *"Err the twins were still asleep in the cot and I, with all the noise going on I don't know how they slept through it which makes me think there was, they must have been err drugged with something." . . .*  
*"So how would you imagine that they may have been drugged?"*  
*"Err by the abductor. I think Madeleine would have been drugged as well."* [1.9]

**10 April 2008**  
Fiona Payne: *"But they were okay, I mean, they were fine, they didn't, they were asleep, but at the time it did seem weird . . . they didn't wake up and, again, that was quite strange, even in the transfer and, and being handled by people that weren't their parents, they didn't, they didn't wake up."* [1.10]

Their own private detectives make a statement

### **11 Oct. 2009**

Former police detectives David Edgar and Arthur Cowley . . . are convinced the abductor went to the family's apartment on May 3 2007 fully prepared with sufficient drugs, probably chloroform, to knock out all three children. The fact that Sean and Amelie, then just 18 months old, failed to wake when the alarm was raised, nor even as they were taken to another apartment in the cold night air, has persuaded the detectives that they, too, must have been drugged. [1.11]

And just before the release of her book '*Madeleine*', Kate says she believes they were drugged.

### **13 May 2011**

Kate McCann: *I believe kidnapper drugged my twins on the night Madeleine was taken.* Kate McCann said the kidnapper who seized Madeleine may also have drugged her other two children, as she launched a new appeal in the hunt for her missing girl today.

Mrs McCann said she had to check that twins Sean and Amelie were still breathing because they did not wake as they began a frantic search for the missing three-year-old. [1.12]

Those then are the facts relating to the McCanns' belief in sedation of the twins.

### **NOTE:**

Levels of sedation are assessed according to the The Ramsay Sedation Scale. RSS. This was the first scale to be defined for sedated patients and was designed as a test of rousability. The RSS scores sedation at six different levels, according to how rousable the patient is. It is an intuitively obvious scale and therefore lends itself to universal use, not only in the ICU, but wherever sedative drugs or narcotics are given. It can be added to the pain score and be considered the sixth vital sign.

#### ***Ramsay Sedation Scale***

- 1 *Patient is anxious and agitated or restless, or both*
- 2 *Patient is cooperative, oriented and tranquil*
- 3 *Patient responds to commands only*
- 4 *Patient exhibits brisk response to light glabellar (forehead) tap or loud auditory stimulus*
- 5 *Patient exhibits a sluggish response to light glabellar tap or loud auditory stimulus*
- 6 *Patient exhibits no response* [1.13]

**The twins are clearly in point 6 on the scale.** They are failing to respond to external stimuli, cold, light, noise - including screaming, the inevitable jolting of the cots placed so close together in a small room during the search and window / shutter procedures, human touch, being picked up by person other than their own parents, and so on. [1.14]



We should remember that Kate McCann and Fiona Payne are both qualified anaesthetists. Even a non qualified parent should recognise the difference between a child which was merely asleep, and one that was sedated. or unconscious. We return to this aspect in the third question.

So to restate the original question - were the twins sedated ?

The reply must surely be, that having regard to all the available evidence, we can confirm the parents' and witnesses original and subsequent thoughts and say that on the balance of probabilities -

**the twins Amelie and Sean McCann were sedated**

## **We now turn to the second question**

### **2 Were the twins sedated by an “intruder”.**

#### **Medical note for non-medical readers**

There are five routes for the administration of sedation.

Injection, inhalation of gas, or by mouth are the most common three. Absorption *per rectum* or *per vaginam* are possible, but specialised and rare.

All methods require some co-operation on the part of the patient.

\* Injection of three small children without raising the alarm is almost unthinkable. Intra-muscular injections take between 3 and 15 minutes to work. Intravenous injection is difficult. Paediatric anaesthetics is a specialised subject. Finding a vein is more difficult than with an adult. Injection of three children, in turn, is a suggestion which is difficult to accept by anyone with experience of children.

\* Administration of sedative by mouth would require all three to be at least half awake, so they could sit up to drink and swallow, and in any event drugs taken in this way require time to act. The fastest acting such drugs in regular use take around 20 minutes to begin acting.

Each child, in turn, would need to have the drug administered.

\* Anaesthetic gas requires equipment for its effective administration, and leaves a distinctive smell. The classic “filling the room with chloroform” , or other gas exists only in Victorian novels, and in any event would overcome the intruder himself, unless he had breathing equipment, in addition to the equipment for administering to the children. (It would incidentally also require the window and door to be shut ! ) Even properly administered gas inhalation normally requires time, measured in minutes, before sedation begins.

Again, each child would have to be sedated in turn.

Because it has been raised, we must briefly consider the McCanns' principal private detectives, Edgar and Cowley, and their statement that chloroform was used on all three children. **[2.1]**

Chloroform is the stuff of Victorian melodrama, and like ether has no place in modern medical practice. It has a distinctive sweet smell that lingers for a very long time. Inhalation of the vapour gives an ice-cold feeling that can cause immediate vomiting. Any doctor, and indeed any O level chemistry student knows and can immediately identify chloroform. The liquid produces burn marks on the sensitive skin round the nose and mouth, **[2.2]**

What is interesting is that the McCanns have allowed this suggestion to remain in the public consciousness, and have never corrected the impression given. Even less have they specifically repudiated the possibility of the use of chloroform. Matthew Oldfield was asked in detail about any unusual smell in the apartment when he entered. He stated he detected nothing. **[2.3]**

As one commentator has aptly said, an intruder would need nothing more than a bottle of chloroform, a rag, and a *kidney dish for the vomit*. [2.4]

Given a sufficiently heavy dose a child could be unconscious in 15 seconds. But importantly it would start to wake immediately the anaesthesia were stopped. It would wake, cry, and probably vomit. It would NOT remain comatose for three or more hours, then drift into normal sleep, and then wake the next morning with no after effects. **[2.5]**

**Observation.**

Jane Tanner's description of the "abductor" did not include anaesthetic equipment or gas cylinders, nor even a back pack in which they might be carried, and nothing was found in the apartment or the immediate surrounding area.

## The “Window of Opportunity”

The window of opportunity for an intruder has been discussed. This is a straightforward assessment based on the times taken from Gerry McCann's leaving the Tapas bar, walking to the apartment, entering, seeing the children, completing the tasks he reports, and then leaving by the patio doors. Jane Tanner who left the table five minutes later by her own account, saw him talking to Jez Wilkins the street a few seconds before she saw the person who the McCanns now insist was the 'abductor' of Madeleine. [2.6]

Allowing for the time to exit the apartment and cross the car park to the point where he was seen, gives the window of opportunity **inside the apartment** of around 1 minute and 20 seconds.

In that time he has to

- Enter the apartment
- Sedate all three children - in the dark
- Select Madeleine as the victim - in the dark
- Open the shutters and window - if he used the front door to enter

- Pick Madeleine out of her bed - in the dark
  - Turn her round so that her head is now to his left, rather than to his right, which is the way he would have approached her in the bed.
  - Exit the apartment, either through the opened window and shutters, or through the front door, which he must then close silently behind him.
- and then
- Walk to the **left** along the path in front of the apartment, walk straight ahead across the car park, and then walk to the **right** along the road, and cross the street in front of Jane Tanner, the father of the very child he had just abducted, and another man who has his own child in a buggy.

We repeat, taking into account the travelling time, he has around **one minute and twenty seconds** in which to achieve the first seven items on the list

No equipment or paraphernalia was found.

There was no smell of anaesthetic gas

Two children aged 2 years were left comatose for 10 hours.

When they woke no side effects were recorded. **[2.7]**

So far as can be ascertained - there is NO substance or technique known to medical science which can do this.

So to restate the original question - were the twins sedated by an intruder ?

The answer must be, that having regard to all the available evidence, we can surely say that on the balance of probabilities -

**the twins Amelie and Sean McCann were not sedated by an intruder.**

In fact the evidence and logic is such that this conclusion moves on the legal continuum a long way from merely "*On the balance of probabilities*" and very much further towards "*Beyond a reasonable doubt*"

## **We now turn to the third question**

**3            If the twins were sedated, but not by an 'intruder' -  
                 then by whom ?**

**Specifically we must ask whether the parents were involved**

This is a more problematic issue. The parents clearly accept that the twins were sedated, and if they wish to deny the second answer will have to draw on their medical and expert anaesthetic knowledge to show why that conclusion is wrong and how it might have happened.

In the absence of such an explanation, however, it is justifiable to continue to examine some features of this extraordinary case.

The McCanns have wavered between initial acceptance, through a period of stout denial during which they aggressively threatened to sue, and ultimately back to a clear statement that they now believe they were indeed sedated.

This is part of the genesis of the story. It repeats some of what was seen earlier.

### **Initial recognition and acceptance**

**3 May 2007** (NOTE: this information was not released until May 2011)  
p. 75 *“Had Madeleine been given some kind of sedative to keep her quiet ? Had the twins, too ?”* [3.1]

**5 May 2007** (NOTE: statement dated 25 April 2008)  
*“They also wanted to know whether the PJ had any evidence that would suggest that the person who took Madeleine had used any substance to facilitate the abduction.”* [3.2]

**3 August 2007** (NOTE: this information was not released until June 2008)  
*“due to which she now presumes that they were under the effect of some sedative drug that a presumed abductor had administered to the three children in order to be able to abduct Madeleine, a situation which Kate refers to being possible . .”*  
[3.3]

### **August 2007**

Q: *Do you think the children were sedated?*

A: *There is no doubt. (Here he told an anecdote: that Kate called a colleague of Gonçalo Amaral's in the PJ, in August, to ask them to check the twins for traces of sedation. Apparently Kate was alone when she called, and a bit upset. That same afternoon, Gerry called and cancelled the request.)* [3.4]

### **First denials that the parents had used sedation**

### **August 2007**

See previous entry. *“That same afternoon, Gerry called and cancelled the request.”*  
[3.5]

### **10 August 2007** ( or thereabouts)

Gerry: *“you know we’re not gonna comment, on anything but you know there is absolutely no way we use any sedative drugs or anything like that an’ you know we we have co-operated with the police we’ll answer any queries ermm ... any tests that they want to do. . .”* [3.6]

### **Implied acceptance of possibility**

### **24 September 2007**

Forensic scientist from Control Risks take hair samples from Kate and the twins at the McCanns’ own request [3.7]

**2 October 2007**

"Madeleine was drugged by her abductor", says her grandmother [3.8]

### **Resumed denials**

**20 October 2007**

Scientific tests now support the denials by Gerry and Kate McCann that they ever sedated their children, it emerged yesterday. [3.9]

**25 Oct. 2007**

The McCanns, of Rothley, Leics, were asked if reports that they sedated their children were true. Cardiologist Gerry replied: *"It is ludicrous. These sort of questions are nonsense and we shouldn't be giving them the time of day. There is absolutely no suggestion that Madeleine, or the children, were drugged. It's outrageous."* [3.10]

**Oct 2007**

**Oprah Winfrey** "And then, there were the... the hurtful rumours that you drugged Madeleine or that you gave her sedatives; that you accidentally caused her... her death..."

**KM:** (After a long pause) "I mean we know it's all lies."

**GM:** "It's just nonsense you know, there's no... that people can have theories and that's all it is, there's no evidence to suggest any of that and it's absolute ludicrous, you know, and it's..." [3.11]

### **Second acceptance of possibility**

**19 Nov. 2007**

*"Gerry McCann: The twins were still sleeping in the their cots so . . . we tried to leave it as undisturbed as possible, and they slept very soundly until we moved them out their cots into another apartment . . which does make you wonder if there was [sic] any substances used to keep them asleep."* [3.12]

### **Independent Witnesses**

**25 April 2008 (referring to early May 2007)**

They also wanted to know whether the PJ had any evidence that would suggest that the person who took Madeleine had used any substance to facilitate the abduction. [3.13]

**5 Nov. 2007**

Diane Webster - Fiona Payne's mother: *"Err the twins were still asleep in the cot and I, with all the noise going on I don't know how they slept through it which makes me think there was, they must have been err drugged with something."* . . .

*"So how would you imagine that they may have been drugged?"*

*"Err by the abductor. I think Madeleine would have been drugged as well."* [3.14]

**10 April 2008**

Fiona Payne: *"But they were okay, I mean, they were fine, they didn't, they were asleep, but at the time it did seem weird . . . they didn't wake up and, again, that was quite strange, even in the transfer and, and being handled by people that*

*weren't their parents, they didn't, they didn't wake up."* [3.15]

### July 2008

Documents in the case including witness statements were released to the public. At this point Diane Webster's and Fiona Payne's statements (above) became public knowledge, and may have been seen by the McCanns for the first time.

### Public statements that it **MUST** have happened

#### 11 Oct. 2009

Former police detectives David Edgar and Arthur Cowley . . . are convinced the abductor went to the family's apartment on May 3 2007 fully prepared with sufficient drugs, probably chloroform, to knock out all three children. The fact that Sean and Amelie, then just 18 months old, failed to wake when the alarm was raised, nor even as they were taken to another apartment in the cold night air, has persuaded the detectives that they, too, must have been drugged. [3.16]

#### 13 May 2011

Kate McCann: *I believe kidnapper drugged my twins on the night Madeleine was taken.* Kate McCann said the kidnapper who seized Madeleine may also have drugged her other two children, as she launched a new appeal in the hunt for her missing girl today.

Mrs McCann said she had to check that twins Sean and Amelie were still breathing because they did not wake as they began a frantic search for the missing three-year-old. [3.17]

How then are we to make sense of this. Firstly we note that on occasion the question being asked is whether the children were sedated, but the McCanns answer a totally different one. The parents deny sedating the children themselves, but do not address the question of whether they were sedated by someone else.

Some forensic linguistics analysts have proffered views on why this might happen.

It is also striking that we are never told of the laboratory which performed the analysis on the hair samples, we are never shown the results, and in fact we have to turn to an **Indian** newspaper to find these details. Here it is stated that a company called TrichoTest performed the analysis. [3.18] [3.19]

And yet even then we have this strange passage,

*"All the hair samples produced negative results. While this didn't totally exclude the possibility that the children had been sedated, especially given the time that had elapsed, it meant nobody else (including the PJ and the media) could prove otherwise."* [3.20]

The emphasis is not on the twins' welfare or whether some noxious substance had been administered. Kate is purely concerned with whether there is sufficient "proof" **against the parents**. But at the same time she is by implication admitting that the twins might have been sedated.

There are other bizarre aspects of the hair analysis. Laboratories advertise their ability for analyse for a period of 90 days. The McCanns' samples were not taken until 24th September, almost six months = 144 days later. Although it is possible at that stage to test for continuous drug use, it is not believed in any event that a single dose of a drug, given in the amount appropriate to a 2 year old would be sufficient for successful identification on analysis.

Kate describes the process as leaving her looking as it she had alopecia. [3.21] The laboratories state they need one sample taken from close to the scalp, no larger than "a shoelace tip" [3.22] Whilst this may simply be "journalistic licence" to evoke sympathy from the reader, or to add some human interest, that could be accepted if the book were not described as "very truthful".

So we look to the statements

Gerry McCann made three statements. 4 May, 10 May, 7 Sept. 2007

Kate McCann made two statements. 4 May, 9 Sept. 2007

In each of these in relation to the continued sleeping of the twins through the entire episode, and the possibility of sedation there is precisely - NOTHING.

The whole issue is simply side-stepped. Even in the book it is glossed over

*p. 75 "I wandered into the children's bedroom several times to check on Sean and Amelie. They were both lying on their fronts in a kind of crouch, with their heads turned sideways and their knees tucked under their tummies. In spite of the noise and lights and general pandemonium, they hadn't stirred. They'd always been sound sleepers, but this seemed unnatural. Scared for them, too, I placed the palms of my hands on their backs to check for chest movement, basically, for some sign of life. Had Madeleine been given some kind of sedative to keep her quiet? Had the twins, too? It was not until about 11.10pm that two policemen arrived from the nearest town, Lagos, about five miles away. To me they seemed bewildered and out of their depth, and I couldn't shake the images of Tweedledum and Tweedledee out of my head. I realise how unfair this might sound, but with communication hampered by the language barrier and precious time passing, their presence did not fill me with confidence at all."* [3.23]

There are some strange and worrying aspects to this extract.

The use of "wandered" as a verb of motion during this frantic phase of a search for a missing child.

On the previous and adjacent pages we find "Yelled", "hitting out at things", "banging my fists on the railings", "running from pillar to post", "ran back", "dashed over", "throwing open" "hurtling out" "started screaming", "I was hysterical", "Sprinted back" and many other more intensely active verbs which give a real impression of terror, speed and urgency. [3.24]

Here we are given "wandered into the bedroom" as the verbal phrase defining the action of the mother of an missing child checking that her two remaining children who she suspected had been anaesthetised, were **still alive**. [3.25]

A number of other points surely present themselves for further comment.

The strange way in which the children were lying, though this is not unusual

The fact that **both** were lying in the **same** way

The fact that *“despite the noise and pandemonium they hadn’t stirred”* still less woken.

Kate describing this as *“unnatural”*.

Kate placing the palms of hands on their **backs**, to check for *“chest movement”*.

Her use of the phrase *“. . . basically, for sign of life”*

Her thoughts *“Had the twins too [been given some kind of sedative] ?”*

For many people this passage will sound quite extraordinary. Doctors, nurses, police officers, ambulance crews, fire officers, paramedics, St John Ambulance staff, and many others are taught in their basic training about the importance of rousing people. Drunks, drug addicts, people with head injuries, and those who have suffered smoke inhalation are roused, and in some cases are to be shaken into consciousness. Failure to rouse a patient should lead to immediate medical assistance being sought, or transportation to the nearest casualty department.

Failure regularly to rouse someone in a police cell is a very serious disciplinary offence, the penalty for which may be dismissal from the service.

It is frankly not good enough to *“place the palm of a hand on [a child’s] back, to check. . . basically for signs of life”*. [3.26]

The Royal College of Nursing is quite clear about this.

In *“Standards for assessing, measuring and monitoring vital signs in infants, children and young people - RCN guidance for children’s nurses and nurses working with children and young people”*

they say, very simply

*Infants and children less than six to seven years of age are predominantly abdominal breathers*

*therefore, **abdominal movements** should be counted.*

They emphasise *“the particular vulnerability of infants and young children to rapid physiological deterioration”*

And later discussing recovery room protocols

- *following a simple procedure – vital signs should be recorded every 30 minutes for two hours, then hourly for two to four hours **until the child is fully awake, eating and drinking.*** [3.27]

When we add to this the curious way the children were lying, *on their fronts in a kind of crouch, with their heads turned sideways and their knees tucked under their tummies.*“ which clearly must restrict the abdominal breathing in a child of that age, the failure by the parents or the other anaesthetist present to modify this posture is very difficult to understand.



Levels of sedation are assessed according to the Ramsay Sedation Scale (RSS)

- 1 *Patient is anxious and agitated or restless, or both*
- 2 *Patient is cooperative, oriented and tranquil*
- 3 *Patient responds to commands only*
- 4 *Patient exhibits brisk response to light glabellar (forehead) tap or loud auditory stimulus*
- 5 *Patient exhibits a sluggish response to light glabellar tap or loud auditory stimulus*
- 6 *Patient exhibits no response* [3.28]

**The twins are clearly in point 6 on the scale.** They are failing to respond to external stimuli, cold, light, noise - including screaming, the inevitable jolting of the cots placed so close together in a small room during the search and window / shutter procedures, human touch, and then being picked out of their cots by persons not their parents, taken outdoors into the dark and cold air, into the light and warmth of a neighbouring apartment, where they are placed in different cots.

it is hard to believe that neither parent would have picked them up, but there is no evidence that they did. It is also worthy of note that Dr. Fiona Payne was with Kate McCann at this time. It seems no one was with the twins.

Although it is capable of interpretation this piece is placed in the narrative of the book around 11:00pm, an hour after the discovery. It is placed between the incident when both Kate and Fiona Payne shout *“something short and to the point”* at Mrs Fenn, and the arrival of the police at 11:10pm. [3.29]

Kate herself states

p. 74 *“He’d [Gerry had] asked Fiona to stay with me. I was in our bedroom, on my knees beside the bed, just praying and praying and praying. . . .”* [3.30]

The next paragraph talks of Kate’s *“sitting on the bed”* whilst Emma Knights from Mark Warner came in, and then goes on to talk about Kate’s being out on the veranda when another woman appeared, and so on.

**In other words neither doctor was in the twins’ room performing any clinical checks for vital signs, or carrying out any procedures for rousing them.**

Both doctors, **each of whom is a qualified anaesthetist**, failed to address the simplest but the most important questions.

Why can they not be roused ?

And then -

Given that they cannot be roused, what procedure, and / or what substance has been used to sedate these two children to this extent ?

We now know that any sedation must have been administered within 1 minute and 20 seconds, in a narrow time window between Gerry McCann’s leaving the apartment, and Jane Tanner’s seeing the abductor carrying Madeleine, so obviously the substance was extremely fast acting, and very powerful.

The two anaesthetists did not have that information, but must nevertheless have believed that sedation had occurred within the previous half hour.

So what precisely did the two anaesthetists assume had been used, and how did they suppose it had been administered ?

Why did they accept that the dosage had been exactly correct for children of this age and size ?

Was it still being absorbed and was the level in the tissues still increasing ? Were they coming round, or were they drifting into even deeper level of unconsciousness, coma, and possible death ?

What were the likely or possible side effects - vomiting, breathing difficulties, lung congestion, ventricular or atrial fibrillation, brain damage, liver or kidney failure, or any of the many other possible sequelae that both will have studied at length and been examined on in detail.

What precisely did they identify or diagnose ?

### **Medical Note for non-medical readers - shortened (see earlier)**

There are five routes for the administration of sedation.

- \* Injection
  - \* By mouth
  - \* Inhalation of anaesthetic gas
- being the three most usual.

#### **Observation.**

Jane Tanner's description of the "abductor" did not include anaesthetic equipment or gas cylinders, nor even a back pack in which they might be carried, and nothing was found in the apartment or the immediate surrounding area.

#### **Reminder**

The McCanns, and many of their Tapas7 friends are medically trained. Both Dr. Kate McCann and Dr. Fiona Payne are trained to a high standard in anaesthetics. In fact both were Junior Registrars.

**Their continued insistence on sedation by an 'intruder' as a viable proposition, when combined with the unambiguous admission in their statements, in interviews, and in the book, of clearly defined professional negligence in their manifest failure to provide, or even consider, any form of resuscitation or aftercare, is baffling.**

But these qualified anaesthetists simply put a palm on a child's back, or a finger under its nose. There is no record that of whether each child was turned, undressed and examined minutely for needle stick marks, or had its mouth, nose and throat cleared or checked for the presence of a chloroform soaked rag, had its breath smelled for evidence of drugs, gas or ketones, had its pupil response monitored, had its heart rate taken, had other reflexes tested, or was roused until fully conscious. These would be standard procedures.

On the contrary, what evidence there is points to the twins' having simply been left

for a considerable period unattended, and then some two hours later scooped up out of their travel cots, in the bedclothes in which they slept, and being carried, still sleeping, out into the cold night air and round to an adjacent apartment where they were left to sleep. [3.31]

Neither doctor performed any of the usual and medically required tests or procedures appropriate to recovery from anaesthesia. It is a matter of record that the twins were not taken to a hospital for assessment.

On the facts therefore the doctors were in serious and negligent breach of a whole series of medical protocols for which nurses have been struck off the register. [3.32]

And even more strangely, they have admitted this in statements and in the book. They have made no attempt to suggest that they acted correctly.

If we rely purely on what they have said, we find that it is corroborated by independent witnesses, and it leads to the following conclusion -  
**They would be guilty of a most serious breach of professional standards, so serious that striking off the Medical Register would be appropriate.**

We are given many instances in her own book of Kate McCanns' loss of control, kicking out at inanimate objects, hitting railings with her fists, throwing herself on the floor, wailing and so on. We are however also given clear examples where she was **not** acting in this way, being more calm and professionally purposeful, going out into the street to see what was happening, having a blunt discussion with a witness in the apartment above, "*wandering*" into the twins' room, and ultimately "*keeping vigil*" in total silence for the rest of the night. [3.33]

However, it must be said that for a normal distressed and anxious parent to behave in this way would be unforgivable.  
For an educated professional person it would be grossly negligent.  
For two qualified anaesthetists it is absolutely unthinkable.

If we find that it is indeed unthinkable, then we must wish to believe that their actions were **not** negligent, that they were **not** in breach of any protocols, and that their apparent lack of action does **not** bear any negative interpretation.

But for that to be true they would have to have known precisely why the twins were unconscious, what substance had been administered, in what dose, by whom, and when.

**And they have always denied this.**

But despite that, and to address the original question, having regard to the available evidence, we may be tempted to take the charitable view, and to conclude that, on the balance of probabilities,

**the parents may have been involved in the sedation of the twins.**

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- 1.2 “*Madeleine*” op.cit, p. 273-4
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- 1.4 From: Inspector Ricardo Paiva, For: Gonalo Amaral  
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- 1.5 Book p. 274-5  
<http://www.telegraph.co.uk/news/uknews/1570315/Madeleine-McCanns-mother-takes-drug-test.html>
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- 1.7 <http://www.youtube.com/watch?v=lx6bKUnmOCM&feature=related>
- 1.8 Statement of Steven Markley, PC Leics, 25 April 2008
- 1.9 Witness Statement **Dianne Webster**  
**Processos Vol IV** Pages 949 – 954 Date:2007/05/11  
<http://mccannfiles.com/id254.html>
- 1.10 Fiona Payne rogatory interview at Leicestershire Police Headquarters  
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- 1.11 <http://www.dailymail.co.uk/news/article-1386093/Kate-McCann-Kidnapper-drugged-twins-night-Madeleine-taken.html>
- 1.12 <http://www.dailymail.co.uk/news/article-1386093/Kate-McCann-Kidnapper-drugged-twins-night-Madeleine-taken.html>
- 1.13 <http://www.frca.co.uk/article.aspx?articleid=100192>
- 1.14 Fiona Payne rogatory interview at Leicestershire Police Headquarters  
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- 2.4 <http://www.osha.gov/SLTC/healthguidelines/chloroform/recognition.html>
- 2.5 Diane Webster rogatory
- 2.6 *Madeleine*, by Kate McCann, Bantam Press, 2011, p. 76, & p. 84
- 2.7 Diane Webster rogatory

### References for Question 3

- 3.1 *Madeleine*, by Kate McCann, Bantam Press, 2011, p 75.
- 3.2 Statement of Steven Markley PC Leics 25 April 2008
- 3.3 From: Inspector Ricardo Paiva, For: Gonalo Amaral  
Processos Vol X Pages 2533 - 2534 Date: 2007/09/03
- 3.4 Gonalo Amaral in Amsterdam, 05 May 2009  
<http://www.mccannfiles.com/id232.html>
- 3.5 Gonalo Amaral, Op. cit.  
<http://www.mccannfiles.com/id232.html>
- 3.6 [http://www.youtube.com/watch?feature=player\\_embedded&v=uMUdynuECbE](http://www.youtube.com/watch?feature=player_embedded&v=uMUdynuECbE)
- 3.7 *Madeleine*, op.cit. p. 274
- 3.8 <http://www.dailymail.co.uk/news/article-485005/Madeleine-drugged-abductor-says-grandmother.html>
- 3.9 <http://www.telegraph.co.uk/news/uknews/1570315/Madeleine-McCanns-mother-takes-drug-test.html>
- 3.10 The Sun By Antonella Lazzeri and Clodagh Hartley 25 Oct. 2007
- 3.11 [http://www.youtube.com/watch?v=lx6bKUnmOCM&feature=player\\_embedded](http://www.youtube.com/watch?v=lx6bKUnmOCM&feature=player_embedded)
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## **Appendix for Question 1**

1.1 •

1.2 *Since Madeleine was snatched apparently without making a sound, we had always suspected that all three children might have been sedated by the abductor. We mentioned this to the police that night and several more times in the following weeks, but no testing of urine, blood or hair, which could have revealed the presence of drugs, had ever been done.*

1.3 *Had Madeleine been given some kind of sedative to keep her quiet ? Had*

*the twins, too ?*

**1.4** *Strangely, Kate also made several requests, three months after the disappearance of Madeleine, that the police should take blood, hair and nail tests of Madeleine's twin siblings, because, as she said, she remembered that on the day of Madeleine's disappearance, in spite of all the commotion and noise made by the authorities and other persons who were looking for Madeleine in apartment 5<sup>a</sup> of the Ocean Club, the twins never woke up, having been transported to another apartment, they remained asleep, due to which she now presumes that they were under the effect of some sedative drug that a presumed abductor had administered to the three children in order to be able to abduct Madeleine, a situation which Kate refers to being possible according to what she read in a criminal investigation manual given to her by the British authorities, that would have been the procedure of the abductor in the real case involving abduction, rape and murder of the girl.*

**1.5** *I asked for samples of my own hair to be taken as well simply because I was fed up with the constant insinuations that I took tranquillisers, sleeping pills or any medication, for that matter.*

*The process seemed to take ages and we all lost loads of hair. I couldn't believe they had to take so much. The scientist cut chunks of it from Sean and Amelie's heads while they were sleeping. I cried as I heard the scissors in their baby-blond hair. I felt angry that the children had to go through this further insult. As for me, I looked as if I had alopecia.*

The mother of missing Madeleine McCann has undergone a drugs test to prove she was not on medication at the time of her daughter's disappearance, it has been revealed. . . . But the results of toxicology tests on a strand of Mrs McCann's hair showed no evidence that she had taken drugs in the past eight months, her legal team announced.

The McCanns' two-year-old twins, Sean and Amelie, have also been tested to prove they were never given sedatives, after claims that Madeleine may have died of an accidental overdose.

**1.6** **Madeleine was drugged by her abductor, says her grandmother 2/10/07**

The grandmother of missing Madeleine McCann believes the four-year-old was drugged by her abductor before being carried from the apartment.

Eileen McCann claims otherwise the child would have shouted and screamed for her parents if she was being carried off by a stranger.

Speaking from her Scottish home, the 69-year-old said the family had gone through hell since Madeleine went missing 151 days ago.

*"I really believe [whoever took her] gave her a drug," she said. "There is no way they carried her out of there without her waking.*

*"If she was taken when she was sleeping by somebody she did not know she would have screamed the place down."*

**1.7** *"Gerry McCann: The twins were still sleeping in the their cots so . . . we tried to leave it as undisturbed as possible, and they slept very soundly until we moved them out their cots into another apartment . . which does make you wonder if there was [sic] any substances used to keep them asleep."*

**1.8** *However, in relation to the above, I would like to add the following: At about*

20.00 on Saturday 5th May 2007, I arrived at the apartment where Kate and Gerry were staying, with other officers. During the meeting Gerald and Kate had a number of questions to which they wanted follow up and responses from the PJ.

One of these questions was that they wanted the PJ to be aware of was Madeleine's revelation about Wednesday night, when she said that she was left alone during the night. She told Kate and Gerry that she remembered the twins crying and that she wanted to know why neither her mother nor her father had gone to the room to see what was happening.

They also wanted to know whether the PJ had any evidence that would suggest that the person who took Madeleine had used any substance to facilitate the abduction.

**1.9** “Err the twins were still asleep in the cot and I, with all the noise going on I don’t know how they slept through it which makes me think there was, they must have been err drugged with something.” . . .

“So how would you imagine that they may have been drugged?”

“Err by the abductor. I think Madeleine would have been drugged as well.”

**1.10** “But they were okay, I mean, they were fine, they didn’t, they were asleep, but at the time it did seem weird . . . they didn’t wake up and, again, that was quite strange, even in the transfer and, and being handled by people that weren’t their parents, they didn’t, they didn’t wake up.”

**1.11** Former police detectives David Edgar and Arthur Cowley . . . are convinced the abductor went to the family’s apartment on May 3 2007 fully prepared with sufficient drugs, probably chloroform, to knock out all three children. The fact that Sean and Amelie, then just 18 months old, failed to wake when the alarm was raised, nor even as they were taken to another apartment in the cold night air, has persuaded the detectives that they, too, must have been drugged.

**1.12** Kate McCann: *I believe kidnapper drugged my twins on the night Madeleine was taken.* Kate McCann said the kidnapper who seized Madeleine may also have drugged her other two children, as she launched a new appeal in the hunt for her missing girl today.

Mrs McCann said she had to check that twins Sean and Amelie were still breathing because they did not wake as they began a frantic search for the missing three-year-old.

**1.13** Levels of sedation are assessed according to the The Ramsay Sedation Scale. RSS. This was the first scale to be defined for sedated patients and was designed as a test of rousability. The RSS scores sedation at six different levels, according to how rousable the patient is. It is an intuitively obvious scale and therefore lends itself to universal use, not only in the ICU, but wherever sedative drugs or narcotics are given. It can be added to the pain score and be considered the sixth vital sign.

**Ramsay Sedation Scale**

- 1 Patient is anxious and agitated or restless, or both
- 2 Patient is cooperative, oriented and tranquil
- 3 Patient responds to commands only
- 4 Patient exhibits brisk response to light glabellar (forehead) tap or



*loud auditory stimulus*

*5 Patient exhibits a sluggish response to light glabellar tap or loud auditory stimulus*

*6 Patient exhibits no response*

**1.14** *Reply: “Sean and Amelie were fast asleep in their cots, they didn’t stir, you know, I was opening the cupboards in the room and moving around the room, they didn’t stir at all, which that was, that was odd.”*

*1485 “Did the twins wake up at all?”*

*Reply “They didn’t. They didn’t”.*

*1485 “In the aftermath?”*

*Reply “No, and that was the other thing, she kept going into the twins, she kept putting her hands on the twins to check they were breathing, she was very much concerned in checking that they were okay. But they were okay, I mean, they were fine, they didn’t, they were asleep, but at the time it did seem weird, I remember thinking, you know, when the Police came they turned the lights on, there was loads of noise, obviously from the moment Kate discovered that Madeleine was gone, the screaming and the shouting and there was a lot of noise and they, they didn’t, you know, so much as blink”.*

*LATER IN SAME INTERVIEW*

*“Erm, so I’d suggested putting the twins up in our apartment, erm, Emma, who was there, had arranged some of the MARK WARNER Nannies to get some extra cots and more bedding, erm, and we set up the cots in our living room and a bed for Kate and Gerry as well, not that they used it, but, erm, and then I think, I think they were Policemen, I can’t remember who carried up Sean and Amelie. Erm, and we sat on the sofa, me and Kate with the twins asleep on us for a while, erm, and they didn’t wake up and, again, that was quite strange, even in the transfer and, and being handled by people that weren’t their parents, they didn’t, they didn’t wake up.*

## **Appendix for Question 2**

**2.1** Former police detectives David Edgar and Arthur Cowley have spent months re-analysing every shred of evidence. They are convinced the abductor went to the family’s apartment on May 3 2007 fully prepared with sufficient drugs, probably chloroform, to knock out all three children. The fact that Sean and Amelie, then just 18 months old, failed to wake when the alarm was raised, nor even as they were taken to another apartment in the cold night air, has persuaded the detectives that they, too, must have been drugged.

**2.2** 2. Effects on Humans: The toxicity of chloroform is well understood because of its long history of use as an anaesthetic. Inhalation of 10,000 ppm of chloroform vapour produces clinical anaesthesia. Inhalation of higher doses causes cardiovascular depression, with death resulting from ventricular fibrillation. Delayed death is associated with liver necrosis [ACGIH 1991]. Chronic inhalation of chloroform may cause psychiatric and neurological symptoms, including depression, hallucinations, and moodiness [NLM 1995]. In studies with human

volunteers, exposure to 4,100 ppm causes serious disorientation, and 1,000 ppm caused dizziness, nausea, and after effects of fatigue and headache. Exposures of 20 to 70 ppm for undefined lengths of time caused less extreme, but still evident, effects on the central nervous system [Hathaway et al. 1991]. Liver enlargement was demonstrated in 17 of 68 workers exposed to chloroform at concentrations of 10 to 200 ppm for 1 to 4 years. Among other factors that increase the toxic effects of chloroform is ethanol [Hathaway et al. 1991]. As a result, alcoholics react more severely to exposure [Genium 1992]. Exposure to high concentrations of chloroform vapour causes redness and twitching of the eyes. Liquid chloroform splashed into the eye causes immediate burning, pain, and possible injury to the cornea. The eye returns to normal in 1 to 3 days [Grant 1986]. Application of chloroform to the skin causes burning, pain, redness, and vesiculation. Based on experimental animal studies, IARC has concluded that chloroform should be regarded as a cancer risk to humans. One study of people exposed to chloroform in their drinking water showed a correlation between chloroform concentration and rectal and bladder cancer [Hathaway et al. 1991].

If chloroform contacts the skin, workers should immediately wash the affected areas twice with soap and water and use cream or lotion to replace skin oils. Clothing contaminated with chloroform should be removed immediately, and provisions should be made for the safe removal of the chemical from the clothing. Persons laundering the clothes should be informed of the hazardous properties of chloroform, particularly its potential for causing eye and skin irritation, and anaesthesia when inhaled.

A worker who handles chloroform should thoroughly wash hands, forearms, and face with soap and water before eating, using tobacco products, using toilet facilities, applying cosmetics, or taking medication.

Chloroform begins to act within a few seconds of inhalation, provided the method of delivery has sufficient concentration and the user takes a deep enough breath. First your extremities begin to go numb; next your vision and hearing begin to fail. Complete unconsciousness sets in a few seconds later, provided you keep breathing. Recovery generally occurs as soon as the chloroform is removed, though it may be a few minutes before the user feels completely normal

### **2.3**     4078 *"Is there anything else, that you smelt, could you smell anything?"*

*Reply "No, no, we've talked about that before, I didn't smell anything, I mean, I could see the children breathing, but I didn't clock it as abnormal, erm, it'd be completely to speculate to say whether their breathing was fast or, I couldn't say, I mean, they were breathing and that's what, you know, and that was what I was there to check, erm, no, no funny sort of smells, no sort of funny draughts, no sort of funny sort of noises, no, erm, nothing that I can think of for that. I mean, it was a complete just a shock out of the blue when, you know, I'd been in and then suddenly somebody's saying Madeleine's missing, there was nothing that made me think, oh".*

**2.4**     Another possible consequence of smothering someone's face with a chloroform-soaked cloth is that the victim may vomit immediately. Chloroform is a sickeningly sweet smelling, ice-cold feeling vapour.

### **2.5**     4078     *"How were they when they woke up the following morning?"*

Reply "Oh fine, yeah."

4078 "No different to normal?"

Reply "Yeah, lively twins."

**2.6** p. 76 "I didn't yet know that at about 9.15pm Jane had seen a man . . . carrying a child who appeared to be asleep. . . . As soon as she heard about Madeleine's disappearance, everything fell into place, and she felt sick."

p. 84 "There was little doubt in my mind then, nor is there now, that what Jane saw was Madeleine's abductor taking her away."

**2.7** 4078 "How were they when they woke up the following morning?"

Reply "Oh fine, yeah."

4078 "No different to normal?"

Reply "Yeah, lively twins."

## Appendices for Question 3

**3.1** "Had Madeleine been given some kind of sedative to keep her quiet ? Had the twins, too ?"

**3.2** They also wanted to know whether the PJ had any evidence that would suggest that the person who took Madeleine had used any substance to facilitate the abduction.

**3.3** "due to which she now presumes that they were under the effect of some sedative drug that a presumed abductor had administered to the three children in order to be able to abduct Madeleine, a situation which Kate refers to being possible . . ."

**3.4** Q: Do you think the children were sedated?

A: There is no doubt. (Here he told an anecdote: that Kate called a colleague of Gonçalo Amaral's in the PJ, in August, to ask them to check the twins for traces of sedation. Apparently Kate was alone when she called, and a bit upset. That same afternoon, Gerry called and cancelled the request.)

**3.5** That same afternoon, Gerry called and cancelled the request.

**3.6** Reporter Sandra Feligueras for RTP television asks the McCann's whether they gave the children something to help them sleep. Gerry denies it.

Interviewer question

"On that evening did you give to your kids something like calpol to help them sleep?"

Gerry McCann - " you know we're not gonna comment, on anything but you know there is absolutely . . . No way we use any sedative drugs or anything like that an' ( you know we'll we have co-operated with the police we'll answer any queries ermm ... any tests that they want to do. . . ."

**3.7** *"It was worth a shot, at least. I asked for samples of my own hair to be taken as well simply because I was fed up with the constant insinuations that I took tranquillizers, sleeping pills or any medication, for that matter."*

**3.8** The grandmother of missing Madeleine McCann believes the four-year-old was drugged by her abductor before being carried from the apartment. Eileen McCann claims otherwise the child would have shouted and screamed for her parents if she was being carried off by a stranger. Speaking from her Scottish home, the 69-year-old said the family had gone through hell since Madeleine went missing 151 days ago. "I really believe [whoever took her] gave her a drug," she said. "There is no way they carried her out of there without her waking." "If she was taken when she was sleeping by somebody she did not know she would have screamed the place down."

**3.9** The mother of missing Madeleine McCann has undergone a drugs test to prove she was not on medication at the time of her daughter's disappearance, it has been revealed. Kate McCann, 39, has rejected claims that she was "mentally unstable" and taking anti-depressants when Madeleine disappeared from the family's rented Algarve holiday apartment on May 3. This is one of theories being explored by Portuguese police, who have suggested Mrs McCann had problems "coping" with her "hyperactive" children. Detectives believe Madeleine may have died in the apartment and her body was hidden by her parents, who were made arguidos - or formal suspects - on September 7. At the time it was claimed that Portuguese detectives had seized journals written by Mrs McCann and commissioned criminal psychologists to analyse her mental state. It was reported that police had applied to see her medical records to prove she was suffering from clinical depression. But the results of toxicology tests on a strand of Mrs McCann's hair showed no evidence that she had taken drugs in the past eight months, her legal team announced. The McCanns' two-year-old twins, Sean and Amelie, have also been tested to prove they were never given sedatives, after claims that Madeleine may have died of an accidental overdose.

**3.10 SOBBING Kate McCann battled to contain her emotion yesterday as she said: "Madeleine needs our help — she needs her family."**

The anguished mum broke down time and again as she insisted she **STILL** believes her missing daughter is alive.

Red-eyed Kate, 39, said: *"I don't know why anyone could harm her.*

*"I don't know how anyone could harm anyone as beautiful as Madeleine. I don't mean her appearance — I mean as a beautiful person.*

*"As Madeleine's mummy, I feel in my heart that she is out there and I want her back."*

In a rare display of distress, GP Kate wept: *"I feel lonely and our life is not as happy without Madeleine. I feel anxious she is not with us. We have not even seen her since she was four. She needs our help."*

The cameras stopped to allow Kate time to compose herself.

....

The McCanns, of Rothley, Leics, were asked if reports that they sedated their children were true.

Cardiologist Gerry replied: *"It is ludicrous. These sort of questions are nonsense and we shouldn't be giving them the time of day."*

*"There is absolutely no suggestion that Madeleine, or the children, were drugged. It's outrageous."*

**3.11 Oprah W:** "And then, there were the... the hurtful rumours that you drugged Madeleine or that you gave her sedatives; that you accidentally caused her... her death..."

**KM:** (After a long pause) "I mean we know **it's all lies.**" (what is?)

**GM:** "It's just nonsense you know, there's no... that people can have theories and that's all it is, **there's no evidence to suggest any of that** and it's absolute ludicrous, you know, and it's..."

### **3.12 Gerry McCann talks about sedatives (BBC Panorama 19/11/07)**

*The twins were still sleeping in the their cots so . . . we tried to leave it as undisturbed as possible, and they slept very soundly until we moved them out their cots into another apartment . . which does make you wonder if there was [sic] any substances used to keep them asleep.*

**3.13** They also wanted to know whether the PJ had any evidence that would suggest that the person who took Madeleine had used any substance to facilitate the abduction.

### **3.14 Diane Webster rogatory**

1/2

*Err the twins were still asleep in the cot and I, with all the noise going on I don't know how they slept through it which makes me think there was, they must have been err drugged with something."*

....

*So just before we move on to asking the questions from the Portuguese, there are two things that I wanted to go back over with you, one thing was about the twins and how deeply they'd slept that night."*

Reply "Mm."

4078 "And you said you wondered if they'd perhaps been drugged."

Reply "Mm."

4078 "I think it's one of the questions that the MCCANN'S want us to ask anyway, but have you ever seen their children being given any medication?"

Reply "Oh no, no."

4078 "So how would you imagine that they may have been drugged?"

Reply "Err by the abductor. I think Madeleine would have been drugged as well."

4078 "Yeah, and the night when they were sleeping, did anybody try to wake them? Other than it being noisy and they were moved."

Reply "No, no I mean err when they, when they were brought up to our apartment err they had a sort of blanket over them and they were asleep on err I think it was David and Fiona that carried them up and they were just sleeping on their shoulder

*and obviously didn't want to wake them up because the cots were being brought up and they were put, put, but you know my, my feeling is that they, I think a child normally would have woken up under the circumstances."*

...

*Reply "Yeah, I mean because it happened so, there's such a short err time and I also think that the children would have been sleeping soundly when Gerry saw them because maybe by that time they had been err drugged with, I don't know, I mean I wouldn't know whether there's anything, chloroform had been put over them."*

### **3.15 Fiona Payne Rogatory**

*"Reply: "Sean and Amelie were fast asleep in their cots, they didn't stir, you know, I was opening the cupboards in the room and moving around the room, they didn't stir at all, which that was, that was odd."*

*1485 "Did the twins wake up at all?"*

*Reply "They didn't. They didn't".*

*1485 "In the aftermath?"*

*Reply "No, and that was the other thing, she kept going into the twins, she kept putting her hands on the twins to check they were breathing, she was very much concerned in checking that they were okay. But they were okay, I mean, they were fine, they didn't, they were asleep, but at the time it did seem weird, I remember thinking, you know, when the Police came they turned the lights on, there was loads of noise, obviously from the moment Kate discovered that Madeleine was gone, the screaming and the shouting and there was a lot of noise and they, they didn't, you know, so much as blink".*

**LATER IN SAME INTERVIEW**

*"Erm, so I'd suggested putting the twins up in our apartment, erm, Emma, who was there, had arranged some of the MARK WARNER Nannies to get some extra cots and more bedding, erm, and we set up the cots in our living room and a bed for Kate and Gerry as well, not that they used it, but, erm, and then I think, I think they were Policemen, I can't remember who carried up Sean and Amelie. Erm, and we sat on the sofa, me and Kate with the twins asleep on us for a while, erm, and they didn't wake up and, again, that was quite strange, even in the transfer and, and being handled by people that weren't their parents, they didn't, they didn't wake up.*

**3.16** Former police detectives David Edgar and Arthur Cowley have spent months re-analysing every shred of evidence.

They are convinced the abductor went to the family's apartment on May 3 2007 fully prepared with sufficient drugs, probably chloroform, to knock out all three children. The fact that Sean and Amelie, then just 18 months old, failed to wake when the alarm was raised, nor even as they were taken to another apartment in the cold night air, has persuaded the detectives that they, too, must have been drugged. Kate McCann said the kidnapper who seized Madeleine may also have drugged her other two children, as she launched a new appeal in the hunt for her missing girl today.

Mrs McCann said she had to check that twins Sean and Amelie were still breathing because they did not wake as they began a frantic search for the missing three-year-old.

**3.17** Talking to Jenni Murray on BBC 4 on Thursday -- Madeleine's eighth birthday -- the British mom also said she believes someone tried to take Madeleine the night before she disappeared, but was scared off when the children began to cry. Madeleine McCann was four when she went missing during a family vacation in Praia da Luz, Portugal, on May 3, 2007. She has never been located. The McCanns believe she was kidnapped.

Kate McCann said the morning of the day Madeleine was taken, Madeleine asked her mom why she hadn't immediately come to the room when she had been crying the night before.

"I never thought for one minute that there was something sinister, I just worried, had she woken up and nobody had been there? But obviously, when we discovered she'd gone, it just seemed very likely to me that in fact, somebody had maybe tried the same thing the night before and had been disturbed, maybe when the children started screaming," Kate said, but added now, looking back, "There was something about it that just didn't seem right."

She said when Madeleine was discovered missing, the twins didn't wake up, despite the noise and commotion

"On the night, I just remember the twins lying in the cots and not moving. And obviously there was a lot of noise," McCann said. "They just didn't move."

She said she did check to make sure they were breathing.

"I did feel it was a bit strange they weren't moving, let alone waking up," she said. Kate said she did think the twins had been drugged, and perhaps Madeleine had been given a sedative "so she could be moved easily."

### **3.18 THEY WERE NOT SEDATED OCTOBER 25 2007**

#### **New Evidence in Madeleine McCann Case**

**She was very happy and very loved and I know Madeleine was pleased with her life. She is special, Kate McCann said.**

The development of the Madeleine McCann case shows that the Portuguese police did not have solid evidence for suspecting the McCann parents after all. Forensic tests of Madeleine's brother and sister showed neither of them were sedated.

- Anything that enters the blood-stream also enters the root of hairs and stays in the same position as the hair grows. If there was nothing found in the hair, that's pretty clear-cut – says Rachel Woods, the general manager of TrichoTech, a private toxicology laboratory that carries out tests on behalf of the Home Office.

The McCanns decisively denied sedating their children and threatened to sue the Portuguese press that continued to claim Madeleine and her brother and sister were drugged.

**3.19** The TrichoTest: hair samples are sent to our laboratory where in-depth testing is performed by specialist laboratory technicians to detect drugs.

Hair testing shows long term substance use over a period of months. How do drugs get into hair?

When a substance is ingested it is absorbed into the blood and circulates around the body. Every hair follicle has its own blood supply and the drug transfers from the blood to the hair and is absorbed into its core. As the hair grows, the drug stays in that same portion of the strand, acting like a record or timeline of drug use. Hair drug testing can provide trends of drug use or abstinence by sectioning a hair sample and testing each segment for a more detailed month on month analysis.

**3.20** *“All the hair samples produced negative results. While this didn’t totally exclude the possibility that the children had been sedated, especially given the time that had elapsed, it meant nobody else (including the PJ and the media) could prove otherwise.”*

**3.21** *“The process seemed to take ages and we all lost loads of hair. I couldn’t believe they had to take so much. The scientist cut chunks of it from Sean and Amelie’s heads while they were sleeping. I cried as I heard the scissors in their baby-blond hair. I felt angry that the children had to go through this further insult. As for me, I looked as if I had alopecia.”*

**3.22 Q: What drugs does HairConfirm™ screen for?**

*A: HairConfirm™ screens for five different drug classes: Cocaine (cocaine & benzoylecgonine), Marijuana (THC-COOH), Opiates (Codeine, Morphine & 6-monacteyl morphine), Amphetamines (Meth/amphetamines & Ecstasy) and Phencyclidine (PCP, angel dust).*

**Q: How many hairs are required for laboratory testing?**

*A: Approximately 40-50 strands cut from the scalp line at the crown (or when bundled, about the diameter of a shoelace tip).*

**Q: What time period does the HairConfirm™ test cover?**

*A: HairConfirm™ will detect drugs for a period of 90 days. The test requires a hair sample of 1.5 inches in length. Each 0.5 inch represents 30 days. The hair sample must be cut as close to the scalp as possible and only the most recent 1.5 inches are tested.*

**Q: How does the test work?**

*A: Using the detailed instructions as a guide, collect a hair sample of approximately the diameter of a shoelace tip. Mail the hair sample to the CLIA certified laboratory, Omega Laboratories, Inc, using the pre-addressed, prepaid envelope provided. The laboratory will analyze the hair sample for evidence of drug use. Using the HairConfirm™ Specimen ID number, passcode and email address, you must register your test online once you have mailed the samples to the laboratory. Go to the results section to obtain the results. Complete instructions on how to register and obtain the test result report are included with the test collection kit.*

**Q: What if a sample of very long hair is submitted, will the laboratory test show drug use for a longer historical period?**

*A: No. The laboratory only considers the first 1.5" of hair from the root end. If a longer sample is sent, the laboratory cuts the hair to 1.5" to conform to the 90 day historical time period.*

**Q: What if a historical period of 6 months of drug use is required, can the laboratory test for that?**

*A: Yes. However two separate testing kits would have to be purchased and two separate hair samples be submitted for laboratory processing. The length of the hair would have to start out at a minimum of 3 inches in length from the root end. One sample would then be submitted cut at 1.5" from the root end for the first test kit, and the second sample representing the remaining hair length be submitted for the second test kit. It is extremely important to place the root end, or the end closest to the root end aligned properly in the foil as described in the kit instructions.*

**3.23** *“I wandered into the children’s bedroom several times to check on Sean and Amelie. They were both lying on their fronts in a kind of crouch, with their heads turned sideways and their knees tucked under their tummies. In spite of the noise*



*and lights and general pandemonium, they hadn't stirred. They'd always been sound sleepers, but this seemed unnatural. Scared for them, too, I placed the palms of my hands on their backs to check for chest movement, basically, for some sign of life. Had Madeleine been given some kind of sedative to keep her quiet? Had the twins, too? It was not until about 11.10pm that two policemen arrived from the nearest town, Lagos, about five miles away. To me they seemed bewildered and out of their depth, and I couldn't shake the images of Tweedledum and Tweedledee out of my head. I realise how unfair this might sound, but with communication hampered by the language barrier and precious time passing, their presence did not fill me with confidence at all."*

### **3.24 •**

**3.25** *"I wandered into the children's bedroom several times to check on Sean and Amelie . . . I placed the palms of my hands on their backs to check for chest movement, basically, for some sign of life."*

**3.26** *"I placed the palms of my hands on their backs to check for chest movement, basically, for some sign of life."*

**3.27** The pattern, effort and rate of breathing should be observed.

- Skin colour, pallour, mottling, cyanosis and any traumatic petechiae around the eyelids, face and neck should be observed.
- Infants and children less than six to seven years of age are predominantly abdominal breathers therefore, abdominal movements should be counted.
- Signs of respiratory distress e.g. nasal flaring, grunting, wheezing, stridor, dyspnoea, recession, use of accessory and intercostal muscles, chest shape and movement should be noted by looking and listening.
- Respirations should be counted for one minute.
- The frequency of respiratory assessment and measurement should be increased during opiate infusions or in respect of any other drug which may cause hyperventilation or apnoea, for example, prostaglandin infusion.

...

- following a simple procedure – vital signs should be recorded every 30 minutes for two hours, then hourly for two to four hours until the child is fully awake, eating and drinking. It can be good practice to include pulse oximetry and an assessment of capillary refill time. A temperature should be recorded once and at intervals of one, two or four hours according to the infant, child or young person's general condition. A further set of vital signs should be recorded prior to discharge

**3.28** Levels of sedation are assessed according to the The Ramsay Sedation Scale. RSS. This was the first scale to be defined for sedated patients and was designed as a test of rousability. The RSS scores sedation at six different levels, according to how rousable the patient is. It is an intuitively obvious scale and therefore lends itself to universal use, not only in the ICU, but wherever sedative drugs or narcotics are given. It can be added to the pain score and be considered the sixth vital sign.

#### **Ramsay Sedation Scale**

- 1 Patient is anxious and agitated or restless, or both
- 2 Patient is cooperative, oriented and tranquil

- 3 *Patient responds to commands only*
- 4 *Patient exhibits brisk response to light glabellar (forehead) tap or loud auditory stimulus*
- 5 *Patient exhibits a sluggish response to light glabellar tap or loud auditory stimulus*
- 6 *Patient exhibits no response*

**3.29** *“Then a lady appeared on a balcony - I’m fairly sure this was about 11pm, before the police arrived - . . . I wandered into the children’s room . . . It was not until about 11.10pm that two policemen arrived from the nearest town Lagos . . .”*

**3.30** *“He’d [Gerry had] asked Fiona to stay with me. I was in our bedroom, on my knees beside the bed, just praying and praying and praying. . . “*

**3.31** *I can’t remember who carried up Sean and Amelie. Erm, and we sat on the sofa, me and Kate with the twins asleep on us for a while, erm, and they didn’t wake up and, again, that was quite strange, even in the transfer and, and being handled by people that weren’t their parents, they didn’t, they didn’t wake up.*

### **3.32 Duties of recovery room nurses**

The staff transports you to the recovery room, often while you are unconscious from the anesthesia. You rely on nurses while you are in this vulnerable state to:

- Monitor your vital signs, including blood pressure, pulse and breathing
- Take your temperature
- Watch for signs of potential complications
- Protect you from infections
- Assess your wound for bleeding, discharge, swelling, hematoma and redness
- Check tubes, drains and IVs
- Treat postoperative nausea and vomiting
- Relieve your pain and discomfort through body positioning and medication
- Evaluate your level of consciousness
- Determine when you are stable enough to be moved to a regular room or discharged

Nurses who fail to competently perform their recovery room duties are liable for your resulting injuries, as are the hospital facilities where you received the negligent treatment.

**3.33** *“Dianne and I sat there just staring at each other, still as statues. ‘It’s so dark,’ she said again and again. ‘I want the light to come.’*

## What was the weather on the evening of Thursday 3rd May 2007.

### We examine an interesting anomaly.

On Thursday 3rd May 2007 Madeleine and the twins are prepared for bed.

p. 68 *"I took them all into their bedroom. Madeleine **got into her bed** and then **Amelie, Sean and I settled ourselves on top of it**, with our backs against the wall, for our final story."* [1]

Madeleine is now *in bed*.

p. 69 *Then we kissed the twins, and kissed Madeleine, already **snuggled down** with her 'princess' blanket and Cuddle Cat – a soft toy she'd been given soon after she was born and never went to bed without.* [2]

Madeleine is not only *in bed*, but "*snuggled down*" This carries a very recognisable connotation in English. *Snuggle* - *To settle or move into a warm comfortable position.* You can snuggle into something, or under something. The connotation implies a nest, and all enveloping warmth. The word "nestle" is given in the OED as a definition.

But a short time later

p. 70 *"Gerry left to do the first check just before 9.05 by his watch . . . Madeleine was lying there, on her left-hand side, **her legs under the covers**, in exactly the same position as we'd left her."* [3]

Now Madeleine is reported to be on top of the bed, with only her legs covered, and it is said that this is how she had been left. But this contradicts the clear use of the expressions *in bed* and **snuggled down**. Lying on top of the bed with only the feet under neatly folded-back bedclothes cannot be described as "snuggled", nor yet as "in bed". Normal English usage permits "on top of the bedclothes".

From Gerry McCann's statement to police, on 10th May, 2007:

*'Concerning the bed where his daughter was on the night she disappeared, he says that she slept uncovered, **as usual when it was hot**, with the bedclothes folded down'.* [4]

But was it **hot**, as Gerry clearly insists ? The word used is *hot*, not "warm enough to sleep with only a light cover, or on top of the bedclothes".

**Kate McCann** is very clear that outside, the weather was **cold**.

p. 73 *"It was so cold and so windy."* [5]

**Jane Tanner** is equally insistent

JT: . . . *and I just thought that child's not got any shoes on because you could see the feet, and **it was quite a cold night** in Portugal in May it's not actually that warm, and I'd got a big jumper on, and I can remember thinking oh that parent is not a particularly good parent, they've not wrapped them up.*

**Richard Bilton** *Could you tell . . . ?*

JT: . . . *It was actually quite cold.* [6]

and again

*"Yeah, and there were some people inside because it was quite chilly by, by this, it was actually quite, quite cold".*

and again

*I remember I was wearing, because it was cold, I'd got Russell's big, I'd borrowed one of his, erm, fleeces,*

and again

*I'd got Russell's big jumper on, cropped trousers and flip-flips and, yeah, it was quite, you know, sort of cold"*

and again

*4078 "... at that time, didn't really think anything of it other than the child might have cold feet?"*

*Reply "Yeah, and just".*

and yet again

*4078 "So you went on the wrong day."*

*Reply "Yeah, I think err so it wasn't, that's one reason why we didn't open the shutters to open the window or anything in that room, it wasn't actually really hot at all, it was actually quite cloudy in the days and at night it was actually quite chilly." [7]*

**Russell O'Brien :** *The nights were quite chilly [8]*

**Matthew Oldfield** *in the evenings it was very cold, [9]*

**Rachel Oldfield** *it was really cold in the evenings [10]*

**David Payne** *it was quite cold some nights and you know perhaps nearly too cold to be sat outside [11]*

**Fiona Payne** *it was still very cold [12]*

**Diane Webster** *when they were brought up to our apartment and they would have to come out into the cold [13]*

Only one person in the entire group of 9 adults insists that the weather was **hot** enough for Madeleine to have been put to bed lying on top of the bedclothes.

Every one of the other eight adults say it was cold, in many cases they lay emphasis on the extra clothing they themselves were wearing.

Only Gerry McCann disagrees.

The weather report for that day is that at 9 pm, 3 May 2007 the temperature recorded at Faro airport was 57° F, 14° C [14]

What reason does Gerry McCann have for insisting it was hot ?

This picture shows a bed which may not have been slept in on the night of 3rd May. [15]



**FOTO 6** – Pormenor da cama assinalada na foto 5.

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## Appendices

**1** I took them all into their bedroom. Madeleine got into her bed and then Amelie, Sean and I settled ourselves on top of it, with our backs against the wall, for our final story, *If you're happy and you know it!*, another present to Madeleine, this one from Great-Auntie Janet and Great-Uncle Brian. If you're happy and you know it, clap your hands! says the monkey. Stamp your feet! says the elephant.

**2** Gerry came through to say goodnight. We helped Sean and Amelie give their big sister a 'night-night' kiss before laying them in their adjacent travel cots. Then we kissed the twins, and kissed Madeleine, already snuggled down with her 'princess' blanket and Cuddle Cat – a soft toy she'd been given soon after she was born and never went to bed without. We were in no doubt that all three would be asleep in an instant. As always, we left the door a few inches open to allow a glimmer of light into the room.

**3** After ordering his food, Gerry left to do the first check just before 9.05 by his watch. He entered the apartment via the patio doors and noticed almost immediately that the children's bedroom door was further ajar than it had been. He glanced into our room to make sure Madeleine hadn't wandered in there, as she was prone to do if ever she woke in the small hours. Seeing no little body curled up in our bed, he went over to look in on the children.

Madeleine was lying there, on her left-hand side, her legs under the covers, in exactly the same position as we'd left her. For Gerry, this became one of those images I described earlier, pictures that fix themselves indelibly, almost photographically, in the memory. He paused for a couple of seconds to look at Madeleine and thought to himself, She's so beautiful. After pulling the bedroom door to, restoring it to its original angle, he went to the bathroom before leaving the apartment.

**4** Concerning the bed where his daughter was on the night she disappeared, he says that she slept uncovered, as usual when it was hot, with the bedclothes folded down. Concerning the other bed next to the window in the children's bedroom, he says that it showed no signs that anyone had put their feet on it, namely, dirt or shoe prints.

**5** I ran out into the car park, flying from end to end, yelling desperately, 'Madeleine! Madeleine!' It was so cold and so windy. I kept picturing her in her short-sleeved Marks and Spencer Eeyore pyjamas and feeling how chilled she would be. Bizarrely, I found myself thinking it would have been better if she'd been wearing her long-sleeved Barbie ones. Fear was shearing through my body.

**6** **RB:** Describe exactly what he's carrying, what you can see.

**JT:** Well I could see.. I could tell it was a child, and I could see the feet and... feet and the bottom of the pyjamas, and I just thought that child's not got any shoes on because you could see the feet, and it was quite a cold night in Portugal in May it's not actually that warm, and I'd got a big jumper on, and I can remember thinking oh that parent is not a particularly good parent, they've not wrapped them up.

**RB:** And could you tell if it was a boy or a girl?

**JT:** Only because the pyjamas had a pinky aspect to them so you presume a girl. It was actually quite cold.

## 7 Jane Tanner - Record Of Tape Recorded Interview

4078 "What was the weather like when you were there?"

Reply "It wasn't, again it wasn't brilliant, I think it was nicer in the UK."

4078 "So you went on the wrong day."

Reply "Yeah, I think err so it wasn't, that's one reason why we didn't open the shutters to open the window or anything in that room, it wasn't actually really hot at all, it was actually quite cloudy in the days and at night it was actually quite chilly."

4078 "So it wasn't sort of going in the pool weather or, only if you're very brave."

Reply "No it was really, really cold, I mean I think Russell went in because he's a nutter and goes in the Atlantic in February but no it was more, after, it got warmer after so we did go in the pool after May the third but no before that I don't think we, maybe we'd been in once and then decided it was a bad idea."

\* \* \*

4078 "Can you just write 'bar area' on that because I'll forget".

Reply "Yeah, and there were some people inside because it was quite chilly by, by this, it was actually quite, quite cold".

\* \* \*

4078 "But just do the best you can".

Reply "Yeah. Erm, I'm just trying to, well I've walked out of the, walked out of the, erm, the Tap, you know, walked sort of into the reception of the Tapas Bar and obviously walked up the road. I remember I was wearing, because it was cold, I'd got Russell's big, I'd borrowed one of his, erm, fleeces, so I'd got a big sort of fleece, it probably came down to about here, but then I'd got flip-flops on and cropped trousers, because I'd only got, I didn't take jeans, I know I didn't take jeans on holiday, and then.

\* \* \*

Reply "Yeah, that is, erm, and I think at that point I did think as well, the way they were dressed wasn't quite touristy. As I say, I mean, I looked a right state because I'd got Russell's big jumper on, cropped trousers and flip-flips and, yeah, it was quite, you know, sort of cold and, and they looked more like they were prepared for the weather, you know, sort of thing.

\* \* \*

4078 "Okay. So you have glimpsed, you know, turned back and see the man disappearing off down the road with the child and, at that time, didn't really think anything of it other than the child might have cold feet?"

Reply "Yeah, and just".

4078 "And later on did you think it was significant?"

Reply "It was a, yeah, it was sort of came as soon as, as soon as they said that came, buff, straight. As soon as I'd seen it there it was forgotten and then, buff, as soon as Rachael said".

## 8 Russell O'Brien - Record Of Tape Recorded Interview

*On the evening I was wearing brown jeans/cord style trousers, a pale blue stripe top, and Jane had taken my jumper which was blue. The nights were quite chilly which is why Jane had my jumper I am quite used to the cold.*

**9 Matthew OLDFIELD - Record Of Tape Recorded Interview**

4078 *"What was the weather like during the week?"*

*Reply "Erm, it was sunny but cold, the pools were freezing, so we didn't, even though the pool was there, it was unusual for people to be in it. Erm, sunny most days, it got cloudy and it rained on the Wednesday and the Wednesday evening was pretty sort of, in the evenings it was very cold, so at the Tapas Restaurant, when we were there, we'd often, you know, you'd need a jumper if you sat outside and there was no heat particularly, erm, and I think Thursday was sort of fairly similar and quite, well certainly at night and I think the rest had been sort of maybe a little bit overcast at times but I'm not really bothered about the sunbathing and if there was a wind you could go sailing and that was".*

**10 Rachel Oldfield - Record Of Tape Recorded Interview**

1578 *"What about when you were eating at the table?"*

*Reply "Yeah I had all that on as well, it was really cold in the evenings, you didn't take".*

1578 *"Chilly evening".*

*Reply "Didn't take enough warm things, so it was like the, all the jumpers that we had yeah".*

**11 David Payne - Record Of Tape Recorded Interview**

1485 *"And conversation? Because I understand it was cold, rainy on a couple of days."*

*Reply "Mm, mm, yes. I mean from the, you know from the, yeah it was quite cold some nights and you know perhaps nearly too cold to be sat outside err but there was certainly nothing that you know led me to any concern during that week err*

**12 Fiona Payne - Record Of Tape Recorded Interview**

1485 *"Can you remember what sort of time that was roughly?"*

*Reply "Erm it was still very cold and, and dark, erm I think it was you know, between five and six, I say, I say, I think we'd, we'd, we'd just dozed off, so erm it was still very early.*

**13 Diane Webster - Record Of Tape Recorded Interview**

4078 *"But with all your experience of small children, you thought that was odd that they had not woken?"*

*Reply "Oh yeah definitely. Well even err the noise that was going on in the apartment and they slept through it all."*

4078 *"Mm."*

*Reply "They were taken from their cots when they were brought up to our apartment and they would have to come out into the cold and I would have err I would have expected some sort of awakening."*





**FOTO 6** -- Pormenor da cama assinalada na foto 5.

## Just Checking

**We examine and compare the various accounts given by the group of their “system” for checking the children during the evenings they spent in the Tapas bar.**

Book, p. 75 *That Sunday night we headed over to the restaurant. We were all there except Matt, who had a bit of a dodgy stomach, which he attributed to something he'd eaten en route to Portugal. The rest of us enjoyed our meal. The food was good and it was nice to have a little adult time. There weren't many other diners and, since we were such a large group, we were focused on chatting to and bantering with each other and not taking much notice of anyone else. It was, I remember, very cold and windy and I discovered that five layers of clothing were required to keep me comfortable. We nipped back to our respective apartments every half-hour to check on the children – apart from Rachael, since Matt had stayed behind, and Dave and Fiona, who had a state-of-the-art baby monitor with them. Our visits also gave us a convenient opportunity to pop to the loo or, in my case, to pick up an extra cardigan.* [1]

In press interviews the McCanns always give the impression that there was a checking system in place whereby everyone took a turn of checking not only their own children, every half hour, but probably the children of the others in the group.

It is clear from examining the statements that this did not happen

The group consisted of four couples, plus the mother of one of the women in the group. Nine adults in total.

**David and Fiona Payne** did no checking of anyone's children, including their own, as they had a baby monitor and relied on this.

**Dianne Webster** (Fiona Payne's mother) did no checking at any time.

**Rachael and Matthew Oldfield** did not check on anyone else's children.

**Jane Tanner and Russell O'Brien** did not check on anyone else's children

**Kate and Gerry McCann** never checked on anyone else's children.

So this impression the McCanns have given of the adults in their group all running back and forth checking each others' children is most certainly not the truth.

On the night Madeleine was reported as missing the McCanns claim their checks were around every 30 minutes. [2]

But after Madeleine had told them on the Thursday morning (she was reported missing on Thursday night) that she and her brother had been crying on the previous night – the McCanns decided they would check their children more regularly. [3], [4], [5]

If every 30 minutes was *more* regular than previous nights, then the McCann children were *not* being checked every 30 minutes throughout that week. Hourly is more credible.

On the night Madeleine was reported as missing, Gerry McCann claims to have checked around 9pm. Kate McCann claimed her check took place around 10pm.

This would tie in with the statement of Mrs Fenn who lived in the apartment above the McCanns that she heard a child crying in the McCann apartment for more than an hour on the night of Tuesday 1st May 2007. [6]

**Note:** The statement about deciding to check the children more regularly, or “keep a closer watch” or be more vigilant” was released to the Press after the secret meeting of the Tapas group in Rothley. This meeting was before the Tapas friends were due to give their Rogatory interviews, and it was specifically denied by their spokesman that the intention was to “get their stories right”. [7] But it is clear that the Media were given this statement by Clarence Mitchell on their behalf, and it was an important part of the attempt to show that the McCanns, and indeed all the group were “responsible parents”

*As an aside one must recall that both Gerry and Kate stated clearly that had it not been for the altered position of the bedroom door neither of them would have bothered even to look into the room. [8], [9]*

*And Oldfield was very quick to distance himself from the position of having been the last person to see Madeleine alive. [10]*

Carlos Anjos from the Association of Police Investigators stated  
*“They said that every half an hour they would go and look in on the children and all of them, we found in EVERYBODY’S statement, some questions that suggest that actually they DIDN’T go and see the children.” [11]*

### **Let us take the Tapas group’s statements in turn**

#### **1 Matthew Oldfield**

Rogatory Interview with Leicestershire Police:

*“MO: “It WASN’T usual routine err for us to check on each other’s children”  
I’d NOT done it before”*

*4078 “Was there an actual discussion between the group of you as to the sort of fifteen minute checks or ten minute checks or whatever or was it something that you as a couple had decided on and then the circumstances during the week meant that everyone had sort of taken it in turns to check?”*

*Reply “No, we pretty much checked our, well certainly we checked our own and it was only the last night that we offered to check for Gerry and Kate.*

*----*

*4078 Up until the Wednesday night, from what you have already said then, you didn’t go into Gerry and Kate’s apartment, well, sorry, you didn’t check on Gerry and Kate’s children?”*

*Reply “No”.*

Asking re Oldfield listening at the shuttered window:

*4078 “Was that the first time that you had taken it UPON YOURSELF to check on somebody else’s child?”*

*Reply “Yeah, I’d NOT done it before” [12]*

#### **2 Kate McCann**

Kate McCann witness statement:

*‘During this check, she thinks that Gerry did not check on the children of any other couple, because it was usual just to check on their own children.*

*Further stating:*

*‘She never checked on any other child, other than her own.’ [13]*

### **3 - Rachael Oldfield (Mampilly)**

DC 1578 of Leicestershire Police asked:

*"So what sort of arrangements did you come to as a group in respect of checking on the children"?*

RO: *"That we would Just check our own children, basically, erm".*

Confirmation that there was NO checking system agreed or put in place to check on each other's children, nor even to listen at shuttered windows.

RO: *"We hadn't done that before you know, that hadn't been part of the routine, sort of listening, even listening at other people's windows" [14]*

### **4 Dianne Webster:**

*She clarifies that the practice was for each couple to check THEIR OWN children, it NOT being usual for anyone to check the children of other couples.*

Dianne Webster also confirms that she did not leave the dinner table on any evening during the holiday to check on anyone's children. [15]

### **5 Fiona Payne**

*During dinner, as they were in a possession of a "baby monitor", they did not go to the apartment to check on their children. [16]*

### **6 David Payne:**

*In answer to our question the interviewee states that during ALL the meals, he NEVER went to his apartment or to ANY of the group's apartments, because he has an, "intercom," and the signal carries from the apartment to the restaurant. [17]*

### **7 Gerry McCann:**

Police witness statement

*On Wednesday night, 2 May 2007, apart from the deponent and his wife, he thinks that DAVID PAYNE also went to his apartment to check that his children were well, not having reported to him any abnormal situation with the children. [18]*

(But see above. **David Payne [14]**)

*'During all the meals he never went to his apartment or to any of the group's apartments, because he has an, "intercom," and the signal carries from the apartment to the restaurant.'* Therefore we can say that Dr Payne did not check on the McCann children on the night of Wednesday 2nd May 2007, or any other night.)

Back to Gerry McCann's statement -

*On this day, the deponent (Gerry McCann) and KATE had already left the back door (patio) closed, but not locked, to allow entrance by their group of colleagues to check on the children.' [19]*

So Gerry and Kate McCann had already by the night of Wednesday 2nd May changed routine. They now did not use the front door in the evenings but left the patio door unlocked so that the group of colleagues could enter their apartment and check on their children.

None of the group of colleagues took advantage of Gerry's gesture, leaving a door unlocked for them, perhaps because, according to the colleagues' statements to police, NONE of them checked on the McCann children, and NONE of them knew of any such arrangement.

## 8 Jane Tanner

Stated that normally every **15 minutes** a member from each apartment would go and check the bedrooms of the respective children to see if everything was all right.

At no time does she mention that on any of her visits, or that of her partner Russell O'Brien did either one of them listen at the shuttered windows or doors of any of the apartments occupied by members of the group. **[20]**

Rogatory interview Leicester police

The officer is questioning Jane Tanner re the night of Wednesday 2nd May 2007.

Tanner: – *I'm trying to think if by that point we were checking on each other's...*

4078 *"That was part of my next question."*

Reply - *"Oh right. Err I mean I didn't personally, I think, I mean I'll tell you when I went back I just tended to check on bars and I listened at Matt and Rachael's, you know at some point we listened at Matt and Rachael's window and down there but err no I can't remember, but by that stage I think we were listening but we didn't, I don't know whether people actually went in to, to be honest nobody, if we hadn't gone nobody could have gone in to ours because they'd need the key so when people did check ours they did, they did just listen, so."* **[21]**

### **Let us re-cap briefly and try to precis the above.**

Gerry McCann states that David Payne checked on the McCann children on the evening of Wednesday 2nd May 2007, and of how Payne reported back to him (McCann) that all was well  
- when this absolutely did not happen. (See above)

As David Payne and his wife Fiona have stated, they had a baby monitor, they never left the dinner table on any night to check on anyone's children.

This was confirmed by all in the group.

Jane Tanner gives details of the routine checks, and of how they the group listened at shuttered windows, not initially, but as the week progressed.

But the rest of the group are **not** in agreement on this.

The Oldfield's - Matthew and Rachael - state they never at any time during that week (with the exception of the night Madeleine vanished) checked on anyone's children and further state that they did NOT listen either at shuttered windows or doors at any time. They further stated that NO ONE did this – not even Jane Tanner or Russell O'Brien

It seems it just was not part of any routine.

Dianne Webster confirms she did not check anyone's children, and confirmed that each couple checked on their own children.

On the evidence of these statements we must conclude there was NO routine in place. Those who did, checked only their own children.

Kate McCann confirmed she did not check on anyone's children nor she listen at shuttered windows, and confirmed that Gerry McCann did not check on anyone else's children.

Matthew Oldfield stated that not only was it a first for him on the night Madeleine disappeared to check on the McCann children, a first too for him to have listened at the shuttered window, something he took upon himself to do, but he states it was a FIRST also for Russell O'Brien.

## 9 Russell O'Brien

Russell O'Brien, the partner of Jane Tanner made the most intriguing statements of the group. They are also the most confused. He appears confused as to whether he checked or did not check, listened or did not listen at doors.

Russell O'Brien's rogatory interview took place on 8 April 2008 and had to be repeated on 10 April 2008 when the Detective and O'Brien went through a statement which had been prepared from the audio track of the tape, because the video track had malfunctioned on 8th

This entry at the beginning of the second interview may be of importance -

*I have been given the opportunity to refresh my memory from the statement made by Jane TANNER (my wife) and I have been allowed to see these documents, this was done in the presence of DC 1578 GIERC.*

These are extracts from the transcript of the long Rogatory interview [my emphases]

*"On Sunday I recall I checked Kate and Gerry's apartment as well as Rachael and Matt's.*

*"I had taken Matt's keys and I believe that their door was deadlocked the same as ours and that I would have needed to turn the key two times.*

*"I recall that Kate and Gerry's apartment was accessed by the patio door which was left closed and unlocked. I recall that their front door was accessed from the car-park, access was easily gained to the apartment from the poolside.*

*"And then on Sunday 'I recall I checked Kate and Gerry's apartment as well as Rachael and Matt's and my recollection is that I needed Matt's key to check on their room and I had it, but I didn't need Kate and Gerry's key because THEY went through the patio door', erm, WE went through the patio door to cross in and look into the children's bedroom."*

*"I definitely did NOT go in through Gerry's and Kate's main, you know, double locked door or anything, I'm SURE I went through the patio, so I think they were doing things differently from Matt and Rachael, at least from the ground floor perspective, right from the word go". [22]*

O'Brien, as those who read the full transcript will see, stresses how the McCanns did not secure their apartment in the way that he and Jane Tanner and the Oldfield couple did with theirs, all being on the ground floor.

But something is seriously wrong with O'Brien's statements. The above comments specifically refer to his checking of both the **Oldfield** and the **McCann** children on the **Sunday** evening?

Matthew Oldfield was unwell on the Sunday evening and did not leave his apartment. [23] How is it possible then that Russell O'Brien took from Oldfield his key to go and check on the Oldfield child when Oldfield was not at the tapas for dinner that evening. Oldfield was in fact in his apartment looking after his daughter ?

Matthew and Rachael Oldfield have both confirmed that *no one* ever checked on their child by entering their apartment

Referring to O'Brien's check, where he claims to have gone into the McCann apartment through the unlocked patio door –

Gerry and Kate McCann have stated categorically they did not leave their patio door unlocked early in the week (the Sunday was the first night the group had gone to the tapas bar). They claim to have changed to this routine – leaving the patio door unlocked, at some point during the week.

According to the McCanns their apartment was locked on the Sunday evening, so Russell O'Brien *did not* enter the McCann apartment through the patio doors and check on the McCann children.

Gerry McCann re the Sunday evening:

*They [he and his wife Kate McCann] left the house through the main door (front door) that he was sure he locked, and the back door (patio) was also closed and locked . . . .  
On that day, only the deponent and his wife entered the apartment. [24]*

Is this simply a case of O'Brien getting hopelessly confused, or of something else ?

These statements were given after the infamous Rothley meeting of the Tapas Group and their advisors.

As he had also been given access to Jane Tanner's statements it is surely of interest that his interview did not match more closely.

### **To conclude -**

The decision by Clarence Mitchell to give to the press - after the Rothley meeting - a version of events which details increasing the vigilance or frequency of the checks seems spectacularly to have backfired on the McCanns.

It not only draws attention to the paucity of any checks made during the week, but also draws attention to the contents of the statements in which it is clear that even if the McCanns had visited the apartment, their intention was not to look at the children at all.

It seems that only an alleged change in the somewhat esoteric detail of the exact angle of the bedroom door caused them, individually, to do so.

*It is important to remember that what is apparently to be referred to as "spin" like this was being given regularly to the press long before either he or the McCanns knew that the original statements would one day be released for scrutiny by the entire world.*

What precisely we are expected to believe is somewhat unclear.

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- 18 Witness statement of Gerald Patrick McCann, 10th May 2007  
<http://www.mccannfiles.com/id192.html>
- 19 Witness statement of Gerald Patrick McCann, 10th of May 2007  
<http://www.mccannfiles.com/id192.html>
- 20 Witness Statement of Jane Michelle Tanner 4th May 2007  
<http://www.mccannfiles.com/id261.html#tap2>
- 21 Jane Tanner - Rogatory Interview 4th August 2008  
<http://www.mccannfiles.com/id222.html>
- 22 Russell James O'Brien - Rogatory Interview 10th April 2008  
<http://www.mccannfiles.com/id221.html>
- 23 Matthew Oldfield - Rogatory Interview Leicestershire HQ 9th April 2008  
<http://www.mccannfiles.com/id219.html>
- 24 Witness statement of Gerald Patrick McCann, 10th of May 2007  
<http://www.mccannfiles.com/id192.html>

## APPENDICES

1 p. 75 *That Sunday night we headed over to the restaurant. We were all there except Matt, who had a bit of a dodgy stomach, which he attributed to something he'd eaten en route to Portugal. The rest of us enjoyed our meal. The food was good and it was nice to have a little adult time. There weren't many other diners and, since we were such a large group, we were focused on chatting to and bantering with each other and not taking much notice of anyone else. It was, I remember, very cold and windy and I discovered that five layers of clothing were required to keep me comfortable. **We nipped back to our respective apartments every half-hour to check on the children – apart from Rachael, since Matt had stayed behind, and Dave and Fiona, who had a state-of-the-art baby monitor with them. Our visits also gave us a convenient opportunity to pop to the loo or, in my case, to pick up an extra cardigan.***

2 As usual, every half hour and considering that the restaurant was close to the apartment, the deponent or his wife went to check if the children were ok.

3 On the day that MADELEINE disappeared, Thursday, 3 May 2007, they all woke up at the same time, between 07H30 and 08H00. When they were having breakfast, MADELEINE addressed her mother and asked her "why didn't you come last night when SEAN and I were crying?" That he thought this comment very strange given that MADELEINE had never spoken like this and, the night before, they had maintained the same system of checking on the children, not having detected anything abnormal. When he questioned her about the comment, she left without any explanation.

4 But in extracts read out on Spanish broadcaster Telecinco's late morning programme El Programa de Ana Rosa, it emerged that Mrs McCann had told police about a conversation she had with Madeleine on the morning she disappeared.

The little girl, then aged three, spoke to her mother because she had left her and twins Sean and Amelie alone in the night. Mrs McCann's statement said: "While we were having breakfast, Madeleine said: 'Mummy, why didn't you come when we were crying last night?'. 'Gerry and I spoke for a couple of minutes and agreed to keep a closer watch over the children.'"

5 "We obviously told the police because we thought, does this indicate that someone has been round the night before and that's what has woken her up?" she said. "Which is significant you know ... I've persecuted myself over and over again about that statement because you think, why didn't they [the police] kind of just hold it and say, 'What do you mean?'"

Madeleine didn't answer her parents' question and "carried on playing, whatever she was doing, totally undistressed," Kate McCann said.

The McCanns say that because Madeleine didn't make a big deal about the issue that they let the matter go. But they say they consciously decided that evening to be more vigilant about checking in on the children.

6 She states that on the day of the 1st May 2007, when she was at home alone, at approximately 22H30 she heard a child cry, and that due the tone of the crying seemed to be a young child and not a baby of two years of age or younger.

Apart from the crying that continued for approximately one hour and fifteen minutes, and which got louder and more expressive, the child shouted "Daddy, Daddy", the witness had no doubt that the noise came from the floor below. At about 23H45, an hour and fifteen minutes after the crying began, she heard the parents arrive, she did not see them, but she heard the patio doors open, she was quite worried as the crying had gone on for more than an hour and had gradually got worse.

7 Mr Mitchell added: *"The meeting was as much a show of support for Gerry and Kate. This was in no way to get their stories straight. This is the age of email and phone. They could have done that a long time ago."*

8 Kate *"I did my check about ten o'clock and went in through the sliding patio doors, and I just stood actually, and I thought, uh, all quiet. And to be honest, I might have been tempted to turn round then, but I just noticed that the door, the bedroom door where the three children were sleeping, was open much further than we'd left it.*

*I went to close it to about here, and then as I got to here, it suddenly . . . slammed, and as I opened it, it was then, that I just thought I'll just look at the children.*

*I see Sean and Amelie in the cot . . . . "*

9 He walked the normal route up to the back door, which being open he only had to slide, and while he was entering the living room, he noticed that the children's bedroom door was not ajar as he had left it but half-way open, which he thought was strange, having then thought that possibly MADELEINE had got up to go to sleep in his bedroom, so as to avoid the noise produced by her siblings. **Therefore**, he entered the children's bedroom and established visual contact with each of them, checking and he is certain of this, that the three were deeply asleep.

10 At around 21h25, the interviewee went into his apartment and Madeleine's apartment to check on the children. He states that the door of the bedroom quarters, that was occupied

by Madeleine and the twins, was half-open and that there was enough light in the bedroom for him to see the twins in their cots. That he couldn't see the bed occupied by Madeleine, but as it was all quiet, he deduced that she was sleeping.

**11** CARLOS ANJOS

Association of Police Investigators

*They said that every half an hour they would go and look in on the children and all of them, we found in everybody's statement, some questions that suggest that actually they didn't go and see the children.*

**12** 4078 *"Was there an actual discussion between the group of you as to the sort of fifteen minute checks or ten minute checks or whatever or was it something that you as a couple had decided on and then the circumstances during the week meant that everyone had sort of taken it in turns to check?"*

*Reply "No, we pretty much checked our, well certainly we checked our own and it was only the last night that we offered to check for Gerry and Kate. It just, we are sort of fairly similar, our sort of views on sort of child care and that it was important, we're sort of from the same background, we have sort of similar issues about sort of child rearing, which is why we sort of get on and there was nothing obvious that anybody would do anything particularly different. I mean, Russell and Jane sort of, erm, are sort of fairly relaxed and easy going, erm, and Dave and Fi are sort of a bit disorganised and a bit late and Gerry and Kate are much more organised and we sort of fit sort of between that end of between, between that end of the scale and Russell and Jane. So it was all sort of, it was just sort of natural, we didn't decide, oh we'll do this, it just sort of came at natural breaks, we'd come down and we'd go between sort of courses to sort of check, but we usually, we'd check our own and, as far as I know, that didn't really change. Although, because it wouldn't seem, certainly for Russell and Jane I'd be happy to check for their children because they know me and if, you know, they had been awake and I went in they wouldn't be particularly, erm, you know, they wouldn't be particularly shocked or surprised or not know who I was, but Gerry and Kate and their children I didn't know them so well, so I wouldn't and certainly at the beginning of the week have offered to check their children or assumed that that would be okay, it was only at the end of the week when we seemed to know each other better and our routines and everybody seemed to be doing the same thing that it seemed to be a nice thing to do to offer to save them a trip".*

**13** During this check, she thinks that Gerry did not check on the children of any other couple, because it was usual just to check on their own children. She never checked on any other child, other than her own.

**14** 1578 "So what sort of arrangements did you come to as a group in respect of checking on the children?"

Reply "That we would just check our own children basically, erm".

1578 "How often?"

Reply "Erm about sort of every twenty minutes, I mean we kind of, I mean Gerry and Kate were very good about you know doing it every twenty minutes, I think they must have been a bit oh okay, think it's about twenty minutes so we'll, we'll go and have a look and you know so everyone went at different times, it wasn't like everyone suddenly got up to go and check, erm".

**15** Asked, she states that it would be normal for one member of each of the couples to get up regularly in order to check in their apartments if the children were well. She clarifies that the practice was for each couple to check their own children, it not being usual for anyone to

check the children of other couples.

The question asked, she thinks that up to the date of the disappearance it had never happened that anyone had entered the apartment of another couple in order to check their offspring.

Nevertheless, it seems that the Payne couple and the witness, did not make any trips to apartments, because they had an intercom called a "baby monitor", through which sounds or noises of the children could be heard.

**16** During dinner, as they were in a possession of a "baby monitor", they did not go to the apartment to check on their children and would only do so if they heard any strange noises or crying.

**17** In answer to our question, the interviewee states that during all the meals, he never went to his apartment or to any of the group's apartments, because he has an, "intercom," and the signal carries from the apartment to the restaurant. The other members of the group went, randomly, every 20 minutes, to their apartments to make sure their respective children were asleep.

**18** On Wednesday night, 2 May 2007, apart from the deponent and his wife, he thinks that DAVID PAYNE also went to his apartment to check that his children were well, not having reported to him any abnormal situation with the children.

**19** On Wednesday night, 2 May 2007, apart from the deponent and his wife, he thinks that DAVID PAYNE also went to his apartment to check that his children were well, not having reported to him any abnormal situation with the children. On this day, the deponent and KATE had already left the back door closed, but not locked, to allow entrance by their group colleagues to check on the children. He clarifies that the main door was always closed but not necessarily locked with the key. He does not know if the window next to the front door, and that gave access to the children's bedroom, was locked, given that he assumed that the shutters could not be opened from the outside. Still on this night, KATE slept in the children's bedroom, in the bed next to the window, because the deponent was snoring.

**20** At about 21h00 her husband arrived at the restaurant, having got E\*\*e to sleep. For this reason and because Fiona, David and Diane only arrived at about 21h00, the dinner, reserved for 20h30, only began after 21h00.

Normally, every 15 minutes a member from each apartment would go and check the bedrooms of the respective children to see if everything was all right.

**21** 4078 "But from the early part of the evening there'd been fairly regular checks."

Reply "Yeah, the same as, yeah the same as, the same as before. I can't remember who checked when or, you know, I can't remember when, you know whether it was me or Russell or whoever went back at that point. I don't, I'm trying to think if by that point we were checking on each other's..."

4078 "That was part of my next question."

Reply "Oh right. Err I mean I didn't personally, I think, I mean I'll tell you when I went back I just tended to check on bars and I listened at Matt and Rachael's, you know at some point we listened at Matt and Rachael's window and down there but err no I can't remember, but by that stage I think we were listening but we didn't, I don't know whether people actually went in to, to be honest nobody, if we hadn't gone nobody could have gone in to ours because they'd need the key so when people did check ours they did, they did just listen, so."

**22** Reply "Well, 'I'm aware that we checked our own rooms and also listened at other apartment doors and windows' and then 'maybe on occasion, on some occasions we actually entered the other rooms as well'. Erm, the next paragraph, I don't think I was quite so specific about, erm, 'Other people's apartments were on deadlock', but I think when I, well, so that's wrong. 'On Sunday I recall I checked Kate and Gerry's apartment as well as Rachael and Matt's', that's true. Erm, I'm not sure about taking their keys, I think I, I think I definitely took Matt and Rachael's keys, but I entered Gerry's flat through the patio door".

1578 "Okay. So, 'I had taken their keys and recall the door was deadlocked, I needed to turn the key two times, the shutters were down'?"

Reply "Yeah, yeah, I don't think, erm, I don't think, erm".

1578 "'I recall that Gerry and Kate's I had to get (inaudible)'".

Reply "That, that, that is me talking about our arrangements in our flat, so it's kind of all fused into one there. So maybe just to clarify that, it would be easier to say 'In our flat we closed the patio door, shut and locked', erm, 'shut the blinds, the shutters down and locked the internal window, double locked the front door after we went out and the patio door was also locked, was closed and locked'. So that was, that was our arrangements inside our flat. And then on Sunday 'I recall I checked Kate and Gerry's apartment as well as Rachael and Matt's and my recollection is that I needed Matt's key to check on their room and I had it, but I didn't need Kate and Gerry's key because they went through the patio door', erm, we went through the patio door to cross in and look into the children's bedroom. So, at the time, I have to say, I didn't really think that, you know, about the differences in how, in how we were, the security in the, in the rooms was, but, erm, I definitely did not go in through Gerry's and Kate's main, you know, double locked door or anything, I'm sure I went through the patio, so I think they were doing things differently from Matt and Rachael, at least from the ground floor perspective, right from the word go".

**23** 4078 "You said that on Saturday you were feeling a little bit unwell?"

Reply "Saturday I felt unwell, didn't eat much in the evening, which for a free buffet is pretty unusual for me, and then I started throwing up in the evening and I ascribed it to, when we were on the plane on the way out, they were giving out the meals and, you know, all the kids had been changing seats, so there was, I was sat with, erm, E\*\*\*, which is, erm, Russell and Jane's eldest daughter and maybe E\*\*\* on one side and maybe G\*\*\*\* as well, but one of the meals that came round the plastic had already come off and it was in front of E\*\*\* and I said 'You have mine just in case there's something wrong with it' and so I blamed that I felt sick that perhaps I was right, it had sort of gone off or something. It may not have been, it may just have been a bug or something, but I usually don't get diarrhoea and vomiting, I mean, I can't remember the last time I've been sick. Erm, but I started feeling a little bit queasy in the evening and then the, erm, the Saturday evening into the Sunday morning I was actually throwing up, which is just incredibly rare for me. So I felt completely icky all the day Sunday, so I think to try and avoid infecting anybody else, I didn't do much outside the apartment and certainly in the evening I didn't go for, erm, didn't go for dinner with everybody else".

4078 "That is Sunday out the way with then".

Reply "So Sunday was pretty much a write-off and I was thinking, oh, the start of my holiday and I'm not doing anything that day".

**24** They left the house through the main door, that he was sure he locked, and the back door was also closed and locked. They were the first to arrive at the TAPAS where everyone showed up except only for MATHEW, who was still ill. Nevertheless, his wife RACHEL showed up for dinner. Except for the situation described above, that occurred during lunch, he did not see MATHEW during the whole of Sunday.

Dinner ended at around 23h00, and during this period, every half-hour, the deponent and KATE went, alternately, to the apartment to confirm that all was well with the children. On that day, only the deponent and his wife entered the apartment. He is sure that they always entered through the front door, not knowing if they locked it upon leaving.

**It is apparently libellous to accuse the McCanns of lying.**

**It is however unclear what other word should be used to describe these most egregious examples of “economy with the truth”.**

**1 Shutters**

*Claim*

The McCanns told many family members that the shutters had been forced or broken

*Fact*

The shutters had not been forced or broken

**2 Entry by Gerry McCann**

*Claim*

Gerry McCann first said he entered through the front door, using his key

*Fact*

He later said he entered through the patio door, which had been left unlocked.

**3 Point of entry**

*Claim*

The intruder must have entered through the open shutters and open window

*Later claim or admission*

The open shutters and open window may not have been the point of entry or exit

**4 Sedation**

*Claim*

The children were not sedated

*Later claim*

The children must have been sedated

**NOTE**” On publication of the book ‘Madeleine’, it became clear that Kate had known or suspected sedation from the start

**5 Being made suspects**

*Claim*

Kate told her friends by telephone that she had been made a suspect

*Later claim*

Kate complained that this was press intrusion, when the only possible source was Kate herself

**6 Fluids in car**

*Claim*

The McCanns came up with a range of excuses for bodily fluids found in the car, ranging from sea bass to used nappies.

*Later statement*

At Leveson Kate said under oath, there were no fluids found in the car

**7 Half hourly checks**

### *Claim*

The parents were making half hourly checks throughout the week.

### *Contradiction*

The late Mrs Fenn reports a child crying and screaming for over an hour on a previous evening

## **8 Kate's Dream**

### *Fact*

Kate reported to Insp. Paiva that she had had a dream in which she had "seen" Madeleine dead. He gave this evidence under oath in court.

### *Denial*

On the steps of the court Gerry publicly denies that Kate had had any such dream

## **9 Lying in general**

### *Fact*

Kate admits lying

## **10 Afternoon of 3rd May**

### *Claim*

Kate arrives after a run to find the children with Gerry at tea

### *Fact*

On that day Kate herself signed Madeleine out of the crèche at 5:30pm

## **11 Eye defect**

### *Facts*

The McCanns released details of the coloboma to the press of the world.

They trademark the sign "Løok", in the phrase "Løok for me"

The eye defect is blown upon a giant screen at the FA cup Final,

The eye defect is clearly visible on all photos released as part of the campaign

The eye defect is clearly visible on the front cover picture of the book

### *Later*

Kate denies "putting emphasis on it"

## **12 Private Detectives**

### *Claim*

The McCanns dismiss the idea of using private detectives.

### *Fact*

The McCanns were already using private detectives from Control Risks the previous week

## **13 The search of the apartment**

### *Claim*

They claim they had no explanation, and that they were made to leave the villa.

### *Fact*

There was a full search warrant, a copy of which was to be served on the McCanns. and they were to be invited to be present.

## **14 Who spoke to Mrs Fenn ?**

### *Claim*



Kate spoke to Mrs Fenn

*Contradiction*

Mrs Fenn's statement refers to speaking to Gerry McCann

### **15 Metodo3 claims that Madeleine would be found by Christmas**

*Claim*

McCanns claim that this was never said

*Fact*

Kate admits that this was said

### **16 The colour of the pyjamas**

*Claim*

The pyjama bottoms **were** white

*Counterclaim*

The pyjamas were **not** white.

*Fact*

The pyjama trousers were white.

### **17 Was the apartment re-let before the forensic examination**

*Claim*

The apartment was let several times

*Fact*

The apartment was not let until February the following year.

### **18 "We answered all the questions"**

*Claim*

The McCanns cooperated fully with the police and answered all questions truthfully

*Fact*

Kate refused to answer any of the 48 questions during her second interview

## **1 Shutters**

*Claim*

The McCanns told family members that the shutters had been forced or broken

**Trish Cameron -**

Gerry McCanns sister, said she received a telephone call from her 39-year-old brother, a consultant cardiologist, who was "hysterical and crying his eyes out". She said: *"They last checked at half past nine and they were all sound asleep, sleeping, windows shut, shutters shut. Kate went back at 10 o'clock to check. **The front door was lying open, the window had been tampered with, the shutters had been jemmied open or whatever you call it and Madeleine was missing...**"*

**Brian Healy -**

Madeleine's maternal grandfather, told the Guardian his son-in-law had phoned him shortly after returning "Gerry told me when they went back **the shutters to the room were broken, they were jemmied up** and she was gone," said Mr Healy.

"She'd been taken from the chalet. **The door was open.**"

**Jon Corner -**

a close friend of Kate McCann and godparent of the twins, said she phoned him in the middle of the night distraught. He said: *"She just blurted out that Madeleine had been abducted. **Kate said the shutters of the room were smashed.** Madeleine was missing It looks as though someone had gone straight past the twins to get to her.*

**Jill (or Gill) Renwick -**

a family friend told GMTV the McCanns were certain that Madeleine has been abducted. "They were just watching the hotel room and going back every half-hour and **the shutters had been broken open** and they had gone into the room and taken Madeleine," she said."

*Fact*

The shutters had not been forced or broken

**John Hill** Mr Hill said that *despite the report by a family friend that the shutters to the couple's apartment were broken, there was no sign that anyone had forced their way in while the McCanns ate at the tapas restaurant 200 yards away. "It's still questionable as to whether it's abduction,"*

Chief Inspector **Olegario Sousa**, spokesman for the investigation, later confided in British former Chief Inspector **Albert Kirby** that neither the windows nor their shutters had been tampered with.

Mr Kirby told The Mail on Sunday: "

*I had a very interesting chat with the officer in charge. **The window shutters are not an issue.** Their mechanism makes them almost impossible to open. The door was left unlocked. They did that every night."*

Photos exist of the forensic scientist from the PJ examining the shutters. It is clear that the shutters are in perfect condition.

A short video clip of an attempt to open the shutters from outside may also be seen on YouTube. In this it is clear that the shutters jam into the housing above the window, and do not remain in the raised position once released.

## **2 Entry by Gerry McCann**

*Claim*

Gerry McCann first said he entered through the front door, using his key

**Gerald McCann**, statement, 4 May 2007: 11:15 a.m.

*"... Thus, at 9.05 pm, the deponent entered the club, **using his key, the door being locked**, and went to the children's bedroom and noted that the twins and Madeleine were in perfect condition. . .*

*Second claim*

He later said he entered through the patio door, which had been left unlocked.

Gerald McCann , statement 10 May 2007

*“He is certain that, before leaving home, the children's bedroom was totally dark, with the window closed, but he does not know it was locked, the shutters closed but with some slats open, and the curtains also drawn closed. Asked, he mentions that during the night the artificial light coming in from the outside is very weak, therefore, without a light being lit in the living room or in the kitchen, the visibility inside the bedroom is much reduced. Despite what he said in his previous statements, he states now and with certainty, that he left with KATE through the back door which he consequently closed but did not lock, given that that is only possible from the inside. Concerning the front door, although he is certain that it was closed, it is unlikely that it was locked, because they left through the back door”.* [17]

### 3 Point of entry

#### *Claim*

The intruder must have entered through the open shutters and open window

#### *Later claim or admission*

The open shutters and open window may not have been the point of entry or exit

During the week following the Dispatches programme the McCanns' official spokesman, Clarence Mitchell, announced that the McCanns now reversed their previous stance on the break-in story.

*“THE spokesman for the family of Madeleine McCann has reversed a statement made in the early days of the search for the missing child. . . However, in the early part of the hunt, friends and family members told journalists that the shutter on the apartment where the McCanns were staying had been broken. . . **“There was no evidence of a break-in,”** said Mr Mitchell.*

*“I'm not going into the detail, but I can say that Kate and Gerry are firmly of the view that somebody got into the apartment and took Madeleine out the window as their means of escape, and to do that **they did not necessarily have to tamper with anything.** They got out of the window fairly easily.”* [20]

McCanns own website.

#### **“Lisbon 14th January 2010**

*There are few points which have been raised in the last few days which I would like to address specifically:*

*Abduction theory:* *For us, there is only the abduction theory possible because we were not involved in Madeleine's disappearance and we know Madeleine did not wander off by herself. It is obvious and right that the police should consider other theories initially.*

*The window:* *I described to the police officers **exactly what I found that night, as it was and is highly relevant and I knew that every little detail could be helpful** in finding my daughter which is our only aim. The window which is a ground floor window was completely open and is large enough for a person to easily climb through it. Whether it had been opened for this purpose remains unknown. It could*

*of course have been opened by the perpetrator when inside the apartment as a potential escape route or left open as a 'red herring'.*

#### **4 Sedation**

##### *Claim*

The children were not sedated

##### **10 August 2007** ( or thereabouts)

*Gerry: "you know we're not gonna comment, on anything but you know there is absolutely no way we use any sedative drugs or anything like that an' you know we we have co-operated with the police we'll answer any queries ermm ... any tests that they want to do. . . "*

##### **25 Oct. 2007**

The McCanns, of Rothley, Leics, were asked if reports that they sedated their children were true. Cardiologist Gerry replied: *"It is ludicrous. These sort of questions are nonsense and we shouldn't be giving them the time of day. There is absolutely no suggestion that Madeleine, or the children, were drugged. It's outrageous."*

##### **Oct. 2007**

**Oprah Winfrey** "And then, there were the... the hurtful rumours that you drugged Madeleine or that you gave her sedatives; that you accidentally caused her... her death..."

**KM:** (After a long pause) "I mean we know it's all lies."

**GM:** "It's just nonsense you know, there's no... that people can have theories and that's all it is, there's no evidence to suggest any of that and it's absolute ludicrous, you know, and it's..."

##### *Later claim*

The children must have been sedated

##### **19 Nov. 2007**

*"Gerry McCann: The twins were still sleeping in the their cots so . . . we tried to leave it as undisturbed as possible, and they slept very soundly until we moved them out their cots into another apartment . . which does make you wonder if there was [sic] any substances used to keep them asleep."*

##### **11 Oct. 2009**

Former police detectives David Edgar and Arthur Cowley . . . are convinced the abductor went to the family's apartment on May 3 2007 fully prepared with sufficient drugs, probably chloroform, to knock out all three children. The fact that Sean and Amelie, then just 18 months old, failed to wake when the alarm was raised, nor even as they were taken to another apartment in the cold night air, has persuaded the detectives that they, too, must have been drugged.

##### **13 May 2011**

Kate McCann: *I believe kidnapper drugged my twins on the night Madeleine was*

*taken*. Kate McCann said the kidnapper who seized Madeleine may also have drugged her other two children, as she launched a new appeal in the hunt for her missing girl today.

Mrs McCann said she had to check that twins Sean and Amelie were still breathing because they did not wake as they began a frantic search for the missing three-year-old.

*Note*

On publication of the book 'Madeleine', it became clear that Kate had known or suspected sedation from the start

**3 May 2007** (NOTE: this information was not released until May 2011)

p. 75 "*Had Madeleine been given some kind of sedative to keep her quiet ? Had the twins, too ?*"

## **5 Being made suspects**

*Claim*

Kate told her friends by telephone that she had been made a suspect

**p. 246 Madeleine**, Friday morning, September 7, "for a good couple of hours we were on the phone, calling family and friends to make them aware of the situation and to give them the green light to voice their outrage and despair if they wanted to. Nobody needed a second invitation. They'd all been struggling to contain their concerns for a long time.

Justine arrived to help. While Gerry talked again to Bob Small she was ringing selected editors in the UK."

The *Standard* had picked up the feed and published it the same day.

*Later claim*

Kate complained that this was press intrusion

**Mr Jay:** We're going to look at that particularly in a moment. In paragraph 40, however, you refer to one piece in the *Evening Standard*, which is I think the very day you were declared arguidos, 7 September 2007: "Police believe mother killed Maddie."

**Kate McCann:** Mmm.

**Mr Jay:** Was that the first time that point was made so baldly and so falsely?

**Kate McCann:** There's been so many headlines of similar gravity that I can't tell you honestly whether that was the first time..."

*Comment:*

It's not surprising that Kate McCann went "Mm" and wasn't too keen to talk about that headline in the context of the "disgraceful and made up stories that the UK media" were supposed to be guilty of. Perhaps she'd forgotten but *it came from, her!*

It was one of the stories in the co-ordinated leaks to the world's media that Justine McGuinness and the family had put out that day under Kate's instructions. In perhaps the most egregious of all the secrecy breaches that summer, it was Kate's version of what the PJ had accused her of the previous night, including her

claim that they had accused her of *killing the child*.

## 6 Fluids in car

### Claim

The McCanns came up with a range of excuses for bodily fluids found in the car, ranging from sea bass to used nappies.

A source said: "Kate and Gerry are innocent and they're more confident than ever of proving that.

"The evidence against them is flimsy at best. Who is to say what happened when they moved to the new apartment? Everything, including Madeleine's sandals and the twins' nappies, were dumped in the car. Bags of stuff were thrown in. Anything could have found its way there. Gerry folded down the rear seat to cram it all in. These items will have included traces of skin, sweat and bodily fluids. DNA could easily have been transferred in such circumstances.

### Later statement

At Leveson Kate said under oath, there were no fluids found in the car

9 MRS McCANN: These were desperate times. You know, we were  
10 having to try and find our daughter ourselves. We  
11 needed all the help we could get, and we were faced  
12 with -- I know we'll come on to headlines, but "Corpse  
13 in the car"; I don't know how many times I read "Body  
14 fluids in the car". And it gets repeated that often, it  
15 becomes fact. There were no body fluids. We  
16 desperately wanted to shout out "It's not true, it's not  
17 true", but when it's your voice against the powerful  
18 media, it just doesn't have a weight.

## 7 Half hourly checks

### Claim

The parents were making half hourly checks throughout the week.

### **Witness statement of Gerald Patrick McCann, 4th of May 2007, at 11.15 a.m.**

As usual, every half hour and considering that the restaurant was close to the apartment, the deponent or his wife went to check if the children were ok.

### **Witness statement of Kate Marie Healy, 4th of May 2007, at 2.20 p.m.**

As usual, every half hour, and given the fact that the restaurant was close, the witness and her husband came to make sure the children were ok.

### **Witness statement of Gerald Patrick McCann, 10th of May 2007, at 3.20 p.m.**

Dinner ended at around 23h00, and during this period, every half-hour, the deponent and KATE went, alternately, to the apartment to confirm that all was well with the children. On that day, only the deponent and his wife entered the

apartment. He is sure that they always entered through the front door, not knowing if they locked it upon leaving. Usually they entered the apartment, in which one of the living room lights was on, went to the children's bedroom door, which was ajar, and only peeped inside, trying to hear if the children were crying. The shutters were closed with only two or three slats open, the window was closed though he is not totally sure if it was locked, and the curtains drawn closed. Ten minutes after dinner ended they made their way to the apartment, going to bed right away.

### *Contradiction*

The late Mrs Fenn reports a child crying and screaming for over an hour on previous evening

*Thus, according to the facts noted in the files, she says that she has lived in the apartment since 2003, which is located on the upper floor, immediately above the room from which the child disappeared.*

*She states that on the day of the 1st May 2007, when she was at home alone, at approximately 22H30 she heard a child cry, and that due the tone of the crying seemed to be a young child and not a baby of two years of age or younger.*

*Apart from the crying that continued for approximately **one hour and fifteen minutes**, and which got louder and more expressive, the child shouted "Daddy, Daddy", the witness had no doubt that the noise came from the floor below. At about 23H45, an hour and fifteen minutes after the crying began, she heard the parents arrive, she did not see them, but she heard the patio doors open, she was quite worried as the crying had gone on for more than an hour and had gradually got worse.*

*When questioned, she said that she did not know the cause of the crying, perhaps a nightmare or another destabilising factor.*

*As soon as the parents entered the child stopped crying.*

*That night she contacted a friend called XXXX XXXX, who also lives in Praia da Luz, after 23H00, telling her about the situation, who was not surprised at the child's crying.*

## **8 Kate's Dream**

### *Fact*

Kate reported to Insp. Paiva that she had had a dream in which she had "seen" Madeleine dead

According to the court testimony of the McCanns' liaison officer, Ricardo Paiva, the suspicions of Amaral and his team were hardened by what was seen as a turning point in the police investigation.

It came when a weeping Kate phoned Paiva, in late July 2007, to report a disturbing dream in which she had seen Madeleine lying on rocks overlooking a



beach at Praia da Luz. The detectives took this to be a clear signal that the McCanns knew full well that their daughter was dead.

Soon afterwards, sniffer dogs were called in to the search, but though they were said to have detected 'the scent of death' in the couple's holiday apartment and Renault Scenic hire car, no forensic evidence was found to support this.

### *Denial by Gerry*

On the steps of the court Gerry publicly denies that Kate had had any such dream

He then went on to contradict Dr Paiva's evidence that Kate had seen Madeleine on a hillside in a dream. He said: *"I'd like to make it absolutely clear that Kate has never had a dream that Maddie has been buried somewhere, and I don't know if something's been lost in interpretation, but that didn't happen – not with those words, that's for sure."*

## **9 Lying in general**

### *Fact*

Kate admits lying

Book p 206 *That morning Gerry and I, along with Jon and a colleague, were preparing to drive to Huelva in Spain to put up posters of Madeleine. Jon was intending to do some filming and several of the British journalists were going to join us there, on the give-and-take principle: it would give them a story centred on Madeleine, rather than on us, and this in turn would publicize our efforts. As I was dropping Sean and Amelie off at Toddler Club, I had a phone call from Gerry. The police wanted to come over at 10am. Something to do with forensics, they'd said. Great timing. And forensics? What was that all about?*

*We'd never lied about anything – not to the police, not to the media, not to anyone else. But now we found ourselves in one of those tricky situations where we just didn't seem to have a choice. As it happened, Gerry had a mild stomach upset which we used as an excuse to postpone the trip. We didn't feel good about this at all, but even if the judicial secrecy law had not prevented us from giving the main reason, can you imagine what would have happened if we'd announced to the journalists heading for Huelva that the police were coming to do some forensic work in our villa? We were not to know our excuse would prove to be no more than a temporary holding measure. If we had, we wouldn't have bothered trying to keep the scurrilous headlines at bay.*

## **10 Afternoon of 3rd May**

### *Claim*

Kate arrives after a run to find the children with Gerry at tea

p. 66 Having arranged for Gerry to meet the children, I opted to go for a run along the beach, where I spotted the rest of our holiday group. They saw me and shouted some words of encouragement. At least, I think that's what they were shouting! I remember feeling fleetingly disappointed that we hadn't known they were all heading for the beach, as it might have been nice to have joined them, especially





The eye defect is blown upon a giant screen at the FA cup Final,  
The eye defect is clearly visible on all photos released as part of the campaign  
The eye defect is clearly visible on the front cover picture of the book

*Later*

Kate denies "putting emphasis on it"

**CNN PIERS MORGAN TONIGHT Where is Madeleine McCann?** Aired May 11, 2011 - 21:00

MORGAN: *Madeleine had a very distinctive eye pattern, didn't she? Tell me about that, Kate, in case people see somebody they think may be Madeleine. Tell me about her eye.*

K. MCCANN: *If I'm honest, we haven't put too much emphasis on her eye, because I think you have to be very close to her to see it.*

## 12 Private detectives

*Claim*

The McCanns deny using private detectives.

**May 22 2007**

**Ian Woods (Sky News):** "Gerry, I know that you've been getting lots of money in. People will want to know how you're going to spend that. I mean, I know, one of the thoughts was to hire private investigators. Is that the case and what input do you think they can have that perhaps the Portuguese police haven't had to date?"

**Gerry McCann:** Taking your question on, back to the private investigators. I'd like to reiterate what we've already said. The thrust of this investigation will be the criminal investigation which is being... errr, run by the Portuguese police with assistance from the British police.

Regarding the specific point about the private investigators, we've taken advice about the level and the extensive resources both in this country and in the UK which are being... errr, directed and... to Madeleine's search and, **at this stage, we don't see a role for private investigators."**

And

**Jane Hill (BBC news):** And... and some of that support has translated into a lot of money that's gone into the fighting fund, I think nearly £300,000 has been pledged, so far. What of the reports that say, perhaps... those people who suggest that some of that money could be sensibly spent on things like private investigators, for example.

**Gerry McCann:** Well, you know, the fund, errm... was really... really evolved to provide an outlet for people who wanted to contribute financially and these offers, errr... will help us and are helping us and that has helped us to bring in quite a comprehensive legal team and independent sector, errr... consultants as to what we could and should be doing.

I did, errr... address this and the situation hasn't changed that, at this time, with the huge amount of resource from the police, errr... both in the UK and Portugal that the advice is **that private investigators will not help**. I personally, and we, believe that it's the public who hold the key to this; someone knows something and we would urge that if anyone has any information to come forward and anyone who's

been in this area, within the two weeks leading up to Madeleine's disappearance, to come forward if they haven't already done so and upload those pictures."

#### *Fact*

The McCanns were already using private detectives from Control Risks the previous week

**p. 126 Kate McCann:** "By the Sunday evening [13th May 2007] we found ourselves giving our statements again, this time to a couple of detectives from Control Risks. We were concerned that parts of the statements we had made to the Portuguese police , especially on that first day," she claims, "might have been lost in translation. We also felt that these accounts were not particularly thorough and wanted to have every detail we could remember registered properly."

### **13 The search of the apartment**

#### *Claim*

They claim they had no explanation, and that they were made to leave the villa.

p. 205-6 As I was dropping Sean and Amelie off at Toddler Club, I had a phone call from Gerry. The police wanted to come over at 10am. Something to do with forensics, they'd said. Great timing. And forensics? What was that all about?

#### SNIP

My mum, dad, Brian and Janet set off for the town to get out of the way before the police arrived. Ten o'clock came and went, as did lunchtime, then the afternoon. It was 5 pm when they eventually showed up. They told us they wanted to shoot some video footage of our clothes and possessions. The forensics people would then take these away and return them the following day. **They offered no explanation as to why they were doing this.** Gerry and I just assumed it was on the suggestion of the British team, who had no doubt pointed out that it should have been done much earlier. We could kind of see the point: after all, the abductor could have brushed against some of our belongings and left traces of his DNA. Even at this late stage, it might be possible for some vital information to be retrieved. We were even quite pleased this was happening, that something was happening which might help find Madeleine.

Left with only the clothes we were wearing, **we were all asked to leave the villa.** It was early evening and we had to find somewhere to go with two tired and hungry toddlers in tow. When we were allowed back, we found four detectives in the house: José de Freitas, João Carlos, Ricardo Paiva and a woman called Carla. They went through the list of what had been removed. I was not only confused, I was devastated: as well as all of our clothes, they had taken my Bible (my friend Bridget's Bible, to be precise), Cuddle Cat and my diaries. Why had they taken my diaries? Obviously not for any forensic purpose: the abductor couldn't have been in contact with them because they hadn't existed until halfway through May. And the Bible had been lent to me by Bridget's husband Paddy a week after Madeleine's abduction. My journals were private and full of personal thoughts and messages to Madeleine. I felt violated.

#### *Fact*

There was a full search warrant, a copy of which was to be served on the McCanns, and they were to be invited to be present.

## **SEARCH WARRANT**

In Triplicate

Case: 201.070 GALGS

Inquiry – Legal Acts

Date: 2nd August 2007

**Subject: Search Warrant** – Valid for 20 days with strict observance of the proceedings laid down in articles n 176 – 177 of the CPP. Competence of the Lagos Judge.

Dr Anjos Frias, Judge of the Lagos Court

ORDERS that according to the terms of articles 174 n 2, 176 n1, 177 n1, 177n1, 296 n1 of the Penal Process Code a SEARCH will be made of the premises identified below, if necessary with forced entry whilst observing the legal formalities foreseen in articles 176 and 177 of the CPP, for the EFFECTIVE APPREHENSION of all elements that could clarify the investigation and instruction process according to the terms of article 178 of the same code.

The search should include the entire property, even the part occupied by people other than the suspects, including annexes and rented areas.

**Before proceeding to effect the search, copy of the dispatch attached determining who had access to the place, mentioning that they can be present during the search and be accompanied or substituted by someone of confidence will be delivered.** If the persons in reference are not present, copy of the dispatch can be delivered where possible to a family member, neighbour, caretaker or whoever acts as substitute, article 176, n 1 and 2 of the CPP. All information will be included in the process files.

Location of Inquiry:

“McCann family residence”, respective garages and annexes, situated in Vista Mar, Luz Parque, Praia da Luz, if necessary with forced entry.

Signed and sealed

Judge Anjos Frias

## **14 Who spoke to Mrs Fenn ?**

*Claim*

Kate spoke to Mrs Fenn

*p. 75 Then a lady appeared on a balcony – I’m fairly certain this was about 11pm, before the police arrived – and, in a plummy voice, inquired, ‘Can someone tell me what all the noise is about?’ I explained as clearly as I was able, given the state I was in, that my little girl had been stolen from her bed, to which she casually responded, ‘Oh, I see,’ almost as if she’d just been told that a can of beans had fallen off a kitchen shelf. I remember feeling both shocked and angry at this woefully inadequate and apparently unconcerned reaction. I recollect that in our outrage, Fiona and I shouted back something rather short and to the point.*

*Contradiction*

Mrs Fenn’s statement refers to speaking to Gerry McCann

*During the day nothing unusual happened, until almost 22H30 when, being alone again, she heard the hysterical shouts from a female person, calling out "we have let her down" which she repeated several times, quite upset. She then saw that it was the mother of little Madeleine who was shouting furiously. Upon leaning over the terrace, after having seen the mother, she asked the father, GERRY, what was happening to which he replied that a small girl had been abducted. When asked, she replied that she did not leave her apartment, just spoke to GERRY from her balcony, which had a view over the terrace of the floor below. She found it strange that when GERRY said that a girl had been abducted, he did not mention that it was his daughter and that he did not mention any other scenarios. At that moment she offered GERRY help, saying that he could use her phone to contact the authorities, to which he replied that this had already been done. It was just after 22H30.*

*Mrs Fenn has no reason to lie.*

## **15 Metodo3 claims that Madeleine would be found by Christmas**

### *Claim*

*McCanns claim that this was never said*

Bates, Wells and Braithwaite, reply by email, dated 11 January 2008

*We acknowledge ...etc.*

*We are also replying on behalf of Haysmacintyre*

*We are advised by our clients that reports in the media **purporting** to be from the investigators, which made claims as to when Madeleine would be found are **inaccurate** and **misrepresentations** of their views. [my emphases]*

*Our client has every confidence in the investigators who continue to search for Madeleine.*

*Yours faithfully*

*BWB London LLP"*

### *Fact*

*Kate admits that this was said*

p. 283 "We have no doubt that M3 made significant strides, but unfortunately, in mid-December, one of their senior investigators gave an overly optimistic interview to the media. He implied that the team were close to finding Madeleine and declared that he hopes she would be home by Christmas."

## **16 The colour of the pyjamas**

### *Claim*

*The pyjama bottoms were white*

*Kate's statement*

*At the time of her disappearance, she was wearing pyjamas, with **white** bottoms with a floral pattern and a frill at the end. The short-sleeved top, mainly pink with a blue-grey donkey figure on the front, bearing the inscription "EEYORE", an*

*inscription which was also on one of the trouser legs.  
The pyjamas are of the "Marks and Spencer" brand.*

p. 84 *"Although Jane had never seen or known about Madeleine's Eeyore pyjamas, her description of this child's night clothes - light coloured pink or **white** pyjamas with a 'trailing' or floral pattern and turn-ups on the bottoms - matched Madeleine's almost exactly. "*

BBC Crimewatch

Recorded in Praia da Luz: 04 June 2007, Televised: 05 June 2007

**Fiona Bruce:** (to camera) "It's 33 days since little Madeleine McCann disappeared from Praia da Luz in Portugal. Tonight, in a special appeal, her parents Gerry and Kate plead for your help in the hunt for their daughter."

**Gerry McCann:** "For the Crimewatch viewers at home I think this would be a good time now to review all the information."

**Kate McCann:** "These are virtually identical to the pyjamas that Madeleine was wearing when she was taken. As you can see it's a pink top, erm... with gathered short sleeves and it has a picture of Eeyore on the front. Errr, **the bottoms are white** with a... a floral design and have an Eeyore, erm... on the bottom of the right leg."

#### [Counterclaim](#)

The Pyjamas bottoms were **not** white

p. 171 *"We were able to show a pair of pyjamas like Madeleine's on the programme, which was particularly important since at the time **it has been incorrectly stated in some press reports that her pyjamas were white.**"*

#### [Fact](#)

The pyjama bottoms were white





## 17 Was the apartment re-let before the forensic examination

### Claim

The apartment was let several times

p. 208 We were not aware that the next day apartment 5A would be re-examined, though we did see some activity there when we drove past on the Sunday. If we had known, we'd have welcomed the news. The chances of anything being found there three months after the event seemed remote – apart from anything else, **the apartment had been let again several times since Madeleine's disappearance** – but it was another stone that should not remain unturned.

### Fact

The apartment was not let until February the following year.

Processos Vol XVI  
Page 4133  
PJ 4th Brigade  
From Inspector Joao Carlos

On 19th February 2008, I record in the process files that upon the request of the Ocean Club resort, made by the maintenance director Silvia Baptista, on the 11th of this month, we proceeded to return the key to the apartment G5A where the facts occurred. This apartment, although under the administration of the resort, is private and its owners have requested its use.

This apartment was made available by this police force, after instruction by the magistrate Dr Magalhaes Menezes, once the examinations and forensics to be carried out were completed, it no longer being necessary to occupy the space.

And therefore, it was tacitly agreed that in case it would be necessary to use the apartment for future inquiries, whether forensic or technical, it would immediately be made available.

19th February 2008

Signed

Inspector Joao Carlos

## 18 “We answered all the questions”

### Claim

The McCanns cooperated fully with the police and answered all questions truthfully

**PARIS MATCH: EXCLUSIVE INTERVIEW WITH THE McCANNS**

04 September 2007

By our special reporter in Portugal: Arnaud Bizot.

*PM – The police must equally have suspected your friends and delved into your backgrounds?*

GM – We have replied to all the questions that have been put to us and we will continue to do so, whatever the new information might be. Of course, we shall be completely honest.

KM – We have said everything we know and responded to everything that we have been asked.

*Fact*

Kate refused to answer any of the 48 questions during her second interview

11 months later the police files were released and revealed that Kate had refused to answer any of the 48 specific questions during her second interview

This is also admitted in the book

p.248 *“On the other hand I was very weary and at least repeating “No comment” didn’t involve engaging my brain. It certainly speeded up the translation process.”*



# On the Reliability of Cadaver dogs

**Dogs trained to detect the smell of human cadaverine are now routinely used throughout the world. We examine some of the leading cases.**

From the outset it is important to note that a dog cannot give “evidence” in a criminal trial. In most jurisdictions evidence has to be subject to examination and cross examination by learned counsel, and this is clearly impossible. On many occasions the alert by the dog will result in the discovery of remains and it will be that which becomes the primary evidence. The fact that the dog indicated where to look becomes a side issue, of no particular legal importance.

Here we look at some occasions when the dog alerts, **but no significant physical evidence can be found at the time.** The best that can be achieved in these circumstances is that the handler of the animal gives evidence of the dog’s reactions, often with video confirmation, and can then be cross examined on his interpretation of the animal’s behaviour.

(I shall refer to the cases by the name of the deceased or missing person, rather than by the Trial reference, because of the ways in which these differ across jurisdictions)

1 The case with a legal significance may not yet have been fully appreciated, is that of **Jeanette Zapata**. in Dane County, USA. In 1976 she served her husband Eugene Zapata with divorce papers. She went missing shortly afterwards. 29 years later dogs alerted in the basement of the family home, and in several other places where the family had lived over the intervening time. At trial his lawyer persuaded the judge that the dog’s finding could not be admitted, since the places in which they had alerted indicated that he had carried the body round to everywhere he had lived, and it was suggested that this was preposterous. The jury failed to reach a verdict. Before his retrial however, he confessed, and crucially confirmed that he had in fact transported the body round before disposing of it. **The dogs had been absolutely accurate.** No body has been found.

2 The recent case of **Bianca Jones**, a 2 year old girl murdered by her father D’Andre Lane in Detroit USA, with the added details of an alleged abduction, was an occasion when Mr Martin Grime, a British retired police officer, was working for the FBI. His evidence of the alerts by his dog was admitted to show that Bianca was dead whilst in the back of the car, and not taken by armed men as was being alleged. **Lane was convicted**, though no body has ever been found.

3 The trial of Adrian Prout, in 2010, for the murder of **Kate Prout**, his wife, in the UK, was notable again for a verdict of **guilty**, despite no body having been found. Dogs had indicted the presence of a body in the house, but nothing had been found. Some time after his conviction Prout confessed, and indicted the location of the body, **confirming that the dogs had been absolutely accurate in their findings.**

4 In the murder of **Susan Pilley** in Edinburgh, by her colleague David Gilroy, in 2010, the court heard that the dogs had alerted in the office basement garage and in two areas of the boot of Gilroy’s car, even though this had been cleaned recently with fluid or air freshener. The defence failed to convince the jury that the absence of physical evidence entitled his client to acquittal. No body has been found. **He was convicted.**

5        **Cori Baker** from Oklahoma was murdered by her sister's boyfriend Marquis Bulloch, in 2007. He changed his story several times whilst being investigated, and the dogs, partly funded by the National Center for Missing and Exploited Children, were brought into search a large area after a skull had been found. They alerted in several places. No other physical evidence was discovered. **He was convicted**

6        The case of **Guadeloupe Montano** from Kane County, USA, is now complete. It is alleged that she was murdered by her husband Aurelio Montano in 1990. It may be the first time that the dog's alerts have been used as evidence in that State. They indicate that the body lay in one position and was then moved to another. The trial took place in October 2013. No body has been found. **He was convicted**

7        The case of **Amir Jennings**, allegedly killed by her mother Zinah Jennings in 2011, involves a mother who reported her son missing. Dogs have searched the house and the car, and the trial for lying to the police about what happened is pending. No body has been found. **Zinah Jennings was convicted** on a charge of unlawful conduct toward a child,

8        The trial of Albert Fine, the partner of **Catherine Hoholski**, from Lorain USA, is also pending. In this case the body was found within 60 seconds of the dog being deployed, and it was then used to identify other locations relevant to the prosecution case. **He faces the death penalty if convicted.**

9        The alleged abduction of **Isabel Mercedes Celis** has been called into question by the findings of two dogs, one a cadaver dog, in the family home. The findings were said to be "significant", the house is being treated as a crime scene and the matter is still under investigation. No body has been found.

10       The disappearance of 6 year old **Etan Patz** in New York 33 years ago, has already shown the almost unbelievable feats of which cadaver dogs are capable. In this case pads of absorbent material were left for a time on the concrete floor of the basement and then presented to the dogs for testing. As a result the concrete floor was then ripped up. The handler Englebert said. "We as human beings never lose our scent. If [a body] had been there for a while, that scent would still be there," she said, indicating that even if investigators do not find remains in the basement, it is possible human remains may have once been there before being moved." The investigation has also used ground penetrating radar. The trial of Pedro Hernandez, who has **admitted kidnapping and murder**, is pending.

11       The parents of **Lisa Irwin**, from Kansas City, also allege that she must have been abducted in the middle of the night. The mother told Police she did not search, "because she was afraid of what she might find". Disturbed earth was found behind the house, and the dog alerted in the parent's bedroom. As a result a full search warrant was granted, and the police say they want to talk to the parents Jeremy Irwin and Deborah Bradley, *one to one*.

12       The cold case of 14 year old **Melanie Melanson**, from Massachusetts USA, who disappeared 20 years ago, has been given fresh impetus through the findings of a cadaver dog which alerted in an area targeted following a tip off to Police.

13       Another mother, Shakara Dickens, of Memphis USA, reported in 2010 that she had given up her daughter **Lauryn Dickens** for adoption, but the various stories turned out to be false. A dog identified cadaver odour in the house and in the boot of the car, and despite defence arguments, **she was found guilty of Murder**. No body has been found.

14 The infamous case of **Caylee Anthony**, whose mother Casey Anthony was accused of murdering her in Orlando USA, in 2011, was also notable in that the evidence of the cadaver dog handler was admitted, even though the body was found later at a different location. The dog alerted in the boot of the car, and it was alleged that the mother had then dumped the body. The evidence was highly detailed, with full description of the system of 'final trained alert' by the dog showing an exact position, distinguished from a more general interest. In the event Anthony was not found guilty of the murder, but was convicted of several lesser offences. There are moves to have the case reopened at Federal level.

15 In the UK, the case of **Kirsi Gifford-Hull**, in Winchester in 2005, is of interest since although the body was discovered by a man walking a dog, and the offender Mike Gifford-Hull had made a public appeal at a press conference for his wife to return, cadaver dogs had already alerted some weeks earlier in the house and in his car during the initial search for a "missing person". After the trial he told officers that when he saw the dogs alerting in the car he had contemplated making a full admission. **He was convicted.** After the trial Judge Guy Boney QC "...added that the police inquiry was so superior it could be matched with that of any other police force in the world."

Many organisations exist to provide the services of cadaver dogs. Many are staffed by retired specialist Police officers. Their services are not cheap. It was widely reported, not entirely tongue in cheek, that Eddie, the cadaver dog operated by Mr Martin Grime, earned more than the Chief Constable. The Cadaver Dog Team of **Global Rescue Services**, and **Dog Detectives** operate in this sphere. Independent trainers include **Search Dogs UK** ([www.searchdogsuk.co.uk](http://www.searchdogsuk.co.uk)) All operate within the UK

Almost every state of the US has its own team operating in this way, and the FBI run training programmes specifically targeted at Cadaver and Blood detecting dogs.

The whole area of research is subject to rigorous academic study, as so much in the legal world hinges on the success or otherwise of the dogs, and the trust placed by courts on their reported findings.

## Academic Papers

### 16 Cadaver dogs– a study on detection of contaminated carpet squares.

#### Abstract

Cadaver dogs are known as valuable forensic tools in crime scene investigations. Scientific research attempting to verify their value is largely lacking, specifically for scents associated with the early postmortem interval. The aim of our investigation was the comparative evaluation of the reliability, accuracy, and specificity of three cadaver dogs belonging to the Hamburg State Police in the detection of scents during the early postmortem interval.

#### MATERIAL AND METHODS:

Carpet squares were used as an odor transporting media after they had been contaminated with the scent of two recently deceased bodies (PMI<3h). The contamination occurred for 2 min as well as 10 min without any direct contact between the carpet and the corpse. Comparative searches by the dogs were performed over a time period of 65 days (10 min contamination) and 35 days (2 min contamination).

#### RESULTS:

The results of this study indicate that the well-trained cadaver dog is an outstanding tool for crime scene investigation displaying excellent sensitivity (75-100), specificity (91-100), and having a positive predictive value (90-100), negative predictive value (90-100) as well as accuracy (92-100).

## **17 Cadaver dog and handler team capabilities in the recovery of buried human remains in the southeastern United States**

### **Abstract**

The detection of human remains that have been deliberately buried to escape detection is a problem for law enforcement. Sometimes the cadaver dog and handler teams are successful, while other times law enforcement and cadaver dog teams are frustrated in their search. Five field trials tested the ability of four cadaver dog and handler teams to detect buried human remains. Human and animal remains were buried in various forested areas during the summer months near Tuscaloosa, Alabama. The remains ranged in decomposition from fresh to skeletonized. Cadaver dogs detected with varying success: buried human remains at different stages of decomposition, buried human remains at different depths, and buried decomposed human and animal remains. The results from these trials showed that some cadaver dogs were able to locate skeletonized remains buried at a significant depth. Fresh and skeletonized remains were found equally by the cadaver dogs along with some caveats. Dog handlers affected the reliability of the cadaver dog results. Observations and videotape of the cadaver dogs during field trials showed that they were reliable in finding buried human remains.

## **18 The use of cadaver dogs in locating scattered, scavenged human remains: preliminary field test results.**

### **Abstract**

Specially trained air scent detection canines (*Canis familiaris*) are commonly used by law enforcement to detect narcotics, explosives or contraband, and by fire investigators to detect the presence of accelerants. Dogs are also used by police, military, and civilian groups to locate lost or missing persons, as well as victims of natural or mass disasters. A further subspecialty is "cadaver" searching, or the use of canines to locate buried or concealed human remains. Recent forensic investigations in central Alberta demonstrated that the use of cadaver dogs could be expanded to include locating partial, scattered human remains dispersed by repeated animal scavenging. Eight dog-and-handler teams participated in a two-month training program using human and animal remains in various stages of decay as scent sources. Ten blind field tests were then conducted which simulated actual search conditions. Recovery rates ranged between 57% and 100%, indicating that properly trained cadaver dogs can make significant contributions in the location and recovery of scattered human remains.

## **19 The suggestion that Cadaver dogs are "incredibly unreliable" is thus refuted.**

## **References and links**

These are only some of the many available on the net. Searching on the name of the deceased will usually give many pages of similar articles.

1 <http://eddieandkeela.blogspot.com.es/2008/02/zapata-admits-killing-wife-gets-5-years.html>

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Lasseter AE, Jacobi KP, Farley R, Hensel L.  
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J Forensic Sci. 2003 May;48(3):617-21.

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**“Incredibly Unreliable”**

19 a <http://www.youtube.com/watch?v=-LJo9fGXQMI>

Interview with Sandra Felgueiras,

recorded 3 Nov. 2009, broadcast 5 Nov. 2009

5:39 Gerry McCann *“I can tell you that we’ve also looked at evidence about cadaver dogs and they’re incredibly unreliable”.*

SF *“Unreliable ?*

GM: *“Cadaver dogs, Yes”*

19.b [http://www.gerrymccannsblogs.co.uk/DAYS\\_851\\_to\\_1050.htm](http://www.gerrymccannsblogs.co.uk/DAYS_851_to_1050.htm)

Gerry’s blog Day 988 15/1/2010

*“The use of dogs had proved to be problematic and unreliable in previous cases . . .*

*To suggest or use the dogs’ reactions as evidence is simply wrong and abusive”*

Kate McCann

19.c **from “madeleine” by Kate McCann, May 2011, Bantam Press,**

p. 218/9

*When he arrived, Ricardo explained this ‘evidence’ a little further. His tone was sombre as he told us about the two springer spaniels that had been brought out to Portugal by the British police to assist in the search. Keela, who could alert her handler to the tiniest trace of blood, had done so in apartment 5A. Eddie, a victim-recovery or ‘cadaver’ dog, trained to detect human remains, had indicated that somebody had died there.*

p.219

*Did they really believe that a dog could smell the ‘odour of death’ three months later from a body that had been removed so swiftly? They were adding two and two and coming up with ten. [1]*

p. 253

*As we now know, the chemicals believed to create the ‘odour of death’, putrescence and cadaverine, last no longer than thirty days. There were no decaying body parts for the dog to find. It was simply wrong. [2]*

p. 267

*By this time Gerry was deep into his next task: researching the validity of responses produced by blood and cadaver dogs. Along the way he spoke to several experts, and in the coming weeks we would learn a lot about the subject. This is what one US lawyer had to say about the objectivity and success rate of this procedure:*

*The most critical question relating to the use of the dog alerts as evidence is how likely is the dog’s alert to be correct. In this regard, the only testing of these handler and dog teams recorded an abysmal performance. Here ‘the basis’ for the possible past presence of human remains is that there is a 20 or 40 per cent chance that a dog’s ‘alert’ was correct. In other*

*words, with respect to residual odour, the dog-handler teams performed significantly worse than if the handlers had simply flipped a coin to speculate as to the presence of residual odour at each location.*

*State of Wisconsin v. Zapata, 2006 CF 1996 – defendant supplemental memorandum*

[3]

#### **Author's observations**

- 1 A Cadaver dog **can** indeed smell the “odour of death” years, and even decades and centuries later. This statement is simply factually inaccurate, and misleading. (v.s)
- 2 The chemicals **do** last longer than thirty days. This statement is simply factually inaccurate, and misleading. (v.s.)
- 3 This was material submitted by the defendant at First Instance. It is not precedent, or case law. This case is notable for the change of plea before the second trial and the admission by the accused that the dog had been **absolutely accurate** in all its alerts, showing the various places the body had been stored over a period of three decades. ( *Wisconsin v. Zapata*, v.supra)

## What have the following in common ?

### Children

Shannon Matthews  
April Jones  
Tia Sharp  
Caylee Marie Anthony  
Bianca Jones  
Joana Cipriano  
Harmony Jude Creech  
Dominik Takács  
Leonardo Giovanni Sendejas  
Riley Ann Sawyers  
Marina Sabatier  
Michael Daniel Smith  
Alexander Tyler Smith  
Keisha Weippeart

Zoe Evans  
Ruth Breton  
Jose Breton  
Samuele Lorenzi  
Jhessye Shockley

### Adults

Fadi Nasri  
Kirsi Gifford-Hull  
Joanna Nelson  
Sharon Malone  
Lee Harvey  
Rachel McClean

### Answer

In every case they were reported as having been “**abducted**”, or as “**missing**”, on in other ways someone gave false statements to police, and in every case they had been **harmed** either by a member of their own family who had made that false report, or by someone very close to the family and known to them.

Only Shannon Matthews escaped with her life. Her case was slightly different from the others, and involved her being used in an attempt by her mother and another relative to obtain the reward money by deception.

Every one of these children was included on the lists of “**Abducted**” or “**Missing**” children, about which the public are told to be so concerned, and from which other people make so much money.

Interestingly some of these names still have not been removed from the lists published by the many “Charities” which exist, allegedly to ‘assist’, even though the cases have been concluded, and the guilty sentenced.

We append a short précis of each case.



## 1 **Shannon Matthews**

In 2008 Karen Matthews reported her 9 year old daughter **Shannon** missing to the police, and went on to **make a number of emotional public appeals for her daughter's return**, begging for anyone holding Shannon to let her go.

Shannon was found alive, hidden in the base of a bed, at a house belonging to Michael Donovan (Karen's boyfriend's uncle). The family were supposedly planning to claim the £50,000 that Newspapers had put up as a reward for Shannon's return. Michael Donovan was charged with Kidnapping and False Imprisonment, while Karen Matthews was charged with Child neglect and Perverting the course of justice. They were both jailed for eight years.

## 2 **April Jones**

**April Jones** is a five-year-old girl from Machynlleth, Powys, Wales, who disappeared on 1 October 2012, after being sighted willingly getting into a van near her home. On 3 October 2012, April Jones's mother **made an appeal for information about her daughter**. Her disappearance generated a large amount of press coverage, both nationally and internationally. A 46-year-old man was subsequently arrested and charged with Jones's abduction and murder, while searches for her body continue. It is reported that he well known to the family. The case is pending

## 3 **Tia Sharp**

**Tia Sharp** was a 12-year-old English schoolgirl who was reported missing from the home of her grandmother, Christine Sharp, in New Addington, on 3 August 2012. On 7 August Tia's uncle, David Sharp, **made a televised plea for Tia's safe return**. Fifty-five sightings were reported by members of the public, but none were substantiated. When police discovered her body in the loft of the house seven days later, they arrested Christine Sharp and Stuart Hazell on suspicion of murder. Hazell is Christine Sharp's partner and the former boyfriend of Tia's mother, Natalie. Hazell was charged with Tia's murder the following day. Christine Sharp was released on bail. The case is pending

## 4 **Caylee Marie Anthony**

**Caylee Marie Anthony** was an American two-year-old girl who was **reported missing** July 15, 2008, in Orlando, Florida. Her skeletal remains were found in a wooded area near her home on December 11, 2008. Her then 22-year-old mother, Casey Marie Anthony, was tried for the first degree murder of Caylee but acquitted. She was, however, convicted of misdemeanour counts of providing false information to police officers. There are moves to reopen the case at Federal level.

## 5 **Bianca Jones**

A Detroit man was so obsessed over toilet training that he fatally beat his 2-year-old daughter for having an accident. D'Andre Lane, 32, charged with child abuse in the Dec. 2 disappearance of Bianca Jones, whose body has never been found, maintained his innocence **insisting she was taken during a car jacking**.

The car was found less than an hour later, but the girl wasn't in it. Dogs indicated that a cadaver had been in the vehicle. He was found guilty of Murder and Child Abuse

## 6 Joana Cipriano

**Joana Cipriano** was an eight-year-old Portuguese girl who disappeared from the village of Figueira, near Portimão, in the Algarve, on 12 September 2004. After criminal investigation, she was later assumed to have been murdered, though her body was never found. The investigation by the Polícia Judiciária ended with the conviction for murder of Leonor and João Cipriano, Joana's mother and uncle. Leonor Cipriano confessed to killing her daughter. Her uncle confessed to having beaten her up after which she stood "quiet on the floor". He said he cut his niece's body in small pieces, put her in a fridge box, then put her inside an old car that was taken to Spain to be crushed and burned. When he was asked if he had sexually abused his niece he said in the presence of his lawyer "I did not harm her, I only killed her"

## 7 Harmony Jude Creech

**Harmony** was an 11-month-old girl whose remains were found in the attic of a Spring Lake home two years ago. Johni Michelle Heuser, 27, was indicted on a charge of first-degree murder in the death of Harmony Jade Creech.

Deputies found the toddler's remains in her mother's attic on Oct. 20, 2007.

The child had been wrapped in a plastic bag and stuffed in an empty diaper box in a corner of the attic, authorities said. The body was so badly decomposed that medical examiners have never been able to determine a cause of death.

When the child's father, Sgt. Ronald Creech II, returned from a 15-month deployment in Iraq, **Heuser initially claimed the baby had been abducted**, prompting a state-wide Amber Alert. She later told investigators that she found the baby dead in her crib weeks earlier and hid the death out of fear.

## 8 Dominik Takács

**Dominik Takács** a two-year-old Hungarian boy was reported missing in 2007 by his mother in central Budapest. Pictures of the boy dominated Hungarian media for several weeks. Takács' mother said that **she saw her son heading towards the Danube and tried to run after him**, but fell over and lost consciousness for a few minutes. When she came to, he was nowhere to be seen. In October 2007, the mother admitted that he had been attacked by their own fighting dogs and she and the boy's father wheel-barrowed the body to fields near the family's home and buried it. Subsequently, in October the Hungarian police discovered the body of the two-year-old boy. As a result, the parents faced charges as they had not given "rational reasons" for their actions.

## 9 Leonardo Giovanni Sendejas

Ruth Petra Sendejas, 18, **told authorities that two men invaded her home**, threatened her, tied her up and placed a plastic bag over the head of her son, Leonardo Giovanni Sendejas. The woman later changed her story, telling police that she staged the home invasion after finding her child unresponsive in his crib and fearing that she would lose custody of the boy, according to court documents. Police found the child unresponsive in his crib. He was taken to a hospital where he was pronounced dead. The cause of death was asphyxiation. During later questioning Ruth Petra Sendejas allegedly admitted to being the only person in the residence at the time of her child's death and that there had been no home invasion. The trial is pending

#### **10 Riley Ann Sawyers (Baby Grace)**

In the capital murder charge the couple, Clyde Zeigler II and Kimberly Dawn Trenor are accused of intentionally and knowingly causing the death of 2 year old Riley Ann Sawyers. Trenor and Zeigler were initially charged after Trenor gave a statement in which she described how the couple beat Riley with belts, held her head under water, smashed her head on the tile floor and pushed her face into the couch. After Riley died, Trenor said she and Zeigler wrapped her body in plastic bags, sealed it in a plastic storage box and eventually tossed it into Galveston Bay. Trenor said Riley died on July 24, but the box was found by a fisherman washed ashore in late October and Trenor did not turn herself into authorities until nearly a month later. **The couple had originally claimed that Riley Ann had been abducted.**

#### **11 Marina Sabatier**

The 6 year old girl died in 2009 in a series of acts of torture and neglect. In April 2009, Marina was hospitalised for more than a month of foot lesions resulting from abuse. She was returned to the parents, But Marina died on 6 August 2009. According to the parents, she did not survive the last torture session where she was immersed in an ice bath, forced to drink vinegar and coarse salt before being beaten. The couple then locked her in the basement, naked. They found her lifeless the next day. Eric Sabatier attempted to lead the police down a false track, **saying his daughter had been taken from the parking lot of a fast food restaurant.** After three days, they eventually confessed everything and took police to the place where they had hidden the body of their daughter. It was found in a closet, wrapped in a cloth, in a plastic crate, filled with concrete. They were sentenced to **30 years imprisonment.**

#### **12/13 Michael Daniel Smith and Alexander Tyler Smith**

In 1994, Susan Smith told police in South Carolina, USA that she had been car jacked by a black man who had driven off with her two young sons still in the vehicle. **Smith appeared on television appealing for the man to return the children.** Nine days later, Smith confessed to Police that she had driven the car into a lake, with her children still inside. It then emerged that she had been having an affair with a man, and had killed her two boys because he had said that he didn't want any children. She was convicted of murder, and given a life sentence.

#### **14 Keisha Weippeart**

Kiesha's mother, Kristi Abrahams, told police she tucked her daughter into bed. She was **reported missing the next morning.** As the search entered its third day on, Ms Abrahams **made an emotional appeal** for anyone who may have seen her daughter to come forward. Police located a shallow grave site where they believe the body of missing girl is located. Kristi Abrahams, 28, and Robert Smith, 31, were arrested. They have been formally charged with the girl's murder.

#### **15 Zoe Evans**

In 1997, 9-year-old Schoolgirl Zoe Evans went missing from her home. Zoe's naked body was found six weeks later, in a badger sett. Her mother, Paula Hamilton, and stepfather Miles Evans **appeared at a press conference, begging for her to come home.** It transpired that Zoe had been taken from her bed and

sexually assaulted by her stepfather. A post-mortem examination showed she died from asphyxiation. Evans was arrested and convicted of Zoe Evans' murder.

#### **16/17 Ruth and Jose Breton**

In October 2011 Joseph Breton **reported the disappearance of his two children**, Ruth and José, aged six and two. According to his version, they were visiting a Parque in Cordoba, when the children vanished without a trace. The investigation soon disproved the Breton version.

Despite the interrogations, confrontations and reconstructions of the facts by the police, Breton never revealed the true whereabouts of the children. The key was to find out what happened between 14.30 and 18.18 of October 8. The children were spending the weekend at the farm of Quemadillas that morning and had been playing with cousins. In the afternoon, when, supposedly, they left the farm, Breton disconnected his mobile. At 18.18 it was reconnected and Breton called his brother to report the alleged disappearance of children.

Police had always focused enquiries on the paternal grandparents farm. In the early stages of the enquiry charred skeletal remains had been found in the ashes of a bonfire lit on the farm, but reports attributed them to a dog or small rodents. This proved to be wrong, and subsequently they were identified as the human remains of Ruth and Joseph. The trial is pending.

#### **18 Samuele Lorenzi**

three-year-old Samuele Lorenzi was found dead on 31 January 2002 while sleeping in his parents' bed in his family home in the mountain village of Cogne, in Aosta Valley, northern Italy. The cause of death was found to be a blow to the skull. The murder weapon has never been found. In July 2004 an Italian court sentenced Samuele's mother Anna Maria Franzoni to 30 years in prison for aggravated murder. In 2007 the penalty was reduced to 16 years of jail for homicide. Franzoni always refuted the charge, **asserting that an intruder had killed her child** in the few minutes she left home to accompany her older son Davide to the school bus station. Mrs. Franzoni was also charged and found guilty of defamation against the Chief Prosecutor of Aosta.

#### **19 Jhessye Shockley**

Hunter is facing charges of first-degree murder and child abuse in Jhessye's disappearance. **Hunter reported her daughter missing.** Police believe with certainty that Jhessye was killed and her remains were placed at the Butterfield Landfill. On Nov. 23, about six weeks after Jhessye **was reported missing**, a woman contacted investigators. She said that seven to 15 days before Hunter reported her daughter missing, she gave Hunter a ride to Tempe. At the time, Hunter put a large, heavy suitcase in the woman's trunk. When they got to Tempe, Hunter put it in a skip. **Hunter even apologised to the woman for the smell of the suitcase.** Police tested the trunk of that car and it tested positive for blood. Jhessye's body has never been found. Glendale police said they believe she was killed and her body was thrown in a trash can. Investigators have been working on the case since Oct. 2011, when Hunter **reported her daughter missing.**

## Adults

### 20 Fadi Nasri

On the evening of 11 May 2006, Patel-Nasri was reported to have gone outside her home carrying a chef's knife. It is believed that this was the murder weapon. A man wearing a hooded top was seen running away from the scene. During the subsequent trial, it transpired that Patel-Nasri had been stabbed inside her home and had staggered outside the front door before collapsing. **Fadi Nasri made a public appeal to find the killer** of his new bride Nisha Patel-Nasri who he had stabbed with a 13-inch kitchen knife at her home

### 21 Kirsi Gifford-Hull

In 2006, a dog walker found the decomposed remains of Kirsi Gifford-Hull buried in a shallow grave, in woods. Just a few days earlier, her husband Mike Gifford-Hull contacted Police claiming that his wife had left him – **and later made a TV appeal pleading for his wife to get in touch** because their children had made a banner for her birthday. In fact Mike Gifford-Hull had strangled his wife during a row over the state of their marriage and his having had sex with prostitutes. He then concealed her body. He was found guilty of murder and jailed for 17 years.

### 22 Joanna Nelson

In 2005, Joanna Nelson vanished. Police launched a massive search but Miss Nelson's body was not found until over a month later. **Shortly after her disappearance, her boyfriend Paul Dyson, appeared on television acting as if was very concerned.** Under interrogation Dyson eventually admitted he was responsible for his girlfriend's death, saying that he had strangled her after a row about housework. He was sentenced to life in prison, and Judge Tom Cracknell, highlighted his appearance on the TV appeal for information, saying "You went on TV and displayed breathtaking and nauseating hypocrisy."

### 23 Sharon Malone

Sharon Malone vanished in 1999, and was later found bludgeoned to death in nearby Woodland. Her husband, Garry Malone, **had participated in a televised police press conference to appeal for her return.** He later invented a story about his wife having been killed by a gang, because of an unpaid debt. Mr Malone fled the country confirming the suspicions of detectives. Garry Malone was convicted of his wife's murder, after being extradited from Spain, where he had adopted a new identity.

### 24 Lee Harvey

In 1996, Lee Harvey was stabbed to death on an isolated road. His fiancée, Tracie Andrews, told police that he had been attacked by a motorist after a "road rage" incident. The former model later appeared at a Police press conference looking distraught and begging for help in catching the killer, **claiming a "fat man with staring eyes" had attacked her boyfriend**, stabbing him more than thirty times. Detectives became sceptical of the story after it emerged that the couple had a stormy and often violent relationship. Tracie Andrews was charged with murder, and at her trial a jury was told she had stabbed him to death after a row. She was sentenced to life.

## 25 Rachel McClean

In 1991, the boyfriend of Rachel McLean reported her missing to Police. **John Tanner not only appeared in a press conference appealing for help but also took part in a televised reconstruction.** He claimed Miss McLean had seen him off at the railway station, and said a long-haired stranger had offered to give her a lift home. A few days later, police discovered Rachel's remains under the floorboards of her flat, and Tanner was immediately arrested. His story crumbled, and he was charged with her murder. At his trial, Tanner changed his story and said that he had 'snapped' and killed his girlfriend after she admitted that she had been unfaithful. He was convicted of murder and jailed for life.

## References

These are taken from the net, and several cases the most convenient summary is to be found on "*Wikipedia*". [www.wikipedia.org/](http://www.wikipedia.org/)  
Their absolute accuracy cannot therefore be guaranteed.

A search will reveal more links for each of the cases. The primary sources, the Court reports, are obtainable, sometimes for a fee.

## Children

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- 19 <http://www.kpho.com/story/19776484/police-report-released-on-jhessye-shockleys-murder>

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### **Adults**

- 20 <http://www.mirror.co.uk/news/uk-news/nisha-patel-nasri-trial-verdict-husband-310554>
- 21 <http://www.telegraph.co.uk/news/uknews/1530154/Husband-buried-his-wife-where-he-had-sex-with-lover.html>
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- 23 [http://news.bbc.co.uk/2/hi/uk\\_news/england/beds/bucks/herts/4537825.stm](http://news.bbc.co.uk/2/hi/uk_news/england/beds/bucks/herts/4537825.stm)
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## **Public appeals for help and crocodile tears.**

**The Crime:** In 2008, 9-year-old Shannon Matthews disappeared after a School trip.

**The Lies:** Karen Matthews reported her daughter Shannon missing to the police, and went on to make a number of emotional public appeals for her Daughters return, begging for anyone holding Shannon to let her go.

**The Truth:** Shannon was found alive, hidden in the base of a bed, at a house belonging to Michael Donovan (Karen's Boyfriend's Uncle) – The family were supposedly planning to claim the £50,000 that Newspapers had put up as a reward for Shannon's return.

**The Verdict:** Michael Donovan was charged with Kidnapping and False imprisonment, while Karen Matthews was charged with Child neglect and Perverting the course of justice. They were both jailed for eight years. Julian Goose QC said Karen Matthews "lied and lied and lied again". Detective Superintendent Andy Brennan branded Karen Matthews "Pure evil".

**The Crime:** In 2006, Nisha Patel-Nasri was stabbed with her own 13-inch kitchen knife, and bled to death outside her home.

**The Lies:** Her husband, Fadi Nasri, made a televised appeal for information in the days after his wife's death, crying crocodile tears, and begging anyone with information to contact the Police.

**The Truth:** Fadi Nasri wanted to claim his wife's £350,000 life insurance policy, in order to pay off his debts and continue an affair he was having. So, he arranged for his wife to be at home while he was away, and hired a Drug dealer to organise the killing.

**The Verdict:** Fadi Nasri, was eventually arrested, and shortly afterwards found guilty of organising his wife's murder. He was jailed for life.

**The Crime:** In 2006, A Dog walker found the decomposed remains of Kirsi Gifford-Hull buried in a shallow grave, in woods.

**The Lies:** Just a few days earlier, her husband Mike Gifford-Hull, had told his children that he'd had a massive argument with his wife and that she had left with her Passport and a substantial sum of money. He then contacted Police claiming that his wife had left him – and later made a TV appeal pleading for his wife to get in touch because their children had made a banner for her birthday.

**The Truth:** Mike Gifford-Hull had strangled his wife during a row over the state of their marriage and his having had sex with Prostitutes. He then concealed her body.

**The Verdict:** Mike Gifford-Hull was found guilty of murder and jailed for



17 years. Superintendent David Kilbride said: "Michael Gifford-Hull told lie after lie to the police, to her family in Finland and their two children. He deliberately and carefully laid a false trail involving the apparent disappearance of clothes, money and her Passport."

**The Crime:** On Valentine's Day, in 2005, Joanna Nelson vanished. Police launched a massive search but Miss Nelson's body was not found until over a month later.

**The Lies:** Shortly after her disappearance, her Boyfriend Paul Dyson, appeared on television acting very concerned.

**The Truth:** Under interrogation by Detectives, Dyson eventually cracked and admitted he was responsible for his Girlfriend's death, saying that he had strangled her after a row about housework.

**The Verdict:** Paul Dyson was sentenced to life in prison, and Judge Tom Cracknell, highlighted his appearance on the TV appeal for information, saying "You went on TV and displayed breathtaking and nauseating hypocrisy."

**The Crime:** In 2002, two 10-year old girls, Holly Wells and Jessica Chapman disappeared. They were later found dead in a ditch, and their bodies had been burned.

**The Lies:** Ian Huntley pretended to help search for the girls, and offered words of sympathy one of their Fathers. He was also broadcast telling reporters: "While there's no news, there's a glimmer of hope. I think that's all we're clinging onto. It's just very upsetting to think I might be the last friendly face that these two girls had to speak to before something happened to them."

**The Truth:** Huntley later admitted that the girls had died in his house, but claimed that he had accidentally knocked Holly into the bath while helping her control a nosebleed, and then accidentally suffocated Jessica when she started to scream. The police suspect that Huntley killed the girls in a fit of jealous rage, and suggest there may also have been a sexual motive.

**The Verdict:** Ian Huntley was found guilty of Murder and sentenced to life imprisonment, but the High Court ruled that this crime was so serious that Huntley must remain in prison until he has served at least 40 years. His Girlfriend Maxine Carr, who provided a false alibi, was convicted of perverting the course of justice.

**The Crime:** Sharon Malone vanished in 1999, and was later found bludgeoned to death in nearby Woodland.

**The Lies:** Her husband, Garry Malone, had participated in a televised police press conference to appeal for her return, pleading "We missed you over Christmas... The boys missed you and asked after Mummy. Please put our minds at rest... Come home". He later invented a story about his wife having been killed by a gang, because of an unpaid

debt.

**The Truth:** Mr Malone fleeing the country confirmed the suspicions of Detectives, who had since discovered that his marriage was on the rocks, and Malone facing being financially crippled by a divorce.

**The Verdict:** Garry Malone was convicted of his wife's murder, after being extradited from Spain, where he had adopted a new identity. Judge Stephen Kramer sentenced Malone to a minimum of 18 years, and said he was "manipulative, calculating and deceitful".

**The Crime:** In 1997, 9-year-old Schoolgirl Zoe Evans went missing from her home. Zoe's naked body was found six weeks later, in a badger sett.

**The Lies:** Her Mother, Paula Hamilton, and Stepfather Miles Evans appeared at a press conference, begging for her to come home.

**The Truth:** It transpired that Zoe had been taken from her bed and sexually assaulted by her Stepfather – A post-mortem examination showed she died from asphyxiation.

**The Verdict:** Evans was arrested and eventually convicted of Zoe Evans' murder.

**The Crime:** In 1996, Lee Harvey was stabbed to death on an isolated road.

**The Lies:** His Fiancée, Tracie Andrews, told Police that he had been attacked by a motorist after a "road rage" incident. The former Model later appeared at a Police press conference looking distraught and begging for help in catching the killer, claiming a "fat man with staring eyes" had attacked her boyfriend, stabbing him more than thirty times.

**The Truth:** Detectives became sceptical of the story after it emerged that the couple had a stormy and often violent relationship.

**The Verdict:** Tracie Andrews was charged with murder, and at her trial a jury was told she had stabbed him to death after a row. She was sentenced to life in Prison.

**The Crime:** In 1994, Susan Smith told police in South Carolina, USA that she had been Carjacked by a black man who had driven off with her two young sons still in the vehicle.

**The Lies:** Smith appeared on television appealing for the man to return the children.

**The Truth:** Nine days later, Smith confessed to Police that she had driven the car into a lake, with her children still inside. It then emerged that she had been having an affair with a man, and had killed her two boys because he had said that he didn't want any children.

**The Verdict:** She was convicted of murder, and given a life sentence.

**The Crime:** In 1994, Carol Wardell, the Manager of a Building Society was murdered and about £15,000 was stolen from the branch.

**The Lies:** Her husband, Gordon, appeared at a press conference and told reporters that he had returned home from the Pub on Sunday afternoon to discover his wife being held captive by a man who was wearing a clown mask and armed with a knife. Wardell alleged he had been punched, forced to the ground and rendered unconscious after a chloroform-soaked cloth was pressed over his face. He went on to tell journalists: "A man got hold of my wife and was threatening her with a knife." He further claimed he had been tied up by the gang, who took his wife off to the Building Society, early the following morning.

**The Verdict:** Within a month police realised his story was a pack of lies and he was arrested.

**The Result:** Wardell was sentenced to life imprisonment, and the Judge told him that he had gone to elaborate lengths, including tying himself up and inflicting injuries, to make it appear as if the couple were the victim of Robbers.

**The Crime:** In 1991, the Boyfriend of Rachel McLean reported her missing to Police.

**The Lies:** John Tanner not only appeared in a press conference appealing for help but also took part in a televised reconstruction. He claimed Miss McLean had seen him off at the Railway station, and said a long-haired stranger had offered to give her a lift home. Tanner told reporters his Girlfriend had been "a lover of life" and even asked people to help "out of sheer consideration for her Mother and Father and myself".

**The Truth:** A few days later, Police discovered Rachel's remains under the floorboards of her flat, and Tanner was immediately arrested. His story crumbled, and he was charged with her murder.

**The Verdict:** At his trial, Tanner changed his story and said that he had 'snapped' and killed his Girlfriend after she admitted that she had been unfaithful. He was convicted of murder and jailed for life.

source:

<http://www.seductionlabs.org/2009/02/01/a-challenge-for-body-language-experts/>

## The Last Photo - revisited



Kate states that the *Last Photo*, of Gerry, Amelie, and Madeleine sitting by the children's pool, was taken, by her, on **Thursday 3rd May 2007**

*"We then sat round the toddler pool for a while, dipping our feet in, and I took what has turned out to be my last photograph to date of Madeleine."*

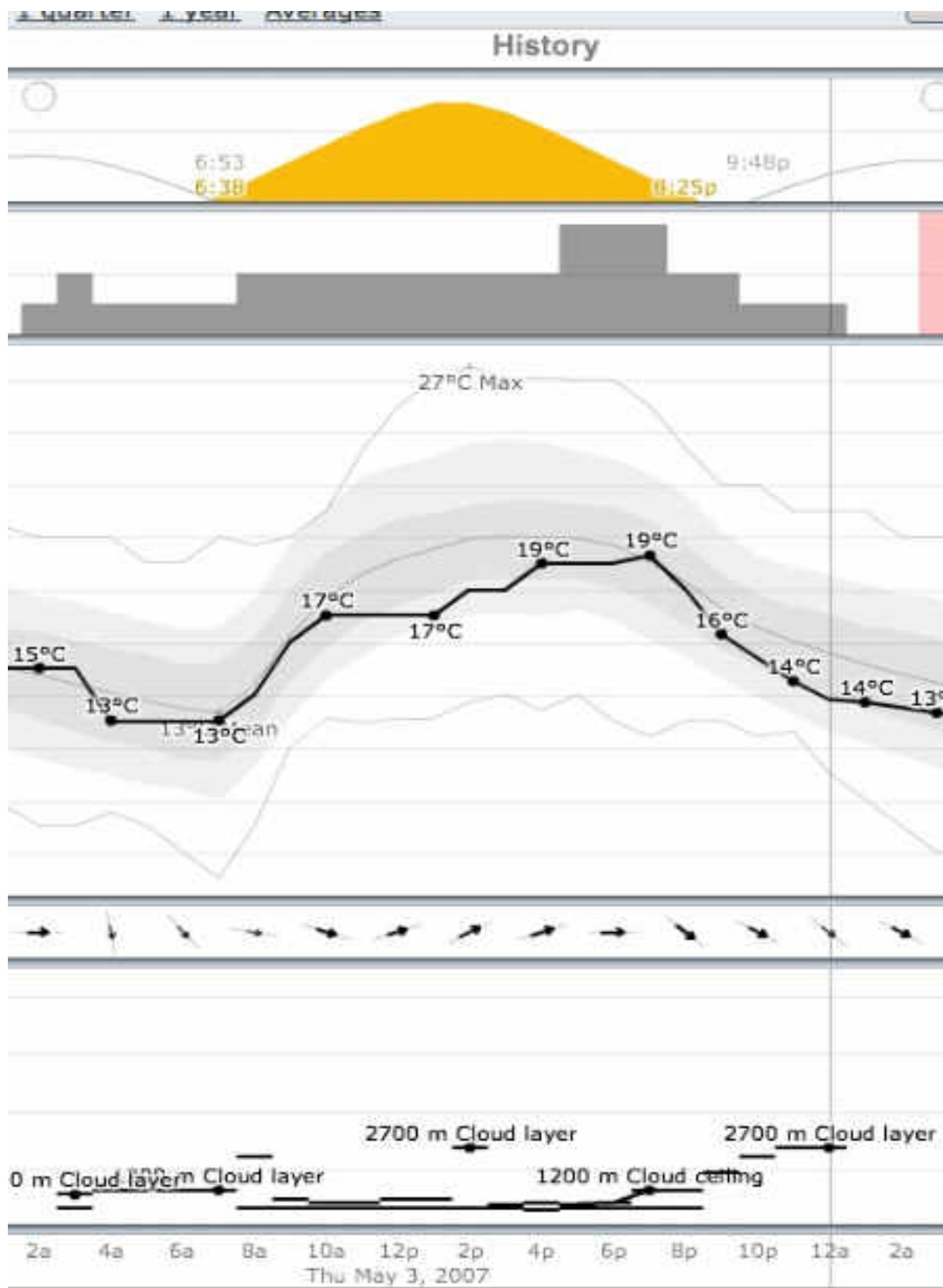
The time in the EXIF metadata is shown as 13:29, but the McCanns were at great pains to point out that this time was one hour wrong, and it was actually taken at 14:29

Date/Time Original 2007:05:03 13:29:51+01:00

The photo shows Gerry, wearing sunglasses, T shirt and shorts, with a slight sheen of perspiration across his forehead, the children in sun hats, which are casting shadows, there are clear shadows cast by the tree, and by the sun beds.

The edges of the shadows are sharp, indicating bright sun.

However, the weather records for Thursday 3rd May 2007 in Praia da Luz tell a totally different story.



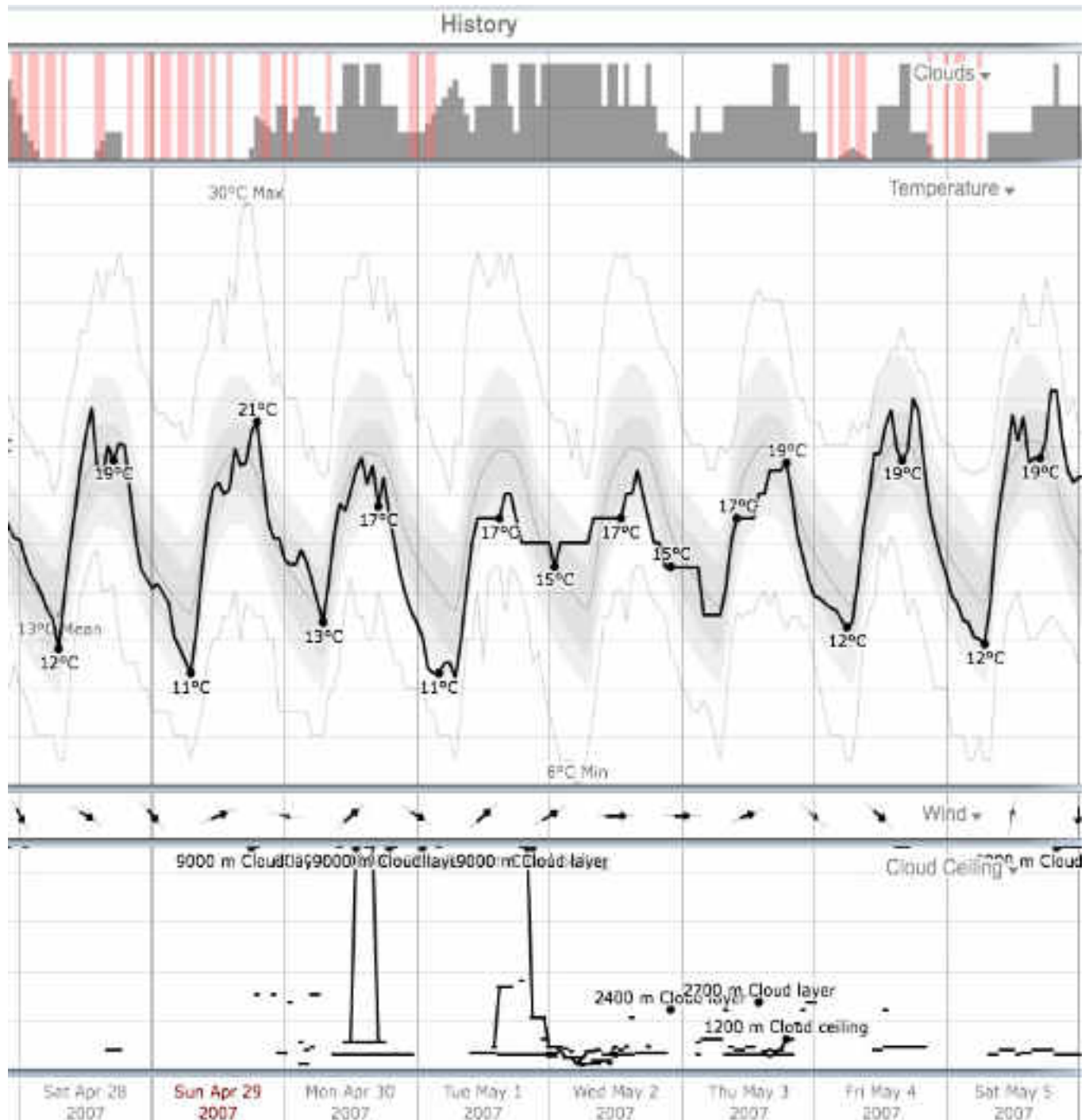
At 1pm the temperature was 17° C, (62°F) This is relatively cold.  
 At 2pm the temperature had risen to 18°C (64°F) Again not hot enough for sweat to break out on the brow of a man wearing nothing more than a thin cotton T shirt and shorts.

Across the top of the figure is a grey bar which indicates the cloud cover.  
 At 1pm and 2pm it is shown as 50%

By 4:30pm it was 90% so we may deduce that at lunchtime there may have been cloud cover somewhat greater than 50% and increasing as the afternoon progressed.

It also shows TWO separate cloud layers, one at 540m which then rises to 740m, and a higher one at 2700m

The record for the entire holiday week is even more instructive.



Here we see a clear pattern of the temperature **falling** and the cloud cover **increasing** between Sunday evening 29 April, and the following Friday morning 4 May

When we consider the *Last Photo* we must ask the following questions.

What do we **SEE**

What do we **KNOW**

and then

What can we **DEDUCE** ?

### **We see**

Shadows have sharp outlines

Shadows more or less vertical

Bright reflection from human skin

Bright reflection from objects

Sheen of perspiration on Gerry's forehead

Children in very light dress

Children in sun hats

Gerry wearing very dark sunglasses

Gerry wearing T shirt and shorts

Bright and sharp reflection in sunglasses

Father and children with feet in the water

### **We know**

The pool was very cold - all week

Weather for the rest of the week was cold and cloudy

### **What do we deduce ?**

The photo was taken on a pleasantly warm or even a hot day.

It was taken when the sun was more or less overhead. Solar Zenith was at 13:29 for the days in question. Therefore, in layman's terms the sun was overhead between 12:30 and 2:30 pm

There were no low clouds and there was no high overcast

### **But surely wind speed and direction depend on other factors, buildings, vegetation . .**

You make a very valid point.

Wind speed IS measured about 3m from the ground, and in an open area, for the obvious reasons that you give. The ground has a frictional resistance, there are walls, buildings, street furniture, and then hedges and trees, all of which will act to slow the apparent speed at *human* level

The wind speed and direction at lunchtime is given as 7.2 m/s, or a stiff breeze, Force 4, and the direction approximately WSW, or bearing 250

On the map it is coming in along the red line (the arrow is pointing the wrong way !)









As we can see there is not much of a barrier to reduce the force of the wind.

**And I suppose that even reducing Force 4 would only bring it down to Force 3**

well exactly and if we look again at Madleine's very fine hair falling across her face, and her floppy little sun hat, we are entitled to ask whether they were sitting in any wind at all.



*But if I may digress slightly, this raises another very interesting point,*

Let is stick with the issue of wind force and direction .. .

Later that evening, around 10pm Kate tells us what happened when she entered the apartment.

Her first statement said the curtains were wide open,

**[Quote]***and immediately noticed that the door to her children's bedroom was completely open, the window was also open, the shutters raised and the curtains open, while she was certain of having closed them all as she always did."*

but later we have seen repeated interviews, and read in the autobiography, which say they were tight closed.

*but I just noticed that the door, the bedroom door where the three children were sleeping, was open much further than we'd left it.*

*I went to close it to about here, and then as I got to here, it suddenly . . . slammed, . . . and literally as I went back in, the curtains of the bedroom which were drawn, [demonstrates with both forearms together] that were closed, "wheesh" like a gust of wind kind of blew them open.*

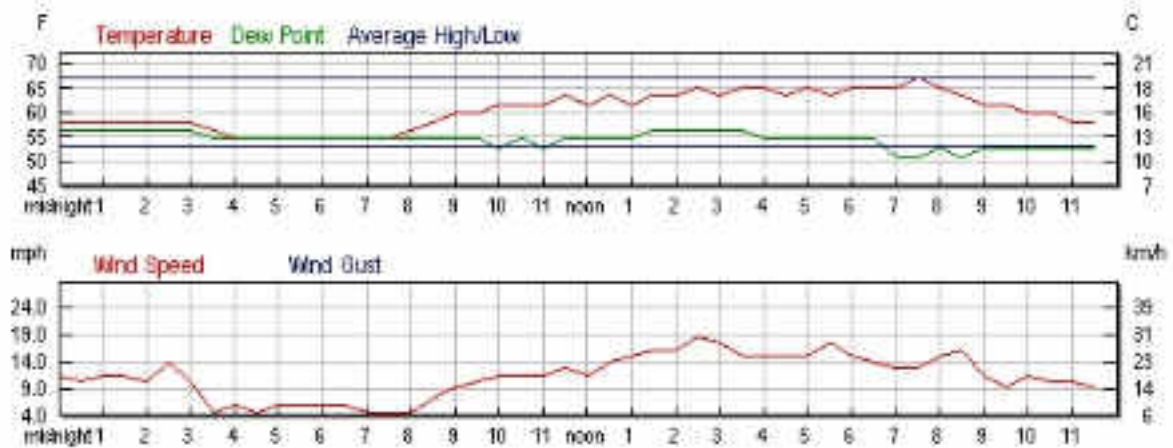
**[extract from book]** p. 71 *"Then I noticed that the door to the children's bedroom was open quite wide, not how we had left it. At first I assumed that Matt must have moved it. I walked over and gently began to pull it to. Suddenly it slammed shut, as if caught by a draught."*

She says the door slammed even though she was holding it, and when she pushed it open again **another** gust "whooshed" the curtains into the room.



By 10pm the wind had died down, and was 4 m/s, Force 2, bordering on the low end of Force 3. It has also veered to WNW, or bearing 290.

## Portimao - 3rd May 2007



Assuming the window was open, it is only 1 m x 0.5 m, so half a square meter. The door is 2 m x 0.75 m so one and a half square metres.

so any wind pressure entering the room is effectively dissipated over three times the area, Now let us look at photos of the area outside the bedroom window.

What we see is a small car park lined with thick and high trees, a substantial wall, and then another wall just outside the window of the apartment



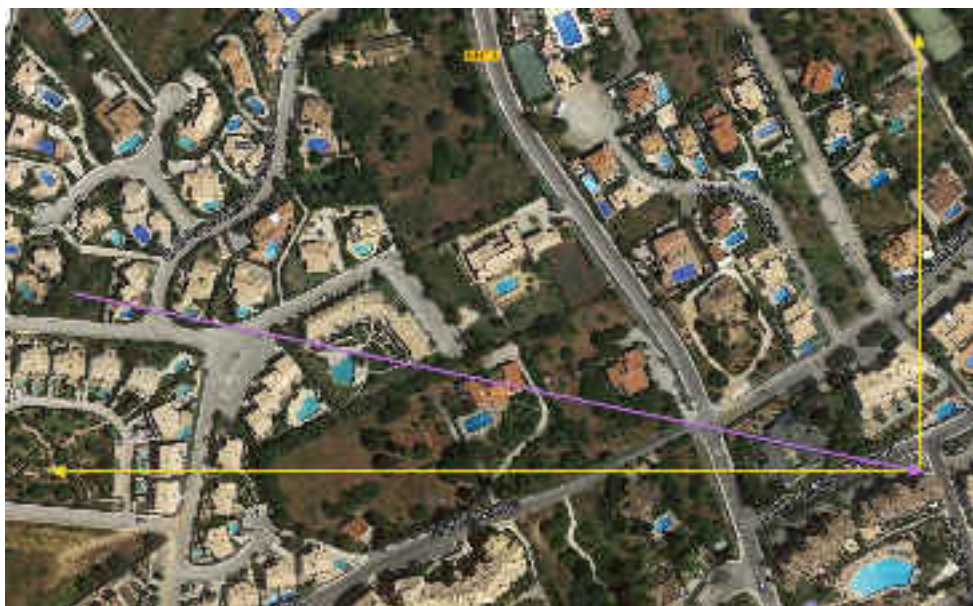




So the argument which says the effective speed and power of the wind is reduced by vegetation, walls, street furniture, cars and other obstacles applied here with even greater force.

This apartment window was by any standards very well sheltered

And from that we then have to imagine what wind power or force would be necessary to tear through all that barrier - and remember the wind is coming in at an angle across that road, across other areas with high buildings and thick vegetation, it is the purple line on this map



and the wind still has to have the force to get in through a small open window, and then slam a door being held by an adult, and on the second occasion to pull full length curtains from where they were jammed between the bed and the wall, or jammed behind the wicker chair, against the wall, so that they can “Whoosh”



And that wind force, would then one assumes also hit the Tapas bar around the same time, and we remember that the bar was encased in about 40 square metres of clear tarpaulin. Yet not a single guest or member of staff reports what would have been a deafening sound as those two gusts hit.

The Weather reports from Faro Airport are similarly silent on the point.

So it has been an interesting excursion, driven by responding to reasoned arguments that the wind conditions might have permitted the Last Photo to have been taken on Thursday 3rd, but leading not only to a serious suspicion, on those grounds alone that it could not have been, but also to some serious doubts about the slamming door and whooshing curtain story.

**There just does not seem to be enough evidence to substantiate either,  
as with so much else in this continuing Mystery**

**What is even more interesting is to note that the McCanns' entire story involving the Last Photo, and flapping curtains depends on flat calm and hot at lunchtime, and high wind at bedtime.**

**The facts are  
EXACTLY THE  
OPPOSITE.**

Download ▾    Graphs ▾

The chart displays five panels of meteorological data over a 48-hour period from Thursday, May 3, 2007, to Friday, May 4, 2007.

- Clouds:** The top panel shows cloud cover percentage. A grey bar indicates 50% cloud cover. A red bar indicates 100% cloud cover. A label "50% Cloud cover" points to the grey bar.
- Temperature:** The second panel shows temperature in degrees Celsius. A black line represents the mean temperature, with a shaded grey area indicating the range. A label "20°C Max" points to the peak of the mean line. A label "7°C Min" points to the trough of the mean line. A label "Mean" points to the mean line. A label "Temperature" points to the panel.
- Wind Direction:** The third panel shows wind direction. A black line with arrows indicates the direction. A label "Wind Direction" points to the panel.
- Wind Speed:** The fourth panel shows wind speed in m/s. A black line represents the mean wind speed, with a shaded grey area indicating the range. A label "10.0 m/s" points to a peak. A label "10.8 m/s" points to a peak. A label "7.2 m/s" points to a peak. A label "4.0 m/s" points to a peak. A label "Mean" points to the mean line. A label "Wind Speed" points to the panel.
- Cloud Ceiling:** The bottom panel shows cloud ceiling in meters. A black line represents the cloud ceiling. A label "8356.1 m" points to a peak. A label "20m Thursday May 3, 2007" points to a peak. A label "Cloud Ceiling" points to the panel. Various cloud layers and ceilings are labeled: "500 m Cloud ceiling", "1050 m Cloud ceiling", "1200 m Cloud ceiling", "2400 m Cloud layer", "2700 m Cloud layer", "2700 m Cloud layer", "2700 m Cloud layer".

## The McCann family, and the Dossier of Death

### *Requiescat in Pace - Brenda Leyland*



A 'Dossier' was prepared, allegedly of 'tweets', Facebook messages, and blog entries, sent to people unconnected with the McCanns

It was handed to the Metropolitan Police, who sent it to Leicestershire Police.

Both forces decided there was NOTHING in it which merited closer examination.

It made its way to Sky News, and to Martin Brunt. He chose to pursue Brenda Leyland and the encounter was repeated on Sky's rolling news programme for an entire day.

Two days later Brenda Leyland was found dead.

The verdict at the Inquest was Suicide.

*"The McCanns want @sweepyface prosecuted", a source close to the couple said last night. "This wicked person and the other trolls out there are very sad individuals: **he said.** "Kate and Gerry hope police take action against her, and if she gets prosecuted all the better. It is a criminal act and **she needs to pay the price.**"*

Brenda Leyland did indeed pay the price. She paid with her life.

There are no prizes for guessing the identity of the 'source close to the couple'.

There are also no prizes for discovering who handed the dossier to the police, or to Sky News and Martin Brunt

- Jim Gamble, sometime head of CEOPS, sacked by Theresa May, stated that *the family did **not** hand in dossier, neither did they have anything to do with it.*
- Sky News and Martin Brunt said the dossier was handed in by '*anonymous web users.*'
- Gerry McCann stated on BBC Radio 4 that *they had **no** presence on social media.*
- However Sir Bernard Hogan-Howe, Commissioner of the Metropolitan Police, said *the McCann family handed in the dossier.*

So do we believe Britain's most Senior Police Officer, when he says the **family** handed it in, or Gamble, Mitchell, Brunt, and Gerry ?

Your choice, obviously.

The TV confrontation between Sky News reporter and the deceased Mrs Leyland may be viewed at <https://www.youtube.com/watch?v=qkAzz8Pwddvc> where it is headed **Police Investigate Madeleine McCann Family Online Abuse**

**NOTE TO JKH \_ Can we insert the youtube here ?**

<https://www.youtube.com/watch?v=qkAzz8Pwddvc>

In the first part of the video, from 3:58 to 4:54 there is footage of the person who allegedly



created the dossier which Martin Brunt was to refer to.



Police Investigate Madeleine McCann Family Online Abuse

This location is in fact Craiglockhart Pond, in Edinburgh. (55°55'N, 3°13'W)



The possible identity of the person involved in *preparing*, as opposed to handing in, the



dossier is less easy to determine, but the following may assist.

The person in the video uses the expressions

***“WE** are talking about materials which are libellous, completely untrue.*

***“WE** were getting nowhere by reporting it to the sites*

***“WE** were finding people going on line . . .”*

This is highly suggestive of a family member, as we might expect.

What follow are comparison screen shots from the Sky video, and photos and screen shots from other sources. All are in the public domain.

### **Calves and ankles**



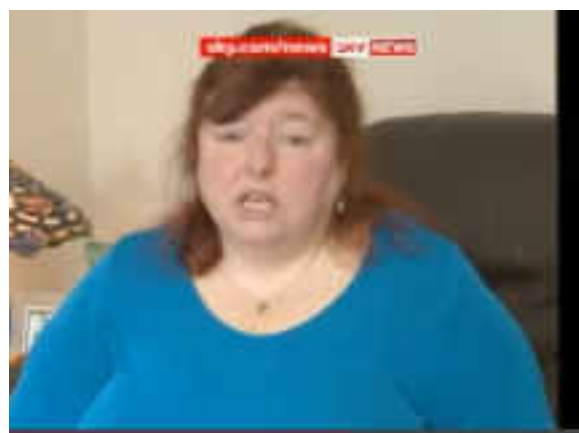
**Hair**



**Steel bangle**



**Favourite Colour ?**



In addition, Sky chose to 'voice-over' the original, in standard English with an acceptable accent. Listening to the following recording of the likely suspect might help explain why.

JKH      Can we insert a bit of voice from  
<https://www.youtube.com/watch?v=dsHgEkd9uFw>  
or  
<https://www.youtube.com/watch?v=EN7SBCDC-fA>

It is suspected on reasonable grounds that the woman in question is of course Philomena McCann, Gerry McCann's elder sister. She is a part time teacher in Ullapool.

The person who set up and ran, and may still do so, the ludicrously expensive website for the McCanns and their "Fund", (in fact a Private Limited Company), was one of her pupils.

Philomena - who told the world that *'It is obvious that someone with malicious intent went through that window and took Madeleine from the safety and security of her family.'* And who told the world that *"Gerry and Kate are in a clear line of sight of their kids . . . and if they'd come out the **front**, they'd have seen them."*

Someone used, in fact, to talking or repeating utter nonsense - because someone told her to.

She is married to "*Quicksand Tony*" a skilled photographer, knowledgeable amateur astronomer, and photoshop expert pervert, who used to post his images on *deviantart.com*, *quicksandfans.com*, *deepsinking.org*, and possibly other similarly depraved sites.

It is not known whether Philomena McCann shared her husband's perverted interest. It is however doubtful whether after several years of marriage that she could remain totally unaware of it.

The question however remains -

*Does she have blood on her hands ?*

*REFS;*

<https://www.youtube.com/watch?v=qkAzz8PwMvc>  
**film of Craiglockhart Pond and dubbed material at 3.59 onwards.**

<https://www.youtube.com/watch?v=dsHgEkd9uFw>

<https://www.youtube.com/watch?v=EN7SBCDC-fA>

Information:

A document containing this information was forwarded to HM Coroner for  
LEICESTER CITY AND SOUTH LEICESTERSHIRE  
THE TOWN HALL  
TOWN HALL SQUARE  
LEICESTER  
LE1 9BG

and was received by the Coroner's Officer - a Police officer.

## The “Last Photo”



- 1     **The McCanns had a Canon PowerShot A620.**  
In her book Kate only refers to a camera in the singular. *My camera, our camera.* She clearly states that ‘*our camera*’ was taken away by RO'B so that photos could be printed in the form of a poster. Later that night, when everyone had been asked to leave the apartment the official scenes of crime photos were taken by the PJ. On the dining table the **Canon** PowerShot can clearly be seen. The photo session and forensic examination by the PJ took place between 0030 and 0400, 4/5/2007  
The EXIF metadata for the “Last Photo” clearly shows that it was taken on the **Canon**
- 2     **The Canon was retained by the McCanns, and neither it, nor the memory stick were apparently surrendered for examination. This camera was in Kate’s possession early on 10th May. It is not known whether the PJ were fully aware of its existence.**
- 3     **On 20th May Gerry McCann flew to England, and returned home.**
- 4     **He returned to Portugal on 22nd May, with Clarence Mitchell**
- 5     **Gerry McCann’s sister, Philomena, also flew out to Portugal on 22nd May**
- 6     **The “Last Photo” was released through the AFP agency on 24th May**
- 9     **The “Last Photo” was taken with the Canon PowerShot A620 camera**
- 10    **It is relatively simple to alter some of the EXIF metadata, including the date and time, using software freely available on the internet.**
- 11    **The EXIF metadata have clearly been accessed and amended by the AFP agency to include the description of the photo.**
- 12    **Gerry’s brother in law - Philomena’s husband - Tony Rickwood, is a photographer who is highly skilled at altering images. It is inconceivable that he does not also know how to alter the date and time in the EXIF and to erase aspects of it.**
- 13    **Tony Rickwood owns several cameras, including a Canon PowerShot A480 - a model previous to the A620**
- 14    **The McCanns lay heavy emphasis on the importance on the “Last Photo”.**

- 15 Through their spokesman Mitchell, they go to great lengths to explain that the EXIF time might be incorrect by *exactly* an hour. They make no such claims for any other photo. No other photos from the Canon have been put in the public domain. In each story the words "*her own camera*" are used.
- 16 The "Last Photo" is tendered as independent evidence that Madeleine was alive and well during the early afternoon of 3rd May
- 17 The time given in the EXIF data for the photo is exactly Solar zenith (noon) at Faro, Portugal on 3/5/2007
- 19 Rickwood is a keen astronomer, and is a member of the British Astronomical Society.
- 20 There is a strong suspicion that the time and date on the "Last Photo" are at the very least, unreliable. It is not thought that the image itself has been altered.
- 21 Almost all other such evidence is specifically stated to be uncorroborated by others in the group, and detailed explanations are given as to why this is so. This leaves the "Last Photo" as the only independent evidence of Madeleine's being alive and well on 3rd May.
- 22 The visit by David Payne, and the check by Oldfield do not alter this position. There is considerable doubt as to the veracity of the crèche sheets, which contradict directly Kate's alternative version in the book.
- 23 Rachel Oldfield's statement that she saw Madeleine on the tennis court on 3rd is directly contradicted, in detail and with some force, by O'Brien. In her Rogatory Tanner speaks of Gerry having a lesson and has thus clearly confused this with the Wednesday. O'Brien contradicts this and corrects it this with some force and determination, making it clear that Madeleine was NOT there on Thursday 3rd May.

Rachel Oldfield confuses the two days, putting the taking of the "tennis balls" photo on Thursday 3rd.

Kate, and O'Brien are absolutely clear that this was not 3rd.

Kate insists that **she herself** took the tennis balls photo on Tuesday **1st**

Russell O'Brien insists it was taken on Wednesday **2nd**

Rachel Oldfield states that the was taken by Jane Tanner on the Thursday **3rd**.

When the witnesses talk about Madeleine's NOT having been present, the style of the language used is very different from the rest of the Rogatory interviews. The witnesses become fluent and coherent, and we see very little of the hesitation, the linguistic fillers of "*err*", *ummm*"; repetitions of part sentences and so on, which characterise the rest of those interviews when other aspects of their recollections are being discussed.

### **Short discussion.**

It is accepted that when numerous witnesses are interviewed some discrepancies will be found between and among their recollections. Sophisticated computer systems now exist to highlight these so that they may be analysed. HOLMES II, ANACAPA, and others are routinely employed by CID for major enquiries.

In this case it is clear that the only person who reports having seen Madeleine on the tennis court on 3rd is mistaken. The events surrounding that 'sighting' make it clear from other witnesses that it is simply confusion of the day, and may not bear any sinister interpretation.

The visit to the apartment by Payne looks contrived, as it has no apparent motive. The differences between what Payne and what Gerry and then Kate report are glaring, and this reported episode must be treated with extreme caution.

As has been noted many times elsewhere, Oldfield is very quick to retreat from the position of having apparently been the last person to see Madeleine alive. Any detective will confirm that this is highly dangerous position to be in.

### **SUMMARY**

The above sets out the facts, or some of them, so far as they can be ascertained. References have been cut back from the original, but are available if any mistake is identified.

But facts often require interpretation, particularly for people who are not fully acquainted with more of the background to this remarkable case.

#### **What follows is one possible interpretation.**

1 The "Last Photo" is tendered as conclusive proof of Madeleine's having been in a particular place at a particular time. The pre-emptive insistence by the McCanns that the time was wrong by exactly one hour deserves further consideration.

This alleged difference between the recorded time and the actual time was reported by the media as the photo was released. It was not said later after questions had been asked. This did not happen with any other photograph. We know that in any event the other photos were not dated, but this was never explained, and no attempt was taken to show how they all fitted into the scenario of the whole holiday. They are merely presented.

**It is of course entirely irrelevant whether the "Last Photo" was taken at 13:29 or 14:29 ; 12:29 or 15:29**

The exact time and date of the "Play house" and the "Jumping on grass" and the "Tennis balls" photos are equally irrelevant except to show that Madeleine was with her family on holiday at that resort, which is not seriously at issue.

So what is the importance of drawing such attention to the exact time on the "Last Photo" ? Clearly it is to do something **else**, which is to draw attention to the **DATE**. Given that most people were previously unaware of the existence of EXIF metadata, this had to be for a purpose.

And that purpose must be to show that Madeleine was alive and well at **lunchtime on 3rd May**.

But it does so in a typically blunt way, which ultimately serves to do exactly the opposite from what was intended. We recall that Clarence Mitchell accompanied Gerry on his return to PdL on 22nd, and so by 23rd was in control of what was released to the media and the wording of press releases. *Does this blunt instrument bear the classic Mitchell hallmark ?*

2 The "Last Photo" with Madeleine smiling and happy would have been an ideal choice for the poster put out that first night. The camera is capable of editing images, or it could have been edited on the computer from which it was eventually printed. (We note that the image was subsequently 'cropped' before release in another place, and later still the small part of Gerry's elbow by Madeleine's right ear and the lower part of Sean's arm were skilfully photoshopped out and replaced to show the background rock wall ).

THUS

[http://www.justpamalam.co.uk/gmb//Written\\_Declaration\\_brussels08\\_corr/Slide2.JPG](http://www.justpamalam.co.uk/gmb//Written_Declaration_brussels08_corr/Slide2.JPG)



But it is very easy to crop carefully excluding the bit of Gerry's elbow - like this





This would have been a perfect, charming and heart-rending image, and it **could** have been given out on 4th or 5th May, printed and distributed.

**But it wasn't.**

In its place what they used was a very boring photo of Madeleine, in a strange pose, in an unknown location, on an unknown date. With no explanation.

This one



**AFP**

Document reference	PAR1289506
Subject name	PORTUGAL - BRITAIN - CRIME
Creation date	2007-05-04
Agency/Source/Channel	AFP
File size / Photo type	12.89 MB / 1888 X 2350 / 300 DPI

Portugal, Lagos : An undated handout picture shows three-year old British girl Madeleine McCann who went missing at the Ocean club apartment hotel in Praia da Luz in Lagos. A team of three British police detectives arrived in Portugal 15 May 2007 to help track down a suspected kidnapper believed to have abducted a British toddler.  
AFP PHOTO HANDOUT

and we note the pixel aspect ratio of 1888 x 2350  
(See point 6 later, and work out that this was NOT taken on the Canon)

3 But yet another photo was released on 4th May, and used as a front page image by the Daily Mirror on 5th May. It is the full face portrait, which adorns the cover of the book, and has become the iconic image of Madeleine wearing a red dress, and showing clearly the coloboma eye defect on which so much emphasis was placed in the first years.

This one



4 We were told by Kate that on that day (3/5/07) at 5:30pm Madeleine was “*pale and worn out, . . . really tired . . . wanted me to pick her up . . . so exhausted.*” But on the photo timed at 2:29 Madeleine looks alert, happy and smiling. What could have reduced an alert, happy and smiling child to *pale and worn out, really tired, and exhausted* in the space of three hours ? Sailing and tennis might have that capacity, in the hands of untrained and unprofessional child minders, but we recall that Madeleine did NOT play tennis that afternoon, and did NOT go sailing.

5 On the afternoon of 3rd, uniquely, all the other members of the Tapas group suddenly absented themselves from the vicinity of the Ocean Club Tapas area, and distanced themselves from the company of the McCanns. All of them - the entire group with children and grandparent - deciding simultaneously to go to the Paraiso bar, which is located on the beach some half a kilometre away.

Great play is then made of Kate's jogging on the beach itself, and being seen by the Tapas group. This is emphasised by some of the group and by Kate in her book. It has been observed that running that particular beach is extremely difficult and punishing, the sand being very fine and soft, and offering little resistance to a running shoe. It has also been observed that the way to the beach from the apartment is very angled, and that serious runners prefer straight lines. The decision to display herself on the beach in this way is thus questionable, and may have another motive.

6 So far as can be discovered there is no reference to the **Canon PowerShot** camera anywhere in the files. The only camera referred to in the PJ files is an **Olympus C-50**, examined by Det. Con. Martin,

and it is now believed owned by another totally unconnected family.

The only two clues as to the very *existence* of the **Canon** are therefore

- the photo of the dining table in the apartment taken by the PJ during the early hours of 4th, where the **Canon** can clearly be identified by its distinctive shape,



**Canon PowerShot A620**, capable of taking up to 7m Pixels



- and the EXIF metadata on the “Last Photo”.

**Camera Model Name Canon PowerShot A620**

Modify Date 2007:05:24 17:41:22

11 months, 22 days, 23 hours, 3 minutes, 2 seconds ago

Orientation Horizontal (normal)

**Related Image Height 2,304**

**Related Image Width 3,072**

*NOTE: The Modify Date is clearly the date the French Press agency added their comments.*

*The pixal aspect ratio is correct for the Canon Powershot A 620*

<https://www.dpreview.com/reviews/canona620>

	 <b>Canon PowerShot A620</b>
Sensor	<ul style="list-style-type: none"><li>• 1/1.8" Type CCD</li><li>• 7.1 million effective pixels</li></ul>
Lens	<ul style="list-style-type: none"><li>• 35-140mm equiv. F2.8-F4.1</li><li>• 4x optical</li></ul>
Storage	SD/MMC
Processor	DIGIC II
Top shutter speed	1/2500* * not all shutter speeds can be used with all apertures
Macro Focus (wide)	1cm
Max image size	3072 x 2304

We do know however that twice in her book Kate reports that “**my camera**” had been taken away by Russell Oldfield during the late evening so that the poster could be prepared. That MUST therefore refer to **Canon**. And it MUST therefore also be the **Canon** to which Gerry refers when he says that he has no other photos in his possession.

Gerry also helpfully adds that it is Kate who takes most of the photos.

In her book Kate claims ownership of the “*tennis balls*” photo and the “*Last Photo*”.

Since Gerry is visible in at least one of the others, the implication is clear.

Kate took the family photos.

7 Gerry specifically states in a signed statement to the PJ on 10th May that he had no other photos in his possession. The PJ may have relied on this statement and assumed that he was telling the truth. The sudden appearance of the “*Last Photo*” **after** his return from the UK , with Clarence Mitchell, and **after** the arrival of his sister in Portugal, clearly bearing the EXIF metadata **is therefore extremely suspect**.

Can this list of facts ALL be simply coincidences ?

The camera - with the *Last Photo*, retained - **Canon PowerShot A620**

The date of the trip to the UK

The photographic skills and knowledge of the brother-in-law

The skills and knowledge of Astronomy of the brother-in-law

The date of return to Pdl, with Mitchell

The date of the trip by the sister to Portugal

The date of release of the 'Last Photo' to the world's press

The pre-emptive and unnecessary insistence on looking at the time (and date) of the photo

The fact of the total lack of witnesses to show Madeleine alive on 3rd ( or indeed after 29th)

The explanations for almost every *difficult* aspect of the story

Or does it amount to something else ?

## ALMOST THE LAST WORD ON THE LAST PHOTO !

In the Chapter "*Floppy sun hats and flapping curtains*" I showed how the Last Photo, the Pool Photo could **not** have been taken at lunchtime on 3<sup>rd</sup> May

In the Chapter *The Last Photo* I showed how it was clearly possible for four clearly identifiable people, acting on concert, to take the image, alter the EXIF Metadata, take it back to PdL, and hand it to the person responsible for putting it into the public domain.

Both Chapters concentrated on proving what the photo was **NOT**.

Here I return to the theme, and try to establish what the photo actually **IS**  
In other words, when was it taken ?

**Why is this so important ?**

**Why should we spend so much time bothering about this one photograph.**

It is for this reason.

The initial story about forced and broken shutters did not last even 24 hours. The "*man carrying child*" meme lasted longer until it was picked to pieces by researchers and then officially destroyed by DCI Redwood. Team McCann find it impossible to let this go, and it is still shown on their official website.

The complete and total lack of any forensic trace of an intruder, and then the devastating 'evidence' of the alerts by the blood and cadaverine dogs left the McCanns in a perilous position. It leaves them with absolutely nothing to support their official story.

They **rely** therefore on this one image.

The McCanns put this image in the public domain nearly three weeks after the alleged event as *proof* that Madeleine was alive and well at lunchtime on Thursday 3<sup>rd</sup> May. No other images have been used in that way, no other dated images from the rest of the holiday - Monday, Tuesday, Wednesday, for example - were ever put into the public domain.

For a close and loving family, on an exciting early season holiday with little children the lack of photos and video footage - the Canon PowerShot A620 is capable of taking video at very good resolution - is, it is submitted, very significant and very revealing.

But there is nothing. No video of the children trooping through the village holding on to *Sammy Snake*, eating ice creams, sitting on the bed reading, sailing, swimming, playing tennis, painting, dancing, having 'high tea', . . . **NOTHING**

And that itself is highly suspicious.

So let us re-cap on the Holiday weather.

We have

- Official weather reports
- Statements from the Tapas group,
- statements from independent observers

AND



- photos taken by independent people, timed and dated, and posted on line.
- Video and stills from a major wind-surfing competition just along the coast.

ALL agree, and ALL make it impossible for the Last Photo to have been taken on 3/5/7

As was said a long time ago, the weather that week was pretty much a washout. The Algarve - despite what Gerry clearly believes - is on the North Atlantic. This is a cold sea, and brings with it cold air temperatures. April and May are still spring. When we look at the statements and rogatories of the group, all say the same thing. After the arrival day - Saturday - and the first full day - Sunday - the weather was dreadful. It was cold, and even raining, necessitating wearing all their available warm clothes; two families at least saying they did not lift the shutters all week; the McCanns driven back from the beach after 20 minutes because the children did not like the cold wet sand.

And it only seems to have started to change significantly by the evening of Thursday 3rd.

### Matthew Oldfield

Erm, it wasn't, erm, not specifically, it was a **better** day on the Thursday than it was on the Wednesday, because we had rain, and I think it was **sort of warmer and bit more clear**, I don't remember the, **it may have been a bit cloudy**, but I don't remember specifically".

\* \* \*

### Rachel Oldfield

"... probably that **the weather had been a bit better that day**

\* \* \*

### Fiona Payne

I actually am wondering whether we went to the beach at all before Thursday, just because I'm thinking about the weather and I remember thinking at the time, it's such a shame for the kids that we haven't really gone to the beach, because, you know, that a part of the reason we chose the resort".

\* \* \*

1485 "The first time?"

Reply "We definitely went on the Thursday and I think that might have been the first time we actually did that as a group, minus Kate and Gerry".

\* \* \*

And I remember **the Thursday was a bit of a transition day**, as I say, you know, with the weather, **it just seemed to warm up**, it was sunnier, erm, and it was a very pleasant evening, you know, it was a nice sunny evening, warm"

\* \* \*

### TANNER

Reply "Yeah, I think err so it wasn't, that's one reason why we didn't open the shutters to open the window or anything in that room, it wasn't actually really hot at all, it was actually quite cloudy in the days and at night it was actually quite chilly."

4078 "**So it wasn't sort of going in the pool weather** or, only if you're very brave."

Reply "**No it was really, really cold**,

\* \* \* \*

### Diane Webster

4078 "But Wednesday stands out to you because you know the weather wasn't very good?"

Reply "Wednesday I remember because it was raining in the morning, we thought oh no tennis, you know, but we did have the tennis later on because I remember err we were waiting for the courts to dry."

### GM AND KM First statements

Apart from the Kids Club and the apartment, they only went to the beach with Madeleine and the other children once, and only for a very short period of time, because the weather was unstable, which happened between 1.30 and 3 p.m., when they returned to the club.

### **GM Second statement**

They were at the beach for about 20 minutes, the deponent and MADELEINE having put their feet in the water. During this time the weather changed with a cloudy sky and cold, therefore they went to a terrace at a café near the beach, on the left, where they bought five ice-creams and two drinks.

\* \* \*

In any event the pattern is well established

Thursday is described as “*transition day*”, the weather beginning to change, with the evening being rather better.

It was “*a bit better*” on Thursday, - but this is in comparison with Wednesday when it was raining and the tennis was cancelled

Thursday is the first day in their collective recollection that the sun had *begun* to come out. It was *a bit more clear*. But still not warm enough for sunbathing.

And so on.

We recall the strange description by Kate of the whooshing curtains and slamming door, (see previous Chapter) and note that not one other person records this significant and major event.

What the McCanns failed to notice is that PdL is a small town on the Atlantic coast. It has a small fishing fleet . This means that weather conditions are and have always been very important to the locals.

This in turn means that, as with any other sea faring nation, the system of Meteorological reporting and the keeping of records has become highly specialised and extremely detailed. Portugal has acquired air transport, and Air Traffic records are even more detailed. Those reports are in the public domain, and go back a very long way.

And from those records we can say with certainty that the Tapas 7’s descriptions of the weather are absolutely correct.

The weather that week was ghastly, heavily overcast, cold, windy, with rain on the Wednesday. There was a major wind-surfing competition just along the coast, and video from that event bears this out.

On Thursday it began to change. By mid to late afternoon the cloud was beginning to break up, and by late evening had largely dispersed, leaving a clear and still, and fairly cold night.

Clear and still - being the operative words.

So let us now look at some contemporaneous account of the weather that week, recorded by a retired professional observer of these phenomena, and meticulous diarist.



## Extracts from communications (edited)

Witness / Commentator 1

### **Calendar of Events. and notes about weather**

*[This has been heavily edited to focus on the weather related items]*

Saturday, April 28 2007.

Clear skies with warm temperatures for time of year enabled a full entry in the golf competition at the nearby Boavista Resort. From 1 'til 4 pm, warm dry conditions. Clear skies at night resulted in cooler conditions by dawn the following day.

Sunday, April 29 2007. Another fine day (warm once the Sun got up) but some evidence of weather on the change by evening. No threat of frost for the following day due to cloud cover that night.

Monday, April 30 2007. Cloudy day, but dry and average temperatures.

Tuesday, May 1 2007. Cooler cloudier weather,

Wednesday, May 2 2007. Cool, cloudy with sunny spells and moderate winds

**Thursday, 3 May 2007** Weather continues cool and cloudy with sunny intervals, *but not pool dipping weather.*

Noticed first evidence of weather change, as by 7.15 pm cloud was clearing from the North.

Just after 11 pm night sky clear with full moon

I arrived at my apartment about 11:45 pm. It was a clear dry moonlit night and no sound of human or vehicular activity, and it was good to reflect that better weather had now set in.

In fact, the rains did not return until 14 June.

Friday 4 May, 2007 I was awakened at c.0750 on a fine clear morning,

Saturday 5 May, 2007. Weather continues fine and sunny.

*— — — — —  
This witness was then shown the sequence of photos. All are in the public domain. They are posted on various sites dedicated to photos, notably Flickr*

**Saturday 28th April 2007**



Taken on April 28, 2007  
Canon PowerShot SD600 IS

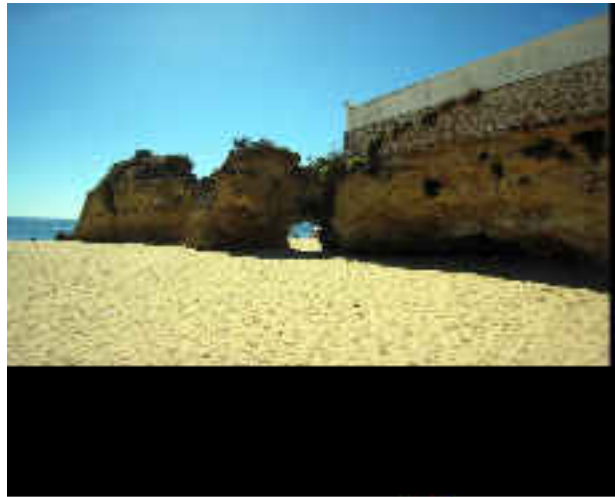
And compare the clouds with the clouds in the photo we reasonably believe was taken on Saturday, late afternoon, after the families had settled in and were beginning to explore.



Sunday 29th April 2007



Taken on April 26, 2007  
Canon PowerShot SD300 IS



Taken on April 26, 2007  
Canon PowerShot SD300 IS



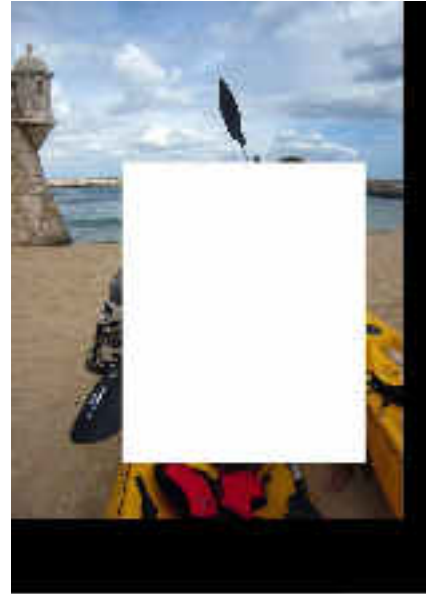
Taken on April 26, 2007  
Canon PowerShot SD300 IS

By the evening of Sunday 29th April a cloud bank can clearly be seen on the horizon



**Monday 30th April 2007**



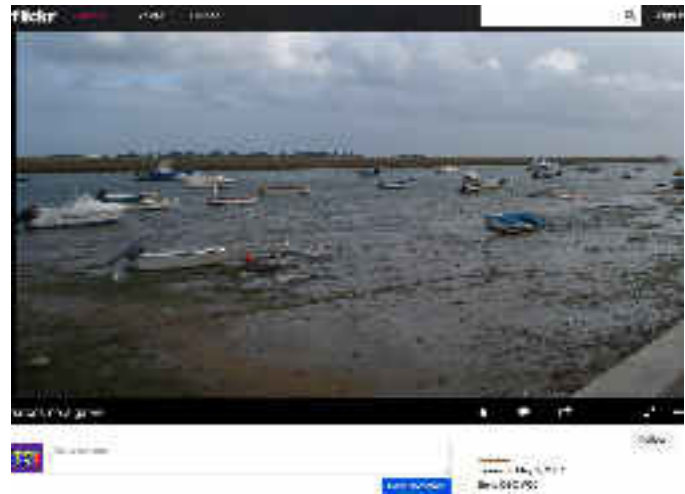


**Tuesday 1st May 2007**

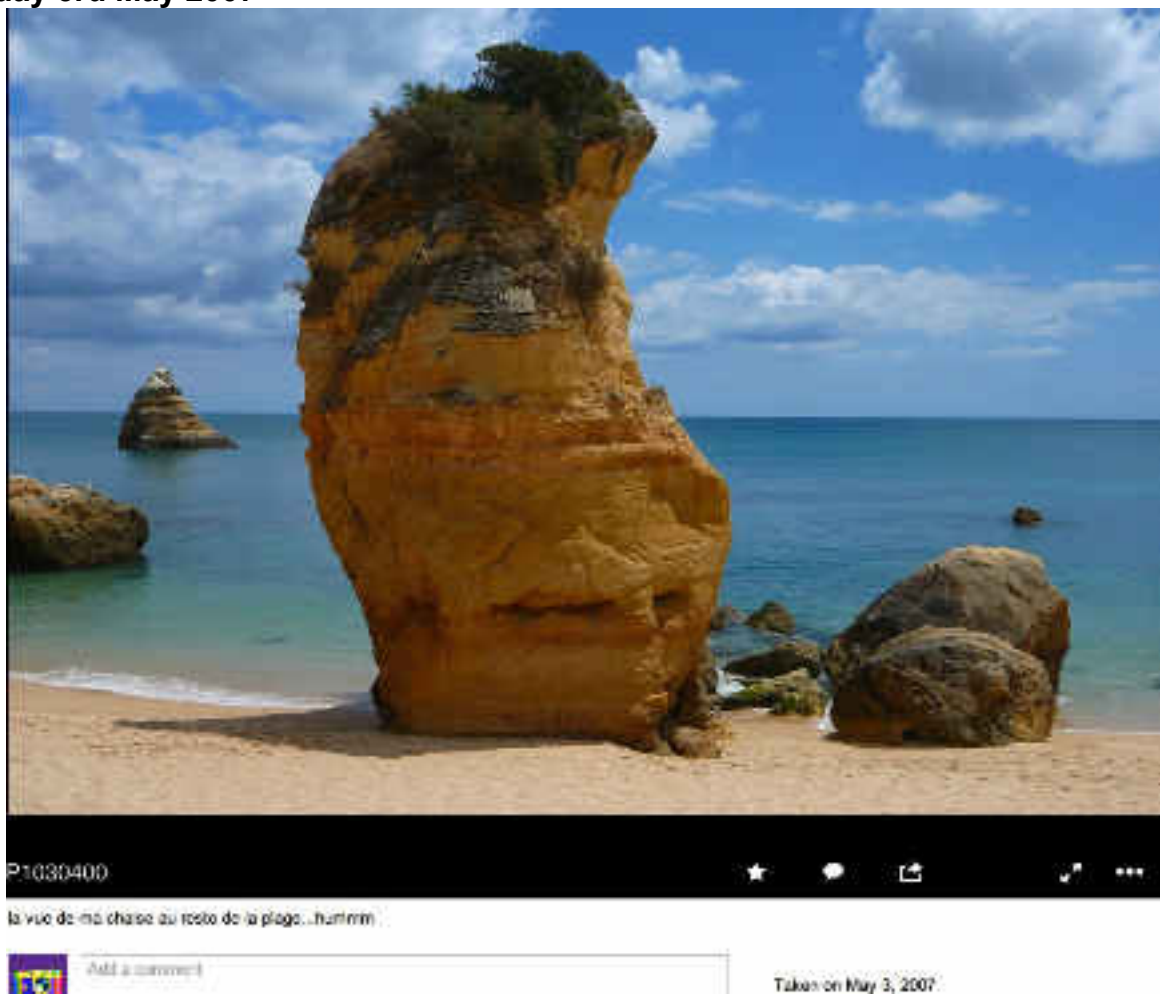




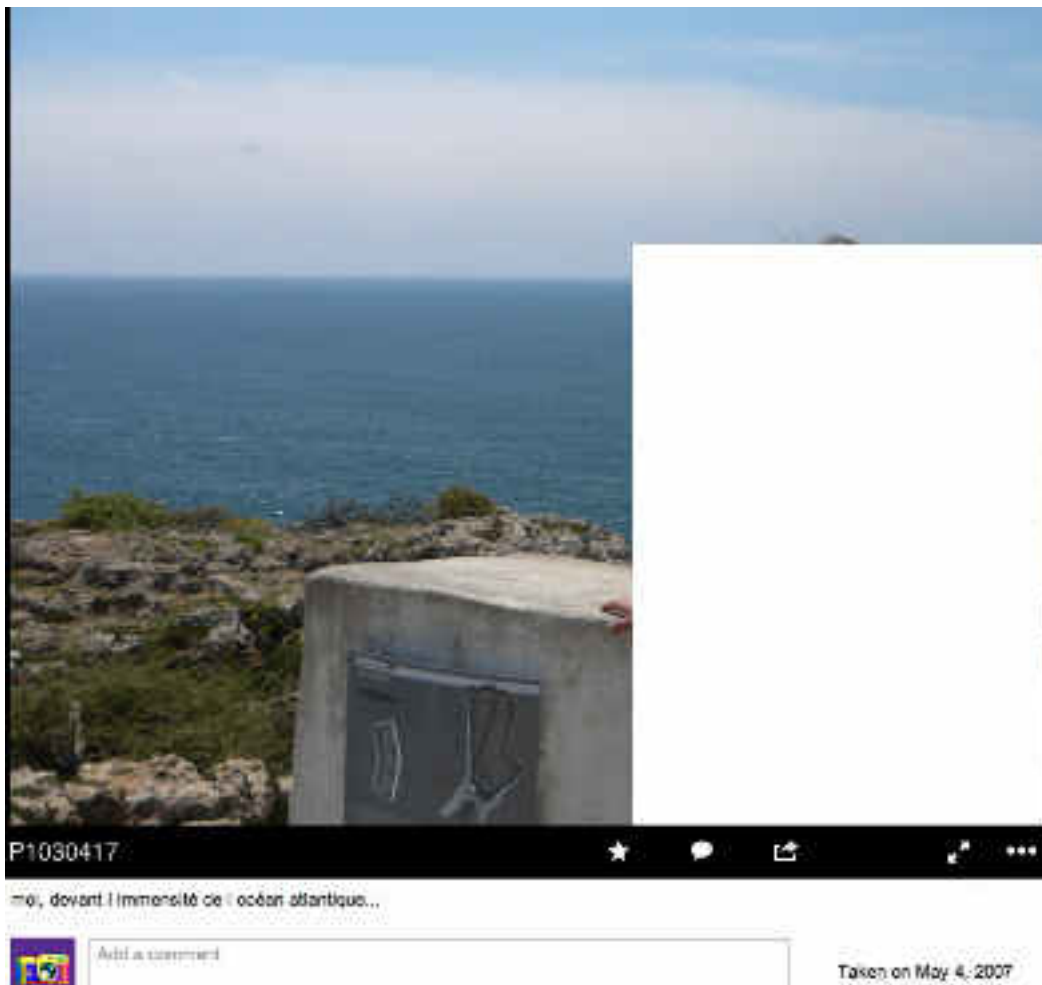
Wednesday 2nd May 2007



Thursday 3rd May 2007



Friday 4th May 2007



Having viewed the sequence of photos above, the expert and local resident said  
*the sequence indicates a typical weather system movement in Portugal.*  
*In short, it shows clearer cooler, but brighter weather, moving down from the North on a NW wind (the prevailing western Algarve wind) and displacing milder but wet and cloudy weather as it does so. [The Pictures] of a local Algarve scene taken on the 4 and 5 May [ . . . ] indicate that a period of clear northerly airstream weather (typically lasting a week or so) has finally moved in.*

-----

*The Met sequence and the photo sequence coupled with the evidence of conditions given by the Tapas 9 confirms a typical Algarve weather pattern; thereby casting serious doubt on the McCann's date for the last photo. Wind speed is still the overriding factor in eliminating 3 May as the date of photo in my opinion. It is difficult to judge the wind conditions from the pictures on either date, but the evidence of all (on the ground at the time) consulted indicate that **the photo as posed would not have been possible on 3 May.***

**However of much greater import** - is the wind speed and cloud factor.  
At 1400 on 3 May, wind speed is recorded as force 4 with a still air temperature of 17 C.

*Although the pool area is to some extent sheltered, with the westerly direction component the wind would be markedly chilly with a chill factor pulling the temp down to as low as 15C - definitely not suitable for scantily clad pool activity.*

*Of far greater importance; however, on the photo there is no sign of any disturbance of Madeleine's hair which hangs lankly below her hat. A hat which; moreover, is perched loosely on top of her head and would not remain unsupported in a Force 4 wind. Clearly, the cloud factor on 3 May would rule out such a photo.*

-----

### **(Short discussion about the photo dated 3/5/2007**

Solar zenith - noon - on 3rd May 2007 was at 13:29.

The temperature rises to its maximum two hours or so *after* this time.

The photo shows the sea, which by definition in the Algarve is to the south.

The shadow cast by the pillar of rock indicates that the sun is to the right, i.e. to the west.

The time of the photo may therefore be calculated and estimated using common sense.

It is some hours *after* Solar noon.

The cloud cover is *beginning* to break up, but is still at least 6/10, even 7/10.

Unless there are other reasons, people take posed photos when the sun is shining, not when it is obscured.)

*All these pictures have been put in the public domain by their owners, but for various reasons the personal details have been erased / redacted, and it is not intended to reveal the exact source of each, other than to the proper investigative authorities.*

*Anyone with sufficient internet skills can however find them for him- or herself.*

-----

Where else might we look for confirmation ?

This shows an extract from the "*Last Photo*" showing the reflection from GM's forehead, allegedly taken on Thursday 3rd May, and a photo **verified** as taken on Sunday 29th April, showing a very similar reflection in a slightly moist forehead.





Date stated as 3<sup>rd</sup> May 2007, 14.29

Sun elevation: 65.11°

Facing South, sun rays coming from South South West. (see picture 1b)



Date: 29<sup>th</sup> April 2007, 12.05

Sun elevation: 60.17°

Facing South South East, almost directly at the sun which is coming from South South East (see picture 2b).

Conclusion:

What then can we reasonably conclude ?

On the balance of probabilities - but moving very close to "Beyond a reasonable doubt"; certain, so that we are sure . . .

The Last Photo = the Pool Photo was taken around lunchtime on Sunday 29th April 2007, and was NOT taken at 1329 on Thursday 3rd May

It was taken on the Canon PowerShot A620 - the McCanns' camera. It was taken by Kate as

she has stated, with Sean somewhere to the side, very probably the focus of Madeleine's attention.

It was not used for the poster, nor was it handed to the PJ. Its existence was concealed from the PJ by Gerry - when he said he had no more photos in his possession.

Nearly three weeks later it was revealed to the world by Clarence Mitchell who drew attention to the time and date recorded in the EXIF Metadata.

The identity of the person who altered the metadata, and the person who physically brought the altered image to PdL to hand to Gerry and Mitchell can be guessed at with some degree of confidence.

So we conclude that the photo is a forgery. It tells a lie about itself, in that it "purports" to be an image recorded on Thursday 3rd May 2007.

It is not.

The placing of this image in the public domain, with the clear intention that it should be used to persuade people of its veracity, including Portuguese and British Police officers, and the investigative and prosecution authorities of both countries is capable of amounting to

Conspiracy to Pervert the Course of Justice under English law,  
and its equivalent under Portuguese Jurisdiction

**Why did they do this ?**  
**Any child could have told them they would be found out.**

**Shutters**

Let us start with the first thing they told their own family and friends.

- . . . the window in the bedroom . . . and shutters were **jemmied** open
- She told me, 'They have **broken** the shutter on the window
- Kate said the shutters of the room were **smashed**.
- She just told me . . . that the shutters of the apartment had been **forced**

So now **let US** look at the shutters

(The first two photos were taken during the night of 3-4 May 2007.

The second ones the following morning, 4/5/7, so they are covered in fingerprint powder . . .)



**Jemmied . . . broken . . . smashed . . . forced . . . ?**

It was the first statement they made. They said this to close family and friends, who clearly had instructions to repeat it to the Press. In so doing they involved their close friends and relatives in the web of deceit.

**WHY ?**

**How did they ever imagine they could get away with this ?**

## The strange case of Madeleine's name.

### Kate McCann

*"My consolation is that on the cover he calls her **Maddie**, the name that the media have invented. **We never called her anything like that.**"*

*". . . but she hated it **when we called her Maddie** - she'd say, 'My name is Madeleine', with an indignant look on her face." [- but you just said you **never** called her that . . . which is it ? ]*

### Everyone else

#### Gerry McCann

*'April 2005 - Back in Leicester and looking for a job. Now father of three with Sean and Amelie joining **Maddie**.'* [entry on Friends Reunited ]

*"Today we think that if **Maddie** had been taken or killed quickly, there would have been evidence [of this]."*

#### Madeleine's Fund launched

*Text "**MADDIE**" to 60999 and £1 will be taken from your phone for the Madeleine Fund.*

#### Trish Cameron (Gerry's sister)

*"When Kate checked, she came out screaming. **Maddy** had gone.*

#### Eileen McCann (Gerry's mother)

*"Anyone who knows Gerry and Kate knows that they cherished **Maddie**."*

#### John McCann (Gerry's brother)

*"They're much more positive about things that can be done to get **Maddy** back."*

#### Jon Corner (Close friend)

*"She just told me that **Maddy** had been abducted,*

#### Mark McQueen (Sean's godfather)

*"We know **Maddie** very well.*

***"We never called her anything like that"***



**How did they ever imagine they could get away with this ?**

## The strange case of the eye defect

The eye blemish — often referred to as the "mark of Madeleine" - has formed a key part in the campaign to highlight her disappearance. It is played up prominently on posters and videos. It is actually what doctors call a coloboma - or defect - of the iris.



Gerry McCann “The iris is Madeleine’s only true distinctive feature. Certainly we thought it was possible that this could potentially hurt her or her abductor might do something to her eye . . . but in terms of marketing, it was a good ploy.”

The McCann family has asked health professionals to look out for Madeleine McCann, a 4-year-old English girl with a coloboma of her right iris, who was abducted while on holiday in Praia Da Luz, Portugal, on May 3, 2007. (*The Lancet*: Vol 369, No.9576, p.1846, 2 June 2007)

***K. McCann: If I'm honest, we haven't put too much emphasis on her eye, because I think you have to be very close to her to see it.***

**“ IF I’m honest . . . ! “**

**How did they ever imagine they could get away with this ?**



## Curtains

### Kate McCann

She noticed that the door to her children's bedroom was completely open, **the window was also open, the shutters raised and the curtains open**, while she was certain of having closed them all as she always did.

OR . . . if you prefer a completely different version, try this -

### Kate McCann

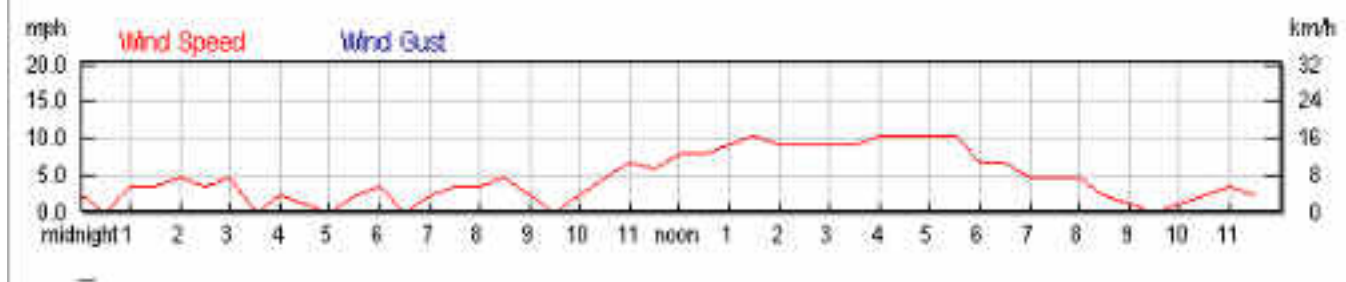
and literally, as I went back in, **the curtains of the bedroom which were drawn,... were closed, ... whoosh ... It was like a gust of wind, kinda, just blew them open**

And this is the photo of the room, showing

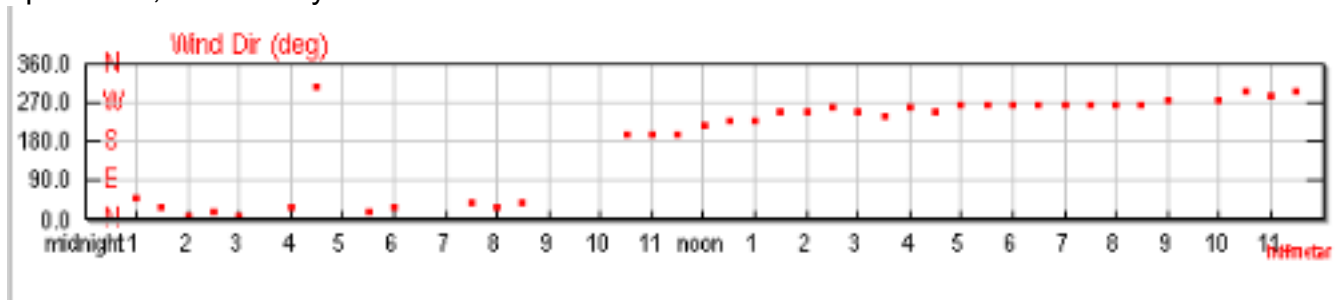
- shutters DOWN
- shutters NOT broken,
- curtains trapped behind the chair and between the bed and the wall.



At 10 pm the wind speed was around 4m/s, Force 2



And what wind there was, was westerly, moving gently along the road, parallel to the apartment, not directly at the window



**How did they ever imagine they could get away with this ?**

## Publicity - Where do they stand ?

### Leveson - under OATH !

Mr Jay:. Of course, we all here understand that your overriding objective is the continuing search for your daughter.

We've seen from your statements, or we will see, once the statements are publicly made available, that in terms of reporting, you've experienced what I might call the good, the bad and the particularly ugly side of the press.

One might ask this: *is it helpful to have Madeleine permanently in the public eye?*

MR McCANN: I've talked about this on several occasions in the past, and **I do not feel it's helpful**, and particularly at the time when there were daily stories running throughout 2007 and 2008. It became very apparent to us early on there was an incredible amount of speculation and misinformation. It led to confusion amongst people. All we need to do is periodically remind the public who have supported us so much that Madeleine is still missing, there's an ongoing search and those responsible for taking her are still at large and have to be brought to justice.

MRS McCANN: I was just going to say obviously there was a period when Madeleine was on the front page of a paper every day, and I know occasionally people would say to me *"That has to be a good thing, hasn't it? She's in the public eye"*, **and that isn't the case** because when the story is so negative about her, and we'll come into that, obviously then that is not helpful. As Gerry said, I think it's a reminder that's important, that's all.

### Compare and Contrast . . . !



The screenshot shows the 'hanover McCann Family' website. At the top, there is a navigation bar with links: 'home', 'what we do', 'careers', 'about us', and 'media office'. Below the navigation bar, on the left, is a badge for 'CIPR EXCELLENCE AWARDS 2007 WINNER'. To the right of the badge is a testimonial text: 'We helped the McCann family deal with the media storm which surrounded them on their return from Portugal in September 2007. From scratch, we created a comprehensive media handling package within six hours which enabled us to handle 850 media calls in the first week. By giving journalists positive stories to report, coverage turned from hostility to the McCanns to sympathy about their ordeal. This campaign won the crisis communication category at the 2008 CIPR awards.'

### Or if you prefer . . .

Attempts to scrutinize the Murdoch empire were fiercely resisted by its allies in the British elite, who contrived to say they didn't understand what the fuss was about. 'I don't want to know what happened to the Dowler family, and I'm very sorry, but honestly I can't get into a state about it,' says Lord Bell, Thatcher's former advisor, chairman of PR giant Bell Pottinger, and a close ally of the Murdoch empire. He has long given Rupert Murdoch PR advice, and advised Rebekah Brooks during the phone-hacking scandal. 'And I'm really not interested in what the McCanns think, because the McCanns paid me £500,000 in fees to keep them on the front page of every single newspaper for a year, which we did.'

**How did they ever imagine they could get away with this ?**

## To fee, or not to fee. That is the question.

17 May 2007 - Brian Kennedy - explains about the Fund - *so the money can be used, errr . . . for all sorts of reasons, but probably **mainly for legal expenditure***

<https://www.youtube.com/watch?v=w4jsLkwa7cc>

18 Sept 2007 - This week, prospective MP Esther McVey, one of the six trustees of Madeleine's fund, met with lawyers to examine the legality of breaking into the £1m worth of public donations. . . "Fund directors have decided **not** to pay for Kate and Gerry's legal defence costs," said Esther.

[http://www.wirralglobe.co.uk/news/1695404.Madeleine\\_fund\\_won\\_t\\_be\\_used\\_for\\_legal\\_fees/](http://www.wirralglobe.co.uk/news/1695404.Madeleine_fund_won_t_be_used_for_legal_fees/)

29 Jan 2009 - Support for her parents - Kate and Gerry - was rocked when Portuguese police named them as suspects, and when it emerged they had used public donations to **pay two £2,000 instalments on their mortgage**. The fund spent £111,522 on legal fees and expenses - (not the McCanns' Defence Lawyers .)

<http://www.dailymail.co.uk/news/article-1131284/Where-2m-gave-Madeleine-McCann-gone.html>

News from a UK tabloid that the parents of Madeleine McCann are banking on money donated to the Find Madeleine Fund **to pursue former PJ policeman Gonalo Amaral through the courts** has caused a major stir on social media - not least because the couple **vowed** in 2007 that this could **never** happen.

A report in Sky News said nine years ago that trustees had announced that "Money from the Find Madeleine campaign will **not** be used to fund Kate and Gerry McCann's legal costs".

\* \* \*

But according to Jerry Lawton of the Daily Star, **this has all now changed**.

They have been ordered to pay both their own and Amaral's court costs, he said, but this will clearly be suspended while their new "legal bid to silence the former detective" is considered by Portugal's Supreme Court.

**"If they lose, the legal bill could wipe out the Find Madeleine Fund set up using public donations to help the search for their daughter"**, Lawton warns.

"If they lose there will be a **big legal bill to pay**", said the friend - confirming the money would have to **"come from the fund set up to find Madeleine"**.

<https://portugalresident.com/controversy-as-mccanns-use-find-madeleine-fund-to-pursue-former-pj-cop-through-courts>

19 JAN 2013 - Madeleine McCann's mum ploughs £1m from book sales **into** search for missing daughter. **She** ploughed the money **into** the search fund for her missing daughter which had run dangerously short of cash *[Front cover - "All royalties donated to Madeleine's Fund" !]*

<http://www.mirror.co.uk/news/uk-news/missing-madeleine-mccann-mum-kate-1544308>

2 Sept 2015 - Family spokesperson Clarence Mitchell said today: "They realise it cannot go on forever." He told how former GP Kate and heart doctor Gerry, both 37, of Ruthless, Leics., had **moved money from** the publicly-backed Find-Maddie Fund **into a special account** in anticipation of having to finance the hunt for their daughter themselves.

A source close to the family said: "Kate and Gerry firmly believe Madeleine could still be alive and *when the police investigation ends, they have vowed to continue looking for her.*

"They don't know when this will be, there has been so suggestion yet, but they want to be ready and **have set aside huge chunks of money** for this reason."

<http://www.mirror.co.uk/news/uk-news/madeleine-mccanns-parents-ready-continue-6370581>

## How did they ever imagine they could get away with this ?



## Private Eyes

In 2007 the McCanns engaged **Metodo 3** to “find Madeleine”. The company is based in Barcelona, at the diagonally opposite corner of the peninsula from PdL, and has no power to investigate in Portugal.

*“Mitchell says the decision to hire M-3 on a six-month contract from September was taken “collectively” by Gerry McCann, and the family’s lawyers and backers, on the grounds that the agency had the manpower, profile and resources to work in several countries.”*

After inventing sightings in Morocco, saying that they would “*have Madeleine back by Christmas*” - a fact denied by the McCann’s lawyers, but admitted by both the McCanns and by Mitchell - Giménez Raso was held on remand for 4 years for alleged drug dealing, and the company subsequently went bust. A recent book has shown the extent to which the Fund was being defrauded, apparently under the noses of the Accountants and Solicitors. Both firms deny negligence and threaten “defamation”.

Next was **Oakley International** and Kevin Halligen. He defrauded the Fund of another half a million sterling. Clarence Mitchell first described them as “*the big boys, the best there is in international investigation*”. Subsequently Mitchell said: ‘*The first phase of the contract was satisfactorily seen through, such as the setting up of the hotline. Towards the end of it there were question marks about delivery and the relationship was terminated.*’ [In fact not a single message to the hotline was EVER followed up] *Given Mr Halligen is in custody it is inappropriate to comment further.”*

Halligen was extradited to the US and imprisoned for offences there. He has never been prosecuted in the UK for offences against the “Fund”, nor it seems has any attempt been made to recover the monies defrauded.

The Solicitors and Accountants accuse anyone who enquires - of defamation.

Then Mitchell announced the hiring of “*a team of crack detectives* “. He gave the clear impression that this was **Alpha Investigations Group** of the USA, a respectable company. In fact the two long-since retired Det Sgt and Det Insp set up the company **ALPHAIG**, with a company address in a pigeon loft in Wales, many weeks **after** Mitchell had made this extraordinary and obviously mendacious announcement.

Their net contribution to the “search” was to fail utterly to investigate an alleged incident involving a prostitute in the dock area of Barcelona, then to invoke “*chloroform*” which the McCanns and FP as anaesthetists must realise was ludicrous, and then to come out with “*She is being held in a Hellish Lair, in the Lawless hinterlands, within 10 miles of Praia da Luz.*”

The contract appears to have been terminated soon after.

No attempt has apparently **ever** been made to search for the *Hellish Lair*.

No attempt has apparently **ever** been made to recover the monies defrauded

**How did they ever imagine they could get away with this ?**

## **Some Philosophical thoughts. In which we examine Logic and the absence of evidence.**

I want to go through this slowly, and at some length, partly because it is important that any error, misunderstanding, or false logic may be identified and challenged, and partly because the subject may not be familiar, or at least not currently at the forefront of people's minds. For that reason some of the themes are repeated each time they become relevant.

Any who wish to explore further could do worse than to start with Wikipedia.

Once we have covered the logic and philosophy we can begin to apply it to the case in question.

### **Evidence of Absence.**

'*Evidence of absence*' is evidence of any kind that suggests something is missing or that it does not exist.

We remember the traditional aphorism, "*absence of evidence is not evidence of absence*". But here we are considering *positive* evidence of this kind, and realise that is distinct from a *lack* of evidence or ignorance of that which, had it existed, should have been found already,.

When we say positive evidence, we mean of course the lack of something we might have expected to find. Not that we simply didn't look, or didn't find it, but that we **did** look, hard, and it was not there.

So there is a difference between saying - - - - *I don't know if it was there or not*, and saying firmly - - - - *I can state that it was **not** there.*

That is a significant difference, and philosophers and logicians down the ages have played with the concept.

One example

*In some circumstances it can be safely assumed that if a certain event had occurred, evidence of it could be discovered by qualified investigators. In such circumstances it is perfectly reasonable to take the absence of proof of its occurrence as positive proof of its non-occurrence.*

Irving Copi - Introduction to Logic (1953) p. 95

Others have taken the concept further, and have refined the circumstances under which the lack of evidence moves from negative to positive proof.

The best remembered example is perhaps this one

*If someone were to assert that there is an elephant on the quad, then the failure to observe an elephant there would be good reason to think that there is no elephant there.*

*But if someone were to assert that there is a flea on the quad, then one's failure to observe it would not constitute good evidence that there is no flea on the quad. The salient difference between these two cases is that in the one, but not the other, we should expect to see some evidence of the entity if it in fact existed.*

*Moreover, the justification conferred in such cases will be proportional to the ratio between the amount of evidence that we do have and the amount that we should expect to have if the entity existed. If the ratio is small, then little*

*justification is conferred on the belief that the entity does not exist.*  
*For example, in the absence of evidence rendering the existence of some entity probable, we are justified in believing that it does not exist, provided that*

- 1) it is not something that might leave no traces and*
- 2) we have comprehensively surveyed the area where the evidence would be found if the entity existed.*

JP Moreland & WL Craig, Philosophical Foundations

It is settled in logic, as well as in most legal systems, that when two parties are in a discussion and one asserts a claim that the other disputes, the one who asserts has the burden of proof to justify or substantiate that claim.

There are exceptions to this. For example when one person asserts something which is held to be generally known or scientifically established.

In the language of logic - *either a proposition is assumed to be true because it has not yet been proved false or a proposition is assumed to be false because it has not yet been proved true.* This may have the effect of shifting the burden of proof to the person criticising the proposition. This is the basis of the scientific method.

In English law, for example, it is clear that the burden of proof is always on the Prosecution, which is required to show

- 1 That an offence known to law has been committed, and*
- 2 That the accused committed it*

But even here, there are times when although the burden of proof does not shift, inferences may be drawn from *absence of evidence*.

So, for example

*Adverse inferences may be drawn in certain circumstances where before or on being charged, the accused:*

- *fails to mention any fact which he later relies upon and which in the circumstances at the time the accused could reasonably be expected to mention;*
- *fails to give evidence at trial or answer any question;*
- *fails to account on arrest for objects, substances or marks on his person, clothing or footwear, in his possession, or in the place where he is arrested;*  
*or*
- *fails to account on arrest for his presence at a place.*

Criminal Justice and Public Order Act 1994

[This has in fact just been invoked in the case against the man accused of murdering the MP Joe Cox. (22/11/2016). He refused to offer any defence, and the jury was told they might draw proper inferences. He was found Guilty ]

And the Police Caution, given before questioning of a suspect has changed from  
*"You do not have to say anything unless you wish to do so, but what you say may be given in evidence."*

to

*"You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in court.*

*Anything you do say may be given in evidence."*

Police and Criminal Evidence Act 1984, s.28

The burden of proof is still on the prosecution, but the philosophical position of *absence of evidence* becoming *evidence of absence* is now covered. And note that it talks of *Harming the Defence*, not proving the case. There must be other evidence. Only an inference is raised. Silence alone cannot convict.

### So what do we learn

In order for *Absence of Evidence* to transmute into *Evidence of Absence* we need to show

- 1) *it is not something that might leave no traces*
- 2) *a comprehensive survey of the area where the evidence would be found*
- 3) *Ideally using Qualified Investigators*

### A few more examples of how people have dealt with this

Argument from ignorance (*argumentum ad ignorantiam*), is also known as appeal to ignorance. Here 'ignorance' is used in the sense of "*a lack of contrary evidence*"

It is a fallacy in informal logic. It asserts that a proposition is true because it has not yet been proved false (or vice versa). This is a type of false dichotomy in that it excludes a third option, which is that there may have been an insufficient investigation, and therefore there is insufficient information to prove the proposition be either true or false.

Nor does it allow the admission that the choices may in fact not be two (true or false), but may be as many as four, *True, False, Unknown, Unknowable*

This fallacy can be very convincing and is considered by some to be a special case of a false dilemma or false dichotomy in that they both fail to consider alternatives. A false dilemma may take the form:

*If a proposition has not been disproved, then it cannot be considered false and must therefore be considered true.*

*If a proposition has not been proved, then it cannot be considered true and must therefore be considered false.*

*Such arguments attempt to exploit the facts that (a) true things can never be disproved and (b) false things can never be proved. In other words, appeals to ignorance claim that the converse of these facts are also true.*

*Therein lies the fallacy.*

Duco A. Schreuder, Vision and Visual Perception

Or again -

Because there is always the faint possibility that evidence hasn't been observed yet, a common maxim is that "*absence of evidence is not evidence of absence*" - and is often used by people to hang on to their beliefs even when faced with a lack of evidence for them.

However, this is technically an incorrect maxim; if evidence is lacking when we expect it to be abundant, then it **very much** allows us to dismiss a hypothesis, and *absence of evidence clearly* becomes *evidence of absence*.

## A parting shot

The only case in which *absence of evidence* is not *evidence of absence* is when no attempt whatsoever has been made to obtain evidence ...  
But that is not *absence of evidence*, it is **absence of investigation**.

And we can compare and contrast all the above with *evidence of existence*, where just one piece of credible evidence may establish the point beyond doubt

## Why is this important ? Back to the real world

Let us take the above and apply it to the question of the Complete Mystery of the Disappearance of Madeleine Beth McCann

We surely look for "*evidence of **existence***", where just **one** good piece of evidence would establish the point. (*'Existence'* meaning '*of the abduction*')

It is important to stress, repeatedly, the Burden of proof has not moved. It is still on the McCanns to show evidence of Abduction. Merely repeating "*Abduction*" endlessly and threatening to sue for libel those who question the assertion is NOT proof sufficient to move the burden of proof to sceptics.

Remember that in a criminal case the prosecution has to show that a crime known to law has been committed before moving on to the person who committed it.

So let us try to help the McCanns, and those acting on their behalf - the police officers, Forensic experts, dog handlers and all the other professionals, including their lawyers, family members and witnesses, and list what the *Qualified Investigators* would concentrate on in their *comprehensive survey of the area where the evidence would be found*.

In a case of Abduction they would look for

- point of entry, point of exit
- evidence of physical presence at the location, inside and outside
- fingerprints, DNA, blood, saliva, other bodily fluids, hair, skin cells,
- dust, mud, gravel, any artefact 'foreign' to the scene, fibres from clothing,
- evidence of disturbance of bedclothes, movement of furniture,
- evidence of searching,
- footprints, shoe marks, scuff marks, glove marks
- and much more on a detective's list

but we find - **Nothing**. Not one piece of good evidence to establish the point beyond doubt.

And we reiterate that this alleged crime was emphatically NOT

1) . . . *something that might leave no traces*

but the *absence of evidence* WAS after

2) *a comprehensive survey of the area where the evidence would be found*

3) *[ . . . ] using Qualified Investigators*

During extensive interviews of the main players, and of many other people in and around the area, no evidence was found of a credible suspect. The one that was kept in the public domain for years was officially dismissed by the senior British detective in charge of the operation

This level of *absence of evidence* of intrusion and of abduction surely begins to amount to **evidence of absence**.

Simply saying *‘there is no alternative, what other explanation is there ?’* as Gerry McCann did outside the court in Portugal, was perhaps supposed to be a rhetorical question.

It is not. There are many other possible explanations, some stronger than others, and some backed by other available evidence, both positive and negative.

Saying, as they do on the web site - *The abduction is for us the only hypothesis* - may simply be evidence of a closed mind, but may indicate something else.

### On Proof

We talk of Proof. Simply stating something does **not** make it so. Even if stated several times, the position does not alter. Charles Dodgson (*Lewis Carroll*) used the device humorously in the epic nonsense poem *The Hunting of the Snark*,

*"Just the place for a Snark!" the Bellman cried,  
As he landed his crew with care;  
Supporting each man on the top of the tide  
By a finger entwined in his hair.*

*"Just the place for a Snark! I have said it twice:  
That alone should encourage the crew.  
Just the place for a Snark! I have said it thrice:  
What I tell you three times is true."*

This is instantly recognisable as ridiculous nonsense, and yet it was exactly the technique used by the propaganda minister of the Third Reich.

*". . in the big lie there is always a certain force of credibility; because the broad masses of a nation are always more easily corrupted in the deeper strata of their emotional nature than consciously or voluntarily,"*  
often misquoted or paraphrased as: "*The bigger the lie, the more it will be believed."*

*(It is actually from Mein Kampf (1925), A.H. vol 1, ch 6 "If you repeat a lie often enough, people will believe it, and you will even come to believe it yourself.")*

Variants include

*If you repeat a lie often enough, it becomes the truth.*

*If you repeat a lie often enough, people will believe it.*

*If you repeat a lie many times, people are bound to start believing it.*

## A digression on Belief.

Now let us look at what the “believers” say.

*I believe Madeleine was abducted . . .* But they then fade out.

Not one, so far as I know, has added the subordinate clause . . . **because there is clear evidence of X, Y, or Z.**

*I believe the parents were not involved in her disappearance . . .* but again they fade out.

Not one, so far as I know, has added the subordinate clause . . . **because there is clear evidence that X, Y, or Z.**

They simply express a belief.

At times this is based on totally irrelevant supposed knowledge of the previous ‘good conduct’ of the parents, or the fact that they are professionals.

The most notorious example of this was the hapless Mrs Martorell, speaking for Carter-Ruck, under oath in the High Court of England, who had indirectly expressed her *belief*, no fewer than three times, that Madeleine had been abducted, but when asked on what evidence she based that *belief* had no useful answer, and simply faded into an embarrassed silence. *Tugendhat J* realised the significance of that, and mused, on the record, about the legal situation if it could ever be shown that there had been no abduction.

The next bit is sometimes argued over, but is a neat, if simplistic way of putting it.

Belief without evidence is strictly called *Faith*

Faith is different from belief.

Belief is a statement or idea of pre-knowledge or pre-understanding that can be verified and tested using the scientific method. A belief can be proven true or false.

Faith is irrational belief, in the sense that it is belief that cannot be tested.

If someone who has never seen the sea says “*I believe that the sea flows and recedes . . .*” this is susceptible to verification and testing.

If someone says “*I have Faith that one day we shall be visited by extra-terrestrial beings . . .*” there is simply nothing we can usefully say, except perhaps “*I am sorry, but I do not share your Faith.*”

So the statement “*I have Faith that the parents were not involved*” - is unanswerable. It can also be cheerfully ignored as it adds nothing to the debate. Whereas “*I believe that the parents were not involved*” can be tested, forensically, that is - in a Court of Law

## So where does this take us ?

If we apply the test to everything that the McCanns and the Tapas group reported and what the experts discovered, what we find is a **total Absence of any Evidence of abduction.**

Abduction of a 3 yr. old child with a history of unsettled sleep, from a cramped and

darkened bedroom she was sharing with two other small children, with shuttered and locked windows, in an apartment with a locked front door, the only unlocked entrance directly facing the location where the parents and friends were dining, and carrying out overlapping visits, each every half hour . . . and so passing and re-passing every few minutes  
is NOT, on any test

1). . . *something that might leave no traces*

We may wish to recall that there **was**

2) *a comprehensive survey of the area where the evidence would be found*  
and that

3) [. . .] *Qualified Investigators* - were in fact used

And so the **Absence of Evidence** does allow us with some considerable force to argue that this provides overwhelming **Evidence of Absence of the Abduction**.

Remember, as we have observed, a *single* credible piece of evidence would be sufficient to challenge this proposition.

Of course, as we know there *is* evidence, but what there is indicates the exact opposite scenario.

The changing stories, the inconsistencies, the forged Last photo, the nonsense stories about shutters and about simultaneously wide-open and tight-closed whooshing curtains, the clear prevarication by witnesses who should reasonably have been expected to tell the truth, gross and blatant alterations in testimony and public stories apparently to retrofit inconvenient findings or alternate theories being put forward, and above all the alerts of the highly trained and wholly reliable dogs . . . all this is clear positive evidence that the abduction story is a fabrication.

When we add this conclusion to the *evidence of absence of abduction*, we find that it all firmly points in the direction the PJ, and the Public Prosecutor indicated.

We must surely be permitted to “*purport*” the theory, and to agree with Police and Prosecutors that

*B) a simulation of an abduction took place;*

*D) Kate McCann and Gerald McCann are involved in the concealment of the cadaver of their daughter, Madeleine McCann;*

*F) from what has been established up to now, everything indicates that the McCann couple, in self-defence, doesn't want to deliver the cadaver immediately and voluntarily, and there is a strong possibility that it was moved from the initial place of deposition.*

A report by Chief Inspector Tavares de Almeida to the Coordinator of the Criminal Investigation  
NUIPC-201/07.0 GALGS

The archiving dispatch perhaps put this whole issue somewhat more succinctly than I have managed. But then they are trained and skilled and experienced in their profession.



*« Despite all of this, it was not possible to obtain any piece of evidence that would allow for a reasonable man, under the light of the criteria of logics, of normality and of the general rules of experience, to formulate any lucid, sensible, serious and honest conclusion about the circumstances under which the child was removed from the apartment (whether dead or alive, whether killed in a neglectful homicide or an intended homicide, whether the victim of a targeted abduction or an opportunistic abduction), nor even to produce a consistent prognosis about her destiny and inclusively – the most dramatic – to establish whether she is still alive - or if she is dead, as seems more likely.*

The Republic's Prosecutor (José de Magalhães e Menezes)/The Joint General Prosecutor (João Melchior Gomes) in: Processo 201/07.0 GALGS - Volume XVII - pages 4645-4649 (Public Prosecutor's Archiving Dispatch)»

## Was Madeleine “Abducted” ?

**The PAID . . . . say SO**  
**Not paid . . . . say NO**

In **PAID** we include those paid directly in money, but also those who received benefit from saying **SO**.

We include those who would never think of compromising a family member

We include those who received other benefits, but more indirectly - from book sales, or TV appearances, newspaper sales, radio interviews . . .

So who are they ?

Gerry and Kate - obviously

Close family members

Clarence Mitchell

Paid shills on various web-site and social media outlets

Web site manager

Pike. The crisis councillor who pretended to be a psychologist

PR firms, notably Bell Pottinger ( £ 0.5m), and Hannover (£ not known)

Summers and Swann, Danny Collins and other authors who have wilfully avoided presenting or considering the evidence

Antonella Lazzeri

The SUN - generally

Olive Press - in the form of Jon Clarke - of Angolan basketball player fame

Other newspapers - possibly

Metodo 3 - Francisco Marco, Antonio Gimenez Raso, Julian Peribañez, Antonio Tamarit

ALPHAIG - Edgar and Cowley

Oakley - Kevin/Richard Halligen, Henri Exton,

Gary Hagland

Oprah Winfrey

MISSING PEOPLE - who have undoubtedly raised their profile, even though it has had the effect of causing people to investigate their internal waste of money.

Melissa (*e-fits to fit*) Little

Jim Gamble

and then

LAWYERS !

*This is more tricky, since some species of lawyer have a duty to speak for their client, whether they believe them or not. That decision is not theirs to make.*

*English barristers are obliged to accept a brief if the fee is paid, and to argue it to the best of their professional ability. Often they deliberately do not speak to the parties concerned. Their client is the instructing solicitor.*

*Solicitors are slightly different. They have a role in advising the client on the best course of action - which may be to stop !*

*It is not clear for example whether Carter-Ruck ever investigated the McCanns' account of events, and the performance of Mrs Martorell in the High Court tends to suggest they deliberately did NOT ask any pertinent or searching questions, perhaps in case they got answers which would have deprived them of a fee.*

Edward Smethurst

The 20 or so other lawyers paid - in money - by the McCanns

Isabel Duarte, who brought the ultimately failed case in the Portuguese courts

and several others

So from the above list of those who say **SO**, how many genuinely believe the story ?

It may be that some do, but of course it is not actually necessary for ANY of them to believe it. Money and family ties could provide the incentive to repeat the word "*Abduction*" as often as possible.

We may note that over the past few years their word of choice has become

"*Disappearance*". Even Mitchell now uses this form.

In **NOT Paid**, we include all those who although they are clearly in receipt of their salaries, are not paid directly or indirectly to do anything other than their professional duty, and to be impartial.

The Portuguese GNP

The PJ

The fingerprint expert

DCI Gonalo Amaral,

DCI Paulo Rebelo

CI Tavares de Almeida - investigation co-ordinator - wrote final report

The public prosecutors - Magalhaes e Menezes, Gomes

The judges in the Court of Appeal - De Almeida, Manso, Branquinho,

Martin Grime (dog handler)

The British police officers sent to Portugal

The British Police advisor Mark Harrison

The British Police advisor Keith Farquharson

NPIA Criminal profiler Lee Rainbow

The British consular and Embassy staff

and so on, not forgetting many amateur researchers, and hundreds of people who have followed the evidence and the debate on the internet.

All those who had a duty to *investigate* and consider the evidence in any depth are of the same view. It is not believed that a single instance exists of someone with professional skills or training and taking a dispassionate and detached look at the scene, or the evidence, or the files released by the PJ, coming to the conclusion, even on balance, or even allowing a remote possibility, that there was an *Abduction*.

To this must now be added the name **Peter Hyatt**, a statement analyst, who works with, and trains law enforcement agencies in the US. He was recently invited to look at the film and the transcript of an interview with the McCanns done in Australia some years ago. It seems he had little if any knowledge of the research into the various issues he addressed.

His conclusion was that within the interview there is a series of '*Embedded, confessions*', as well as many outright lies. For example he identified the story about the open window and the whooshing curtains as a lie, even though he had no knowledge

that this had already been so identified by consideration of the weather reports, and the lack of any such details in any other statement. He had no knowledge of the photos of the curtains trapped behind the bed and the chair, nor of the fact that Kate had previously stated that the curtains were wide open.

He went on to show how the McCanns provide all the details, about a fall, death, cuddling the dead body, and the concealment and disposal THEMSELVES. They volunteer the information, whilst believing they are denying it.

So again we have an independent person - an accredited expert - who for good reasons, which he spells out so that everyone can understand them, comes to the same conclusion as others who have come from a different angle.

Refs to the YouTube films are given below

### THIRD Category

There is then a third category - lest I be accused of false dichotomy.

These include the British police officers, in Leicester and the Metropolitan forces, who seem to have failed to investigate, or to properly and impartially consider the evidence, and in some cases have presented themselves as openly supportive of the McCanns. They include

Det Supt Stuart (*call me Stu*) Prior, Leicestershire Police

Det Ch Supt Hamish ( *remit - as if the ABDUCTION had been in Britain*) Campbell

DCI (*Madeleine alive is not in accordance with all of our thinking, we have found crechman*) Redwood

DCI Nicola (*haven't yet done very much except cut the team from 38 to 4*) Wall

Det Ch Supt Mike (*still believe Madeleine could be found alive*) Duthie

and sundry others who have had years to revise their views in light of the evidence they have collected, and that which has been sent to them, but still appear to be doing nothing substantive

The Met officers who were given a strangely restricted remit - *to investigate an Abduction* - seem powerless to act. One has to consider whether going outside the remit, and actually investigating, or considering the logic behind the *absence of evidence*, has been and is still being officially prohibited.

If so, this could amount to something else entirely.

Whether any of the members of this category actually **believe** there was an abduction, is an entirely different matter which cannot at present be ascertained.

\* \* \* \* \*

So how has this story been perpetuated for so long ?

## On Proof and Truth

*[This is copied from the previous chapter, but is included here, so that the reader does not have to refer back]*

We talk of Proof. Simply stating something does NOT make it so. Even if it is stated several times, the position does not alter. Charles Dodgson (*Lewis Carroll*) used the device humorously in the epic nonsense poem *The Hunting of the Snark*,

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Variants include

*If you repeat a lie often enough, it becomes the truth.  
If you repeat a lie often enough, people will believe it.  
If you repeat a lie many times, people are bound to start believing it.*

\* \* \* \*

So the long term strategy of having the word "*Abduction*", associated with the name Madeleine McCann, and endlessly repeated in newspapers, TV, radio, and books, for the past ten years, has probably led to a significant part of the population subliminally thinking it has been established as some sort of fact.

If so, the strategy of paying vast amounts to Bell Pottinger, Hannover and Clarence Mitchell was well worth the expense.

The use of frankly mendacious, not to say "ludicrous" stories to fill out this farrago has reinforced this.

The story of Madeleine *Whizzing down the water slide* is a perfect example. In the next sentence she is said to be wearing a pink top and a blue skirt, and a sun hat. The obvious contradiction does not register in the script writer's mind. She is then said to have played football for an HOUR. Still in the skirt and sun hat. Kate was said to be sunbathing whilst this was going on.

All this might be dismissed as journalistic hyperbole, but the FACT that there is **no** water slide, and that on the day in question it was dull, cloudy, cold and windy, and the FACT that Kate makes no mention of any such incident in her autobiography, giving a totally different account of events on the day in question - is also inconvenient factual detail which would otherwise spoil the story.

The damage to the truth has been done. Readers may not remember the article, nor where they read it, but the totally false impression is left.

I leave it for you, the reader, to make up your own mind

The McCanns benefit.

Truth and justice suffer.

Madeleine Beth McCann has no memorial

## REFS

### Film 1

<https://www.youtube.com/watch?v=slziMpXYjJo&t=30s>

### Film 2

<https://www.youtube.com/watch?v=qyB29g6nbDo>

### Film 3

<https://www.youtube.com/watch?v=VWWjkl-joS4&t=2428s>

## **McCanns; Embedded Confessions. Rich Hall's filmed interview with Peter Hyatt**

Every parent, every teacher, every police officer, solicitor, immigration officer, and Magistrate - in fact everyone - is able to identify when an untruth is being told. Some are better at it than others.

*Please Sir, it wasn't me . . . .*

*Mummy, I didn't eat the biscuits, it must have been Johnny . . . .*

*Officer I really don't know how that got into my suitcase - it's been planted . . . .*

*I have been shown a CCTV clip and I now recall that I WAS in fact there, BUT . . . .*  
are known to all.

Statement analysts have developed this. They seek to look beyond what is so often called *gut instinct* or *a copper's nose*, or just a *hunch* to find out why and how we can identify what is going on, and to formalise their findings.

Richard Hall has recently released a series of three interviews with Peter Hyatt. Hyatt is by trade a Statement Analyst - someone who is developing the skills of looking at what people say, and importantly what they do not, and the way they say them, the vocabulary they use, and a host of other things, to form a considered and justified opinion on whether they are telling the truth.

His thesis is that denials and lies can in fact reveal an "Embedded Confession", which is the title of the films.

I have transcribed short extracts from the films. If there are errors they are entirely mine.

I want to consider parts of what he said, and then to compare his opinion with what other researchers have discovered. There is a remarkable coincidence.

To start with Hyatt explains the importance of detecting hesitation or a disruption of the normal pattern of speech. Some people are naturally fluent, some have less articulacy. It is the **disruption** of the normal pattern which is important.

He goes on to explain that answering a question with another question may indicate an attempt to buy time, as will searching for a word. The inclusion of unnecessary words and phrases, and particularly of going into unnecessary detail may also assume importance.

He then looks at a full transcript of the interview by SN TV channel in Australia with Gerry and Kate McCann in 2011

PH: *Deceptive people, who have Guilty knowledge of what happened to their child don't want to talk about it, because it causes internal stress - so they talk for a great deal of time about what happened beforehand* Film 1 21:00

He was then asked specifically if this was scientific or his opinion, and replied  
*If I say I believe someone, or I don't believe someone - as a Statement Analyst - it is my opinion and here's WHY I have this opinion. I'm going to explain why* 1 27:39

*When someone speaks we presuppose that everything they are telling us is the truth - unless they talk us out of it, deceiving us. What they say in detail can reveal what happened.* 1 27:57

He then develops the idea of the 'need to persuade' and narrative building. He refers to the McCanns' emphasising that it was a normal evening, and comments "*Why do you have to **convince** me that it was a normal evening*"

Statement analysis says more about what one doesn't say

He listens to further extracts from the interview and says "*Who are they most concerned about. Madeleine, or themselves ? They are always justifying themselves.*" 1 43:20

## FILM 2

PH: *They give a lot of detail, but not about Madeline, about themselves. What happened it limited to a finite number of things . . . When someone tells us what didn't happen, there can be an infinite number of things. We are on high alert for deception* 2 3:10

He then watches and listens to the 'whooshing curtains' story. Hyatt describes this as narrative building and having considered this whole story he says "***She's Lying. This is deception***" 2 35 ff.

In a powerful statement he says of Kate's story about what happened when she visited the apartment -

*"The room just magically opened itself up and said "Look, look at the evidence . . ."*  
***She's lying. This tells us Madeleine was not kidnapped.***" 2 41:10

A little later he is discussing Gerry's reported reaction to Kate's returning to the Tapas bar, which includes the phrase "*She can't be . . .*" before he stops himself Hyatt fills it in for us

*"Can't be . . . - What ? . . . Dead ?"* 2 45:18

Gerry continues "*And I was saying to Kate as we were both running*"

PH: *He has a need to persuade that both were in earnest, both were upset, both were in emergency mode. Because they weren't. Those who are in emergency mode don't need to **tell us** they're in emergency mode, and they certainly don't need to **persuade** us.*

*He has a need to persuade us that they were in emergency mode.*

*This tells us that this was **not** unexpected. This was **not** an emergency.*

***Richard. He's lying.***" 2 45:40

The three films are highly recommended viewing. It is also instructive to view the original interview in full *after* having seen the analyst at work.



## Some Observations

It has been established that Peter Hyatt, although he was aware of the Madeleine McCann case, had not looked at it in any depth. He was unaware of the research and analysis of the weather and wind charts for the week in question. He did not know of the details in the Tapas 7's statements, nor of their rogatory interviews. He did not know of the lack of evidence of violent gusts of wind. He was unaware of the body of evidence that beings to suggest that whatever happened to Madeleine probably happened on the Saturday evening to Sunday morning.

He was unaware of the work done around the few available photos.

He worked purely with the content of the interview. In other words -

**He worked purely with what the McCanns told him during the interview**

Those who have researched or followed the developments in this case will pick up immediately on Gerry's comment in the interview where he states

*"We loved to photograph her, and she loved to be photographed".*

The fact that for the entire week's holiday only three credible photos seem to exist of Madeleine, or indeed of the twins, is something which has been commented on before. The lack of photos is itself a considerable pointer towards a deliberate decision NOT to take them.

What we are left with is a remarkable coincidence between what Hyatt found, for example on examination of the story about the slamming doors and whooshing curtains., and exactly this same conclusion reached independently. (See Chapter 6, *Floppy Sunhat and Flapping Curtains, and many threads on CMM.*)

Hyatt did not know of the work that has been done, and of the many photos of the "McCanns' body language during their public interviews. (Appended.)

He did not know that the McCanns had changed both their first Police statements in several material particulars.

He did not know of the Rogatory interviews with the Tapas 7.

He did not know that these professional people, all University graduates, many with post graduate qualifications, some who routinely teach and profess their own specialism, and who all may therefore be assumed to be reasonably at ease with the English Language, to be reasonably articulate, to use normal grammar and syntax, and who would be expected to possess a wide and deep vocabulary . . . . were reduced to gibbering incoherence when they were faced with an *English* police officer, speaking *English* and asking a pertinent question in *English*.

He was working from the transcript of one short interview.

He did not know all the rest.

**BUT HE WILL NOW**

## Refs:

McCanns' Australia TV interview

<https://www.youtube.com/watch?v=J0pBdLyJJhE>



Rich Hall

Film 1

<https://www.youtube.com/watch?v=slziMpXYjJo&t=30s>

Film 2

<https://www.youtube.com/watch?v=qyB29g6nbDo>

Film 3

<https://www.youtube.com/watch?v=VWWjkl-joS4&t=2428s>



Tight closed and Whooshing Curtains - *first mentioned three years **after** the original Kate and Gerry Police statement which included "wide-open curtains"*





**THE TELLS OF GERRY McCANN**





# Spot the water slide !

***A challenge for those who believe the abduction myth  
and those who put out stories supporting that nonsense***

**OK. I apologise. There is nothing remotely amusing about the death of Madeleine, nor about the efforts which have been made to pretend that she was abducted. The only people who have smiled and joked and grinned and laughed are the McCanns.  
(See Appendix - and weep for Madeleine !)**

But I do now have your attention.

**Did Madeleine die on Thursday 3rd May or during the night of Sunday 29th / Monday 30th ?**

This is merely one example of a story clearly meant to persuade you.

I have ripped much of it from Rich Hall's recent film, but feel it deserves to stand alone, as a classic example of how lies were fed into the media, and acquired lives of their own. It is known as Media Manipulation, or SPIN, or as normal people would call it - **LYING**.

Recent research by a respected seeker for the truth, has reinforced the observation that there is little if any evidence of Madeleine's continued existence on or after Monday 30th April 2007.

What scant evidence there is is largely unconvincing, and in some cases simply factually inaccurate. Even the members of the Tapas 7 for example, contradict themselves, and seek to correct errors made in statements by others.

It is fairly obvious that some of the so-called evidence was deliberately planted into the public domain to ensure that the "*abduction on Thursday 3rd May*" story could remain the focus of the world's attention, and would gradually begin to be believed.

This is a clearly fabricated account which seeks to provide evidence of this type, alleged to be from one Vicky Boyd, and reported by a journalist, one Danielle Gusmaroli. This article appeared some two weeks after Madeleine was reported missing, in a magazine called *First Magazine*, which seems to have had a fairly short existence.

It is worth repeating, so that the egregious nature of this can be fully understood.

*"The day before she disappeared, Maddie spent an idyllic afternoon playing in the sun with three year old Louie Boyd. Here Louie's mum Vicky, shares her story . . .*

*Vicky, who works in a bank, was sitting by the pool as Maddie's mum Kate, 38 relaxed on a sun-lounger and watched her daughter whizzing down the waterslide.*

*"Maddie was wearing a sunhat, a little pink top and blue skirt, occasionally stopping to pull faces at her mum as Kate looked on adoringly," Vicky recalled*

And so on in the same vein. The full article is appended below

There is no mention of this incident in the police records, nor in Kate's autobiography. So far as is known Vicky Boyd did not make a statement to the PJ, and it is *difficult* to find her name on the official Ocean Club/Mark Warners Guest list.

### **A number of observations**

- Would a small child dressed in a skirt and sunhat whizz on a *water* slide?
- The day BEFORE she disappeared should refer to Wednesday 2nd May.

But on Wednesday 2nd May - from Kate's autobiography . . .

*"Today it rained. The children went to their clubs, but our tennis lessons were postponed."*

Weather reports confirm that on this occasion Kate's reporting of the weather is correct. There was 100% cloud cover for most of the day. The highest temperature peaked briefly at 19° C, at around 5pm, but most of the day was only 16° or 17°, and there was a fairly brisk wind from the WSW, recorded at Force 4 to 5. Other witnesses refer to rain during part of the day.

So it is plain that Vicky Boyd could not have been speaking about Wednesday 2 May.

- But let us assume that the said Vicky Boyd is speaking of the day *after* she, Vicky, became *personally aware* of the report, and that she is therefore speaking about Thursday 3rd May

Thursday was cold and windy, Kate says she '*hung around*' during the morning. Madeleine, she said, had gone to the beach for their 'mini-sail' activity, and that at lunchtime

*"The weather was a little on the cool side and I remember thinking I should have brought a cardigan for her, We then sat round the toddler pool for a while, dipping our feet in"*

We must always remember that this is the day the McCanns claim for the very well known Last Photo, showing Gerry and two children, Madeleine and Amelie, dipping their feet in the Ocean Club swimming pool, with Gerry's sweaty forehead, thin T shirt, children's light clothing, floppy sun hats, sunglasses, and clear evidence of bright sun and a clear sky.

*Kate McCann: "Fiona and Dave had been windsurfing that morning and had seen Madeleine's group, who had gone down to the beach for their 'mini-sail' activity. We heard later that they'd been on a speedboat as well as a dinghy. Fiona told me she'd spotted Ella there but not Madeleine."*

As an aside, the mini-sail is shown as 10.30 to 11am

## Leibsters

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
9am - 11am	Lobster Pictures	Spaceship collage	Happy handprint stars	Moving rockets	Alien moories	Party masks and hats
10.00am-11.00am	Parachute Grass time	Mini tennis Grass time	Splash and swim Pool time	Mini sail 10.30-11.00	Crack games Grass time	Playdough
11.00am-12.00pm	Making postcards	Crazy gloop play	Salt dough rockets	Crazy construction	Puzzle time	Sand sculptures Beach play
12.00pm-12.30pm	Action Songs	Kym's game	Mini aerobics	Songs and stories	Puppet show	Mini dance
2.30pm - 3.30pm	Planet making	Sand painting moon pictures	Ice cream trip	Funny footprint art	Chalk space pictures	Party games
3.30pm - 4.30pm	Splash splash Pool time	Garden adventure	Build a city Beach play	Olympics Grass time	Dive and find Pool time	Face painting
4.30pm - 5pm	Story time	Mini dance	Mini dance	Circle time	Mini dance	Presentation

[We note that in that half hour the group have to walk down to the beach, organise the boats, don lifejackets, sail, then go on a speedboat, return, put the boats away, remove life jackets, and walk back, change out of wet clothing, to resume other activities at 11. If the story is to be believed.]

The wind was force 4 from the North West - an offshore wind - very dangerous for inexperienced sailors. The temperature was a chilly 16 -17° C (61° - 63°F) See appendix

*Kate continues: "After preparing some lunch, I went with Fiona to pick up Madeleine and Scarlett, who was in the adjoining Baby Club, taking her on the quicker route through the grounds of the Ocean Club, which she hadn't yet discovered."*

Observation. This route snakes through the paths at the back of houses on the neighbouring urbanisation, and so avoids the likelihood of being witnessed by anyone else. Or of not being.

*Madeleine that lunchtime is one of them. She was wearing an outfit I'd bought especially for her holiday: a peach-coloured smock top from Gap and some white broderie-anglaise shorts from Monsoon*

This directly contradicts Vicky Boyd who maintains Madeleine was wearing a blue skirt.

But in Kate's book there is no mention of anyone else, no mention of sitting on sun-loungers, nothing about waterslides . . which is just as well, because there **IS NO WATERSLIDE**, as a glance at any of the contemporaneous photos of the resort will show even the most determined *McCann abduction* believer.



**SPOT THE WATERSLIDE !**

**The Ocean Club swimming pools**





Kate speaks of white shorts, as usual with too much detail added, **NOT** a blue dress, and there is no no mention of any 'football session', let alone one lasting a whole hour.

[Pro footballers play for 45 minutes and then rest. Rugby 40 minutes]

A sharp eyed observer spotted yet another clue that this entire thing is an mendacious invention. There is a brief mention of Gerry playing tennis, but there is no mention of Amelie and Sean. None at all. So where were they ?

Kate's book claims she took them back to the Toddlers club, but where were they when Boyd and Kate were lying on the sun loungers for the hour ? Surely not in the unlocked apartment on their own !

*Kate: "Together we took Sean and Amelie back to the Toddler Club at around 2.40pm and dropped Madeleine off with the Minis ten minutes later. Ella was already there."* (p. 66)

There are many questions that arise from the publication of this story, which appears to have been published solely to promote the hypothesis that Madeleine was abducted.

Who approached *First Magazine*? Was it Vicky Boyd?  
If so, was she prompted to do so by a member of the McCann Team?

Was she paid for her article ? If so, how much ?

Or was First Magazine approached directly by Clarence Mitchell or one of his PR team ?

Why did Vicky Boyd allow her name to be attached to a story that she must have known was wholly false ? And why would she reveal so many personal details, her own and her husband's name and occupation, her children's names and their photographs, including details of where they all live.

Why did the publishers of this story do so ?  
Were they paid? If so, how much, and by whom ?

If Danielle Gusmaroli was indeed in Praia da Luz, as is stated in the article, why did she not visit the pool and see for herself that there was no water slide.

Or if she did, why did she then lie in the article ?

The author credit on the article is explicit and clear

"By Danielle Gusmaroli, **in Praia da Luz**" [my emphasis]

And if Gusmaroli was in PdL, was the interview conducted in person, or over the telephone. Had Boyd remained for two further weeks ? (We believe not, incidentally, but are open to proof that they were both still there)

That is not so clear

"Here, Louie's mum Vicky shares her story with *first*"

Did the publishers check out their story directly with the McCanns or their agents?  
Or did they simply reproduce whatever they were given by Vicky Boyd or the McCann Team.

And so on...

We can obviously dismiss this account as a total fabrication, and may believe that it was

probably fed by government media director Clarence Mitchell (or a colleague) and / or PR company Bell Pottinger (who were retained by holiday company Mark Warner) to a gullible press, and of no value to any investigation.

**BUT - it is not neutral.** It must not be simply ignored.  
It has significant value to researchers of the truth of this dreadful story

In particular

(a) the very fact of its presence,

(b) the fact that the details were clearly supposed to match those given by Kate, and

(c) the fact that it was planted in an obscure women's magazine, and then cross referenced some time later in *The Sun*, again with family photos of the Boyds, which is designed to give it a spurious credibility, whilst allowing *The Sun* - if challenged - to claim that they were merely reporting it at second-hand ...

d) The article clearly says "*Little Madeleine McCann was snatched from her bed TWO WEEKS AGO . . .*" [my emphasis]. which means that the article was published and placed on the Tabloid women's magazine stands the same weekend that the Last Photo was released to AFP. Is this pure coincidence or rather evidence of a Machiavellian strategy?

... all this is clear positive evidence of the egregious lengths to which the McCanns' spokesman - who once said his job was to "*control what came out in the press*" - and the forces of Bell Pottinger - who despite what Gerry McCanns said under Oath at the Leveson enquiry, were paid £500,000 to keep the story in the papers every day for a year - were prepared to go to in order to keep the *abduction* version of Madeleine's mysterious disappearance in the public's mind.

It may in fact for those and other reasons be treated as fairly strong evidence that Madeleine was **NOT** there.

**Like the Last Photo -  
it has been invented, and planted purely to perpetuate the myth of  
Madeleine's continued existence after 29/30 April  
There is nothing else that does this, and much that tends to indicate that  
Madeleine may have died during that night.**

Refs;

<http://journalisted.com/search?q=danielle+Gusmaroli&type=>  
Danielle Gusmaroli (The Mirror)                      Danielle Gusmaroli (MailOnline)

Rich Hall's film

<https://www.youtube.com/watch?v=70oo2-Sj7to&t=7833s>

# 'We feel so much for Maddie's mum'

Little **Madeleine McCann** was snatched from her bed two weeks ago – just before her fourth birthday – while she slept in a ground-floor holiday apartment in the Portuguese resort of Praia da Luz. The day before she disappeared, Maddie spent an idyllic afternoon playing in the sun with three-year-old **Louie Boyd**. Here, Louie's mum Vicky shares her story with *first*



By **Danielle Gusmaroff**, in **Praia da Luz**

**L**ouie Boyd couldn't believe that his new friend was so good at football. After all, she was only a girl. The three-year-old was having great fun trawling around with the pal he had met that afternoon. Her name was Madeleine McCann, and the pair of them were giggling as they fooled around by the pool while their parents looked on.

But the next day Madeleine, who turned four last Saturday, was abducted. The little girl was taken while she slept in a locked apartment on the upmarket Mark Warner resort, at Praia da Luz on Portugal's Algarve.

When posters went up announcing that Maddie had disappeared, Louie didn't

understand. "He said 'Mammy, isn't that the little girl I played with yesterday?'" says his mother, Vicky. "I told him it was, and he said: 'Why are there pictures of her every where?' I told him that Maddie had lost her mummy and everyone was looking for her. He went really quiet."

"I wasn't sure whether he really understood, but later that day he looked up at me and said: 'Has that little girl found her mummy yet?' I said no and he said: 'That's just as sad Mammy. She must be really scared. I really like her – she's fun.'"

Vicky, 34, from Barnstaple in Devon, was on holiday in Portugal with her husband Jason, 36, a carpenter, Louie, and their other son, ten-month-old Freddie. She explained: "Louie said he felt very sad when I told him the search for Maddie was ongoing. They'd played football together in the

play area at the resort and she was a lovely, snappy little girl."

"She's so pretty and she looks just like her mother. Your heart breaks every time you walk past a poster with her face smiling out. It's such a shame."

## 'Perfect little girl'

Vicky, who works in a bank, was sitting by the pool as Maddie's mum Kate, 38, relaxed on a sun-lounger and watched her daughter whizzing down the waterslide. "Maddie was wearing a sunhat, a little pink top and blue skirt, occasionally stopping to pull faces at her mum as Kate looked on adoringly," Vicky recalled.

"Maddie went from the poolside to a play area to have a game of football with Louie – just a sweet, happy little girl playing in the sun with other children. She and Louie were kicking a football around in the play area for about

an hour. The two of them were giggling and having fun – they got on really well together."

"I spoke to Maddie's mum, Kate briefly. She told me this was their first holiday abroad with the kids and that they were all having a lovely time. She felt the Portuguese were lovely people and very family-orientated."

Maddie's dad Gerry, 38, was playing tennis on a nearby court at the time, and after the match he joined Kate and put his arm around her. "They seemed like a really happy family, a good strong family unit," said Vicky.

She said she and Jason were horrified when they saw posters of Maddie going up in the village of Praia da Luz announcing her disappearance. "We recognised Maddie immediately. It's almost impossible to comprehend what's happened. How can the perfect little girl who played with your





sun yesterday have been snatched from her bed by some stranger?"

"As a mother all sorts of terrible images run through your mind. It's difficult not to break down yourself. I feel for Kate and Gerry so much. Their pain must be too great to bear."

Vicky says that on holiday two years ago she and Jason chose to leave Louise asleep in his room, in a hotel where there was a baby listening service, so they could have dinner downstairs.

"It made us too anxious. We were going up to check on him all the time, we couldn't relax and enjoy the meal so we decided not to do it again," she says.

"But I suppose this could have happened to us. After all, you're on holiday, you're relaxed, your guard is down, and you do things you wouldn't ordinarily do back home."

"It really is just too awful to think about."

Madeleine inspired Louise with her hurling skills

Distracted Kate notices her daughter's 'Cuddles Cat'



## 'Someone's taken Madeleine,' Kate wailed over and over

Kate McCann knew her little girl had been snatched when she found her favourite toy cat left on her bed

With every squeeze of her daughter's favourite 'Cuddles Cat' toy, distraught mother Kate McCann wished her little girl home.

Priest's wife Pam Neal helped Kate and Gerry McCann through the early, terrifying hours of Madeleine's disappearance. She told that now a distraught Kate could barely comprehend what had happened.

"Someone's taken Madeleine, someone's taken Madeleine," she wailed over and over again," said Pam. "Kate kept playing with the toy. It was almost as if the toddler she suspected, the closest she felt to Madeleine. She said Madeleine had definitely been taken from them because she never went anywhere without her favourite toy."

The night Madeleine disappeared, Kate and Gerry triumphed local Anglican priest Father David Neal, asking him to visit them at their apartment in Praia da Luz. When he arrived with his wife, 28-year-old Kate threw herself into the priest's arms as she broke down.

It took him almost three hours to comfort Kate, who consumed Madeleine through TV and considered her 'his special'. The McCanns also have two-year-old twins, Sean and Anna.

Father David told first: "It was very tough, one of the hardest things I have had to do - comfort a mother who has lost her child but doesn't know whether she is dead or alive, or in any pain."

Kate, a GP, and 28-year-old Gerry, a cardiologist, are devout Catholics. Father Neal says the McCanns asked him to pray for Madeleine's safe return. "We have been to see them several times, when they are emotional and distraught. One minute they are latched with news of a possible sighting, but the next they are weeping," said Father David.

"Whatever happens in the days ahead, life in Praia da Luz will never be the same again. It will never be the same again for Kate and Gerry."



Father David Neal

## Weather Charts

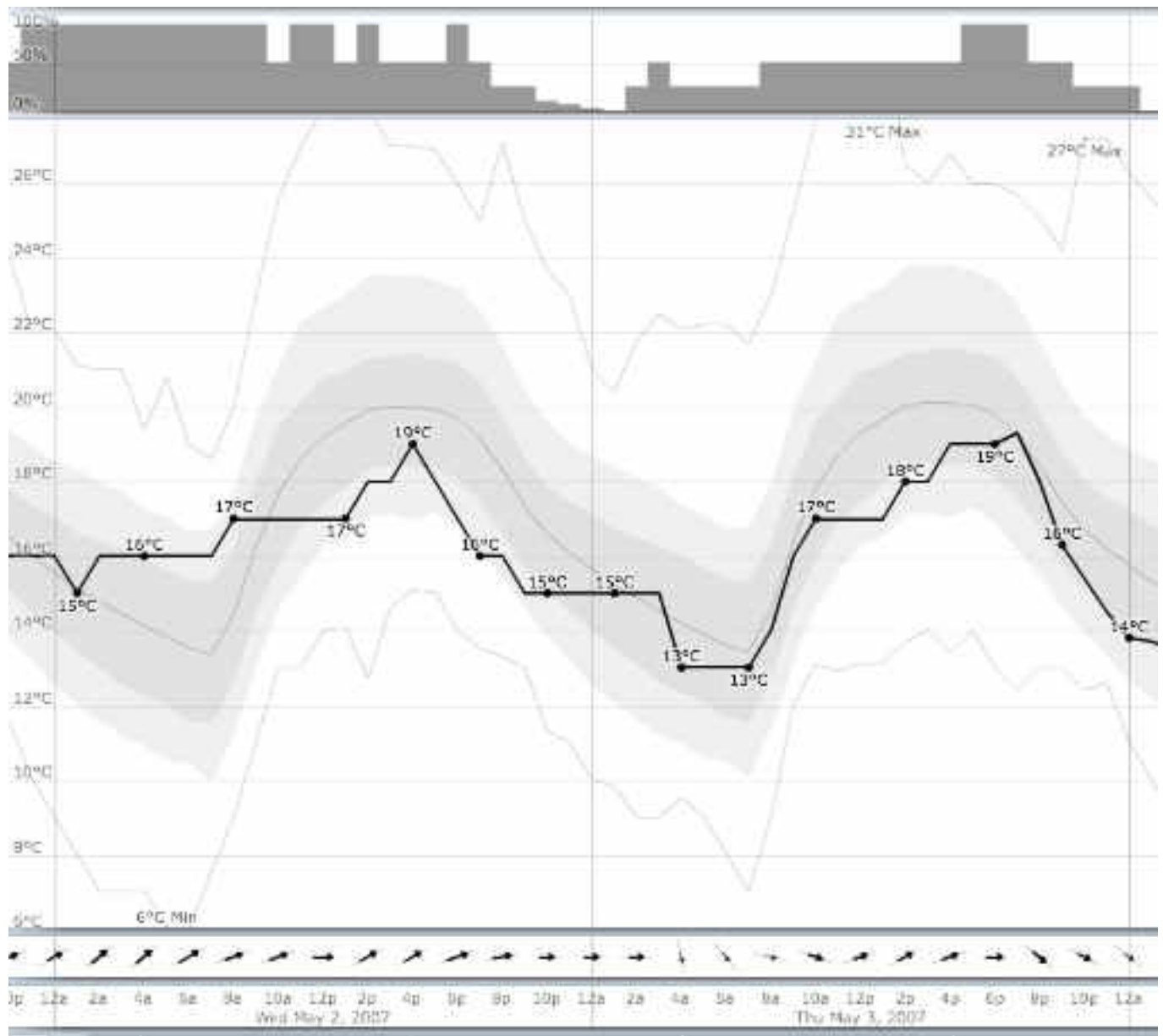
Wednesday 2nd May 2007 and Thursday 3rd May 2007

Grey bars at top are cloud cover.

Arrows at bottom are wind speed and direction

Thick line is temperature.

Other lines and shaded areas are 10 yearly averages and max./min and may be ignored

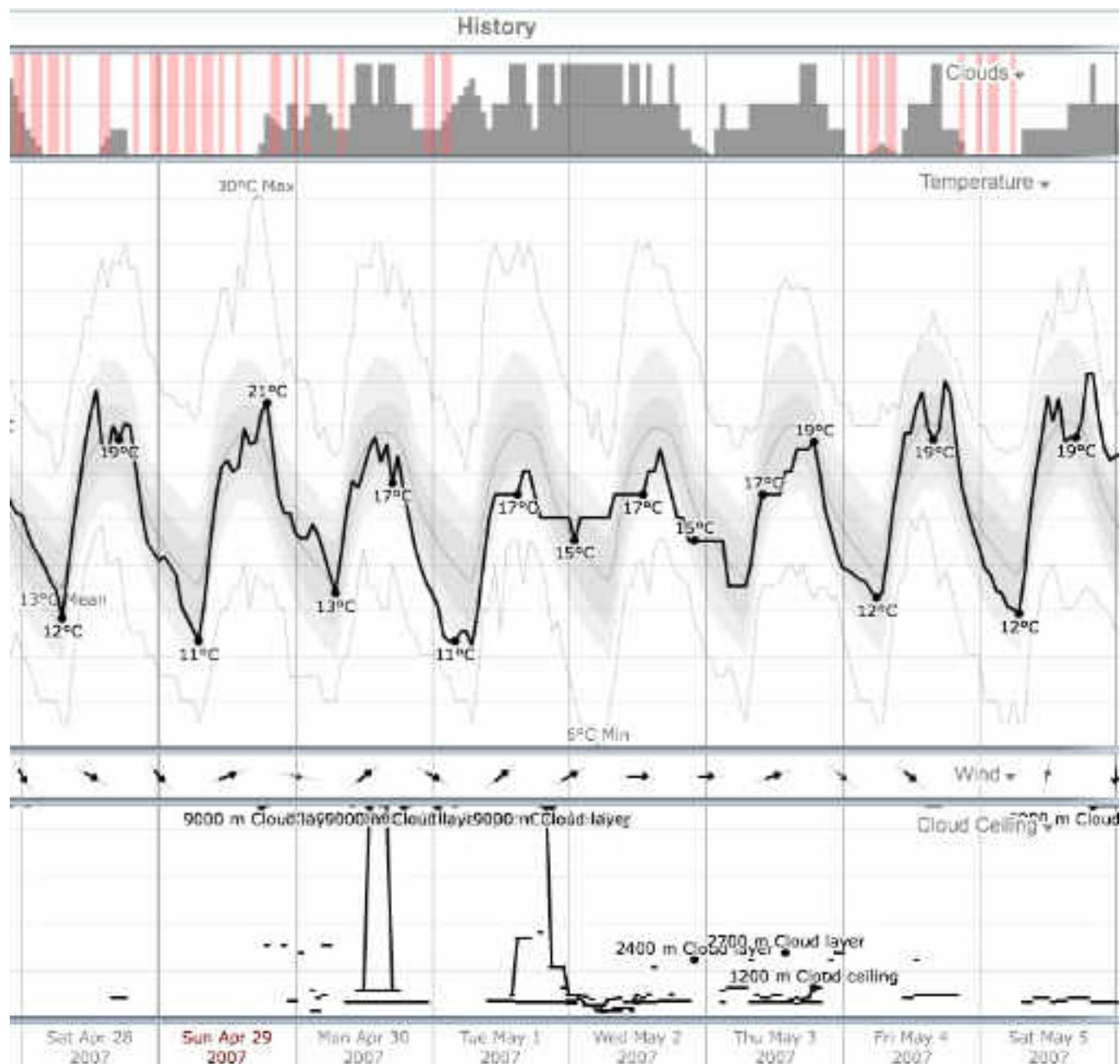


## Weather Chart for whole week

Saturday 28 April 2007 to Saturday 5th May 2007

Grey bars at top are cloud cover.

Red vertical lines indicate sunshine







I am sorry, Gerry and Kate, but no one else finds this remotely amusing !

## **Christmas Message**

as you so generously said . . .

***Thanks to all who have not forgotten Madeleine . . .***

Let us all assure you, Kate and Gerry, that we have not, and we never will.

We do not think it is funny, and we do not make millions of pounds out of it.

We do not abuse and sue, nor pursue to their deaths those who hold different opinions.

We do not travel the world in private jets owned by '*questionable*' business people, funded by other's pensions, and we do not accept hospitality from proven paedo\*\*\*s.

We do not accept sponsorship from people who run hotels which host '*questionable*' adult weekends, and we do not travel the world, nor attempt to meet the Pope.

We do not carry on a pretence and a '*pact of silence*' with our friends, and we are not Ambassadors for Charities which pretend to look for people, but in fact do little more than run a website, whilst spending over £ 2m on staff salaries.

We are just normal concerned people.

**We will never forget Madeleine Beth McCann**

***Requiescat in Pace, little one.***