

NUIPC-201/07.0 GALGS

4th Brigade

Inspector João Carlos

Denouncer/Offended – Judiciary Police

Denunciated/Arguidos - Robert James Queriol Evelegh Murat,
identified and questioned at pgs. 1170, 1947 and
1959.

***Gerald Patrick McCann,** identified and
questioned at pgs. 2569.

***Kate Marie Healy,** identified and questioned at
pgs. 2557.

Witnesses/Persons inquired – see Index

Type of Crime – Unknown

Time and Place – Between 21H05 and 22H00 of the day 3 May of 2007,
at the G5A apartment, located at the touristic resort 'Ocean Club', Vila da
Luz, Lagos.

Apprehended Objects – see Index (all the apprehended objects were
given back to the owners by means of term)

Examinations done – see Index

*****Final Report*****

Introduction

These documents relate to an occurrence which describes the disappearance of a minor of British nationality, Madeleine Beth McCann, daughter of Gerald Patrick McCann and Kate Marie Healy, on the date with three (almost four) years old.

According to the Time and Place, the facts occurred on the day 3 of May of 2007, in a temporal hiatus, understood to be between 21H05 and 22H00 (being certain that after 17H30, only Gerald and Kate had contact with Madeleine) at the resort named 'Ocean Club', located in Vila da Luz, Lagos, place, where the minor's family, along with seven other persons, with whom they had a friendship relationship, were enjoying some holidays, with the duration of one week.

The arrival of the group from England, at national territory, via Faro's airport, took place on the 28 of April 2007.

They travelled in two separate groups, since they live in different locations. The trip from the airport to the place of Luz was done in a mini bus, provided by the resort management company 'Mark Warner'.

Upon check-in, they were placed into several apartments, all located in block G5, next to each other, which was an imposition, or at least a suggestion, made by the entire group.

They were all lodged in the ground floor, except the **PAYNE** family (David, Fiona and Diane Webster), which was lodged in the first floor.

The **MCCANN** family was given apartment **G5A**, which is located on the left end of the residential block (seen from the front) and therefore, it can be said, the most accessible one and with facilitated visibility from the outside.

This is a group where seven of the elements are medics, from various specialties, which adds to the fact that all of them have under-age children, which accompanied them. The **MCCANN** family was composed of the parents, as well as **MADELEINE** and the twins **SEAN** and **AMELIE**, these being two years old, at the date of the facts.

This trip was organized by the **PAYNE** family, namely by the male element of the couple, **DAVID ANTHONY PAYNE**, who had knowledge, as a user, of the tourist resorts that belong to the "Mark Warner" company.

The group shared among themselves a friendship that existed before this trip, based on professional relationships and other holiday trips.

It is pointed out that this was the first time that the elements of the group were on holidays at this resort on national territory for the first time, and that the group's will to carry out the trip was planned approximately one month before it took place.

On the other hand, nothing indicates that any of the participants had any previous connection to Vila da Luz or that there resided or stayed any person related to them.

The group's daily routine implied their movement, for dinner, to the Tapas Restaurant, which is located at the resort (although outside of the specific area of the apartments and without permitting a complete visual control of the latter), while their underage children remained alone – supposedly asleep – in their apartments while the dinner was under way.

According to the group's common version, the checking of the children was done through regular visits by the adults to the apartments, with an – approximate – spacing of half an hour, with the exception of the children of the **PAYNE** couple, that possessed a technological system of self control, via intercommunication ("baby listening").

Constitution of the group:

DAVID ANTHONY PAYNE – apartment 5H (first floor)

FIONA ELAINE PAYNE

DIANNE WEBSTER

RUSSEL JAMES O'BRIEN – apartment 5D

JANE MICHELLE TANNER

MATTHEW DAVID OLDFIELD – apartment 5B
RACHAEL MARIAMMA (sic) JEAN MANPILLY

GERALD PATRICK McCANN – apartment 5A
KATE MARIE HEALY

The aforementioned persons were interviewed carefully and in great detail, on various occasions (see index), with the intention to collect all the relevant elements that could help the investigation to uncover the truth regarding the facts.

The analysis of the grouping of these inquiries emphasized the existence of important details which were not entirely understood and integrated, which needed to be, from our viewpoint, tested and compared together [concatenated] in the actual location.

As such, a concrete understanding of the lack of synergy of some aspects of elevated relevance should be attempted through a processed diligence via the reconstitution of the facts, which, due to a lack of collaboration of several relevant witnesses, was not able to be accomplished, in spite of all the force brought by the authorities.

Further ahead, in this report, the necessity of this diligence will be better analysed.

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The investigation, during more than 13 months, followed all the credible indices related to different hypotheses and, in an impartial manner, continued to analyse, correlate and synthesize them, looking for an explanation for the happenings of the night of 3 May 2007.

Assuming that the minor's disappearance was due to the acts of third parties, the PJ explored various lines of investigation, not excluding any hypothesis considered plausible or hypothetically acceptable.

From the documentation, you will observe that during the investigation various possibilities were contemplated.

As such, consider:

1. **abduction**, for sexual exploration or other (**e.g, later adoption, child trafficking, organ trafficking**), **without homicide**;
2. **abduction**, followed by **homicide** with (or without) **hiding of the corpse**;
3. **accidental death**, with later **hiding of the corpse**;

The Hypothesis 1 and 2 were considered in the double notion of the illicit of abduction (if that happened) that could have had occurred due to feelings of revenge by the Kidnapper(s) towards the parents (intended abduction) or by taking merely the opportunity of the child being at a vulnerable situation (opportunity abduction).

As a remote hypothesis, the possibility of the minor leaving the apartment by her own means was explored – that would be highly unlikely physically – and after, because of an accident or by a third person intervention, she would have disappeared.

* * *

As to the present report, and for a better understanding, it will be divided in to 5 major areas, to know:

- Generic diligences for the localization of the minor, entwined in the main body of the Inquest, done by the Judiciary Police, the Maritime Police and the G.N.R.;
- Thematic Appendixes, in a total of nine (sub-divided into 55 volumes) referred to the pgs. 3528-a, whose creation allows to complement the main body of the processes and to follow up all the information received and treated;
- The suspicions about **ROBERT MURAT**, and his status of arguido;
- The Cadaver Dogs Units searches and the subsequent establishment of the parents of the British minor, **GERALD MCCANN** and **KATE HEALY** as arguidos;

- The forensic and laboratorial exams, done at the Forensic Science Service and at the National Institute of Forensic Medicine, from now on designated as the FSS and INML, correspondingly;

Even though there is this division in to sub groups, the present report will be done by order of occurrence or information, without the obstacle of joining by themes, when the chronological order it is not sufficient.

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As stated before, it was done a presentation of the intervenients in the process and a brief introduction of the facts. Following, we will do a more detailed explanation, where, likewise, the various intervenients will match and the actions done by them will take on a procedural relevance.

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Relative to the appendixes, in a total of nine, where divided thematically as stated:

Appendix I – Forensic Exams – where all the exams and forensics that were carried out by scientific and technical entities, specifically those who are destined to the detection, collection and traces analyses that could lead to the understanding of what happened and to the discovery of the culprits in the disappearance of the minor.

Appendix II – Analysis of communications – where all the inventory, analysis and pertinent correlations, which were possible and eventually relevant about the communications and movements that were made before, during and after the facts, were made;

Appendix III – Inspections, canine, maritime and air searches – where the specific diligences that were carried out in an attempt to physically locate the minor, especially in the surrounding areas, are described;

Appendix IV – Searches/apprehensions, direct exams, delivery/deposit of goods – where the set of diligences that were directed on goods or items that could eventually be connected to the disappearance are listed;

Appendix V – Supposed sightings and localizations – where the news that had some credibility and signalled the alleged presence of the child in various locations worldwide, as well as the hundreds of diligences that were carried out to confirm or dismiss them, are listed.

As it is known, the disappearance of the British minor, under the circumstances that were described, implied the action of diverse entities, with special relevance for the intervention of the Polícia Judiciária, which was joined by other forces of criminal police. In parallel, this disappearance concentrated an unmatched dynamics from the media, both national and foreign, namely and with more emphasis in the United Kingdom, which filled, for days in a row, their news at prime time with live transmissions from



Praia da Luz, and special programmes that were dedicated to the issue.

On the other hand, the parents of the minor redoubled their efforts to make the most diverse contacts and appeals, releasing pictures of MADELEINE, at the same time that the British Authorities opened a specialised and permanent contact line to receive all the information in connection with the disappearance, as well as information coming from Interpol and similar police agencies.

This activity (dissemination of information), apart from news provided by the media, was aimed at obtaining, in the shortest possible time, information that would aid the investigation in 2 different ways: finding MADELEINE alive and retrieve data about the circumstances of her disappearance and about a potential criminal involvement by a third party, having to that end been requested the committed cooperation of the population.

This collaborative approach resulted in many leads being passed onto the police, by the most diverse sources and by the most unusual means, most of them made directly to the police.

From 04/05/2007, the day after the event, initially at an enormous rate, thousands of sightings were reported to the police, from everywhere in Portugal and the most diverse foreign countries, from neighbouring Spain to the distant Indonesia and Singapore, being the missing minor "recognised" in the most diverse locations and companies to the extent that she is supposedly seen on the same day in places 4000 Km apart.

Some of the information did not merit, due to the circumstances surrounding it, the least credibility, leaving those, at the other extreme, which required a more solid and effective systemization and treatment. Those which, by their geography and time-space relevance, seemed credible were thoroughly explored and included in the documentation and this appendix.

There remains a large, diffuse stain of supposed sightings and localizations – some receiving notable emphasis, such as those in Belgium and Morocco – which had few, vague, discordant, incompatible or incongruent elements, which deserved a treatment with a view towards their infirmação or set aside for the future, should solid elements arise, which all are herein included;

Appendix VI 1 – Information/Lists of Suspects of Sexual Crimes – where you will find a detailed reviews, from the perspective of the possibility of encountering correlations with suspects with sexual motives;

Appendix VI 2 – Diligences and Exploration of Information related to the aforementioned – in which, in conformity with that already expressed and in order to provide a better consultation, were gathered the information collected about residents in the surrounding areas – temporary and permanent – as well as a listing of local crime (break-ins and others) and crimes of a sexual nature. The information provided came to this Police by individual knowledge, through British authorities or by other sources;

Appendix VII - Letters Rogatory – outlining the diligences performed, at the request of the Portuguese judiciary, in foreign countries;



Appendix VIII – Transportation, Movement and Location of

Sightings – in this appendix are collected and analyzed the information related to possible means of transportation/flight, by land means (road—trains), sea and air. Also explored were information related to the delivery of photographs from individuals in the area for holidays and obtained by the Police, along with various hotel chains, whose examinations yielded nothing useful;

Appendix IX – Juridic Actions

In addition, and in spite of its irrelevance, there were meanwhile added 22 “dossiers” with notifications of a speculative or clearly incredible nature, such as psychic visions or divinations, which will not be included with the documentation, but which you will find carefully organized, in the eventuality that they may need to be consulted in the future.

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*** DEVELOPMENT ***

The present documentation originated from a process elaborated by this Police, having received notice of the disappearance of a minor of British

nationality of three years of age. The occurrence was communicated by the GNR at 00h10 on 4 May 2007.

According to that police force, the disappearance would have occurred at 22H40 (later on it was verified that the detection and the subsequent alarm of the same, in reality happened, between 22H00 and 22H10 of the day 3 of May of 2007, in one of the apartments of the tourist resort 'Ocean Club', located at Vila da Luz, Lagos, where a family composed by a couple and 3 children under aged were staying.

Topologically, the apartment is composed by two bedrooms, a kitchen, a living room and a bathroom, with easy access to the street, from the both the front and the back, where there is a small balcony and a sliding door.

At the time of the disappearance, the children were alone in the apartment. However the couple, during dinner, went two times to the same, one of those times being the one where the mother (**KATE**) noticed that her oldest daughter was no longer there alerting all for that fact.

Aware of this fact, the police squad went to the place, to initiate the relevant investigative steps, at that moment.

Immediately they proceeded with the identifications of the progenitors, **GERALD MCCANN** and **KATE HEALY**, as well as of the disappeared minor, **MADELEINE BETH MCCANN**, born on the 12 of May of 2003, in the United Kingdom. Besides MADELEINE the couple has two more children, twins, with two years old, at the time of the facts, who were also staying in the same

bedroom from where the child disappeared.

Informally, **GERALD MCCANN** said that he was on the resort since the 28 of April 2007, on vacation, for a period of time corresponding to a week. The day after their arrival, 29/05/07, they started doing their meals at the 'Ocean Club' restaurant, which is distanced a few meters away from the apartment, with the company of three other couples, who had also travelled with them.

Specifically to what is relative to the day 3, he alleged that:

- they woke up around 07H30, had breakfast in the apartment, going out at around 09H00;
- soon after, they left their children at the nursery, until 12H30;
- around 14H30, after lunch, they put their children back at the nursery, this time until 17H00;
- at 17H30 they did the children's hygiene, and settle them in their respective beds by 19H30, all in the same bedroom;
- at 20H30, the couple went out to the restaurant;
- at 21H05/21H15 the father went to check the children, noticing that all was normal, the window and the blinds were closed, however the door to the room seemed more opened than when he had left;

- at around 9.20 p.m., a friend from the group, **JANE TANNER**, when heading for her apartment, noticed an individual who carried a child in his arms, walking down the road. She described him as aged 30 to 40, with dark hair and wearing light coloured trousers;

- at 9.30 p.m., it was the time for another friend, **MATTHEW OLDFIELD**, to go to the **MCCANN'S**' apartment to check on the children, but he only saw the twins, given the fact that he did not enter the room. In order to see **MADELEINE'S** bed, he would have to go inside. He detected nothing out of the ordinary;

- at around 10 p.m., when **KATE** went to the apartment she verified that **MADELEINE** had disappeared, and that the window and shutters of the bedroom were open.

Apart from that, and according to what was established within the investigation in the meantime, the witness **MATTHEW OLDFIELD** assumes that, at around 8.55 p.m., he went near the outside of the window of the bedroom where **MADELEINE** was sleeping – a window that was closed – in order to verify if there was any noise in the inside that might indicate that the child was not asleep. He heard nothing, therefore concluding that everything was well.

Due to its relevance, on that very night the Maintenance Director, **SILVIA BAPTISTA**, was asked for a list of the resort's guests and the check outs on the 3rd, as well as the identification of the crèche workers, where the children stayed during the day.

It should be emphasized that the entire apartment had been searched and rummaged by an undetermined number of people, with the contamination that it brings and the difficulty that it raises for the collection of residues.

On that very night, the surroundings of the apartment, and Vila da Luz itself, were intensely searched through, both by the GNR members and by members of the public.

Concerning that and other searches on subsequent days, the proof is given by the report that was written by the GNR from pages 3491-a to 3525-a, with the latter being a cartographic remission. The same procedure was made by the Maritime Police, according to the report from pages 3867 until 3885.

On page 06 the air registration of the luggage pertaining to the **MCCANN** family was appended, as well as the passport that belongs to the missing minor.

From pages 12 to 23, we can observe the photographic coverage of the location of the facts, which were collected on that night, as well as a layout of the apartment.

On page 26 the report that was written by the GNR can be found, on page 30 the photograph of the minor that was given by the parents, taken from a memory card and revealed on a printer that belongs to one of the nannies, as will be seen further on, and the press communication, on pages 33-B.

It should be pointed out, in terms of the media knowledge and divulgation, that witness **RACHEL MAMPILLY**, at around 2 a.m. on the morning of the

4th, assumes to have contacted the official British television BBC, through someone that she knew, reporting the disappearance and asking for it to be broadcast.

First thing in the morning on 4 May, and already within the framework of heavy media coverage, an interview of the entire group took place, pages 34-83, interrogations which were repeated later.

From pages 86 to 118, there are included details relative to the identity of the nannies (**CATRIONA BAKER** and **STACEY PORTZ**) and all the officials of the establishment, with the two that dealt with the **MCCANN** children being heard informally; nothing unusual having been reported by them, they were formally interviewed again later.

In subsequent days, with the participation of over a hundred researchers from the PJ, the enormous collection of diverse notifications about the disappearance was reviewed, having been already completed innumerable contacts resulting from the ongoing processing of information.

The collection of notifications was transmitted by a wide variety of sources, coming to the PJ by various means, requiring the installation of a permanent police post within the Luz village.

The result of such efforts is found in the documentation and the various appendices, having been spent thousands of hours of work in its completion.

It should be noted, also, the receipt of an enormous quantity of fantastical

notifications, devoid of any credibility, which forced the research into constant and considerable clarification efforts, all the more important as it was known that time was of the utmost importance in the fundamental goal of finding the missing girl.

* * *

Resuming the factual description, it is noteworthy that from pages 119 and forward, the witness **JEREMY WILKINS**, affirmed that he saw an individual with a strange appearance and behaviour. This was eventually confirmed to be a guest, who participated in the searches, page 124.

From pages 127 and following, relates the the sighting of a child, with a face similar to **MADELEINE's**, in a gas station. When the images from the gas station were shown to the parents, they peremptorily affirmed that they did not represent their daughter.

On page 134, is reported a situation, once again resulting from physical similarities with **MADELEINE**, later verified as not being the child. In addition, an attempt was made to locate an individual referred for sexual abuse of minors, later coming to verify that at the relevant time period, he was no longer in Portugal.

There was an inquest to **DENISE BERYL ASHTON**, pgs. 136, which reported the presence of two individuals, who she could not identify or recognize, which, alleged that they were conducting a petitioning in behalf of a children's institution, which would be fraudulent. Despite that this situation took place on the day 03 May, we could not relate it with the disappearance of the British minor, nor the description corresponds to the sketch widespread in the media by the press officer of the **MCCANN** couple, issue that will be addressed next .

From the Pgs. 140 to 144, it was reported an alleged sighting of the minor, which, after several diligences, was proved, again, to be another child.

A witness, **DEREK FLACK**, heard at page 200, reported the presence of a suspect, who was allegedly looking at the target apartment, near a white truck, pages 145 and following pages. It was not possible to identify this person, despite having been made a portrait-robot, page 205. However, we believe there are very strong possibilities of being construction workers – who were there making small works - a gardener (pgs. 973), or **BARRINGTON NORTON** (pgs 833), inquired at page 704. The latter is a regular of Praia da Luz, engaged in the activity of musician on the streets of the town. Nothing was found relevant to the investigation.

From the page 161 to 197, **NUNO JESUS**, reported a situation connected with his daughter, with clear similarities with Madeleine, which was the victim of an alleged attempt to kidnap (qualified by himself) by a Polish couple, whose registration of the hire car and used in national territory, he provided to the police. They were approached when going back to their native country, nothing was detected that could incriminate them, pages 214

to 216. The car and the place where they had enjoyed their holidays was analysed in a laboratory, but once again without incriminating results

It was near the report at page 148, where it's described the approach door-to door taken in 443 houses, all of them in Praia da Luz, which is demonstrative of the gigantic work that would be carried out. Such approach included the physical entrance, with the agreement of the inhabitants, in many just to verify completely the eventual presence of traces of the minor disappeared.

LANCE PURSE, inquired at page 208, did equally a sketch of an individual, page 210, which possessed similar characteristics similar to the one related by another witness, who also didn't identify himself.

At pages 211 and 212, it is reported another occurrence relative to an individual referenced for sexual abuse of minors, who, after the approach of the same, nothing of relevance was brought to the present investigation.

"Mutatis mutandis", [literally "changes changed", from Latin, in this instance someone who changes constantly of mood], relative to a guest from the female gender, who revealed a odd behaviour, but with no vector of correlation to the disappearance of **MADELEINE MCCANN**.

At page 220 the hearings of the resort employees started, from there nothing resulted as being relevant or useful for the investigation at course. From the hearings there were no elements collected which allowed to follow any line of investigation.



MINISTÉRIO DA JUSTIÇA

POLÍCIA JUDICIÁRIA

DEPARTAMENTO DE INVESTIGAÇÃO CRIMINAL DE PORTIMÃO

Inquired Mark Warner employees: -----

- LINDSAY JAYNE JOHNSON, fls. 220.
- STACEY PORTZ, fls. 225.
- AMY ELLEN TIERNEY, fls. 229 e 4193.
- JERÓNIMO TOMÁS RODRIGUES SALCEDAS, fls. 233.
- NUNO GONÇALO MARQUES VICENTE DOS RAMOS BERNARDO, fls. 239.
- JOÃO PEDRO RAMOS AGAPITO, fls. 242.
- SARAH ELIZABETH WILLIAMSON, fls. 244.
- LEANNE DANIELLE WAGSTAFF, fls. 249.
- CATRIONA TREASA SISILE BAKER, fls. 253.
- JOAQUIM JOSÉ MOREIRA BAPTISTA, fls. 258.
- MARIA MANUELA ANTÓNIA JOSÉ, fls. 261.
- NUNO FILIPE GUERREIRO DA CONCEIÇÃO, fls. 264.
- RICARDO ALEXANDRE DA LUZ OLIVEIRA, fls. 266 e 2941.
- TIAGO FILIPE PINHEIRO DE FREITAS, fls. 269.
- NATÁLIA PASA, fls. 272.
- EDUARDO JOÃO OLIVEIRA MARTINS, fls. 275.
- CECÍLIA PAULA DIAS FIRMINO DO CARMO, fls. 277.
- PEDRO ALEXANDRE GONZAGA RIBEIRO, fls. 279.
- ALICE MARIA VELHUCO CIRÍACO GUERREIRO SILVESTRE, fls. 282.
- ANA MARIA DO CARMOS SILVA, fls. 284.
- JORGE ALBERTO BANDARRA ROCHA, fls. 287.
- VITOR MANUEL DOS SANTOS, fls. 331.
- JOSÉ DUARTE NUNES DE OLIVA NOVO, fls. 341.



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- MARIA DA GRAÇA GUERREIRO ALÃO GONÇALVES, fls. 344.
- MARINA PAULA RAPOSO BAPTISTA CASTELA, fls. 346 e 1.409.
- TEÓFILO MANUEL FURTADO CASTELA, fls. 353.
- SILVIA MARIA CORREIA RAMOS BATISTA, fls. 355, 1289 e 1975.
- JOÃO MANUEL MARREIROS VIANA, fls. 357.
- CUSTÓDIA MARIA DOS REIS ESPADA, fls. 360.
- MARIA DE FÁTIMA DE JESUS MORGADO, fls. 363.
- CELESTE DA CONCEIÇÃO ANTÃO DA SILVA, fls. 365.
- DINA MARIA DOS REIS ROCHA, fls. 367.
- LUÍS FILIPE MONTEIRO FERRO, fls. 370.
- BERNARDINO DE ABREU PEREIRA, fls. 372 e 4114.
- EMMA LOUISE WILDING, fls. 374.
- CHARLOTTE ELIZABETH ALICE PENNINGTON, fls. 378.
- KIRSTY LOUISE MARYAN, fls. 383.
- MARIA FRANCISCA DE JESUS VIEGAS, fls. 389.
- MARIA JÚLIA SERAFIM DA SILVA, fls. 392.
- MARIA BERNARDETE CALADO DA GLÓRIA, fls. 395.
- SHINEAD MARIA VINE, fls. 397.
- TIAGO PIRES LUZ DA SILVA, fls. 401.
- IVO ROBERTO GAUDÊNCIO GUERREIRO, fls. 404.
- PEDRO LOURO SERRÃO, fls. 406.
- PAULINE FRANCES MACCANN, fls. 409.
- CARLOS MIGUEL DA COSTA PALMA, fls. 412.
- SANDRO MIGUEL MOREIRA SAMPAIO DA SILVA, fls. 420.
- SUSAN BERNADETTE OWEN, fls. 423.
- MARIA DE FÁTIMA DE SOUSA FERNANDES, fls. 428.
- HAYLEY MAY CRAWFORD, fls. 430.
- VERA LÚCIA RODRIGUES DE ALMEIDA VALÉRIO, fls. 433.
- SÉRGIO ANTÓNIO SANDOVAL JANINI, fls. 435.



MINISTÉRIO DA JUSTIÇA

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DEPARTAMENTO DE INVESTIGAÇÃO CRIMINAL DE PORTIMÃO

- VIRGÍNIA VIEIRA MONTEIRO, fls. 437.
- GEORGE ROBIN CROSLAND, fls. 439 e 1835.
- ARLINDO EPIFÂNIO GONÇALVES FERNANDES PELEJA, fls. 471.
- MARIO DOMINGOS MOREIRA, fls. 532.
- JACQUELINE MARY WILLIAMS, fls. 535.
- JOÃO CARLOS SILVA BAPTISTA, fls. 540.
- JOSÉ MANUEL FERREIRA DA COSTA RODRIGUES, fls. 543.
- JAIME MANUEL GONÇALVES GRAÇA, fls. 545.
- MANUEL VIEGAS ESTEVÃO, fls. 547.
- SÉRGIO MANUEL GUERREIRO CONCEIÇÃO, fls. 549.
- MARIA DULCE PEREIRA MAURÍCIO ESPÍRITO SANTO, fls. 551.
- CARLOS ALBERTO GOUVEIA DO NASCIMENTO, fls. 553.
- MÁRIO FERNANDO MADEIRA MARREIROS, fls. 555.
- ISAURA ROMÃO FERNANDES, fls. 558.
- VERA MARIA MESTRE FERNANDES AREZ, fls. 560.
- NAZARÉ CONCEIÇÃO SILVA VICENTE, fls. 562.
- SÍLVIA ISABEL CUNHA AZEVEDO CRAVINHO, fls. 564.
- MARIA MANUELA LEAL RUSSO RODRIGUES, fls. 567.
- LUÍSA ANA DE NORONHA DE AZEVEDO COUTINHO, fls. 569.
- STEVEN MARCOS RODRIGUES COVA, fls. 572.
- MARIA AMÉLIA FURTADO PINHEIRO GORDINHO, fls. 574.
- LUÍS MIGUEL PINGUINHA MENDES FURTADO, fls. 576.
- RITA CRISTINA ROSA DOS SANTOS SILVA, fls. 579.
- LUÍS MIGUEL DA CONCEIÇÃO DUARTE, fls. 582.
- LUÍSA MARIA CÂMARA TODOROV, fls. 584.
- LUÍS MIGUEL DE SOUSA BARROS, fls. 586.
- LUÍS FILIPE DE CASTRO CABRAL MACHADO, fls. 590.
- CÁTIA SOFIA DA COSTA, fls. 594.
- ECATERINA DOBRIOGLÓ, fls. 596.



MINISTÉRIO DA JUSTIÇA

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DEPARTAMENTO DE INVESTIGAÇÃO CRIMINAL DE PORTIMÃO

- MARIA JOSÉ DOS SANTOS ROSA, fls. 598.
- JOAN BRENDA SMITH DE AZEVEDO COUTINHO, fls. 600.
- TIAGO ROCHA BARREIROS, fls. 602.
- VASCO SALES PORTAS, fls. 639.
- DAVID MIGUEL MARINO BARROSO, fls. 642.
- ARITSON HENRIQUE SOARES SANTOS LÚCIO, fls. 644.
- ANTÓNIO MANUEL GINJEIRA, fls. 646.
- DAVID JOSÉ ARAÚJO VELOSO DOS SANTOS, fls. 648.
- VALTER MANUEL DE FREITAS MENDES, fls. 650.
- GEORGINA LOUISE JACKSON, fls. 652.
- ANTÓNIO JOAQUIM DA CONCEIÇÃO, fls. 659.
- JAIME PEDRO OLIVEIRA GRAÇA, fls. 661.
- ELISEU JOSÉ CRAVEIRO VIANA, fls. 663.
- ALEXANDRA NICOLE DE SOUSA, fls. 665.
- GUSTAVO CÉSAR CABRAL CAMPOS, fls. 667.
- SVETLANA STARIKOVA VITORINO, fls. 670.
- TIFFANY CAROL HORNER, fls. 673.
- FÁTIMA MARIA SERAFIM DA SILVA ESPADA, fls. 675.
- JOSÉ CARLOS FERNANDES DA SILVA, fls. 679.
- AUZELA TÂNIA DAMIÃO ANDRÉ BINGUI, fls. 681.
- PEDRO MIGUEL GONÇALVES ALBINO DA SILVA BANDARRA, fls. 684.
- JOELSON FÁBIO SOARES SANTOS LÚCIO, fls. 685.
- MARIA DE JESUS RODRIGUES ALMEIDA, fls. 688.
- JORGE MIGUEL TRINDADE CINTRA, fls. 689.
- JOHN SHOLTO YOUNG, fls. 691.
- DANIEL JAMES STUK, fls. 694.
- SANDRA MARIA DOS SANTOS LOURENÇO MURTINHEIRA, fls. 697.
- MÔNICA AZEVEDO COUTINHO MARQUES, fls. 700.
- SOFIA BENTO BARBOSA, fls. 702.



MINISTÉRIO DA JUSTIÇA

POLÍCIA JUDICIÁRIA

DEPARTAMENTO DE INVESTIGAÇÃO CRIMINAL DE PORTIMÃO

- NÉLSON LUÍS DA SILVA RODRIGUES, fls. 712.
- ALAYN HERNANDEZ FUNDORA, fls. 714.
- LYNNE RHIANNON FRETTER, fls. 716.
- MIGUEL SALCEDAS COELHO, fls. 721.
- STEFAN KOTSEV TODOROV, fls. 723.
- CÁTIA CRISTINA DOS REIS GALVÃO, fls. 758.
- PIEDADE COSTA MENDES, fls. 760.
- MARIA DE FÁTIMA RODRIGUES BERNARDO, fls. 766.
- NATÁLIA DA GLÓRIA SOARES CAMACHO, fls. 768.
- MARIA GUIOMAR MESTRE FERNANDES, fls. 771.
- MARIA NOÉLIA DE JESUS DO NASCIMENTO, fls. 773.
- DORA ISABEL SERAFIM DA SILVA, fls. 775.
- MÔNICA DA LUZ LOUZEIRO DIAS ROMÃO, fls. 778.
- MARIA DE FÁTIMA NUNES ANTÓNIO, fls. 780.
- DEOLINDA MARIA DA SILVA CRISTINO NORTE, fls. 781.
- MARIA DE LURDES DA SILVA SANTOS LUZ, fls. 783.
- ELISA ÂNGELA DIAS ROMÃO, fls. 789.
- MARIA DA PIEDADE DOS REIS JOÃO BATISTA, fls. 792.
- PAULA CRISTINA DA COSTA VIEIRA, fls. 794.
- HÉLDER JORGE SAMPAIO LUÍS, fls. 796.
- NAJOUA CHEKAYA, fls. 798 e 1841.
- CELESTE LIBÂNIA DOS SANTOS, fls. 846.
- GEORGE WILLIAM JAMES, fls. 973.
- JOHN ELLIOT HILL, fls. 1838.

Also several G.N.R. Military, belonging to various areas, patrols and binomials (sic) were heard in declarations - list of names

- JOSÉ MARIA BAPTISTA ROQUE, fls. 415, 1.348 e 3281.



MINISTÉRIO DA JUSTIÇA

POLÍCIA JUDICIÁRIA

DEPARTAMENTO DE INVESTIGAÇÃO CRIMINAL DE PORTIMÃO

- NELSON FILIPE PACHECO DA COSTA, fls. 417, 1.340 e 3885.
- ANTÓNIO FREITAS SILVA, fls. 762.
- PEDRO MIGUEL ESTEVES FERNANDES, fls. 785.
- ANTÓNIO HENRIQUE DA CONCEIÇÃO DUARTE, fls. 1315 e 3988.
- PAULO JORGE FERNANDES NETO, fls. 1.318.
- ARMANDPO AUGUSTO MORAIS, fls. 1.333.
- CARLOS MANUEL CARVALHO LACÃO, fls. 1.335.
- RUI SÉRGIO LOPES DA SILVA, fls. 1.342.
- PAULO JORGE CARVALHOSA DA COSTA, fls. 1.344.
- JOSÉ CARLOS LEAL PIMENTEL, fls. 1.346.
- JOÃO VASCO DA SILVA CASIMIRO, fls. 1.350.

De igual modo, inquiriram-se os funcionários da Polícia Judiciária adstritos aos Piquete no dia 03/05/2007, e que em primeira instância se deslocaram ao local:

- JOÃO FRANCISCO PÁSCOA LUÍS TRIGO BARREIRAS, fls. 3856.
- MANUEL JOAQUIM PESSOA DE LENCASTRE QUEIROZ, fls. 3860.
- VITOR MANUEL MARTINS, fls. 3862.

In the path of the diligences of localization, it was requested the entry registrar of the Marina de Lagos, place who does not have a system to collect images, usually called by CCTV, page 290.

Information was also collected that the road known as A22, usually known as “Via Infante de Sagres”, does not have images available either, to match the period of time that would be of interest.

Diligences were carried out to try to locate and discover the routines of individuals that are related to criminal practices of a sexual nature, pages 293 to 300, 448 to 451, 452 and 453; nothing was discovered that could be characterized as relevant.

From pages 309 to 311, and because it could be important, we mentioned the only register of a repair that was carried out in the apartment that was used by the **MCCANN** family, without major relevance.

* * *

The situation concerning the first suspect, ROBERT MURAT, will now be approached, thus following a line of the succession of the facts, without prejudice of returning to the description of occurrences further ahead.

A few days after the facts took place, suspicions were raised concerning an individual that resides approximately 100/150 metres away from apartment 5A, identified as ROBERT **JAMES QUERIOL EVELEIGH MURAT**.

These suspicions arose initially due to the formulation by a British journalist, who found the special commitment and curiosity of **MURAT** in this case to be strange, which had reminded her of another [case] that had

taken place in the United Kingdom with similar outlines and where the guilty persons had actively participated in searches.

The reasons for said suspicion are duly listed within the information that is contained in the process, on pages 308, 328, 442, 461, 957, 960, 961 and 986 to 1000, being certain that they ended up being reinforced, some time later, by elements of the holiday group that asserted, contrary to what **MURAT** said, that he had participated in the searches on the evening of the disappearance.

In an initial phase, before the investigation was deepened, this individual gathered the conditions to be pointed out as a suspect. The conditions that are intrinsic to his suspect status, can be analysed, as stated before, on the routine reports that were mentioned above.

In order to confirm or dismiss the suspicions about **ROBERT MURAT**, searches and telephone surveillance were requested, pages 995 to 1013, both on the suspect and on the individuals with whom he directly or indirectly interacted, namely with whom he met almost daily and maintained telephone contacts.

Despite the exhaustive and methodical investigation into **MURAT** and the persons close to him, no elements whatsoever were collected to relate him to the crime that was under investigation, and it should be noted that contrary to what witnesses within the group stated concerning his hypothetical participation in the searches on the night of the disappearance, other witnesses (like **SILVIA BAPTISTA** and elements of the GNR) asserted that they had not seen him during those diligences.

Beyond the communication interceptions and forensic exams of the computers belonging to them, which pointed to nothing useful, several searches were also performed in the suspect's home, as mentioned earlier, with cino-technical assistance and exploration of the subsoil, both physically and by technological detection means, which also did not allow for the collection of exact evidence.

Be aware that, in relation to the utilization of very advanced technological means, in the area of the detection of strange bodies in the subsoil or enclosed [walled in], these were performed specifically by technicians from Aveiro University, using equipment that allowed a detailed search of the area.

This [research] continued in the same way in relationship to all the vehicles of the group, with no results.

The homes and vehicles were examined in great detail by the Scientific Police Laboratory, without finding any relevant vestiges.

The analyses of the telephone and electronic communications (reports in appendix II) and the resultant correlation, had the same results.

In the interrogation headquarters, the suspect denied any involvement with the process. The interviews with all the elements, with personal and professional relationships with **ROBERT MURAT**, also did not deliver anything of value as evidence.

In truth, in the unfolding of the searches, several objects were apprehended, for later analysis, without having obtained any incriminating evidence, which you can better observe in Volume V of the documentation, where the processual pieces related to the searches are found.

* * *

Returning to the sequence of information which has some relevance related to finding the minor, there came forth information about the presence of a sack [bag] near a cliff in Ponta da Piedade, Lagos, pages 316 to 327, whose contents revealed nothing of importance.

Page 463, reveals information related to an individual who spoke in Castellean, whose involvement was not able to be discovered.

Pages 524 to 531, 740 to 749, provide information about supposed sightings of the minor, all of them disparate amongst themselves.

On page 800, the interview with **TASMIN MILBURN SILENCE** is presented, who saw on two occasions and on several other days, an individual observing the apartment from which **MADELEINE** disappeared. A photo-fit was created based on the witness' indications . . . diligences were performed which led to the identification of **MICHAEL ANTHONY GREEN**, who was the target of diverse diligences without incriminatory results, pages 632 to 726 of Volume III, Appendix VI. Beyond this individual, there were other diligences performed at this level, also without useful results for the investigation, as is explained throughout Appendix VI.

Still on Appendix VI, pages 504 and in the following, it was investigated a situation relative to two individuals, **NEIL BERRY** and **RAJINDER BALU** (complementary inquests requested in the letter rogatory), specifically relative with the first one, whose information was crossed with the above aforementioned witness, **TASMIN SILENCE**, namely to what concerns the photo-fit, having this one made clear that it was not that same individual.

This occurrence was targeted due to an information given by an employee of the resort, pages 504 and 505 of the Appendix VI, where a somewhat peculiar situation was reported, supposedly to do with **NEIL BERRY**. However, in spite of the diligences done, inclusive in the letter rogatory, nothing was established that connected him to the disappearance of the British child.

At the pages 801 and the following, an information was worked relative to a sighting done by a professional taxi driver.

Also relative to the individuals who do this type of professional work and who have their headquarters in Praia da Luz, page 818, we talked with them but nothing of relevant for the process was determined.

At the pages 820 to 822, an information from the maritime police was added, creating several diligences, however had no results.

From the page 825 to 830, we added a report of the G.N.R. police action. Nothing of pertinent value was deducted.

For the analyses and dismissal of eventual relevant situations, traffic reports

were requested in the places considered of higher interest, page 823, relatively to the days 2, 3 and 4th of May of 2007, and that was object of a highly detailed analytical report (see Appendix II), though without criminal conclusions.

At page 835, a report of a diligence done in a gipsy camp was done, nothing useful was gathered.

At page 848 and following and from pages 856 to 857 a synopsis of the interrogations done to the resort employees was made.

At page 859, it's related a situation eventually suspicious which leads to nothing of interest for the process.

At page 868, an occurrence is reported (about a couple who had an argument, where is mentioned the disappearance of a child), after investigation this did not lead to relevant elements.

From page 870 to 883, it was done the reconstitution of the places outside the nursery, where the British child and her nanny went.

At page 884 and the following, it was added the lophoscopy [study of fingerprints] report where only finger traces of **KATE HEALY** were found, namely on the window's frame who would have been opened at the time of the disappearance, and at page 967, another report describing the same type of exam, this time without any match, though the diffusion done at an International and national level, page 1470. Later on we verified that that trace wasn't of author (sic), page 1480.

On pages 886 and following, a typed report can be observed, which was elaborated by the holidaying group after a detailed joint meeting, that recalls that steps that were made on that evening, describing the facts both in time and space.

On page 993, there is a report listing the apartments that were subject to searches, with special attention on blocks 4 and 5.

On pages 983 and 984, the preservation, for visualization purposes, of images from several petrol stations was requested, but nothing out of the ordinary was observed, page 3191.

On pages 1101 and following, several pieces of information from Interpol are listed, alerting towards supposed sightings of the minor, in several European countries, but absolutely nothing was found.

Diverse information concerning other suspects of crimes of sexual abuse of minors and paedophilia, page 1246 and following, which, after due analysis, did not contribute with anything of interest for the investigation.

On page 1398 there is an answer to the question from page 1400, informing that there are no other images from the GALP station, apart from those that were already delivered.

On page 1592, a divulgation, appealing to the person who on the 3rd of May 2007, at around 9.30 p.m., in Praia da Luz, transported a child in his arms, to identify himself, in order to dismiss the situation that was narrated by witness **JANE TANNER**.

Further on this issue, the testimony of **MARTIN SMITH** was considered, pages 1606 and following, reporting the sighting of an individual carrying a child, in one of the streets that lead to the beach. It was said that the child could be **MADELEINE McCANN**, although it was never peremptorily stated. Some time later, the witness alleged that, by its stance, the individual who carried the child could be **GERALD McCANN**, which was concluded when he saw him descending the stairs from an airplane, pages 2871, 3991 and following and 4135 and following. It was established that at the time that was being mentioned, **GERALD McCANN** was sitting at the table, in the Tapas Restaurant.

The workers that carried out construction works in Vila da Luz were heard, pages 1650 and 1651, who did not detect anything strange, during their works of excavation and placement of plumbing (also see pages 3983 to 3987), although they carefully verified, on the day that followed the disappearance and before they started the works, if there was a body hidden next to said works.

From pages 1811 to 1827 we appended two lab tests and the corresponding reports, which turned out to have no evidential interest for the process.

On pages 1846 and following, a situation of fraud was reported, concerning

misleading and fraudulent information relating to the whereabouts of **MADELEINE McCANN**. This individual, who was the author of the fraud, was detained, and confessed to know nothing about the facts, after detailed and pertinent diligences were carried out by the authorities of the Netherlands, within the frame of a Rogatory Letter. The main report, which comprises the diligences that were requested and carried out by the Dutch Police can be found in the corresponding appendix.

On page 1897, a Spanish journalist was heard, who was to have information about the alleged abductor. Once again, nothing was supplied that allowed for the substantiation of such suspicions.

An attempt was made to obtain identification elements from users of computer equipment in two establishments in Luz, which was not possible, as explained on page 1900.

On page 2006 and forward, is found the report of an identical occurrence to one that had happened in Holland, coming to be found to pertain to, once again, untrue information about the child. With the prestigious collaboration of the Spanish authorities, Grupo de Secuestros de Madrid, it was possible to identify the couple responsible for the false information, with only the male being detained under the auspices of an outstanding detention mandate.

* * *

Now the question related to the performance of the British dogs will be covered, along with the consequent quality assumed by the parents of **MADELEINE**, once again with the ability to revisit the description later in the report.

In this way, from pages 1989 and following, one can read the full report by **MARK HARRISON**, whose specialty is the search for missing people or homicide victims, including catastrophe scenarios. He provided the use of canines, specialized in the detection of vestiges of human blood and human cadaver odor.

This is an inspection technique commonly used in the United Kingdom, frequently with positive results, consisting of the utilization of two especially trained dogs.

One of the dogs is trained to detect cadaver odor and the other to detect vestiges of human blood, with existing knowledge that their prior usage had resulted in significant results, principally in the detection of vestiges, which had then been, later, confirmed in the laboratory.

After a positive joint meeting with the British police, it was decided to use this capability and a large number of objects and locations were examined, with these diligences being recorded in films which are included in the documentation (appendix III).

In some of these locations and objects, the animals exhibited the behaviour of identification and "signaling", including:

1 - Apartment 5A, of the resort 'Ocean Club', place from where the child disappeared.

- cadaver odour dog:

- *in the couple's bedroom, in a corner, close to the wardrobe;
- *in the living room, behind the sofa, close to the lateral window of the apartment;

- blood dog:

- * in the living room, behind the sofa, close to the lateral window of the apartment (exactly as it was signalled by the cadaver odour dog);

2 – Area of the backyard, close to the apartment 5A:

- cadaver odour dog:

- * in a flowerbed, commented by the dog handler the lightness of the scent detected;

3 – Apartments where the rest of the elements of the group stayed

- * NOTHING was detected by any of the dogs;

4 – House of the MCCANNs at the date of the inspection [second apartment]

- * NOTHING at the house, was detected by any of the dogs;

5 - In the area of Vila da Luz

- * NOTHING was detected by any of the dogs;

6 – In the clothes and belongings of the Family MCCANN

- cadaver odour dog:

- * in two pieces of clothing belonging to KATE HEALY
- * in a piece of clothing of the minor MADELEINE
- * in the plush toy, possibly belonging to MADELEINE (it was detected cadaver odour, when the plush was inside the residence – at the date occupied by the family)

7 – In the vehicle used by the MCCANN family

- cadaver odour dog:

- * signalled the key of the vehicle;

- blood dog:

- * signalled the key of the vehicle;
- * signalled the interior of the vehicle's boot;

8 – In the vehicle used by a friend of the family, who stayed in the same resort, matching some of the holiday days.

* NOTHING was detected by either dog;

9. In all the vehicles that were used by arguido ROBERT MURAT and persons that are close to him;

* NOTHING was detected by either dog.

(in a total of ten vehicles, the cadaver odour dog and the blood odour dog only signaled the vehicle that belonged to the **MCCANN family**, which was rented on the 27th of May)

On the locations and the pieces that were marked and signaled by the blood dog, forensics tests were performed, especially at a reputed British laboratory (Forensic Science Service – check Appendixes I and VII – FSS Final Report) but also, some of them at the reputed National Institute of Forensics Medicine (check Appendix I), whose final results did not corroborate the canine markings, which is to say, cellular material was collected that was not identified as pertaining to anyone specific, and it was not even possible to determine the quality of that material (v.g. whether it could be blood or another type of bodily fluid).

But during a first scientific approach (pages 2617 and following), the possibility of a match between the DNA profile of **MADELEINE** and some of the collected residues (among which those that existed in the Renault Scenic that had been rented by the **McCANN** couple were abundant) was raised; a match which, as can be verified in the aforementioned final report from the FSS, failed to be verified, after the execution of long and complex testing.

On pages 2461 and following, the translation of the comments that were made by the dog handler, during the inspection actions, was appended.

Based on the action of the canine team and the aforementioned initial scientific approach, which revealed the possibility of the existence of a cadaver inside the apartment and in the vehicle that was used by the **MCCANN** family, and in order to allow for **GERALD McCANN** and **KATE HEALY** to see their position within the process safeguarded, they were made arguidos, in face of the mere possibility of their involvement with the possible cadaver. During the questioning as arguidos, they denied any responsibility in the disappearance of their daughter.

It may be questioned that **KATE HEALY** was not immediately made an arguida, but rather inquired, as a witness, and only afterwards, following said inquisition, did she assume that quality.

Therefore, the constitution of **KATE HEALY** as an arguida was made when she was confronted with concrete elements that might lead to her incrimination, a fact that, within the terms of the penal process law, would officiously force that constitution.

Returning to the description of the pieces of the process, on page 2294, there is a note of the delivery of four (04) photographs, which were printed by an employee of the resort, **AMY TIERNEY**.

Page 4193, she clarified that the photographs were made on her own printer, which allowed her to use photographic paper and cut to size (10x15), which in this way, reduced any suspicion related to her possession, on the part of the parents.

Nonetheless, before her interview, the photographs were examined, as related on pages 4155 and following, and pages 4197, in which it is alleged to not be possible to determine with complete confidence if the printer is compatible with the photographs, but it seems to us, by the laboratory results (merely indicative) that these photographs were printed there.

On pages 2305, 3195 and 3212 is the detailed report, relative to the laboratory exams done on the apartment from where the disappearance occurred, which took place on 4 May 2007.

On page 2327, is the report of the exams of the home and some of the vehicles of **ROBERT MURAT** and, on page 2348, the report of the exam of the car belonging to **SERGEY MALINKA**, an individual of interest given his relationship with **ROBERT MURAT**, not having been uncovered, however, anything of a criminal nature.

On pages 2360 to 2371, is the report of the vehicles belonging to **LUÍS ANTÔNIO**, with whom, also, **ROBERT MURAT** had an acquaintance. Nothing suspicious was found.

On page 2383, is the report of the exam done in the apartment retained by the Polish couple and, on page 3230, the detailed report of the exams done on the vehicle rented by the **McCANN** couple.

All of these exams, for now, allowed nothing to be inferred relative to the exact understanding of the facts.

On page 2396, is a file, which was attributed an inquiry number, which alludes to a supposed sighting. This occurrence was duly discarded, after several diligences, outlined from pages 2739 to 2762.

On page 2412, is the interview with **PAMELA FENN**, who relates several details, of which, though not clarifying the facts, are elucidating. **PAMELA FENN** lives on the first floor of the residential block, above the apartment occupied by the **McCANN** family. She related that, on 1 May 2007, two days before the disappearance, at about 22h30, she heard a child crying, which by the sound was **MADELEINE**. The child continued weeping for one hour and 15 minutes, until the parent's arrival (she heard the door sounds), at about 23h45. This witness places in cause the allegation (by the parents) of the daily routine of visits every 30 minutes to check the children who had been left on their own.

She also added to the files, that her niece, **CAROLE**, on the morning of 3 May 2007, had seen an individual observing the child's apartment. This individual was not identified, but could have been a gardener. An interview with **CAROLE** was requested in the Letter Rogatory submitted to the UK authorities, with nothing relevant having been discovered.

On pages 2426 and following, the forensics report was attached, concerning the residues that were collected on several locations, with results that did not attain the desired purpose, which was to establish elements that conducted to the author or authors of the facts.

From pages 2771 to 2869, the final report was added, concerning the action of the canines and the searches, carried out by the British experts.

A new occurrence was explored on pages 2876 and following, concerning a crematorium, where according to the press, the cadaver of the British minor could have been placed. The crematorium was closed and sealed, according to what is explained in the aforementioned report.

On page 2897, the copies of the contract for the vehicle that was rented by the **McCANN** family were requested, and added from pages 2900 to 2937, as well as the registers from anterior rentals, including the last user, who was heard on page 2997.

On page 2945 and following, some situations concerning movements by the **McCANN** couple and episodes involving the press and private detectives are reported.

On page 2962, the holiday group's flight data is added, in its entirety.

On pages 3148 and following, the sighting of an individual with a strange behaviour, though not substantially founded, who sometimes was motionless and other times spoke on the phone from a cabin, is mentioned.

That individual, according to witness statements from pages 3150 to 3156, had some similarities with the figure that was described by **JANE TANNER**, page 3157. Nothing was established that could relate him to the facts.

All the garbage bins that exist in the Vila da Luz and surroundings, in a total number of 188 (one hundred and eighty eight), were searched and inspected, yet nothing relevant was found, page 3183.

According to what is documented in the process, on the afternoon of the 3rd of May, the group, with the exception of the **McCANN** family, were in a bar next to the beach, named "Paraíso", and the images from the video surveillance system were appended, pages 3266 to 3273, which did not supply any further clarifying elements.

On pages 3893 and following, several inquiries that came from the British Authorities, and the corresponding translations, were added, with an informative character.

On pages 3922 and 3923, a summary of the financial situation of the group, constituted by nine persons, can be found.

On page 3924, due to the tight connection with the **McCANN** couple, the priest who practises in Praia da Luz, Father **JOSÉ PACHECO**, was questioned, but did not add anything relevant for the investigation to the process.

On pages 3928 and following, another summary of the sequence of events,

executed by the holiday group, was added.

The report on page 3998 and the inquiry on page 3459-a refers to two telephone communications that were received on the night of the facts by **KATE HEALY**, from a bar that is located in Vilamoura. It was possible to verify that it was a common friend/client between both.

In the same perspective that motivated the appending of the registries of users of the vehicle that was rented by the couple, the appending of the register of occupants of apartment G5A was carried out, page 3417-a.

The wife of the Anglican Priest, **SUSAN HUBARD**, was questioned, as she had a relationship of some proximity to the **McCANN** couple, during their stay in Portugal. Once again, nothing that can be reputed as important was collected.

On page 3418-a **YVONE MARTIN** was questioned, who offered some information, which, despite its pertinence, did not show any relevance, pages 3421-a and following.

Information was collected from a Spanish detective agency, named "Método 3", which was hired by a British citizen, to benefit the **McCANN** couple. This contact was solicited by this agency, and the information that was given was subject to analysis and dismissal by this Police, pages 3434-a and following. It revealed itself, all of it, as speculative and without fundament, focusing particular attention on **ROBERT MURAT**.

From the tests and inspections that were carried out, a biological residue

was collected which supposedly carried identificative value. Faced with this, the same residue was sent to Interpol, in order to be compared with the compatible databases, page 3467-a.

Following the aforementioned canine action, after the constitution and the questioning under arguido status of **GERALD McCANN** and **KATE HEALY**, these would end up abandoning the national territory, returning to the United Kingdom, where the remaining elements of the group already were.

From this moment on, it became necessary to request from the British authorities the performance of a set of diligences, that had the purpose of helping to clarify the facts and to establish what type of crime had been committed, as well as the responsibility of the corresponding authorship, pages 3528-a and following.

Therefore, from page 3705-a to page 3792-a the Rogatory Letter is appended, that was elaborated by the Public Ministry, based on what had been reported by the Polícia Judiciária, and from page 3795-a to page 3822-a, a second rogatory letter, this time elaborated the solicitation of arguidos **GERALD McCANN** and **KATE HEALY**.

From pages 3928 until 3931 the statements from a witness, who helped during the searches for the child and who decided to give a voluntary statement, were appended. It did not point out anything of substantial relevance.

From pages 3932 to 3937, another witness alleged that she had seen **GERALD McCANN**, in Avenida Descobrimentos, in Lagos, near an ATM

terminal, at around 2.26 p.m. on the 7th of May 2007. According to the witness, the father of the minor was talking on the phone, saying “don’t hurt Madeleine, please”. She was not peremptory in affirming that it was **GERALD McCANN**. It seems unlikely to us that it was **GERALD**, given the fact that on that day, he only activated antennas in Praia da Luz, adding to the fact that, at around 2.16 p.m., he activated an antenna in the centre of Praia da Luz, which we consider to make it impossible that he was present in Lagos ten minutes later.

On pages 3943 and forward, is the request for a comparison of the DNA for **MADELEINE McCANN**, with the genetic profile of a child’s cadaver found on the coast of the USA, victim of a homicide. It was verified that they were incompatible.

From page 3948 to 3964 an intercalar report was elaborated, giving an account of the diligences meanwhile performed and the results obtained, as well as explanations of the same.

* * *

Now in an advanced phase of the investigation, pages 3965 to 4113, there arises, related to the private investigation developed by the **McCANN** couple, and publicly announced by their spokesman, **CLARENCE MITCHELL**, the alleged existence of a suspect, which, supposedly, was undertaking a collection in Praia da Luz, at the time of the disappearance. A fotofit was created of this individual by a witness – **GAIL COOPER** – who saw him, page 3979.

From the beginning and immediately, this was compared with the photo-fit from **JANE TANNER**, and despite hers not having a face, page 3977, she alleged they were the same person, with an approximately 80% certainty.

In order to assess the credibility of the description and of the drawing, it is important to highlight that the witness **GAIL COOPER**, was heard for the first time and in a very detailed fashion [emphasis in the report], by the British authorities (see page 3982), then affirming that she saw this person only one time, in a collection done at the door of the residence she was occupying during her holidays.

However, a few months later, in a new deposition, the same witness affirms that she saw this individual three times (one of which he was watching, in a strange way, the children at the Paraíso Restaurant), during her stay in Luz, information which she did not supply at the time of her first deposition to the police in the UK.

With the publication of this portrait, a myriad notices about sightings of this individual arose, most from the UK, but also from Portugal (see pages 4130).

All of this information received due treatment and evaluation in regards to credibility, of which nothing has come until now, in spite of innumerable persons approached, supposedly of similar appearance with the "suspect."

Apart from other investigative actions, said persons were photographed and their mobile phones crossed with the antennas that were activated in Vila da Luz, during the period that is comprehended between the 2nd and the 4th of May 2007, without any connection resulting from it.

On page 4116, a situation that was related to an individual who had been referenced for sexual abuse of minors was explored, whose inquiry was under process in this Department. There was no information whatsoever concerning his involvement in the present investigation, yet, as it referred to a sexual crime against minors, several diligences were carried out, whose result, for this case, was fruitless.

On pages 4147 and following, an information was received, and duly taken care of, concerning a new supposed sighting of **MADELEINE McCANN**. It was once again verified that it was a child that resembled her.

On pages 4163 to 4165, the situation that involved the abduction and murder of a minor of gipsy ethnicity, in the city of Huelva, Spain, was considered and duly correlated with the disappearance of **MADELEINE McCANN**. After several contacts were established with the investigation that was ongoing in the neighbouring country, it was concluded that the occurrences are disparate among themselves.

From pages 4167 to 4182, the forensics report from the National Institute for Forensic Medicine was appended, whose conclusions do not allow for significant advances in the investigation, but which identify several different haplotypes, some of which match intervenients in the process and others without any identificative value.

Immediately, the question concerning the differentiating value of some haplotypes [haplotype (Greek haploos = single) is a combination of alleles at multiple loci that are transmitted together on the same chromosome] was raised, namely concerning **JANE TANNER**, page 4175, which was located in a residence in Burgau, which, in our understanding, would not be viable and logical, or to say the least, would be very strange. Therefore, in order to clarify this situation, a clarification was requested from that Institute, pages 4320 and following, which, in its reply, is peremptory in stating that there are haplotypes that are identical among each other, in a percentage that is still significant, pages 4325 to 4328. This means that the hair that was found inside that residence, while possessing the same haplotype as **JANE TANNER**, belongs to someone else.

Still within the area of collection, treatment and analysis of residues, the identification of a stain on the cover of one of the beds in **MADELEINE'S** bedroom (not the one she slept in), which raised some suspicions, should be pointed out.

Duly analysed, the stain configured a biological residue (saliva) that belonged to a child – **CHARLIE GORDON** – that had been on holidays, earlier and with his parents, in the same apartment.

On pages 4200 and following and pages 4204 to 4212, two events were reported, which once again, were subject to treatment, and their importance to the ongoing investigation was immediately dismissed.

* * *

Summarising the diligences that are reported in the process and that were carried out or coordinated by the PJ, the following should be mentioned:

- de factum preservation of the location (despite the fact that it had already been rummaged by countless persons), several collections and exams on the existence of possible residues, as well as a circumstantiated photographic report;
- installation, within the first 24 hours, of an extensive operational scheme, including the participation of several police forces and civil protection services, in a total of over 130 elements;
- reinforcement, within the next 24 hours, of said operational scheme, with the mobilization of over 300 elements from police forces and public entities;
- the operational mechanism that was implemented on the terrain included, among others, and as soon as possible, the installation of posts to control the roads and the southern terrestrial frontier with Spain, the usage of canine detection teams, the usage of exceptional search and rescue means
- aerial, terrestrial and maritime -, alerts and broadcasts all over the country and abroad. Just as an example, it is mentioned that during the following weeks and in permanence, two helicopters, four ships and several off-road vehicles were used, apart from airplanes and private ships;

- in the same manner, the investigative operations were coordinated with the specific search operations, and hundreds of diligences were carried out, like the identification and hearing – both formally and informally – of citizens, the execution of door-to-door searches in the residences and tourist resorts of Vila da Luz and surrounding areas, the identification and search of vehicles, and searches on the terrain, in an area that was initially of 15 square kilometers, and then was progressively enlarged until 30 square kilometers (where special attention was given to locations like wells, passages, tunnels, dams and lakes);

The magnitude of this operation exceeded, right from the first moment, the dimension that is commonly used in similar cases, a fact that was made public, having been notoriously and widely publicized by the media.

On the following days, over 700 persons that might possess any relevant information about the disappearance were formally and informally questioned, the PJ having used, for that task, over 100 employees from several departments in Portimão, Faro and Lisbon, which worked on a consecutive basis of 24 hours per day.

Equally, all the locations where images that could be related to the case might exist, were consulted (like, for example, restaurants and petrol stations) and telephone lines from the permanent services of the departments in Faro and Portimão were made available, and a mobile police post was installed in Vila da Luz for the collection of information.

Beyond the already mentioned identifications and domiciliary door-to-door searches, the identification, contact and interview with known suspects in the area that had previously been connected to sexual criminality over minors was carried out.

Also, regarding the missing child's parents, the PJ was careful to schedule periodic meetings with them and to designate an Official Liaison to the family as support for a permanent relationship, with the accompaniment and active collaboration of the Royal British Consulate in Portimão.

Shortly after the beginning of the investigation, continuous relationships were created with the Leicestershire Constabulary which sent, in support, various of their members to Portugal, having, equally, the PJ sending employees to the UK.

It is emphasized, specifically, that the level of cooperation and of understanding between the PJ and the Leicestershire Constabulary achieved, always, very high levels, united in the common pursuit of the missing child and the truth.

As such, the Portuguese authorities engaged an enormous and expensive panoply of technical and human resources, in the attempt to discover the missing child and the understanding of the explanation of the disappearance.

The PJ never disregarded any information or credible elements – as will be seen in this criminal process – that could have led to the realization of the disappearance, and there have been completed, during these months,

more than 2000 diligences, formal and informal, in this regard.

As an example, we refer to the international cooperation, especially with Spain, the Netherlands and the UK which led to the detention and identification of individuals who tried to introduce deceptive information about the hypothetical destination or location of the child.

All of the information with any major or minor level of credibility was explored, nationally and internationally, by the PJ, with special relevance given to dozens of supposed sightings or localizations of the child, most of which, in fact, were widely publicized in the press.

The PJ, as in probably no other investigation in Portugal, withheld no effort, in the sense of providing exceptional technical means, manpower and financing towards the discovery of the child and the determination of the truth of the facts, having been completely accompanied in this effort by the Leicestershire Constabulary, the police department headquartered in the city of Leicestershire, from where most of the elements of the holiday group are from.

As another example, just the scientific exams alone cost many tens of thousands of euros.

Addressing now, and specifically, the question relative to the diligence known as the "reconstitution of the facts" (Article 150º of the Penal Process Code), which was not performed due to the refusal of some of the integral members of the holiday group to return to our country (as documented in

the Inquiry), the same would have clarified, duly and in the location of the disappearance, the following extremely important details, amongst others:

. The physical, real and effective, proximity between **JANE TANNER**, **GERALD McCANN** and **JEREMY WILKINS**, at the moment when the former passed them, and which coincided with the sighting of the supposed suspect, carrying a child. It results, from our understanding, as unusual that neither **GERALD McCANN** nor **JEREMY WILKINS** did not see her, nor the alleged abductor, despite the small dimensions of the space;

. The situation that concerns the window of the bedroom where **MADELEINE** slept, together with the twins, which was open, according to **KATE**. It would be necessary to clarify whether there was a draft, due to the fact that movement of the curtains and pressure under the bedroom door are mentioned, which would eventually be clarified through the reconstitution.

. The establishing of a timeline and of the effective checking of the minors that were left alone inside the apartments, given the fact that, believing that said checking was as tight as the witnesses and the arguidos describe it, it would be, to say the least, very difficult that the conditions were reunited for the introduction of an abductor in the residence and the posterior exit of said individual, with the child, namely through a window with little space. It is added that the supposed abductor could only pass that window holding the minor in a different position (vertical) from the one that was visualized by witness JANE TANNER (horizontal).

. What happened during the time lapse between 5.30 p.m. (the time at which **MADELEINE** was seen for the last time by a person that differs from her parents or siblings) and the time at which the disappearance is reported by **KATE HEALY** (at around 10 p.m.).

Concerning the result of the diligences that were requested from the British authorities, as earlier mentioned, despite the fact that they were almost completely carried out, nothing new was added to the process and, consequentially, to the investigation.

The questioning of the holiday group merely corroborated what had already been established during the investigation, without any detail that could have been reputed as especially relevant being brought forward.

In conclusion, it results from everything that has been done, despite the efforts that were made and all investigation lines being explored, that it is not possible to obtain a solid and objective conclusion about what really happened that night, and about the present location of the missing minor.

On the other hand, it should be referred that this investigation moved itself under conditions of exceptional media exposure, with the publication of many “news” of imprecise, inexact or even false contents, which did not help, in the least, the discovery of the truth and created, many times, a climate of unusual commotion and of lack of serenity.

Therefore, as we do not envision, at the present moment, the execution of



any other diligence within the process that might produce any useful result for the process, I submit it to your consideration, for you to determine whatever you may see as convenient.

*** * C O N C L U S I O N * ***

Portimão, 20th of June 2008