

Chief Inspector Tavares de Almeida (PJ)

Report by Chief Inspector Tavares de Almeida to the Coordinator of the Criminal Investigation 10 September 2007 (Process: VOL ,X, p. 2587-2602)

MADELEINE BETH MCCANN was born on the **12th of May of 2003**. She is missing (disappeared) since 03 of May of 2007, a fact that occurred in **Praia da Luz**, Lagos. She is the daughter of **Gerald** and **Kate McCann** and her birth was desired and planned. However it must be referred the difficulty of the mother to get pregnant, from which resulted the necessary treatments and their 'costs'. [*presumably he refers more to the emotional and social costs than monetary ones*].

She was born after fertilization 'in vitro', but in face of the DNA profile of the minor, she is the daughter of the couple McCann. It is a scientific fact that the medical treatments to overcome some of the causes for a non-pregnancy raises the probability of, in a normal pregnancy, twins may be born. In this case we can see that a pregnancy, although desired and planned, turned into a family situation of five instead of three persons. And then, to take care of one child is not the same as taking care of three, all very young.

At around 24h on the **3rd of May of 2007**, through a phone connection from the **Lagos GNR** to this 'piquet', was communicated the disappearance of a minor, a British subject [*remark: from GNR to the PJ*]. We [PJ] went to the local to proceed to the necessary judiciary inspection. Before the fact of the disappearance of the minor, the investigation 'designed' the several possible sketches. From the beginning the parents of the minor attributed the fact (disappearance) to the action of a third party, defending the KIDNAPPING. Even though it was a possible scenario, the actions of the family were in the sense of conducting into that direction, through the publicity of the fact in a way that was never seen before. In fact, in the following day, the British televisions 'opened' the news already publicizing the disappearance/kidnapping of the minor.

The defence of this scenario was, for the Media, the truth of the facts under investigation. Time went by without the confirmation of this scenario by the presence of any of its necessary assumptions. It was never requested any sort of ransom in exchange for information or the child herself. However and in front of the depositions of one of the friends, **Jane Tanner**, one could presume to be before such frame. Meanwhile the diligences continued in order to recover all types of information and always in the perspective of working over all the possible scenarios. The information recovered, in the beginning, with **the family and friends**, was uncertain and 'worked up', by the group, in order to give strength to the version presented and defended. According to the parents and the **GROUP**, they went for **dinner** and all of them left the children, sleeping, in their respective apartments. The elements of the group had a meeting where **they agreed on certain rules** that sustained the version that they accompanied continuously the children, while they dined. It is annexed a manuscript of an element of the group that gives consistence to this thesis. These principles that, in this way, were shared by all the group makes that all the GROUP is always exculpated in the eyes of the British public opinion, making it impossible that any abnormal occurrence that occurred could take more than 30 minutes, once they all agreed to be that the timing they used to look for the children.

The version that someone in the group that every 15 minutes or every 30 minutes went to the apartments to check if everything was alright falls down! From the **declarations of the group results a total incoherence**, in the face of which it's obvious, that everyone lies. We may verify that one of the elements of the group wanting to provide consistency to the group's version, gives it a

personal touch: the checking on the children were done in two ways, one just by listening if anyone was crying and in case there was silence than everything was well and the other one, by really checking.

On his turn to verify the children, one of the elements of the group, [Matthew](#), acted on this manner, and he even told Kate that everything was okay but without specifying. Kate remembers this detail. The truth, however, is that this statements made the investigation to wander, losing time and resources. It is not admissible (understandable) that this information was given in the beginning and maintained all along the time, in spite of the fact that anyone could verify the losses that it caused to the investigation. After all this time the version is maintained paired with the public and 'hammered' statement that what they want the most is 'to help the investigation'. The investigation had to assume the incorrect information and move forward.

From such the results are that:

- If anyone went to check the children and if everything was alright the disappearance **could only have occurred between 21:30h and 22:00h;**
- If the information didn't take into account that [witness](#) (') then the disappearance occurred between 21:00h and 22:00 h, enlarging the period (**assuming the father is telling the truth**);

There is however another question about the timing, which is:

- The last time the child was seen outside of the GROUP, by someone that can prove that moment, it was **around 17h:35m**, when the parents went to fetch her from the Creche, which can enlarge the gap of time, between the disappearance and the alarm, to four hours.

Continuing with the analysis of the information presented, we have an element of the GROUP that became a witness, pretensely important, [Jane Tanner](#), because of what she communicated: [she SAW someone](#) at dinner time crossing the road from the place of the disappearance, in the direction of [Robert Murat's](#) house. This information swerved (directed) and mobilized the work of the investigators for a long time. This can be the example how information that is not correct can, not only delay, but could have also lead to the loss of the little girl. Through the insistence on the information, several scenarios of the disconformities of that with the reality were traced, but it didn't prevent the realization of an intense and long work around that arguido.

We can also verify the **discrepancies about the subject on the declarations of Gerald and Jane**. How to pass at scarce 2 / 3 meters from each other without seeing one another, they can be positioned in such a reduced space, and between them they cannot see the same person passing by; or rather, one sees but not the other. Even the local where, assumingly, they crossed each other is not well defined by any of them. The [moment chosen by the witness Jane](#) to make her statement about what she had 'seen' and the explanation for that moment is unreal, that is, it is not easy to accept that any witness (from the group) when seeing someone with a child in the arms getting away from the McCann's place, hadn't immediately acted or spoken, being certain that the description of the person was being consecutively altered, '*perfected*'. So, there isn't much credibility on this deposition.

Until now we have been analyzing small distortions in the information initially transmitted, being noticeable '*small*' alterations (distortions) of the truth, and relating it with the investigation and with the directions it forced it into. The investigation didn't follow the command or the will of anyone; the family and Group's information that on this type of crime is fundamental, was always distorted. The fact that the individuals were foreigners prevented, until now, that direct information about the persons of the GROUP were obtained. The parents of the minor live in a society, the British, known

through the press, as very demanding. The professions of both parents, medicine, completed by the fact that the father is a surgeon, increases this degree of pressure and consequent tiredness. In a society identified internationally and in the Media as very demanding and with many and tight rules to establish those standards of exigency, it makes it obligatory that people rest; make a professional retreat; take their holidays. [Gerald McCann's](#) profession is a cardiovascular surgeon. On many moments of his professional career he had to make decisions in thousandths of a second, which gives him certain 'coldness' and, certainly provokes an increased tiredness. The enjoyment of a period of holidays supposes a rest through non-ordinary practices and freedom and exemption from schedules. The social life in such a holiday, in the present case, was facilitated by the fact that they travelled as a group. But that social life may, in a certain way, be touched by the presence and constant needs of accompanying the minors.

This evidence and need was clear in the deliverance of the children by the respective [children's centres and creches](#) (according to their ages). The holiday time was not shared between parents and children. The day, [03 of May of 2007](#), had gone by, until dinner time, in a natural way according to the adopted style. After getting the children from the Children's centres and the creche they went to the [apartment](#), little after 17:35h. But 'Kate went running for half an hour at the beach and then went to the apartment and' Gerald went to play tennis. While the tennis play was taking place [another element of the group](#) that had been in touch with Kate, in the apartment, in a period of time that **could have taken between 30 seconds, according to Kate, and 30 minutes, according to Gerald**. In thirty seconds we may ask if everything is well and if anything is needed, little more. In thirty minutes we can go ahead and make something that is needed from us'

They put the minors to bed and to sleep, around 19:30h. They stood at home until 20:30h, going to the [Tapas restaurant](#) afterwards. Of the group they were the first to arrive. Although the entire group was at the table and starting the meal, they began the 'visits' to the children in a way that is neither coherent nor acceptable; that could not be confirmed and only the group defends it, in a sort of 'unique version'. Although they say in the 'Autos' that their strategic position in the Tapas restaurant allowed them, the McCann, to see the apartment where they'd left their children, minor, sleeping, the exam of the local reveals it is false. It must be noted, also, that by the stated in the 'Autos' everything points to their position at the table with their back to the apartment.

On that NIGHT, **around 22:05h, according to her version, it was Kate** that went to the apartment to check the children, coinciding with the end of the dinner, at which she had arrived at 20:30h. So, she returned to the apartment about one and a half hours later, the time lapse while she didn't see her children. It took her about 10 minutes. She returned to the restaurant and communicated to the remaining elements the disappearance of her daughter Madeleine. It must be noted that Kate knew that, going back to the restaurant as she did, she would leave the twins, Amelie and Sean, in the same dangerous situation. It is not understandable why she didn't use the **cell phone** to call Gerald or the group or, even simpler, that she didn't **go to the balcony** from where she could be perfectly heard by the elements of the group.

The authorities, the GNR, were alerted around 22:40h and, he population alerted, started the searches for the minor. The divulgation of the facts weren't kept within the authorities and the normal channels. On the following day the British and Portuguese TVs were advertising the fact. The GROUP was together. The search was circumscribed to the interior of the apartment. Before any search by the authorities at the surroundings the notice about an eventual kidnapping was already running along. By reasons, they said, of counselling and support **the parents asked for the presence of a priest, at around 02:00h/03:00h on the 04 of May**. On the informal depositions they made, during the judiciary inspection made at the local, the information immediately induced the thesis of KIDNAPPING.

Simple things became disinformation: the **question of the opened or closed window**; the **shutter up or down**; the **balcony door opened**' **the front door, locked or open**. Despite everything, until a certain time in the investigation **the family sustained the thesis of kidnapping**. However, in a date that cannot be precise it was suggested to the family that they should consult a person that could, eventually, indicate the probable place where the cadaver of little Madeleine could be found. This fact became inexplicable to the elements of the investigation once **it were the members of the family that raised the hypothesis of death of little Maddie**. Nevertheless, before the Media they kept (and keep) declaring their hope on finding their daughter alive: the first time that the hypothesis of the death of the little girl was raised it was, effectively, suggested by the McCann.

Although maintaining all the lines of the investigation opened it was, nevertheless, decided to advance in the direction of a new inspection to the local where the girl disappeared. The inspection technique is frequently used in the United Kingdom and consists on the **use of dogs** especially trained. As it's natural it is the dog's olfact the 'sense' used. In the case of this 'sense' the difference between the human and the dog is 5 million cells to 200 millions. It must be highlighted that the resource to this kind of inspection **is frequent in the UK and the success rate is 100%**. One of the dogs is trained to detect the **odour of cadaver** and the other to identify vestiges of human blood. We refer now that the location of the cadaver odours signifies that physically the body (cadaver) is not on the place, marked by the dog, but certainly it has been there, as long as the dog signals it. As it can be verified from the '*Autos*', in the inquiry, the dogs inspected the locales and objects with the results described below. All the inspections were recorded in sound and image and were directed by our British colleagues that accompanied the dogs.

Among the great number of objects and locales inspected, the dogs marked the following places:

- 1. Apartment 5 A, Ocean Club resort, the place from where the child disappeared
 - 1.1. Cadaver odour
 - * Master bedroom, in a corner, by the wardrobe
 - * Living room, behind the sofa, by the side window
 - 1.2. Blood dog:
 - * Living room behind the sofa, close to the lateral window (on the same spot signalled by the cadaver dog);
- 2. Front garden to the apartment 5A
 - 2.1. Cadaver dog
 - * Flower bed (the dog handler commented on the 'lightness' of the odor)
- 3. Apartments where the rest of the group were staying
 - * NOTHING was detected by the dogs
- 4. Actual residence of the McCann
 - * NOTHING was detected on the house by any of the dogs
- 5. At Aldeia da Luz
 - * NOTHING was detected by any of the dogs
- 6. Clothes and belongings of McCann family
 - 6.1. Cadaver dog:
 - * 2 pieces of clothing of Kate McCann
 - * One piece of Madeleine McCann
 - * Madeleine's soft toy
 - * The odour was detected when the toy was still in the interior of the actual residence of the McCann
 - * It was confirmed in out of the house conditions
- 7. Vehicle used by the McCann family
 - 7.1. Cadaver dog:
 - * Marked the key of the car

- * Marked the interior of the booth
- 7.2. Blood dog
- * Marked the car key
- * Marked the interior of the booth
- 8. Car used by a family friend that was staying in the same resort, in some of the same days
- * Nothing was detected by any of the dogs
- 9. All the cars used by the arguido Robert Murat and the people that are close to him
- * Nothing was detected by any of the dogs.

(In a total of 10 cars the cadaver dog and the blood dog only marked the car of the McCann family, rented at May 27th)

The places and the pieces marked and signaled by the blood dog are being subjected to forensic exams, part of which are already concluded. Not less relevant is the refinement of the results that point towards [Madeleine's DNA](#) as being present at the [apartment 5A](#) behind the sofa, a place marked by the cadaver and the blood dog. In every place marked by the blood dog it was confirmed there was DNA. The Media enhancement given to the case and their search for information has contributed to an evolution on Madeleine's parents declarations. All the information that was made public, contributed for the remixing of the story, adapting it to eventual police questions, and to attempts to justify the indicia and consequent proof that was being collected.

Let's see: the media forwarded the hypothesis that the children could have been sedated to be kept asleep and allow some rest to the parents. Distant in time Kate's father, the [grandfather of the minor, Brian Healy](#), admits to the press that [Kate could have administered some medication](#) to the little girl, Calpol, to help the child (children") to sleep, contrary to what his daughter Kate had stated. Kate, through the PJ inspector that acted as '*liaison*' with the family [*NOTE: that is Ricardo Paiva*], asked why samples weren't taken from the twins in order to test that hypothesis. She knew well enough at that time, more than 3 months later, that such exam would be inviable. She went further and said that we '*the investigation*' should verify that the kidnapper had sedated Madeleine, to accomplish the action and he had also sedated the twins '*to consummate the act*' however she didn't say that at the right moment. And we know that the sedatives have timings to act and timings to be expelled, that varies between six and 200 hours. The medical knowledge of the McCann is enough to know such, even if their professional activity never passed by performing toxicology exams. When the media informed that blood had been detected '*in the car and in the apartment*', Kate and members of her family come to the public with the **simple excuse that it had been someone, with access to the apartment, to place the evidence.**

Now they even admit it was a member of the criminal investigation to place the 'false' evidence (blood and cadaver odour in the apartment and in the car). Kate in an attempt to justify the blood went even further, informing that on that occasion, Madeleine had, sometimes, nasal haemorrhages. On the day that a house search was performed, in the residence of the McCann, on the master bedroom, written papers were found as well as a bible, written in English. It was opened on the pages whose copies are annexed here, with the translation. KIDNAPPING is a situation with which, unfortunately, in the United Kingdom, most of the public opinion is used to, due to the rate of this kind of crime.

Intelligent people should have a minimum of knowledge that the publicity is harming to the investigation of a kidnapping crime and especially to the safety of the kidnapped person. They should have waited for the decisions from the police authorities, there is strong evidence that the crime scene was altered, some furniture was moved around. Those changes are indications of simulation. On the night of the disappearance of the little girl Madeleine the family was contacted by a lady that identified herself with documents that credited her as somebody that worked with minors in the

United Kingdom. She identified herself with documents/certifications used in the UK, into hospitals and centres for the care of minors. She offered her help in whatever was needed. **No doubt this person could have been of valuable help, even about procedures, but she was dismissed.** From everything that was gathered, the facts point in the direction that the [death of Madeleine McCann occurred](#), on the night of May 3rd of 2007, inside the apartment 5A, of the Ocean Club resort, occupied by the couple McCann and by their three children; There is a coincidence between the marking of cadaver odour and blood, according to the Laboratory Report (partial) annexed to the 'Autos'.

Such markings, occurred behind the sofa of the living room (cadaver and blood odour/DNA), which proves that indubitably such piece of furniture was pushed back by someone, after the death of Madeleine McCann occurred. Because of the weak (small) vestiges recovered at such place, it is to admit as a strong hypothesis that **the same was subjected to a wash, at the time the death occurred.** In the same way, [the soft toy used by the dead child](#), found at the head of the bed where she usually slept (see photos about the initial forensics) reveals that someone **put it there in a moment posterior to the death, once the bed doesn't have cadaver odour.** *This is, there occurred an intentional modification in order to simulate a 'picture' that doesn't correspond with the reality;* It must be added that the cadaver odour signalled **a strong odour in the bedroom where the McCann slept**, which can indicate the moving of the corpse from the [actual death scene](#) (living room) to the non visible part of the bedroom; Furthermore a strong reaction for cadaver odour was made **on Kate's clothes**, which can indicate that she was in touch with the cadaver;

There was also a strong reaction of **cadaver odour in the car used by the McCann (since May 27th 2007)**, which in conjugation with the blood dog and the forensics present in the 'Autos', that indicate the presence of Madeleine McCann's [DNA](#) in the booth of the car, are in order not to exclude a strong hypothesis that **this car may have been used to transport the cadaver**, 24 days after the death; It can't also be neglected the indication of the cadaver and blood dog, **on the car key, having the laboratory confirmed the existence of Gerald McCann's DNA.** This last signalling was obtained by the dogs after the key was put far away from the car and in a place not visible.

From everything that was exposed from the AUTOS, we conclude that:

- A) The minor Madeleine McCann died in the apartment 5A of the Ocean Club resort, on the night of May 3rd of 2007;
- B) It was performed a simulation of kidnapping;
- C) In order to avoid the death [alarm] of the minor before 22H00, it was created a situation of the children's surveillance by the McCann while the children slept;
- D) Kate McCann and Gerald McCann are involved in the occultation of the cadaver of their child Madeleine McCann;
- E) At this moment, there seems that there aren't strong indicia that the death of the minor didn't happen due to a tragic accident;
- F) From what was obtained until now, everything points out that the McCann, as self-defence, didn't want to deliver immediately and voluntarily the cadaver, existing a strong possibility that the same was transported from the initial place of deposition. This situation is susceptible to raise questions about the circumstances under which the death of the minor occurred.

So we suggest that the 'Autos' be sent to the EX.mo Sr. Procurador Geral da R'ublica [General

Attorney], in order to:

G) New interrogation of the Arguidos Kate and Gerry McCann;

H) Evaluation of the measure of restraint to be applied in this case;

On the course of the house search to the residence of the McCann, a manuscript was found, a sort of **diary**, already photocopied, possibly authored by Kate McCann, and admitting that the same may contain elements that may help to reach the material truth of the facts, WE PROPOSE THAT:

I) The photocopies of such document to be presented to the M.Mo Judge regarding its apprehension, if legal, translation and eventual recovery of elements to bring into the 'Autos' for future investigation.

CONCLUSION

On the tenth of September, two thousand and seven Chief Inspector (Tavares de Almeida)

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This was the supposed Final report (summary) of the Investigations given to the Portuguese Prosecutor. Three weeks later through political Interference ([Gordon Brown](#) and [José Sócrates Carvalho Pinto de Sousa](#)) the investigators team and prosecutor were dismissed and new people set in, who were not directly involved into the original investigations. On 2 October 2007, [Dr Amaral](#) was removed from the investigation into Madeleine's disappearance. The Portuguese judicial authorities then appointed a new investigation co-ordinator. He reported to the District Attorney (not the Attorney-General as stated on Wikipedia) for that region of Portugal, **Jose de Magalhaes e Menezes**. He issued a report on the investigation, signed off by **Deputy Attorney-General Joao Melchior Gomes**, which was made public in **July 2008**.

A →[new report](#) was written which finalized as follows:

On **page 4,649** his final statement: "I order...the filing of the papers concerning the suspects [Gerald Patrick McCann](#) and [Kate Marie Healy](#) [the surname then used by Dr Kate McCann], as there is **no evidence that they committed any crime defined by Article 277.1** of the Code of Criminal Procedure".

On **page 4648**, he declares: "...it must be clearly understood that **this is not equivalent to final and irreversible closure** of the enquiry".

On **page 4647** of the same report: "No evidence was obtained which would enable the average person...to arrive at a clear and honest conclusion as to how the child was taken from the apartment (dead or alive, and if dead whether by negligent or wilful manslaughter)". On the same page, the District Attorney adds: "**We do not have any grounds whatsoever for saying, with the necessary degree of certainty, exactly what crime(s) may have been committed against Madeleine McCann**".

On **page 4643**, also **pages 4597-8**: "Whilst it is an undeniable fact that Madeleine disappeared from [Apartment 5A](#) in the [Ocean Club](#), the manner and **circumstances in which it happened are unclear**, despite the huge number of investigations, and the potential range of crimes suggested. **The potential range of crimes suggested** throughout the enquiry - including abduction for sexual

*purposes or other uses and accidental death and hiding of the body - **still stands***".

On **page 4605**: "*The **possibility of abduction** was exhaustively investigated. **No ransom was ever requested, nor were there any sufficiently consistent clues found to support this theory***".

(The McCanns rely on this report for their claim that they were 'cleared'. See some more details on →[Have her parents been 'cleared' of any involvement in her disappearance?](#))

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