

The Mystery of Robert Murat: From Arguido to Applause:

An examination of Robert Murat's involvement in events following the disappearance of Madeleine McCann

By Tony Bennett, April 2010

PART TWO: CHAPTER F

F. Jane Tanner identifies Robert Murat as the abductor and three more of the 'Tapas 9' make statements against him

Here I reproduce an extract from Gonçalo Amaral's account, in 'The Truth About A Lie', of how he first became interested in Robert Murat. Amaral was the original senior investigating detective in the case until he was removed from the investigation on 3 October 2007.

The translation of this part of Gonçalo Amaral's book was made by a person known on the Internet as 'AnnaEsse':

Gonçalo Amaral discusses the arrest of Robert Murat

QUOTE

I am about to make enquiries of the police officer on duty when an individual comes back from his walk and greets him as he passes.

'You know that man?'

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

As the law demands, all foreign people interviewed by the police must have the benefit of an interpreter. In this investigation, the considerable

number of interviews we had to conduct in record time forced us to call on the services of volunteers.

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

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

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

I immediately telephone the team to alert them. The Director of the Department of Criminal Investigation in Faro has to take part in a meeting the same morning, where we will discuss the case of Robert Murat. We decide to request the latter's help again in order not to lose sight of him. We must act with the utmost speed, because Madeleine could be in one of the houses he has access to. The investigators continue to check the information we have about him. He is English, aged 33 and is separated from his wife.

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

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

His mother has set up a desk near the Tapas restaurant in order to gather and give out information about Madeleine. We don't know if this woman's actions are philanthropic in nature, or if she is hoping to keep up-to-date with all the information circulating about the case. Members of the British agency, CEOP [Child Exploitation and Online Protection

Centre], take a close interest in Murat and work to develop his psychological profile.

If it's him that's holding Madeleine, we must monitor all his contacts and places he has access to. His house is therefore being closely watched. Technicians arrive from Great Britain with sophisticated equipment, capable of detecting the presence of people inside a building. Unfortunately, the characteristics of the building make this computer display impossible.

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

On May 12th, Robert Murat rented a car, driving it for miles over rough tracks for basic essentials. He explained later to us: that day, his mother had needed his car for her information desk. We are assuming that he noticed he was being followed.

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

Before searching his house, we wanted to assure ourselves that Jane Tanner recognises him as the individual she saw on the night of the disappearance. She is sitting inside an unmarked police car, whose tinted windows allow her to see out without being spotted. The vehicle is parked at the exact spot where she says she was on the night of May 3rd.

Robert Murat, anonymous amongst plain clothes police officers, goes up the road in the same way as the alleged abductor. Jane Tanner is adamant: it certainly is Robert Murat that she saw that night. She definitely recognises his way of walking. But does he resemble the description she painted previously?

The investigator, with whom Murat is on friendly terms, is with him in a

bar until 2 o'clock in the morning. We are not about to relax surveillance. As soon as he gets home, police officers are stationed around his house in order to monitor all entrances. The crisis unit is buzzing; the teams are preparing for the search. It will be carried out at 7am - the legally designated time - when the journalists are not yet on the streets. The operation is kept secret. We request reinforcements from the GNR. For the moment, we have no evidence against Murat, only suspicions. If we had been certain that Madeleine was in the house, we wouldn't have had to wait for daylight to intervene. Scenes of crime specialists accompany us in the search for evidence.

Outside, two rainwater recovery tanks are explored with the help of divers. We pack up a few items of clothing to send to a laboratory that will carry out the search for fibres, hair, and traces of blood that possibly came from Maddie. The cars are also gone over with a fine tooth comb. Laptops are seized and their contents examined by specialists. We find a cutting from a British newspaper, dated 23rd September 2006, that refers to a case of paedophilia.

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

We ask him about a telephone call intercepted after the announcement of the disappearance. His response is very vague. We know that towards 11.30pm, Michaela 'phoned Murat. Then, he called a certain Sergei Malinka, and straightaway afterwards, Michaela. We will never know the content of these conversations; no one will give us plausible explanations. The answers are evasive: 'I no longer remember', or 'that was about the website for the estate agency'.

Sergei Malinka is Russian, aged 23. He works in computers and lives with his parents in Vila da Luz, 300 metres from the Ocean Club. His mother, a housewife, is employed by a cleaning company that does certain apartments for the club.

He is seeing a young Portuguese woman, aged 33, mother of a teenager. The wife of one of his associates, of British origin, states that in 2006, he boasted about having had sexual relations with a minor, aged 14, and related how the father had surprised them; he allegedly stated that currently he maintains a relationship with an older woman and her daughter at the same time. Interviewed, he refuted these allegations: he

claims that it's vengeance on the part of his associate, unhappy with the way their shared company worked out.

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

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

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

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

We want to know more about his circle of friends and the places they frequent. During the evening of the disappearance, he remembers having heard a siren shortly after 10.30pm. He was then in the kitchen with his mother. The next morning, at around 9 o'clock, he asked a passer-by what had happened, and that was how he learned about Madeleine's disappearance. He then decided to go and offer his help. The discovery of a key at Murat's house revives the hope of finally getting a lead. He tells us that it belongs to Michaela, and that it must have been dropped accidentally. Where was that key before it was found at his house? In Michaela's pocket? In her bag? We learn that it opens the door of a

garage where Luis Antonio stores his maintenance products. A team is sent immediately to the part of Lagos where this garage is situated. The search proves as disappointing as the others. Nothing is found. Once again, no evidence of Madeleine's presence.

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

As if the memory of the McCann family's friends suddenly came back to them, all - Rachael Oldfield/Mampilly, wife of Matthew Oldfield, Fiona Payne, wife of David Payne, and Russell O'Brien Jane Tanner's partner - now recalled having seen Murat on the night of May 3rd, shortly after the announcement of the disappearance, in the immediate vicinity apartment 5A. Meanwhile, of course, Murat's picture has been shown on television and in certain newspapers.

They themselves were in direct contact with him during the previous days. However, it is only on May 16th that they deliver this information to us. As for the officers of the National Guard who were on the spot, they didn't see him that night, only the next morning, when he came to offer his services as interpreter.

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

UNQUOTE

Discussion of Gonçalo Amaral's chapter on Robert Murat

We'll just pick up three preliminary points from Mr Amaral's chapter on the questioning of Robert Murat.

First, the fact that Sergei Malinka's mother was employed by a cleaning company that does certain apartments for the Ocean Club would give her access to those apartments; she would need a set of keys in order to do her job.

Second, it appears that the police returned the computers of Murat and Sergei Malinka to the two men on 18 May. That same day, the website of the Romigen company was updated (see below). The rapid return of the computers to Murat and Malinka has puzzled many IT experts, who wonder how thoroughly the police could have searched them in just a few days. The only way to retrieve erased images from a hard drive is to examine its records for weeks, at least. Sometimes months of analysis is necessary. Given the fact that Murat had both pornographic and encrypted material on his computer, and in view of the content of some of the witness statements that we have referred to briefly, it is hard to fathom why the police only kept the computers for a few days.

Third, regarding Sergei Malinka, we might just refer here to the findings of the Portuguese police after they seized Malinka's computer and associated equipment and disks.

The report states: "This is the summary of the examination of nine mass storage devices (disks and memory sticks/cards) collected from Sergei Malinka's house. "Nothing was found of relevance for the case. In addition, 27 optical disks (CD ROMs) were analysed and found to contain pornography and, on one disk, bestiality".

We will return in a moment to the matter of how Jane Tanner identified Murat as the suspected abductor, but first let us pause and note a few other significant aspects of Amaral's account, namely the following:

- He is sceptical about the English advisers and criminal profilers who seem so sure that Murat is the likely abductor
- He is clearly also sceptical about the sudden recollection by three members of the 'Tapas 9' of having seen Murat on the night of 3 May

- He notes all the various claims about Murat's possible sexual perversions and violence, his interest in pornography, and claims about his friend Sergei Malinka's sexual interests. It appears he regards these as at least of possible relevance
- He is curious about the strange relationship 'triangle' between Luis Antonio, his wife Michael Walczuk, and Walczuk's current romantic partner, Murat.

How Jane Tanner identified Robert Murat as the chief suspect

The McCanns' friend Jane Tanner had claimed to have seen an abductor carrying Madeleine away from near the McCanns' apartment at 9.15pm on the evening she was reported missing.

On Sunday 13 May, Jane Tanner positively identified Robert Murat as the man she had seen on the night of 3 May. Soon after 13 May, her partner Dr Russell O'Brien was to claim that he'd seen Robert Murat hanging around the Ocean Club the night Madeleine was reported missing. The following is an account of how her positive identification of Murat occurred.

On 13 May, Tanner was taken by a Leicestershire Police Officer, Bob Small, into a police van with darkened windows, from where she could see passers-by. Amongst those who walked by whilst she was hidden with police officers in the van was Robert Murat. She apparently instantly identified Murat as the probable abductor she had seen a few nights previously. Crucially, Robert Murat has poor eyesight and wears glasses all the time. However, when Tanner was asked to give a description of the abductor she claimed to have seen, she did not mention his wearing glasses.

Bob Small had already been in Praia da Luz for several days. Tanner originally claimed that when she first met Bob Small, she didn't know who he was, and asked her partner, Russell O'Brien, who was with her, to write down the registration number of the car in which the policeman rode. But during the same questioning session, Tanner says that at that time she was taking her collaboration with the authorities 'very seriously' and that she didn't even tell her partner [Russell O'Brien] that she was meeting Bob Small and why. We don't therefore know when she was first introduced to Small; she has been evasive on the subject.

It had been on Sunday 6 May that Lori Campbell contacted Leicestershire Constabulary about Murat. A female CID Officer in the Leicestershire

Constabulary [Folio 307 of the CD in the files] faxed the 'Portugal Incident Room' in Praia da Luz stating that Lori Campbell, a reporter from the *Sunday Mirror*, had been in contact. The Officer reported as follows:

"Lori has been speaking to an interpreter who has been helping the Portuguese authorities with the investigation into Madeleine's disappearance. He has only given his name as 'ROB' and has not given any background information about himself. Lori has become suspicious of Rob as he has given conflicting accounts to various people and he became very concerned when he noticed his 'photo being taken by the *Mirror's* photographer. ROB stated to Lori that he was going through a messy divorce in the U.K. at the moment and that he had a 3-year-old daughter just like Madeleine, who he is separated from at the moment. He made a big show of telephoning his daughter in front of reporters and Lori felt he was being too loud and making a big thing of speaking to his daughter on the 'phone. The things that ROB has said to Lori have raised her concerns about him. Could you please call Lori who is still in Portugal to establish further details to identify ROB in order to eliminate him from your enquiries on 07917 XXXXXX".

This information was relayed immediately to Portugal - in stark contrast, we may note, to the way Leicestershire Police handled some other matters of potential interest, for example, their five-month delay forwarding the statements of Drs Katherine and Arul Gaspar to the U.K. police.

These were two doctor friends of the McCanns, whose statements claimed that, while on an earlier holiday with the McCanns and the Paynes, Dr Payne, in the presence of Mr McCann, had made disturbing remarks about Madeleine in what might be construed to be a sexual and perverted way. These statements are both included in our latest book: 'The Madeleine McCann Case Files: Volume 1', which you can order from our website.

As journalist Paulo Reis commented: "Miss Campbell's report must have hit the hot buttons, because Mr Murat came under suspicion and the PJ intercepted his telephone (see folios 1017 and 1267), picking up some interesting chats with Martin Brunt of SKY TV (see folios 1675 and 1692). But little else was picked up except for a conversation with 'Phil', a British Police Officer, whom Murat asked about the ways mobile 'phone signals could be tracked to specific locations. Mr Murat's interest seemed to be whether such tracking could prove that he was at home during the late evening of Thursday 3 May 2007 as he claimed.

In the early afternoon of Sunday 13 May 2007, we now know that Jane Tanner spoke to what she called 'some of the people that Kate and Gerry brought in'. It has since been established that these almost certainly included two men, Kenneth Farrow and Michael Keenan, from a group called 'Control Risks Group' (CRG), a private security, research and intelligence agency which appeared to have no track record whatsoever of looking for missing children and seemed to operate covertly.

They had, it appears, arrived at Faro Airport on the flight from Gatwick that very morning. Some CRG staff may already have been in Praia da Luz before that flight. Mr Farrow is the ex-head of the Economic Crime Unit in the City of London Police and Mr Keenan had been a Superintendent from the Metropolitan Police with specialist fraud and investigative experience. These were just two out of a vast collection of professionals that seemed to descend on Praia da Luz in the days immediately following Madeleine going missing: public relations experts, British police officers, counsellors and advisers, Consular staff and private investigators. It is hard to know how some of them could realistically have been flown in for the purpose of assisting in an urgent search for Madeleine. Some of these people seemed much more suited to crisis management than to helping to find a missing child.

Returning to CRG, the question of who actually asked them to become involved and who agreed to pay for their services has never been made clear. Jane Tanner says they were men 'brought in by Kate and Gerry'. A report in the *Daily Telegraph* suggested that they were a top-level 'crisis management team' who had been brought in by media advisers Bell Pottinger on behalf of Mark Warner. But what seems clear is that their initial mission was to advise Jane Tanner in connection with her possible identification of the abductor.

In fact, CRG is a private security firm, whose four main operating areas are: political and security risk analysis, corporate investigations, security consultancy and crisis response. According to one survey, as many as 90% of the FTSE 'Top 100' companies use one or more of their services. The company has, for example, been hired by the U.K. Department for International Development and the Foreign and Commonwealth Office to draft risk assessments for business development in Iraq.

They were founded by a man who has links to the Kevin Halligen-linked agency, iJet, though Kroll Inc. We explore the appointment by Brian Kennedy of Kevin Halligen to head up the McCanns' private intelligence

operation in a long article by John Whitehouse on our website, titled 'The McCanns' private investigators - we investigate. There's also more about CRG here: <http://www.thesargeants.net/dblog/articolo.asp?articolo=263> ...and here: <http://www.thesargeants.net/dblog/articolo.asp?articolo=166>

Returning to Jane Tanner, it seems probable that she told CRG, as she had earlier told an officer from Leicestershire Police (probably Bob Small), that she could identify the 'abductor' if she were to see him in profile and in context.

It seems that no sooner had Jane Tanner finished speaking to the two top CRG men than she took a telephone call from Bob Small, a senior Leicestershire Police Officer already in Praia da Luz helping the Portuguese Police. He told her that the police wanted to see her. He actually made a mistake and said 'the Spanish police' needed to see her.

It is likely, by that time, that covert plans had already been made to induce Mr Murat to walk across the top of the road, north of Apartment 5A, where Miss Tanner claimed to have seen the 'abductor'. This situation was thus the precise context in which she believed she could make identification.

Jane Tanner says that Mr Small then told her not to discuss anything with anyone, including her husband. She claims she followed this instruction to the letter, but questions have been asked about whether she could realistically have followed such an instruction. She was with her husband that day.

By this time, Murat was under suspicion but had not been made an 'arguido'. He had been around the Ocean Club a lot from 4 May 2007 onwards and had translated the PJ's interviews with, for example, Catriona Baker, Stacey Portz, Leanne Wagstaff and Amy Teirney (Folio 457).

It is very possible that sometime during that first week most of the 'Tapas 9' knew that Murat was coming under suspicion. Rumours and speculation about him were already circulating in Praia da Luz. Murat's face had appeared on news bulletins. It appears, however, that by this time Jane Tanner had not yet been formally introduced to Murat, as some of the other members of the 'Tapas 9' had been, as a result of his translating their statements for the police.

The first news reports of Murat being made a suspect

We reproduce below a summary of events around this time, concerning Robert Murat, from Nigel Moore's excellent mccannfiles.com website. He writes:

QUOTE

“British-born Robert Murat is made an official suspect - or ‘arguido’ - following a search of his mother's villa. Casa Liliana is 150 yards from the apartment where Madeleine went missing.

“Chief Inspector Olegario de Sousa tells a news conference that a 33-year-old had been interrogated, but not enough evidence was found to justify arresting him. Sousa said police had searched five houses on Monday [14 May] and seized ‘various materials’ from the properties which were being subjected to forensic tests and had questioned two other people as witnesses. The suspect is reported to have signed an ‘identity and residence statement’ which prevents him from moving house or leaving the country, and requires him to regularly report to police. Though no names are mentioned in the conference, the 33-year-old is believed to be Robert Murat and the other two questioned as witnesses are believed to be Murat's alleged German girlfriend Michaela Walczuk, and her Portuguese former husband Luis Antonio.

“Despite Murat's reluctance to make a public statement, he stated that: ‘It's ruined my life. It's made things very difficult for my family here and in Britain. The only way I'll survive this is if they catch Madeleine's abductor’. Murat also stated that he was being made a ‘scapegoat’ so that the police could be seen to have found a suspect.

“It is reported that two cars used by the Murats have been examined, and computers, mobile 'phones and several video tapes were taken away from their villa. It is claimed that, on examination, several links to paedophile websites were found on the computers and that some video tapes showed depraved sexual acts and bestiality, though nothing was found to directly link Murat to Madeleine's disappearance.

“Detectives swoop on the home of Russian computer expert Sergei Malinka, 22, who designed a website for Murat, and take him away for questioning. Officers took away a laptop computer and two hard drives from his property. According to the Portuguese media, Malinka is said to be a convicted child sex offender and a computer technician who is

believed to be on good terms with Robert Murat. The two exchanged frequent 'phone calls since Madeleine's disappearance, the reason the authorities started suspecting him”.

We now reproduce, again for background, part of the *Sun*'s article, by-lined by John Askill, dated Wednesday 16 May, headed: 'I didn't take Maddie':

QUOTE

Madeleine McCann suspect Robert Murat last night denied taking the four-year-old and said: “I've been made a scapegoat”. Murat, quizzed by Portuguese cops, claimed the ordeal had “ruined his life”.

Murat returned to the villa he shares with Mum, Jennie, 71, after he was released by police. Officers hunting Maddie formally named him as a suspect. But cops said they had too little evidence to arrest or charge him. Murat, 33, said: “This has made things very difficult for my family here and in Britain. I've been made a scapegoat for something I did not do”.

Earlier, Murat's ex-boss gave an insight into his character. He told how the suspect astonished pals by leaping on kids' bouncy castles at parties. Paul Titcombe said: “Instead of mingling, he'd go straight to the bouncy castle and jump around. He got a bit of a name for himself. It seemed like a fixation”.

UNQUOTE

In a section that was later deleted by the *Sun*, they also quoted former work colleague, Ji Stanton, who said: “If he didn't take his medication, he could be very Jekyll and Hyde. People did see him as creepy”. Ji Stanton once accused Murat of trying to nick his sale: “Rob just flipped out in seconds. He went berserk, eyes bulging. I was freaked out”.

Jane Tanner is adamant she has seen the 'abductor'

Returning to Jane Tanner's identification of Robert Murat as the abductor, arrangements were made for Miss Tanner to be collected by Mr Small and his PJ colleagues in a car park near to Mr Murat's home at around 7.30pm that day. Gonçalo Amaral was in a meeting room at the Public Ministry, waiting to pounce if Tanner gave a positive identification.

Miss Tanner has given a rather dramatic account of being ‘worried sick’ that the ‘Spanish Police’ (as she called them) might be about to cart her off to a prison or to destinations unknown. So, she says, she got her partner Dr Russell O’Brien to walk with her to the rendezvous with Mr Small. That is another major reason for questioning whether she could possibly have kept secret from her partner (as she claims) the information that she was meeting Bob Small in order to identify a possible abductor.

If, as she claims, she did not discuss the identification operation with her husband, what precisely did she say to him? What did he think might be going on with his wife accompanying a Police Officer? Who looked after their children at this time and what did Tanner and O’Brien tell those who were looking after the children? Like many other questions in this affair, we don’t have answers, and this brings to mind Dr David Payne’s notorious claim to Feleicia Cabrita of the *Sol* newspaper, when he told her that he couldn’t talk to the newspaper because of a ‘Pact of Silence’ amongst the ‘Tapas 9’.

If Tanner had indeed discussed her meeting with Bob Small with her partner Russell, we might therefore reasonably deduce from that, that before very long all of the ‘Tapas 9’ group probably had more than a shrewd idea why Tanner had met with Bob Small.

The police went on to arrange to pick Tanner up by car very close to Murat’s home. One might ask, why so close? On their way to the car park, and just outside his home, Robert Murat, whom we know had met Russell O’Brien on the morning of 4 May, was driving his mother’s green VW Transporter. He stopped, got out of the VW and chatted, showing Tanner and O’Brien posters he had made to ‘Find Madeleine’, and generally rattling on about nothing in particular. This was the first time, so we are told, that Tanner had been introduced to Murat, but, as Paulo Reis pointed out: “Given the events that were about to follow, it is amazing she did not cry out ‘that’s him...that’s the person I saw: that’s the abductor!’” But she didn’t say a single word.

In her later ‘Rogatory’ interview with Leicestershire Police in April 2008, she claimed that she had been concerned at the time that ‘there was some strange conspiracy going on to abduct me’, adding that “Mr Small scared the daylights out of me”.

She continued as follows: “But that made me even more suspicious because it was like, so I think at that point, I think I actually spoke to Stuart [Stuart Prior, the lead Leicestershire Police investigator in Praia da

Luz]”. It seems from other sources that she did indeed speak to Mr Prior and thus had no reason whatsoever to believe that she was about to be abducted by Mr Small or anyone else.

We know that Dr Russell O’Brien, Jane Tanner’s husband, had already been introduced to Murat. If Tanner did indeed have a discussion with her husband about the identification operation on Sunday with Bob Small of Leicestershire Police, that would have easily enabled him to point out Murat and enable her to identify him. Was it merely a coincidence that Dr O’Brien accompanied Tanner in the car to the police van with Bob Small?

When you add into the mix that the police van was just outside Murat’s house, and that on top of that they just ‘happened’ to bump into Murat, the whole sequence of events looks less and less as if they were by mere chance.

Tanner was taken away by Bob Small and the Portuguese Police and she says Russell wrote down their car registration number. This she says, in all seriousness, was so that he could rescue her if the Spanish Police abducted her. She was driven to another location and hidden in the back of an undercover surveillance vehicle, a police van, which was driven to a position near the side entrance to Apartment 5A, facing north.

Tanner then apparently saw three people walk across the top of the road: but Mr Murat was the first to do so. It is not clear exactly what words Tanner used to the police at the time but, whatever she says now, it was very clearly strong enough to make them believe that she had positively identified Murat as the ‘abductor’. This was despite Murat not matching her verbal description, nor looking anything like the ‘egg man’ sketch of the alleged abductor that Tanner had approved (see below), nor wearing glasses. Was it perhaps the ‘power of suggestion’ at work in Jane Tanner’s mind?

As a result of Tanner’s certainty about Murat, immediate plans were made to declare Murat an ‘arguido’.

Three of the ‘Tapas 9’ now go on to identify Murat as a man they saw on the night Madeleine was abducted

Mr Murat’s home was searched on 14 May and he was made an ‘arguido’ the same day. His face was then on every TV screen in Europe.

It seems that what happened next, so we are told, is that a SKY NEWS report caused Rachel Oldfield/Mampilly to immediately walk to the apartment of Dr O'Brien and Jane Tanner saying she recognised Murat from her sighting of him at the Ocean Club on the night of 3 May 2007. Fiona Payne immediately corroborated this and then Dr O'Brien added that he had met Mr Murat during the searches for Madeleine on the night of 3/4 May. He says he had entered Murat's telephone number into his mobile's memory at that time.

Tanner, as we saw, claimed that she had not told her friends anything about her outing in the police van and said that their reactions to Mr Murat's exposure on SKY NEWS were 'spontaneous'. However, in her April 2008 interviews with the Leicestershire Police, Tanner made a slip. She said that her friends suggested to her that she should now speak to Bob Small about Mr Murat. That then raises the question of how they knew that Tanner had Bob Small's contact details, if she had not already discussed Sunday's identification event with them.

Tanner told Leicestershire Police [this is taken from the official Transcript]:

"Cos I'd got, I'd got his number from the day before (for/from?) them and you know, they sort of, you know, to say, oh is this, is this relevant and also I wanted to tell him that I'd seen him [Murat] on the way to doing the surveillance as well as, yeh, just for that so it's just to make the point really that I think at that point, they [her 'Tapas 9' friends] didn't know that Robert Murat had said he wasn't there on that night".

Later in the interview, Tanner said:

"...get to the truth of the matter and the truth is, you know they, when they asked me to ring Bob Small to make these statements, we didn't even know that he'd, erm, hadn't, hadn't said he was there on the night and they didn't know that I had done the surveillance...I mean when I got back, I didn't even tell Russell what I'd done 'cos I took everything seriously what the police said in terms of, you know, not telling anyone".

It has been suggested, by contrast, that there may have been a deliberate plan between members of the 'Tapas 9' and some of the police officers, criminal profilers from CEOP and private investigators from CRG who were talking to them, to frame Murat and have him made the leading suspect. We make no comment on that suggestion.

Tanner then duly 'phoned Bob Small, allegedly at her friends' suggestion, and relayed her their concerns, but it is not clear whether or not she told Small, at any time, him about the compromising, supposedly accidental, encounter with Murat outside his house, just five minutes before she went on to identify him as the 'abductor'. In most jurisdictions, this encounter would have completely invalidated Miss Tanner's identification evidence. It would also have raised suspicions that there had been a deliberate plan for her to bump into the prime suspect (accompanied by someone who knew him), so that she would see what he was wearing and, based on such knowledge, identify him as the 'abductor' a mere five minutes later.

Whether this suspicion is true or not, it does not alter the fact that the identification exercise was thoroughly incompetent.

Murat denied being at the Ocean Club on 3 May 2007. But now there were three members of the 'Tapas 9' who suddenly claimed to remember having seen him there. Let it be noted that it was on Tuesday 15 May that these three members of the 'Tapas 9' first told Portuguese Police that they had seen Murat on the night of 3/4 May. They had therefore waited twelve days to do so.

There is nothing in the Portuguese Police CD files to indicate whether the supposedly accidental encounter was ever reported to Bob Small. It may have been. The critical unanswered question, though, is whether or not Small reported this evidentially corrupting incident to the Portuguese Police and to the Portuguese judiciary.

On 15 May, Russell O'Brien, Fiona Payne and Rachael Oldfield/Mampilly all made written statements to the police placing Murat in and around the Ocean Club late on the evening of 3 May. But their evidence sharply conflicts with that of a number of Portuguese Police, GNR Officers (some of whom already knew Murat) and Mark Warners' staff who are adamant that Murat was not there that night. There was some activity on his computer that night, but not enough to rule out the possibility that he left his mother's home for a period that night (see Folio 1166).

But the three 'Tapas 9' members were adamant, and so it came to pass that Gonçalo Amaral and his men decided to set up what was called a formal 'confrontation' between the three and Robert Murat, to try to see who was telling the truth. The confrontation was arranged for 11 July.

The confrontation between the three and Mr Murat took place in Portimão. Murat stuck to his guns, they stuck to theirs, and it became a stand-off. In this meeting Tanner was able to get a very good look of Mr Murat and apparently continued to maintain to the police he was the very person that she maintained she had seen carrying a child on 3 May - despite the fact he looked nothing like the 'egg man' sketch. As is clear from Mr Amaral's book, the Portuguese Police seemed to believe Mr Murat.

The sighting by Gail Cooper of 'George Harrison man'

We'll remain on the topic of Jane Tanner's continuing identification of Robert Murat as the abductor she'd seen, which by now was a story partly supported by her three 'Tapas 9' friends who said they had seen Murat hanging around the Ocean Club. A

At some point, probably in September or October, Brian Kennedy, the McCanns' financial backer and double glazing magnate, and the person who was in effective overall control of the McCanns' private intelligence operations (see separate article on our website), arranged for a Gail Cooper, who had stayed at the Ocean Club in April 2007, to meet Melissa Little, BSc. (Hons), PS, FBI Diploma.

Melissa Little was said to be a top ex-FBI 'forensic artist'. Gail Cooper claimed to have seen a suspicious-looking man in Praia da Luz, apparently collecting for a local children's homes charity, whilst on holiday. Melissa Little helped Gail Cooper to come up with an artists' sketch of the man she had seen. This resulted in the well-known sketch of 'Monster Man', or 'George Harrison man', because he was said to look like George Harrison, one of the Beatles. He had a long pointy face, moustache, and long hair at the back of his head, but no glasses. Because the alleged sighting was by Gail Cooper, he was also known by some as 'Cooperman'. The McCann team greeted this news by suggesting that 'Monster Man' was 'a person of interest' rather than necessarily being the abductor they were looking for.

On 22 October 2007 (folio 3905), Dr Gerald McCann e-mailed Bob Small of Leicestershire Police with two additional sketches [middle and right below], both prepared by Melissa Little, one of which ('the second sketch') became known as 'bundleman'. The first sketch is similar to 'bundleman', but it is in black and white and has a nose ('noseman').



"Monster Man"



Sketch 1: "Nose Man"



Sketch 2 "Bundleman"

Dr McCann wrote to Bob Small as follows: "Sketch 1 was the rough outline...she (Tanner) was not really happy with the face and therefore Melissa decided to leave it blank".

The differences between the two sketches may appear marginal, but they are critical, because the black and white 'noseman' (see folio 3906) does not wear glasses, nor does he have facial hair. Since Mr Murat has been described as 'unable to see a barn door without his glasses' and is never without them, this sketch would appear to rule Murat out as the 'abductor'. Yet despite the passage of nearly six months, neither Jane Tanner nor anyone else acted on this gross inconsistency. So Murat remained an *arguido*.

No wonder Tanner was 'not really happy with the face'. It totally destroyed her identification of Murat.

Yet later in October, the McCann Team released the sketch of 'bundleman' for the first time, claiming that this was the man who had abducted Madeleine. The fact that Jane Tanner was still maintaining that Robert Murat was the person she had identified as the abductor was swept under the carpet. Indeed, it did not become public knowledge that Jane Tanner had identified Murat until Mr Amaral published 'The Truth About A Lie'.

On 13 January 2008, Brian Kennedy interviewed Albert Schuurmans, who is the head of the Roscoe Foundation, based in the Algarve. It was at least the second visit Mr Kennedy had paid to the Algarve, as we shall see. Mr Schuurmans gave a statement to Mr Kennedy, or to his representatives, claiming (misleadingly, as it happens) that there were no orphanages in Espiche, thus making Mrs Cooper's sighting appear

potentially very sinister. It would mean that the man Mrs Copper said she saw could not have been a bona fide charity collector.

At around this time, Gail Cooper discussed her sighting with the British media. But in doing so, she now added further detail and described having seen 'Monster Man' acting suspiciously on *three* separate occasions. Firstly, she said, when he was seen walking in heavy rain on the beach at Luz, later that day when he called at her apartment claiming to be a charity collector, and two days later when she saw him hanging around a children's outing arranged by Mark Warners. She told the reporters she had found the man 'disturbing'. We might note that in none of her alleged sightings did she see him 'striding purposefully', the term Jane Tanner had used to describe the person she'd seen.

Miss Little then prepared a second sketch showing Mrs Cooper's 'Monster Man' striding out and in a very similar pose to that based on Miss Tanner's most recent recollection. The pose is strange because in none of Mrs Cooper's three sightings did she see 'Monster Man' striding 'purposefully'. It is also significant that 'noseman' has no moustache. Miss Little seems to have exercised a high degree of artistic licence (see below).



Nose Man with no Moustache



Monster Man with Facial Hair

But whichever way you look at the three artists' sketches above, it is obvious that none of them are of Robert Murat and also nothing like Jane Tanner's original 'egg man'.

On 16 January 2008, three days after Brian Kennedy's interview with Albert Schuurmans of the Roscoe Foundation, Dr Gerald McCann emailed Superintendent Stuart Prior of Leicestershire Police with a PowerPoint presentation (folio 3966), with the briefest of covering notes saying: 'As discussed'. Pausing here, we can see at a stroke the links here

between Brian Kennedy, the McCanns, and Leicestershire Police. Kennedy gets an interview with a man in the Algarve, hurriedly discusses his findings with the McCanns, Dr Gerald McCann then has a friendly chat to Leicestershire Police Officers that he's now on familiar terms with, and within the span of just three days, he is e-mailing a full-fledged PowerPoint presentation, 'as discussed', to Superintendent Stuart Prior.

Just one hour later, with lightning speed, Superintendent Prior forwarded the package to Ricardo Paiva of the Portuguese Police, asking for instructions and stating, among other things:

"The PowerPoint attached (Folio 3968) was completed by the McCanns, but the statements were all taken by the U.K. police. Miss Tanner's description was taken from the press and from the summary of her statement. There is some urgency around this as we need to decide prior to the Gail Cooper artist's impression appearing in the U.K. press. How are you going to deal with the possible press issues? What are you planning around Mr Kennedy and the private investigation firm?"

He concludes: "I will need to get back to the McCanns as he has asked to be updated. How would Paulo [Mr Rebelo] want this conducted and what information I am to provide to them? They are very excited about this potential lead".

Pausing here again, we may note the ultra-friendly relationship between Stuart Prior and Dr Gerald McCann. It was 'Stu' and 'Gerry' by this time. We should also observe the way Dr Gerald McCann almost appeared to be dictating what was happening in the investigation. Despite being one of three 'arguidos' suspected of active involvement in the disappearance of Madeleine McCann, Dr McCann is able to discuss his 'Powerpoint' presentation with Stuart Prior and get him to forward it on to the Portuguese police within minutes. Prior was clearly aware that the McCann Team wanted to do a major press blitz as soon as possible on this new sketch, and was anxious to help them. "I will need to get back to the McCanns", wrote Prior, in much the same way as he might have written: "I will need to get back to my Chief Constable".

The McCanns and their formidable team were directing the entire course of the investigation at this point, aided by Stuart Prior's deferential relationship to the McCanns.

By this time, Leicestershire Police had already, months previously, made the unprecedented decision to link their website to the McCanns' fund-

raising website, which in turn directed any members of the public who might have information not to Leicestershire Police, nor to the Portuguese Police, but to the McCanns' own very dubious private investigators, Metodo 3, whose controversial boss, Francisco Marco, had made the bold but false claim in December that he knew where Madeleine was, his men were closing in on her, and she would be home before Christmas.

Dr McCann's 'Powerpoint' slides attempted to highlight the alleged similarity between Jane Tanner's 'bundleman' and the 'Monster Man/George Harrison man' of Gail Cooper.

Dr Gerald McCann wrote:

"Tanner spent a full day with Melissa Little, a qualified Police Sketch Artist since 1986, to compile this likeness of the suspect. Melissa met Gail Cooper in a separate session. After spending hours with both witnesses, Melissa Little states: "There are many similarities between Miss Tanner's man and Gail's. Tanner believes that there is an 80% likelihood that this is the same man she saw carrying away the child, believed to be Madeleine".

This was extraordinary. Dr McCann was in effect telling the police: "Forget about Tanner saying it was Murat that she'd seen. It wasn't. Tanner now says the man looks something like these three sketches".

On 17 January 2008 (the very next day), Detective Constable 4168 of the Leicestershire Police interviewed Gail Cooper and e-mailed the Operational Task Force. He noted at the time that Mrs Cooper was trying to explain why the *News of the World* had added to and embellished her police statements, by saying "It never crossed my mind" that they would do so. The Officer also reported that she "mentioned a man called Brian Kennedy who was working for the McCanns and...had sent an artist down to do a sketch of the man she saw at the villa" (Police files: Folio 4005).

On 18 January 2008, Superintendent Stuart Prior emailed Ricardo Paiva about the Gail Cooper statement:

"As discussed, I have given Gerry a brief update just saying that the other descriptions are different to the artist's impressions completed by Gail and identified by Jane [Tanner]. That the witnesses appeared genuine which indicates a number of charity collectors in the area prior to Madeleine being taken.

“We have not spoken to Jane at all and will not share our files with anybody, except yourselves, unless you request this from us. It appears there were at least three charity collectors if not more in the area in the weeks before Madeleine being taken. I am told that the artist’s impression by Gail Cooper is likely to hit the press over the weekend and I will update you on the effects of this next week, although we are not involved in this in any way at all”.

Prior notes that the artist’s impression ‘is likely to hit the press over the weekend’. He knew, we can be sure, exactly when Clarence Mitchell, the McCanns’ public relations chief, would be calling the press for his now-famous presentation, ‘Crimewatch’-style, of ‘Monster Man’ to the British press. This was a planned media event by the McCann Team to highlight Melissa Little’s sketches. Leicestershire Police were acting like pawns on a chess board.

Later, Prior referred to an email from Michael Graham of the Leicestershire Police who reported: “I [Mick Graham] have spoken to Charlotte Pennington this morning and she has no additional information to give...She has been spoken to by a Private Investigator (Noel Hogan) working on behalf of Metodo 3. Charlotte assures me that she has only relayed to him the same information that she has already given to the Portuguese Police and to me (as per email dated 7 August 2007)”.

On 20 January 2008, the *News of the World* published a long article on Mrs Cooper’s alleged sighting and printed the full facial and striding out sketches of ‘Monster Man’. On 21 January 2008, Clarence Mitchell, the McCann’s spokesman, held a press conference releasing details of ‘Monster Man’. The *News of the World* is a title owned by Rupert Murdoch. Since late 2008, Clarence Mitchell has been employed at Freud International by Murdoch’s son-in-law, Matthew Freud.

The *News of the World* concluded, one might think with precious little justification: “The sketch by qualified police artist Melissa Little bears an uncanny resemblance to an earlier picture, based on Miss Tanner's story”. This is unsurprising given that both sketches had been made - using considerable artistic licence - by the same artist, Melissa Little, who was paid for by Brian Kennedy to assist the McCanns.

Given the obvious differences between Murat and either ‘Monster Man’ or ‘bundleman’, why, we must ask, did Tanner not at this stage immediately correct what, by now, must have been quite obvious to her -

namely that she had misidentified Murat from the police van, back on 14 May the previous year?

The confrontation between Robert Murat and three of the 'Tapas 9'

Staying with the identification of Murat by Tanner and the claims by three of the McCanns' friends that they had seen Murat hanging about the Ocean Club on the evening Madeleine was reported missing, we'll return now to the second time that Murat was questioned by police, namely 10 and 11 July. On the second of those two days, 11 July, there was a so-called 'confrontation' between Robert Murat and three of the McCanns' friends, organised by the Portuguese Police. This is how Martin Fricker of the *Daily Mirror*, 13 July 2007, reported this unusual event:

QUOTE

EXCLUSIVE: McCann pals tell suspect: You were there night she vanished

Three friends of Madeleine McCann's parents confronted suspect Robert Murat over his alibi during a tense five-hour grilling. Fiona Payne, Russell O'Brien and Rachael Oldfield told Murat they saw him near the McCanns' holiday flat just after Madeleine vanished - contradicting his claims he had an early night. The extraordinary face-to-face showdown was set up by detectives to discover whose story was true.

They put Dr Payne, Dr O'Brien and Rachael in a small interview room with Murat and questioned them together. A police source said: "Because there was a disagreement, it is normal in Portugal for the two sides to be brought together to find the truth".

The McCanns' friends - who were at a restaurant with Kate and Gerry in Praia da Luz when four-year-old Madeleine vanished - flew back to Portugal for Wednesday's [11 July] interview.

It is believed they told police they saw British ex-pat Murat near the Ocean Club resort's pool minutes after finding Madeleine missing. Dr O'Brien's partner Jane Tanner is thought to be the witness who previously told police she saw a man carrying a child away from the resort just before the alarm was raised.

Murat, 33, insists he spent all night at his mother Jenny's villa 100 yards away and did not learn about Madeleine's disappearance until the

following day. Jenny also says he did not leave the villa. Detectives yesterday refused to reveal the outcome of the face-to-face meeting at Portimao police station. The source said: “This is a critical stage of the investigation and the detectives want to make sure they get everything right”.

Property developer Murat remains the only formal suspect since the inquiry began 11 weeks ago. Detectives re-interviewed him this week about an email on his computer allegedly referring to a missing ‘English child’. He was questioned for eight hours on Tuesday [10 July] before the Wednesday confrontation.

Murat insists he was not involved in Madeleine's disappearance and claims he has been made a scapegoat for police failures. Madeleine's Dad Gerry briefly returned to the U.K. yesterday [12 July] to meet with British police [NOTE: In fact, Dr Gerald McCann had been invited to a police bravery awards ceremony, where he was applauded for his courageous fight to find Madeleine].

The consultant cardiologist, from Rothley, Leics, is expected to be back in Portugal tonight [13 July] with Kate and twins Sean and Amelie [NOTE: in fact, he went to a christening in Yorkshire and returned on 14 July].

UNQUOTE

This is how Gonçalo Amaral summarised the confrontation in his book:

“On July 11th at 10am, a confrontation is organised between the witnesses - Rachael Mampilly, Fiona Payne and Russell O'Brien - and Robert Murat. Nothing new comes out of it. The former persist in stating that the suspect was definitely in the area on the night of the disappearance. Murat denies the whole thing and even accuses them of lying. Each side stands its ground”.

A press article from August 2008: ‘The framing of Robert Murat’

A very interesting article, probably partly based on Gonçalo Amaral's recently-released book, appeared in *IOL Portugal Diario* on 8 August 2008, titled: ‘Who framed Robert Murat?’ It's an excellent question, and we reproduce the entire article here:

QUOTE

“An anonymous phone call from a Portuguese woman alerts the authorities to the ‘abductor Murat, one week before the Englishman was known around the world”.

“The denunciation from a journalist, an anonymous ’phone call and Jane Tanner, the McCann couple’s friend who saw a man carrying a child on the evening that Maddie disappeared, produced the first arguido in the investigation. Murat’s over-helpful posture was one of the first indications that turned him into a suspect. But what led to his anonymous incrimination, days before he was known around the world?

“The Polícia Judiciária was first in suspecting Murat. On 7 May, it already possessed diverse information about his personal and professional life: what he did, his bank accounts, where and with whom he lived, among other details.

“On 8 May, one week before the suspicions were made public and Murat was made an arguido, another log fed the fire. A female voice makes an anonymous ’phone call, in Portuguese, to the PJ and states that the abductor is closer than the police thinks. The inspector asked who she was referring to and the female voice explained: it is an individual who resides in Praia da Luz, with a British mother, fluent in Portuguese and in English, who had been walking around Praia da Luz and had been helping the authorities.

“The author of the anonymous ’phone call added that the abductor was called Robert, that he visited website forums of a sexual nature and that he managed to encrypt his emails.

Suspicious British journalist...

“The suspicions about Murat are also raised by a British journalist. Three days after Maddie’s disappearance, on 6 May, the reporter gets in touch with the English police, to share her suspicions about a man who lived in the area and was excessively helpful.

“Born British, he has been living in Portugal for a long time. The fluency of his Portuguese and his English soon rendered him useful to the Portuguese authorities, which were confronted with a case that involved British tourists. Furthermore, he had a daughter of Maddie’s age, from whom he was separated, as the child lived in England with her mother.

“The journalist remembered a case that had taken place in England, where the criminal had a similar attitude and even helped in the searches for his own victims.

Serving as a translator

“Even after the suspicions about him were raised, the Polícia Judiciária (PJ) continued to use Murat’s translation services in several interrogations of English employees of the Ocean Club resort, right up to Wednesday 9 May. “We did this in order to prevent the suspect from noticing something”, they explained.

“It is only at a later date that Jane Tanner, a friend of Kate and Gerry, is confronted with the possibility that Murat is the individual that she saw carrying a child. *Despite the fact that the physical description that Jane gave and Murat’s look are not the same, the English tourist had no doubts in stating that he was almost certainly the man that she had seen.*

“It is worth remembering here that, after he was made an arguido, other members of the ‘Tapas 9’ group that were on holiday with the McCanns also asserted that they saw Robert Murat participating in the searches, on the night of the disappearance. This was a fact he always denied, maintaining that he had been at home with his mother. He said he only heard about the alleged abduction on Friday 4 May. The GNR (Guarda Nacional Republicana) itself confirmed to the PJ that it only remembered seeing the Englishman on the following morning.

“But the English profilers [members of the British security services] also guaranteed that there was a 90% chance of Murat being the abductor. And, as if that was not enough, an alleged childhood friend asserted that, as a teenager, he revealed an inclination to have sex with animals.

“A set of circumstances, a friendly behaviour, a suspicious sighting, an anonymous ’phone call and convenient testimonies turned Murat into the first person made ‘arguido’ by the Portuguese judicial system to be financially compensated by British newspapers, for becoming a suspect in a crime that nobody managed to prove to exist. With insufficient evidence to charge anyone with any crime, the Portuguese Public Ministry archived the Maddie process, on 21 July [2008]. Kate and Gerry, together with Robert Murat, saw their arguido status lifted”.

UNQUOTE

The McCann Team edge away from identifying Murat as the alleged abductor

To recapitulate, Jane Tanner told police the night that Madeleine was reported missing that she saw an abductor walking ‘purposefully’ away from the McCanns’ apartment.

Just ten days later, she saw Murat (though not knowing him by name, she says) passing a police van in which she was hidden. She instantly said to the police officers with her that she recognised Murat as the abductor. On the strength of her testimony, together with some other suspicions about him, Murat was arrested.

We also saw how Jane Tanner, still maintaining that Murat was the abductor, came up with an artists’ sketch that did not look like Murat (‘bundleman’) and then went even further saying that ‘Monster Man’/ ‘George Harrison man’ could be the face of the abductor. He looked even less like Murat.

We’ll now look at some curious statements by the McCann Team about whether or not they still believed Murat to be the abductor.

By 16 November, Jane Tanner seemed to be deliberately preparing the ground for Robert Murat no longer to be identified by her and three of the other ‘Tapas 9’ friends as the suspected abductor.

A *Daily Mail* article on Sunday 16 November 2007 began: “The woman [Jane Tanner] who believes she saw Madeleine McCann being abducted revealed yesterday that she has never named Robert Murat to police as the man she saw. Instead, she thinks he was ‘Mediterranean- looking’. She admitted: ‘I simply don't know if I could identify again the man I saw that night. I've never pointed the finger at Robert Murat because I simply don't know if it was him or not. I would say the man I saw was more local or Mediterranean looking, rather than British. He had dark, almost black, long hair and had swarthy skin. He was dressed in that sort of smart casual way European people dress”.

As we have already seen, the claim that she’d ‘never pointed a finger at Robert Murat’ was untrue as she had of course positively identified him from that police van back in May. The story appeared to be a clear and deliberate shift by the McCann camp in possible moves to lift the finger of suspicion away from Murat. The timing of this *Mail* article just two or

three days after Brian Kennedy met Murat in Portugal (see below) is of great interest.

We'll pause just for a moment to look at a series of particularly significant events that seem to have taken place around this time. Here's a brief timeline of them:

Friday 7 & Saturday 8 November: Several newspapers in Portugal and then England carry news that two (or one in one report) members of the 'Tapas 9' wanted to change their statements. The source appears to be the Portuguese lawyer for one of the 'Tapas 9'. Other reports did not say the person was a member of the 'Tapas 9' but simply described the couple who wanted to change their statement as 'friends of the McCanns'.

Tuesday 13 November: Brian Kennedy and his in-house lawyer Edward Smethurst have meetings with Robert Murat, Metodo 3 and the Portuguese Police in Praia da Luz and Portimão. (Below we discuss this very significant set of meetings in more detail). We know the meeting with the Portuguese Police took place in Portimão on Tuesday 13 November, and Kennedy's meeting with Murat may have been that day or one day either side of it. There has been much speculation about what kind of understanding might have been reached between that Kennedy, Smethurst and Murat at that meeting. None of those involved are keen to say what was discussed.

Wednesday 14 November: Portuguese Police source quoted as saying that they have over 100 questions to ask the McCanns and their 'Tapas 9' friends but are being subject to unreasonable delays by the British authorities.

Friday 16 November: *Daily Mail* carries an article featuring Jane Tanner saying she has never pointed the finger of suspicion at Robert Murat.

Saturday 17 November: The 'Tapas 9' group met all day at the Rothley Court Hotel, Leicestershire, along with representatives of Metodo 3, and no doubt various lawyers and other advisers. News of this secret meeting did not leak out to British newspapers until 11 December.

Sunday 18 November: Dr Gerald McCann quoted as saying that they believed a 'predator' had been stalking the apartment in the days before Madeleine was reported missing.

Monday 19 November: Hour-long BBC *Panorama* programme on the Madeleine McCann case by reporter Richard Bilton. There's little original in the documentary and it reinforces the abduction line.

Monday 19 November: The *METRO* free paper boldly wrote: "A witness spotted Murat's German girlfriend, Michaela Walczuk, in a car with Maddie, on 5 May, in central Portugal", while on the same day, the *Daily Mail* published a similar story: "According to a source, a new witness identified Michaela Walczuk as the woman seen with the missing child, in central Portugal, 160 kilometres [100 miles] from where she disappeared on May 3rd".

Tuesday 20 November: Jane Tanner quoted by the *Daily Mirror* insisting that she *really did* see 'Maddie's abductor'.

Now we move on to consider another twist. As 2008 began, the *Daily Mail*, on 1 January 2008, carried a prominent story featuring Dr Kate McCann's claim that she still believed that Robert Murat was involved in Madeleine's disappearance. It had all the hallmarks of another story crafted by Clarence Mitchell and drip-fed to a friendly newspaper in order to promote the latest line from the McCann Team. Extracts from the report, written by Vanessa Allen, included the following:

QUOTE

"Kate McCann is suspicious about Robert Murat's alibi for the night her daughter Madeleine vanished, it was revealed yesterday. The mother of three has confided to friends that she believes there are questions about the British expat that need to be answered. Mrs McCann's doubts emerged after the *Daily Mail* reported that seven witnesses claim to have seen Mr Murat near the McCanns' holiday apartment on the night of May 3rd.

"He has always insisted he was at home all night at the villa he shares with his elderly mother in Praia da Luz, near the Mark Warner holiday complex. A friend of Kate and her husband Gerry said: 'Kate has always felt there are questions concerning Murat and a body of evidence contrary to what he is saying. Gerry doesn't know whether he is involved but Kate has always been suspicious'.

"Mrs McCann, 39, has avoided publicly voicing suspicions about Mr Murat. She and Gerry, also 39, even called for calm after he was made an official suspect on May 14 and appealed for him to be treated fairly.

“Mr Murat, a property consultant, insists he did not learn about Madeleine's disappearance until the next morning and was not aware of the massive search going on less than 100 yards from his villa, Casa Liliana. But a source close to Mrs McCann said: ‘We now have a number of people who have come forward quite independently of us and volunteered information directly in contradiction to what he has said’. Three friends of the McCanns, Rachael Oldfield, Fiona Payne and Russell O'Brien, told police in July [NOTE: Hat should of course be May] that they saw Mr Murat near the Ocean Club holiday complex while they were searching for Madeleine. They are said to have given statements to Portuguese police saying he introduced himself to them [that night] and said: ‘I am Robert. Can I help in the search?’

“Charlotte Pennington, 20, a nanny at the Mark Warner complex, has said she saw Mr Murat on May 4, when he was working as a police translator, and recognised him as a man she had seen near the Ocean Club at midnight. *The Mail* told yesterday [31 December] how holidaymaker Jayne Jensen, 54, also recognised the 34-year-old as a man she saw smoking a cigarette on the street corner opposite the McCanns' apartment. An unnamed British barrister who was on holiday in Praia da Luz at the time is understood to have corroborated what Mrs Jensen said, but not made a formal statement. Two other tourists also called the hotline operated by the McCanns' private detective agency, Metodo 3, to report similar sightings. Mr Murat, who has a young daughter from a failed marriage, vehemently denies any involvement in Madeleine's disappearance. His mother Jennifer, 71, has accused Metodo 3 of bribing witnesses to change their evidence. But a source close to the McCanns said: ‘He is her son and most mothers would protect their children. Either she knows something or she is mistaken’.”

UNQUOTE

So by 1 January, Murat was back in the frame, at least according to Dr Kate McCann and the *Daily Mail*, with Dr Kate McCann strongly hinting at ‘questions which need to be answered’ and ‘doubts’.

Extraordinarily, just one week later, the *Daily Mail* ran a story which said exactly the reverse. One could be forgiven for thinking that those responsible for the McCanns’ public relations were not happy with the 1 January article and wished to change it.

So here’s what Vanessa Allen wrote in the *Mail* just one week later:

QUOTE

Madeleine witnesses 'may have mistaken this friend of the McCanns for Murat' on night she disappeared *Daily Mail*

“Doubt was cast on the evidence of several key witnesses in the Madeleine McCann disappearance last night. Those who said they saw suspect Robert Murat outside the family's holiday apartment on the night she vanished may have named the wrong man, it was revealed.

“Detectives believe the witnesses who said they saw the British expat could have confused him with a friend of Kate and Gerry McCann, David Payne, who was out searching for the missing three-year-old...

“A series of witnesses have given statements claiming to have seen him around the Ocean Club apartment complex in the hours after Mrs McCann, 39, raised the alarm. They include three friends of the McCanns, Russell O'Brien, Fiona Payne and Rachael Oldfield, who later confronted Mr Murat at a police station after he was made a suspect and said he offered to help them search that night. Mark Warner nanny Charlotte Pennington said she saw him hanging around outside the Ocean Club's reception at about 10pm. British holidaymaker Jayne Jensen, an unnamed British barrister and two unidentified British tourists all claim to have seen him around the complex that night.

“But none of them knew the 34-year-old property consultant before that night. Police are examining the theory that they could have confused him with Dr David Payne. The medical researcher, who is 41, was searching around the complex that night and - in a street lit by orange streetlights - could easily have been mistaken for Mr Murat. Mr Murat's lawyer Francisco Pagarete told the *Daily Mail*: ‘Robert has always said the witnesses were mistaken. He was not there that night’.

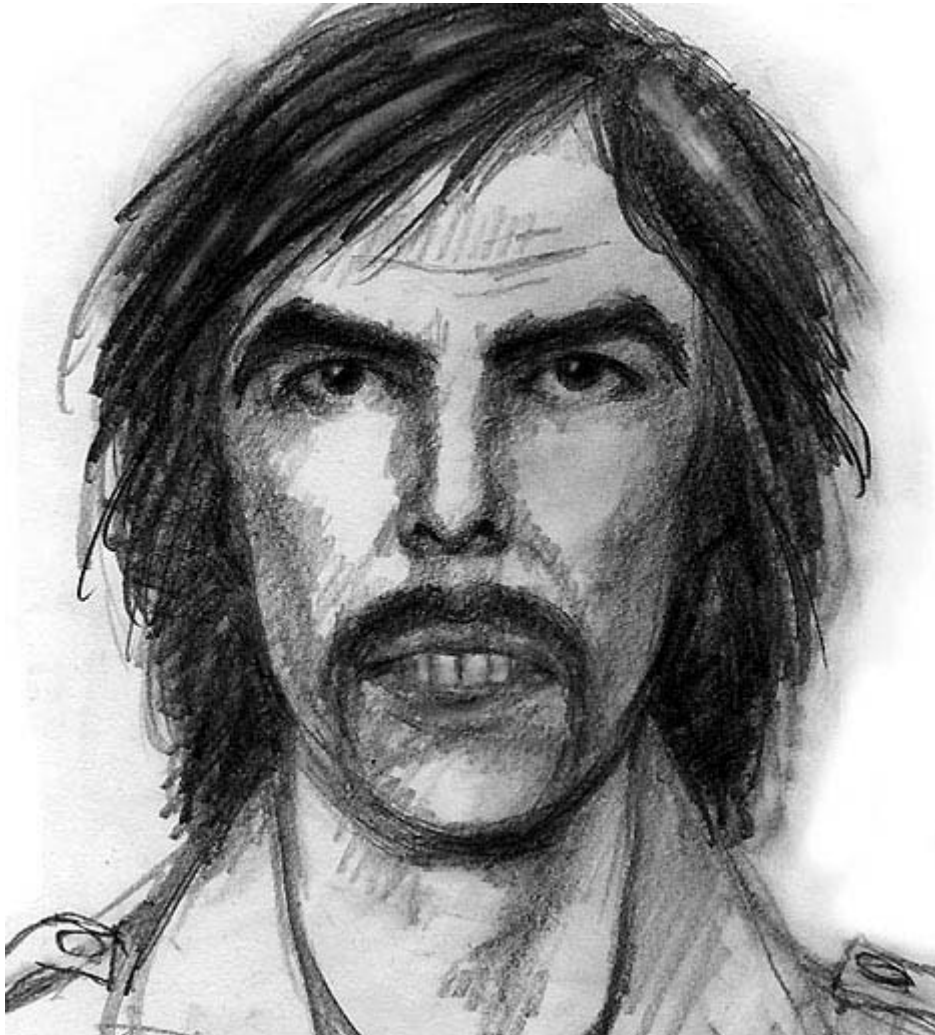
“A source close to the inquiry said: ‘The similarity between the two has rendered many witness accounts virtually worthless’. But he added: ‘What is baffling is that Mr Payne's wife and two of his friends are among those who claim to have seen Mr Murat outside the McCanns' apartment that night. You'd think a wife would recognise her own husband’.”

UNQUOTE

The story had changed dramatically, within a week, from ‘Eight people saw Robert Murat that night’ to ‘They all probably mistook him for Dr David Payne’. At least the *Daily Mail* told its readers at the end of the article how utterly absurd it was to suggest that she might have mistaken Robert Murat for her own husband. It was another story that had the imprint of media manipulator Clarence Mitchell all over it.

Then, very soon after, we had another media story generated about a possible suspicious man seen in Praia da Luz a few days before Madeleine disappeared, as we discussed above.

This man (see picture on next page) was the one allegedly seen by Gail Cooper, and became known by those following the Madeleine McCann case as ‘Monster Man’, ‘George Harrison man’ or ‘Cooperman’.



The man Gail Cooper says she saw hanging around the complex three times before Madeleine was taken. He’s been called ‘Monster Man’, ‘George Harrison man’ or ‘Cooperman’.

At this point we'll take a brief look at the dubious origin and content of the Gail Cooper story. Let's remember - and this is important - that her account of seeing this suspicious man only arose after Brian Kennedy had interviewed her.

She was one of a number of witnesses he contacted, contrary to the rules of Portuguese criminal investigations which prohibit third parties from interfering in an official investigation.

Moreover, before we go further, we should refer to the final report (July 2008) by the Portuguese Police to the public prosecutor on Madeleine's disappearance. The subject of Gail Cooper's alleged sighting merited a special heading in the Portuguese Police report headed: "The inconsistent evidence of Gail Cooper". This is what the report said:

QUOTE

In a later phase of the investigation, detailed at pages 3965 to 4113, we deal with a claim emanating from the private investigation instigated by the McCann couple, and publicly announced by their spokesman, Clarence Mitchell, of a suspect who was supposedly undertaking a collection in Praia da Luz at the time of the disappearance. A photo-fit picture of this suspect was created by a witness - Gail Cooper - who saw him, see page 3979.

This was immediately compared with the photo-fit from Jane Tanner, despite her description not having a face (see page 3977). But Jane Tanner alleged that they were one and the same person, with an 80% degree of certainty. In order to assess the credibility of the description and of the drawing, it is important to highlight the fact that the witness (Gail Cooper), was first of all interviewed by the British authorities and in a very detailed fashion (see page 3982). She said she saw this person *only once*, collecting at the door of the residence she was occupying during her holidays.

However, *a few months later*, in a *new witness statement*, the same witness stated that she saw this individual *three times*, during one of which he was said to be watching, in a strange way, the children at the Paraíso Restaurant. She did not supply this information at the time of her first witness statement to the police in the U.K. After the publication of the photo-fit, we were notified of a myriad of claimed sightings of this individual, most of them from the U.K., but some also from Portugal (see page 4130).

All of this information was duly evaluated as to its credibility. Nothing has yet come of this photo-fit until now, despite innumerable persons contacting us to say they had seen persons supposedly of similar appearance.

UNQUOTE

So there were clearly major questions in the minds of the Portuguese Police about Gail Cooper's evidence, as the Portuguese Police fully recognised in their final report. Cooper's decision to talk to the McCanns' private detectives seems to have originated in a meeting or meetings between her and Brian Kennedy. That alone gives us real cause to doubt her account(s), as it did also for the Portuguese Police.

But for the McCann Team, Gail Cooper's hazy (if not actually fabricated) recollections, and the sketches by Melissa Little, were sufficient to call a major press conference and for the British media to put the photo-fit of 'Monster Man' on their front pages, one of a long list of artists' impressions of alleged abductors or 'persons of interest' we have been shown, totalling at least 15 to date, and including two women (a subject we hope to explore in a further article).

As we have seen, another very curious aspect of this press conference was that Clarence Mitchell produced artists' sketches both of the 'bundleman' that Jane Tanner claimed to have seen and of the new 'Monster Man' / 'George Harrison man' that Gail Cooper claimed to have seen. He claimed that these 'closely resembled each other', a resemblance that few others could discern.

Back in May, Jane Tanner had said she'd only seen the abductor from the side and had seen nothing of his face. That led to the original drawing by police of a man with hair and no facial features, dubbed 'egg-man'. But 'Monster Man' had a moustache and other facial features. Remarkably, though it was dark and she had not seen his face, Jane Tanner was quoted as saying that 'Monster Man' / 'George Harrison man' might have been the person she saw carrying Madeleine away.

With Jane Tanner claiming the man she had seen might be 'Monster Man' as well as 'bundleman', it seemed that the McCann Team now judged it right to move decisively away from Jane Tanner's earlier identification of Murat as the probably abductor she'd seen. That may be why, as we resume our timeline of newspaper stories, that on 21 January, there was another new twist. Now, Robert Murat was now being

considered by the McCanns as an ‘accomplice’ of the abductor, not the abductor himself. This is how the *Daily Mail* article that day ran:

Robert Murat ‘seen talking to man matching artist's impression of Madeleine suspect’

This led to these sub-headings:

- ‘Robert Murat spoke to a man who looked like the new suspect’
- ‘New e-fit of man seen ‘acting strangely’ around complex prior to Madeleine's disappearance’
- ‘McCann family friend says sketch 'strongly resembles' man she saw carrying a child wearing pyjamas identical to Madeleine’s on the night of the abduction’.

The heading and sub-headings cunningly linked this new ‘sighting’ of Cooper’s to Jane Tanner’s original claimed sighting of an abductor, thus continuing to lend credibility to her alleged sighting. But the article also brought Robert Murat into the picture, for the *Mail* went on to report:

“Robert Murat was spotted chatting to a man who resembled the ‘oddball’ in the new sketch released by the McCanns and who is suspected of abducting Madeleine, it has been claimed today. Charlotte Pennington, a nanny at the Ocean Club holiday complex where the McCanns were staying, told police last May she saw Murat chatting to ‘a man aged around 27 to 35, average height, very dark eyes and of Portuguese or Spanish appearance’. She told detectives she saw expat Murat, who lives with his mother near to holiday complex, talking to the man outside the Baptista supermarket in Praia da Luz”.

The role of Charlotte Pennington in the case will be the subject of a further article on our website in due course.

The *Mail* went on, somewhat dramatically: “An international manhunt is now underway for the man seen near the resort in Portugal. The sketch was based on the evidence of a British tourist [Gail Cooper] who came forward saying she had seen a ‘creepy man’ lurking around the resort pretending to collect money for a fake orphanage. The dramatic development comes amid fears that he may have been acting with an accomplice in a paedophile gang to ‘case’ the holiday complex in the days running up to her disappearance.

“Grandmother Gail Cooper, who was staying just 500 yards from Gerry and Kate McCanns' holiday apartment, told police how she came face to face with the ‘disturbing’ man hanging around the resort three times. Based on her descriptions, an FBI-trained artist produced a likeness of the suspect whom British and Portuguese police and Interpol were desperately trying to trace last night. The sketch bears a striking resemblance to an image of a man seen by family friend, Jane Tanner, carrying a child away on the night Madeleine vanished on May 3”.

Barely six days later, it appears the McCann Team had come up with another new slant on the story. On 27 January this bold headline appeared in the *Sunday Express*: “McCanns say Murat not kidnapper”. Now, bizarrely, the McCann Team were now saying he could have been a ‘spotter’ for a whole gang of paedophiles. The report ran:

“Kate and Gerry McCann are *certain that original suspect Robert Murat is not the man who snatched their daughter Madeleine*. But private detectives searching for the missing four-year-old still believe he may have acted as a ‘spotter’ for a kidnap gang targeting the McCann family. The couple have now revealed how *they never thought the expatriate was responsible*. Despite doubts over his alibi, they have ruled out the 34-year-old after a major probe in Praia da Luz. A 10-strong squad of investigators mounted an undercover operation finding ‘strong’ proof he was in the vicinity after Madeleine’s disappearance. Several witnesses gave statements to Spanish detectives from the Metodo 3 agency, claiming they had chatted with Murat after the alarm was raised by Kate at 10pm. The couple's lawyers sent petitions to senior Portuguese police to re-interview him.

“One theory is that Murat - going through an expensive divorce - may have been paid by a paedophile gang to select a child. A friend of the McCanns said last night: ‘Privately Kate and Gerry have always believed that Murat was not the man who took Madeleine. However, they do not think he should be cleared, because there is enough evidence to suggest he could have been a spotter for a gang. Murat has told the police that he was not at the apartment on the night she went missing but lots of people saw him and he went round introducing himself saying, ‘Hi, I'm Robert’. He still has a lot of questions to answer”.

Since being a ‘spotter’ for a gang of paedophiles would have meant that he would certainly have faced a charge of ‘conspiracy to abduct’, had Madeleine really been proved to have been abducted, it was scarcely a major shift by the McCann Team. Just days after Madeleine had been

reported missing; Jane Tanner had pointed the finger of suspicion against Murat as the actual abductor. Three more of the McCanns' friends – Dr Russell O'Brien, Rachel Oldfield/Mampilly and Fiona Payne - followed suit shortly afterwards. For months the McCanns had lent weight to the notion that Robert Murat was the probable abductor. It may not have been a major shift by the McCann Team. But it was significant.

Interestingly, the McCanns are quoted in the article as saying: “There is enough evidence to suggest Murat could have been a spotter for a gang”. That is pretty rich, coming from the McCanns, given that the McCanns have repeatedly insisted that there is simply ‘no’ evidence that they were in any way involved with the disappearance of their daughter. The McCanns had implicated Murat by saying he might have been a member of a ‘gang of paedophiles’. Libel doesn't come much stronger than that, yet Murat didn't sue the McCanns over that serious slur. Why not?

END OF PART TWO
