

"Marcos Arago Correia threatens The Madeleine Foundation with a libel writ: Our reply to him"

INTRODUCTION

You will find below this introduction The Madeleine Foundation's reply, sent earlier on 10 April, to an e-mail received on 8 April from Portuguese lawyer Marcos Arago Correia (whose letter we also reproduce at the end). It is his initial response to our article about him.

The McCanns used money raised by the public to pay the controversial Spanish detective agency, Metodo 3, a sum believed to be around half a million pounds. Some of this money was used to pay Mr Corriea to conduct two highly-publicised searches for Madeleine McCann's body in the Arade Dam. It was also through Metodo 3 that arrangements were made for Mr Correia to conduct a series of court actions against Mr Goncalo Amaral, the original senior detective in Madeleine's case, as Mr Correia himself admits.

Mr Amaral wrote a book about Madeleine called 'The Truth About A Lie'. We covered these and other important issues relating to Madeleine in our recent article on Mr Correia (link: [http://www.madeleinefoundation.org.uk/PDFs/Madeleine%20Foundation%20NEW%20ARTICLE%20ARAGAO%20\(2\).pdf](http://www.madeleinefoundation.org.uk/PDFs/Madeleine%20Foundation%20NEW%20ARTICLE%20ARAGAO%20(2).pdf))

We maintain that the precise role of Mr Correia in this matter, which is not fully understood and requires further explanation from him and the McCanns, is significant in understanding what really happened to Madeleine McCann.

We have invited Mr Correia to explain in what respects he finds our article defamatory.

- The Madeleine Foundation, 11 April 2010

Saturday 10 April 2010

Dear Dr Correia,

We have further considered your e-mail of 8 April, which we note was sent on the second anniversary of your visit on 8 April 2008 to Odemira Prison, where you talked to the Prison Governor there, Ana Maria Calada, and to your new client, Leonor Cipriano, whom you have represented so doggedly for the past two years. It must have been a day that you recall particularly vividly.

Dealing with preliminary matters, you say that we have got your name wrong. You state that to be 'a lie'. If we have got it wrong, then we apologise, but let me explain that if we were incorrect, then we made a mistake, we did not tell a lie.

Your full name is given at various places on the internet as either Marcos Alexandre Aragão Correia or Marcos Teixeira Aragão Correia. More usually it is given as just Marcos Aragão Corriea, and that is used in the news media reports we have seen about you in Portugal. We have already therefore taken the step of removing the word 'Alexandre' in the title of our essay and have referred to you only as Marcos Aragão Correia in the rest of our essay. We apologise to you for our error.

Next, we would respectfully point out to you that you are incorrect in stating that defamation is a crime in the United Kingdom. It may be in Portugal. It is most certainly not in the United Kingdom. Here such matters are dealt with by the civil courts, and not by the police.

Dealing now with the substance of your letter, you have alleged that the article is defamatory but have not said how. The essay is a carefully researched piece of work, compiled over a period of time, which relies on translations of court

documents, many writings or comments made by yourself, credible newspaper and TV reports of court proceedings, and so on. We have no reason not to rely on these as our source materials for the article about you.

We should like to point out that it has always been our stated policy to correct any written material we have produced, as soon as reasonably practicable, whenever any proven error has been pointed out to us. Our past record is a testament to that. Therefore if you have reason to believe there are any errors in our essay, and you can demonstrate that we have made a mistake, then we shall be pleased to publish a suitable correction.

Moreover, it is inappropriate, and certainly cannot form the basis for any legal action, for you to claim that written material is defamatory, without in any way pointing out what parts of the essay are said to be defamatory and why. Clearly, if we simply report, as we do, your various actions and words which are on the record, this cannot be defamatory. It is your actions and words that form the basis of nearly all of our article about you.

We might also make a few other relevant observations.

For example, we quote in our article from a man named Mr Carlos Anjos, Head of the Police Union, who makes some adverse comments about you. It would not be in any way reasonable for you to consider bringing an action against me for reporting his remarks, unless you can demonstrate to us that you have successfully complained in a Portuguese court that his comments were defamatory of you. You could scarcely approach a British court on that matter if you have not previously taken any action on it in a court of law in your own country, where of course you are much better known and no doubt have a much more high-profile reputation to preserve.

To give one further example. At one point in my essay I describe you as 'unreliable'. You need to fully appreciate that I have a clear basis for stating this. You will recall that in early 2008 you claimed, on the record, and as reported in many newspapers in your own country and over here in the United Kingdom, that underworld sources had told you personally by Sunday 6 May 2007 that Madeleine McCann had been, respectively, abducted, then raped, then murdered, and then her body thrown into a lake.

But several months later, at the court proceedings against your 'target', Gonçalo Amaral, and his four detective colleagues, you completely changed that story to say that you had not learnt about this from underworld sources at all. According to your new, entirely different, version of events, you now stated that you 'knew' Madeleine had been raped because you had an authentic vision late in the evening of Saturday 5 May after attending your first-ever Spiritualist Church meeting on Madeira. If I may quote the words you used in describing this experience: "Then, other images appeared to me, concerning what had happened to this girl. I saw a strongly-built man, blue eyes, somewhat balding and with blondish hair, brutally raping that girl and then strangling her with his hands, throwing the cadaver into a lake".

To change your story in such a dramatic and comprehensive way about the alleged death of a three-year-old girl simply means that there are very good reasons to doubt that any reliance can be placed on your word.

You must also understand that there are very real grounds for doubting some of your claims when you make statements such as this, and I quote from a translation of your very own words: "*Método 3* submitted me to a test in order to prove beyond all doubt whether or not my mediumistic abilities and my accounts were credible. They were fed up with following false leads. The fact is that the test gave totally positive results, according to what was confirmed to me personally by the Director of *Método 3* in Barcelona himself. Following my mediumistic abilities passing *Método 3*'s stringent tests, *Método 3* offered full support to my research".

We know of no such 'stringent tests' which could 'prove beyond all doubt' that your mediumistic abilities are credible. That is particularly so when at the same time you had been claiming that you were '99% certain' that you would find Madeleine's body in the Arade Dam.

You also give much contradictory information about how your searches of the Arade Dam and your legal work against Mr Gonçalo Amaral have been financed. First we heard that you were a 'Good Samaritan' doing the searches of the Arade Dam out of your own pocket and out of the goodness of your own heart. Then we heard later, in several newspaper articles, that you were being paid by *Metodo 3* to do the searches, though you never disclosed how much they have paid you altogether.

Finally you made statements which we have seen that an association of spiritualists and mediums were also paying for you to search the dam twice, as you did. In your own words, you wrote: "So I offered myself to pay for the first phase of the searches in the dam, having later received much support, including financial support, from mediums and spiritualists who believed in and corroborated my theory". You need to fully understand that such major inconsistencies in what you say about such an important matter only go to further erode your own credibility and, furthermore, they justify the fair and reasonable comments that we made about you in our internet article.

Finally, it is important that, if you are claiming that you yourself have been defamed, that your own record does not suggest that you are also very ready to defame others. In this instance, we note that during hearings concerning the 16 years and 8 months sentence handed down to your client Leonor Cipriano for killing her own eight-year-old daughter Joana, you were reported as stating to the court, about Goncalo Amaral: "We cannot therefore be impressed by the calamitous results of a criminal investigation handed to a dangerous and violent alcoholic [Gonçalo Amaral]. This is made even more catastrophic by the fact that we are dealing here with serious crimes committed against children. It is just as well that the authorities had the good sense to remove Gonçalo Amaral from the investigation, when the same alcoholic man repeated the same gross mistakes he made in the Joana Cipriano case, without any basis, and having no evidence against the mother of another missing child in the Algarve".

You will find that if you were to bring proceedings in a court in the United Kingdom, and if the judge or jury hearing the case knew that you had called your opponent in court an 'alcoholic' twice - a matter of which the judge in the case clearly disapproved most strongly, according to the reports we have seen - then your own case that others have defamed you will be substantially undermined.

Unless and until you clarify where and how you say we have defamed you, or you point out any matters where we are manifestly in error, the article about you on our website will remain there, uncut, until further notice.

Yours sincerely

Tony Bennett
Secretary
The Madeleine Foundation
0044 1279 635789

Mr Tony Bennett,

I was just informed of your immensely defamatory article against me, with the title "The Madeleine McCann mystery and the strange role of Madeira lawyer, Marcos Alexandre Aragão Correia" published on your website "The Madeleine Foundation", with the link

<http://www.madeleinefoundation.org.uk/PDFs/Madeleine%20Foundation%20-%20Amaral%20and%20Aragoa.pdf>.

The article is full of defaming lies against my person, even including lies concerning my full name.

Defamation is a crime not only in Portugal but also in the United Kingdom.

You have 48 hours to remove completely the article from the Internet.

If not, without further notice, I will proceed to contact Colleagues of the United Kingdom in order to initiate a criminal procedure against you, together with demand for compensation, in the Courts of the United Kingdom.

Portugal, 08 April 2010.

Marcos Aragão Correia,

Lawyer (Portuguese Bar number 427M).