

Libel trial McCann v Gonçalo Amaral - Day 6 Witness No1

(02.10.2013, 10:10 am) The Judge arrives. TVI's lawyer is missing. The Judge dictates a note to the Clerk of the Court relating to the delay.

The McCann's lawyer, Dra Isabel Duarte, reminds the Court that on 12th September 2013, the Complainants requested that Guerra & Paz produce the receipts signed by Gonçalo Amaral relating to his book copyrights.

Lawyer for Dr Amaral, Dr Santos de Oliveira, objects, but the Judge refers to the new CPC and states that a party can present documents at any time up to the end of the sessions.

The Judge rules that the defence must deliver up the documents requested.

In relation to the order in which the witnesses will give testimony, the Judge suggests that Mrs Cameron (Gerry McCann's sister) testifies in the afternoon, but ID objects stating that this was not possible since her flight back to the UK departs shortly after lunch. The witness Henrique Machado cannot swap places with Mrs Cameron because he has an appointment also around that time.

The Judge decides that he will hear Mrs Cameron as the first witness immediately followed by Mr Machado whilst third witness Mr Dâmaso is asked to come back at 2.30pm for the afternoon session.

The TVI lawyer has still not arrived but the Judge says the session will start regardless. Dr Santos de Oliveira pleads the missing lawyer's case and attempts to obtain a further 5 minutes adjournment as it appears that the TVI lawyer is stuck in a traffic queue following a road accident.

The testimony as it happened...

(02.10.2013, 10:25 am) (Patricia Cameron née McCann) **Trish Cameron**. Divorced and a nurse by occupation.

The Judge asks her where she was when Madeleine disappeared.

TC answers she was at home at the time, she was married and living in She thinks that she was the first person Gerald McCann called after Madeleine was taken. She says she spoke to her local police and then spoke with her mother. She managed to get to Praia da Luz by the 5th May 2007 and remained there for 3 months before returning to the UK. She later returned to Praia da Luz.

The Judge asks how frequently she speaks with her brother and sister in law and whether she meets them sometimes.

TC says she calls them on the phone and sends SMS as well as visiting them in Rothley. But when something important occurs such as this trial she is in daily contact with them.

The Judge asks what the distance is from her home to that of the McCanns in Rothley.

TC says it's about 330 miles.

The Judge asks whether TC feels free to tell the truth, in spite of her relationship with the McCanns.

TC answers "yes".

The Judge asks whether TC can swear by her honour.

TC swears.

1) McCann family lawyer, Isabel Duarte, is the first to question the witness.

ID – We are here to discuss the eventual consequences, in the McCann family's life, of the publication of Mr Amaral's book and of the broadcast of the documentary based on that book. Have you read the book and watched the documentary?

TC – Yes, both.

ID – In which circumstances have you read the book and watched the documentary?

TC – Gerry called me on the phone and told me about the book and...

ID interrupts asking the witness to speak more slowly because she wants to understand. To explain, Trish Cameron speaks quickly and with a strong Glaswegian accent rendering translation to Portuguese difficult at times.

TC (resuming) – Gerry was very upset about the documentary.

ID – Under what circumstances did you read the book?

TC says Gerry telephoned her asking for help and for her to come and stay with them.

ID – Had Gerry just been made aware of the book? Was it translated?

TC thinks he had a translated version

ID – Do you know who did the translation?

TC answers her husband found it on the internet.

ID – When did he watch the documentary?

TC says it was much later. Gerry told her they were feeling very bad and that everybody believed the documentary. Asked again, she remembers that it was broadcast in April 2009.

ID – What do you know about the consequences, following the shelving of the case?

TC says that right after the case had been closed, the book appeared saying her brother and sister in law were somehow involved and that meant no-one would look for Madeleine. As soon as the book was published, people's opinions started to change. Though "we know that the book doesn't tell the truth", while they were trying to get some balance, people didn't believe the official version. When they came back to the UK, the people supported them. After the book was published, the number of supporters decreased. She says she used to help her brother and sister in law and had to make sure that someone would watch over them when she had to leave.

ID – For how long have you been doing this?

TC says she did it every time she had days off or a long week-end. Many people came to help.

ID – How were the McCanns at that time?

TC says that Kate was very low, she wasn't able to face daily life and Gerry had to go to work. Kate used to go to the church and visit a counsellor, but she didn't go to the shops and had no social life. TC adds she helped with the cooking and with looking after the other two children.

ID – Was the situation difficult before the book was published? What was the difference between the before and after?

TC says that it was very different. Before, when they were *arguidos*, they were quite unhappy, but the effect of the book was very different because it offered a conclusion which effectively was demonising and dehumanising her brother and her sister in law.

ID – Was the reaction to the book equal to that of the documentary?

TC (*doesn't answer the question, might not have properly understood*) The book was the first thing, it spread quickly, there was a lot of publicity. People started to turn their backs on them and nobody was looking for Madeleine.

ID – On which occasion did the McCann couple feel completely destroyed?

The Judge overrules the question.

ID – How did they know that people had turned their backs on them?

TC says that many people read the book and that as the book was written by the inspector who led the criminal investigation, the people believed that he was telling the truth. She adds that the book wouldn't have had so much success if it wasn't written by the head of the investigation. She says there was a lot of publicity about the book even before it was published. The reader is led to a conclusion which is false, it is a lie. She adds that the McCanns were already living the nightmare of having lost their eldest daughter and the book increased their distress saying they didn't care for their children.

ID – Was their despair related to the information that was coming from Portugal?

TC says they were vilified. If the book tells lies, how will people help them?

ID – Did they stop socialising after the book was published and why?

TC says they have resumed a social life only a year ago or so, but adds that they don't go out much. They feel better when they are in friend's homes.

ID – Were they despised by friends?

TC says "no", but when some of the locals in Portugal screamed at them, they were advised to take security measures.

ID – Do you have something more to say about the effect of the book and the documentary?

TC speaks of the internet, the fact that the files are public and very easy to access even by children.

ID – What relationship do you have with the children (the twins)?

TC says they get along very well with them, they have a very close relationship.

ID – When did the twins go to school for the first time?

TC – It was in August when they were 5 years old.

ID – Do they read and write easily?

TC answers "yes".

ID – Do they know of the book and its conclusions?

TC says that some pupils mentioned it at school. Last week Amelie told that somebody had spoken about it at school.

ID – Have you heard her say this?

TC says "no".

ID – What about Sean?

TC says she doesn't know.

ID – What did Amelie say?

TC – People were speaking about her.

ID – Was she more specific?

TC – No, and Kate tried to minimize this. She says that in the past Sean asked his father, "Are you famous?", because a friend told him he had seen his father on TV. Gerry said he wasn't famous, that all this was because of Madeleine.

ID – Do the children have access to the internet at school?

TC says "yes", but she thinks it is monitored and controlled.

ID asks whether the attention of the media increased or decreased after the publication of the book and the documentary.

TC says it increased.

ID – How do you know?

TC explains that her husband collaborated in the (Madeleine Fund) website. There was much more activity on-line.

ID – And in the media, did they talk of the book?

TC Not so much. But they (the McCanns) received information from Portugal according to which the matter was very much talked about.

ID – Can you name the people who said so?

TC names Susan Hubbard, but says she doesn't know the others.

2) Defence lawyers.

a) Santos Oliveira (GA lawyer) questions

SO – You said the book had a big effect on the McCanns. Have you knowledge of a Petition containing some 17,000 signatures which originated in the UK in January 2008, which demanded that Social Services investigate the family about the children being left alone?

ID tries to protest against this question, but the Judge overrules.

TC says she heard about it.

SO – How did the McCanns react to that? In what state were they?

TC says they were unhappy.

SO – Do you know that 70% of the UK people, in August 2007, protested against the fact the McCanns had left their children alone?

TC answers "no".

SO – Did you know the UK police indicated that the child could be dead?

TC answers "no".

SO – Why do you assume that the book is conclusive?

TC Because there's only one conclusion.

SO – Have you knowledge of the process which made the McCanns *arguidos*?

TC says the fact they were *arguidos* was public.

SO clarifies and speaks of the Attorney General's Final Report according to which the most likely scenario was that Madeleine was dead.

TC says she's aware of that.

SO asks if the witness is aware that the closing of the case was inconclusive because of lack of evidence and therefore recommended the lifting of the *arguido* status?

TC answers "yes".

SO – Then why was it worse when the book was published?

TC – There's no alternative in the book. It says that Madeleine died accidentally and her parents tried to cover it up.

SO – Last week, Amelie mentioned that they were talked about at school and that previously it had never happened. Does it have something to do with this trial?

TC – Yes, it does.

ID – When you were told about the Petition against the McCanns...

The Judge corrects – for the Social Services

ID – What do you know was done?

TC doesn't know much. She knows that measures were taken against it, they went to Court. She doesn't know much more.

The Judge – *A senhora pode ir à vida* = The lady may go back to her life

TC says she wishes to say something. She states that Kate studied the PJ files and the process and said it was very different from what is in the book.

SO protests and ID even more.

The Judge overrules saying that it falls to the Court to compare the book and the investigation process and she does not need the intervention of the witness to do so.

Evidence ends.