

Did the BBC bend the truth?



Madeleine McCann



by Gemma O'Doherty

On the night Madeleine McCann disappeared, an Irish tourist saw a man with a child matching her description near the McCann apartment. His testimony could prove vital to the world's most famous missing person case, especially since the man he saw that night has never come forward

ONA cold May night in 2007, Martin Smith and his family were walking home after an evening out in the Portuguese resort of Praia da Luz. A retired businessman from Drogheda, Co Louth, he co-owned an apartment there and was a regular visitor to the Algarve town.

The crowds of summer had yet to arrive and the normally bustling streets of the old quarter lay quiet. It was approaching 10pm when some members of the family of

'Panorama' have failed to explain how they came to make such a fundamental error and why they did not contact Martin Smith before they aired the broadcast

nine were suddenly struck by the sight of a man walking quickly towards them holding a small child uncomfortably in his arms.

As he passed close by them on the narrow street, the child appeared to be in a deep sleep, her head placed over his shoulder and arms suspended down her body.

She was blonde, aged around four and wearing pyjamas. Despite the chill in the air, her feet were bare. Martin and his daughter Aoife noted that her skin was very white. The man carrying the girl was middle-aged and more formally dressed than the average tourist, in beige trousers and a dark blazer-like top.

A member of Martin's family made a comment towards him that the child was sleeping but he did not respond or make eye contact, keeping his head down as he hurriedly headed in the direction of the coast.

At the time, Martin did not realise the sighting had the potential to change the course of the world's most high profile missing person case.

The following morning, he got a text from his daughter in Ireland to tell him that a three-year-old girl had gone missing in the resort. The approximate time frame and location he had witnessed the man and child appeared to match.

By now, the mystery of what happened to Madeleine McCann was beginning to grip the world. Martin brought his mind back to the evening before and wondered if the child he saw could have been her. The girl certainly matched Madeleine's description and the sighting had taken place at Rua da Escola Primaria, just 500 yards from the McCanns' apartment. In time, Martin would become convinced he was correct.

Over a decade has passed since Madeleine McCann went missing on May 3, 2007 yet the case of the British three-year-old remains mired in more questions than answers. The mainstream media, who have by and large backed Gerry and Kate McCann's version of events with the support of several A-list celebrities and politicians, appear to have lost interest in a story they once could not get enough of.

The very opposite is true on social media. The internet swirls with allegations and theories that the McCann story is littered with holes and does not stack up. Countless videos have been posted on YouTube by armchair detectives challenging the parents' seemingly at times bizarre behaviour, in particular their reactions in certain interviews when the finger of blame shifts towards them.

Some are compelling to watch and have highlighted what appear to be discrepancies and confusion in certain accounts given by the McCanns and some of their friends about what happened in the period before and after Madeleine disappeared.

The man the Smiths saw that night, he has yet to come forward to eliminate himself from the enquiry and remains unidentified



The McCanns in Lisbon

Theories

Gerry McCann, a consultant cardiologist from Scotland, and his wife Kate, a GP and anaesthetist, have always denied claims that they sedated their children so that they could go out at night but they did suggest a potential abductor could have done so. Could a kidnapper really have drugged three children before carrying one of them out a small window in such a short time frame?

Despite all of the pandemonium and noise during the initial search, Madeleine's twin siblings slept through it all. Kate, a trained anaesthetist, said this caused her to check they were still breathing. But the children were not taken to hospital that night to ensure they had not been drugged.

In the immediate aftermath of Madeleine's disappearance, some relatives and friends of the McCanns stated in the media they had been told the shutters on the window of the children's bedroom had been 'jimmied' or broken open.

However, when police and hotel staff confirmed there was no evidence of tampering, this story appeared to change. The family spokesperson Clarence Mitchell subsequently confirmed there was no sign of a break-in but refused to go into any detail on the matter.



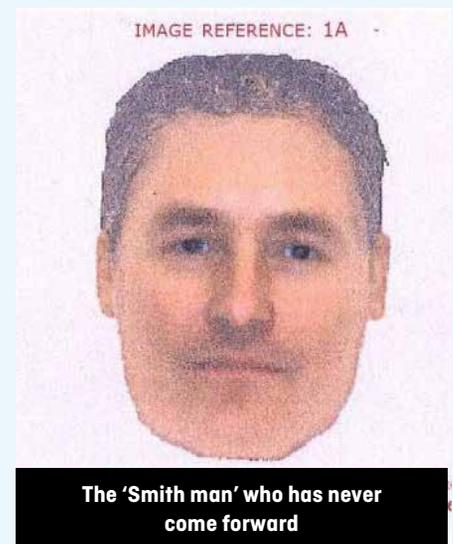
Shutters on the window of the children's bedroom, now with grille

The underinvestigated 'Smith' story'

Gerry and Kate said they had put their daughter and two-year-old twins Sean and Amelie to bed at around 7pm, had drinks together for almost an hour and then left the children alone to go to a tapas bar 50 yards from their apartment. There they met seven friends with whom they were on holiday. They told police that they and their friends checked on the children every half hour.

Gerry said he went to the apartment at 9.05pm and all the children were sleeping soundly. He said Madeleine was lying on her left-hand side in exactly the same position she was in when they had left her.

At 9.25pm, his friend, Dr Matthew Oldfield told police he went to check on the McCann



The 'Smith man' who has never come forward



McCann picture that caused Martin Smith to have flashback of what he saw the night Madeleine went missing

According to Former Scotland Yard murder detective Colin Sutton “Looking at the background to the whole case again, inconvenient suggestions like the Smith sightings, have been dismissed on a number of occasions. When someone comes forward like that, it must be taken very seriously. It wasn’t just a throwaway phone call. It was something quite specific”

children. He said afterwards he could not be certain that he saw Madeleine on that check.

Kate McCann said she went back to the apartment at around 10pm, entering through the patio doors that they had left unlocked. She said she noticed that the door of the children’s bedroom was “completely open” and that the window was also open and the shutters raised. She said she scoured the apartment, then left the twins asleep in their beds before running back to her friends in the tapas bar and claiming Madeleine had been taken. At 10.41pm, her disappearance from Apartment 5A of the Ocean Club resort was reported to police by hotel staff.

Overnight the story made headlines around the world. Several days after Madeleine disappeared, the Smith family flew back home, but the sighting remained at the back of Martin’s mind. He discussed it with his wife Mary, son Peter and daughter Aoife who were with him that night.

When they tallied the time and location, and the fact that the man they had seen had come from the direction of the Ocean Club complex where the McCanns were staying, they were convinced that it could have been Madeleine they had seen.

They decided to inform investigating police, and at the end of May 2007, Martin, Aoife and Peter flew back out to Portugal to make statements. They gave similar accounts of the man they had witnessed: average build, short brown hair, beige trousers; and the child: blonde, around four, and wearing pyjamas.

As the summer passed, the mystery of what happened to Madeleine McCann continued to perplex the world but life returned to normal for the Smiths. Then one Sunday evening in September, it came back to haunt Martin again. He was sitting at home watching TV when a report came on the BBC ‘News at Ten’ about the McCanns’ return to Britain. As he watched Gerry coming down the steps of the plane,

carrying his two-year-old son in his arms, Martin was gripped by what he had just seen and described the experience as watching “an action replay” in his mind.

He was instantly brought back to the night of May 3 in Praia da Luz. Something about the way Gerry was holding the child in his arms and the way he put his head down seemed shockingly similar to the man he had seen in Portugal the night Madeleine went missing. He said it hit him like a “bolt from the blue. He watched the clip again on different news channels reinforcing his belief that he was not mistaken.

During this period, Martin had difficulty sleeping and felt sick with anxiety. He contacted the Garda and informed them of what had happened.

He told them he was 60-80% sure the man he saw carrying the child that night was Gerry McCann. His wife Mary felt the same way.

Irish officers found him credible. A local garda who interviewed him on behalf of the Portuguese authorities described him as a genuine, decent man who did not want to court the press or seek publicity.

But while Martin’s evidence seemed compelling, independent and without motivation, much to his frustration, it was not given the attention it seemed to deserve.

Almost a year after he made his initial statement to police, he was approached by private detectives working for the McCanns and asked to make e-fits (electronic facial identification images), of the man he had seen the night Madeleine disappeared.

The McCanns say they gave these pictures to the police at the time but chose not to publicise them. Instead they remained focused on another sighting by their friend Jane Tanner, one of the so-called Tapas Seven group of friends who had been on holiday with the couple and who dined with them the evening Madeleine disappeared.

She claimed to have seen a man carrying a



The ‘Tanner’ man: sighting dismissed by police remains on McCann website

child away from their apartment complex at around 9.20pm, but in the opposite direction to the man allegedly seen by the Smiths.

However, more than six years later, in 2013, the Metropolitan police announced that a British tourist had come forward to say he could have been the man she had seen as he carried his daughter home from the Ocean Club late night creche.

The Tanner sighting was about to be dismissed. The Met would switch their attention to the man seen by the Smiths. The e-fit images were finally released and the then chief investigating officer Andy Redwood said the timeline leading up to Madeleine’s disappearance was being rewritten, especially the 90 minutes between 8.30pm, when the McCanns left their children to go to the restaurant and 10pm, when they discovered their daughter missing.

A reward of £20,000 was offered to anyone who could assist with the investigation. But then the story of the Smith sighting took another bizarre twist as allegations emerged



in the media that the family had retracted their statements. The public were being told that this potentially critical development was just another red herring.

The BBC even went as far as to make this claim. In a 'Panorama' programme broadcast in May 2017 to mark the tenth anniversary of Madeleine's disappearance, presenter Richard Bilton told viewers that the Smiths had changed their mind about seeing Gerry McCann and now believed they had seen someone else.

In recent weeks, I have spoken to Martin Smith at his home in Drogheda. He told me he continues to stand by everything he said to police in 2007. At no point did he withdraw his statement or change his mind about the sighting.

He is frustrated by media claims that he now says he was mistaken; and remains "60-80 per cent" convinced that the man he saw that night was Gerry McCann.

After the BBC programme was broadcast, Martin contacted 'Panorama' and informed them of their inaccuracy. But the broadcaster failed to correct the record despite its public-service remit.

Last month, I asked the BBC why they had wrongly suggested the Smith sighting had been withdrawn and if they were willing to correct their error at this late stage.

I received a reply acknowledging that they had indeed broadcast an inaccuracy. They agreed to update the 'Panorama' programme on their iPlayer to reflect the correction. They say the mistake was made in good faith but they have failed to explain how they came to

make such a fundamental error and why they did not contact Martin Smith before they aired the broadcast to check if their story was correct.

Former Scotland Yard murder detective Colin Sutton is one of a number of experienced officers who believe the Smith sighting is one of the most important pieces of evidence available to the investigation.

According to media reports, Sutton had been tipped to head up the new probe by British police in 2010. He claims he received a call shortly after these reports from a high-ranking friend in the Met who warned him not to take on the job as he would not be happy being told what he could and could not look at.

Several aspects of the new investigation perplex him including the apparent decision by Operation Grange not to question Gerry and Kate McCann or their friends again.

"Looking at the background to the whole case again, inconvenient suggestions like the Smith sightings, have been dismissed on a number of occasions", he says:

"When someone comes forward like that, it must be taken very seriously. It wasn't just a throwaway phone call. It was something quite specific. The fact that Mr Smith's memory was triggered by seeing Gerry McCann carrying the child down the steps of the plane is quite relevant because I think that is how the mind works. It is a trigger I would take quite seriously.

I can see no reason why Martin Smith would make these claims. He has nothing to gain from doing so".

The British investigation

To date, Operation Grange, which now consists of four detectives from a peak of 31, has cost the British public more than £11m making it one of the most expensive police investigations in history. It was launched in 2011 after the Portuguese closed their enquiry in 2008. Funds are expected to run out at the end of March. Grange has been heavily criticised for refusing to reinterview Gerry and Kate McCann and the so-called Tapas Seven. The Met said local police had already done this and there was no need to repeat the process, but the Portuguese investigation was littered with failings and best practice in cases like this dictates it is always important to eliminate those closest to the child first.

Portuguese Court says 'innocence not proved'

Meanwhile the McCanns have been fighting a lengthy legal battle against former Portuguese police chief Goncalo Amaral who accused the couple of faking Madeleine's abduction. The one-time lead detective in the case, Amaral was initially ordered to pay damages of half a million euros to the McCanns over allegations he made against them in his 2008 book 'The Truth of the Lie'.

This decision was overturned on appeal. The McCanns then appealed against him to Portugal's Supreme Court. It found that Gerry and Kate had not 'successfully proved their innocence' and ruled against them. The couple are believed to be challenging that judgement to the European Court of Human Rights.

And in Britain, as matters currently stand, if the authorities are any closer to finding the chief suspect in the world's most famous missing child case, they are certainly not saying.

As for the man the Smiths saw that night, he has yet to come forward to eliminate himself from the enquiry and remains unidentified. 