

Rogatory Interview

Fiona Payne

Date: 10/4/08

Time: 8:55AM

Place of Interview:
Force Headquarters Enderby
Signature of Interviewing

Date of Interview:10/04/08

Officer producing exhibit

Time Commenced: 0855 hours

Time Concluded: 1025 hours

Duration of Interview: 90 minutes

Interviewing Officer(s)
DC 1485 MESSIAH
Tape Reference nos:

Other Persons Present
None

Tape counter times
Person speaking
Text

00.00.04
1485

'Okay. The machine is now recording which means this interview is being video recorded, okay. The date is the third, sorry, the date is the tenth of April two thousand and eight and I make the time by my watch coming up to eight fifty-five on that morning, alright'

Reply
'Okay'.

1485

'We are at an interview room in Force Headquarters in Leicestershire Police. My name is DC Ivor MESSIAH and I work at Leicestershire Major Crime Team. Could you introduce yourself please, your name and date of birth and where you live'

Reply

'Yeah, my name is Fiona PAYNE, my date of birth is twenty-ninth of August nineteen seventy-two and I live at eighxxxxxxxx

1485

'Thank you. The purpose of you being here Fiona is an incident relating to the holiday in Praia Da Luz last year or specifically May the third'.

Reply

'Uh hu'.

1485

'But I understand that you went out prior to May the third"

Reply

'Uh hu'.

1485

'And you came back after May the third"

Reply

'Uh hu'.

00.01.03

1485

'Alright. It is what we call a significant witness interview, in other words, you are a witness'.

Reply

'Uh hu'.

1485

'So, you know, there will be no challenging questions, they will be all open questions'.

Reply

'Uh hu'.

1485

'Take as much time as you need to answer the questions and I will ask you to answer the questions in their entirety, anything you can remember, you know, try and exhaust it if you can'.

Reply

'Yeah'.

1485

'Because then it eliminates me coming back and asking you more questions'.

Reply

'Yeah'.

1485

'Alright''

Reply

'Yeah'.

1485

'As I say, we are working at your pace and I will certainly listen to you, everything you say. My colleague is making notes in the monitoring room and he will be bringing to my attention if there is anything I have missed or, you know, he wants you to cover, okay''

Reply

'Okay'.

1485

'And, as I say, the reason for these interviews is we have been asked to facilitate this by the Portuguese Authorities, alright''

Reply

'Yeah'.

1485

'Are you happy with that so far''

Reply

'Yeah'.

1485

'And, as I say, we work in what we call a cognitive interview basis, what that means is, you know, we try and put you back at the time that you, you know, that we are referring to, to see what you can remember, alright''

Reply

'Yeah'.

00.02.08

1485

'How we are going to start the interview, I am going to do it, I am just going to do it in sort of phases to try and help you remember'.

Reply

'Right'.

1485

'Sort of chronological order if you like'.

Reply

'Yeah'.

1485

'There will be some questions that the PJ have asked us to speak to you about'.

Reply

'Yeah'.

1485

'And there are questions that the McCANN family has asked us to talk to you about, alright''

Reply

'Umm'.

1485

'But mostly they will be questions based on what you tell me'.

Reply

'Okay'.

1485

'And, you know, it is all nice and fluid, alright''

Reply

'Yeah'.

1485

'Okay. So I will ask you first of all to tell me a bit about yourself and your family''

Reply

'Okay. Erm, erm, I'm thirty, I'll work that out actually, I'm thirty-five years old. I work as an Anaesthetist at Leicester and Leicester Registrar. I'm married to David PAYNE. We have got two children, Scarlet who is the youngest who is, who will two next month and Lily who is four in August. You know, we have a fairly uneventful life really, we are quite, before the third of May, very happy, you know, worked hard, but enjoyed holidays and, you know, always made specific time to take holidays as a family. Erm, we have a very good base of friends in Leicester who we see a lot of, we make a lot of time for. A lot of the people I knew them, who have trained with us and we've done house jobs with and, erm, so friends, you know, are a big part of our lives'.

00.03.35

1485

'Uh hu'.

Reply

'Erm, I don't know what else to say'.

1485

'What is it you do for a living''

Reply

'I'm an Anaesthetist, so I, erm, it combines a lot of different skills, we work in obstetrics, on labour ward doing epidurals, doing caesarean sections for women and we work on intensive care unit, in theatres, cover any need for, you know, resuscitation. So, yeah, it's quite a stressful job and a busy job, erm, I enjoy it'.

1485

'And how long have you been'.

Reply

'Erm, I've been an Anaesthetist since about ninety-seven, erm, in Leicester'.

1485

'Yeah'.

Reply

'Yeah, and since I've had the children I work part-time sort of three days a week, yeah'.

1485

'Good. Okay. I want to refer now to your holiday, alright'.

Reply
'Yeah'.

1485
'What I want you to try and do is to, from the moment that the holiday was suggested, in other words, who suggested the holiday'.

Reply
'Umm'.

1485
'Because I understand that it was booked by yourselves"

Reply
'Yeah'.

1485
'What I want you to do is, how the holiday came about'.

Reply
'Umm'.

1485
'Who suggested it. Who booked it'.

Reply
'Umm'.

00.04.48
1485
'Go through the whole process and stop at the holiday day'.

Reply
'Okay. Erm, I think the idea had first come about really back, erm, in the previous year. Erm, I'd been on holiday with Dave, erm, and our children, with Matt and Rachael and their child, Grace, and Russ and Jane and their two children and we'd been to Greece for a week. Erm, it wasn't a MARK WARNER, it was, erm, I can't remember which company it was with, but it was a very small holiday, erm, environment, where you sort of had all the walled off area with a few villas and a shared pool and a restaurant, erm, and we had a great time and we've all got very young children and the kids had a great time. So the, the idea was sort of seeded, you know, that it would be nice to do a similar thing again. We'd also been on the year before a kind of, another group villa holiday with friends, Kate and Gerry being, erm, one of that group. So we just found with young children it was a really nice way of, of

having a holiday. So it was our suggestion I think, erm, January time, it was just after Christmas, erm, you know, I'd just gone back to work, I was going back to work in March and just wanted something to sort of look forward to. Erm, and the others, again Jane and, erm, Russell and Matt and Rachael had been on MARK WARNER holidays before and had really enjoyed it as had Dave and I. So the idea of a MARK WARNER holiday sort of came up then really, thinking oh that would be great with the kids and it would also the adults some time to do some sports, we're all quite sporty, we're particular into sort of water sports and others into tennis, so we thought well, you know, it would be a nice, a nice holiday. Erm, Dave's idea was Portugal. Erm, I'd never been to Portugal before and he'd been, erm, at least once before (inaudible), erm, a few years ago with his sister and he, he was always very keen to go back. Erm, and I hadn't been, it sounded nice, so we sort of looked at the Portugal website and thought well it's good flight times for the kids, erm, it was quite early on in the season there so we were sort of in two minds whether it might be warm enough, et cetera. But, but spoke to others, erm, at that point I think, erm, we put it to, I think they were the only four, erm, three families we put it to really and Jane and Russell were very keen immediately as were sort of Matt and Rachael and Kate and Gerry were a bit undecided. Erm, and this always haunts me, erm, because Kate, huh, what had she said, when I was sort of twisting her arm really, she was unsure, I think Gerry was immediately quite keen, erm, to come and Kate had said, when I rang up, she said 'I don't know why I've just got an uneasy feeling about it'. And I don't know why she said that, I don't think she even knows, I never mentioned it to her since, but she said, you know, that was it really, but Gerry was so keen that she just sort of thought okay let's go for it. And I think also they'd booked quite a few other breaks around that time so they were less keen to come'.

00.08.03

1485

'That is Gerry and Kate''

Reply

'Yeah'.

1485

'Yeah'.

Reply

'Yeah. Erm, and then on, erm, they booked it, we booked it, erm, I can't remember whether that was end of January, beginning of February, that sort of time. Erm, and following booking it, sorry, if I backtrack a bit. We'd all been on MARK WARNER holidays, erm, in Greece, erm, I don't think anyone had been anywhere else in Europe, but all those MARK WARNER holidays had, were very much the same, erm, different resorts but the same sort of layout, the same hypothesis of, you know, having kid time and adult time'.

1485

'Yeah'.

Reply

'They all offered a babysitting service. When Dave and I went we didn't have children, but

we were very aware, we met lots of couples that were using the babysitting ser, baby listening service, erm, where, you know, somebody goes, goes round the rooms and listens at the door for any, any children crying, erm, and then if they hear any crying they'll come and fetch you and you've told them where you are. So we were very familiar with that ethos of MARK WARNER and we assumed that the Portuguese one operated the same way and in the brochure it sold itself the same way as all the others. And it was only after booking that I specifically went through and said 'Well it doesn't actually mention the baby listening service on this one' and I rang up to check, because that was a big part, you know, we, we wanted to be able to have the social aspect of, of a holiday going away in a group and, plus, at that point, they couldn't, erm, they, they said 'Oh it's a bit more spread out and we can't put you all together in the same block' and that again was a bit annoying if they didn't have the baby listening service, so I'd rung up specifically to find out about this and was actually a bit annoyed when they said 'Well actually this doesn't operate a baby listening service', because I don't think we would have booked it had we known that'.

00.10.04

1485

'Right'.

Reply

'Erm, so, but then I made the point and Dave had lots of emails with them saying 'Well if you can't, if you're not doing that I feel your brochure is misleading and we would like all our apartments to be at least together if you can't', you know, 'if you're not offering that can you at least guarantee that'. And there was a lot of emailing to'ing and fro'ing before about this, erm, maybe me being a bit difficult, I don't know. Erm, but, you know, as it was altered, they did manage to put us all close together as a group. Erm, so, you know, we thought well in the evenings we could at least get them to bed and with our baby monitors we can at least sort of have a drink together on, on a, on a balcony and still be all together, you know, looking after the children, so that was our plan before going really, that's what we'd do. Erm, other than booking it I'.

1485

'Where was it booked, was it booked in shop or was it booked over the Internet''

Reply

'Yeah, it was booked on-line'.

1485

'And was there a brochure that showed the holiday''

Reply

'We had a brochure through the, through the post'.

1485

'Yeah. And who was instrumental in the booking''

Reply

'Dave I think did the actual on-line, but it was, it was both of us. I'm trying to think if anybody booked for themselves. I think, I think all of it. I, I have a feeling Kate and Gerry might have booked their part. Dave will probably remember more. I know we definitely booked for Matt and Rachael and handled their money and Russ and Jane we handled their money. I have a feeling, we probably booked it for Kate and Gerry but I think they paid, you know, we didn't pay for them, I think Gerry paid directly. As I say, Dave did the actual booking and he might remember more about that'.

00.11.55

1485

'Okay. And where did you fly from''

Reply

'Erm, East Midlands'.

1485

'And who was on the flight''

Reply

'Erm, we flew, we organised, erm, our own flights, because obviously Matt and Rachael and Jane and Russell are South and nearer London and the actual MARK WARNER flights were from London, we felt, with our children being the age they were and the flight times it was just going to be a nightmare, erm, getting up, you know, really early in the morning and getting down to London, so we opted to organise our own flights from, you know, our regional Airport. Erm, so we got some money off the price, again it was a lot of emailing about that as well, I'd forgotten that, but, erm, yeah, they, they gave us a certain amount of money off the holiday, erm, to allow us to arrange our own transport. So, erm, Gerry had booked a local taxi firm from around the Rothley area, I don't know where he was from, erm, to pick us all up from Kate and Gerry's house and Dave and I just travelled over the morning we flew. Erm, we took the taxi from their house and we all went in a big sort of minibus minicab together'.

1485

'Yeah'.

Reply

'And we flew together. And at the other end we'd arranged, Gerry had arranged, erm, transport to pick us up, erm, at FARO and take us to the MARK WARNER. So we, we all arrived separately to the other group, they'd arrived a bit earlier'.

1485

'Okay. What time was your flight''

Reply

'Tut, phew'.

1485

'Can you remember''

Reply

'It was morning. Erm, I remember being up early. Tut, I'd guess around ten o'clock, something like that. I, I really can't remember'.

00.13.36

1485

'And what about the flight itself, was it eventful, did you talk to anybody else other than your party''

Reply

'Erm, tut, no, I think it was pretty uneventful, I mean, I don't recall really speaking to anybody else. I was sat with Scarlet who was, you know, (inaudible), my mum and Dave and then Gerry and Kate were sort of in front and I think we occupied three rows between us. Erm, there was a lot of seat hopping between the kids, but pretty much they were all well behaved and, you know, we didn't, we didn't really chat to anybody else that I recall'.

1485

'Okay. So just tell me who was actually in your party when you were on the plane''

Reply

'Myself, Dave, my mother, erm, our two children, Lily and Scarlet, Kate and Gerry and their three children, Madeleine, Sean and Amelie and that was it'.

1485

'Okay. So when you get to FARO'.

Reply

'Uh hu'.

1485

'You said that you were picked up''

Reply

'Yeah'.

1485

'Any issues at the Airport prior to coming out to your transport''

Reply

'Erm, no, well we had a, erm, a sort of discussion about car seats, whether they'd booked the right car seats for the kids, erm, and I think, as it was, I think Madeleine didn't have a, a booster seat. Erm, but, no, no, it was all fairly straight forward, we arrived and though, got picked up, I don't remember there being any issues'.

1485

'Okay. We move on then to the actual transfer. How long did that take''

Reply

'It was about I think an hour and a half. I think an hour and a half, two hours, something like that'.

1485

'Quite a long time. A long journey'.

Reply

'Yeah, well I think the kids were exhausted and they sort of slept and we had, I think it was an hour and a half, it's things like that I, I honestly, find it hard to recall. It was certainly, it was a good length journey, yeah'.

00.15.47

1485

'Okay. So when you get to your resort'.

Reply

'Uh hu'.

1485

'Tell me about when you get to the resort and, you know, the booking-in procedure, where you eventually, where your apartment was, what number it was, tell me all about the, you know, your intro''

Reply

'Yeah, we arrived, erm, at the sort of main reception area, got everybody out, I think the men went in to do the actual booking-in, I remember just standing out with Kate outside with all the baggage and the children, erm, you know, so it's either both Dave and Gerry or just Dave went in and, erm, and booked us all in. then we had to wait for the sort of MARK WARNER bus to pick up and take us to the apartments, there was a bit of a wait there, about fifteen minutes or so and then, yeah, a chap came with a minibus and we all sort of piled in with all the luggage and he took us to the apartments. This sounds ridiculous, but I can't even remember the number of the apartment I was in. Erm, I can't remember. But we were on the second floor, so we were one up, everybody else was on the ground floor. Erm, and we were the only ones that had, had booked to have a two bedroomed apartment. Erm, I think Matt and, erm, Russ and Jane had only booked a one bedroomed one but they actually did get a two bedroomed one. So whether that was because of, you know, and that

made us one floor up, I don't know. So we had a balcony and we had a slightly bigger apartment. Erm, because of that our apartment seemed to be the meeting point for lunchtimes and things like that, just because it was bigger and had a view, a better view than the others. Erm, the others were all ready there, i.e. Matt and Rachael and Russ and Jane, they arrived a couple of hours before us, erm, it might have even been longer, I'm just trying to think of the time, it was certainly sort of nearer teatime by the time we got there and I think they'd arrived somewhere lunchtime, so they'd already had a bit of an afternoon there. Erm, and then when we got there we'd all sort of sat out on our balcony for a bit and just had a drink and a catch up, erm, with all the kids. Erm, tut, and then I think, I'm trying to think where we ate the first night, I think we all went to the Millennium Restaurant, erm, which had a sort of kids super and that was certainly sort of, sort of early evening, I can't remember whether it was six or seven, that sort of time, I remember the kids being very tired, erm, but we all trooped across and had a massive table, you know, overtook the Restaurant, erm, that was the only night that we ate there, erm, mainly because it, it was a bit of a walk and certainly with the younger kids it, you know, imagine we're having to pick them up and put them down and they're wanting to walk, it just took ages and it was quite sort of late for the children, they were sort of not behaving particularly well and just very tired and wanted to go to bed, so it wasn't a great success. Erm, tut, and then I think, you know, once we, the following day we got more to grips with the layout of the place, erm, and the other places you could eat, we sort of saw the Tapas Bar and that well that looks ideal, you know, to eat, because, you know'.

00.19.26

1485

'Uh hu'.

Reply

'It was right across from the apartments. Erm, so I think it was the second night we tried to book in there but we couldn't because it was fully booked, then we realised, you know, you had, a lady who was taking the bookings said 'Oh, you know, you've really got to book first thing in the morning, it gets really busy'. Erm, so the following morning, I don't, I don't know who it was, I think it was Rachael who sort of got in early and booked us in for that night. I don't know whether it was that day or the following day she'd asked if, if there was any chance of just booking us in for the whole week, because it was so close and so much more convenient that it would have been ideal for us, and I think she was a bit reluctant, but, you know, said she'd do that. Erm, so from there on, well we didn't really think much more, more about it really, it seemed to be a, our routine, we all had our own sort of fixed routine from quite early on and not, not everybody's was the same, but, you know, generally, erm, everybody, but Kate and Gerry and their children, sort of would go to the Millennium for breakfast, for a buffet breakfast, erm, we'd all be at slightly different times, but, generally, you know, you'd see someone else there in the morning for breakfast. All the kids were booked into their relevant kids clubs, erm, Scarlet was the only one that was in the baby crèche and that was kind of next door to where Madeleine and Ella were in the sort of older kids club and that was near the main reception. So after lunch I generally, after breakfast, sorry, I generally walked with Scarlet to the baby club, erm, with or without either Jane, Russell, Kate, erm, I'd sometimes meet Kate or Gerry dropping Madeleine off there, erm, and then Dave would take Lily over to the kids club which was back near the, behind the Tapas Bar area'.

00.21.20

1485

'Yeah'.

Reply

'Erm, and then after that we, Dave and I had booked in for a whole week of either, sort of alternate ski, erm, water sports, one day would be wind surfing, the next day sailing. Erm, so we'd sort of meet up on the beach after dropping the kids off for, for our lesson. And, generally, the others had booked different things. Some of them had booked some sort of, to do some tennis lessons or, Kate and Gerry were doing tennis, Jane was doing some tennis and I think she'd booked some wind surfing as well. Erm, so everybody had their own thing for the morning really. And then, erm, come lunchtime we'd pick them up, pick the kids up and meet back at the, at our apartment and, generally, I think, every day, we fed the kids in our apartment and usually Matt and Rachael came, would come up and Russ and Jane were there and the kids and usually Kate and Gerry had theirs in their apartment, mainly because their, they just found it easier'.

1485

'Yeah'.

Reply

'Erm, with the three of theirs. Erm, I'm trying to think if they came up earlier on in the week, I don't, I think they might have, might have had the odd lunch, but, on the whole, they'd sort of, they did their own thing at lunchtime. I think for us we were, all our children were still having sort of afternoon sleeps, erm, so we'd stay at the apartment after lunch, get the kids down and just sit on the balcony and read while the kids had a nap and then, erm, when they got up we'd, you know, go for a walk to the beach or play by the pool, but they just went to the kiddie care for the morning only (inaudible). Erm, so, yeah, the kids teatime, I think that was around, it was quite early, half four I think, five o'clock, erm, that was another sort of meeting point of the day really, where the cr/he would organise the tea and that was sort of outside the Tapas area, erm, and generally all of us would meet for that, all the kids had tea together. Erm, and usually after they'd had tea, we'd just have another bit of run around with them in the play area, there was a sort of children's playground just by the Tapas Bar as well, so they just sort of played there and that was next to the tennis courts and most evenings they'd have some sort of tennis event on and so a lot of us would, erm, partake in a bit of tennis while, you know, take it in turns looking after the kids and the kids would watch the tennis. Erm, that's what we did every night, then we'd all go back, put the kids down to bed, erm, it was generally quite late by the time they'd all gone to sleep and were all quiet and once they were quiet we'd, erm, meet at the Tapas and I think it was booked for half eight every night, erm, we were usually late, I think everyone will say that'.

00.24.21

1485

'Been told'.

Reply

'Yeah, yeah. Erm, but it worked really well and, you know, everybody was checking, had their own sort of, I mean, we didn't really formally discuss what everybody was doing, we just all felt it was fine to sort of operate our own baby listening service, I guess that's what we thought we were doing, what every MARK WARNER holiday we'd been on before did. Erm, tut, we didn't, Dave and I and my mum didn't because we, we brought our baby

monitor, which worked, we'd tested it, it's a digital monitor so it's offering, erm, continuous monitoring of sound every second and it alarms if it loses contact or anything, so on the first day we'd sort of tried that by the, you know, by the Tapas Bar and it worked, so we didn't even go back and check our children, we took the monitor out, erm, and very much felt we were doing what we do at home really, you know, putting them to sleep and listen, if they cried we'd hear. Erm, the others had, you know, decided they were sort of going back every twenty minutes, erm, and checking on their own children. I think, on the whole, I wasn't really aware of people cross checking each other's children, although on the night and previous nights there would have been the odd occasion where somebody was, was, was going and saying 'Oh I've listened in at your door and your kids are fine' or 'I've checked on yours and they're fine', so there was a bit of that going on, but, on the whole, people checked their own children. Erm, and, again, on the actual night Madeleine was taken, that was, was very much different, I think, to, to previous nights, in that, there was probably more cross checking that night'.

00.26.07

1485

'Right'.

Reply

'Erm, as it happens'.

1485

'Okay'.

Reply

'Erm'.

1485

'Dur'.

Reply

'Sorry'.

1485

'During this interview, when you are giving me a recall or a bit of a, you know, telling me all about what has happened'.

Reply

'Umm'.

1485

'I will occasionally ask you to go back'.

Reply
'Umm'.

1485
'So don't be frustrated by 'Well I've already answered that'.

Reply
'No, that's fine, yeah'.

1485
'And what I meant to say at the beginning as well, there may be a lot of times where you have been asked these questions before'.

Reply
'Yeah'.

1485
'But, you know, I will ask you to repeat certain things'.

Reply
'Yeah'.

1485
'Just for my benefit so I can be fair to my'.

Reply
'Yeah'.

1485
'My own interview notes and just to make sure that I understand, you know, your recalling'.

Reply
'Yeah'.

00.26.44
1485
'Take you back, when you first got there'.

Reply
'Umm'.

1485

'You said that you couldn't remember your apartment number''

Reply

'Umm'.

1485

'Can you describe, when you look, presumably it is a, you had a pool view, did you''

Reply

'Yeah'.

1485

'So tell me who was where within your block''

Reply

'My block, well as you, I mean, do you know the layout of the apartments, there's, erm, a sort of covered area with the stairwell in it, which is, is the front entrance I suppose, we were up the stairwell. erm, and as you came out the stairwell we were just sort of, the door was a bit over to the left, erm, of the block. Erm, the others directly below us, erm, would have Jane and Russell and to the left of them, as you look at the front of the apartments, was Matt and Rachael and, I'm trying to think, I think there was one in between Matt and Rachael and Kate and Gerry, but it was, I don't know whether anyone was in there'.

1485

'Would it help if I got you to do a little bit of a plan, would that help''

Reply

'Yeah, I mean'.

1485

'If you just do an overall block and then section it and then try and describe where they, where everybody else's apartments were in relation to yours'.

Reply

'I mean, erm, it's quite a long block'.

1485

'Yeah'.

Reply

'Erm, take that as the stairwell, my drawings aren't very good. We were up on the first

floor. Do you want me to draw two"

00.28.23

1485

'Well the pool was there and which side is'.

Reply

'The pool is here'.

1485

'Yeah, I understand that now, yeah'.

Reply

'The Tapas Bar was there'.

1485

'Yeah'.

Reply

'Erm, our apartment, it's probably looking in sort of this area, so if I make this the first floor'.

1485

'Yeah'.

Reply

'Our apartment will be sort of that sort of, sorry, I'm having to put the stairs over here. Erm, so our, that was our balcony sort of really looking straight at the Tapas Bar'.

1485

'Uh hu'.

Reply

'Erm, and then, I'm trying to think, Jane and Russell, I have to think, as I look over the balcony, actually, because I think Jane and Russell were slightly to the right because we could see all their gardens and floors from our balcony. I'm just trying to envisage, their apartment must have been pretty much beneath us but slightly spilling over to the right, I think you could just about see their garden from one of the sides. I think Jane and Russell were about there, that's the ground floor, and Matt and Rachael to the left of them and I think there was another one or two apartments in between, I can't be sure about that, but certainly Kate and Gerry were on the end and then we could see into their garden from our balcony'.

1485

'Okay. And I take it your mum was in this apartment with yourselves''

Reply

'She was in our apartment, yeah, she had a, a fold down bed, but, erm, she just slept in the living, in the living room all the time on the fold down bed'.

1485

'Do you recall seeing any other, was there any other apartments being occupied, on the first floor, for example, with yourselves''

Reply

'Yeah, erm, again, I get mixed up sort of after Madeleine went missing than before really, because I suppose we were more conscious of people after and it very much felt that there weren't many other people there the week we were holidaying. Erm, and I don't know whether that's partly because when you go in a group you're not really looking outside your group, whereas maybe if you were just on your own as a family you're more aware of other people. Erm, but I'm trying to think on the first floor, I don't, it seemed extremely quiet, I can't say I was really aware of any other families that we came across or met or talked to on that first week, erm, although I'm sure there were apartments occupied'.

00.31.01

1485

'So, primarily, you didn't speak to anybody else other than your party''

Reply

'No, I mean, I actually think that Dave and I were quite sort of insular really that first week and, you know, I know, through the tennis, the other couples met other, got more friendly with other people on the MARK WARNER holiday, erm, whereas, you know, we didn't really meet that many people to be honest, we were the only ones doing the sailing, there was, I think there was one other chap, who I can't even remember his name, he was doing the sailing, but, but it was pretty much just Dave and I for the lessons, it was that quiet, erm, there just weren't that many people being, getting involved in other things really, I suppose the tennis was more sociable'.

1485

'Uh hu'.

Reply

'Erm, so, no, I don't recall'.

1485

'In relation to your rooms, were they allocated before you arrived'.

Reply

'Yeah'.

1485

'Or were they allocated at the desk when you got there''

Reply

'No, I had the feeling they were allocated before we'd arrived. We didn't know where they were or the position of them, we'd asked that they were together, but I, I'm assuming they were, they were pre-allocated, because of the emails that were going on'.

00.32.03

1485

'Yeah. And when you got there was there any resistance in relation to being allowed to have your apartments altogether''

Reply

'No, I mean, there was nothing said when we arrived there about any of the (inaudible) before, erm, no'.

1485

'Okay. You mentioned about the baby listening facility''

Reply

'Umm'.

1485

'Did the resort have or did the apartments have, you know, the facility for baby listening''

Reply

'No'.

1485

'They didn't''

Reply

'No'.

1485

'And I understand, from what you said earlier on, that you took your own''

Reply

'Yeah'.

1485

'What sort of equipment have you got''

Reply

'It's a PHILLIPS digital monitor, I couldn't tell you the model, it's just, well it was the latest that had come out when Scarlet was born, because we got a new one because our old one that we had with Lily didn't work, so, yeah, it's a digital, a digital monitor'.

1485

'And who would have possession of that in, you know, from a day-to-day, well sort of from the evening''

Reply

'Well we only needed it. I did, I had sole possession of it. It was sat with me'.

1485

'And how does it generally work, do you have one''

Reply

'You have a base unit which we put, sort of Scarlet was in, erm, one room and, erm, at right angles to Lily, and we'd left them asleep with the door open, and the monitor's in between the two rooms, erm, plugged in, you then have your remote, erm, which, you know, you also have to turn on, erm, you know, it has, erm, tut, an alarm that will alarm if it's not in contact with the base unit, a very loud alarm, erm, and you can set the volume and the sensitivity that you want, so how much noise you want it to pick up and alarm for, erm, and if you have it on full sensitivity it just picks up everything, it's in constant contact with the noise in that room and that's what we had it on, full sensitivity and full volume'.

00.33.59

1485

'Okay. And did you use it every night''

Reply

'We used it every night'.

1485

'Every night. Did anybody else use it''

Reply

'Our monitor''

1485

'Yes'.

Reply

'No'.

1485

'Did anybody else in the party have a monitor''

Reply

'Russ and Jane brought their monitor and they had it with, I was aware Jane had her monitor with her, but I don't think it was a digital one and it wasn't very reliable, which is why they didn't rely on it. They had it with them, erm, but Jane had to sort of lift it up above the level of the hedge to actually get a signal. Erm, so they had it with them and I don't know how much they really used it, but they, they were still doing what everyone else was doing and going back and checking'.

1485

'Okay. I will come onto the relay checking later'.

Reply

'Yeah'.

1485

'I will ask you to try and recall as much as you can about the relay'.

Reply

'Yeah'.

1485

'And I appreciate that, you know, you didn't have to do it'.

Reply

'Yeah'.

1485

'But, you know, try and remember. In relation to your apartment'.

Reply

'Umm'.

00.34.55

1485

'Can I ask you to get your sketch head on again''

Reply

'Yeah, I'm a terrible drawer'.

1485

'Just give me a general layout of your apartment please''

Reply

'Erm, okay, so this is the front door, erm, yeah, as you walk in the front door, there's the sort of kitchenette area on the right, it had a sort of hole in the wall so you could see through into the dining area, that was a dining table and there's a window there, erm, there was French doors just to the side of the table there, sliding, that opened out onto the balcony, which was quite large, and there's a table and chairs, erm, then the layout of the sitting room, so that's a bedroom, one, I'm just trying to think how it was laid out, it must have been like that actually, so that's a bathroom there, that's the bigger bedroom, bedroom one, and there was another bedroom there and then this was a sort of communal living area, so it had a telly there and there was a sofa there, I think there was another one there and a chair, I think it was just a chair and a table. That's the sort of layout'.

1485

'Okay. So just to talk through it then. You have got the main, the front door here''

Reply

'Yeah'.

1485

'To the right is a kitchen'

Reply

'Yeah'.

1485

'And what was that, sorry''

Reply

'The dining room table'.

1485

'Dining room table'.

Reply

'Yeah'.

1485

'To the left you have got bedroom two''

Reply

'Yeah'.

1485

'Who slept in bedroom two''

Reply

'That was Lily, she had a cot just there, there was Lily and there was a window'.

00.37.46

1485

'Okay. And bedroom one''

Reply

'Bedroom one, there was a big double bed, Dave and I, and Scarlet was in the corner in a travel cot'.

1485

'Okay. Where did your mum sleep''

Reply

'Mum slept in the living room, there was a sofa bed which she sort of pulled down and generally put that there I think'.

1485

'Right'.

Reply

'Yeah, at night-time'.

1485

'And which room would the intercom be in''

Reply

'The intercom was actually placed literally in between the two, this is the door to the bedroom there and it was placed there'.

1485

'On the floor''

Reply

'Yeah, on the floor, just between the two rooms'.

1485

'And what about the, how did you leave the doors''

Reply

'We left them just slightly open'.

1485

'When you say 'slightly', sorry to be intricate here, but at forty-five degrees do you think or less than forty-five or half''

Reply

'A bit less, probably, probably about a third of the way open'.

1485

'Okay. And that's both doors, is it''

Reply

'Yeah'.

1485

'Okay. Thank you. What I will ask you to do later on is exhibit, referring to that, is exhibit those and, you know, we will put a label on them and we will retain it, okay''

Reply

'Yeah, okay'.

00.38.54

1485

'So other people will see your drawings. Okay. So let's talk about, what I want to try and do now is just try and summarise. The day that you got there was the twenty-eighth of April''

Reply

'Umm'.

1485

'What I want to try and do now, if you can summarise Saturday to Wednesday, try and summarise it. When I say 'summarise', because you mentioned earlier on that there was a lot of, the relaying occurred when you went out''

Reply

'You mean the evenings''

1485

'Yeah, well talk me through your day, because you said that you booked in for wind surfing''

Reply

'Yeah, yeah'.

1485

'Tell me what you did Sunday''

Reply

'Well, I mean, this is, phew, you know, where it's very hard to pick out each, each day now, erm, I probably had more idea then, and I don't know how much of that will be in my first interview, that might be something that's been said, but, huh, I think because every day was very similar'.

1485

'Yeah'.

Reply

'As I say, it's hard to pick out one day different to the other. There were, there were a couple of different days where we did something slightly different, erm, tut, but, generally, as I say, on the whole, every, I mean, every morning we went to Millennium, erm, and that was, generally, sort of between eight and nine in the morning when the kids were up and dressed, erm, and we'd be ready to take them straight to the kiddie care straight from, from breakfast, erm'.

1485

'Do you know who their Nanny was or who looked after them''

Reply

'Well Lily, yeah, I don't know who her, I don't, the, you know, key workers were any more, I can't remember the names. Erm, yeah, Lily went to the toddler club and Evie and Grace and Sean and Amelie were, were all in the same room. Erm, you know, I knew some of the names of the Nannies there but I don't who her key worker was. Erm, and Scarlet, again, I can't remember the name of the girl who was, who was looking after Scarlet. Erm, there was only kind of two babies in the baby room and about three, huh, carers, again, it was

very quiet. Erm, so, you know, once they were dropped off, as I said, we, we, I'd walked down to the beach on my own and meet Dave there, erm, for our lesson. Erm, I can't remember which started first, I think the wind surfing was on the, would have been on the Sunday and then it sort of alternated each day between sailing and wind surfing. But because of the weather conditions, erm, they weren't very good for wind surfing, so we ended up doing, erm, I think on the actual Thursday we should have been doing wind surfing and we actually did sailing, because there was no wind, but then it was very rough. Erm, so that, you know, as I say, things did'.

00.41.48

1485

'Yeah'.

Reply

'Did vary, erm'.

1485

'The Sunday was obviously the day after you got there''

Reply

'Yeah'.

1485

'So what was the weather like, for example''

Reply

'I'm just trying to think'.

1485

'That probably might put you, that might put you back in it a little bit more there'.

Reply

'The weather wasn't very good, on the whole, and it was quite cold, erm, and there wasn't a lot of wind at all for the, in the mornings for the sailing, because it, and wind surfing, it was all a bit of a, a wash out. Erm, but, yeah, it was quite cold, quite cloudy, it'd have spells of sunshine, but the weather wasn't great those first sort of two days, two or three days. Erm, it didn't rain or anything. And I can't really, huh, you know, tell you more than that'.

1485

'You walked down to the beach, obviously for your lesson''

Reply

'Yeah'.

00.42.41

1485

'How long would that have taken and who did you walk with''

Reply

'I'd be on my own, having, having dropped Scarlet off, and no-one else, other than Dave, was, erm, was going down for the lesson, so, you know, I don't, I don't think I even saw him, met him on the way'.

1485

'Yeah'.

Reply

'We sort of met down there. I was usually there first because it was a bit closer'.

1485

'Yeah'.

Reply

'Erm, to the cr'he. Erm, but, no, I mean, it was always very quiet, didn't, again, didn't really see many people, erm'.

1485

'What time would David have gone before you then, because you say he is down there before you'

Reply

'No, I was generally there before him'.

1485

'You was there, sorry'.

Reply

'Yeah'.

1485

'And when'.

Reply

'We'd leave breakfast at the same time with the kids'.

1485
'Yeah'.

Reply

'But obviously he had to walk back to the Tapas Bar, which was a bit further away from the beach, whereas I was walking to the main reception and that was a bit closer, so once we dropped the kids off, erm, you know, I'd generally be a bit ahead of him'.

1485
'Right. So subsequently you are down the beach together''

Reply
'Yeah'.

1485
'Was there any other member of your group at the beach''

Reply
'No'.

00.43.48
1485
'When you first go down''

Reply

'No, one of the days, I think, Matt did a bit of sailing one of the days later on, it wasn't the Sunday, erm, I would guess either the Tuesday or the Wednesday, erm, I can't remember which morning, but he didn't have the lesson, he just wanted to take a boat out, erm, so one of those mornings he, he did take, erm, a catamaran out on his own'.

1485
'Try and put yourself there and try and remember how long you think you stayed down at the beach on the first day, on the Sunday'.

Reply
'Umm'.

1485
'You know, now you have managed to remember that, you know, the sailing conditions wasn't that good'.

Reply
'Yeah'.

1485

'Try and remember how long you stayed down there, what time you think you left'

Reply

'Yeah, I think the Sunday, the first day, we did go out on the wind surfers and sort of battled through it a bit, but we were cold and they didn't have full length wetsuits, I remember I actually wanted to come in, because I was absolutely freezing, erm, a bit before the end, because I think it ended at half eleven, eleven, half eleven. Again, the times of this have just dimmed with, with the period of time that's passed, erm, and it all sort of depends on when the cr'he finishes. I suppose that will all be known anyway. But, we, we generally tried to get out of the water half an hour before the cr'he was due to finish and then we'd just get dried and then obviously go and pick them up. So I think that first Sunday we, we came out a bit earlier than we, later on in the week, would have, because we were cold, and just sort of dried off and sat there, but, and then would have gone to pick the kids up, again, I'd generally go and get Scarlet and Dave would then go and get Lily'.

1485

'Uh hu'.

Reply

'Erm, and I think it finished at half eleven or twelve, that sort of time. Erm, yeah, so that, that Sunday was slightly different to the others, I think'.

00.45.41

1485

'What would you do after eleven then'

Reply

'Just, as I said, we'd just dry off, get the wetsuits washed and put away'.

1485

'Pick the kids up'

Reply

'Pick the kids up'.

1485

'And then do what'

Reply

'And then go straight back to the apartment, erm, for lunch, we'd feed the kids there'.

1485

'Did anybody else on that day, the first day, come to'.

Reply

'On the Sunday'.

1485

'Come to your apartment for lunch''

Reply

'Erm, I'm sure they did, yeah, yeah. I mean, I think every, I think every lunch, bar the Thursday, we had people in the apartment having lunch. Erm, and my mum generally was the sandwich maker, that was a bit of a joke for the week, she'd took it upon herself to do loads of shopping, erm, while we were sort of sailing and stuff, she, she'd go to the Supermarket and get loads of, loads of provisions in and she'd be making piles of baguettes and, erm, yeah, and everyone would generally descend on ours and demolish the lot. Erm, and, yeah, we just all mucked in to cook for the kids, we generally tried to give them a hot, a hot lunch and, you know, people would just donate whatever was in their apartment'.

1485

'Yeah'.

Reply

'So, yeah, I don't think Sunday was any different in that regard, you know, we ate at ours'.

1485

'When the afternoon draws to a close and then we are going into early evening'.

Reply

'Umm'.

1485

'Tell me about what you can remember about the early evening, leading up to the time that you put your children to bed''

Reply

'On the Sunday''

00.47.11

1485

'Yeah'.

Reply

'Phew, again, I, I can't remember specifically Sunday. Erm, all I can say is, on the whole, we would just go down and play with the kids. I mean, our kids would sleep until sort of half three, often four o'clock, often we were getting them up a bit earlier, walking them up just to have a bit of a playtime before the tea. Erm, but we generally in the evening we would just go down to the play area by the Tapas Bar. Erm, tut, and on a couple of, on a couple of occasions we took them to the beach late afternoon if the weather was nice and I couldn't tell you'.

1485

'Yeah'.

Reply

'I know on the Thursday we did, that's what we did, and one of the previous days we did that, erm, we took them to the beach, and I couldn't tell you which day that was. I don't think it was Sunday, I would have guessed around Monday, erm, I don't think it was Sunday. Erm, because we fed, on that occasion, the times we went to the beach, we fed them at the restaurant that was on the beach. Erm, but I have a feeling on the Sunday, because that would have been the first sort of full day if you like, I think we did use the, erm, kids high tea, so we would have been at the Tapas Bar to feed the kids'.

1485

'Okay'.

Reply

'I can't, I'm sorry, I can't be more specific about which days we did what, you know'.

1485

'Well it is a long time ago isn't it really'.

Reply

'And I think plus'.

1485

'Can only do your best'.

Reply

'I think what's confusing the issue is we were there for so long after'.

1485

'Yeah'.

Reply

'And every day was the same'.

00.48.46

1485

'The same'.

Reply

'I mean, you know, bar the odd one where you did something different. But the, the routine, you know, was just, I mean, it was groundhog day, it was, everyone said that at the time and I think that's, it's just hard to'.

1485

'Yeah'.

Reply

'To go back before that, every day just starts to merge'.

1485

'Uh hu'.

Reply

'Erm, but, yeah, that, I'd say more times than not we'd used the kids high tea, there was one occasion, perhaps two, where we didn't, where we fed them at the beach. Erm, on the Thursday I definitely know we fed them at the beach on that day'.

1485

'Yeah'.

Reply

'A very clear one'.

1485

'So would from high tea then lead to prepare for bed''

Reply

'No, there would be a bit of, a bit more playtime really, erm, you know, because kids tea was quite early, it was about five o'clock, by the time they'd sort of finished, quarter past five. Erm, tut, and then the, as I say, every night they had a tennis sort of social event and it varied each night, they had women's tennis, they had, erm, beat the instructors tennis, they had where you had to choose an implement to, that the instructors had to play with, you know, a book or something, so there was always something going on by the tennis courts, of which we were all quite keen to partake in. Erm, so as I sort of said earlier really, we, we would sort of all be by the play area, playing with the kids, and then some of us would go on and off the tennis courts and, you know, we just sort of rotate a bit like that.

Erm, and I'm trying to think what time the tennis started, I think it was about six o'clock, I think the slot was six until seven every night and I can't remember which night was which tennis. Erm, I think, I think the Monday or, I think the Monday or the Tuesday was women's night, erm, the Wednesday I think was the beat the instructors and Thursday was the men's tennis.

00.50.58

1485

'I know I am being persistent here'.

Reply

'I know'.

1485

'But I need to put you back on Sunday because I need the chronological order through the week'.

Reply

'Umm'.

1485

'I know that you say 'most days were the same'.

Reply

'Umm'.

1485

'And, you know, every day sort of ran into the next virtually'.

Reply

'Umm'.

1485

'Would you have had a system'.

Reply

'For putting them to bed''

1485

'In relation to the children''

Reply

'Yeah, very much so'.

1485

'Tell me about'.

Reply

'Yeah'.

1485

'If your system is going to be the same every day'.

Reply

'Yeah'.

1485

'Then tell me as early as you can in the holiday'.

Reply

'Yeah'.

1485

'What you did in relation to the children'.

Reply

'Yeah'.

1485

'Before you eventually went out to the Tapas''

Reply

'Yeah, I mean, our night-time was, I think, from the Sunday, it was, it would be much the same. Erm, after the play area they started to tire, erm, you know, around sort of half seven we would, erm, go back and get them bathed, they'd have a bath every night, get them ready for bed, have milk and a story and straight to bed. Erm, depending on who was playing the tennis depended on which two of us would go back, out of me, my mum and Dave, to actually sort the kids out, we didn't always leave altogether, but, erm, you know, as I say, it would be two out of the three that would come back. Erm, on the Sunday, huh, as I say, I can't remember who, out of the three of us, would sort the kids. But, erm, if I knew what the tennis nights were, which I'm sure MARK WARNER could find out, that would help actually, because that would probably spark some memory'.

00.52.27

1485

'Yeah'.

Reply

'Erm, of what happened on those different nights. The, erm, you know, our, our bath time and bedtime routine would usually take sort of forty-five minutes and the kids would, would be in bed sort of by quarter past eight, half eight. Erm, they were so exhausted, erm, with everything that was going on, that they were very good at going down. I mean, we were quite amazed that week, you know, normally we'd have a bit of crying out of Scarlet even, but, no, both of them would, were very good at going off. And in terms of going down to the Tapas Bar, Dave usually stayed in the apartment a bit longer than me and my mum, erm, just to make sure that all was quiet before leaving the apartment and Lily sometimes would sort of just chat to herself a bit before going to sleep, so he'd just, erm, you know, and at least on a couple of occasions, stayed behind a bit longer than we did and I'd order a starter for him'.

1485

'Uh hu'.

Reply

'Then he'd toddle along, you know, when all was quiet'.

1485

'Did you actually play tennis on the Sunday''

Reply

'Huh, again, it would help to know what night it was'.

1485

'Yeah'.

Reply

'I think we did, I think we all had a knock and I think even the kids, erm, on one of the nights had a knock as well'.

00.53.47

1485

'Yeah'.

Reply

'Ella and Madeleine were, you know, were joining in and, erm, yeah, I mean, as I say, I just can't remember which night was which. But I think, yeah, most nights we all, unless it was sort of men's night, obviously the women didn't join in, but'.

1485

'Yeah'.

Reply

'And for the women's night the men didn't join in. But, on the whole, everybody kind of tended to have a bash'.

1485

'Yeah'.

Reply

'Even if it was just for five minutes, erm'.

1485

'When you say 'all of us', was all of your group generally'.

Reply

'Yeah, yeah'.

1485

'Knocking about"

Reply

'Yeah'.

1485

'At the tennis"

Reply

'Yeah'.

1485

'Right'.

Reply

'I mean, I think every night we saw all of each other, bar the Thursday, again, that was a different night'.

1485

'It was different'.

Reply

'In that Kate wasn't there with, with the three kids, because we'd all done something different in the early evening, so we were a bit later coming back to the Tapas Bar'.

1485

'Yeah'.

Reply

'And, you know, Madeleine and Sean and Amelie were just absolutely knackered, so, you know, so that was different, but we'd, as I say, the day had gone differently, so'.

00.54.48

1485

'Okay. Are you alright to carry on''

Reply

'Yeah'.

1485

'Do you want a break or are you okay''

Reply

'No, I'm fine'.

1485

'We have been going for fifty-four minutes'.

Reply

'Umm'.

1485

'Okay. Let's talk about then the actual Tapas'.

Reply

'Yeah'.

1485

'Because you mentioned in your earlier recall that when you got there you needed, you had booked it at eight thirty''

Reply

'Yeah'.

1485

'Every night'

Reply

'Yeah'.

1485

'Tell me about, tell me as much as you can about why you chose to stay in the Tapas or dined at the Tapas'.

Reply

'Umm'.

1485

'I appreciate, you know, because the children are asleep or in bed'.

Reply

'Umm'.

1485

'But tell me the whole procedure regarding the Tapas. You got there on the Saturday and you ordered the big table'

Reply

'Yeah, I think it, we hadn't really, as I say, well before getting there we hadn't really realised what the layout of the MARK WARNER was and where, where you, erm, because you had, you had a free meal, you see, included and we didn't really realise where you could use that. The first night, as I say, we went to Millennium and that wasn't a great success, erm, just because of the time, you know, for the kids, it was just too, too late for them to be eating'.

00.55.52

1485

'Yeah'.

Reply

'Because I don't think it started until sort of half six, seven, the actual, you know, the food. Erm, so that wasn't, it, you know, we were sort of thought well this isn't going to work particular well sort of taking them there every night. Erm, and so it wasn't really until the Sunday, I think, that we, we sort of realised you could eat at the Tapas Bar. Erm, and I think, you know, we just looked at it and it, it did feel like you were kind of across, in your back garden, admittedly, a large back garden, but a back garden, erm, and we just thought well that's great, we can just sort of, you know, easily nip across and check the children on

a regular basis and, erm, everyone felt sort of quite happy and comfortable with, with that, and we didn't really, there wasn't a lot of sort of humming and hawing that went on over, over that. I mean, I had, I wasn't aware of the decision to book it for the whole week, I think that had just happened when, when Rachael went to see if it was available for the, for the Sunday night and was told, you know, that you had to sort of book ahead, erm, you know, it wasn't something that we got together and pre-decided that that's what we should do, it was just Rachael, I think it was Rachael that had done it and we were all like 'Oh that's great, that's easy, we don't have to worry about it any more, we'll just eat there every night' and that was the last we thought about it'.

1485
'Right'.

Reply
'We just thought that was convenient and that would work'.

1485
'So you weren't actually instrumental in the planning of the evenings entertainment, shall I say''

Reply
'No, no'.

1485
'It was just booked and then you just, obviously yourself and David, went along with it'.

Reply
'Yeah, yeah'.

00.57.36
1485
'Because it was easy for'.

Reply
'It was just easy for, you know, we were happy with it, you know we were very happy with that. And, as I say, there wasn't more thought past that, that went into it'.

1485
'Yeah'.

Reply
'We just thought, oh that's great, we've got somewhere to eat, it's easy, we could keep an eye on the kids, get them to bed when they're tired and, erm, you know everyone's a winner really, that's'.

1485
'Yeah'.

Reply
'That's what it felt like'.

1485
'Right. Okay. So Sunday was the first time you dined at the Tapas then, was it''

Reply
'Yeah, I mean, just as I'm relaying that to you, I'm thinking, does that fit in, because I was pretty sure we couldn't get, get in, or maybe it was the Saturday we couldn't get in and that's why we went to Millennium and it was the Sunday. I'm pretty sure Sunday through we did eat at the Tapas Bar, so I think that's the way it must have been, that Rachael had tried to get us in on the Saturday but couldn't'.

1485
'Yeah'.

Reply
'Erm, because we certainly, the first night I remember certainly we didn't eat there, at the Tapas'.

1485
'Okay. And in relation, proximity wise, how far away from your apartment is the Tapas''

Reply
'As the, as the crow flies, from, you know, the balcony across to the Tapas, I'd say it's about thirty metres, twenty-five metres. Erm, to walk it you had to go out the front door, so'.

1485
'Refer to your map'.

Reply
'Yeah, I'll refer to the map. Erm, yeah, you had to sort of come out this side, go down the steps, erm, there was a sort of side path that went outside onto the road, erm, there was, that's the road, yeah, you had to sort of go across the car park, out into the road, erm, that's a path, sorry, my diagram is not (laughs)'.

00.59.24
1485

'No, it's okay, it's fine, I can read it'.

Reply

'Erm, and then there was a sort of little porch entrance to the Tapas area where there was somebody usually on the desk, then you had to walk round through there and round there, so it was, it was a longer way'.

1485

'Yeah'.

Reply

'But as the crow flies it was very close'.

1485

'About thirty metres. Could you actually see the Tapas from your apartment''

Reply

'Yeah'.

1485

'Could you actually see people in it''

Reply

'Yeah'.

1485

'And when you were sat at the Tapas could you see your apartment''

Reply

'Yeah'.

1485

'What could you see of your apartment''

Reply

'Of the apartment, well you could see all the back of it, so you could see the balcony, erm, the French doors and the window, which would be that, erm, window, of our bedroom and that was it really'.

1485

'And, generally speaking, when you went to dinner, this is just a general question, how

would you leave your apartment, sorry, how would you leave the state of your apartment, doors, windows"

Reply

'The windows, erm, to be honest, in Lily's room, we didn't ever check the window. Erm, another thing that you think of. I mean, when we arrived, we assumed it was sort of locked and closed and the shutter was down. And I think we only ever sort of slightly opened, it was one of these shutters where, erm, sort of graded, erm, you can open it a little bit and it just opens up with a few holes to let a little bit of light in but the whole shutter is still actually down. And that's all we ever, we never opened the shutter, we just, we'd open it a bit in the morning to let a bit of light in and then shut it, erm, you know in, in the night-time to the point where it would only have a very minimum bit of light coming in'.

01.00.59

1485

'Right'.

Reply

'Just so as you could sort of see the room'.

1485

'Yeah'.

Reply

'But it was pretty dark. And the same in, erm, in the other bedroom, we never completely opened the shutter'.

1485

'So is there shutters and windows"

Reply

'Yeah'.

1485

'So, what about the windows, did you open the windows"

Reply

'Never opened the windows. We never touched the windows, so we never really opened the shutter all the way to open the windows or, or even, as I say, check them. I guess we assume, assumed they were locked'.

1485

'Okay'.

Reply

'Erm, I did after Madeleine went and they were locked, but'.

1485

'Right. And you say the only one that you used was the patio quite a lot''

Reply

'Yeah, the French doors'.

1485

'The French doors'.

Reply

'They were always locked and secured'.

1485

'And locked'.

Reply

'And the front door was always locked and secured'.

1485

'Tell me, the door that you leave generally is the door leading out onto the road, is it''

Reply

'To leave the apartment''

01.01.48

1485

'Yeah'.

Reply

'Yeah, there was only one door'.

1485

'In or out''

Reply

'Yeah'.

1485

'And what, just tell me about the security of that door''

Reply

'Erm, it had a sort of double lock, erm, mechanism, erm, so it seemed, you know, it seemed very secure. Erm, and there was a security light, they were all on a timer switch, I think if you turned it on there was a light switch, you turned it on and it would stay on for, I don't know, a minute or so, and then go off automatically. And it seemed, when those lights were off, it was very dark at night-time and it was, it wasn't very, I mean, again, looking back, you sort of think, well it didn't feel very nice at night-time, that side of the apartment, because it did feel quite dark and, I think, the wind whistled through the stairwell as well'.

1485

'So, to summarise, in the apartment you have got windows and the shutters but you never actually opened either''

Reply

'No'.

1485

'Only just, did you'.

Reply

'Only enough to get a little bit of light in'.

1485

'But did you actually have to lift the shutter then''

Reply

'No, it had a sort of web type, erm, type system, a pulley system'.

1485

'Yeah'.

Reply

'That was very, it was quite hard actually to open them fully'.

1485

'Yeah'.

Reply

'You had to be quite strong'.

1485

'And how often would you open that, during the daytime or evenings or''

Reply

'Erm, when we got up in the morning, we'd just say open it a bit to let some light in and get ready. But, for us, in our room, if you opened it full you, you know, you had people looking at you so, so we never did that really, we sort of just opened it, as I say, so that more holes were showing'.

01.03.24

1485

'Yeah'.

Reply

'So, you know, it would be very, it'd be like its daylight, as this room is, but it was never open, as I say, the bottom of the shutter was never lifted fully up, erm, and the same for Lily's room. And then when they went to sleep in the afternoon we just obviously darkened the room again and open it again when they woke up and back down again for bedtime, you know. But really we didn't, we didn't have any reason to, to every open them fully'.

1485

'Yeah. Back to the Tapas night'.

Reply

'Umm'.

1485

'The Sunday night. I know, like you say, I know this is groundhog day'.

Reply

'Umm'.

1485

'But you referred earlier on to the relaying of people going to check their kids but you didn't have to''

Reply

'Umm'.

1485

'So try and put yourself back to the first night that you actually dined at the Tapas'.

Reply
'Umm'.

1485

'And try and remember, if you can remember who actually started to go to look at their children first, that it might trigger the rest of your mind to, you know, the order'.

Reply
'Umm'.

1485

'All I'm after really is order and times'.

Reply
'Umm'.

01.04.29

1485

'Or distance between'.

Reply
'Of the Sunday night''

1485

'Yeah. Distance between when people went to, you know'.

Reply
'I know that, I can only give a general feeling'.

1485

'Yeah'.

Reply

'Because I've got no idea who went first and, to be completely honest, I didn't at the time. Erm, but I'd say on, on the first few nights it all seemed, erm, fairly well spaced, you know, like people going together, that was just a feeling, a general feeling that I'm giving you. Erm, whereas, again, that differed on the Thursday night, in that, it seemed more, erm, out of, people were more out of synch. But I think that's because we all arrived at different times, whereas, generally, we were a bit more on time at the beginning of the week'.

1485

'Yeah'.

Reply

'Erm, so, you know, people were going, you know, more sort of nine o'clock, then it'd be half nine and, you know, I remember people clock watching, erm, doing that. I didn't have any idea of time, erm, I wasn't wearing a watch, I didn't have a mobile and I wasn't going up to check our children'.

1485

'Yeah'.

Reply

'So I can only say, you know, I was quite conscious other people were doing that, erm, but I wasn't part of that. Erm, but, you know, people were very stringent about getting, you know, as I say, clock watching and making sure they went'.

1485

'Would you say that all of the group, bar yourself, generally would go checking''

Reply

'Sorry, the group that were with me''

1485

'Yeah'.

Reply

'What, you mean, in terms of some people going more than others or''

1485

'Yeah, generally speaking'.

Reply

'Yeah'.

01.06.01

1485

'I mean, because you have got a party of nine, haven't you''

Reply

'Yeah, yeah'.

1485

'Would all nine do the checking at some point''

Reply

'No, Dave and I and my mother never checked anybody'.

1485

'Sorry, minus yourselves, yeah'.

Reply

'Erm, I guess some people were doing more checking and it tended to be the men doing, again, this is a feeling, it seemed to be they did a lot more sort of upping and downing, erm, tut, you know, than, than the women perhaps. Erm, I mean, Gerry and Russell'.

1485

'Gerry and Russell'

Reply

'Yeah, I don't know, they, again, a feeling, is they probably did a bit more checking than the girls did. Erm, I couldn't, you know, I couldn't be more specific about that. Erm, you know, there was, I'm trying to think if anyone was ill on the Sunday night actually, because we had a bit of illness in the group as well and there were nights, I think, every night there was somebody who was sick actually. And I think Matt might have been ill on, it was either Sunday or the Monday, erm, and, you know, one of those nights he wasn't there for dinner. And then Rachael, erm, wasn't there, I think that was the Wednesday night, she was ill, Tuesday or Wednesday. So there were night when, yeah, there was only eight of us at the table (inaudible)'.

1485

'Right'.

Reply

'And obviously those nights the partner wouldn't be going back to check because'.

1485

'They were in there'.

Reply

'They were already in there'.

1485

'So who do you think was ill then on the first night, sorry, the second night'

Reply

'I think it was Matt actually, I think he was the first one. Erm, he came down with a bit of diarrhoea or something'.

01.07.43

1485

'Yeah'.

Reply

'Because I think they were blaming the sandwich on the plane, so it must have been soon, soon after. Erm, yeah, and then, as I say, Rachael, I felt that was, you know, more Tuesday or Wednesday time, I don't think it was Monday'.

1485

'Right'.

Reply

'I think it was the night before. I think it was the night before the Wednesday that she was'.

1485

'That Rachael was bad'.

Reply

'Yeah, yeah'.

1485

'So you think Matt was bad on the Sunday''

Reply

'Umm'.

1485

'So, other than Matt, everybody else was at the table''

Reply

'Yeah'.

1485

'And what sort of time did you all, because you said earlier on that you were late''

Reply

'Yeah, generally we were a bit (laughs)'.

1485

'Why were you late every night'

Reply

'Because we're just always late (laughs), everyone will say that, always late for everything. Erm, I don't know really, we're always just a bit, a bit lax getting ready maybe'.

1485

'Yeah'.

Reply

'Yeah, I don't think we were always that late, but, as I say, Dave usually did follow on, and I think me and my mum, on the whole, were, you know, usually sort of between half past eight and twenty to nine, we weren't outrageously late (laughs)'.

1485

'Would you say that the time that you went down on Sunday is generally the same time that you went down every night'

Reply

'Erm, I was a bit later on the Thursday than normal because I wanted to go for a run. Erm, so, yeah, that was more I think sort of ten to, five to nine, it was, we were late that, that night'.

01.09.17

1485

'Yeah'.

Reply

'But usually, I think, as I say, we were probably the other side of quarter to nine (laughs) getting down, between half past and quarter to, but we were usually the last ones to be arriving at the table'.

1485

'When the dads, you said'.

Reply

'Umm'.

1485

'Or the husbands if you like'.

Reply
'Umm'.

1485

'Would go and check. Cast your mind back and think, what was the earliest time of the checking, was anything said or was any observations made or any observations from the table''

Reply
'On the Sunday are you still on''

1485

'Yeah'.

Reply
'Phew, nothing that is remarkable, erm, that I can recall'.

1485

'Okay. We have laboured Sunday now, you generally can't remember'.

Reply
(laughs)

1485

'Let's go into Monday. You say that every day generally would follow the same pattern. So try and remember Monday, what was different, what was Monday like' It's the day after Matt was ill'.

Reply
'I mean, I think it was just the same again, you know, for us, as a family, you know, we, none of us were inflicted by any illness, we'd get up, go to breakfast and do the same again. Erm, I can't remember, I'd be lying if I tried to tell you who was at breakfast, you know, one day as opposed to another really, I mean, you know, it was a large, a large group and generally. All I can say is my mum generally didn't come to breakfast actually, I haven't said that, she, erm, once she started her tennis lesson she didn't really want to eat much more than a slice of toast, so, you know, Monday through, I don't think she actually came to breakfast with us and just stayed at our apartment. Erm, but, yeah, as I say, I can't recall anything being particularly different again about Monday'.

01.11.21

1485

'Right'.

Reply

'Erm, other than the fact maybe Matt wasn't there. But, as I say, people were to'ing and fro'ing, people were arriving at different times and leaving at different times'.

1485

'Yeah'.

Reply

'So there was never sort of a set, you know, us all sitting down together for breakfast at a set time'.

1485

'So, following breakfast, you would think that'.

Reply

'I think'.

1485

'That the kids would go to the club'.

Reply

'Something to mention, which I don't think I have. Kate and Gerry certainly, that must have been the Sunday morning, they did come for breakfast at Millennium on the first day, we were there and we all pretty much met on that Sunday morning for breakfast and I know they didn't do that again because they had a hideous time with the twins wanting to walk everywhere at that point and, you know, one would be lurking at the back and the other one walking ahead'.

1485

'Umm'.

Reply

'And they just found it too, too difficult. So that was the only time they, we saw them at breakfast, that was the first day'.

1485

'So the Monday morning then who would be at breakfast''

Reply

'Erm, everybody else. Erm, so, you know, me, Dave, our children. Erm, Russ and Jane with their kids. I think, again, some mornings one of them would be on their own. Erm, tut, I'm trying to remember the mornings, phew. It was one morning Russ was on his own, erm, with Ella, because Evie hadn't been particularly, she had a runny nappy or something and

had been up in the night and so Jane was sleeping in. I couldn't tell you what day that was. Erm, and Matt and Rachael were pretty much there every morning, I mean, I think most mornings I saw Matt and Rachael with Grace. Erm, but the others, as I say, Kate and Gerry were never there after the first morning, my mum was never there after the first morning, erm, you know, that's'.

01.13.06

1485

'Yeah. And it was always, breakfast was always at the Millennium''

Reply

'Yeah, before Madeleine went missing it was, yeah'.

1485

'Right. What activities did you do that day''

Reply

'On the Monday''

1485

'The second full day, yeah'.

Reply

'Erm, again, I think that was a sailing day, erm, so we went along, there was one other chap, I think there was just me, Dave and one other chap for the sailing lesson. So we went straight, straight down to the beach after dropping the kids off. Again, I think we had a full morning, we had a really good, good morning, erm, just pottering about in the, in the boats. And, again, it was pretty cold I think that day and, again, we just had the short wetsuits on, but, erm, and I think we eventually asked to be, to come back in (laughs). Erm, but we would have waited, I think even if we'd come in a bit earlier, we generally waited until it was time to pick the kids up before leaving the beach, we didn't do anything else with the morning it was all on the beach'.

1485

'Okay. And you would leave the beach and go back to pick up''

Reply

'Yeah, I'd go back, get Scarlet, Dave would go back and get Lily and we'd meet back at the apartment'.

1485

'The kids having afternoon''

Reply

'The kids would have their lunch, you know'.

01.14.18

1485

'What about, again, visitors'

Reply

'Tut, again, I, I'm ninety-nine percent sure, erm, everybody, bar Kate and Gerry and the children, had come for lunch'.

1485

'Anything unusual or anything that you can recall specific about anything said or any actions from anybody'

Reply

'No, erm, I mean, everyone was having a good time, you know, everyone was enjoying what they'd been doing, there was, you know, a definite feeling of, huh, you know, people relaxing a bit, you know, it was the first time, certainly for Dave and I, we'd had any time doing any, erm, sort of adult stuff or, you know, sports on our own since we've had our two children'.

1485

'Uh hu'.

Reply

'You know, people were enjoying themselves and getting, you know, we didn't see a lot of Kate and Gerry, I know they, you know, apart from the evenings, they were having a great time with the tennis lessons and, yeah, there was, as I say, a genuine feeling everybody was just relaxing into it and having a nice time and the kids were having a whale of a time, they were just loving being altogether and, you know, we always had them, they had their own lunch round the table and, you know, they were, they were just all getting on very well and having a good time'.

1485

'The kids got on well together did they'

Reply

'Yeah'.

1485

'And what about you adults'

Reply

'Very well. I mean, we've, we've, we're all pretty laid back people, we've all known each

other, I mean, you know, some people don't know each other so well, Matt and Rachael didn't know maybe Kate and Gerry quite so well, but, erm, you know, Russ and Jane we've known for donkeys years and, you know, Russ used to share a house when Dave and him were Junior Doctors and I lived there as well with another chap, so, you know, we've got a lot of history altogether, erm, you know, we all get on very well together, been on holidays together, we've never had any problems, no'.

01.16.19

1485

'Okay. So let's move on to the Monday evening, early evening. I am assuming that the day has gone, like you have said, the same as any other day'.

Reply

'Umm'.

1485

'And it comes to the time where you have high tea'.

Reply

'Umm'.

1485

'Tell me about, try and put yourself back onto Monday and tell me what happened Monday, leading up to the time that you go to dinner''

Reply

'This is when I find it hard, because I know we did go to the beach on one of those nights, and I can't tell you whether it's Monday or Tuesday, erm, I'd say, I would assume it was one or the other, so. I don't know whether they asked me that in my first statement, what we did in the preceding days, but that, that is something I would ask to, you know, to see'.

1485

'Okay, fine'.

Reply

'Because my memory would have been accurate then and I knew what I'd done on each day'.

1485

'Yeah. Right. I have actually got your statement here'.

Reply

'Umm'.

1485

'It is a translated statement but it doesn't really tell me a great deal'.

Reply

'I know'.

1485

'In relation to your movements, if I am honest'.

Reply

'No'.

1485

'I mean, which is why I have left'.

Reply

'I can't remember being asked particularly much'.

1485

'Yeah'.

Reply

'But what's annoying is, I mean, I think all of us did piece together, erm, movements, erm'.

01.17.36

1485

'You did a timeline, didn't you''

Reply

'Yeah, well we did that, but not only that, we were all sort of talking, well what were we doing that day, what were we doing that day, looking for, you know, anything that might, erm, in retrospect, be suspicious, or seeing, you know, people we'd seen or met, so we did sort of do that at the time, but obviously if it's not in my statement I wasn't asked it. But I'm just trying to think if (inaudible). To be honest, if you wanted that information, it would help to know from MARK WARNER what nights were what, you know, what nights were quiz nights, because that sort of helps to spark the memories of the movements'.

1485

'Yeah'.

Reply

'Otherwise I can't be sure what those nights were. There was a quiz night one night, there

was certain tennis events and those are some of things that would help to know and sort of work out'.

1485
'Yeah'.

Reply

'But off the top of my head, I couldn't, I couldn't swear that Monday was the night we had high tea or went to the beach, erm, so one of those nights we would have gone to the beach with the kids'.

1485
'I have got here a little bit of a routine which you may have done at the time'.

Reply
'Umm'.

1485
'And how it highlights, sort of generalises your time on holiday'.

Reply
'Right'.

1485
'Is between eight fifteen and eight thirty, breakfast and then the kids to kids club. Twelve thirty to one o'clock, children collected, lunch in the apartment, sometimes other children, then your children would sleep after lunch'.

Reply
'Umm'.

01.19.23
1485
'Between one thirty and four o'clock, swimming pool or tennis club with children and husband'.

Reply
'Well our kids never went to kids club in the afternoon'.

1485
'Yeah'.

Reply

'They would have been sleeping then, so that's wrong'.

1485

'That is right, yeah, so, I don't know how fairly, you know, this was done from yourself, but it was'.

Reply

'Well I would have never said that'.

1485

'In fact it is June. I think it was June it was done'.

Reply

'June, that's not right either'.

1485

'And then it says between eighteen hundred to nineteen hundred, returned to the apartment, bath time, bedtime, then to restaurant for dinner'.

Reply

'Umm. I don't agree with that statement'.

1485

'You don't'

Reply

'I mean, if you are saying one thirty until four, I mean, our children were asleep during those hours'.

1485

'Let me just show you'.

Reply

'Yeah'.

1485

'It is not your statement'.

Reply

'Oh'.

1485

'It just basically outlines a bit of an overview of yourself'.

Reply

'Umm'.

1485

'Which you agree all that is correct''

Reply

'(PAYNE read through the statement). Well that, it just, I don't know where that's come from. I mean, one of us may have gone out to the swimming pool or tennis court and that would vary from day to day, erm, you know, we didn't necessarily all sit in the apartment. But, if I had said that, I think, on the whole, I sat on the apartment in the afternoon'.

01.21.15

1485

'Alright then'.

Reply

'Erm, my mum, on a couple, would have been on the balcony and me maybe by the pool having a chat'.

1485

'Yeah'.

Reply

'So, I suppose, it depends how you read that really, I suppose'.

1485

'Right. Okay. So you say you are not sure of what day you went down to the beach''

Reply

'Umm'.

1485

'Could have been Monday could have been Tuesday'

Reply

'Umm'.

1485

'But, in any event, what would you have done down at the beach and how long would you have stayed''

Reply

'Erm, we'd just play, you know, in the surf basically with the kids paddling really. Erm, it wasn't any warmer for anything more than that really'.

1485

'There is a play area, isn't there''

Reply

'Yeah, outside the restaurant there is sort of swings and, you know, a bit of a play area, so, you know, they, you know, you could have a drink while they played. And, again, I'm finding it really hard now to say, you know, 'a' what night it was that we went down there and 'b' if we actually ate a meal before Thursday there. We did, we went to this restaurant so many times after Madeleine went missing with the kids. Again, you know, as I say, every day was very similar, erm, and we did the same things so many times, I just find it hard to say to you I definitely'.

1485

'Yeah. You have managed to remember quite a lot actually'.

Reply

'Yeah'.

01.22.39

1485

'You probably don't think you have but you have managed to remember quite a lot'.

Reply

'But, you know, I think, I, my feelings are that we, one of those nights we'd have stayed on and fed the kids and gave them tea there rather than dragging them back for high tea, erm, you know. But the others might remember that better and definitely'.

1485

'Yeah'.

Reply

'And I accept that they may well be right. Erm, tut, but, yeah, it was, it was a nice little restaurant, so you could sit and there was some wooden, erm, sort of balcony type, where you could just sit and have a drink and the kids could play and eat ice cream'.

1485
'Yeah'.

Reply
'And we'd stay, stay there until it was ready to go back for, erm, either tennis or bed really'.

1485
'Okay. So the time that you would have got back to your apartment'.

Reply
'Umm'.

1485
'Do you agree with this time''

Reply
'Yeah, again'.

1485
'Round about seven, between six and seven, you think''

Reply
'I mean, that, that seems a bit earlier than I would say now, but that might be right, you know. I, I mean, I guess, judging by the fact we had them in bed by half eight, I'm just trying to work backwards, I mean, I would have felt it was more sort of seven o'clock by the time we were bathing them and thinking about getting them to bed, you know, so maybe between half six and seven I would say now we would do that'.

1485
'And when you was down at the beach'.

Reply
'Umm'.

01.24.08
1485
'Early, when I say 'early in the week', I am trying to sort of pin you down to differentiate between the, you know, the Monday or the Tuesday'.

Reply
'Umm'.

1485

'Was any of your group on the beach with you''

Reply

'Erm, tut, I mean, this is what I've got to differentiate from, I can remember the Thursday very well, who was with me and who wasn't, I think because I'd gone through that more. Erm, I'm trying to think if Kate and Gerry did and I can't recall. I mean, on the whole, we didn't see a lot of them until the evening, we didn't see a lot of the kids. Erm, so I don't, I don't think they did join us. It tended to be more sort of Matt, Rachael and Russ and Jane'.

1485

'Okay'.

Reply

'Erm, I, I find it really hard to recall'.

1485

'It is tough, isn't it''

Reply

'Yeah, it's very tough and, as I say, it's just, it's so confusing because we did so many times the same thing, afterwards as well, often with Kate afterwards I would go down to the beach with the kids, erm, that sort of time of day, erm'.

1485

'Just ease your mind slightly then and we will move on to, you have bathed the kids because it is the same every night'.

Reply

'Yeah'.

1485

'So the Monday night you will have bathed the kids as usual'.

Reply

'Umm'.

1485

'Tell me what happened up until you go into the Tapas''

Reply

'Sort of between''

1485

'Between bathing the kids and going to the Tapas on the Monday'.

Reply

'Erm, again, some nights we went for runs. Erm, could I tell you whether we went for one on Monday, no'.

01.25.52

1485

'Could you tell me who you went with''

Reply

'Erm, Dave and I. Erm, mum would sort of look after the kids and, you know, I think at least once or twice Dave and I went for a run, erm, down by the beach, erm'.

1485

'Any of the group down there''

Reply

'Erm, no. God, this is hard. We went for lots of runs before and after, sometimes with Matt. I did one with Matt and Dave, I can't remember if that was before Madeleine went missing or after, erm, I think before. Everyone was into running. Rachael did runs, Kate did runs, often they did, Kate was mad, often would go out early when it was sort of hotter, I can't understand that, but (laughs), erm, and Rachael I'm aware went for runs and Jane as well. But, in terms of going with people, Dave and I, erm, definitely went together, on other nights we went alone and on one occasion went with Matt and I think that was probably before Madeleine went missing, before the Thursday night'.

1485

'But you can't be sure whether that was Monday''

Reply

'I can't be sure if that was Monday'.

1485

'Okay. How about, were you late on the Monday for the Tapas''

Reply

'I would, I would have said we were late, by my standards (laughs)'.

1485

'What time do you think''

Reply

'We were probably within ten minutes of half past eight, I don't recall being any later'.

1485

'Right (inaudible). Was everybody else there''

Reply

'On the Monday night, erm, I think so, yeah. I mean, I think, usually, by the time we got there, there were at least two other couples, you know, occasionally we might have been the third couple, erm, rather than the last to arrive, but, yeah, and nobody was ever late, I mean, we all generally got to the table within twenty minutes of each other'.

1485

'Yeah'.

Reply

'Erm, so there was never anything really outstanding about the previous nights'.

01.28.01

1485

'And would you pass anybody on the way to the Tapas''

Reply

'Erm, tut, no, erm, not that I'd'.

1485

'Any of the group perhaps going to do their checks or''

Reply

'No, because generally, as I say, we, the early part of the week, we were generally all within the same sort of time bracket, so, yeah, we didn't, on previous nights, see anybody coming back. Erm, Thursday night was different, we did, we saw Matt, but on previous nights, no, generally we'd go down, go straight to the table. Erm, you know, when we arrived at the Tapas there were usually some other couples eating and they would normally be almost sort of halfway through getting to the end of their meal by the time we were starting, we tended to be seemingly later than most, erm, having our meals. Erm, but in terms of me passing people on the way down, again, it seemed, it always seemed very quiet and nobody about when we were going down'.

1485

'And when you, again, I have got to go back to it, because I think it is important, try and remember if there was any sort of order in which parents went to check their children on

the Monday night"

Reply

'I mean, there was never a set order about any of it, erm, you know'.

1485

'Yeah, but what I mean is, if you recollect seeing Matt go and then'.

Reply

'No'.

1485

'You said that you had saw, most of the time it was the men who'.

Reply

'I couldn't have told you the following day though, that sort of thing. I mean, you're aware it's happening'.

1485

'Yeah'.

Reply

'But I just think, because you're not party to the same sort of process everyone else is doing, you know, erm, I couldn't tell you. And I've never really gone to examine those nights, I suppose, in my head, earlier on, so, erm, to say now I'd be totally guessing, I really couldn't tell you'.

01.29.47

1485

'Okay. Alright. I am going to close it shortly'.

Reply

'Umm'.

1485

'Just so we can have a bit of a break'.

Reply

'Yeah'.

1485

'And for you to try and get your brain back'.

Reply
'Yeah'.

1485

'But I just want to bottom off Monday night. Can you remember anything at all about the meal, the conversation, where you sat and what time you eventually went to bed''

Reply

'Tut, erm, there was a quiz night, I don't know whether that was Monday night, that was, phew, I cant, it's just so hard now. I think there was one, potentially two, kind of quiz nights, so that might be Monday and Wednesday, because they were definitely not in a row. Erm, again, you'd have to sort of check on that, I don't know. So, yeah, that, that would have, that, again, was just a bit of banter, the quiz night, erm, so we all joined in that and lost. Erm, I don't know, generally we all sort of got back, yeah, we were usually the last there, just I think because we were eating later. Erm, we all generally went back at the same time, you know, together, erm, on the Monday at least'.

1485

'Anybody go back for a nightcap or anything like that''

Reply

'To each other's apartments''

1485

'Apartments, yeah'.

Reply

'No, no. No, generally we were all pretty knackered and went back and went to bed. I think the Wednesday night we'd stayed out and had a nightcap inside the, erm, the bar area, because it was quite cold outside, and we had a coffee, we went inside and had a coffee and, erm, a liqueur, but I'm pretty sure that was the Wednesday'.

1485

'What time do you think you would have gone to bed on the Monday''

Reply

'I think it was pretty much around midnight for the, for those earlier nights, I don't think we saw the other side of midnight'.

01.32.01

1485

'Okay. I am going to give your brain a rest for the time being, alright''

Reply
'Okay'.

1485
'I will switch the video off and you can go and have a bit of a drink and a'.

Reply
'A jammy dodger'.

1485
'A jammy dodger and we will resume again in about fifty minutes, alright''

Reply
'Yeah, okay'.

1485
'Okay. I make the time ten twenty-five and it is time to stop'.

SIGNATURE (Sgd)_____

SM F PAYNE 10.04.08

RECORD OF TAPE RECORDED INTERVIEW
Police Exhibit No
IM21A

Person Interviewed:
Fiona PAYNE
Number of Pages 44

Place of Interview:
Force Headquarters Enderby
Signature of Interviewing

Date of Interview:10/04/08
Officer producing exhibit

Time Commenced:1110 hours

Time Concluded:1234 hours
Duration of Interview:
84 minutes

Interviewing Officer(s)
DC 1485 MESSIAH
Tape Reference nos:

Other Persons Present
None

Tape counter times
Person speaking
Text

00.00.02
1485

'Okay. Est'a graver. Okay. Vamos continuar a entrevista. Continuamos no Quartel General da For' e ainda 'Quinta-feira dez de Abril de dois mil e oito e eu sou ainda DC MESSIAH da Equipa de Crime da Pol'ia de Leicestershire. Poderia dizer-me quem ' por favor''

Reply
'Sou Fiona PAYNE'.

1485
'Okay.

And I make the time by my watch eleven ten on that morning. The same conditions, as you see, the interview is being videoed and that is the camera, you know have to look at it, you know, you can just talk to me as normal'.

Reply
'Umm'.

1485
'One thing I forgot to inform you of earlier on is, it is being monitored by a colleague of mine and also by Portuguese Officers as well'.

Reply
'Okay'.

1485
'Alright''

Reply
'Uh hu'.

1485
'Are you happy to carry on''

Reply
'Yeah'.

1485
'I appreciate the first interview was quite tedious for you because, you know, you were struggling to remember'.

Reply
'It's not so much tedious, I don't, as I say, I just try, and to pinpoint details is very hard at this point down the line'.

00.00.59
1485
'Yeah'.

Reply
'I don't want to be misleading but I'm trying to be helpful'.

1485
'Yeah, of course'.

Reply
'And I think that's, it's just getting a balance, erm'.

1485
'Okay. Same again, there is going to be a lot of open questions and take as long as you need to answer, think before you answer and, you know, if you are not sure, just say 'I'm not sure', you don't want to commit yourself to something that might be inaccurate, alright''

Reply
'Yeah'.

1485
'One thing I need to just clarify Fiona is, in the first interview we spoke about, you know, your movements day to day''

Reply
'Yeah'.

1485

'And part of that rundown, if you like, was saying that, or from a note I produced, that you would actually go down to the pool at one o'clock'ish"

Reply
'Yeah'.

1485

'It is probably about fifteen thirty more nearer the time"

Reply

'Yeah, yeah. Yeah, we'd put the kids to bed and, as I say, every day may be slightly different, but, on the whole, one or two of us would stay in the apartment, out of me, my mum and Dave, and sometimes all of us, and, you know, it was okay if one of you wandered down to the pool for a stretch or whatever, but we were mostly based, erm, in the apartment for the afternoon until the kids woke up'.

1485

'Okay. I apologise if that was misleading in the beginning, alright"

Reply

'Yeah. And I just want to clarify as well'.

00.02.11

1485

'Go on"

Reply

'Because I've been thinking in the meantime'.

1485

'Yeah'.

Reply

'We were talking about the beach and, you know, I wasn't sure when, and after the camera came off or the, you know, the recorder came off, erm, I was just saying to you, I actually am wondering whether we went to the beach at all before Thursday, just because I'm thinking about the weather and I remember thinking at the time, it's such a shame for the kids that we haven't really gone to the beach, because, you know, that a part of the reason

we chose the resort'.

1485
'Yeah'.

Reply

'But it had been so kind of cool in the afternoons it, erm, hadn't been much fun. So I don't want to commit to the fact that we went there, I think Thursday may well have been'.

1485
'The first time"

Reply

'We definitely went on the Thursday and I think that might have been the first time we actually did that as a group, minus Kate and Gerry'.

1485
'Right'.

Reply

'Erm, and I think why I'm thinking that is, I know Kate and Gerry did go to the beach, I think they tried to have lunch on the beach with the kids on one of the previous days and we didn't, you know, and that's maybe why I'm getting confused'.

1485
'Are you able to say what day that was that you think"

Reply

'Again, I couldn't tell you. We didn't really see Kate and Gerry for any lunchtimes, but I know one of those, I remember Kate saying it was a bit of a disaster, because Sean put his feet on the sand and didn't like it and it was cold and windy and it was all a bit of a disaster, so they didn't do it again. Erm, tut, yeah, so, you know, I am backtracking, but I think Thursday was the first day that we went down after the sleep time'.

00.03.35
1485

'Right. Is it fair to say that, I mean, you mentioned earlier on in the interview that you didn't, the only time you really saw Kate and Gerry was at the Tapas"

Reply
'Umm'.

1485

'Is it fair to say that that is'.

Reply

'We saw them round and about during the day, erm, you know like in the afternoon, when I'm saying when our kids were asleep. I remember one afternoon I wandered down to the pool, erm, you know, while Dave and mum were up in the apartment, and sat and had a diet Coke by the pool with them, they'd just finished a tennis lesson, you know. So things like that, in passing, but we didn't really do any activities altogether'.

1485

'Yeah'.

Reply

'Erm, as I say, they were very much having their tennis lessons during the day and it was just, you know, we saw them. And, you know, so I didn't see much of them, erm, until the evening'.

1485

'Did you see Madeleine and the twins during the day up until Thursday''

Reply

'Not, not very often. Erm, I mean, the twins probably a bit more, just because picking, you know, picking Lily up at lunchtime or whatever, erm, they'd be picking the twins up. And then at high tea we'd see the kids altogether, that was really the only kiddie time, when they were all together and with Madeleine and the twins. Erm, and then after, after teatime when they'd all play. But that, that was the main part of the day where we saw, erm, Kate and Gerry and, and, you know, the children, their children'.

1485

'And how would you describe the family as a whole''

Reply

'They're fantastic'.

1485

'You know, with the kids''

Reply

'They're fantastic, you know, I've known Kate since two thousand and ever since I've known her she's wanted children, you know, very early on in our friendship that was, you know, something she openly talked about. And they did have difficulties having children and, erm, you know, we've been very close friends throughout the whole time of their IVF, having Madeleine, and they, she was the most desired child on the planet'.

00.05.34
1485
'Yeah'.

Reply

'And ever since she has been born I've never seen them anything but absolutely happy, erm, and, you know, she, to say this makes it sound less important with the twins, but she always felt, particularly Madeleine, was extremely special, erm, you know, they're a very, they're a happy family'.

1485
'Yeah'.

Reply

'Very happy'.

1485

'Okay. I want to move on to Thursday. We spent a lot of time Sunday and Monday, didn't we. Are you okay'

Reply

'Yeah, I'm fine'.

1485

'Take as long as you need. I will give you a minute'.

Reply

'I'm fine, just carry on'.

1485

'You are alright. Okay. When I was trying to get the different days from you earlier on in the interview'

Reply

'Yeah'.

1485

'You mentioned that there was a couple of quizzes and there was some tennis'

Reply

'Yeah'.

1485

'If I jogged your memory and said that one, or the quiz was on Tuesday night''

Reply

'Alright'.

1485

'Does that ring any bells with you at all''

Reply

'Was there one, was there just the one quiz night, can you confirm that''

00.07.07

1485

'That, I'm not sure'.

Reply

'Because I thought there was two. Erm, certainly, erm, on, the one that you talk about, who joined us and'.

1485

'Yeah'.

Reply

'Erm, on a quiz night, whether there was one or two, if there was one it was only one, there was some, the tennis, erm, the aerobics instructor, we invited her to have a drink, she was the one doing the quiz and she joined us for the latter part of the meal. Erm, and that was the only time anyone every joined us at the table'.

1485

'Can you remember anything at all about that night now that you know that that was the'.

Reply

'The Tuesday, erm'.

1485

'On the Tuesday''

Reply

'I don't think there was anything else that was sort of exceptional or, or different, erm, you know, other than that, you know. I mean, most evenings, we, you know, we were having a good time and, you know, that, as I say, the quiz night I know provokes more hilarity because we were in discussion, because we were all arguing over the answers. Erm, but, as

I say, that was the only thing that was different. I can't remember her name, erm, the name of the aerobics instructor, but, yeah, she joined us that night'.

1485

'Right. And Wednesday, to try and jog your memory, was the ladies tennis''

Reply

'Uh hu'.

1485

'Does that ring any bells with you''

Reply

'Ladies tennis, well, yeah, we all, all the ladies did participate in, in that. That was, erm, I think it started six until seven. Erm, and I think we actually asked on the Thursday, we asked for the tennis, because we were the main ones doing the tennis in the evening, we actually asked them to change the time I think, whether that was the Wednesday as well as the Thursday or just the Thursday, to bring it forward, I think it was supposed to start at half six and we asked them to bring it forward so it fitted in more with the kids, erm, so it must have started at about six o'clock. Erm, and, yeah, I joined in and there was Kate and there was Jane, Rachael and my mum, they all joined in, and the boys had the kids in the play area and they were all sort of watching and cheering and jeering'.

00.09.20

1485

'Oh right. Was Gerry and Madeleine there''

Reply

'Yeah, yeah, we were all there'.

1485

'So Kate, who was Kate playing''

Reply

'Kate, well we all swapped around but we, there was two courts, erm, tut, and I think we were using a couple of the instructors to sort of fill numbers and, erm, or a couple of other ladies, who I couldn't have told you their names, but they were, I think one was a Doctor's wife, erm, a young girl, erm, tut, erm, and then I think there was one other, but mostly it was our, it was our group and, yeah, we all, we all sort of played each other really'.

1485

'Yeah. Alright. Can you remember anything else following on that day then into the evening''

Reply

'Yeah, I think you're going into the evening. I'm just thinking we probably, erm, I think that night Dave probably took the kids back, our kids, a bit, you know, before we'd finished, to start off, erm, bath time, erm, and we, we would probably come along a bit later to help him, just to finish the tennis, I think that was sort of six until seven. Erm, but other than that, yeah, we would have, erm, done our usual routine, bedtime routine'.

1485

'And then the same again into the evening, nothing spectacular''

Reply

'Wednesday evening, no. As I say, I thought it was, I thought Wednesday evening was when Rachael was sick, I think you are saying it was Tuesday, but in my mind I thought that was, erm, but you're saying'.

1485

'Well whatever you can recall'.

Reply

'Yeah, I know, I mean, phew, as I say, I, she'll know I'm sure, but I thought, I thought that was Wednesday night that she wasn't feeling very well'.

00.10.56

1485

'Alright'.

Reply

'Erm, no, but nothing, nothing else different'.

1485

'Alright. So before we move on to Thursday, is there anything, you have had a break, there is a couple of things that has jogged your memory, is there anything that you can recall before Thursday that we haven't covered''

Reply

'No, I don't think so. It was just a typical holiday really, I mean, you know, we all had a routine that we pretty much stuck to and that worked and, you know, there was nothing really that stood out or'.

1485

'Alright. Do you recall on the Tuesday night, I believe, Madeleine crying or somebody from the McCANN's apartment crying''

Reply

'I thought that was Wednesday night. You see, I mean, I only knew about that because on Thursday night Kate had said, erm, as we were chatting at the table 'Oh', you know, 'I wonder', you know, 'what', 'what she cried about' or, you know, she'd asked Madeleine, erm, because I think Madeleine had said something 'Where were you mummy, me and Sean cried' and, you know, 'where were you' and that had obviously worried Kate and she couldn't get anything more out of Madeleine, Madeleine had sort of moved on and, you know, didn't say anything more than that and wouldn't say, you know, whether she'd heard anything or been woken up or whether she had just woken up herself'

1485
'Yeah'.

Reply
'So that was on her mind'.

1485
'Right. So Kate told you that that happened on the Wednesday''

Reply
'Well she told me about it on the Thursday'.

1485
'Told you on the Thursday, yeah'.

Reply
'So, yeah, thinking now, I just was thinking it was the Wednesday night'.

00.12.42
1485
'But you can't remember whether she said it was Wednesday night that it happened''

Reply
'No, I can't say that she said it was the night before'.

1485
'Right'.

Reply
'But I know I heard about it on the Thursday night when we were sat, sat down'.

1485
'Did you hear any shouting or crying at all''

Reply
'No'.

1485
'No'.

Reply
'I mean, I know, I mean, there was lots of, you know, at bedtime there was lots of children's noise, kids crying, because sort of kids do, but'.

1485
'Uh hu'.

Reply
'Erm, I never heard any crying after they'd gone down'.

1485
'Alright'.

Reply
'Not even, you know, not even in the middle of the night or, you know, erm, we never heard anything'.

1485
'Right. What I want you to do now, again this is, put yourself back into Thursday and recall as much as you can'.

Reply
'Umm'.

1485
'I appreciate that your morning would have gone to round about the same pattern'.

Reply
'Umm'.

1485
'But tell me from the time you picked up Scarlet and Lily say from, was it eleven thirty you would have picked them up again on the Thursday"

Reply

'Yeah, that, that day, erm, I actually picked Scarlet up with Kate, erm, and I'm trying to think what the time, the times were. I mean, that day we had been sailing, I think we were supposed to be doing wind surfing, but that day the, as I say, the waves were too rough and we ended up, Dave and I, taking out a boat together. And, and that morning I think Matt came out as well and he was on a separate boat, I remember we were joking around with him quite a lot. And then we were drenched and really wet and really cold, so I think we actually came back to the apartment to get, you know, more clothes because were cold and hadn't taken enough with us. Erm, and then, so that would have been, I don't know, eleven, half eleven, that we were back at the apartment. And then sat, erm, on, by the pool for a bit with Dave and then we saw Kate and Gerry and we just sat and had a chat with them. And then it was time to pick up the kids, so Kate and I walked from the Tapas area over to the main reception, going between, you know, there was a sort of path that went between the other Ocean Club complex as well along the road, erm, and she picked up Madeleine and I picked up Scarlet and then we walked back together and that was the only day we ever did, ever did that. Erm, and then when we got back they, you know, Kate too Madeleine to their apartment for lunch and, erm, I went up to ours for lunch. And that day, erm, I think was the only day that no-one else came for lunch, erm, tut, I think that was just me, Dave and my mum, and the others, Rachael and Matt, I think, had their lunch with Russ and Jane, erm, so those two families were together, Kate and Gerry on their own and us on our own. We put our kids to bed slightly earlier that day, thinking, because it was a nicer day, that we'll try and get down to the beach and, you know, have a bit of a afternoon at the beach with them. So that day was slightly different'.

00.15.55

1485

'So what time did you put them to bed''

Reply

'Erm, I'd say it would be, you know, about one, half one again, erm'.

1485

'And what did you do at the time, once they had gone to bed''

Reply

'When they were asleep, I think that day, I know Dave had been talking about trying to go wind surfing because the weather was better. I'm just trying to recall. I think mum had tennis possibly, I think I just stayed at the apartment, Dave possibly, sort of halfway through the afternoon, while the kids were still asleep, went off to do some wind surfing and I think Matt and Russell had already gone down to do, to take a boat out a bit earlier, so the men were sort of out of the picture, and I don't know what Gerry was doing. Erm, as I say, mum, I can't remember whether mum was with me or not, she possibly had played a bit of tennis, I think she might have played a bit of tennis with Jane, I don't know, I can't comment on them, but I was around, I was around the apartment'.

00.17.02

1485

'Uh hu. So carry on then''

Reply

'And then they would have woken up, the kids would have woken up about sort of three, half three, erm, and I went down to the beach at that point, certainly with mum, Dave, I can't, I really can't remember now whether he came down then to go wind surfing or whether he'd left a bit earlier to do the wind surfing, I have a feeling it was just the girls on their own that walked down to the beach, because Jane and, erm, Rachael also brought their children and we all sort of headed down to the beach'.

1485

'So in that little group was''

Reply

'So in that group, yeah, me, mum, I think, as I say, I can't say for Dave, I think he was already, had gone by then, yeah, Jane with, erm, Ella and Evie, well it would have just, it was just Evie actually because Ella was, would have been in kids club, and, erm, yeah, and Rachael with Grace'.

1485

'Was Kate with you''

Reply

'No, no, Kate didn't come. They, they tended to use the kids club in the afternoon, for the twins as well as Madeleine, and they were the only ones really doing that, as I say, Ella sometimes went in in the afternoon, but the younger ones, you know, none of us put them in in the afternoon. So, again, that's generally why we didn't see them because they had things booked to do in the afternoon without the kids and we didn't. So, you know, we had asked them but, you know, they had tennis lessons or something. So, yeah, we all headed, we headed off and then, once we were on the beach, we were, we were a little while just sort of the women and the kids really playing on the beach, you know, sandcastles and stuff. Erm, and then, at some point, Matt and Russell came back in and there was a bit of a laugh because Russ was saying that he saved Matt's life or something, I don't know, something had happened on the boat and, erm, you know, there was some jokes about Matt trying to capsize and drowned and all sorts. And then, a bit later, after that, Dave had came in from the wind surfing. Time wise I'.

00.19.20

1485

'Try and remember'.

Reply

'I find hard, but, I mean, assuming we got to the beach about four o'clock, I'd say, you know, I'd say Matt must have got in, I'm sure it was Matt and Russ, about half four, erm, and then, about twenty minutes after that, maybe Dave. Erm, so by five o'clock we were all kind of ready to have a drink and feed the kids. Erm, so that, that group as a whole went up to the restaurant, erm, on the beach and ordered our, well the food for the kids, we didn't eat, and we all had a beer. Erm, so, yeah, I'd say about five'.

1485

'Right. So there is a bar on the beach, is that right'

Reply

'Yeah, it's the, I can't remember the name, is it the Paradiso Restaurant, erm'.

1485

'Something like that, yeah'.

Reply

'Something like that. Yeah, there's only, it's the one that's on the beach, I think it's pretty much the only one that's got the sort of steps down to the sand and it's got the play area outside, erm, a slide and swings and things'.

1485

'And when you went there, is it somewhere that you can sit inside or do you sit outside''

Reply

'Well it did have an inside area but we always sat sort of on the outside area, erm, just so the kids were free to come up and down and play on the beach'.

1485

'So when you went to, well did the kids stay on the beach or did the kids join you at the bar, at the cafe''

Reply

'They joined us, sat down and we would have ordered food, but while we were waiting for food, I mean, they were all over the place, you know, up and down, playing, erm, we didn't make them sit down until the food arrived, so, yeah, they would have been playing round'.

00.20.59

1485

'Uh hu. And sort of what time do think the food came''

Reply

'Erm, I'd say somewhere between five and half five. I mean, there was always a little wait, but not too long. I can't be any more specific. Erm, tut, I'm trying to think, I know what, I'm trying to think what time we left to sort of gauge it, I'd say about half five'.

1485

'You left the''

Reply

'No, that the food arrived'.

1485

'The food arrived about five thirty''

Reply

'Yeah, I think so'.

1485

'Okay'.

Reply

'Erm, and then I remember it getting to tennis time, because it was men's tennis that night and the men had all rearranged the time to suit us and it was getting towards six o'clock and, you know, they were going to be late, so I remember saying 'Look, you better go because it's not fair, you've moved the time then you'll be late'. Erm, so I think that, that was sort of approaching five to six. And we were toying with the idea of getting the kids ice creams for pudding and then thought oh we probably don't have time, but then we decided well, you know, why don't you go off and go to your tennis and we'll just give them their ice cream and follow on. And so I think they left probably about, you know, that being Matt and Dave and Russell, around five to six, six o'clock time. And the, you know, the wives stayed behind with the kids, they had ice cream and then we followed on about ten past six and we just walked back up to, to watch them play a bit of tennis and give the kids, you know, a little playtime. Erm, and I don't think we stayed there that long that night because the kids were pretty, pretty tired. Erm, I'm trying to think, I'd say probably by seven o'clock we were, me and my mum headed back with the kids to start bath time. Erm, and Dave, we left him playing tennis for a bit longer. Erm, I think we'd bathed the kids by the time he got back, probably ten minutes later. Erm, and then I went for a run that night, after the kids were bathed'.

00.23.13

1485

'So it is after seven''

Reply

'After seven, it must have been about half past seven'.

1485

'Where did you run''

Reply

'Erm, I had a fairly standard sort of route, I'd sort of go down past the Tapas Restaurant, cut across to the far sort of right side of the beach as you are looking at it and then I would run along the beach full length, come back to the Paradiso Restaurant bit and cut up, erm, I mean, it's hard to describe, cut up through the shops and then back again. But, you know, it was the same sort of route I did'.

1485

'I don't know if this plan helps you at all'

Reply

'Yeah, it might be too small actually'.

1485

'Might be too small. You know, that is'.

Reply

'Swimming pool, okay. Is that the Supermarket'

1485

'Well that is the pool'.

Reply

'The pool'.

1485

'There is the Tapas and there is the tennis courts, there is your apartments, there'.

Reply

'And there's the beach, you've got the beach there'.

1485

'Which way would the beach'

Reply

'The beach is up here'.

1485

'Right'.

Reply

'Yeah, I mean, I'd come out, I'd run down here, cut across to the far side of the beach, which must be somewhere down here, and then run the full length of the beach, erm, yeah, it's not really all on this map'.

1485

'No'.

Reply

'Erm, and then I'd just sort of come up and sort of, there was a sort of main road on a very steep hill, come up there and across and then back up again'.

00.24.42

1485

'And then back up''

Reply

'Erm, yeah'.

1485

'And how long would that take you''

Reply

'Erm, I'm quite slow'.

1485

'You are quite what, sorry''

Reply

'I'm quite slow. It was probably about a twenty or a twenty-five minute run'.

1485

'Yeah'.

Reply

'I would have been back by eight o'clock'.

1485

'By eight. And what was the weather like, was it dark or was it light''

Reply

'That day was a really nice day, which is why I wanted to do the run. And I remember the Thursday was a bit of a transition day, as I say, you know, with the weather, it just seemed to warm up, it was sunnier, erm, and it was a very pleasant evening, you know, it was a nice sunny evening, warm'.

1485

'Right. Just before I move you on from your run, if you can just take yourself back a little

bit, when you was at the beach, when you was all eating before"

Reply
'Yeah'.

1485
'Did you see Kate at all running"

Reply
'No. No, I, I know somebody did in the group, because they commented, but I didn't personally see her run'.

1485
'You didn't see her at all"

Reply
'No, no, but somebody, I don't know which one of the group, did say they'd seen Kate run past'.

1485
'And you said that David had already gone up for his tennis lesson, what time did he leave the beach to go up for his tennis lesson"

Reply
'Well the way I recall it, it was, sorry, the, the men's tennis, from the restaurant"

00.25.52
1485
'Yeah, the men's tennis'.

Reply
'Erm, I think they all went together about five to six, six o'clock'.

1485
'Right'.

Reply
'I knew they were going to be a bit late, as I say, that's why I'm remembering it was sort of five to six, six o'clock, because I remember sort of think, feeling it's being a bit rude to not be on time when you've bought it back'.

1485

'Yeah, yeah'.

Reply

'Erm, yeah'.

1485

'And then you got up there, once you had all finished eating, and you went to watch the men play tennis''

Reply

'Yeah'.

1485

'Just tell me a little bit about that, who was playing who and was there any kids around''

Reply

'Erm, yeah, I mean, Gerry, phew, I don't know who was playing who, but there was certainly Gerry, Matt, erm, you know, Russ and Dave, erm, and typically being men, it was all quite competitive and, erm, and far different to the women's tennis. Erm, Kate and the kids, I think, as I said earlier, weren't there and, you know, they, as Gerry said, were just absolutely knackered and Kate was getting them bathed and ready for bed. Erm, and, yeah, the others, sort of me, Rachael and Jane, with the kids, our kids, were just sort of watching them playing for a bit, we didn't stay that long that night'.

1485

'Yeah. When did Gerry tell you that the kids were knackered and Kate was bathing them''

Reply

'I think that was something I learnt later or whether he told me at the time, I know they weren't there and it didn't really, it wasn't really that surprising, as I say, we were a bit later getting there that night, whereas, on previous nights, when we'd had a playtime, it was immediately after the kids high tea'.

00.27.21

1485

'Yeah'.

Reply

'So, you know, it wasn't a surprise that they weren't there. Erm, and I know Dave had said to me later, because he, erm, after tennis he'd said he'd checked on Kate and the kids before going to tennis'.

1485

'Who was that, sorry, Dave''

Reply

'Dave, yeah. So he'd mentioned that later, so I don't know at what point I knew that, but'.

1485

'Was that off his own back or was he told''

Reply

'No, he said, what did he check off his own back''

1485

'Yeah'.

Reply

'I don't know actually, I don't know'.

1485

'How did that come into your conversation''

Reply

'Because he was saying how angelic they all looked and he said to Kate when we all sat down at the Tapas table as well and he was sort of joking how they looked like perfect children, because they were all sat there, all clean in their pyjamas, having a story'.

1485

'Yeah. But when did he, specifically, when did he tell you''

Reply

'That he'd done that''

1485

'Done that, yeah'.

Reply

'I think it was when we were getting the kids ready for bed and we were back in our apartment'.

1485

'Right. So what time did he come back then from his tennis''

Reply

'I'd say, if we came back about seven, he was about ten minutes after that, so about ten past seven, quarter past seven, something like that'.

1485

'And then you went for your run. So he told you that before you went for your run''

Reply

'Yeah, yeah'.

00.28.29

1485

'Is that right''

Reply

'Yeah'.

1485

'And so we move on then to your run, it just takes you twenty minutes''

Reply

'Yeah'.

1485

'You came back just before eight''

Reply

'Yeah'.

1485

'What do you see when you return back to the Ocean Club''

Reply

'What, outside''

1485

'Yeah'.

Reply

'Nothing remarkable. I don't remember seeing anybody. I don't remember seeing anything suspicious. I think I just came back and went back up to the apartment, didn't really see anybody or anything'.

1485

'Any of your group''

Reply

'No'.

1485

'Okay. And to get to your apartment would that take you past Kate and Gerry's apartment''

Reply

'It would take me past, I mean, up the road where their apartment is, you know, the access to the, the back of their apartment'.

1485

'Yeah'.

Reply

'It took me past that gate, yeah'.

1485

'Right. Was there anything''

Reply

'Not that I've noticed'.

1485

'Different''

Reply

'Not that I noticed'.

00.29.28

1485

'Anybody hanging about''

Reply

'No, I mean, I've been asked that before'.

1485

'Yeah'.

Reply

'And I honestly, I don't recall ever seeing anybody or anything suspicious'.

1485

'So you will be going back to your apartment to get ready obviously to go out for dinner''

Reply

'Umm, yeah'.

1485

'So what was the arrangements for the evening then''

Reply

'The same as they had been, meet up at half eight, erm, at the, at the Tapas Bar. Erm, I think I was a bit late, because by the time I got back and helped put the kids to bed and had got in the shower, it was generally me that held things up for us that night, erm, in getting out the door'.

1485

'Uh hu'.

Reply

'Erm, and, yeah, there was nothing that different, other than we were, as I say, that that night we were a bit later leaving, erm, it was about ten to nine, five to nine, that sort of time when we, erm, left to go to the Tapas'.

1485

'Yeah'.

Reply

'And that night we all went together, erm, the kids were fast asleep, erm, there was me, Dave and my mum'.

1485

'So having got back to the apartment''

Reply

'Yeah'.

1485

'You have showered''

Reply
'Uh hu'.

1485
'You have helped put the children to bed''

Reply
'Yeah'.

00.30.37
1485
'Who was in your apartment at that time''

Reply
'My mum, Dave, me, Lily and Scarlet'.

1485
'And what sort of, what is the scenario in your apartment, is Dave getting ready and your mum getting ready or are they already ready''

Reply
'Erm, I seem to recall they, they were pretty much ready, showered and it was just me left to get showered and the kids were up but ready, ready for bed'.

1485
'Uh hu. And any conversation''

Reply
'Erm, no, nothing out the ordinary. As I say, at some point in that evening I was aware Dave had said he'd checked on, on Kate and, and the children, and that may have been after my run or before my run, I couldn't, I just was aware that he'd done that'.

1485
'Yeah. So you got ready then between eight and ten to nine''

Reply
'Yeah'.

1485
'And tell me about the time that you are ready to go, you leave out and then you arrive at

the Tapas"

Reply

'Erm, on the way down, we went down the normal way, as I say, out onto the main road and round the corner. And just as we were approaching, erm, probably outside kind of the, Kate and Gerry's gate, that sort of area, erm, we bumped into Matt who was heading back to chase us up, erm, and we had a joke, you know, we're always late. He carried on up to check on Grace and we carried on down to the Tapas Bar and when we got there everyone else, bar Matt, was sat at the table. Erm, again, (inaudible) to get on and order. Erm, you know, there's nothing else really'.

1485

'So let's just clarify (inaudible). So your route would take you'.

Reply

'Yeah'.

1485

'Along here"

Reply

'Yeah, out there'.

00.32.29

1485

'Is this a road"

Reply

'It's a road but there's, yeah, there's a path'.

1485

'Okay. And then you walk down and turn right"

Reply

'Yeah'.

1485

'And then you have got the reception area there"

Reply

'Reception's there, yeah. And somewhere sort of there we sort of bumped into, erm, somewhere between the gate and there'.

1485
'Bumped into Matt''

Reply
'We bumped into Matt, yeah''

1485
'On his own''

Reply
'Yeah'.

1485
'Yeah'.

Reply
'He was on his own, heading, heading back to the apartments'.

1485
'Okay. And was anybody, again, this is a duplicated question, but was there anybody about''

Reply
'Again, I didn't, I didn't notice anybody else'.

1485
'Weather conditions' Lighting' Was it dark''

Reply
'Erm, at that point, I don't recall it being dark dark, it was probably getting dark, maybe dusk'ish, but it, you know, it was still fairly light'.

1485
'Yeah. And rain, dry''

Reply
'Dry'.

1485
'Warm''

Reply

'Ish, I mean, the evenings were quite cool and that night was certainly no different, it was quite cool'.

00.33.30

1485

'As you come to that corner, that is the corner that the McCANN's apartment is on, isn't it'

Reply

'The corner of the main road''

1485

'Yeah'.

Reply

'Yeah'.

1485

'Yeah. Would you be able to see the McCANN's shutters from where you walked along here, along there''

Reply

'I don't think, I mean, not that I ever looked, but they were sort, they were slightly sort of sunken, I guess, to the ground floor and then there's a wall in front, so I don't think, even if you looked, you could probably see in, and I don't recall ever looking, but, you know, there was certainly a wall in front of the, of the ground floor apartments'.

1485

'Did you ever notice if there were shutters there, I know you said that you had got shutters at yours, would you notice that there were shutters there''

Reply

'I don't think specifically. I can't say I ever paid any attention, I knew all the apartments had the same shutters, you know, but, to be honest I never went into Kate and Gerry's apartment before the night, erm, on Thursday'.

1485

'Yeah'.

Reply

'I hadn't been in their apartment'.

1485

'Right. I have got to ask you this question, did you see the shutters open or did you see them closed''

Reply

'On the Thursday''

1485

'Yeah'.

Reply

'I didn't see them'.

1485

'You didn't see them''

Reply

'What, after Madeleine or''

00.34.44

1485

'No, when you was walking to''

Reply

'When I was walking, I wouldn't have even noticed, so I couldn't, I couldn't tell you whether they were open or shut'.

1485

'And your route, how far away from the McCANN's shutters, well if you like, how far would you be away from it''

Reply

'Quite far away, erm, it's a distance, as I say, you've got a wall and then the car park and the road, so we were on the road, so it's, erm, I'm not very good with distances, I'd say, I don't know, around thirty metres, something like that'.

1485

'Yeah'.

Reply

'Maybe longer'.

1485

'Okay. So you then walked down the road, you bump into Matt, you turn right, you go in towards the Tapas''

Reply

'Umm'.

1485

'Tell me who is sitting down when you get there or who is at the table when you get there''

Reply

'Kate and Gerry, erm'.

1485

'Are you able to draw'.

Reply

'Another drawing, erm'.

1485

'If you try and picture the shape of the table''

Reply

'Yeah'.

1485

'And, as best you can, remember, in relation to the line of the apartments, where everybody sat on the table''

Reply

'That's the apartments and that's the pool'.

1485

'Yeah'.

Reply

'It was a round table. I'm not very good'.

00.36.14

1485

'I should have gave you an egg shouldn't I'.

Reply

'Erm, Kate was to my left and that I'm positive of. Erm, and I think Gerry was certainly to my right, I think he was immediately on my right. Erm, I know Russell was opposite, he would have been about there. My mum was, my mum and Dave were sat, I think Dave was next to Gerry and mum next to Russell, they were certainly on that side of the table, erm, yeah, I think it was Dave, I'm not a hundred percent on that. And then I think it was Jane and then Rachael. That's how I remember it. And I think possibly we were slightly rotated that way actually, because I remember me and Kate pretty much with our backs, erm, you know, to, to the apartments, so probably turn that round a bit actually. Yeah, Russell was probably, you know, more directly'.

1485

'So it is more sort of rotated''

Reply

'It's more twisted, yeah'.

1485

'Yeah, okay. That fine. Thank you. So tell me all about the meal then, everybody is sat down, was there food in front quickly''

Reply

'Erm no, we arrived, we ordered, it was very quick that night, you know, coming, I have to say. Erm, it was a great, I know it sounds awful in retrospect saying this, but it was, everyone had had the best day and I think because the weather had been better and everything, erm, you know, the boys had got extra sailing in the afternoon, everybody was on a real high, that night particularly, and everyone was saying, you know, we've just had such a great day, erm, so there was a lot of, you know, a lot of chat about what everyone had been doing and, you know, and a really nice atmosphere around the table'.

1485

'Uh hu'.

Reply

'Erm, yeah, I mean, we all ordered pretty quickly that night, I think, you know, there might have been a bit of wine on the table already when we arrived. Erm, yeah, nothing more than that when we arrived'.

00.39.47

1485

'So this is where I want you to think quite carefully now'.

Reply

'Yeah'.

1485

'In relation to the movement'.

Reply

'Umm'.

1485

'Because you said earlier on the visiting was more intense''

Reply

'I think it just seemed to be more people getting up and down that night. Maybe because, as I say, Matt had already checked on his way, you know, when we were coming down, so he was missing, then he came back. And then I think it must have got to nine o'clock and then, for Gerry and Kate, that was their sort of slot, half an hour sort of, because they had been there on time, so he went pretty much straight away, you know, very soon after we'd sat down'.

1485

'So Matt had already gone''

Reply

'Matt had gone'.

1485

'Had Matt come back before Gerry went''

Reply

'Erm, I don't know'.

1485 'Okay'.

Reply

'I would assume so, because it didn't take long to go back and, back and forth, so, erm'.

1485

'So Gerry went, what time do you think''

Reply

'That was fairly soon after we'd sat down, erm, I'd say about nine'ish'.

1485
'Yeah'.

Reply
'Erm, you know, we've thought long and hard about this as well'.

1485
'Yeah, (inaudible) and tell as much as you can'.

Reply
'I know, I know. Erm, I couldn't tell you how long he was away, how long he was gone, it didn't seem like long to me, it didn't seem any longer than, than any other check. But, erm, I knew he'd met and chatted to Jez, because he'd came back to the table and said 'Oh I've just bumped into Jez' and he had been chatting, erm, about the tennis and there was some more, erm, banter about that. Erm, and, you know, he reported back everything was quiet, you know, as he had every other night, there was nothing, nothing different about him or the way he was or what he said really. Erm, and then, at some point, Jane, erm, had left the table to go and check. Time wise, huh, I find it really hard to give you specific times because, as I say, I wasn't the one clock watching, erm, but I know she left some time after Gerry to check on hers, erm'.

00.41.04
1485
'What do you mean 'left', did Gerry come back before she went then"

Reply
'No, no, I don't think, I, I can't be sure, I know what happened and I know what they're say, you know, they've said and what they've seen, so obviously I'm piecing together what, what I know and I believe to be true, erm, so, you know, you've got to understand that as well'.

1485
'Umm'.

Reply
'But I can't, I couldn't tell you how long they were away. I know Jane went and she came back and everything was fine'.

1485
'Yeah, then after Jane"

Reply
'Erm, after Jane, I think the next, the next people to leave were Matt and Russell together, erm, and that, again, I would assume is around the sort half nine mark, erm, just to fit in

with the way they were checking the children. Erm, tut, and Matt, I do remember Matt coming back and saying well, you know, that 'Evie had been sick so Russell was staying with her', erm, and had told Jane, you know, 'If you can kind of eat up and then go back and we'll swap'. And I remember Jane wolfing down her main meal that had just arrived, erm, really quickly and then sort of heading back to relieve Russell. Erm, huh, I know everyone else has said this, because there was a lot of joking about Jane relieving Russell (laughs)'.

1485

'I was trying not to giggle then. Are you able to say what sort of, what time that was''

Reply

'As I say, I'm guessing, in my mind, it's about half nine, because that would fit in with what they've done every other evening, and I know that was the sort of time it felt like, that half an hour had elapsed and, plus, thinking we'd had our starters and the main meals were arriving, so that was, that all sort of fits in, in my mind, with, with the time. Erm, Russell had ordered a steak, I remember that, that night, because I had ordered a steak and they were really perfectly cooked and his arrived, obviously, and he wasn't there to eat it, erm, so they said they'll keep it warm and I remember thinking well, you know, it'll be really rubbish if you keep it warm. Erm, anyway Jane, as I say, wolfed hers down and headed back and then Russell came back to the table and, erm, and I recall this because I thought how good the service was that they actually came to the table and said 'Oh don't worry', you know, 'we'll cook you another steak', you know, 'the last one would be ruined'. So he sat down and there was a bit of a wait while they did another steak for Russell, erm, and so that must be between sort of quarter to ten and ten, because I remember just before Kate returned to the table having, having gone to check on, erm, on their kids, because that was pretty much when Russell's steak arrived, I remember that being at that point'.

00.43.59

1485

'Sorry, his steak arrived when Kate went to go and check or when Kate came back''

Reply

'I remember the steak being here sort of just before Kate came back'.

1485

'Did you see her go''

Reply

'Erm, I was aware she'd gone, erm, at what exact point, again, it's got to be between quarter to ten and ten o'clock, somewhere in that time period'.

1485

'Yeah. Okay. So tell me what happened when Kate, how long Kate was away and how she came back and what were you doing, what was the mood of the table like''

Reply

'The mood was, as I say, it was very jovial that night, everyone was in really, really good humour, erm, there was a lot joking. Erm, Kate, she was gone, again, I wouldn't have said it was for any longer, it didn't strike me as a long period of time, she was gone any longer than any of the other checks. Erm, but I do remember her coming back, erm, you know, I never will forget'.

00.45.09

1485

'Go on''

Reply

'Erm, tut, she sort of raced back and she just appeared at the doors of the sort of reception area and just shouted across, erm, 'She's gone. Gerry, Madeleine's gone'. And, you know, well you can just imagine the shock maybe. So everyone was just sort of still for what seemed like, sort of five seconds or so. Gerry jumped up and went 'She can't be gone' and raced off with Kate. And obviously we all followed, bar my mum, who I had said, I had the baby monitor, our baby monitor, and, plus, at that point, I just thought well, you know, the assumption was that she must have just wandered off, so I said to mum, you know, 'You stay put here just in case Madeleine comes down to the pool area' and gave her the monitor, our baby monitor, and said 'You you listen out for our kids'. So we all were sort of racing behind Kate and Gerry, erm, back up to the apartment. Erm, we didn't go in at that point, I think Kate, erm, Gerry must have rushed in with Kate and pretty much immediately Dave, erm, Matt, Russell and myself split up in four different directions just to do a search, you know, again assuming that she must have just wandered off. Erm, tut, so, you know, I don't know which way they went, but I, I went round the back of, erm, tut, well this way around the back of the apartments and round the back of the tennis courts on the main road and then cut down in front of the Baptista Supermarket and back up, that was the route I did'.

1485

'Yeah'.

Reply

'And by the time I got back everyone else had done their loop and at that point then no-one had seen Madeleine. Erm, I remember saying to Matt at that point 'You go down to main reception and phone the Police'. Erm, and I, I don't know what Matt, erm, I don't know what Dave and Russell did at that point. I said 'I'm going to go up to the', erm, 'Kate and Gerry's apartment'. Gerry had come down at that point. They hadn't found Madeleine, erm, panic was starting really. Erm, tut, after that really I stayed with Kate for the rest of the evening, I didn't, other than going onto their sort of balcony and out the front area of their apartment, I was with Kate. Erm, and Gerry, he was to'ing and fro'ing, in and out, in and out. Erm, it was just awful'.

00.49.05

1485

'So having got back from your search around the corner, did you go then straight into the McCANN's''

Reply
'Yeah'.

1485
'What did you see when you walked in, describe it'

Reply
'At that point, Gerry, I don't think was in the apartment, it was mainly Kate. And Kate was just, huh, utter disbelief and I had disbelief, thinking she's got to be here, you know, what, how can this have happened. And by that point Kate was already saying that the, what she'd found when she'd gone back, which was that the, she'd found the window open and the shutter open and she was convinced at that point that somebody had taken, taken Madeleine and that's what she was telling me and I was like 'They can't have done. They can't have done this', you know. And I looked, I looked throughout the whole apartment and I looked in all the cupboards, under the drawers, under the beds, behind the curtains, everywhere, erm, just, you know, trying to, knowing it had already been done, but you just do. Erm, tut, I looked, when I went into the room that Madeleine was sleeping in, the room was dark, Madeleine, erm, Madeleine's bed was sort of folded back, the sheets, quite kind of neatly really, erm, Sean and Amelie were fast asleep in their cots, they didn't stir, you know, I was opening the cupboards in the room and moving around the room, they didn't stir at all, which that was, that was odd. Erm, we were trying to ascertain whether Madeleine could have got out, and I've already said earlier the shutters were very heavy, and I was almost trying to convince Kate that she could have opened the shutter and climbed out, although knowing that wasn't a likely thing, but at that point we were just trying to pacify Kate in that Madeleine was going to be alright. Erm, and I, I think I touched the webbing in that room, but because Sean and Amelie were asleep, I didn't actually open the shutter in that room, we went, I went to the front of the house and I was trying to lift the shutter at the, at the back, just to prove whether, you know, whether it could have been opened and whether Madeleine could have opened it from the inside'.

00.50.31
1485
'And''

Reply
'I mean, it was fairly obviously, I think, that that wasn't what had happened and what could have happened'.

1485
'So what did you do, walk out of the apartment and round the other side then''

Reply
'No, I'.

1485
'Or did you do it from the inside''

Reply

'I did it from, I'm talking about, so, again, the back or the front, I did it from the back, which is where their balcony was'.

1485

'Yeah, yeah'.

Reply

'Erm, I don't know'.

1485

'How was Kate'

Reply

'Awful, erm, I've never seen such horrible raw emotion in my life and I've seen a lot of it in my job. Erm, tut, she, she was just bereft, she didn't know what to do, she was just panicking, extremely frightened, extremely frightened for Madeleine and, erm, was wondering where she was or what was happening to her. And the helplessness, erm, of not being able to do anything, what should she be doing, what could they do. Erm, she was angry, really angry, tut, punching walls, kicking walls, she was covered in bruises the next day, because she just didn't know what, what else to do. She was angry at herself, she kept saying 'I've let her down. We've let her down Gerry', you know, 'We should have been here'. Erm, tut, she was praying a lot. Erm, I just don't think she knew what to do, what to do. And she was just howling. It was just, just awful. I think as time went on it just seemed a massive delay from when we said to Matt to phone the Police, erm, that hour, it was an hour, it just seemed like an eternity, where nothing was happening, tut. Erm, you know, we're all intelligent people, we were all trying to think what we should be doing and, you know, what's going to make a difference. And Kate's ringing, Gerry's ringing anybody under the sun, family, they just don't, they honestly just didn't know what to do. So there was a lot of, Gerry's in and out, I mean, they were just sobbing, going between sobbing and then feeling helpless and then ringing people and this frantic activity. Kate was desperate to have a Priest, which, you know, people find weird, but I think that was just her way of thinking 'At least I can pray for Madeleine' and her way of feeling that she was doing something. Erm, tut, but she wasn't functioning'.

00.53.22

1485

'Did the twins wake up at all'

Reply

'They didn't. They didn't'.

1485

'In the aftermath'

Reply

'No, and that was the other thing, she kept going into the twins, she kept putting her hands on the twins to check they were breathing, she was very much concerned in checking that they were okay. But they were okay, I mean, they were fine, they didn't, they were asleep, but at the time it did seem weird, I remember thinking, you know, when the Police came they turned the lights on, there was loads of noise, obviously from the moment Kate discovered that Madeleine was gone, the screaming and the shouting and there was a lot of noise and they, they didn't, you know, so much as blink'.

1485

'When you were with Kate in the aftermath, who else was in the apartment, I know you say that Gerry was coming and going, was there any other''

Reply

'Gerry was coming and going. Dave came in and, erm, he came in initially with me, erm, when I went to Kate, I don't think he went in any of the bedrooms, I think he was just mainly in the living room trying to put together what they should all be doing really, he was talking more to Gerry, so he was in. I didn't see Russell or any of the other group in, in Kate and Gerry's apartment. Fairly soon after, erm, a girl called Emma, who, I don't know what her position in MARK WARNER was, she was sort of, erm, tut, I don't know what you call them, she was mainly working at the reception area, just as a, erm, tut, I don't know what you call her job title, she was sort of looking after everybody'.

1485

'Just one of the travel assistants or something, yeah''

Reply

'Yeah. Erm, huh, I mean, I don't know what time she got there, it seemed quite early on, she was, she was in the room for the most part, it was me, Emma and Kate with Gerry and Dave sort of to'ing and fro'ing until the first lot of Police arrived'.

00.55.20

1485

'Did you speak to Jane during that time or was it after that you spoke to Jane''

Reply

'No, it was during that time and I think after I'd been in the apartment, I think the furthest I went away from the apartment at that point was just to go to the stairwell to check, because I thought nobody had checked, you know, up, going up in the building to see if she'd gone up there, and I'd started to go up the stairs and then Jane had come out and said 'Oh Rachael's already checked' or somebody else was up there. And, at that point, erm, Jane had sort of rushed out and had said, you know, quietly, sort of almost pulling me away from Kate's door, erm, 'I saw a man carrying a child'. And the horror and realisation I think of what she had seen was quite evident at that point. And I took it as serious at that point, at what she was implying, that she thought she might have seen Madeleine. Erm, and I, in the panic, I just said at that point, I said, well the Police hadn't arrived, I said 'We've just got to tell the Police. We've got to tell the Police what you've seen'. And didn't say anything to Kate or Gerry about what Jane had told me at that point'.

1485

'Did you make a conscious decision not to tell them''

Reply

'It wasn't a conscious decision, but Kate's, I was just there with Kate trying to be a support and it was no way appropriate to be saying, you know, 'A man's carried Madeleine off''.

1485

'And did Jane tell you or give you a description of this man''

Reply

'No, not at, no'.

1485

'Exactly what was her words in relation to that''

Reply

'The only time I saw Jane was at that point that night when, and all, as I say, all she said, I can't remember her exact words, but it, it was, huh, the way she said it was urgent, it was, she was frightened and she said, you know, 'I saw a man carrying a child and I think it might be Madeleine''.

00.57.26

1485

'And did she say where she saw him''

Reply

'No, not at that point. This was all in immediate panic'.

1485

'Yeah'.

Reply

'So I was running around, Jane, you know, everyone was running around. And I, I went back to Kate. And Jane, as I say, what I said to her at that point was 'You've just got to make sure', you know, 'that you give that to the Police when they get here''.

1485

'Was there just you and Jane at that point''

Reply

'No, Rachael was around, erm, in the stairwell, she'd been up I think looking on the other floors, erm, so she was around. At that point I don't recall, I don't know where Matt and Russell were, I didn't see them really after, you know, our immediate search, until a lot later'.

1485

'And when Jane told you what she had seen how was her voice and how was her demeanour when she told you''

Reply

'She was shaking. I mean, we were all very shaken, I think the fact that by that point no-one had seen, you know, found Madeleine. Erm, tut, you know, as I say, I, huh, I know Jane and I know what she was saying, huh, I can't remember whether she said it was Madeleine but I know the implication was that what she'd seen, in retrospect, was highly, highly significant and, and in her mind I don't think really there was any doubt of what she'd seen was Madeleine being taken away. But I think the, it was almost, tut, everyone was trying to hope that that wasn't the case, it sounds stupid now, but despite knowing even what Jane had told me, I was still hopeful Madeleine would be picked up, you know, by one of the MARK WARNER staff or, tut, and I think, you know, even for Jane, that was even despite what she'd seen, she was still hoping it wasn't Madeleine'.

1485

'Okay. What did you do once she had told you what she saw''

Reply

'I went back to Kate. I mean, that, that was my main kind of role that night, again, was just, I was the only one really with Kate continuously for that evening and, as I say, at that point she was just in no state to be left alone and that was what I saw as my role really'.

01.00.00

1485

'Okay'.

Reply

'I didn't do any phone calling and I didn't, I didn't really do any more searching after that'.

1485

'Did you hear any phone calls or the nature of any phone calls made by members of the group''

Reply

'There were lots of, lots of phone calls going on with Kate and Gerry, erm, of which, yeah, I, I heard snippets and bits, they phoned the family, I know Gerry phoned his sister, Trish, and he was just sobbing and hysterical on the phone'.

1485

'Did you hear any of the conversations relating to any kind of TV crews, i.e. the BBC or the ITV''

Reply

'No'.

1485

'Anything like that at all''

Reply

'No'.

1485

'Did you hear any names who anybody was speaking to at that time''

Reply

'No, I mean, I know'.

1485

'Other than the family obviously''

Reply

'At some point in the evening I was aware that, I think it was really the late hours of the morning, that, erm, I think, was it Rachael who had contacted SKY. Bit I think at that point it was just, we just felt nothing was happening and, you know, you're just desperate wondering what to do. And I think I was aware that at some point, I think SKY News it was or BBC, one or the other, had been called by a member of our group'.

1485

'Right.

Reply

'But not Kate and Gerry, I mean, they didn't'.

01.01.42

1485

'Tell me about the remainder of the, before you eventually went to bed, tell me exactly what happened''

Reply

'Erm, well the next thing really was that the Police, two Policemen arriving, erm, at Kate and Gerry's apartment and they were Portuguese obviously, didn't really speak any English

and that was, that was awful again really, because we were obviously desperate and frantic and at that point time, we were just conscious of every second that was passing by and by that time it was over an hour, I'm sure, before they arrived, but it felt like longer. Erm, and they wanted to come in the room, obviously, and, you know, see where Madeleine had been sleeping and they were checking the shutters and we were just trying to get over the urgency and it just didn't almost feel that they were recognising the urgency, although obviously with the language barrier, I can appreciate, you know, it's very, very hard. Erm, and Kate was getting hysterical at this point, erm, she, you know, screaming, erm, because she just wanted somebody who she felt was doing, doing something that was going to make a difference. Tut, erm, and then, they were the only two Police Officers we saw for, it seemed like quite, I don't know, this is where the time gets difficult, but another hour I'd say, erm, and then I was conscious of more sort of uniformed Police being around, sort of out the front. I mean, we were to'ing and fro'ing between the front of the apartment and the back of the apartment. And, erm, there were loads of MARK WARNER staff obviously running around the streets, they kept coming up the stairs at the back saying 'Have you checked the apartment' and we're like, you know, 'Yeah, she's not here'. Erm, tut, and there were some other locals who were all trying to be helpful, some helpful, some not. There was a woman who worked, I think she was work, had worked in the bar in Praia da Luz and she had actually almost invited herself up onto the balcony and was just quite drunk and not being, just not saying anything very helpful and I remember getting quite cross with her, saying 'Look', you know, 'Why are you here', you know, 'If you're going to be helpful get out and look for her' and, erm, and I remember Gerry actually asking her quite politely if she wouldn't mind just leaving them. Erm, I think she was the only one really that, that actually came anywhere near the apartment that wasn't one of us or a Policeman. Erm, I was conscious, yeah, of a lot of Policemen in the, I don't know what you call them, the GNR or, they had the boots, the long boots and the uniform, so they were milling around the front and the back, again, all speaking Portuguese, we didn't really understand, you know, what they were saying or what they were doing. Erm, and I think, as I've said in my other statement, that's when I, around that time I saw Robert MURAT and that was at the front of the apartment. A I say, I'd been to'ing and fro'ing between the front and the back and I'd come out of the front, really just to see if anyone knew, had any information of what was happening, and, erm, Robert MURAT actually walked over to me and shook my hand and introduced himself, erm, and told me that he was, that he was a local, he was working with the Police and he spoke Portuguese and if I needed any help or wanted any help with translation then, erm, you know, he'll be there to help us. And I withdrew from him, I didn't, I don't know why specifically I remember him, I mean, I haven't got a very good memory for faces, I think the others will say, or people, but I remember him very clearly, because he looked a bit strange and he had a squint, he had glasses, he appeared as if he was with the Police, because he was standing in front of all these uniformed Police, and maybe it was my assumption that he was with them, erm, yet he was saying he was a local, and I didn't quite, in my mind, I said, well how come you're a local living down the road and you're here in plain clothes yet you're saying you're with the Police, it didn't, it just seemed a bit odd, erm, and he seemed overly in my face, I can't think of a better way of putting it, he was very quite sort of almost forceful in his introduction and, you know, at that point I was sort of almost trying to steer people away from the apartment, any extra people that weren't really needed in there, just because of what was going on inside and Kate's state, so I didn't really want somebody who I didn't know, erm, in there, erm, and I think I said in my previous statement to the PJ, there was just something that made me uneasy'.

01.07.12

1485

'Had you seen him before he introduced himself'

Reply
'No'.

01.07.15
1485
'Ever"

Reply
'No'.

1485
'During the time that you were there"

Reply
'No. No, and I didn't see him again. I was aware, I mean, as I say, on the balcony you could see down to the street and I was aware of him, erm, being around after he'd introduced himself and, again, he always seemed to be with the, these uniformed Police, in their vicinity, I wouldn't say he was with them, I don't know what his role was, but he was certainly around, but I didn't speak to him again'.

1485
'So a one and only time"

Reply
'Yeah'.

1485
'And exactly where did that conversation take place"

Reply
'It was kind of outside, erm, Rachael and Matt's apartment, in the front'.

1485
'That is the road side"

Reply
'On the road side, but it was under the cover, sort of between the, where the stairs are and Rachael and Matt's apartment, that area'.

1485
'Alright. And which direction did he come from"

Reply

'He, well he sort of came from the stair, where the stairwell was, that direction, and I was coming out of Kate's, erm, apartment'.

1485

'So did he look to you like he had come from the actual apartment block''

Reply

'He was already in the apartment block when I met him so'.

1485

'Alright. And you say he was in front of the local GNR''

Reply

'Yeah, they were behind him and, as I say, it was my assumption he was with them'.

1485

'Yeah. Did you actually see him or hear him speak to the local Police''

Reply

'No'.

1485

'Did he actually offer you any assistance, any service or, I know you are saying''

Reply

'Saying translating, that was what he said to me. I mean, he did introduce his name and I couldn't have told you it was Robert MURAT, I couldn't recall his name at all, but I recognise him'.

01.08.59

1485

'Right. Oh I see. So when he told you, he was a Robert MURAT, and then you realised who he was later on from the''

Reply

'When I realised, in fact, it was the day he was made, erm, brought in for questioning and we were watching SKY News, it was the afternoon in my apartment and Russell was in the apartment, and obviously, you know, again, we were all very shocked, there was any progress, who is this man, and he was on telly and it showed a picture and I was like 'Oh, is that the guy that was around on the night acting as translator', you know, 'with the squint', because you couldn't see in this picture, and Russell said 'Yeah, yeah, that's him', but I

hadn't seen him at all in the days following, erm, you know, Madeleine's disappearance, that, that on the telly was the next time I'd seen him'.

1485
'Yeah'.

Reply

'And that's again what makes me positive that he was the man, because, as I said, the squint was apparent on the TV and I said 'Oh is that', and Russell should remember this, you know, 'Is that the guy that's got the squint' and he was like 'Yeah, yeah, that's the same man' and I said then 'Oh, yeah, I saw him on the night outside'. But at that point we'd, erm, again this is something that's baffled me, why would we lie about it because at that point seeing him around the apartment after Madeleine's disappearance doesn't mean anything, erm, and we didn't know at that point that he had denied being there on the night, you know, we, we were just saying 'Oh, yeah, he was around', we've got no reason to, to make that up or lie, it's of no consequence whether he was there or not afterwards, of implicating him in anything, so'.

1485
'Right. Okay. How did the, well I am presuming now we are into early morning, aren't we''

Reply
'Yeah'.

01.10.45
1485
'What happened and when did you finally get to bed''

Reply

'It was after four o'clock, erm, tut, again, I don't know, that, that whole period, it's hard to sort of put a time to it. I remember it being after four o'clock, probably about half past four when we went to bed. But in that ensuing time the PJ had arrived, erm, the plain clothes detectives, I think there was a couple of them and they'd been in the apartment and obviously they, at that point, had said they needed to close off the apartment or move the twins. Erm, so I'd suggested putting the twins up in our apartment, erm, Emma, who was there, had arranged some of the MARK WARNER Nannies to get some extra cots and more bedding, erm, and we set up the cots in our living room and a bed for Kate and Gerry as well, not that they used it, but, erm, and then I think, I think they were Policemen, I can't remember who carried up Sean and Amelie. Erm, and we sat on the sofa, me and Kate with the twins asleep on us for a while, erm, and they didn't wake up and, again, that was quite strange, even in the transfer and, and being handled by people that weren't their parents, they didn't, they didn't wake up. Erm, and we settled them down and made a bed up for Kate and Gerry and I think it was around sort of half four'ish we decided we should all try and just get, get a rest, because everyone else had gone, you know, it was just, again, it was that feeling of helplessness really, everyone had gone, erm, you know, what are we supposed to do'.

1485
'Yeah'.

Reply

'Erm, tut, so Dave and I went to bed and we tried to sleep. Erm, I think about half an hour after that or an hour after that it was starting to get sort of vaguely light and Kate had come into the room just said 'Look, will you', would I look after Sean and Amelie and said they need to go and look for Madeleine and, erm, which I did. And I was conscious that, you know, Kate and Gerry were wrapped up warm and went out on the streets looking for Madeleine. Erm, tut, and the next morning is, again, it's a bit of a blur really, I know Kate and Gerry had to go in for questioning, erm, to the Police Station. Erm, you know, we helped with, with the twins in the morning and tried to keep everything as normal for them as possible. Erm, and then Dave went in with, erm, the others for the first lot of questioning. And, erm, we were sort of left at the MARK WARNER for the day, that following day. Erm, so that's, I don't know, time is sort of stagnant really, that following day, it's sort of hard to put times to anything. But we, we, erm, me, my mum and Rachael and Russell didn't go in, we were expecting to go into the Police Station at any point really, erm, expecting, you know, we would have to do a handover with kids, waiting for the other to get back, but they didn't actually get back until quite late, erm, and then, you know, we went in the evening'.

01.14.26

1485

'Okay. Is that everything you can remember''

Reply

'Umm, pretty much'.

1485

'Okay. Let's give you a break and break for lunch and then we will, alright''

Reply

'Okay'.

1485

'I just want to cover a couple of points that you raised'.

Reply

'Yeah'.

1485

'Just going back to your meal, where you say that Kate spoke about, this is probably a little bit out of synch'.

Reply

'Yeah'.

1485

'But you said that Kate told you about Madeleine waking up''

Reply

'Yeah'.

1485

'And you couldn't remember, you didn't, you weren't sure whether it was the night before''

Reply

'Yeah'.

1485

'Or, you know, the night before that''

Reply

'Yeah'.

1485

'What were the circumstances regarding her telling you that''

Reply

'She did, she brought it up and that she, I mean, this is awful in retrospect as well, she asked what my opinion was on, erm, tut, on whether they were okay leaving the, the doors unlocked, because she was saying 'Is it better that if Madeleine wakes up she can get out and find us or', erm, 'or locking it and, you know, finding that we're not there and the door's locked if she woke up', because Madeleine had woken up, what I thought was the night before. Erm, tut, and it was in that context really, just asking, you know, what I thought. So it was obviously something that was on her mind a bit, huh'.

01.15.57

1485

'So she asked you what your thoughts were regarding locking''

Reply

'Yeah'.

1485

'Did she say whether she had locked or''

Reply

'No, that was the point, I think they said they'd left it, well she'd said she'd left it unlocked'.

1485

'Left the patio'

Reply

'And she felt a bit nervous about it but Gerry, Gerry had sort of said 'Oh it will be fine', you know. But she was obviously, because it wasn't something she was quite easy with, that's the way it came across, you know, but, but Gerry said, you know, 'It'll be fine. It'll be fine'. Because I don't imagine she would have said anything otherwise if it hadn't been on her mind. And the fact was she, she, you know, commented on it being really strange that, that Madeleine had said this about waking up and them not being there and she'd mentioned that in the context of that conversation'.

1485

'And can you remember exactly what she said that Madeleine had said''

Reply

'Tut, just words such as, erm, 'Sean and I woke up and we were crying mummy and where were you''.

1485

'Okay. Did she say what she said to Madeleine after that''

Reply

'No, I think, it was more, the conversation was more Kate said she was trying to get more out of Madeleine, but as kids are, you know, they sort of move on and she wouldn't really, she couldn't really get out of her what had caused her to wake up or, or, erm, you know, whether she'd just woken up anyway and, you know, she never, never got that out of Madeleine'.

01.17.29

1485

'And what did you say''

Reply

'She didn't seem frightened or anything, I mean, that is what Kate did say, you know, it wasn't something that had frightened Madeleine. I said, in the context of the holiday, I guess I just said 'Oh I'm sure they'll be fine''.

1485

'Right'.

Reply
'Much to my regret'.

1485

'Was that the early part of, I mean, because you have only got a window of about an hour really, haven't you, in between, you know, you sitting down and Kate going and raising the alarm"

Reply
'Yeah'.

1485
'So'.

Reply
'It was fairly early on in that evening'.

1485
'Fairly early"

Reply
'Yeah, yeah'.

1485
'Could it have been the time that Gerry had gone to do the checking and then subsequently ran into Jez, could it have been around about that time"

Reply
'I couldn't say, I mean, you know, I'd say it was in the first half of the evening'.

1485
'Yeah. Is there anything else that you can remember about that conversation"

Reply
'No, as I say, it just strikes me, in awful retrospect, that, you know, Kate, I think, had done something that she wasn't quite happy with, in leaving the doors unlocked. And that is something again that she is going to beat herself up about for a long time to come because, you know, you, you like think that you acted on your instincts and I think her instinct was that that was something she wasn't really happy to do'.

01.19.12

1485

'When the parents, and I know that you said that you subconsciously wasn't taking that

much interest, but when the parents came back on the Thursday, having done their relaying of checking, can you remember anything that anybody said or anybody's demeanour that was different to how they left"

Reply

'Nothing, nothing, everyone came back, as I say, everyone was in good spirits that night, there was a lot of laughing and joking, there was no change in, in anybody coming back as from when they went'.

1485

'Is there anything at this present moment about what we have been talking about that you wish to elaborate on or what you have said has jolted something else in your memory that you haven't already said"

Reply

'There's something I want to get in, which is something that happened a few days after, erm, with regards to Jane. You were saying, did she offer any description, which she didn't to me but, I'm trying to think whether it was the Saturday paper or the Sunday paper, my mum had bought a paper and it was in our apartment lying around and I had read it sort of the day, you know, I think it was the Saturday paper, I had read it and, erm, it said in this paper a description of what Madeleine was wearing and it put white pyjama bottoms and I read it and thought, well that's wrong, because I know I was with Kate on the night as she was giving her description and I knew it had a pattern on the bottoms and a frill at the bottom, so I remember being a bit, huh, well that's just wrong, you know, how can they get it wrong, this is a National Newspaper. But then Jane came later that day and read the same report and she said just off the top, you know, after reading it out loud, 'Well maybe it wasn't Madeleine I saw then, if she was wearing white pyjamas, because they weren't white pyjamas' and I said 'Well what were they' and she said 'Well they had, I'm sure they had some sort of pattern on them and a roll-up or some detail at the bottom'. And at that point my blood ran cold, because they were Madeleine's pyjamas. And, you know, that was the description she gave, having not seen Kate, having not talked to, to anybody about what Madeleine was wearing. And, erm, and I think we both, you know, just thought there's no doubt in our minds that that was Madeleine'.

01.21.51

1485

'Yeah. And who was that to, that was to the Local Press, was it"

Reply

'What, the newspaper"

1485

'Yeah'.

Reply

'No, it wasn't, it was a National Newspaper that put'.

1485

'It was a National one, was it''

Reply

'Yeah, yeah, as I say, I think it, I think it was soon after, I think it was the Saturday, my mum might still even have the paper actually, she was the only one buying any, huh, erm'.

1485

'Okay. I am going to finish the interview now, alright''

Reply

'Umm'.

1485

'And I will tell you that there will be more interviews this afternoon, alright''

Reply

'Umm'.

1485

'So just relax yourself and have something to eat'.

Reply

'Yeah'.

1485

'And we will speak later'.

Reply

'Yeah'.

1485

'Alright''

Reply

'Okay'.

1485

'It is now twelve thirty-four'.

SIGNATURE (Sgd)_____

SM F PAYNE 10.04.08

00.00.03

1485

'Okay. The machine is now recording again and we are being filmed and monitored by my colleague and members of the PJ and parts of Leicestershire Police, erm, us as well'.

Reply'Okay'.

1485

'It is still Thursday the tenth of April two thousand and eight and I make the time by my watch **fourteen ten,** okay"

Reply'Yeah'.

1485

'I am DC Ivor MESSIAH and I am with the Leicestershire Police Major Crime Team. Can you just tell me who you are please"

Reply

'I'm Fiona PAYNE'.

1485

'Okay. As before, I am just going to ask you quite a lot of questions, I say 'ask you a lot of questions', I am going to try and get you to do a lot of the talking'.

Reply

'Yeah'.

1485

'A lot of the questions are open and I would like you to exhaust your answer as much as possible. And if you need time to think about a question or an answer then take as much time as you need. And, as I say, try and answer every question to its entirety'.

Reply

'Okay'.

00.01.00

1485

'Do you understand that"

Reply
'Yeah'.

1485

'Alright. And all you are is a witness, you are not a suspect. Right. Okay. This next stage of interviews is going to be based around questions being given to us by the PJ, the Portuguese Police Officers, in relation to your stay in Portugal'.

Reply
'Uh hu'.

1485

'I mean, a lot of the questions, you have answered, but I am just going to put the question to you'.

Reply
'Yeah'.

1485

'Just so that we have clarified'.

Reply
'Yeah'.

1485

'You know, the Portuguese agenda. Does that make sense'

Reply
'Yeah, that's absolutely fine'.

1485

'Okay. The first question I am going to ask you is, how did you check your children'

Reply

'Erm, as I said earlier, we had brought a monitor with us, which we use at home, a digital monitor, erm, and that's what we chose to use while we were out there. We ascertained on the first day we were there that it worked, you know, from the distance that we were at, absolutely perfectly, we felt no apprehension at all about using that. So, as I drew in the diagram, we put the base unit between the two rooms, on the top sensitivity and I sat with it at the table literally plonked right in front of me for every evening that we were out'.

1485

'Yeah. And you used it every single night that you were''

Reply

'Yes'.

1485

'At Portugal''

Reply

'Yeah'.

00.02.33

1485

'Did it ever go off or did the children ever wake up''

Reply

'Never'.

1485

'Never'.

Reply

'In fact it's probably the first week we've had where our children, Scarlet being the youngest, actually slept for a whole week all the way through, I just think they were so exhausted'.

1485

'Yeah'.

Reply

'They just, you know, they slept very well'.

1485

'Yeah. Okay. Do you normally use it when you are travelling''

Reply

'We've used it before, erm, we haven't really done what did in Portugal before, i.e. leaving the apartment to, to go and have a meal. Erm, we'd used it, as I said, the year before we'd gone to Greece, erm, and at that point Scarlet was about three months old, erm, and in that scenario, we'd taken it with us, we didn't really use it much. I remember Matt and Rachael using it, erm, for Grace, because she was quite young at the time, erm, in that situation they were in a different villa and they came to our veranda in the evening for a drink and

used it much like we did in Portugal. But we didn't really need it much, I suppose, in Greece'.

1485
'Right'.

Reply
'Erm, but I do always travel with it when we go away'.

1485
'I take it, have you ever loaned it to anybody"

Reply
'No, other than'.

1485
'Did you ever loan it'.

Reply
'Other than Matt and Rachael on that holiday'.

1485
'Yeah'.

Reply
'But to people I know, no. No, it stays at home otherwise'.

00.03.53
1485
'Did you ever loan it to say anybody on this holiday, perhaps during the daytime or"

Reply
'No'.

1485
'It was always in your possession, was it"

Reply
'It was always in our possession'.

1485

'Okay. I believe you have answered this question as well, but I will ask you again anyway. What time did you come back from the beach on May the third''

Reply

'Erm, I believe we left the beach at around sort of just after six, ten past six, something like that, so we would have been back, it would have taken us a good ten minutes to walk back'.

1485

'Right'.

Reply

'So it would have been, I'd say, about twenty past six, twenty-five past six'.

1485

'And who were you with, was it just yourself or was it with others''

Reply

'No, I had my children, Lily and Scarlet, erm, Rachael had been there with Grace and Jane with Ella and Evie and my mum, keep forgetting my mum'.

1485

'Your mum, yeah. Was your husband there''

Reply

'When we walked back''

1485

'Yeah'.

Reply

'He'd gone earlier with, with, erm, Russ and Matt, they'd all left earlier to go for the tennis, the men's tennis'.

1485

'Right. Oh because you said you thought it was rude that they'.

Reply

'Yeah'.

1485

'That they wanted to go back early or something''

Reply

'No, I, I said they should be there on time for the tennis'.

1485

'Yeah'.

Reply

'Being as they'd asked to move the time earlier'.

00.05.06

1485

'What time would the tennis have started then''

Reply

'I think usually it was half six. This is where, you know, I can't remember whether we changed it the night before as well. But I know, because we were the main group using the tennis evening, you know, they said oh well it's fine to move it back to a different time because, you know, we were kind of the only ones playing. So I can't remember on Wednesday whether it got moved back to six o'clock. I'm pretty certain on the Thursday it was moved to a bit earlier'.

1485

'Right'.

Reply

'Six until seven'.

1485

'And the next question is, where were you exactly between six pm to seven pm' I know you have'.

Reply

'Six to seven. So, from six to ten past six, I would have been at the, erm, the Paradiso Restaurant, or whatever it's called, on the beach'.

1485

'Yeah'.

Reply

'Erm, you know, and then we walked back up, so I'd say that would take ten or fifteen minutes. Then we went straight to the tennis courts area, the play area with the children,

erm, and we would have stayed there, you know, for fifteen, twenty minutes, before going up to the apartment. Erm, and we went straight from the play area to the apartments'.

1485

'Yeah. And so, what you are saying is, you were at the Paradiso until ten past six''

Reply

'Yeah'.

1485

'Then it took you fifteen minutes to walk up''

Reply

'Yeah'.

485

'So you would be up to the tennis courts''

Reply

'We were certainly there by half past, I would say'.

00.06.31

1485

'By half past''

Reply

'Half six, yeah'.

1485

'Watched the tennis for about fifteen minutes, that takes to you to quarter to''

Reply

'Yeah, I'd say, yeah, between fifteen, twenty, twenty-five minutes, that sort of time, but I certainly would have left before seven to go back and start bathing the kids'.

1485

'Right. And when you were at the tennis courts, exactly who was there''

Reply

'Erm, the people that walked back with, with me, so Rachael and Grace and Jane and the kids and my mum. Erm, and then the men were playing tennis, so Gerry, erm, and Russell and Gerry, sorry, Gerry, Russell, I've forgotten all their names (laughs), Dave and Matt, so they, yeah, they were all participating. I couldn't tell you when, if, if any of the other

women left, what time they left to sort their kids out, you know, maybe a bit later, it's not we all went together or anything, but I couldn't tell you who left when'.

1485

'Yeah. And was it just your group that was playing tennis at that time''

Reply

'In the men's tennis''

1485

'Yeah, in the men's tennis'.

Reply

'Erm'.

1485

'Was there anybody else there for example''

Reply

'Erm, tut, no, I can't recall. Erm, tut, there was this other Doctor, guy, he played a lot of tennis, I think he might have been there, he was a young chap, erm'.

1485

'Do you know his name''

Reply

'No, I mean, Kate and Gerry were sort of more, as I say, they were all the tennis side, they were a bit more friendly with the other people that had been playing that sort of tennis. Erm, so there was this other guy and a guy called Steve, I think, possibly. I don't think it was just the four of them. Erm, again, I couldn't, I couldn't swear on that'.

00.08.33

1485

'As I understand it, there was a tennis tournament taking place the following day, wasn't there, was there nobody practising or''

Reply

'Well there was only two courts and during that time, because this was a set, erm, MARK WARNER tennis sort of hour'.

1485

'Yeah'.

Reply

'You couldn't book the courts for practice, erm, so both courts were, for that hour, the men's tennis. Erm, so I don't recall anyone else playing in the, you know, or practising. Erm, I think, you know, I, I, as I recall, I mean, I couldn't say for sure whether there were other men there, I seem to remember there being a lot of focus on them sort of playing what they wanted to play, the, you know, out of, you know, Russell, Matt and, erm, and Gerry, you know, I'm sure they were practising doing shots and things like that, which is what they wanted to do, so I think if there had been other people there, they would have been having to join in with that. Erm, because I think, I mean, Dave on his camera might even have photos, I think I even took photos, erm, of them practising doing a serve'.

1485

'Right'.

Reply

'You know, measuring the speed of the ball and all this sort of stuff, you know, it was all a bit more, as I say, competitive than, than the girls. Erm, I can't swear on it that there was anybody else present basically, no. Maybe I'm not tuned into it'.

1485

'Yeah. What I was going to say was, that I understand that the kids had a tennis hour round about eleven o'clock in the morning during that day and that Madeleine had been part of that practice. Were you aware of that''

Reply

'No, no, because our children weren't of that age really, they sort of did different things'.

1485

'Right'.

Reply

'I mean, obviously I was aware after, I've seen, I've seen pictures'.

1485

'Yeah'.

Reply

'Erm'.

00.10.29

1485

'Because Jane TANNER had actually taken a picture of Madeleine with the racquet''

Reply
'Yeah'.

1485
'Were you there''

Reply
'No, I wasn't, I wasn't there'.

1485
'No. So, and again, you have answered this question, but between six and seven as well, could you tell me where David was''

Reply
'Erm, I can up to a point, yeah. He was, as I say, he left, as I see it, around six, erm, and then I wouldn't have seen him again until I got to the tennis courts to see him play tennis, so that would have been about half six and then he was playing tennis for that whole half an hour and, as I say, we left him playing tennis, when me and my mum went up to bath the kids and he, he didn't sort of return until after seven, ten past seven, quarter past seven, something like that, so, yeah, that's where he was. And then the rest is what he's told me, erm, again, I couldn't tell you times, but I know before he went, went to tennis, he popped in on Kate and the kids, erm, and saw them all in their pyjamas, ready for bed, having a story, before going to join for the tennis, so I can only assume that that was between, erm, you know, six and half past'.

1485
'So he didn't tell you a period of time where he did that then''

Reply
'Sorry''

1485
'He didn't tell you the period of time which he checked on''

Reply
'Well he said it was before tennis'.

1485
'Before tennis''

Reply
'Yeah, before going to the tennis'.

1485

'And the next question is, okay, and you have just answered it. If he is not with you during this period then where did he go and with what intention' Well it is obviously it is to play tennis, isn't it"

Reply

'Umm'.

00.12.19

1485

'Although you can't say one hundred percent, can you, if he was on the tennis court between six and seven, can you"

Reply

'No'.

1485

'You can say he was there between quarter to seven and seven"

Reply

'I feel I'm answering Dave's question for him'.

1485

'Yeah'.

Reply

'Because all I know is that he, he said to me later on that evening that he had been in on Kate and the kids. Erm, now I'm taking that as before tennis, whether it was that Gerry stayed on playing tennis and Dave came back earlier and popped in before coming up to our apartment, I, I can't, I can't be a hundred percent on that'.

1485

'Yeah'.

Reply

'Erm, you know, contrary to what you're thinking, I mean, huh, you know, we don't'.

1485

'I don't think'.

Reply

'Well, you know. Dave's, erm, you know, I believe that's for Dave to say what he did

really'.

1485

'Sure, yeah'.

Reply

'But I know, I know he said'.

1485

'It is your interview'.

Reply

'Yeah, I know he said he'd been in there'.

1485

'Yeah'.

Reply

'Erm, and that was before coming back to our apartment, so between, between six and seven o'clock'.

00.13.11

1485

'Yeah. If you don't know you don't know'.

Reply

'Yeah'.

1485

'That is the answer really, isn't it'

Reply

'Yeah'.

1485

'During your stay at the Ocean Club holiday apartment, did you ever leave your apartment doors and windows open'

Reply

'No. No, I mean, generally there was always, if we left the apartment open, there would have been one of us in it, and obviously there was three adults. Erm, we did occasionally leave, because there were three of us and only one key, if we were doing different things,

we did, occasionally, during the daytime, leave the key under the mat at the front door just so my mum could get in and out. Erm, but if we were, if we were going out for the evening altogether, we took the key with us, so it was only during the day we sometimes did that'.

1485

'Yeah. Incidentally, when you were actually in your apartment, you know, locked up for the night''

Reply

'Yeah'.

1485

'What is the securing arrangements, if you like, what happens, how do you lock your French doors, how do you lock you''

Reply

'The French doors were fairly flimsy, I think they were just, as I remember it, just one of these little vertical sort of slots that go up and down and that was it, you couldn't really lock it any more than that. Erm, as I say, the shutters that were on the windows, we never really touched. The window in the kitchen, we did open that, just when we were cooking and stuff, erm, but we would close that and lock it, I can't remember what the lock mechanism was on it'.

1485

'Yeah'.

Reply

'But, erm, and other than that, once we were in, as I say, the front door had the double lock on it and we generally, erm, used the double lock once we were in for the night and when we were going out'.

00.14.55

1485

'So single locked it when you went out and double locked it when you was in''

Reply

'No, we used to double lock when we were going in and out'.

1485

'In and out'.

Reply

'But, you know, but you were saying, when we were in for the night we just locked it from the inside. Yeah, the kitchen window would have been shut, as I say, we always kept it

shut, unless we were cooking, and locked'.

1485
'Yeah'.

Reply
'And the same with the French doors really, if they weren't open they were shut and locked, we didn't, we didn't ever leave it open really'.

1485
'What about your internal doors''

Reply
'There were no locks that I recall, other than on the bathroom, on the internal doors. Erm, and was kept Lily's ajar, erm, and Scarlet was in the room with us and we probably shut that when we were asleep'.

1485
'So at any time would the internal doors be closed''

Reply
'Overnight''

1485
'Well at any time during your holiday''

Reply
'Yeah, yeah, at night-time'.

1485
'At night-time'.

Reply
'Ours would be, but that was the only door really, as I said, Lily always like to have a bit of light coming in from outside so she always sleeps with the door ajar, erm'.

1485
'Scarlet is in with you, isn't she''

Reply
'Yeah, yeah, so it would have just been our room that the door would be shut'.

1485

'What about when you go for something to each, because that would be the time that you would leave the kids''

Reply

'The time when we were leaving the kids, the doors were both ajar, Scarlet and Lily's room'.

00.16.17

1485

'Yeah. And the French door would be locked''

Reply

'Locked, yeah'.

1485

'Using that little latch''

Reply

'Yeah, yeah'.

1485

'And the'.

Reply

'The outside door would be locked, the front door'.

1485

'Would be locked as well''

Reply

'Yeah'.

1485

'And there is just one key''

Reply

'One key'.

1485

'And who would keep possession of that''

Reply

'Whoever was last to lock it really. Erm, it was usually my mum, who took it upon herself, because she carries a handbag everywhere, to keep, erm, keep the key if we were all out together'.

1485

'What about the rest of the party, Kate and Gerry, did they ever discuss with you whether they locked their doors or their windows when they were in and out''

Reply

'Erm, I mean, I was aware of them swapping their arrangement at some point, because I know they had been coming, using the front door, erm, which is the door with the key, to go in and check the children, and then, at some point, that changed to using the back door, just because, as you can see from the map, it was quicker for them to do that and easier to get in, then just sort of quickly nip in through the French doors and out again. I couldn't tell you what point that was, but I know, I know there was a conversation about, oh we've started nipping in that way rather than going the long way round. Erm, so, I suppose, at that point, that's when they, because you couldn't lock the French doors from outside, that's when they weren't locking it'.

00.17.34

1485

'Yeah. How far down the week was that''

Reply

'Erm, I mean, my feeling is, you know, they did it the front way for a couple of night and the rest left it open, but I don't know, I mean, they'd know that, as I say, I just remember the conversation'.

1485

'Yeah. Did Kate ever discuss that with you, you know, when she discussed about Madeleine, did she ever discuss, you know, the''

Reply

'No, as I say, it came up at that, that conversation, which I think was on the, on the, on the Thursday night, about, erm, you know, whether I would feel happy leaving, leaving a door unlocked, but that was the only time I'd heard Kate sort of almost saying, question whether they should do it or not'.

1485

'Did she say that she actually left it unlocked then''

Reply

'Yeah, she must have done, because I knew that it wasn't locked. And I was a bit'.

1485

'And did she'.

Reply

'I mean, I was a bit surprised, I mean, Kate, you were asking about what they're like as parents, and they're certainly not, erm, paranoid parents, what I would call paranoid parents, you know, but they're very, very careful parents. Erm, you know, I've got friends who are very laid back and, you know, I wouldn't be surprised, erm, for them to feel happy doing that sort of thing. But it did surprise me a bit with Kate, because I think, you know, she is, between her and Gerry, they are very different, she is very cautious, Gerry, erm, you know, is probably more sort of happy to, tut, relax and go with the flow and that sort of thing, Kate is very, very much more cautious. So, you know, I think, as I said earlier, I think that was something she wasn't quite happy with'.

1485

'Did she say that she had confronted Gerry over that matter''

Reply

'No. No, I mean, I think they'd discussed it and, you know, she, she had, huh, it sounds like it happens a lot, when I say, you know, about deciding to go on holiday, but, you know, he's very much 'Oh it'll be fine', you know, and she was like, you know, yeah, most of the time he's probably right, you know, she worries a bit too much and he worries less. But, you know, I don't think there was an issue between them about it but, as I say, Kate was, it was just something that I'm sure was on her mind that night'.

00.19.41

1485

'Yeah. And did they, during the aftermath, if you like, did they discuss how they left their doors on that night inside''

Reply

'As in the French doors''

1485

'Well, you know, the French doors and the inside doors, did they discuss with you how they left the doors''

Reply

'They always, Madeleine, the room Madeleine, Sean and Amelie were in was always left ajar, I think for the same reason that we leave our kids doors open, they liked a bit of light they didn't like it to be shut fully, so I was aware of that. And then I know that the French doors, although not locked, were closed, and I think the curtains pulled to as well. Erm, and I know there's been a lot, when Kate, the night when we came back and Madeleine was gone, and I think that was something that had, erm, there had been some discussion about,

because she'd, the door had slammed, erm, when she'd gone in, had slammed shut, and she'd gone back to look, thinking she'd left the French doors open and, in fact, they were shut and she thought, well where's the breeze coming from, and it was then that she'd opened the door to realise that the window was open and that's why the door had slammed'.

1485

'Right. What about the rest of the group, Jane and Russell, did they ever discuss with you about their locking arrangements, doors and windows'

Reply

'No'.

1485

'I know what you are going to say, you are going to say, ask them, but, you know, I am just asking you whether they asked'

Reply

'It wasn't something that came up, so, no, I wasn't really'.

00.21.11

1485

'Or they discussed with you'

Reply

'No'.

1485

'They didn't discuss how they left their children, for example, within the flat or within the apartment and whether there was any change'

Reply

'No'

1485

'Was it Kate and Gerry's system that changed through the week or was it everybody's in general'

Reply

'Erm, no, I think, as far as I'm aware, Russ and Jane and Matt and Rachael still went the long way round'.

1485

'Yeah'.

Reply

'And I think it was only because Kate and Gerry's apartment had that little side gate'.

1485

'Yeah'.

Reply

'That, you know, it made it so easy for them to go in that way, whereas, for everyone else, there wasn't really that option of nipping in a back gate'.

1485

'Yeah'.

Reply

'Erm, actually the only way you could get in, erm, well the easiest way of getting in was the long way, was going round to the front so'.

1485

'Yeah. Wasn't somebody else downstairs though'

Reply

'They were all downstairs but there wasn't access to, direct access to the back gardens'.

1485

'Right'.

Reply

'Because there's, there's a long wall and at each end of that whole row of apartments you can get in the ground floor apartment through a gate, so Gerry's and whoever would have been at the far end, but the ones in between, there was no, no direct, erm, access'.

00.22.29

1485

'What about Matthew and Rachael, did they discuss with you at all their securing or unsecuring arrangements, whichever the case may be'

Reply

'No'.

1485

'There was never any discussion''

Reply

'I mean, I guess, I mean, as I said at the beginning, you just assume everyone's locked their apartments and gone. And, as I say, I assume Kate and Gerry had even done that, it was only that night I realised that they hadn't or I'd even thought about the fact they were going in the French doors and you couldn't lock it from the outside, but I was aware their system changed and I was aware erm, on that night that their apartment was unlocked'.

1485

'Yeah. In the days prior to Madeleine disappearing, did you ever check on your kids and, if so, how often''

Reply

'In the evening, once we'd left the room, we didn't go back until it was time to go back, on any of the nights. We didn't hear any crying, we didn't hear any noises to, to raise any suspicion to go back and check. So, no, we didn't'

1485

'And why was that''

Reply

'Because we didn't have any reason to, we felt the kids were fast asleep and, and happy. And I'd just like to say, our monitor, if it loses any contact with the base unit at all, it, it alarms, so, you know, we knew we were in continuous contact with the children'.

1485

'Yeah'.

Reply

'And had there been any noise we would have gone to check, but that didn't happen'.

1485

'From what we have discussed so far, is there anything that you think that we haven't discussed or I haven't asked you, which you could be quite pertinent to, you know, what we have been talking about, does that make sense''

Reply

'Yeah. Erm, no, I mean, things will probably come up later and I'll probably drag you back. But, erm, it's just, it's hard putting it altogether and there's so many things that, since May, have come into my head as important, but at the moment I don't think I can think of anything that, you know, in particular'.

00.24.54

1485

'I mean, I know that, I know that you have, so many things have been duplicated, haven't they, since you have been interviewed, you have been interviewed over in Portugal and then you have been interviewed over here. And what I don't want you to think is, well I've already answered that so I won't'.

Reply

'I don't think we have answered many questions to be honest, you know, before'.

1485

'Coming here, yeah'.

Reply

'Yeah'.

1485

'And, as well, don't assume that we know everything, if there is something that you are thinking, oh I assume that they know that so I'm not going to say, if there is something that you think perhaps, you know, ought to be highlighted, that we haven't brought up, you know, just bring it up at any time, alright"

Reply

'Umm, I mean, the bit with Dave checking the children, I would like to highlight that, in the fact, the reason he mentioned it is because they were so, it was a picture of an idyllic family. And I think that is important because of all the Press and, you know, what they've been accused of'.

1485

'Yeah'.

Reply

'You know, I think the picture Dave described could not be further from what has been suggested happened to Madeleine'.

1485

'Yeah'.

Reply

'And that is important I think to put in and that is why he thought it was worth a mention to me'.

1485

'Yeah. Tell me about that picture that he said then"

Reply

'Well he just said it was just, you know, a really lovely picture. He popped in and the, you know, the reason I guess Gerry had asked him just to check Kate was okay, bathing three kids on her own and didn't want him to come back, and he just found it funny because it couldn't be further from, erm, the truth, you know, what Gerry had suggested, you know, that she might be needing help, she'd sort of done it all and they were all shining, gleaming, happy children, you know, sitting down, lovely, all ready for bed. And I think that, you know, that was why he mentioned it, because it was a lovely thing'.

00.26.33

1485

'Yeah. Okay. Now I am going to move on to questions that Gerry and Kate have asked to be asked, okay''

Reply

'Right'.

1485

'And question number one is, how long have you known Gerald and Kate HEALY and what kind of a relationship is there between you and the McCANNs''

Reply

'Erm, I first met Kate, erm, at work, erm, we both, she was an Anaesthetic Registrar at Leicester General and I just started work there, it was towards, I think it was December two thousand, erm, and we'd often be on-call together, her covering the Intensive Care Unit and me covering Theatre, so we'd often, erm, you know, be there sort of late in the evening in the coffee room just sort of chatting, that's how we sort of first got to know each other and very quickly became good friends, we've got a lot in common. And I met Gerry, I think the first time actually at work, when I was on-call at Glenfield, where he works, again in the coffee room, huh, not suggesting we sit and drink coffee all the time, but, erm, I first met him there. And then, subsequently, you know, I think they stayed over at our house for, for a night out, a sort of medical night out, and, erm, they met Dave, that was the first time they met Dave, and it's just gone on from there really. So we've, we've always got on really well, I think, erm, all got a lot in common, Gerry and Dave into their sports as were me and Kate, they're very laid back, very easy going people and, you know, really good company. Erm, we've been on holiday numerous times with them. Before we had children we went to Lanzarote for a week to one of these sports, erm, sports centres, erm, that was when she was pregnant with Madeleine. Erm, and, yeah, we've met up regularly. Erm, you know, we've had a really, as I say, a very, very strong friendship with them'.

00.28.39

1485

'What about your wedding, was it your wedding in Italy''

Reply

'Yeah, yeah'.

1485

'They came to your wedding'

Reply

'Yeah, they did, Madeleine was only three months old'.

1485

'What year was that'

Reply

'Two thousand and three, erm, September'.

1485

'How was that holiday'

Reply

'Fantastic. They'd gone out a bit before, erm, we got married at this sort of Castle and it had accommodation attached and they'd booked a whole sort of week there, so they were there for a few days before, running up. And they were great, you know. Madeleine had not been an easy baby by any stretch, but, I mean, Kate relished every minute of it, despite the fact Madeleine was a baby who would not be put down, you know, without yelling. And, you know, you'd often go and visit her in the afternoon and she'd be there jiggling in front of MTV with Madeleine, which she'd been doing all day, you know, still with a smile on her face and, erm, that, that was Kate, you know. Erm, but I think they saw our wedding in Italy as a bit of a turnaround, because Madeleine, they had a good week, Madeleine sort of started sleeping and things'.

1485

'Yeah'.

Reply

'And, erm, they were just very relaxed, very, you know, very happy to be there'.

1485

'And how did you find Gerry on that holiday'

Reply

'The same as every really, yeah, the same as ever. Again, they just chilled out and enjoyed being there'.

1485

'Because you have painted the picture, haven't you, of Kate being quite'.

Reply

'Umm, I guess because Kate's my main, my main friend'.

00.30.00

1485

'Yeah'.

Reply

'But Gerry is so, I mean, his personality is just positive, positive, positive, I've never seem him, you know, bar May the third, almost down about anything and even then he's remarkable in my, you know, in my eyes, because he is so positive. Erm, you know, he's got a lot of energy and he's very much hands-on and always has been with all the children and he's just, you know, he's a fun dad, as soon as he's in the door, he's up for doing it all, you know, he'd be up in the night and changing their nappies, he's very hands-on and very brilliant with Madeleine and the twins, he was a father. You know, they've always been an incredible team. I mean, you imagine, I know other people that have had twins, you know, but to imagine they had a small toddler and twins, you know, I can imagine myself being completely phased by that, but, again, you never saw them complaining about lack of sleep or anything, they were always positive, out there doing stuff and just getting on with it and enjoying it and they've never given any other impression otherwise between them, ever'.

1485

'Yeah. Did you ever visit their home in Rothley''

Reply

'Yeah, lots'.

1485

'When you say 'lots' so are we into double figures over the years''

Reply

'We visited the day, yeah, yeah, we visited the day they moved in and bought them pizza (laughs). Erm, yeah, and been over, I mean, Kate and I often meet up during the week, on my days off and her days off, you know, with the kids, sometimes without the men. Erm, but, yeah, we've been over socially as well with partners and kids and weekends and birthday parties and, yeah, spent a lot of time there'.

1485

'And it has always been a nice social event''

Reply

'Absolutely'.

1485

'No issues''

Reply

'No, I mean, before, when they lived in Queniborough, you know, the same there really. No, I mean, I can honestly, I'll say this as well, the week, erm, tut, before we went to Portugal, I had a day, Kate and I organised a day just shopping in Nottingham without the kids, as a bit of a treat for us, and, erm, it was Kate's birthday and we sat and had lunch and she said 'If it didn't sound so sort of, you know, smug, I would say I could not be happier, you know, as a family', she's got everything she ever wanted, she's happy in her marriage, happy with the kids and that was the, you know, the month before we went, so, and that was them'.

00.32.32

1485

'Yeah'.

Reply

'I mean, they were just happy. They were just genuinely happy. And we never saw them any other way'.

1485

'And the kids were always happy''

Reply

'Absolutely'.

1485

'No'.

Reply

'I mean, they all have, they all have their tantrums and stuff, yeah, erm, you know, I wouldn't say they were perfect kids or anything'.

1485

'I mean, put aside'.

Reply

'But they just had a really good way of dealing with them. I mean, Madeleine, you know, any, any toddler is going to have their moments of tantrums, but they always dealt with her very well and, you know, they, they, probably a lot better than me, I mean, I shout at my children, I never heard them even shout at Madeleine, they were always very calm with the way they handled her and, erm, you know, just very calm parents, they never seemed to be run ragged or, you know, which, as I say, with three young kids you would imagine most people would, but they, they weren't'.

1485

'I mean, put aside your friendship, you know, take off your friendship head for a minute. When you have been round or been in the company of them with their children, is there anything at all that you might think, oh I wouldn't have done that or''

Reply

'They were perhaps easier on their kids than I'd be, but that was all I'd say. No, there was, you know, absolutely nothing, no. They were a good team'.

00.33.48

1485

'And you say that it is dozens of times over the years''

Reply

'Yeah'.

1485

'Had you spent holidays with them at any other time, we have already discussed this, haven't we, you didn't''

Reply

'We said one before kids and then we went to Majorca, erm, that was two thousand and five, September two thousand and five, for two weeks, with Kate, Gerry, their three children and then there were two other families, erm, who weren't on this holiday, I don't know whether you want their names, but, erm, we had a big villa and, you know, four families for two weeks and, again, had a, had a fantastic two weeks'.

1485

'What resort was it''

Reply

'It wasn't a resort, it was sort of a bit out on a limb actually'.

1485

'In the middle of nowhere''

Reply

'Yeah, a bit in the middle of nowhere and don't ask me what the name of the place was, I'm terrible with names and places, but Dave might well remember. Erm, you know, it was about, I think an hour North of Palma somewhere, but, you now. Again, all I can say, I can't say it enough, they were just very, very laid back people who are very easy to get on with and, you know, good company'.

1485

'Yeah. You know when you were away with them the previous times''

Reply

'Uh hu'.

1485

'How were they, how did they look after the children, well that is totally the wrong way of saying that, how were they in relation to the children''

Reply

'Well, again, I mean, I look back to Majorca and the twins were, what, only six months old and Madeleine, what, two, and still they, they were a slick machine, you know, a well oiled machine, the way they did everything routine, they were very much like I am with, and Dave, with our kids, very much operate by routine and, you know, bedtime routines and lunchtime routines, but they worked very hard and worked very hard together, erm, and made it look very easy and that's how it always came across with them, it never, it never seemed arduous or hard'.

00.35.48

1485

'Yeah'.

Reply

'Erm, and they, and they never moaned about it, so it just seemed that way, you know, they were just, just very easy'.

1485

'What about the night-time arrangements on previous holidays''

Reply

'On previous holidays''

1485

'Umm'.

Reply

'Erm, I think, again, Madeleine, on that holiday, Madeleine was in with Sean and Amelie, erm, but they were in bedrooms next door, it was just a big villa so we were, we all had enough bedrooms to have the children in one room, adults in the one next door. Erm, but in terms of the evenings, we all just took it in turns to cook for everybody and then we'd sit either at the dining room table or on the patio and have our evening meal and go to bed'.

1485
'Yeah'.

Reply

'We had a hideous time with our eldest that holiday, because she didn't sleep a wink for about two weeks, every night, so we were generally pacing around, erm, on the outside of the villa'.

1485
'Yeah'.

Reply

'At silly hours of the morning'.

1485
'And was their children'.

Reply

'Very good'.

1485
'To sleep on time''

Reply

'Absolutely, they were like model children'.

1485
'Sleeping through''

Reply

'Sleeping through, much to our distaste, because ours weren't. But, yeah, I mean, they, they'd always had a really good routine and Sean and Amelie at that point were incredibly, erm, you know, I think they were sleeping through actually and I think even were sleeping past when everyone else's kids were getting up, they were sort of model babies'.

00.37.19
1485

'Yeah. How often would you meet them both, going back now to Portugal, how often would you meet them or see them between the twenty-eight and the third, that is the day that you arrived to the day that Madeleine''

Reply

'Twenty-eighth of the third. We'd see them every day, erm, as I say, if we hadn't seen

them through the day we'd always see them at night. But, in passing, I mean, I probably saw them every day sort of at some point, erm, but often not for more than a sort of quick chat sort of as we were on our way somewhere. Erm, but, yeah, I mean, every day, leading up to May the third, at high tea, as I say, they always went to high tea as did we, so, erm, that was always, the beginning of our sort of social time, if you like, altogether, was the kids high tea'.

1485

'Because you all had different, because you were saying earlier on, you all had different activities''

Reply

'During the day, yeah'.

1485

'What was their primary activity throughout the day''

Reply

'Tennis'.

1485

'Tennis''

Reply

'Yeah, tennis. They'd both booked lessons, erm, I think some of them together, some individually, but they had a lot of tennis lessons'.

1485

'And where was Madeleine and the twins while that was taking place''

Reply

'They were in their kids clubs, the twins were in the toddler club and Madeleine at the older one over near the reception, erm, and I'm pretty sure they went in every morning and every afternoon, there might have been, I don't know any different, but I think certainly most days they went in the afternoon as well'.

1485

'Yeah. And other than the men's Thursday tennis, would there be a time where perhaps one was doing an activity and the other one would be at the apartment''

Reply

'Between Kate and Gerry''

00.39.06

1485

'Yeah'.

Reply

'Yeah, I'm sure there would have been because, as I say, I'm sure they had separate lessons as well as ones together, so they wouldn't be always at the same time. And I have a feeling, I mean, erm, the reason they were sort of going to kids clubs was because the twins weren't really sleeping in the afternoon, but I do think they tried, erm, to put them down a couple of times to see if they would sleep and they didn't, so then went and did something else and put them in the club, but, erm, yeah, I think they did try to get them to sleep. And, to be fair, Madeleine and Ella I think were asking to go back half the time because they, they were just having a ball there'.

1485

'How often during the holiday did you see Madeleine and the twins''

Reply

'Erm, as I say, I would have seen them every high tea, I mean, the Thursday, that was a different day, in that, I'd only seen Madeleine when, as I say, when I walked with Kate, erm, and we picked Madeleine and Scarlet up. But, yeah, bar that, we saw the children ever, every evening for high tea and afterwards for the sort of playtime. Erm, but during the day I tended not to see, not to see them'.

1485

'Right. And you say that you wouldn't have seen them at breakfast because they didn't''

Reply

'They didn't do breakfast at the Millennium, so as I say really we, we wouldn't sort of on the whole catch up with Kate and Gerry, other than in, if we happen to sort of cross paths'.

1485

'Oh yes'.

Reply

'Briefly until our kids high tea'.

1485

'Yes. Have you ever felt a reason to become concerned about their, about the children''

Reply

'Never'.

1485

'Never. That's when I asked you earlier on to take your friends head off'.

Reply

'(Inaudible), I've never, I mean I, would she be such a good friend if I had doubts about her as a parent, or as a human being but she wouldn't. She's a dear friend because, cos of the person she is and the parent she is, I mean and Gerry, I mean I'm making them sound like saints but they're, I've never had any, any doubt at all about how they are with the children, how they deal with them, I know they love them to death'.

00.41.20

1485

'And again, this is a repeat but when did you, when was the last time you saw Madeleine''

Reply

'It was, it would be when we walked back with, erm, Scarlet and Kate from the, from picking them at the kids club in the af, in the lunch time, that was the last time I saw them'.

1485

'At lunch time''

Reply

'Yeah'.

1485

'Did you not see them the, the knock up time between quarter to, half six and quarter to seven, did you not see her then''

Reply

'Lock up time''

1485

'Knock up time when, you know, when you, after you'd left the beach''

Reply

'No, no when we left the beach, by the time we got back to the tennis courts, Kate had already gone back to start bathing the kids and put them to bed so I didn't, I didn't see them'.

1485

'Right got you, wasn't trying to catch you out then, I just missed something with (inaudible)'.

Reply

'No, no, lunch time was the last time I saw her'.

1485

'When did you see Kate and Gerald on Thursday, so when was the first time that you saw Kate and Gerry on the Thursday'

Reply

'It would have been sort of late morning when we'd got back from our sailing and we got changed, got some warm things on and we were just sat on the sun loungers by the pool, erm, just having a drink and Kate and Gerry appeared, we offered them a drink, I think they turned down, they either, they'd just had a tennis lesson or had a knock, erm. In fact I think, was it Gerry had had a lesson then and was going into length degree to Kate about his style of tennis and I was joking that Kate was actually listening to this and finding it incredibly boring cos it's the sort of thing, you know, they, as a couple, they did have amazing sort of patience with each other than (inaudible), I wouldn't have that with David talking to me (inaudible), so there was that joke, so yeah I think it was Gerry just had a tennis lesson and Kate might have been having a knock up, but they were in their tennis gear'.

00.43.11

1485

'You say they turned up at your apartment'

Reply

'No, no this was down by the, this was down on the sun loungers outside the, where the pool'.

1485

'Oh right, you were downstairs'.

Reply

'And it was just about time to go and pick up the kids, so we sort of sat about ten minutes and then, so Kate and I wandered off down to the, erm, Reception to get the kids, erm, Scarlet, Madeleine and Gerry and Dave went and got, went to the toddler club to get the twins and Lily'.

1485

'Anything different about them at all'

Reply

'Nothing, again, you know, just having a good time, relaxed'.

1485

'Nothing different. Think I've asked you this as well, when you arrived at the Tapas on the

third of May'.

Reply
'Umm'.

1485
'Who was already there'

Reply
'Everybody, bar Matt, erm, so, erm, yeah, going round the table'.

1485
'Yes so'.

Reply
'Yeah so, erm, Kate, Gerry, erm, Rachael and then Jane and Russell'.

00.44.04
1485
'Is everybody sitting down'

Reply
'Yeah'.

1485
'What were Kate and Gerry doing when you arrived'

Reply
'Just sat at the table and having a drink, conversing with whoever was there'.

1485
'So were they talking to each other, or were they talking to somebody separate'

Reply
'Would be talking to somebody separate, I mean they weren't sort of sat together, they were sort of, they were all spread out'.

1485
'Okay'.

Reply

'Erm, but, yeah, they were just, you know, as every evening, everyone's just chatting and, you know, sometimes you'd be in pairs, someone's chatting to the groups, you know, as you do, nothing different about that night to, to any other'.

1485

'Did they have a drink on the table''

Reply

'I think by the time we arrived, there was wine on the table, cos that's generally what the waiters brought as soon as you arrived anyway, cos you, with your meal got a bottle of wine per couple or something like that free with your meal, so that was (inaudible) on, so I think yeah that was already there but there was no food'.

1485

'So it was wine they were drinking and not any cocktails or anything like that''

Reply

'No I can't remember anything else amiss, certainly no cocktails, erm, some, some people drank beer or asked for a beer on certain nights but I couldn't tell you whether that night whether anyone had beer or who had wine but I say the wine generally had, we'd had a glass of wine, erm, with the meal every evening so would have been there'.

1485

'Could you hear any of their conversation''

Reply

'What, Kate and Gerry''

1485

'Yes'.

Reply

'Well I don't know whether they were particularly conversing together, so did I hear their conversation with other people, nothing sticks in my mind, everyone was very excited about the day they had, there was a lot of conversation about what everyone had been doing, you know, Dave and I had had a fan, fantastic sail in the morning, talking about that and, and so there was all the antics in the afternoon with Matt and Russell's sort of jokes about that sort of earlier'.

1485

'So Matt falling in''

Reply

'Yeah I don't know'.

1485

'Capsizing or something'

Reply

'What happened but yeah they were, they were out sailing and I think Matt fell out the boat or something and Russell's a less experienced sailor, so he had to try and rescue Matt, so, erm, anyway, you know, that, that was the, you can imagine the sort of macho stories of Russell telling Matt, rescuing Matt'.

1485

'Yes'.

Reply

'So there's the, you know, a lot of, there's a lot of banter, a lot of funny stories and, and then, you know, Gerry talking about his tennis and everybody had, I say had had the best day out of the whole week that day, up until that point'.

1485

'Yes. Did you talk to Gerry'

Reply

'Yeah we all, we all talking together, I couldn't, I couldn't tell you specifically about what but he, I'm pretty sure he was sat, you know, one side, me and Kate on the other and yeah we all, we all chatted, I can't remember specifically what we'd have talked to Gerry about that night though'.

1485

'Cos that's the time that Kate mentioned about Madeleine wasn't it'

Reply

'Umm'.

1485

'So could you not remember anything that Gerry had said'

Reply

'Gerry didn't really join, when he was talking to someone else and this was conversation just between, erm, me and Kate, although I know Jane and Rachael joined in a bit, they were sitting sort of the other side of Kate, so it was sort of a conversation amongst the girls really'.

00.47.10

1485

'Yes, and how were they behaving''

Reply

'Relax, happy, you know, very relax, behaving completely normally'.

1485

'Who left the table during the meal and why''

Reply

'Erm, it was go over, erm, so Gerry left the table (inaudible) enough to us getting there, erm, Matt was already gone when we got there, he obviously came back, I can't remember whether that was before or after, erm, Gerry, but I think Matt was back before Gerry leaving, erm, he went to check on the children, erm, as far as I'm aware, came back and said, 'Everything's quiet', did mention that he'd, erm, spoken to Jez and seen him on the way back, I think he mentioned that to Kate, erm, cos I think they talked a bit about their tennis, erm, I was aware of Jane leaving the table again to go and check on, on er Ella and Evie, erm, and was aware of her coming back, I say I couldn't tell you again how long she took, no one ever took very long, even in my eyes, it was the only sort of longer stay was Russell when he went, erm, later on and with Matt and then came back and said Matt had said to (inaudible) was staying with Evie, so he, but even then he was only away I'd say for sort of ten, fifteen minutes before Jane went to take over'.

1485

'Yes'.

Reply

'Which as I say, she rushed and ate her dinner, so he was probably away for the longest I'd say out of anybody but that still was only ten, fifteen minutes, erm, and that's it, Rachael didn't leave the table, mum didn't leave the table, I didn't, Dave didn't, it was really just, erm, Kate, Gerry, er Matt and Jane and Russell so'.

1485

'You know, when, erm, Jane came back after the first visit''

Reply

'Yeah'.

1485

'How was she when she came back, because that's the time that, you know, shooting forward, I suppose she saw this''

Reply

'Yeah'.

00.49.13

1485

'How did she, any different''

Reply

'Absolutely fine, I mean there was nothing remarkable about, nothing that she said when she came back, nothing different, erm, certainly not what I picked up on, she seemed to sit down and be fine'.

1485

'Right. So did you see Gerald leave the table during the meal, I think we've already covered that one, what time, we've covered that''

Reply

'Yeah'.

1485

'How long was he absent, we've covered that'.

Reply

'Umm'.

1485

'How long do you think, I don't think we've covered how long he was away for''

Reply

'Gerry''

1485

'Yes'.

Reply

'Again, I, I couldn't tell you exactly but no one, the only one sticks in my mind was being longer was Russell, so I don't, don't think Gerry was away for that long, I'd say five, five minutes'.

1485

'And did he say anything when he came back''

Reply

'Yeah, I mean he did, I do remember him coming back and Gerry's quite, erm, quite a loud person, much like Russell, erm, you know, and just announcing all, all is quiet or something

like that and then say about Jez but'.

1485

'And was he behaving and acting any, any differently afterwards''

Reply

'No'.

1485

'And he's, did you see Jane leave the table, yes you saw her. Sort of what time do you think Jane left the table''

Reply

'Erm'.

1485

'I know that you said about your watch, but what sort of time''

Reply

'Yeah, I, I'm guessing it was around nine o'clock, it was about, you know, it must have been pretty soon after Gerry left and I think for them, their check was, it would have been around nine o'clock, so it must have been around then'.

00.50.40

1485

'And I've asked you was she, did she behave any differently when she came back''

Reply

'No'.

1485

'And you're saying Matthew, he left at, he, he'd already, he'd left the table before you got there hadn't he''

Reply

'Yeah'.

1485

'And but he left again didn't he with Russell you said''

Reply

'Yeah'.

1485

'And then he came back is that right''

Reply

'He came back'.

1485

'About what time did he come back''

Reply

'Erm, it must be around half nine sort of time, he wasn't away for long'.

1485

'How long do you think he was absent for''

Reply

'I'd say no more, what two, three minutes, I mean about as long as it took to walk there and back again'.

1485

'Did he say anything about listening at any windows, or listening at any doors, do you, do you pick up on any conversation like that''

Reply

'Yeah, yeah, I mean again I think he had said, he, he had checked on, erm, outside the windows of, erm, of his apartment, then I think he'd popped into Russell's apartment, he did say, you know, said that Evie had been ill, erm, and I was aware that he had checked on er, Madeleine and the twins and that was maybe what was different that night as well that hadn't really been done before, of him going in the apartment, I don't know which order he did it in'.

1485

'Yes'.

Reply

'But I know when he came back and he reported they're all sound asleep and quiet'.

00.51.59

1485

'So you say you were aware that he checked on Madeleine''

Reply
'Umm'.

1485

'What sort of conversation, or what context of the conversation was that'

Reply

'I think Matt had offered cos he was going, as Matt and Russell going up together, erm, rather than be asked to do it, I think he'd offered, erm, and, you know, that, you know, they'd said, 'Oh the French doors open you can pop in there'.'

1485

'Sorry, who said that, who said''

Reply

'Whether it was Gerry or Kate, I couldn't, couldn't tell you, erm, saying I'm aware he did that for them and aware he came back and said all was quiet and there was no, no, no problems, erm, no nothing seemed significant, really different or'.

1485

'And when he came back, was he acting any differently''

Reply

'Not at all'.

1485

'Same questions regarding Russell'.

Reply

'What, what, when he came back''

1485

'Yes, did he go just the once and then, then stayed''

Reply

'He went yeah, I think that was the first time he went was (inaudible) with Matt, erm, I don't remember him going before that, as Jane did the check before that, erm, did he act any differently, no, again he obviously came back saying, you know, Evie had been sick or whatever and was, erm, just saying what it all was and he'd been wrestling with dirty sheets and all that sort of stuff, but no he was, again sort of very relaxed and the same as he went'.

1485

'And when Kate went to do the checking'.

Reply

'Umm'.

1485

'How many times did Kate go and do the checking''

Reply

'To my knowledge, just the once'.

00.53.46

1485

'Just the once''

Reply

'Yeah'.

1485

'And that was the time that she came back and'.

Reply

'Yeah'.

1485

'So round about what time was that''

Reply

'Five to ten, I mean I know it's ten o'clock when she came back, so a few minutes before that'.

1485

'So how long, how long was she absent for''

Reply

'Five minutes, less'.

1485

'And what did she say when she came back''

Reply

' 'She's gone Gerry, Madeleine's gone', I'm hundred per cent about that'.

1485

'And we've discussed how she looked, she looked shocked and'.

Reply

'She was just frantic'.

1485

'Frantic. Were you shocked by her words''

Reply

'Absolutely, I mean I didn't, it was so sort of out of context of the evening and the holiday, initially it was, it, I mean it was just pure, you know, the words sinking in, the shock, the horror of what, what that might mean and I know those are her first words, I know there's been a lot of reported since about people saying, you know, they've taken her and she did say those things but they were, you know, later as far as I'm aware, I didn't hear anything suggesting anyone had taken her at that point and initially, you know, the, the hope and the automatic response was really that, that she had wandered away, erm, you know, I, pretty soon after, I was hearing the words, you know, they've taken her and that the window was open, the shutter was open, erm, and all that that implied, but those weren't her first words and her first implication wasn't that'.

00.55.22

1485

'What did you do once she'd come back and raised the alarm''

Reply

'We, I say we all jumped up, Gerry was first, he just sprinted off with Kate and they, they were ahead of everybody else, erm, cos I had the monitor and mum and I just thought somebody ought to stay behind, I was probably latter in the, in the line, cos I just said to mum, 'Stay put and see if she comes back, keep the monitor' and then you know, me, erm, Jane wasn't there obviously, it was me, Rachael, er Matt, Russell and Dave that sort of, erm, got to the part outside the apartment and that's when we, we just said, 'Right, let's do a quick search, like you go that way, you go that way'.'

1485

'Yes'.

Reply

'Because you see within seconds it was, you know, everybody split up and did a quick, quick search in a different direction'.

1485

'I think my next series of questions I've asked you in relation to you going into the McCANN's apartment, you went in with Kate, what you said earlier on'.

Reply
'Umm'.

1485

'And you described what you saw, you've described the children sleeping, they slept and everything, so are the twins, nothing unusual, but one thing I want, need to ask you is, erm, how long after the alarm was raised, did you end up in the McCANN's apartment'

Reply
'After that initial search, it was as long as it took me to walk round, erm you know to the left of the apartments, round the back of the tennis court and the, so you know, five minutes'.

1485

'Five minutes'.

Reply
'It wasn't long (inaudible)'.

1485

'So from the time that you'd gone racing off after Kate and Gerry'.

Reply
'Yeah'.

1485

'You ended up in the apartment, five minutes later you think'

Reply
'Yeah, five, ten minutes it was certainly within ten minutes it wouldn't have taken me long to (inaudible)'.

00.57.02

1485

'What did you do next, you took part in sort of, well you took part in the search, searches'

Reply
'Umm'.

1485

'Who were you with when you were searching''

Reply

'Kate'.

1485

'Did Kate walk that perimeter''

Reply

'Oh what, sorry the search outside the apartment''

1485

'Yes'.

Reply

'No I was on my own, we were all, we were all on our own at that point, I don't think anybody doubled up, erm I say we, the main people just went, I think Rachael might have gone in to check on, she went straight in I think to check Grace and stayed with Grace and it was just the other men and me and my mum had the monitor but yeah we all went on our own for that initial check'.

1485

'Yes. Did your mum join you then at some point, or did she''

Reply

'Mum came up once I was in the apartment with Kate, er my mum came up to like, 'What shall I do, I've waited' and at that point I said, 'Just wait with Scarlet up in the apartment'.'

1485

'Okay and realising that Madeleine had not been found in the first ten minutes, how did Kate react''

Reply

'Oh as I said earlier, she was hysterical, it upsets me very much to even think about how she was, cos it was erm, she was so terrified, absolutely inconsolable, she was rampaging round the, the room, she's up and down, pacing, kicking walls, just on, for most part, just imagining where or what might be happening to Madeleine and angry at herself and then for having left her, not being there and just, she was shouting a lot, I can't, 'We've, we've let her down Gerry, we've let her down, we weren't there for her' erm you know the pain that was causing her that she hadn't been there, was just very raw, erm anger at the, the whole, I say the system that nobody was seemed to be arriving and you know, what was being done and the feeling of just nothing, nothing being done, the helplessness and that, that raw, raw emotion of just grief, of just terror and just praying, she was praying, she kept

kneeling everywhere just praying and praying and praying and asking for a Priest and just wanted you know, everybody to be praying for Madeleine for her to be safe'.

00.59.33

1485

'What about Gerry'

Reply

'Gerry initially, they were both just hysterical, I mean the shock I'd say you know more on Gerry's side, he was just stunned like she's got to be here, she's got to be here, this can't have happened, very, very much sort of almost denial, erm but then when he saw the room and sunk in what Kate had seen, he was convinced she'd been taken and at that point he was, you know was sobbing, him and Kate were just sobbing, clinging to each other and you know what shall we do, what shall we do, you know, Gerry kicked in to his sort of you know, action mode, which er he was ringing people, who do we need to ring, the British Embassy, I think he was trying to get hold of the British Embassy and just get somebody erm who was English speaking, who might be able to help, erm say early, I know he phoned his sister, he was phoning relatives, just telling anybody you know, you've got to help us, what can you do, can you think of anything, erm he was flitting in and out, I was aware, so I stayed in the apartment but I know Gerry was in and out, speaking to the Police when they arrived, erm you know they were, Gerry, his way of coping is to do, to, to feel like he's doing something in a positive way and that's definitely how he got through the night. I don't know how he did the things he did, even made the calls he made'.

1485

'Yes'.

Reply

'But that, that's his way'.

1485

'Where were you sat whilst all this was taking, I know you were sat in the, the apartment, where were you sat, in the bedroom or in the''

Reply

'We were all over the place, we were in and out of the bedroom, in and out of the twins bedroom, in the living room, on the balcony, I was following Kate, Kate was all over the place, erm spent a fair bit of time just in her bedroom and Gerry's bedroom, erm but she, you know she was just pacing away all over the place'.

01.01.55

1485

'Well again, you've answered this question, in your opinion, well what is your opinion about their behaviour once, Ma, once you know it dawned that Madeleine was missing. What's your opinion on the way they were, they were acting or the way that they were''

Reply

'Well how can anyone ever put themselves in their situation, you know how, what's the right way to go, but the, the transition from utter relaxed, happiness to, I mean the worst thing that could ever, ever, ever possibly happen to them (inaudible), that's very, it was just evident, looking at Kate's face, the pain and, and Gerry's as well, the pain and the anguish that has been left since the third of May and continue to be there, I mean erm yeah, I mean is it normal to react the way they did, I couldn't tell you what's normal but they were just distraught and genuinely so'.

1485

'Can you just tell me your movements, I know you've skated over them, well in fact you've gone into great detail on the last interview, but can you just tell me what, what your movements were from say ten thirty, so assuming now that Mad, you know the, the alarm has been raised half an hour, so what did you do from ten thirty pm 'til ten am the following day''

Reply

'Erm for the most part on the night, as I said, I was just milling in the apartment and out on the balcony and just outside their front door, erm with, with Kate, erm I was there in the apartment when the first lot of Policemen arrived, which I think was around sort of between eleven, quarter past eleven. Er I was there when they did their initial search and we just followed them really, erm and I, I didn't really move, I mean I can't, can't really say much more than that'.

1485

'Yes'.

Reply

'I stayed in the apartment, erm I was aware later that the GNR were there as I say they were wandering round the front and the back and, and the time when I came out and met Robert MURAT, erm I'm assuming that was sort of after sort of midnight, there and that sort of time because the uniformed Police were there, erm the sort of troops in their boots, I don't, think they're GNR, erm and then you know, I, I was just in, in the apartment for, for the most part just with Kate, erm I eventually moved up back to my apartment when it was suggested by the PJ that you know, they had to get the twins out, so I went to that part to organise our flats and you know, the, the nannies in with the travel cots and the bedding, I helped them set that all up, so at that point I was separate to Kate and Gerry. Erm and then I was just in, in our apartment, I'd say for, I'd say half three, four o'clock when they brought the twins up, erm I sat on the sofa with Kate next to me and say we had the twins asleep on us, a good half an hour with Kate, just in complete shock, sobbing. Erm, then we put the twins to bed in the, in the cots, I say we made Kate and Gerry a mattress up on the floor and we chatted some more and by about half four, we'd all decided to just try and lay down, at least just to, to get a rest if not sleep. Erm, Dave and I went into our room with Scarlet and sort of left Kate and Gerry in the living room with the twins really. I think Dave and I must have actually eventually dozed off for a bit, cos we got woken up by Kate knocking on the door and just you know, as I said earlier, suggesting they, they couldn't sleep, they couldn't, they couldn't rest and they were just, it was driving them up the wall, just sitting there and not doing anything and they wanted to go out and look and would we just keep an eye on the twins'.

01.06.31

1485

'Can you remember what sort of time that was roughly''

Reply

'Erm it was still very cold and, and dark, erm I think it was you know, between five and six, I say, I say, I think we'd, we'd, we'd just dozed off, so erm it was still very early. Er the next morning to be honest is a bit of a blur, I think with the kids we, we, our role really was just to try and keep some normality for the twins who were obviously er wondering what on earth was going on, erm then giving the kids breakfast and getting them dressed and sorted, getting to kids club and we just decided they should all do, you know have the day that they would normally have, so that was my role the following morning really, erm I'm trying to remember what, what I, well you're not asking after ten o'clock are you, but certainly that was my morning, just getting them ready and erm dropping them off at the cr'he'.

1485

'So did it culminate up to you taking them to the cr'he then''

Reply

'Umm, I held onto Scarlet that day'.

1485

'What sort of'.

Reply

'And just (inaudible). Erm it would have been, I don't know when it opened actually, I can't remember whether it was nine or half nine but it would have been around that time'.

01.08.06

1485

'So during that morning, who did you talk to''

Reply

'Just the group really and obviously Kate and Gerry and my mum and Dave, erm we saw, we see Matt and Rachael and, and Jane and Russell the next morning, I hadn't seen much of them on the night after Madeleine had gone, erm so yeah we were all sort of hearing what each other had been up to I suppose overnight but yeah that's the first time I'd really spoken to them in detail'.

1485

'What sort of time was it that you spoke to Mr MURAT''

Reply

'On the night, I say, I, I, I think it would have been around midnight'.

1485

'Around midnight. When did you leave Portugal''

Reply

'Erm I can't remember the date, I've got a diary with me (inaudible), do you want me to look''

1485

'Yes if you want to, yes'.

Reply

'We stayed, Dave and I stayed on a bit longer than the others, twenty second of May'.

1485

'Twenty second of May''

Reply

'Umm'.

1485

'Cos the others, the others left on the seventeenth didn't they''

Reply

'They left yeah the week before and my mum left the week before, it was just Dave and I and the kids that stayed on, I'm the closest to Kate I suppose and we just didn't feel it was right to leave all at once'.

01.09.45

1485

'So where did you stay then''

Reply

'(Inaudible)'.

1485

'You stayed in the same apartments''

Reply

'Yeah'.

1485

'They, they kept them on for you then did they''

Reply

'Yeah, yeah'.

1485

'How many times whilst you were there did you meet Kate and Gerry''

Reply

'In the weeks following, the days following''

1485

'Yes'.

Reply

'We saw them every day, erm tended to be er in the, certainly in the early days, at night time, they were just incredibly busy Kate and Gerry with all the Press that they were doing and the interviews and Police interviews, erm but every, every night generally I'd text Kate to say I'm coming over and my mum would look after our kids and Dave and I would go over to their apartment, just to see where, where they were at and what had happened and say erm so yeah, I'd say every day, don't think there was a day I didn't see them'.

1485

'Where were they staying in relation to where you were staying, cos obviously they weren't in the''

Reply

'They got, they got moved to the apartment block that was sort of down from us, erm'.

1485

'Still at, still at the Ocean Club''

Reply

'Yeah at the Ocean Club, it was, they were on a first floor apartment'.

1485

'Right'.

Reply

'So it wasn't, it's only three, three minutes away, (inaudible), down the car park really'.

01.11.04
1485
'Sorry'

Reply
'It's just down the car park really, it was sort of'.

1485
'Yes okay and again you've answered this question a dozen times but again what's normal, but do you think that they were showing normal behaviour for, for parents who had lost a child'

Reply
'Absolutely, absolutely, it's the desperation that I cannot describe to you, erm but was so upsetting and they were just desperate, absolutely desperate, erm you know, I think Kate, you know she was sort of (inaudible) really going through the, how I'd expect somebody to react really, she, she would go from being incredibly angry and physically, as I say you know, days after she, she had bouts of just, just wanting to inflict pain on herself really it seemed like, erm and just being angry and frustrated that why is, why haven't they got her, why haven't anyone found her, erm just her being totally devastated that she wasn't there, erm, erm very withdrawn and just, say sitting there sobbing, not, and you just couldn't reach her in those items and then almost the numb bits in between it, it was just cycled between those three phases really with, certainly with Kate. I say Gerry again was, he just grieved in a very different fashion, I mean for him he could see it all, all there and it obviously upset me, saw them crying, saw them get emotionally upset as well but on the most part after that first period of shock and, and just sobbing and not knowing what to do, he did think right this isn't going to get Madeleine back, this isn't gonna help, you know these are things I've got to do to, to get her back'.

1485
'Yes'.

Reply
'And he just went into that mode, where he did not stop, he didn't sit down, he don't, I don't think he allowed himself time to, to sort of grieve for the fact that she wasn't there'.

1485
'Did you not find that peculiar, the fact that he didn't want to just sit around and mope and'

Reply
'No cos I know Gerry and he's just as I said earlier, he's not, he's not that sort of character, he never sits down anywhere, he's a very positive, always got energy, always, he's just one of these people that you know, makes you feel lazy you know almost, cos he's just, he's a very upbeat person and pragmatic as well and he's right, you know, sitting, sitting there crying isn't gonna help bring her back, he did his fair bit of sitting there crying believe me

but he, he wasn't, you could see him trying not to allow himself that time just to sit and get sort of down, cos it wasn't gonna help her and I don't think I ever saw him sit and relax or have a drink or do nothing, was constantly either on the phone or the computer, you know he was constantly doing something and that carried on I'd say even you know when we went back in July and he was still in that mode and that made me worry more for him actually, cos I think Kate at least, I think you've got to grieve you know and I think if you don't, you think it's all gonna build up and I was more worried for Gerry that, that he didn't seem to be giving himself that time to, to be upset'.

01.14.30

1485

'Yes. I think, so you think he didn't give himself time to, you think he was more in the motivation mode than in the, the grieving mode''

Reply

'I think after the first sort of, the first day they were both useless and I think they're both in shock and they were both the same but there was a definite change in Gerry, erm party because of you know, I don't want to sit here and say what wasn't done, you know, in fact there were a lot of things that, that provoked a lot of anger amongst us that we felt should have been done that wasn't done in that, those early hours in that first day and, but, what, what's anger going to get, you're stuck in a country where your child has gone missing, you've got to work with the Police, you can't, you know, you can't react and to, and, you know, give out bursts of, you know, why hasn't this happened because you know it's not going to happen. And Gerry, that's the way he was seeing things, he was very, erm, aware that he had to work with the, with the Police here and be sensible about their approach with the media and everything and Kate's very reactive, you know, she's, she's a completely different personality and, you know, if she's angry she'll show she's angry and when she's upset she'll show she's upset, whereas Gerry can be, erm, he's more able to, to sort of see through all that and just think, hang on what's right for, what's right, what's going to get us further forward here, you know, getting upset and screaming at the Police isn't going to get us anywhere and he's always sort of pulling Kate back a bit really and saying, 'Look, that that's not going to help, we've got to do this', erm and that's just the way they are, and that's the way, before this happened, that's the personalities they are. So, no, it didn't surprise me the way Gerry reacted at all because that's, in any situation, that's why he's good at his job, you know, he's, he's a very pragmatic person, in an emergency he's the person you'd want to call on because he thinks straight and he thinks clearly, whereas not all of us do'.

01.16.44

1485

'During the holidays did you happen to see Kate and Gerry talking to somebody unknown''

Reply

'Unknown to me''

1485

'Yeah'.

Reply

'Erm, yeah, erm, I mean, quite a lot of, but I think they were all sort of MARK WARNER holidaymakers, I mean, they all knew, as I say, Jez, he knew, I didn't really know Jez, certainly before, erm, May the third and there were a few other couples that I was aware they were quite chatty with, you know, when we went to the Tapas Bar and there'd be another family sat down eating their meal, they might have talked to them, but, again, I didn't really, erm, know those other couples because we hadn't really sort of met and we didn't really make a lot of effort, to be honest. But, again, Kate, that's the sort of people Kate and Gerry are, they're very, very sociable, they seem to pick up friends wherever they go and, erm, so, yeah, that again didn't surprise me, no, they've met more people than us'.

1485

'Did you see Gerry and Kate inside a car during the holidays''

Reply

'No, never. They didn't have a car'.

1485

'Never''

Reply

'(Shakes head). There was no reason to'.

01.17.55

1485

'Okay. We are almost finished now. This is another general question, alright''

Reply

'Umm'.

1485

'Again, based on the questions that has been put to you by Gerry and Kate within this interview, is there anything that you think that hasn't been mentioned that you think ought to be brought out on this interview''

Reply

'Regarding Kate and Gerry''

1485

'Well regarding the whole affair, you know, Madeleine going missing, Kate and Gerry, is there anything that you, you know, you want to''

Reply

'Well the only thing, again it's just a reaction to what's been in the Press sort of doubting Jane's statement, erm, that I would say, I've never been in any, any doubt that what Jane

has seen, she has never changed her story to me or to anybody in the group about what she saw on that night from day one and, erm, and I think her bit of evidence is the most convincing, erm, that I've heard out of any of us and the most accurate and the most convincing that I'm convinced that was Madeleine'.

1485

'Okay. Is there anything at this stage you want to say to me or ask me or''

Reply

'Umm, no'.

1485

'Anything that might establish exactly what has happened to Madeleine that is burning inside that you want to talk about''

Reply

'No, I mean, you've got the information that we've got, I mean, we, you know, we've all drawn our hypothesis of who could have got in there, how could they have got out, you know, but none of us know, I mean, that's, that, you've got the facts of who went in and who went out of that apartment'.

1485

'Yeah'.

Reply

'Erm, but I'm convinced that what Jane saw was Madeleine being carried away'.

1485

'Okay. Just finally, Fiona, I just want to ask you, you are aware that there is going to be a re-enactment over in Portugal, it is either going to be at the end of April or into May''

Reply

'Umm'.

01.19.58

1485

'How do you feel about attending that re-enactment''

Reply

'Well I've made my feelings clear in a letter, erm, already. Erm, my feelings are, I would do absolutely anything if I felt it was going to help bring, find Madeleine or find who took her. Erm, my reservations are, at this point, how doing the re-enactment is going to achieve that or advance the search in any way. And, obviously, there is a lot of apprehensions about doing it, just in terms of the media and the way we've been treated, the way the media

would react to us doing the re-enactment, how they'd sort of physically actually manage to do a re-enactment without massive media intrusion, erm, and how the information would be used, I mean, we all know that we're telling the truth of our actions on the night and if doing a re-enactment were going to be for the purpose of trying to find holes or, you know, in our movements and statements and try and rubbish our statements, then we know that's not going to help find Madeleine, because we know, we were there, and we know we're telling the truth, so I wouldn't be happy to do it if that was the reason for doing it. I'd just like to be convinced how it's going to move the investigation on really, erm, to find Madeleine'.

1485
'Yeah'.

Reply

'And, at the moment really, we've got no reason to trust the motives of doing a re-enactment when Kate and Gerry are still aguido and, if they're aguido, I think we've all got to be implicated, because I just don't see how Kate and Gerry could have done anything that's been suggested without us all being in on it, you know, it's just impossible'.

1485
'Is that it''

Reply

'So, you know, that's a big stumbling block really'.

1485
'So, at this present moment, you are saying you wouldn't''

Reply

'No, I mean, we haven't really had any, been given any information about how it's going to be used and that's the information that I think we would all need if we were going to do it and, obviously, there's no point one of us doing it without everybody doing it. So, I think, you know, as far as I'm concerned, I'd only do it if everybody else was doing it, otherwise it's pointless. And I still don't see, erm, I think, emotionally, it would be hideous to go back and have to do an re-enactment, I really do, and I don't see how, erm, emotions couldn't affect the way it was done, because it would just be horrific, I mean, imagine, you know, Jane having to relive that, Kate having relive that, any of us having to relive that, you, you couldn't do it without it being an emotional thing'.

1485
'Yeah'.

Reply

'Erm, so I just, I just don't see, I mean, in my eyes, doing it, it would be beneficial if actors and actresses did it because they don't have that emotion and you can still direct them to

exactly what you were doing and where you went and your movements. So, so I still don't, we still haven't had an answer to that really, that side of it'.

1485

'Okay. Alright. At this stage I have got nothing else to say to you'.

Reply

'Umm'.

1485

'As you are aware, the interview is being monitored and it may well be that they have some further questions, but at this present moment, there are no more further questions'.

Reply

'Okay'.

1485

'Alright. Actually there is. Sorry. Do you have your phone''

Reply

'Yeah'.

1485

'I just want to clarify your, did you take your mobile with you''

Reply

'I didn't. My mobile had actually broken before we went on holiday, so we just had Dave's mobile'.

01.24.00

1485

'Right. So did anybody use your mobile whilst you were away''

Reply

(shakes head)

1485

'No''

Reply

'They couldn't have done, no'.

1485

'No. Could you just see if you have any of these numbers in your phone'

Reply

'Yeah'.

1485

'*****'

Reply

'*****'

1485

'The last digits are going to be seven, one, three, that is going to be easiest'.

Reply

'Seven, one, three'.

1485

'Sorry, you must have loads. Also look for one that ends in eight, three, seven as well'.

Reply

'Ah *****. Is it*****'

1485

'Yeah'.

Reply

'That's my, Simon ALDRIDGE, my brother-in-law'.

1485

'It is who, sorry''

Reply

'Simon ALDRIDGE, he's my brother-in-law'.

1485

'Is there any reason why he would have been called''

Reply

'We did speak, well it couldn't have been off my phone, is this from my phone''

1485

'Well it is possible that it, no, it wouldn't have been off your phone'.

Reply

'No'.

1485

'It would have been off'.

Reply

'It would have been off Dave's'.

01.26.25

1485

'Dave's, yeah'.

Reply

'We did speak to him, yeah'.

1485

'Did you actually make any calls yourself'

Reply

'Erm, I used, I Dave's phone. I'm trying to think who phoned Simon. I think Dave phoned Simon the following morning, erm, just because he's another pragmatic, sensible thinking person'.

1485

'Yeah'.

Reply

'Erm, I mean, you know, we would have phoned all our family that following day anyway'.

1485

'Umm'.

Reply

'But we had a lot of calls from him. Plus he's, he was, erm, just wanting to be of help really, so he did phone a fair bit as well, just in terms of, he organised for, erm, mobile phones, erm, you know, Portuguese mobile phones to be sent out to use, he, you know, he runs a business in Leeds, erm, and financially as well, he was offering help if we needed, you know, money'.

1485

'Is there anybody other than family that you rang then''

Reply

'Erm, I rang the Children's Nursery, tut'.

1485

'Have you got that number in there''

Reply

'Erm, yeah. I think I might have texted them. Erm, *****

1485

'Okay'.

Reply

'What was the other ending that you wanted, eight, three, seven''

1485

'Eight, three, seven, yeah'.

Reply

'Sorry, I didn't get to the last ones. *****01.28.28

1485

'That is it, yeah'.

Reply

'That's Dave's number'.

1485

'That is Dave's number, is it''

Reply

'It's his mobile number, yeah'.

1485

'Another one that ends in six, two, one''

Reply

'(inaudible). *****that's Karen GREEN, which is Dave's sister'.

1485

'The next one is a Portuguese number, well it is a short number, it is
*****'

Reply

'I don't, I wouldn't have that in this phone, erm, it's a Portuguese number. Is it a Portuguese mobile number''

1485

'I don't know. It is just too short for, because ours are normally eleven, aren't they''

Reply

'Yeah, we, because, as I say, Simon did organise, erm, a Portuguese mobile phone for us to use out there, erm, which we've still got at home, I couldn't tell you what the number was for that mobile, but I used that once I was out there, you know, to contact, you know, Dave or, or any of them, I've texted on it'.

1485

'Somebody would have rang it or texted it''

Reply

'Yeah, tut, I'm just trying to remember how much I used it, you know, every day. Again, I mean, if I had Dave's mobile phone bills, which I think we did give to somebody actually, it might have been Kate and Gerry's Lawyers actually, but we did use those. I can't remember how much I used them and how much I used the Portuguese phone, but we certainly had a Portuguese mobile'.

1485

'Yeah. It sent a text to *****, which is Dave's phone'.

Reply

'Uh hu'.

1485

'On the fourth of the fifth, so it is the following night'.

Reply

'Yeah'.

01.31.13

1485

'At twenty-two zero two'.

Reply

'So we would have been at the Police Station'.

1485

'And then twenty-two zero eight'.

Reply

'Sorry, from which phone, because we wouldn't have had the Portuguese phone by then''

1485

'It would have sent, the Portu, well I've got the Port'.

Reply

'I don't know how quickly the phone arrived'.

1485

'Yeah'.

Reply

'I can't imagine it was that quick'.

1485

'The Portuguese phone, or that number, sent a text to Dave's number at twenty-two zero two on the fourth, the following night''

Reply

'So it was when I was being interviewed that evening. I don't think our phones came out that, I can't imagine they would have been out by then, on the Friday night, so I don't know. I'll just check it isn't, are you sure it's a Portuguese number' Just read the number out again, I'll just check it'.

1485

'It is *****'

Reply

'Yeah, it is a funny number, isn't it''

1485

'It has only got nine digits as opposed to our eleven'.

Reply

'Yeah. No, I haven't got that number on and I can't think, I can't think who could have sent a Portuguese number at that point. Dave might recall when our mobile phones came out,

but I'm sure it wasn't, it couldn't have been that quickly, erm'.

1485

'Okay. Here is another number that ends in, it looks like it ends in *****

Reply

'*****'.

1485

'It might not necessarily be a mobile number'.

Reply

'Erm, Dave's mum, Diane PAYNE. Is it *****

01.34.38

1485

'Say that again"

Reply

'I've got *****"

1485

'That is it, yeah. Who is that, sorry"

Reply

'That's Diane PAYNE, it's Dave's mother'.

1485

'Yeah, there was calls made on the fourth from Dave's mobile number"

Reply

'Umm, to Diane, yeah'.

1485

'So to his mum"

Reply

'Yeah'.

1485

'The next one ends in *****'.

Reply

'*****'.

1485

'It may well be *****, if that rings a bell'.

Reply

'(inaudible). I'll just go through methodically. *****, that is Karen GREEN's home number'.

1485

'And who did you say that was''

Reply

'That's Dave's sister'.

1485

'Yeah. Do you know what the nature of those calls were''

Reply

'Well it was purely letting people know what had happened really and obviously there was a lot of concern back home as soon as the, the news hit, erm'.

1485

'And would you have made those calls from David's phone or would Dave have made them''

Reply

'No, Dave made, Dave spoke to his family, I didn't speak to this family'.

01.36.48

1485

'Okay. The next one, I think it is*****, so it could be a London number.

Reply

'*****. No, that's not in my mobile, but I'm just recalling, I did make some phone calls on behalf of Kate, erm, the following morning and those, it's a shame, because we've all swapped mobiles, you see, and not all of them were transferred, but I'm pretty sure, erm, I rang at least two on Dave's phone, just to let them know, again, you know, what had happened'.

1485

'Is that in the morning''

Reply

'Erm, that would have been, yeah, the following morning. I mean, I would be just saying to Kate, you know, 'What can we do. What can we do', and that was just one of the things, she said, 'Look, just everyone will be panicking at home, just', you know, 'if you can contact a few people'. So, yeah, those might be numbers that I wouldn't have now in my mobile that'.

1485

'Dave could well have them''

Reply

'Well he's changed his mobile as well because his died a death, so I don't think all his numbers are, you know, they weren't all saved on the SIM card. But it's easy enough for me to find out if they are, erm, friends or'.

1485

'Okay. There is two more left anyway. The first one is, it is a mobile number and it ends in *****'.

Reply

'*****', that's a friend of mine, Lisa LAKHANI'.

1485

'Lisa''

Reply

'LAKHANI. L, A, K, H, A, N, I'.

1485

'And where does she live''

Reply

'She lives near to us in Leicester, erm'.

1485

'And who was it that rang her or text her''

Reply

'I would have rang her'.

01.40.48

1485

'It is actually a text'.

Reply

'I would have called her and, I think, at that point, it was just to check on the house, erm, she had a key to my house and she's a good friend as well'.

1485

'And the final one ends in three, one, two, three'.

Reply

'Three, one, two, three. Sorry, I've forgotten, three, two, one, three"

1485

'Three, one, two, three'.

Reply

'Three, one, two, three'.

1485

'Yeah'.

Reply

'No, not got that one'.

1485

'Not got that one"

Reply

(shakes head)

1485

'Okay'.

Reply

'Again, as I say, it could be (inaudible)'.

1485

'That is it. Unless somebody else has any more questions, alright"

Reply

'Okay'.

1485

'It is now shown at three fifty-two and we will stop it'.

SIGNATURE (Sgd)_____

SM / SG F PAYNE 10.04.08

Forenames: FIONA ELAINE

Age: 35 Date of Birth:

Address:

Postcode:

Occupation: ANAESTHATIST

Telephone No:

Statement Date: 10/04/2008 Number of Pages: 1

On Thursday, 10th of April 2008, between 8.55 hours and 10.25 hours I was interviewed by Detective Constable MESSIAH at Leicestershire Police Headquarters, the interview was recorded on DVD. I am able to state that what I said during the interview is an accurate account of my evidence.

On Thursday 10th of April 2008, between 11.10 hours and 12:34 hours I was interviewed by Detective Constable MESSIAH at Leicestershire Police Headquarters, the interview was recorded on DVD. I am able to state that what I said during that interview is an accurate account of my evidence.

On Thursday 10th of April 2008, between 14.10hours and 15:53 hours I was interviewed by Detective Constable MESSIAH at Leicestershire Police Headquarters, the interview was recorded on DVD. I am able to state that what I said during that interview is an accurate account of my evidence.

During the interview I drew up a plan of the Tapas Bar table at the ocean Club containing the positions we sat on 3rd may 2007. I mark and produce this rough plan as exhibit reference (F.P 100).

I also drew a plan of the apartment which we stayed at in the Ocean Club I mark and produce a rough plan as exhibit reference (F.P 100)

I also drew a plan of our apartment at the Ocean Club in relation to the other members of our group. I mark and produce this plan as exhibit reference (F.P 102)

At 4.30pm on the same day I handed the exhibits to the witness Dc 1485 Messiah.

This statement is made by myself and is true to the best of my knowledge and belief.

Signed: F PAYNE Signature witnessed by:

Source: <http://www.mccannpjfiles.co.uk/PJ/FIONA-PAYNE-ROGATORY.htm>