

Martin Smith Statement – May 26, 2007

Date of Diligence: 2007.05.26 10H40

Location: DIC Portimao

Name: MARTIN SMITH

The witness states:

— That he comes to the process as a witness.

— Being of Irish nationality, he does not understand Portuguese in its written or oral form and is accompanied by an interpreter.

— That he has an apartment in Luz, Lagos, located in the Estela da Luz Urbanizaco, A1C. This apartment is co-owned by a friend whose name is Li** ON****. He normally visits Portugal three times a year. When here, he stays in the apartment. Concerning this period, he states that he arrived in Portugal on the 30th of April, 2007, with a booked return date of May 9, 2007. He arrived at Faro airport and flew out from Dublin.

— Concerning the facts under investigation, on the 3rd of May, he went with his family to the Dolphin restaurant in Praia da Luz where they dined. Around 21H00 they left the restaurant and headed toward 'Kelly's Bar'; about a 50 metre distance from the restaurant, following the path, as it is very short. The walk took him a few minutes. In 'Kelly's Bar' they consumed some drinks. They left that establishment around 21H55 as his son would be travelling very early the next day. This bar is located on Calheta Street.

— After leaving the bar, he travelled in the opposite direction and reached a set of stairs which gave access to Rua 25 de Abril (25th of April Street). On this artery they followed a second street, parallel to Rua 1 de Maio (1st of May Street) whose name he does not remember. He was heading toward his apartment (Estrela da Luz complex) which is located a little above the street Travessa da Escola Primária (Primary school crossing). As he reached this artery, he saw an individual carrying a child, who walked normally and fitted in perfectly in that area, in that it is common to see people carrying children, at least during the holiday season. This individual was walking the downward path, in the opposite direction to him and his companions. He is not aware where this person was headed. He only saw him as they passed each other. He assumed it was a father and daughter, not raising any suspicion.

— Urged, states that when he passed this individual it would have been around 22H00, and at the time he was completely unaware that a child had disappeared. He only became aware of the

disappearance of the child the next morning, through his daughter, L*****, in Ireland who had sent him a message or called him regarding what had happened. At this point he thought that MADELEINE could have been the child he saw with the individual.

— Regarding the description of the individual who carried the child he states that: he was Caucasian, around 175 to 180m in height. He appeared to be about 35/40 years old. He had an average build, a bit on the thin side. His hair was short, in a basic male cut, brown in colour. He cannot state if it was dark or lighter in tone. He did not wear glasses and had no beard or moustache. He did not notice any other relevant details partly due to the fact that the lighting was not very good.

— He was wearing cream or beige-coloured cloth trousers in a classic cut. He did not see his shoes. He did not notice the body clothing and cannot describe the colour or fashion of the same.

— He states that the child was female, about four years of age as she was similar to his granddaughter of the same age. She was a child of normal build, about a metre in height though not being absolutely certain of that as she was being carried. The child has blonde medium-hued hair, without being very light. Her skin was very white, typical of a Brit. He did not notice her eyes as she was asleep and her eyelids were closed.

— She was wearing light-coloured pyjamas. He cannot state with certainty the colour. She was not covered by any wrap or blanket. He cannot confirm whether she was barefoot but in his group, they spoke about the child having no cover on her feet.

— Urged, he states that the individual did not appear to be a tourist. He cannot explain this further. It was simply his perception given the individual's clothing. He states that the individual carried the child in his arms, with her head laying on the individual's left shoulder, that being to the right of the deponent. He adds that he did not hold the child in a comfortable position, suggesting [the carrying] not being habitual.

— Having already seen various photographs of MADELEINE and televised images, states that the child who was carried by the individual could have been her. He cannot state this as fact but is convinced that it could have been MADELEINE, also the opinion shared by his family.

— Questioned, says that the individual did not speak nor did the child as she was in a deep sleep.

— States that it is not possible for him to recognise the individual in person or by photograph.

— Adds that in May and August of 2006, he saw ROBERT MURAT in Praia da Luz bars. On one of these occasions, the first, he was inebriated and spoke to everyone. He did not wear glasses at that time. He also states that the individual who carried the child was not ROBERT. He would have recognised him immediately.

— At being asked, states that when he saw the individual he was accompanied by his wife, MARY SMITH, his son, PETER SMITH, his daughter-in-law, S***, his grandchildren of 13 and 6 years of age (children of PETER) TA*** and CO**, his daughter AOIFE (12 years of age), and his other two grandchildren (AI***** (10 years old) and EI**** (four years old). These are children of his daughter B***** who was in Ireland.

— States also that when he passed this individual he was coming down the middle of the road, in the street, also that at that time traffic is minimal or non-existent.

— He adds that the group walked some metres apart from each other so they would have seen the individual in different positions.

— He adds a sketch indicating the route and the locale of the sighting.

— He has nothing else to offer the investigation.

— And nothing more was said. He reads and finds it in conformity, ratifies and signs together with the interpreter.

Source: http://www.mccannpjfiles.co.uk/PJ/MARTIN_SMITH.htm