

Peter Daniel Smith Statement – May 26, 2007

Date of Diligence: 2007.05.26 15H30

Location: DIC Portimao

Name: PETER DANIEL SMITH

The witness states:

- That he comes to the process as a witness.
- Being of Irish nationality, he does not understand Portuguese in its oral or written form and is therefore accompanied by an interpreter.
- States that his father owns an apartment in the town of Luz, Lagos, namely in Urban. Estrela da Luz, corresponding to A1C. His father comes to Portugal at least three times per year. The deponent went the first time that he travelled to Portugal.
- Concerning the period in question, states that he arrived in Portugal on the 26th of April of 2007 and had his return passage booked for the 4th of May of the same year. He arrived at Faro airport from the city of Dublin. That he arrived before his father, by choice, due to available days. He came accompanied by his wife, S***, and his two children TA*** and CO**, 13 and 6 years old respectively.
- He would like to clarify that on the 3rd of May, he and his family went to the Dolphin restaurant, situated in Praia da Luz, where they dined. Around 21H00 they left the restaurant and went to Kelly's Bar, about one minute away on foot. In Kelly's Bar (he does not remember the name of the street it is on) they had a few drinks, having left from there around 21H50/22H00.
- They left the bar, and went up some steps that give access to a road just above. On this road they took a side street, the name of which he does not know, in the direction of Estrela da Luz. Immediately at the beginning of this road he saw an individual carrying a child, who walked normally, with a fairly quick step because he was coming downhill. It appeared normal to him, like father and daughter. He adds that this individual was coming down the street, opposite to the direction of the deponent and his family. He does not know what direction the individual took as he only saw him as they passed each other.
- Urged, states that when he passed this individual it would have been around 21H55/22H00, and at the time he was completely unaware that a child had disappeared. He only found out about the disappearance of the child the next morning through someone he knew, the son of the builder of Estrela da Luz, who was also at the airport. The witness went to the airport given that, as planned, he intended to return to Ireland on that day
- At that time he did not associate the said individual with the disappearance, only after thinking on the subject and the coincidence of the time did he infer that MADELEINE could have been the child carried by the individual that he had seen.
- The description of the individual who carried the child was: Caucasian, around 175 to 180 cm tall. About 35 years, or older. He was somewhat tanned as a result of sun exposure. Average build, in good shape. Short hair, brown in colour. He does not remember if he wore glasses, or had a beard or a moustache. He did not notice any other relevant details as the

lighting was bad.

— He also does not remember the clothing the individual wore or his shoes. He states that he did not notice those details as his pregnant wife was somewhat ill and he was constantly attending to her, not caring about observation of the individual.

— He states the child was female. She was perhaps two or three years old, in that she appeared to him to be a bit smaller than his niece of the same age. She was a child of normal build. She had blonde hair, of medium shade, not very light. Her skin was white, typically British. He did not notice her eyes as she was asleep, having closed eyelids.

— He does not remember her clothing very well but thinks it was lightweight summer clothing, light in colour. He does not remember if she was covered with any wrap or blanket. He cannot affirm if she was barefoot.

— He states that [the man] carried the child on his arms, with the head resting on the left shoulder, as such on the right of the deponent, appearing to him in a natural manner.

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

— Questioned, states that the individual did not speak nor did the child as she was sleeping deeply. He adds also that the individual did not try to hide his face or lower his look, [doing] nothing [that would be] perceived as strange.

— States that it would not be possible to recognize the individual in person or via photograph.

— At being asked, says that when he saw the individual, the deponent was accompanied by his wife, S***, his father MARTIN, his mother MARY, his children TA*** and CO**, 13 and 6 year old respectively, his sister AOIFE, 12 years old, and his two nieces AI*****, 10 years, and EI****, 4 years, children of his sister B*****, who was in Ireland.

— States further that when he passed the individual, the individual was coming down to his right, going around the deponent in the middle of the street. At that time the traffic was minimal or non-existent.

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

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

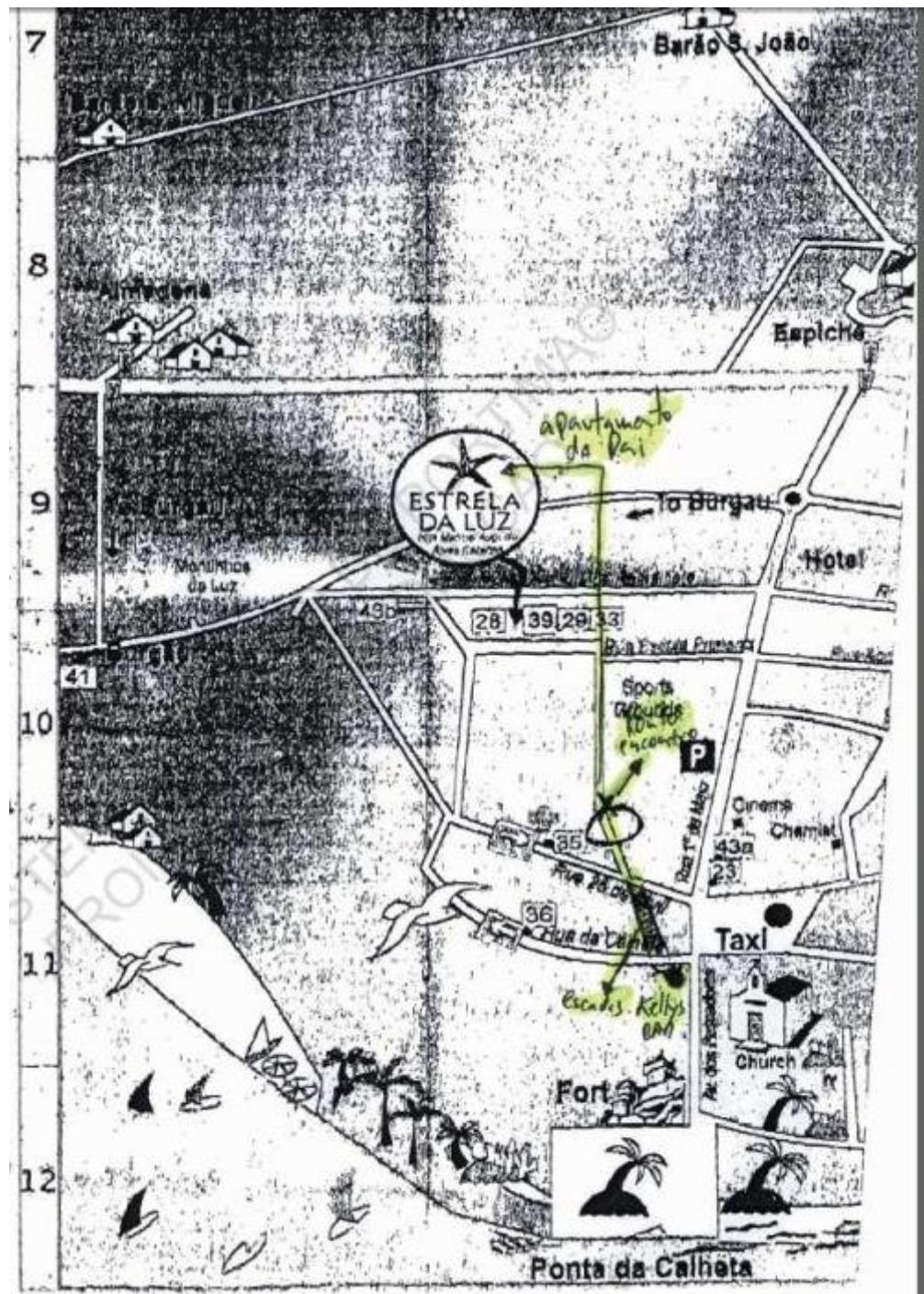
— Adds further that his son TA*** was questioned in Ireland and said that the individual was dressed in a long-sleeved coat/jacket, black in colour, and that the child was barefoot.

— He has nothing else to offer the investigation.

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

6-Processo 6 Pages 1619 to 1624

MAP 06_VOLUME_VIa_Page_1619



SMITH SIGHTING 1 - 06_VOLUME_VIa_Page_1620



SMITH SIGHTING 2 - 06_VOLUME_VIa_Page_1621



VÁDRAMENTO – RUA 25 DE ABRIL E RUA DA ESCOLA PRIMÁRIA



SMITH SIGHTING 3 - 06_VOLUME_VIa_Page_1622



ENQUADRAMENTO – As indicam o local onde as testemunhas viram , cruzaram-se, com o indivíduo suspeito , nomeadamente a letra code AOEE-SMITH viu o suspeito, a letra "M" - MARTIN SMITH e a letra "P" - PETER SMITH .



SMITH SIGHTING 4 - 06_VOLUME_VIa_Page_1623



TO 6 – ENQUADRAMENTO – As indicam o local onde as testemunhas viram , cruzaram-se, com o indivíduo suspeito , o "M" - MARTIN SMITH o "P" - PETER SMITH , na rua da Escola primária



SMITH SIGHTING 5 – 06_VOLUME_VIa_Page_1624



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