

Libel trial McCann v Gonçalo Amaral - Day 10

(27.11.2013, 10.00am)

Dra Isabel Duarte, the McCanns' lawyer, is today substituted by her assistant, Dr Ricardo Afonso. The Judge seeks further confirmation from Gonçalo Amaral's lawyer that they no longer wish to call Dr Paulo Sargento to the stand
Defence lawyers who were previously ordered to provide financial documents to the Court seek and receive a 10 day extension.

Witness **Luis Froes** is recalled today to give further evidence. He previously testified on the 5 November having been called by lawyer Dr. Henrique Costa Pinto acting on behalf of *Valentim de CarvalhoFilmes and VC Multimedia*. His return to Court today was ordered by the Judge following his failure to provide qualified responses to certain questions on the previous occasion.

Dr. Henrique Costa Pinto, is the only lawyer to question the witness.

VC - refers to some invoices which the Clerk to the Court presents to LF, and asks to what they refer.

LF reads and says he is aware of these documents.

VC - What is the first document about?

LF presumes that it is about the cost of the seals.

VC - Is it an invoice?

LF says the amount is €75,000. He adds that the seals guarantee the authenticity of the product.

VC - Is the function of the seals to authenticate the DVDs?

LF - It is. The witness thinks that the contract indicated that *VC Multimedia* were responsible for the cost of the seals.

VC adds that *VC Multimedia* had to prove that it had the rights.

LF reads the second document.

VC - Getting back on the first document.

LF - *VC Multimedia* charged *Presslivre - Imprensa Livre, S.A.* (owner of the newspaper *Correio da Manhã*) with the cost of the seals.

VC - About the second document?

LF says it is an invoice for €xxxxxx to *Presslivre*.

VC - And about the third document?

LF - It concerns the distributed copies.

VC - Do you remember having given authorisation to destroy the unsold copies?

LF says he does vaguely remember they were destroyed.

VC - Is it usual practice when products cease to be bought?

LF says it is.

VC - There is a number that doesn't correspond to the number of surplus copies. It seems the invoice concerns fewer copies than there actually were. Subtracting to the number of distributed copies for sale the number of unsold (destroyed) copies gives a slight difference in relation to the invoice.

LF doesn't explain this difference.

VC - Apart from this edition, was there a second edition in Portugal or in other foreign countries?

LF says that in this case he would have had to authorise it, which he never did.

VC - You don't remember.

LF says he doesn't.

Examination of witness ends.

After a short break, the Plaintiffs lawyer Dr Ricardo Afonso plays a recording of the original TV broadcast of the documentary (with publicity etc.) to the Court on a small screen. After a few technical problems, he decides to substitute the original broadcast with the DVD.

The Judge takes some notes.

It is scheduled that two video presentations are also played to the Court, but Dr Ricardo Afonso desists of the first one (an interview recorded on 16 May 2009) and instead plays the second one, an interview from the *Querida Julia* (*Dear Julia*) talk-show transmitted by *SIC TV* on 27 May 2009.

Notes from the Júlia Pinheiro (Querida Júlia) talk-show:

Taking part are Gonçalo Amaral, Paulo Sargento and, on the phone from Brussels, Duarte Levy. The video starts with mention of GA's condemnation related to his involvement in the Joana Cipriano case. GA states that the new suspect is a British man (whose name is never disclosed, but everybody will understand who he is, a dying man) accused of assaulting teenagers and with convictions in the UK. GA criticises the PJ for having let the private detective group Metodo 3 undertake the investigation of this man and his possible involvement in the disappearance of Madeleine McCann. Duarte Levy states that the suspect is in Germany and that he was informed that this man (married to a German woman) wasn't properly investigated in Germany and that detectives weren't even allowed into his hospital room. The discussion expands to cover the moral aspect of taking advantage of someone who is seriously ill. Duarte Levy says that the documentary, with English subtitles, made it possible for those with little or no understanding of the Maddie case to appreciate in less than an hour what was at stake. Paulo Sargento underlines that little is known about what really happened between 5.30pm and 8.30pm and adds that the British investigators' paedophile hypothesis is geographically implausible. Gonçalo Amaral concludes saying that trusting in justice is a must (referring to his condemnation in the Joana Case).

The gathering of evidence has concluded.

The Judge proposes that the last session with the allegations and statements from the parties be fixed for the 18 December but changes this to 7 January 2014 which is the first date when all parties will be available.

End of session.