

# McCann vs. Amaral Libel Suit

**This libel trial is taking place in Portugal.**

*"On 24 July 2008, [Gonçalo Amaral](#) launches his book 'A Verdade da Mentira', 'Maddie: The Truth Of The Lie', in Lisbon. Its publication was met with a furious reaction from the McCanns and the UK press."* See also [The Truth of the Lie, book by Gonçales Amaral](#) for further informations.

see at →[McCanns v. Gonçalo Amaral: Libel Trial](#): " Kate McCann: "He deserves to be miserable and feel fear." [Goncalo Amaral](#): "They know that Madeleine is dead and that there were no abductors." The McCanns £1million damages claim against Gonçalo Amaral suffers two delays: The first, apparently due to Snr Amaral's lawyer undergoing surgery and secondly, due to an apparent attempt by the McCanns to negotiate an out of court settlement (as reported in the Portuguese press). The trial is now reported to be going ahead on 12 September 2013, from 9:30am, with further dates understood to be 13, 19, 20, and 27 of September. The UK press have reported that the McCanns will not be attending and there is the possibility that the trial may be conducted behind closed doors."

see at →[Libel Trial Court reports](#): "Day Eleven - **07 January 2014**. Final arguments postponed due to legal discussion. Neither side attended court. Currently **awaiting revised date...**"

(A PDF File of the book under scrutiny can be found at this location:

<http://www.ukoverload.com/holding/download/Maddie.pdf>)

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See also →[Gonçalo Amaral on the mistakes made by journalists when they state this is a libel trial, it isn't](#) (in portuguese and english (scroll down)):

"Upon reading the news about the last trial session I became certain that the vast majority of journalists is unaware about what is being discussed there and they have not informed themselves properly.

Let us be clear. **What is at issue is to establish whether:**

1. If the writing of my book "Maddie: A Verdade da Mentira" [Maddie: The Truth of the Lie] has constituted a licit or illicit act;
2. If the authors of the claim have suffered damages and whether there are facts that prove them;
3. If it is possible to establish a causality nexus between the book and the alleged damages.

This is what is in question. As to the legitimacy to write the book, I suggest to anyone who has doubts to read the Lisbon Appeals Court ruling within the scope of the temporary injunction that has preceded the legal action at stake. **In fact, for the honourable Appellate Judges - as one can conclude by their decision - the lawfulness of the publication of the book is indisputable...."**

See also some information on the unusual *Ward of Court*-Status for Maddie →[\[1\]](#) and [\[2\]](#).

See also the base decision in favour for Amaral: [Lisbon Appeals Court Decision on the McCann Couple Injunction 14 October 2010](#):

**“...III - Decision:** In harmony with what is written above, under the terms of the cited dispositions, the Judges at this Appeals Court declare the validity of the appeal filed by defendant Dr. Gonalo Amaral, and the sentence of the a quo Court is revoked, its disposition replaced by the following:

The injunction is deemed not valid because it was not proved. Furthermore we deliberate that we do not acknowledge the rest of the appeals. Costs to be paid by the appealed parties [the McCann couple and their three children].

Lisbon and Appeals Court, 14.10.2010, The Appellate Court Judges, Francisco Bruto da Costa, Catarina Arelo Manso, Ant3nio Valente.”

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### **The Lisboa Sentence on 27th April 2015**

→[Documento Original](#) Original Sentence File in Portugues language.

→[Courts Proven facts](#), English language

→[Nova Gente](#), Interview With Gonalo Amaral , 15 May 2015, [Extract](#):

For the first time, Gonalo Amaral speaks about the case that destroyed his career, his family and his health... *“My life is gone, I’m only alive due to my heart”* Condemned to pay 500 thousand euro to the parents of Maddie, the little English three-year-old girl that disappeared in Praia da Luz, in the Algarve, on the 3rd of May of 2007, the former inspector will fight until the last legal instance, because he is “a free man and citizen” with “the right to express opinions”.

Q: *What was your reaction when you found out that the verdict from the court was unfavourable to you in the defamation suit that the McCanns filed against you?* I found out about the verdict through a friend who called me telling me about the news on the radio. I immediately called my lawyer, but he hadn’t been notified and the verdict was not in the process. It’s sad, but my lawyer could only access the sentence, that afternoon, because a British journalist sent it to him by e-mail. There is no doubt that the couple’s lawyer has good connections at the court. My reaction was one of calm and a wish to read the full contents of the verdict as soon as it was available on the Citius website, which only happened the next day, but with the date of the previous day. Mysteries which the webs of justice weave.

Q: *Were you surprised?* I wasn’t surprised, it was one of the open possibilities, but after the decision about the matter of fact, which was favourable to me, I trusted that the verdict would come in the same direction.

... Q: *The court says that you caused Maddie’s parents and siblings moral damages...* In my understanding, there are no damages that, objectively and factually, may have resulted from my writing. Which is to say, there is no causal nexus between the book or the documentary and any damages. On the other hand, what is spoken about, like the feelings of rage, it can hardly be considered a damage.

... Q: *Apart from the payment, the court decreed the prohibition of the sale of new editions of the book Maddie: A Verdade da Mentira. Nevertheless, the Appellate Court had decided to annul this prohibition back in 2010...* This court has not undone what had been decided by Lisbon’s Appellate Court within the injunction that was filed by the complainants. It should be clarified that the only decision that has, so far, become effective is that of Lisbon’s Appellate Court. That is the only one that

is in force, the rest is still subject to appeal and it will take a few years to come into force, while I hope that our superior courts will see this differently from the lower court. This is just the judicial system working, therefore we need to remain calm.

In a more practical manner, I can say that the claimants, the McCanns, haven't won anything yet, they only lost, namely with the decision from Lisbon's Appellate Court, which is very clear in stating that the rights that have been violated were mine, that I, within the exercise of freedom of speech, could write the book and practiced no illicit action.

... Q: *Do you feel abandoned by the intellectuals and the writers of this country?* Since I left the Judiciary Police, I am part of no institution, I have no political party, nor am I a member of any sports, recreational, cultural or social association, I do not belong to any congregation or obedience. I wrote three books (Maddie: A Verdade da Mentira; A Mordaça Inglesa; Vidas Sem Defesa), but I do not consider myself a writer. I'm an outsider.

Q: *Is freedom of expression not compromised by this type of verdict?* What is happening to me, since 2009, is an attack against freedom of expression and a trial over an offence of opinion. The intellectuals of this country, in general, have reacted with indifference. I am not part of their group, and to make things worse I'm an ex-policeman, something that is reproved by many. As far as I remember, only Dr. Francisco Teixeira da Mota, when the Appeals Court's decision came out, wrote about the matter, saying that the decision had been correct, as the Portuguese State risked being condemned by the European Court for Human Rights... Someone asked me why the Portuguese Authors' Society had not come out to defend freedom of expression and to denounce the attack that is underway. I replied I was not a member, which may explain the silence.

... Q: *Have you never considered suing the McCanns over the damages that they caused to your family?* Each thing in its own time, it won't be only the McCanns, but their group of friends, and other people and entities that will be sued. There is an illicit action that was indeed performed, the neglect in guarding their children, which caused direct damages to many people, not only to myself, but for example to the Ocean Club workers, who were fired and saw their lives change, many of them unjustly passing from mere employees and heads of family to suspects in a criminal investigation, while they had nothing to do with the matter.

... Q: *What remains unexplained in this case?* I don't answer that question. Faced with what was said by the couple, after the verdict was known, that they felt stronger, I just feel like saying that only vampires become stronger with their victims' blood. Like Zeca Afonso [Portuguese songwriter and singer] sang, "they eat everything"...

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### **Latest News:**

- →[Daily Mail](#) (27 July 2014), Former Portuguese policeman being sued by Madeleine McCann's parents for claiming they faked her abduction is planning to sue them BACK
- →[Projecto Justica Goncalo Amaral](#) (02.Feb. 2015) A Message from Goncalo Amaral
- →[Algarve Newswatch](#) (05.Feb. 2015) McCanns vs Amaral verdict nearing
- →[The Guardian](#) (28. Apr. 2015) Madeleine McCann's parents win libel damages in trial of police chief
- →[Sky News](#) (28. Apr. 2015) McCanns Had Asked For £1m Compensation
- →[Portuguese American Journal](#) (30. Apr. 2015) Detective Amaral to appeal McCann's libel action
- →[Express](#) (3. May 2015) Maddie libel detective ruined: Retirement retreat seized to cover McCann

payout

- → [Express](#) (4. May 2015) Online trolls pay Madeleine McCann libel detective's legal bills on eight year anniversary
- → [Nova Gente](#) (15. May 2015) Interview With Gonçalo Amaral
- → [Daily Star](#), (18. May 2015) , Maddie cop slams McCanns over 'gag': Ex-police boss to fight court ruling

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see also [The Hunt for Dr. Amaral](#).

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1. support page at → [Projecto Justiça Gonçalo Amaral](#)
  2. support page at → [gofundme](#)
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