

**Cape Times** 10 th December

## **Surviving this harrowing murder trial**

By Karen Breytenbach

I DREAMT I spoke to her. I was in a hospital room and I saw her lying under a white sheet on a steel table, only her face and toes showing. Then she sat up. She was wearing a white robe. Her hair was shaven off. But her cheeks were rosy and she smiled at me.

She told me she did not want people to put their hopes on a court finding her boyfriend, Fred van der Vyver, guilty of her murder. She had kind eyes, her voice was sweet. Inge said her hope was not that anyone paid for her murder, because she had forgiven her killer, but she hoped her parents would find the answers they were looking for.

"As long as my parents get through this. I just want them to be OK," she said. I woke up.

That day, in the middle of this year, covering the Inge Lotz murder trial changed for me. She became real to me.

I still remember the day in 2005 when I heard that a Stellenbosch student had been murdered in her flat in Welgevonden. The shock was that I had lived in the same complex just a year before.

I remember the shock of figuring out that I had a strange connection to this girl. I realised I had sat next to her mother, Juanita, and father, Jan, at my cousin's wedding some years before. It turned out to be a great day, because Juanita was chatty and engaging. She told me all about her only daughter, Inge, her best friend, while I told her about my studies and family.

And then in a dreadful twist of fate, as a newbie Cape Times reporter, I had to report on her murder. I attended the funeral at the cavernous brick NG Kerk, Welgemoed. There were rows of white flowers down the aisles and many of the faces were recognisable. Fred made a speech. The one line that sticks in my mind is that he said she was "like Jesus" to him.

On the day of the memorial service I mustered up the courage to speak to the Lotzes. I decided that I would keep my chats with them strictly off the record. No matter what, I would not contribute to making this worse for them.

For two months, the police's communications department repeated their mantra: "No one has been arrested yet. " We heard all Inge's ex-boyfriends were suspects, and then there was an arrest.

At Fred's first court appearance at Stellenbosch Magistrate's Court, photographers waited for him and his attorney, William Booth, at the back gate. Our photographer took a shot of Fred as he sat in the car, staring out hazily, avoiding eye contact.

Then came the excruciating wait for a high court date. I can only imagine how strenuous those months had to be for Fred, at work at Old Mutual, not allowed to talk to state witnesses, isolated, being stared at and gossiped about wherever he went.

At the end of 2006, I was approached by well-known forensic scientist David Klatzow. He had information about the police's seemingly fabricated evidence against Fred and leads on a drug addict/criminal who had confessed to seeing his tik-high friends commit the murder. My editors gave me a few days to investigate.

I sifted through mountains of files at the Stellenbosch Magistrate's Court and visited the two local

police stations. I followed every possible lead, but found nothing on the suspect.

After carefully studying what Klatzow had shown me, we ran a front page lead on how the police allegedly tried to frame Fred, balanced with comments from the prosecution and police. This was contrary to our usual practice of refraining to comment on evidence before it has been presented in court, but we hoped we could do some good.

Shortly after that, in January, the trial began in chilly Courtroom Four.

The Van der Vyver clan from Queenstown sat on one side and the Lotz family on the other. Both had their friends and supporters. Both families were good, sophisticated, neat, educated, conservative and religious people.

The defence team was still large: one attorney and three hotshot advocates. Two feisty state prosecutors, Carine Teunissen and Christènus van der Vijver, had been appointed to the case.

I got the impression both sides thought I was on their side, judging by their friendly nods and glances.

I decided to wipe my slate clean. I did not want to favour either side, but would try my hardest to be as objective as possible throughout the trial. It was hard. Sometimes I felt resented for not seeming more sympathetic towards Fred, but I decided to stick to my guns and write only what was said in court, as I am required to do by media law.

The trial was an emotional rollercoaster. On day, early on in the trial, a projector was set up. Sensitive viewers were asked to leave. They were going to show footage of the murder scene, and of the postmortem examination.

The camera followed the path into the entrance of the flat, briefly hovering over kitchen items and then, as it was dyed with blood. Her face seemed bruised. Then they showed the postmortem footage, which is too awful to describe.

I sat next to Marlene Malan of Rapport - later Sondag.

Both of us were intensely shocked by the visuals. I was puzzled by how calm the Van der Vyver family looked, but I know now they had no choice but to face the brutal reality.

This was a real person, I told myself as I looked at the images. I thought that this could have been me.

Ben McLennan from the South African Press Association asked why we were so upset. "It's just like CSI," he said. At the time I thought his comment revealed a hardened veteran, but later, as a colleague pointed out, I realised he was trying to comfort us.

Throughout the trial the journalists formed a close bond. The case consumed our lives.

The social dynamics that form in long court cases are quite interesting to me. We got to know one another. Justice Deon van Zyl often told stories of his family and made lighthearted remarks to lift the mood.

The advocates were sometimes upbeat, but by the end of the trial they began looking increasingly fatigued. Fred became paler and thinner.

Outside court, at home, in the office, at a braai or a dinner, everyone wanted to know about the case. My boyfriend heard the same stories over and over again. I eventually stopped telling him about the case, because it drained him. I lay awake many nights, wishing I could stop thinking. I

have to be honest: some days I thought Fred did it; on others I thought there was no way he could or would. I prefer not to answer questions about it anymore.

The trial carried on for 10 months, with close to 5 000 pages on record. There were days when I cringed at some of the news reports produced, with barking graphics and headlines and unflattering pictures.

As the trial drew to a close, after Fred had been dramatically allowed to take the stand halfway through Dup de Bruyn's closing argument, the pieces of the puzzle started to come together. Fred seemed less and less sinister. The prosecution's case, which had seemed strong at one point, seemed less convincing by the day.

I felt sorry for those who needed to believe Fred was guilty.

The night before judgment I dreamt I unknowingly arrived three hours late for court, and when I looked down I was wearing only my bath towel.

On the day, I was there on time and caught every word. It felt good. It was nearly over. Judge Van Zyl said the words and relief rained down on the Van der Vyvers. The Lotzes were very composed, but it seemed as though life had lost its purpose for them.

For Fred and his family, life just got a new purpose: to restore what was lost and to prevent the police from getting away with what they had put him through. Like the Lotzes they also want answers about who killed Inge. It was important to Fred to know who killed his future wife. With their energy spent, I wonder how this family even has the energy to take on round two. I can't help but think what Inge would have said about how things turned out if she could.

Published on the web by Cape Times on December 10, 2007.