

DATE: 07/11/07
PUBLICATION: PRETORIA NEWS
PAGE NO: 4

PAGE	1
OF	1

Marathon Lotz trial nears end

KAREN BREYTENBACH

"The question is whether the State placed enough evidence before court to prove its case beyond reasonable doubt. One cannot lose sight of complications with the circumstantial evidence. We have no direct evidence, because no one saw him leaving work or entering the crime scene."

These were Judge Deon van Zyl's words at the end of Fred van der Vyver's marathon trial for allegedly murdering his girlfriend, Inge Lotz.

Judgment is on November 29.

Van Zyl last week asked prosecutor Carine Teunissen if the State had intended to present controversial fingerprint evidence against Van der Vyver to show that the police had not committed fraud, or if the State also meant to use it to place Van der Vyver on the scene.

The Director of Public Prosecutions last year decided to omit the fingerprint after allegations surfaced that it was lifted off a glass, not a DVD cover.

Teunissen said the original idea was to present the evidence to prove the police's innocence.

However, the defence wanted to prove fraud.

"If the court accepts the fingerprint, it would of course blow the alibi out of the water," Van Zyl remarked.

Teunissen mentioned conical glasses found in Lotz's basin that could not be dusted because they were wet on the day the fingerprints were taken.

The police claims only two prints were lifted – Lotz's print on a glass and the one in question.

Van Zyl interrupted, pondering if these glasses had not been dusted later and mislabelled, thereby "strengthening the defence's case".

Van Zyl remarked that he had thought hypothetically about how long it may have taken Van der Vyver to drive to Stellenbosch and murder Lotz.

"If he left by 3.30pm and was back by 5.10pm, he would have had only half-an-hour to wash, get rid of everything and return to the office," Van Zyl said.