

# Webster killing: police implicate two

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The police had information that alleged Civil Co-operation Bureau members Calla Botha and Ferdie Barnard were involved in the death of University of the Witwatersrand social anthropologist David Webster, but no facts that could stand up in a court of law, Brigadier Floris Mostert told the Harms Commission yesterday.

Brigadier Mostert, the officer in charge of the investigation into Dr Webster's murder, said he had information the CCB was involved in two killings and that Mr Botha and Mr Barnard were

implicated. He told the commission's sole member and chairman, Mr Justice Harms, that so far the information, and not evidence, had implicated the men in the deaths, but had not said they were the killers.

In a statement made on April 5 this year, Brigadier Mostert said an anonymous caller told police on June 9 and August 29 last year the people who killed Dr Webster on May 1 last year had links to "one or other department of the Special Forces section of the SA Defence Force".

Another call was received

## The Harms Commission



early last September from Cape Town saying the person who killed Anton Lubowski, the Windhoek advocate and senior Swapo member, was the same person who had murdered Dr Webster.

Asked by Tim McNally, leading evidence for the commission, whether he would identify the source of the information or

the sex of the caller, Brigadier Mostert refused.

Mr McNally then handed in a statement made by the regional chairman of the Black Sash in the Western Cape, Beva Runciman, in which she wrote of a telephone call received by her at the organisation's Mowbray office on September 18 last year.

The caller told Ms Runciman that Mr Lubowski's assassination had been carried out by people in a Cape Town registered car by members of a military reaction unit who were answerable only to the Minister.

Brigadier Mostert admitted that in extracting information

from alleged CCB member Mr Barnard, while he was in detention in terms of Section 29 of the Internal Security Act, the police had had "an investigation dilemma" to overcome. He did not reveal what this dilemma was.

"Barnard named a person who had been shot in either Mozambique or Swaziland, but at the time of our investigations we never thought it important because it occurred outside the country," said Brigadier Mostert.

"Didn't you think it vital?" asked Willem Burger, who is appearing for both the SADF and the Minister of Defence.

"It will come out," Brigadier Mostert replied.

Mr Burger then asked: "Are there no facts to link the death of Dr David Webster?"

"That is correct. I agree with you," replied Brigadier Mostert. "There are still people we have to contact."

He said that as far as the police were concerned, Mr Barnard was linked to the Lubowski murder.

When asked by the judge whether Mr Barnard had said whether the CCB was linked to that murder, he said this was the case.

Brigadier Mostert also told Mr Justice Harms that the managing director of the CCB, Joe Verster, had been released from detention in terms of Section 29 on what he termed a "Ministerial directive".

Mr Verster could no longer be re-arrested.

Yesterday's hearing was characterised by Brigadier Mostert's denying on several occasions he had misused the Internal Security Act or that he was a liar.

## Angered

Earlier, Mr Justice Harms had been angered by the brigadier's non-appearance at the start of the hearing. He arrived two hours later after the judge ordered he be found.

Brigadier Mostert, who appeared flustered at times under cross-examination, said he had first heard about "a mysterious organisation called the CCB" as a result of a tip-off to the Minister of Law and Order, Adriaan Vlok, on August 29 last year.

At that time, Brigadier Mostert did not know what the initials CCB stood for, but deduced that it was attached to the SADF.

Earlier, Mr Burger had quizzed Brigadier Mostert extensively about his knowledge of the CCB. He was told that the police knew unofficially by December 2 that the CCB existed, although there had been rumours before that date.

He was accused of misleading the commission, but denied that this was the case and also denied he was lying.

"I am not lying. It is a difficult situation (for the police)."

"The CCB was not officially acknowledged until Sapa put out a statement a group existed." — Pretoria Bureau-Sapa.

## Identikit based on false information by soldier — Mostert

By Norman Chandler

Police identikits of the alleged murderers of activist Dr David Webster were based on information from a national serviceman who, it transpired, was not at the murder scene, the Harms Commission was told today by Brigadier Floris Mostert, who is heading the murder investigation.

A new set of identikits were later prepared but not released for publication and were, in fact, being used by the police internally.

Under cross-examination by Paul Pretorius, for the Independent Board of Inquiry into Informal Repression, Brigadier Mostert also claimed the media had hampered his investigations with what he termed "sensationalism".

Mr Pretorius accused him of "urgently blaming" the press for no reason.

Brigadier Mostert is in his second day of evidence to the commission under Mr Justice Louis Harms, which is investigating alleged politically motivated murders.

Today's evidence by Brigadier Mostert follows his statement yesterday that

the police had no facts on which to work in the Webster murder case. Dr Webster was shot dead on May 1 last year outside his Johannesburg home.

During earlier testimony, members of the SADF's Civil Co-operation Bureau were blamed for the deaths of both Dr Webster and Anton Lubowski, a Swapo national executive member assassinated in Windhoek last September.

Questioned by Mr Pretorius, Brigadier Mostert told the commission he had never said he was investigating right-wing organisations perhaps responsible for a spate of political murders.

## Businessmen

"Judging from your affidavits, you appeared to allude to a private right-wing group being responsible," said Mr Pretorius.

The police officer said he had initially been advised that a "group of businessmen" were apparently responsible.

He said certain documents had been released by unknown people to the media and it was as a result of this that the police had been obliged to investi-

gate the truth of their contents.

Mr Pretorius said: "You made your first affidavit on December 11 last year. At that time did you, in fact, know about the CCB?"

Brigadier Mostert agreed that this was the situation and that "the Barnard incident" had led to much investigation.

Former CCB operative Ferdi Barnard was taken into custody on October 31 last year in terms of Section 29 of the Internal Security Act and his detention was followed soon after by that of another former operative, Calla Botha.

Brigadier Mostert acknowledged the CCB could still have remained secret had police investigations not revealed its existence and the SADF not been forced to acknowledge its existence.

Mr Pretorius asked him about media investigations into the CCB and why he was apparently "urgently blaming" the media.

"The press was looking for sensation while I was trying to put together a case for presentation in the courts," he replied. Mr Pretorius commented that much good had come out of the media

probe and that the information had been of great use to the commission.

Brigadier Mostert's remarks about the media had been contained in his original affidavit which formed part of the investigations carried out under Section 29 of the Internal Security Act. As a result, this affidavit cannot be published.

Asked by Mr Pretorius about the tracing of new witnesses and, in particular, one witness with whom the police had tried to improve the existing identikits, Brigadier Mostert revealed that shortly after the murder, a national serviceman had told police "a fantastic story" about what he had allegedly seen. It transpired, however, that he had not actually been at the scene.

The identikit pictures which were published were based on what the national serviceman had told the police. Brigadier Mostert was unable to name him.

A report in The Star last June, which said police were "still sorting out the problems", had also alluded to new identikits.

(Proceeding)

## Note lawyer's behaviour, spy probe judge tells Bar Council

By Louise Burgers and Helen Grange

The Bar Council has been asked by Mr Justice Hiemstra to note proceedings in the Johannesburg spy commission in which a legal representative instructed his client not to answer questions.

The judge said the Bar Council should "take note" of the actions of Hans Bornman, who instructed his client, spy handler Martin Hennig, not to furnish information on his military career.

Mr Bornman said today, how-

ever, that Mr Hennig had decided himself not to answer questions.

Mr Justice Hiemstra said he would consider Mr Bornman's submission and decide on the matter tomorrow.

Mr Hennig was found yesterday to be in contempt of the Commissions Ordinance.

The case was referred to the Attorney-General by Mr Justice Hiemstra, who is investigating The Star's revelations of a spy network in the Johannesburg City Council.

The judge said: "He (Hennig)

## The Hiemstra Commission



was fully supported by his advocate, Mr Bornman. It is on advice from Mr Bornman that he refuses. The refusal is on three grounds.

"The first is that the questions are irrelevant. The second is that answering the questions would be in contravention of Section 118 of the Defence Act.

The third is that he took an oath of secrecy in the Defence Force.

"His standpoint goes further because he indicated that if his objections were found not to be valid, he would still refuse to answer any questions on the SADF.

"This last attitude is obviously a contravention of Section 7 of the Commissions Ordinance of 1960. That an advocate associates himself with such an attitude, and even advises, seems to me to be a matter the Bar Council should take note of."

The judge said more wit-

nesses would be called and possibly questioned on the military angle of the municipal security network, and questions on the SADF were unavoidable.

The chairman of the Johannesburg Bar Council, Louis Goldblatt, told The Star he had not received a complaint about Mr Bornman.

However, should this happen, a sub-committee would be appointed to investigate.

Mr Bornman would not be withdrawn from the commission hearings.

(Proceeding.)