

## Mpisane's fraud trial to proceed as State, defence won't budge

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WITH neither the State nor the defence willing to give an inch, attempts to narrow the issues and possibly curtail proceedings in the tax fraud trial of businesswoman Shaawn Mpisane failed yesterday.

Just a week after she was charged with other fraud charges, Mpisane appeared before a magistrate again, this time in the Durban Regional Court for a pre-trial conference in her tax fraud case.

After deliberations between State advocate Meera Naidu

and the defence team of advocate Jimmy Howse and attorney Themba Mjoli, the case was adjourned to May 2 for trial. Naidu said it was apparent that the State and defence would not be making any "concessions or representations" and that the trial would have to proceed.

Mjoli agreed with Naidu and said the defence was prepared for the 11 trial days.

Mpisane and her company, Zikhulise Cleaning Maintenance and Transport, are facing 119 counts of fraud involving R4.7 million for submitting

fake invoices and financial returns to the taxman.

The first was for submitting documents, including revised income tax statements for the 2008 year; that the State claimed were fraudulent, and the second for putting incorrect information on VAT returns for the 2009/10 tax year.

Mpisane pleaded not guilty to all the charges, and blamed her former bookkeeper, Kishal Reddy, for any fraudulent submissions.

In a separate matter, Reddy has pleaded guilty to related crimes, but said he was acting

on the instructions of Mpisane.

The tax case went into a trial-within-a-trial last year when Mpisane said documents the State wanted to use against her were inadmissible, but magistrate Blessing Msani found it was "fair and just" for the documents to be used.

Last week, Mpisane appeared in the Commercial Crime Court charged with 53 counts of fraud, forgery and uttering relating to her alleged submission of false documentation to the Construction Industry Development Board, boosting gradings granted to her com-

pany and resulting in her fraudulently scoring five contracts from the Department of Public Works valued at more than R140 million.

The Asset Forfeiture Unit secured a court order "preserving" Mpisane and her husband Sbu's assets, including their La Lucia home and luxury cars.

Mpisane is due to appear in court in Pinetown tomorrow on charges of corruption and defeating the ends of justice.

The charges arise from allegations that she persuaded a State witness to alter evidence in the tax fraud case.