



Louise Jordaan

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Partner

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Louise Jordaan, a Partner with StoneTurn, has more than 23 years dedicated experience in forensic investigation, forensic accounting, expert witness and business dispute resolution experience.

Louise commenced her audit career at KPMG Inc in 1994. After articles she joined the Forensic Business Unit, where she became a partner in 2007. She served as a partner in the KPMG network for 11 years. She was the business unit head of the Forensic unit's Pretoria office and Whistle-blowing hotline service offering, as well as the head of the Dispute Advisory Practice.

Louise subsequently joined the StoneTurn Group as a partner in 2018. StoneTurn is a global advisory firm, that assists companies, their counsel and government agencies on regulatory, risk and compliance issues, investigations and business disputes.

Qualifications

Louise qualified as a chartered accountant in 1996 and became a member of SAICA in 1997. She became a member of IRBA (non-attest) in 2007 when she was appointed as a partner at KPMG.

In 1998 Louise completed her LLB degree. She left KPMG and served her articles under Adv Sita Kolbe and sat for the Bar Exam in 2000. She was admitted as an Advocate to the High Court of South Africa in 2000.

Education

Bachelor of Laws, University of South Africa

Bachelor of Commerce, Accountancy (Hons), University of Pretoria

Practice Areas

Investigations

Due Diligence

Litigation

Business Disputes

Expert Testimony

Compliance & Monitoring

Languages

English

Afrikaans

German, Zulu (basic)

Louise obtained her Certificate – Law with field of study Money Laundering Control from the University of Johannesburg in 2003. She also completed the SAICA Certificate in IFRS in 2019.

In 2021 she qualified as a Certified Fraud Examiner.

She currently is a member of the following regulators and/or professional bodies:

- Member, South African Institute of Chartered Accountants (#00067952)
- Member, Institute of Independent Regulatory Board for Auditors (#486094)
- Member, Institute of Commercial Forensic Practitioners (#366)
- Member, ACFE International (#829782)

Summary of experience

Louise has worked across a number of industries and services lines, rendering expert reports, litigation support, investigations, fraud risk management services and training. She has testified in a number of forums, including disciplinary hearings, arbitrations, section 417 enquiries, Magistrate Court and High Court of South Africa. She has also been the adjudicator of disputes between parties in alternative dispute resolution forums.

Recently judgement was handed down in a matter that Louise testified in in 2015 to 2017, and the accused was found guilty of all charges of fraud. The magistrate concluded as follows regarding the evidence given by Louise:

“The witness A.L. Jordaan: Exhibit XX1 to 3

Her evidence is uncontested. Her C.V. and evidence established her as an expert Chartered Accountant, Auditor and Forensic investigator on all aspects of accounting, financial documents, financial statements and fraudulent misrepresentation.

The finding in Exhibit XX1 is accepted.”

Expert witness and litigation support

Client/Industry	Service	Description
Liquidators of Macmed Health Care Limited (in liquidation)	Civil claim – section 424 – reckless trading by Directors of a listed company	In 1999 Macmed was liquidated. Louise led the KPMG team who supported the Liquidators in pursuing a civil claim against the directors in terms of section 424 of the Companies Act. This was protracted litigation. The matter was heard in approximately 2003 and the directors found guilty of reckless trading. Attorney: Alec Brooks of Tabacks Attorneys
State vs Hiscock and 9 others	Expert witness; investigation support to the National Prosecuting Authority	Following from the demise of Macmed, the National Prosecuting Authority decided in 2005 to pursue a criminal investigation into the conduct of the directors of Macmed. Louise led the team that provided investigation support to the NPA until the trial commenced in 2015. Judgement was recently handed down and the accused, Mr Hiscock, found guilty of 23 charges of fraud in terms of financially manipulating the financial results of the company over a period between 1995 and 1999. Prosecutor: Advocate Connie Erasmus.
State vs Boekhout and others	Factual witness and investigation support to the National Prosecuting Authority	The matter commenced with a search and seizure operation executed in South Africa and the UK in 2004. Louise assisted the United Kingdom Crime Squad during the search in seizure operation in the UK and thereafter assisted the National Prosecution Authority with money laundering investigation and cash flow analysis. The matter went to trial and Louise testified in the High Court of South Africa. The matter was however closed due to a failure of the NPA to obtain permission to bring the original documentation before Court.

Expert witness and litigation support (continued)		
Client/Industry	Service	Description
SARS Top Gun matter	Expert witness services	<p>Assisted SARS with an expert report in terms of the amount due by 26 taxpayers to SARS. The taxpayer/(s) were investigated for conducting elaborate tax avoidance schemes and fictitious claims in terms of the VAT Act. An expert witness report was prepared in 2017. There are various disputes ongoing between SARS and the taxpayer and Louise has not yet been called to testify on the report.</p> <p>Attorney: Nelia Wessels MacRobert Attorneys</p>
MLB Attorneys	Expert witness in arbitration / Financial Services	<p>Appointed as expert witness in a dispute between a listed entity in the financial services industry and a municipality. Louise was asked to quantify the amount due by the municipality to the listed entity in terms of a debt recovery service agreement that was concluded between the parties. She prepared an expert witness report in this matter in 2016. At a joint meeting of experts, the quantum of calculation was agreed and therefore Louise was not required to testify.</p> <p>In 2018 Louise was once again appointed in a further dispute between the parties on a subsequent contract entered into between the Parties. She testified in this arbitration in 2019.</p> <p>Attorney: Marie-Lou Bester of MLB Attorneys</p>
Lanham Love Attorneys	Expert witness in arbitration / Financial Services	<p>Louise was appointed to recalculate the amount owing by a lender who lent money from a vehicle finance division of a bank. The litigation ran for a number of years, from 2010 to 2016. She testified at the arbitration in 2016.</p> <p>Attorney: Bobby Lanham Love of Lanham Love Attorneys</p>

Expert witness and litigation support (continued)		
Client/Industry	Service	Description
Lanham Love Attorneys	Expert witness in litigation	Appointed in 2015 to prepare an expert witness report on the amount due by a lender to a financial institution based on a financing arrangement that included the operation of private aircraft. A report was prepared and the matter settled. Attorney: Lanham Love Attorneys
Webber Wentzel Attorneys	Institute of Internal Auditors	Testified at a disciplinary hearing of the Institute of Internal Auditors. The hearing was against a member of the institute and complaints against the member due a dishonesty and fraud. This disciplinary and testimony emanated from an investigation into fraudulent activities at the internal audit department of the South African Police Service. Attorney: Vlad Movshovich, Webber Wentzel
Logistics Company	Expert witness services and litigation support	A logistics company instituted action against the World Food Programme for non-payment of fees for logistics services rendered. The WFP disputed the claim and instituted a counter claim. The client was ultimately successful in his claim against the WFP (2004).

Quantification of damages

Over and above the matters listed above, where she testified or prepared an expert report and the matter was settled, Louise was also appointed to quantify losses and damages for clients to be used in possible future litigation or insurance claims.

Client/Industry	Service	Description
Manufacturing	Quantification of Damages	Quantification of losses due to the unrecorded sale of quality metal to a scrap metal dealer in return for undisclosed commissions and kick-backs (2007).
Spoor & Fischer, Pharmaceutical	Quantification of damages	Appointed (2010) by Spoor & Fischer on behalf of their client in the Pharmaceutical Industry to quantify the damages as a result of the import of counterfeit products to South Africa

Quantification of damages (continued)		
Client/Industry	Service	Description
Pharmaceutical industry	Quantification of damages	Quantification of and factual determination of stock losses due to distributor company incorrectly accounting for stock and stock numbers dispatched and returned.
Tertiary institution	Quantification of losses due to overpayment of contractors	Appointed (2017) to identify the losses suffered by a tertiary institution due to incorrect remuneration payments being made to contractors and staff. She also had to determine why the incorrect payments were undetected and the period that these payments were being made.
Tertiary institution	Quantification of fraud losses	Appointed (2012) by a tertiary institution to quantify their potential exposure to bursary funders due to the fraudulent award and payment of bursaries to non-qualifying students. This matter resulted in disciplinary hearings at the tertiary institution.
Financial Services	Quantification of losses	Appointed (2012) by the Merchant Services Division of a Bank to investigate the circumstances and quantify the potential losses suffered due to allegations of misconduct in the intra-bank settlement accounts. The report was delivered to the Board of Directors in order to assist them with a strategy of dealing with the matter for purposes of disclosure in their financial statements and considering possible action against their auditors.
Property development company and provincial government	Quantification of losses	Appointed (2013) by the attorney for a property development company. This company suffered losses and were trying to recover such losses from a provincial department who failed to occupy a building in terms of a lease agreement. The merits were already decided, and Louise was requested to comment on and determine the losses suffered by the plaintiff. The quantum was settled between the Parties. Attorney: Koykanyani Inc

Quantification of damages (continued)		
Client/Industry	Service	Description
Insurer	Quantification of insurance claim	Appointed (2017) by a loss adjustor on the instruction of an insurer to confirm the insurance claim instituted by an insured for the loss of stock resulting from fire in a warehouse. This matter was complicated due to the manner in which stock in transit is recorded and accounted for.
Information technology	Quantification of claim	Appointed (2019) to determine the value of a claim against a Pharmaceutical company for breach of contract and early termination of an agreement and the failure to implement a system designed specifically for them.

Alternative dispute resolution services

Louise has been asked on a number of cases to serve as an accounting expert to determine disputes between parties. The parties contractually agree to refer the matter to such an independent third party and it is agreed that the decision is binding on both parties to the dispute. Examples of such appointments are:

Client/Industry	Description
Services industry	Appointed (2000) by a holding company and its subsidiary to adjudicate a dispute regarding the rendering of services by the subsidiary to the holding company in terms of a contractual relationship. As there were external shareholders in the subsidiary, the issue was whether the services were being rendered to the holding company at a reasonable price to ensure margin in the subsidiary.
Telecoms	Appointed (2002) by two parties to determine the net asset value of a company that was sold by company A to company B.
Listed entity in vehicle sales and financing/ Municipality	Appointed (2002) to determine a dispute between two parties, regarding whether specific services were rendered by the company to the municipality in the provision and maintenance of specialized fire fighting vehicles.
Services industry	Appointed (2007) to determine a dispute between two parties. It was alleged that the one party sold its business to the other party, but then continued to enter into transactions with prior clients, against the terms of the agreement. The claim was for loss of business and loss of profits.

Alternative dispute resolution (continued)	
Client/Industry	Description
Pharmaceutical	Appointed (2008) to determine a dispute between two entities based on the underlying NAV in a purchase price dispute.
NGO and service provider	Appointed (2009) by an NGO and a service provider. There were a number of aspects in dispute between the Parties, relating to a service delivery contract spanning a number of years, including escalation clauses, scope of services, quality of services, breach by both parties of their responsibilities in terms of the contract and the resulting losses claimed by both Parties.
Mining	Appointed (2011) by a mining company in Namibia and its fuel supplier regarding the actual delivery of fuel and the amount payable considering time of delivery and currency conversion rates.
Financial Services client and Agricultural	Appointed (2017) to determine the amount due by a client/farmer to a lender in terms of advances against a term loan. Various aspects influenced the calculation, including a sale of share transaction that impacted on the debt. The <i>in duplum</i> rule also had to be considered in terms of this claim.

Investigations into Financial Statement Fraud

These matters, when they arise, are complicated and generally of high value. These investigations were performed on behalf of the Boards of Directors of the entities, Liquidators and/or the National Prosecuting Authority.

Client/Industry	Description
Kolosus Holdings	In 1997/1998 Louise joined the KPMG Forensic team and one of her first Investigations was into allegations of financial statement fraud of the then Directors of Kolosus Holdings. It was an internal investigation led by the Company Secretary on behalf of the shareholders.
Beige Holdings	In 2004 Louise was a team member in the investigation of financial statement fraud at Beige Holdings. This investigation included interviews being conducted in the UK with previous directors.

Investigations into financial statement fraud (continued)	
Client/Industry	Description
The Liquidators of Macmed Health Care (in liquidation)	Investigation into the financial affairs of the company and possible financial statement fraud. Ultimately, Louise worked on various aspects of this investigation for a number of years, including civil litigation against the directors for reckless trading, a delictual damages claim against the auditors and a criminal investigation into the conduct of 10 accused. Nine accused decided to provide their co-operation to the National Prosecuting Authority and the 10 th accused stood trial and was recently found guilty on 23 charges of fraud. The financial statement fraud covered the Annual Financial Statements for the period 1995 to 1999.
Investment Holding Company	Investigated the manner in which a financial director perpetrated fraud and specifically financial statement fraud in terms of double factoring of debtors, and creation of fictitious sales and stock, in an attempt to hide the financial losses suffered by the company subsequent to the sale of shares of the company to an Investment Holding Company (2000).

Financial accounting services to Liquidators, Judicial Managers and Curators

In the late 1990’s early 2000’s KPMG was appointed to assist a number of Liquidators, Judicial Managers and a Curator with investigating the financial affairs of the companies placed under their control.

Louise was a manager and senior manager at the time, and was given the responsibility to report directly to the Partner on the matter, alternatively report directly to the ultimate client and managed the team and the reporting and deliverables in this regard.

All these matters involved detailed review and analysis of financial statements, accounting records and contracts to determine the solvency or not of the entities and whether the directors were negligently or fraudulently managing the companies.

Client/Industry	Description
The Liquidators of Choice Holdings Limited (in liquidation)	Investigation into the financial affairs of the company and whether there was any indication of fraud, misconduct or reckless trading by the directors (1999 – 2000).

Financial accounting services (continued)	
Client/Industry	Description
The Judicial Managers of Yabeng	Investigation into the financial affairs of the company and whether there was any indication of fraud, misconduct or reckless trading by the directors (1999 – 2000).
The Liquidators of Macmed Health Care (in liquidation)	Investigation into the financial affairs of the company and preparation of financial information and evidence packs for the section 417 enquiry. Asked to testify at the enquiry regarding the treatment of certain transactions in the books and records of the Macmed Group and the impact of those transactions of the financial affairs of the group (1999 – 2007).
The Curator of Saambou Bank	Team member on this investigation and supported the Curator on various work streams in identifying what the reasons were for the demise of the Bank (2002 – 2004).

Auditor negligence and conduct of auditors

In most of the financial statement frauds as well as certain investigations performed, an underlying question is always the possible liability of the auditors for not detecting the fraud. Other than the matters discussed elsewhere where specific reference is made to auditors’ liability, Louise has also recently been instructed to consider the conduct of the auditors on behalf of various clients:

Client/Industry	Description
Financial services/Construction	Appointed to provide an opinion of the disclosure of certain aspects of an entity in its financial statements, including whether certain expenditure could be classified as an asset in terms of IFRS (2020).
Insurer	Review of an audit file and the audit conducted by a firm of auditors, in order to ascertain whether the insurer should defend the claim instituted against the auditors by various alleged users of the financial statements of the entity (2020).

Services to Regulators

The Registrar of Banks has the mandate to perform inspections when there is an allegation that entities/individuals transgress the Banks Act, mainly by taking deposits from the general public whilst not registered as a Bank. In terms of the Act the Registrar can appoint temporary inspectors to assist the Registrar in conducting those inspections. Once it is found that an entity/individual transgressed the Banks Act, the Registrar can appoint a Repayment Administrator to take control of the assets and determine a repayment plan to the investors.

Louise was also appointed by the South African Reserve Bank and the Reserve Bank of Eswatini to perform internal investigations.

Client/Industry	Description
South African Reserve Bank - Inspector in terms of the Banks Act	During the period 2014 to 2017 Louise received 4 appointments by the South African Reserve Bank as Inspector.
South African Reserve Bank - Repayment Administrator in terms of the Banks Act	During 2015 to 2018, 2 appointments as Repayment Administrator in terms of the conduct of entities where they were found to have contravened the Banks Act.
South African Reserve Bank	Review of the process followed by the South African Reserve Bank in appointing Inspectors in terms of the Banks Act. Based on this review and our recommendations at the time, the South African Reserve Bank formalized the process whereby Inspectors would be appointed.
South African Reserve Bank	Review of the process followed by the South African Reserve Bank and Inspectors appointed by the Bank in terms of accepting schemes of arrangements or Business Rescue Plans in terms of section 311 of the Companies Act and the new Companies Act (2013).
South African Reserve Bank	Investigation into the conduct of a senior official in the Bank with regards to the appointment of service providers and the allegation of nepotism and procurement fraud (2013).

Other investigations

In her forensic investigations career, spanning 24 years, Louise has had exposure to investigations to clients in a diverse industry type as well as the nature of the matters being investigated. Over and above the matters already referenced above, the following are some of the more technical or complex matters she was involved in, and relate to aspects such as third party collusion, money-laundering, corrupt payments, complicated fraud schemes.

Client/Industry	Description
Financial Services	Investigation into the appointment of consultants and resulting spend on subsistence, entertainment and travel allowances (2000).
Aviation	Review of business risks and operations flowing from a tip-off that the financial manager was embezzling funds. During the review we identified a complicated fraud scheme resulting in millions of Rands being misappropriated by the financial manager. This matter continued to the extent that we advised client regarding the various recovery scenarios available to client to recoup the funds (2001).

Other investigations (continued)	
Client/Industry	Description
Construction	Investigation into irregularities in the procurement and maintenance departments to the extent that maintenance of machinery was not done but charged to client (2002).
Government – Gauteng Department of Education	Investigation of allegation of procurement irregularities at the Gauteng Department of Education relating to the sourcing and delivery of learner support material (2003).
State owned enterprise	Investigation of the circumstances in appointing a specific company as the new insurance broker (2007).
Financial Services	Forensic investigation into allegations of misconduct by the Home Loan Department of a Bank and Auctioneers in terms of the auctioning of properties repossessed by the Bank (2008).
Mining and construction	Investigation into irregularities in the construction of a housing development at a mine (2009).
Mining	Review and investigation into the circumstances that led to the entity entering into an onerous contract resulting in significant losses to the company. We specifically had to focus on the conduct of the Board and whether specific information was withheld from Board Members when the decision was reached to enter into the transaction (2009).
PE Company	Financial review and due diligence investigation on behalf of a Private Equity client, as a result of a subscription agreement and failure by investee to conduct its affairs in terms of this agreement. Once the failures and misconduct were identified, also assisted the client to consider various recover scenarios and plans as well as to consider a claim against the auditor of the company (2016).
Municipality	Investigation into various allegations of misconduct by the Accounting Officer of a Municipality, including non-compliance with procurement regulations and the PFMA (2015).
Mining	Investigation into various allegations of misconduct and procurement irregularities relating to the sourcing of labour and related services from local entities (2016).
Fund Manager	Investigation into allegations of the facilitation of corrupt payments by the Fund Manager on behalf of a client (2016).
Municipality	Investigation into fruitless and wasteful expenditure being incurred by the Municipality on an event. It was alleged that the municipal officers were making payments to a third party for services rendered as well as paying for upgrading of venue, whilst it was never the intention for the event/(s) to go ahead (2017).

Other investigations (continued)	
Client/Industry	Description
Consulting	Investigation into allegations of the facilitation of corrupt payments and referral fees (2019).
Public Interest Entity	Assisted an investigation team with a governance review at a public interest entity. This engagement included a review of the conduct of the Board of Directors and the various sub-committees (2020).

Fraud Risk Management and Fraud Awareness

Louise has provided fraud awareness training sessions to companies at their company training sessions, or Board of Directors meetings. She has also performed various engagements that would generally fall under the ambit of Fraud Risk Management. Recent engagements are the following:

Client/Industry	Description
Short Term Insurer	Review of their fraud risk management function and whether it is designed to reduce the fraud risks of the entity (2018).
Telco	GAP analysis to assist client in becoming compliant with regards to the requirements of the Sarbanes-Oxley Act and the COSO framework (2004).
Financial Services	Review and update of the whistleblowing policy and Fraud Response Plan and review and update of the Fraud Prevention Strategy of the Bank. We were also asked to conduct a bank wide Fraud Risk Assessment (2017).

Anti-Money Laundering Services

Over and above investigating money laundering activities, Louise also received the Certificate in Anti-Money Laundering from the University of Johannesburg. Although she has not recently provided any advisory services with regards to anti-money laundering, she focused on this area of specialization for a number of years.

In this regard she performed GAP analysis at various entities and also assisted entities in preparing and implementing anti-money laundering policies and procedures as required by South African AML legislation. These clients included Nedbank, FNB, Afgri Holdings Limited, BMW, UBS, Allan Gray, Old Mutual Bank and Standard Chartered.

She also presented anti-money laundering training at various forums, including on behalf of IRBA (then PAAB) to its members in 2003.