

Insolvency Service newsletter – Spring 2022

Insolvency Live! 2022 – save the date

This year's Insolvency Live! will be taking place on Tuesday 5 July. We are looking to host a hybrid event with guests either joining us at [Broadway House, Westminster, London](#) or online.

Please contact stakeholder@insolvency.gov.uk to register your interest in the event. Suggestions on what you would like to hear about at the event are also welcome.

Frances Coulson appointed to Insolvency Service Board

The Insolvency Service welcomes prominent insolvency expert [Frances Coulson](#) as a new non-executive board member.

Frances Coulson is a practicing lawyer, with more than 26 years of experience in insolvency law, and a senior partner, board member and Head of Insolvency & Restructuring for the city-based law firm Wedlake Bell.

Together with the other non-executive board members, Frances will work closely with the Insolvency Service's senior leadership team to provide strategic leadership and governance for the agency.

Chair of the Insolvency Service Board, Mark Austen, said:

I am delighted that Frances has chosen to join our Board. She brings a very experienced practitioner view and will have much to contribute to framing and ensuring a positive impact of the ambitious change agenda planned for the Service over the next few years.

The Insolvency Service commences P&O Ferries investigation

Following its initial enquiries, the Insolvency Service has commenced formal criminal and civil investigations into the circumstances surrounding the recent redundancies made by [P&O Ferries](#).

As these are ongoing investigations, no further comment or information can be provided at this time.

Nottingham Examiner finalist at counter fraud awards

Sam Powdrill, an Examiner based in the Insolvency Service's Nottingham Office, was a finalist in the [best apprentice or newcomer of the year](#) category at the Public Sector Counter Fraud Awards 2022.

The awards, delivered in collaboration with the Government Counter Fraud Profession, recognises those who demonstrate commitment, innovation, great team work or going the extra mile in the national fight to protect people against fraud.

Sam works in Official Receiver Services, with responsibility for investigating personal bankruptcy and company liquidation cases on behalf of the Official Receiver.

Having completed his Examiner qualification in May 2021, three months ahead of schedule, Sam has demonstrated outstanding commitment to learning and development while also successfully delivering his demanding and challenging workload.

Sam joined the Insolvency Service from HMRC in 2018 and since the beginning of 2019, Sam's work has led to 54 bankruptcy restrictions orders and undertakings against people who were guilty of misconduct in relation to their financial affairs.

At the same time, Sam has administered several bankruptcy estates, some of those cases requiring lengthy court proceedings. Sam took a lead role in briefing and preparing solicitors and counsel in these hearings – performing a role usually conducted by a more senior examiner.

Sam said of his achievement:

It was extremely inspiring to attend the Counter Fraud Awards and to hear of the great work being done by the community to stop fraud and reduce its impact. While I didn't win, it was still a great honour to be nominated for 'Newcomer of the Year' and be a part of this fantastic community.

Policy Round up

Review of the Insolvency Rules published

The Insolvency Service has published the Secretary of State's first review of the operation of the Insolvency (England and Wales) Rules 2016.

The Rules came into force in 2017 with the aim of streamlining the insolvency regime and reducing unnecessary regulation. They consolidated the bulk of the existing secondary legislation, updated the insolvency framework with modern

and gender-neutral language, and provided a clearer and more user-friendly rulebook for insolvency processes.

At the same time, they introduced the supporting provisions for the changes to insolvency law and practice contained in the Deregulation Act 2015 and the Small Business, Enterprise and Employment Act 2015.

The Rules contain a five-yearly review clause, that also requires the publication of a report on the findings.

The report found that the Rules are operating correctly and effectively. They provide appropriate detailed procedures to support the Insolvency Act 1986, as well as consolidating and modernising the preceding secondary legislation; implementing policies contained in two other acts of Parliament; and introducing other modernisations such as electronic communication between officeholders and creditors. Those policies remain appropriate and could not be achieved with less regulation.

You can read [the full report here](#).

Temporary insolvency measures have ended

The Corporate Insolvency and Governance Act 2020 introduced various temporary measures to help protect companies affected by the lockdown restrictions during the pandemic.

Most of these measures expired at the end of June and September 2021, except for restrictions on winding up companies, which were extended until 31 March 2022.

This remaining insolvency restriction was not extended further, allowing the insolvency regime to return to its pre-pandemic operation.

Business leaders are being advised to seek professional insolvency advice to protect their business.

The Government has also announced a new law to help [resolve certain remaining rent debts](#) in the commercial rental sector.

The Future of Insolvency Regulation consultation closed

The Government consultation on changes to the way the insolvency profession is regulated has now closed. The Insolvency Service is now analysing feedback and the Government will respond in due course.

Recent enforcement activity

[Boris Becker](#) has been found guilty of four offences relating to his bankruptcy, including failing to disclose, concealing and removing significant assets. He received a [prison sentence](#) of 2 years and 6 months at Southwark Crown Court on 29 April 2022.

9-year disqualification for [Glasgow coffee wholesaler boss](#) due to lack of records and cooperation.

11-year disqualification for [rental property investment con director](#) who scammed £6.7 million from investors by promising false investment returns including over 100 per cent.

Disqualifications for husband and wife [directors of sign company](#) who failed to pay £70,000 tax and preserve adequate accounting records for the company.

9-year disqualification for [Wolverhampton director](#) who deliberately exaggerated company turnover to secure £50,000 Bounce Back Loan.

Latest from the insolvency blog

The Insolvency Service blog was set up to let those either working or an interest in the Insolvency Service share thoughts and experiences. It's a place for our people across the agency to share personal experiences of the work they do – work that includes supporting those in financial distress, tackling financial wrongdoing and maximising returns to creditors.

Our latest blogs include [Life as a Senior Coordinator in the Official Receiver Services](#) written by our colleague Rukhi Arshad, who describes how her career has developed within the Insolvency Service and why it is such a great organisation to be part of.

To celebrate National Apprentice Week James Smith tells us about his experience as an [apprentice Investigation Support Officer](#) in the Investigation and Enforcement Services.