

Press release: 11 year bankruptcy restriction for Staffordshire woman

Wilson has been made subject to an 11-year bankruptcy restriction for withdrawing 161,725 euros in cash on credit cards in the Netherlands which belonged to her Dutch employer.

An investigation by the Insolvency Service found that during her time employed as a bookkeeper in Holland between August 2009 and July 2011, she made repeated cash withdrawals on the credit cards totalling 161,725 euros.

Wilson was arrested by the Dutch authorities in July 2011 and was convicted in 2014 of committing theft with a false key, forgery of documents and employee embezzlement. She completed community service in Holland but her employer pursued her for compensation of the embezzlement which led to them petitioning for her bankruptcy. The bankruptcy order was made against her on 17 August 2016.

The bankruptcy undertaking was accepted by the Secretary of State on 21 July 2017 and means Wilson will be bound for 11 years by the restrictions set out in insolvency law until 2028. In addition, she cannot manage or control a company during this period without leave of the court.

The total liability to Wilson's employer was 203,496 euros, roughly £175,000 at the time of the bankruptcy order, which has materially contributed to her deficiency in bankruptcy.

Commenting on the case, the Official Receiver, Kevin Read at the Insolvency Services said:

The Insolvency Service always looks very closely at individuals who demonstrate dishonesty and takes action where wrongdoing is uncovered.

Notes to editors

Kandy Jean Wilson is of Broadway, Hednesford and her date of birth is 7 January 1969.

If the Official Receiver considers that the conduct of a bankrupt has been dishonest or blameworthy in some other way, he or she will report the facts to court and ask for a Bankruptcy Restrictions Order (BR0) to be made. The court will consider this report and any other evidence put before it, and will decide whether it should make a BR0. If it does, the bankrupt will be subject to certain restrictions for the period stated in the order. This can be from 2 to 15 years.

The bankrupt may instead agree to a Bankruptcy Restrictions Undertaking (BRU)

which has the same effect as an order, but will mean that the matter does not go to court.

These are restrictions set out in insolvency law that the bankrupt is subject to until they are discharged from bankruptcy – normally 12 months and include that bankrupts:

- must disclose their status to a credit provider if they wish to get credit of more than £500;
- who carry on business in a different name from the name in which they were made bankrupt, they must disclose to those they wish to do business with the name (or trading style) under which they were made bankrupt;
- may not act as the director of a company nor take part in its promotion, formation or management unless they have a court's permission to do so;
- may not act as an insolvency practitioner, or as the receiver or manager of the property of a company on behalf of debenture holders;

Additionally, a person subject to a Bankruptcy Restrictions Order/Undertaking or a Debt Relief Restrictions Order/Undertaking,

- may not be a Member of Parliament in England or Wales.

The Insolvency Service, an executive agency sponsored by the Department for Business, Energy and Industrial Strategy (BEIS), administers the insolvency regime, and aims to deliver and promote a range of investigation and enforcement activities both civil and criminal in nature, to support fair and open markets. We do this by effectively enforcing the statutory company and insolvency regimes, maintaining public confidence in those regimes and reducing the harm caused to victims of fraudulent activity and to the business community, including dealing with the disqualification of directors in corporate failures.

BEIS' mission is to build a dynamic and competitive UK economy that works for all, in particular by creating the conditions for business success and promoting an open global economy. The Criminal Investigations and Prosecutions team contributes to this aim by taking action to deter fraud and to regulate the market. They investigate and prosecute a range of offences, primarily relating to personal or company insolvencies.

The agency also authorises and regulates the insolvency profession, assesses and pays statutory entitlement to redundancy payments when an employer cannot or will not pay employees, provides banking and investment services for bankruptcy and liquidation estate funds and advises ministers and other government departments on insolvency law and practice.

Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

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