

# Press release: Australian wheat 'investment' scam directors reap lengthy disqualifications

The High Court of Justice has made an order for the disqualification of Robert Ross White for 8 years from 15 February 2017. The allegations made out in Court were that he had failed to keep, preserve, or deliver up Agri Firma's records and that he had evaded his responsibilities as a director.

The Secretary of State previously accepted a Disqualification Undertaking from Richard John Lyon Henstock for 9 years, from 19 July 2016. Mr Henstock had not disputed both the above allegations. His avoidance of his duty as a director allowed the company to mislead its investors to believe a legitimate and valuable lease had been purchased for them for farmland in either Lithuania or Australia, when there is no evidence that any land was purchased in respect of Lithuanian investment and the land purchase in Australia was never completed.

Assurances regarding the Australian wheat investment of 9% farming income and 11-15% capital gain were given, despite professional advice being received that this was unachievable and investor capital being reduced by undisclosed 65% up-front marketing and other fees.

The company was incorporated on 4 July 2011, traded from Bond St, London and went into liquidation on 9 July 2014 with an estimated deficiency of at least £538,667 and AUD\$661,500.

Proceedings are being contested by a third alleged director, with a trial expected in February 2018.

The disqualification prevents Mr White and Mr Henstock from directly or indirectly becoming involved (without the permission of the Court) in the promotion, formation or management of a company for the duration of their disqualification terms.

Commenting on the disqualification, Mark Bruce, Chief Investigator at the Insolvency Service, said:

In this case, the pooling of investors' funds with that from other associated investment vehicles has prevented any ability to trace most of Agri Firma's investment capital through various offshore accounts. Regarding Mr Henstock, even without records it has been possible to shed light on a number of claims made to investors and evidence that these were materially misleading.

Both registered directors have abrogated their duties, facilitating

the scam which this investment became. These disqualifications should give a clear message regarding such behaviour.

## Notes to editors

Agri Firma Capital Ltd (CR0 No. 07692576) was incorporated on 4 July 2011 and traded from Mayfair House, 124 Bond St, London W1S 1DX.

The Company went into liquidation on 9 July 2014 with an estimated deficiency of at least £538,667 and AUD\$661,500.

Robert Ross White's date of birth is in October 1957 and he resides in Worcester.

The High Court of Justice ordered the disqualification of Robert Ross White for 8 years from 15 February 2017. The allegations made out in Court were that Robert Ross White (Mr White) failed to keep, preserve, or deliver up Agri Firma Capital Ltd's (Agri Firma's) records. As a consequence, it is not possible to:

- identify all company assets. For example; a loan of AUD\$94,318 was made from Agri Firma to an offshore company on 15 July 2013. Without any company records, it is not possible to test whether the loan was ever repaid
- ascertain the full scale of its liabilities, identify all investors, or trace the disposal of unidentified investor monies
- trace the disposal of estimated investor monies, put aside for product purchase, of at least £126,582.23 and AUD\$93,471.08
- ascertain the causes of its failure

In addition Mr White abrogated his responsibilities as director of Agri Firma Capital Ltd from 2 August 2013 to 9 July 2014, with the result that it was controlled by his co-director, who was not appointed as a director. His co-director was subject to a disqualification under The Company Directors Disqualification Act 1986 and did not have leave of the court to act.

Richard John Lyon Henstock's date of birth is in November 1937 and he resides in South Northamptonshire. The Secretary of State accepted a Disqualification Undertaking from Mr Henstock, effective from 19 July 2016, for 9 years. The matters of unfitness, which Mr Henstock did not dispute in the Disqualification Undertaking, were that Richard John Lyon Henstock failed to keep, preserve, or deliver up Agri Firma's records. As a consequence, it is not possible to

- identify all company assets. For example; a loan of AUD\$94,318 was made from Agri Firma to an offshore company on 15 July 2013. Without any company records, it is not possible to test whether the loan was ever repaid
- ascertain the full scale of its liabilities, identify all investors, or trace the disposal of unidentified investor monies
- trace the disposal of estimated investor monies, put aside for product purchase, of at least £126,582.23 and AUD\$93,471.08

- ascertain the causes of its failure

In addition Mr Henstock abrogated his responsibilities as director of Agri Firma Capital Limited from 4 July 2011 to 9 July 2014, in this period it:

- was controlled, without the leave of the Court, by an individual subject to a ban, under The Company Directors Disqualification Act 1986, from acting directly or indirectly in its management
- misled investors, contributing to their losses estimated at £508,667 and AUD\$661,500. Marketing material, as well as a lease document issued to investors, led them to believe that a legitimate and valuable lease had been purchased for them for farmland in either Lithuania or Australia. However, there is no evidence that any land was purchased in respect of Lithuanian investment and the land purchase in Australia was never completed. The company brochures made assurances of Agri Firma's extensive farming experience and 16% returns received by customer in the previous quarter, when there is no evidence from available records that it ever purchased any land, upon which it could carry out farming. Regarding the Australian investment, assurances of 9% farming income and 11-15% capital gain were misleading, when investor capital was reduced by 65% up-front marketing and other fees. The proposed agents for the Australian investment had advised the company that the 8-10% envisaged return to investors was achievable. A direct association between investors and a service provider was implied, misleading investors regarding their level of involvement in the investment. Follow-up communications in June 2014 indicated that the project had value and the plantation was progressing. However this was not the case and the land purchase had fallen through.

A disqualification order has the effect that without specific permission of a court, a person with a disqualification cannot:

- act as a director of a company
- take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership
- be a receiver of a company's property

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings. Persons subject to a disqualification order are bound by a [range of other restrictions](#).

Media enquiries for this press release – 020 7674 6910 or 020 7596 6187

You can also follow the Insolvency Service on:

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## **Press release: Foreign & Commonwealth Office statement on the Tunisia Inquests**

We welcome the thorough work by the Coroner and his team for more than a year on this important investigation, resulting in today's conclusions.

The Sousse attack was the largest loss of British life to terrorism since 7/7, and devastated the lives of so many. Our deepest sympathy remains with all those people caught up in this horrific attack and we hope that the Inquest process has been of some help to the families.

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## **Press release: Winners of Highways England Supplier Recognition Awards announced**

The combined efforts of Highways England contractors who worked tirelessly to repair and rebuild a storm-damaged road in Cumbria have been honoured at the company's annual Supplier Recognition Scheme awards. Pulling out all the stops, this vital route was repaired, making a real difference to an area where tourism plays a vital part to the local economy.

Kier Highways, and Cubby Construction JV with the local supply chain completed the work three weeks early, under budget and without a single incident. It meant the local community had the A591 back in action in time for the start of the tourist season and Highways England could notch up a 'first' by delivering improvements on a local road network.

The Cumbria nomination was among 130 entries in this year's awards which also recognised companies for achievements in various fields including safety, customer service, sustainability, capability, value and inclusion. The supply chain – ranging from small to medium sized enterprises (SMEs) to international organisations – carries out around 90 per cent of Highways England's work.

Jim O'Sullivan, Chief Executive of Highways England said:

We need and value the expertise, ambition and innovation our supply chain partners bring, because without them we cannot deliver the £15 billion Government investment.

We have achieved a great deal since April 2015, and there is much more to do. We are responsible for the largest road building programme in a generation, and have thousands of miles of road network that need to be maintained to a high standard. It is imperative that we achieve this while keeping our network open to traffic, and ensuring the safety of our customers and workforce.

That is what our awards are all about, recognising the contribution our supply chain partners make to the important work we do.

## **Safety, health and wellbeing**

Awarded to suppliers who show industry leading commitment to improving organisational, workforce and road user health and safety.

Winner: A-One+ and Postpullers UK Ltd for a collaborative approach to the development of an innovative solution to remove embedded safety barrier posts. The system reduces the safety risks faced by the workforce: requires only one operator, not two or three; reduces the amount of machinery needed to remove the barrier posts and gets the job done more quickly.

Highly commended: HW Martin (Traffic Management) Ltd; Manchester smart motorways (Balfour Beatty, Carillion, Costain & Bam/Morgan Sindall JV); Carnell Support Services Ltd

## **Customer Experience**

Awarded to suppliers who have demonstrated industry leading commitment to customer service.

Winner: Costain for the work they did to get to engage with communities, stakeholders, road users and community teams working alongside the construction team on the A556 Knutsford to Bowden scheme. The work they did demonstrated a clear understanding of our customer service strategy, and enabled them to build upon the basics to improve customer service. To achieve this, they used a wide variety of communication channels from VMS to social media to communicate with customers, alongside using commercial providers such as TomTom and ABTA.

Their whole ethos was to think about things differently. That pro-active, customer focused, lessons learned approach was what elevated this submission into the winning bid.

Highly commended: Carillion Morgan Sindall JV

## **Communities**

Awarded to suppliers that have engaged with community groups from the outset, understood what really matters to them and identified ways in which they can work differently.

Winner: Carillion Morgan Sindall JV for work on the A1 Leeming to Barton

widening and motorway upgrade. They showed a dedication for changing the face of construction by revolutionising their commitment to social responsibility across the industry, by: proactively working with media to talk about the work they do; health-checks for HGV drivers; showcasing archaeological findings and targeting donations that will positively impact on local communities.

## **Delivering sustainable and environmental solutions**

Awarded to suppliers who have integrated environmental, social, economic and management aspects of sustainable development into the delivery of Highways England contracts.

Winner: Interserve Construction for empowering communities through social value mapping. The company worked alongside an environmental regeneration charity, Groundwork, to track their key objectives. This method enabled a better understanding of the key factors impacting communities where Interserve Construction were operating and their influence on employment, job creation and supply chain spend. This method has ultimately helped Interserve Construction to better identify how they can help Highways England meet their sustainability targets. For example; M3 Black Dam Improvement and M11 Stansted schemes.

Highly commended: Graham Construction

## **Inclusion**

Awarded to suppliers that have created opportunities to bring people into the workplace, developed skills and created an environment where differences are valued and utilised.

Winner: Skanska UK Ltd for their work to initiate and encourage daily conversations with their colleagues, partners, clients and the wider sector about becoming more diverse and inclusive; how together there can be a culture in which everyone feels they can be themselves. They have tracked the impact of this work over the last six years, and have seen an increase in diversity and inclusion engagement scores from 66% to 82%.

Highly commended: VINCI Construction UK Ltd – Taylor Woodrow

## **Building capacity and capability**

Awarded to suppliers that have developed their employees' skills and capabilities through delivery of Highways England contracts.

Winner: HW Martin (Traffic Management) Ltd for their work in building an employment and skills infrastructure. They actively managed the supply chain, bringing on board people from local SMEs, having a commitment to accessible entry level employment (for people from all backgrounds) and offering training opportunities for local people and SMEs – this includes apprenticeships and a self-funding skills development academy.

Highly commended: Costain M1 smart motorways

## **Managing down cost/improving value**

Awarded to suppliers who have demonstrated significant achievement by delivering Highways England contracts in smarter, more efficient ways.

Winner: A-One+ and Urbis Schreder Ltd for taking an existing lighting unit, used on 24 overhead gantries in Yorkshire to display information to road users, and adapting it to meet Highways England specifications. The result was an improved LED lighting unit, which is more visible to road users (especially at night). In addition, by making these changes, the whole life costs of the units was lowered, disruption to road users reduced (the control gear for the units is installed in the hard shoulder, meaning future maintenance can be done from there, without the need for lane closures) and road worker safety is improved (reduces the need for working from height).

Highly commended: Carnell Support Services Ltd

## **Supply chain management**

Awarded to suppliers that demonstrate Highways England's strategic agenda, values and principles through supply chains.

Winner and Chairman's Award: Kier Highways and Cubby Construction JV with local supply chain for the "Reconnecting Cumbria" Project. This saw national, regional and local organisations working together to repair Cumbria's local road network following an unprecedented series of devastating, severe weather events in December 2015. Through collaboratively working with its supply chain, other contractors and stakeholders including Highways England, Cumbria County Council, Lake District National Park and United Utilities, the winning companies enabled Highways England to deliver works on Cumbria's local road network – a first for the government company – three weeks early, under budget and without a single incident.

Winner: Kier Highways for their work with BSI and ToweyDuffy in Area 3 to unlock a new certification process which saw the largest number of SMEs achieve the national standard for Collaborative Business relationships (BS11000) as part of a single assessment. Not only did it reduce costs and result in efficiency savings for Highways England, but it has helped promote collaborative working, improved how information is shared and better delivery.

Highly commended: Costain, Aggregate Industries and Walters; Chevron Traffic Management and Kier Highways, HTM, Golden Orb Solutions, Consillium

## **General enquiries**

Members of the public should contact the Highways England customer contact centre on 0300 123 5000.

## Media enquiries

Journalists should contact the Highways England press office on 0844 693 1448 and use the menu to speak to the most appropriate press officer.

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## Press release: New £192 million A556 set to open after weekend work

Cheshire's brand new A556 dual carriageway is set to open for the first time a week today (6 March) following a second round of weekend junction and carriageway closures to complete the project.

The M56 junctions 7 and 8, M6 junction 19 and the existing A556 will all be closed next weekend as work to open the new £192 million Knutsford to Bowdon dual carriageway nears completion.

Work during the first of the 3 scheduled weekend closures was completed successfully on Monday morning allowing Highways England to confirm next weekend's arrangements – another full 56 hour weekend closure running from 9pm next Friday night (3 March) and 5am on the following Monday morning (6 March).

Highways England project manager Paul Hampson said:

We made some excellent progress at the weekend and we won't need another full weekend closure until next week – as scheduled. Everything is looking promising for the road to open a week on Monday.

Next weekend's closure will allow the old road to be finally sealed off to through traffic and for the motorway junctions to be tied into the new dual carriageway.

Motorway users will be diverted to alternative junctions to leave or join the M6 or M56:

- drivers on the northbound M6 heading for Manchester and Manchester Airport will need to stay on the M6, join the westbound M56 at Lymm Interchange (M6 junction 20) and then join the eastbound M56 at junction 10 (Stretton)
- drivers on the westbound M56 heading away from Manchester and wanting to join the southbound M6 will also need to travel to junction 10 at Stretton – joining the eastbound M56 from there to travel back to Lymm Interchange and access the southbound M6



Local diversions which will be strictly monitored will also be in place with access to the A50, Chapel Lane and Mereside Road. A one way system, travelling southbound, will be in place at Bucklow Hill to allow access for residents and businesses located between the Bucklow Hill and Mere junctions along Chester Road. Vehicles must use Mereside Road and Chapel Lane to access Chester Road. Traffic marshalls will be at Mere and Bucklow Hill junctions to facilitate the local diversion.

Over the weekend, only the northbound exit slip at junction 19 of the M6 will remain partially open – allowing drivers to access the southbound, local authority section, of the A556 towards Northwich.

Drivers are advised to build in some extra time for the diversions and to check traffic conditions before setting out on journeys. Highways England provides live traffic information [via its website](#), local and national radio travel bulletins, electronic road signs and mobile apps.

Information is also available from Twitter via @highwaysNWEST as well as services in other regions. Providing they can do so safely, road users can also call the Highways England customer contact centre on 0300 123 5000 to keep up to date with road conditions.

The new road and the motorway junctions will be closed for finishing works during the project's third and final full weekend of closures between 9pm on Friday 10 March and 5am on Monday 13 March.

Construction of the new A556 link road, between the M56 and the M6, started in November 2014 and is part of a £15 billion government investment in motorways and major A roads by 2021 which is being delivered by Highways England as part of the Northern Powerhouse initiative.

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# **[Press release: Patel: women are key to building post-conflict stability](#)**

Countries will only be able to fully recover from conflict if they involve women in building security and stability, International Development Secretary

Priti Patel said today following a visit to Afghanistan.

Ms Patel welcomed the progress Afghanistan has made on women's rights and girls' education since the Taliban's repressive rule. But ahead of International Women's Day next month, she warned that countries like Afghanistan will only achieve security and prosperity if women have the opportunity to play a full and active role in business, politics, peacebuilding and shaping the future of their country.

During her visit, Ms Patel saw a HALO Trust training site where UK funding is helping staff learn to identify and safely remove mines and other unexploded ordnance, saving lives and reclaiming land that can be used for agriculture and building. She also met female HALO workers who identify and map the location of mines for disposal, as well as educating communities and children on the dangers of unexploded ordnance.

Ms Patel also met First Lady Rula Ghani, a champion of women's rights in Afghanistan. And she spoke to female students, teachers and community advocates who benefit from UK funding that has helped provide education to more than 300,000 girls from rural and impoverished communities, who would have had no opportunity to learn under Taliban rule.

Priti Patel said:

Afghanistan can only succeed in creating a secure and prosperous future if girls and women are put at the heart of its political and economic development.

Women and girls are key to delivering real and lasting peace and stability in countries like Afghanistan – and that is clearly in the UK's interests as well.

Together, the UK and Afghanistan have made huge progress so far. The inspirational girls and women I met during my visit will be instrumental in charting Afghanistan's path to prosperity.

Whilst in Afghanistan, the International Development Secretary also met President Ashraf Ghani and Chief Executive Officer Abdullah Abdullah. She reaffirmed the UK's enduring commitment to working with the Afghan Government and civil society to improve rights for women and girls, and underlined that this was a critical part of the UK's pledge of up to £750 million, made at the Brussels Development Conference last year.

She also spent two days in Pakistan prior to visiting Afghanistan. Whilst there, she met Finance Minister Senator Ishaq Dar, the Chief Minister of Punjab, Shahbaz Sharif and Ahsan Iqbal, Minister of Planning and Development.

She visited a UK-funded health centre that provides primary healthcare services including delivering babies, treating child malnutrition, immunisations and family planning services. She also visited a tuberculosis and leprosy hospital to see how UK support is helping to provide state of the

art facilities to diagnose and treat patients.

## **Notes to editors**

1. Today, more than seven million children in Afghanistan are attending school and 39% of them are girls; there has been significant progress in maternal healthcare; and women now hold 28% of parliamentary seats.
2. Legislatively, women's rights have been enshrined in the 2004 Constitution, recognising gender equality and women's right to education and to work.
3. Significant challenges remain, however. Afghanistan still ranks among the lowest in the world for gender equality. Female literacy rates are extremely low at 17%, only 19% of women are in work, and an estimated 87% of women experience violence, abuse and sexual harassment in private and public life.
4. UK funding has helped 2.5 million girls get an education, including the 300,000 under the Girls Education Challenge programme that supported the teachers and students that the International Development Secretary met during his visit.
5. The UK is also providing services and access to justice for women victims of violence and helping thousands of women access quality jobs and gain business skills. It is also helping to train security and police forces to provide better support on gender and violence issues.
6. International Women's Day takes place on 8th March and is a global day celebrating the social, economic, cultural and political achievements of women. The theme of International Women's Day 2017 is 'Be Bold for Change'.