

# Birmingham Fraudster Given Prison Sentence

Press release

Deliberately 'targeted' vulnerable couple



A 69 year-old woman who preyed on a couple seeking help with their immigration status, has been given a 19 month prison sentence for fraud.

Mrs Zabun Nissa of Herrick Road, Birmingham, pleaded guilty to two counts of fraud, contrary to Sections 1 and 2 of the Fraud Act 2006 at Birmingham Crown Court in November 2020. On her return to the court on 3 February she was given details of her sentence.

Mrs Nissa befriended the couple , and claimed to work at Birmingham Airport's immigration department. Using this false position to gain their trust she charged the victims £8,450 for immigration work that was never carried out. This included help in obtaining British Citizenship; employment within the immigration department at Birmingham Airport; and visas for other family members to come to the UK and work.

Judge Mukherjee said, "This offending was very mean and very serious. You preyed on a couple who found themselves in a difficult position. You established trust in them – your word in the Pre-Sentencing Report is that you 'targeted' them. They called you 'auntie'. You know how important a title that is. You lied to them from the outset. This was a planned fraud for financial gain.

"It was prolonged, persistent and planned."

Mrs Nissa was previously convicted of similar offences in 2008.

The judge added, "This offending is so serious that only an immediate custodial sentence can be justified."

Speaking about the case, Immigration Services Commissioner John Tuckett said:

“Zabun Nissa allowed people to put their trust and future in her. She took a considerable sum of money from her victims and then avoided them over a significant period of time. These were serious offences, given the circumstances and the amount of money involved, and demonstrates the harm that can be caused by unregulated immigration advisers.”

Notes to the Editor

1. The OISC is an independent public body, established under the Immigration and Asylum Act 1999, to regulate the provision of immigration advice and services in the UK.
2. Media queries to Cornelius Alexander, Corporate Communications Business Partner at the OISC via [communications@oisc.gov.uk](mailto:communications@oisc.gov.uk).

Published 5 February 2021

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## Government confirms mandatory hotel quarantine to be introduced from 15 February

- Managed Quarantine Facilities to come into effect from 15 February
- Discussions with transport and hospitality industry already underway and commercial specification issued to hotels
- Health Secretary to oversee implementation and to chair new Cabinet sub-committee, working closely with former Vice Chief of Defence Staff, General Sir Gordon Messenger, on government rollout
- Discussions with Australia and New Zealand have taken place to share expertise on quarantining

Building on existing tough measures, the Department of Health and Social Care (DHSC) has confirmed that from 15 February anyone travelling to the UK from a country on the UK's travel ban list will be required to quarantine in a government-approved facility for a period of 10 days.

On Thursday evening DHSC issued a commercial specification to hotels near ports and airports, asking for proposals on how they can support the delivery of Managed Quarantine Facilities ahead of formal contracts being awarded. General Sir Gordon Messenger will also play an important role in advising the government on the delivery of the programme.

Over the past week, the government has met with stakeholders from across the

aviation, maritime, hotel and hospitality industry, and will now continue to finalise plans to enable implementation from 15 February.

The Health Secretary held discussions with his Australian counterpart on Thursday, and officials will speak with New Zealand officials to share expertise. DHSC has also held a series of roundtables with over 60 companies and industry representatives as the public and private sector work together to reduce transmissions of COVID-19.

Further details will be set out next week on how passengers will be able to book into the designated accommodation facilities.

This comes as the Prime Minister appoints the Health and Social Care Secretary to oversee cross-government efforts to deliver mandatory quarantine and enhanced testing which will help tackle the threats of new variants of COVID-19. A new Cabinet sub-committee, led by the Health and Social Care Secretary, will be attended by a number of senior Cabinet ministers that will play a vital role in delivering the policy. The government is also working closely with the devolved administrations of Scotland, Wales and Northern Ireland as the changes come into effect.

Detailed work is already underway with the Home Office, Department for Transport, Foreign, Commonwealth and Development Office and Department for Digital, Culture, Media and Sport, and other government departments.

A DHSC spokesperson said:

Throughout the pandemic, the government has put in place proportionate measures, informed by the advice of scientists, and that has led to some of the toughest border regimes in the world. It is currently illegal to go on holiday, and passengers travelling to the UK must provide proof of a negative test before they travel, and self-isolate on arrival. With increased police presence at airports and more physical checks at addresses to make sure people are self-isolating, we are taking decisive action.

We are now working at pace to secure the facilities we need to roll out managed quarantine for British nationals returning home from the most high-risk countries, and are rightly engaging with representatives from the hospitality, maritime and aviation industry, and learning from our friends around the world. In the face of new variants, it is important that the government continues to take the necessary steps to protect people and save lives.

These measures build on the [Home Secretary's announcement on 27 January that the government is taking further action for outbound and inbound passengers](#), to minimise travel across international borders and reduce the risk of COVID-19 transmission.

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## **CMA letter to Clydesdale Bank Plc on a breach of the SME Banking Undertakings**

Clydesdale Bank plc (Clydesdale Bank) breached the [Small and Medium-sized Enterprises Banking Undertakings](#). Clydesdale Bank required SME customers holding a PCA to open a Business Current Account (BCA) in order to progress their application for a loan under the [Bounce Back Loan Scheme](#) (the Scheme). Clydesdale Bank started offering the loans under the Scheme on 4 May 2020.

Clydesdale Bank has committed to address its breach of the Undertakings by:

- writing to those affected SME customers with a Business Current Account to offer a choice to switch to a fee-free loan servicing account;
- offering SME customers who apply for loans under the Scheme the choice between opening a fee-free loan servicing account or a business current account to apply for a Bounce Back Loan
- informing SME customers that they not required to maintain a Business Current Account in order to retain a Bounce Back Loan; and
- providing one month's advance notice to customers holding Business Current Accounts the charges being imposed.

CMA letter to Clydesdale Bank on its breach of the SME Banking Undertakings 2002.

The Action Plan on this page sets out information on Clydesdale Bank's actions to address the breach.

The 8 banks currently subject to the bundling prohibition are AIB Group (UK) plc; Bank of Ireland; Barclays Bank plc; Clydesdale Bank plc, HSBC Bank plc, Lloyds Banking Group, Danske Bank and NatWest Group plc (formerly the Royal Bank of Scotland Group which includes Ulster Bank Limited in Northern Ireland).

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## **CMA stops Clydesdale 'bundling' business accounts with loans**

The Competition and Markets Authority (CMA) found that Clydesdale was in breach of legal undertakings that prohibit it, along with 7 other of the UK's largest banks, from requiring small businesses to open a business current account with them in order to apply for any loan.

The practice, known as bundling, means customers are forced to open a business current account with their loan provider. This practice restricts competition and limits choice. Small businesses could then be stuck paying for a business current account that does not meet their needs.

The CMA's action comes after it found that Clydesdale had not complied with certain aspects of these rules and follows similar recent action against [Lloyds Banking Group](#).

Clydesdale breached the undertakings by requiring customers who were running their business through a Clydesdale personal current account to also open a business current account with the bank in order to obtain a loan through the Government's [Bounce Back Loan Scheme](#). This scheme is intended to help businesses access finance quickly during the coronavirus (COVID-19) pandemic.

The CMA is aware that the affected customers would not initially be charged for these business current accounts. However, small business customers may have kept these accounts open for longer than the initial fee-free period rather than opening a more suitable account with another provider.

In December, Clydesdale wrote to all affected customers to inform them that they are not required to retain the Clydesdale business current account for the whole duration of the Bounce Back Loan, and offered them the option of switching to a fee-free loan servicing account. This comprised 55 of its own customers and 112 Yorkshire Bank customers. Clydesdale Bank plc, which owns Yorkshire Bank brand, voluntarily contacted its affected customers.

The breach will be recorded on the [CMA's register of breaches](#) and, due to the importance of the [Bounce Back Loan Scheme](#), the CMA has also written publicly to the bank about this breach. The scheme provides critical support to small businesses which means that even minor breaches are regarded by the CMA as significant .

Adam Land, CMA Senior Director of Remedies Business and Financial Analysis, said:

The Bounce Back Loans Scheme provides critical support to small businesses during the pandemic. We are acting to ensure that the large banks do not restrict the choices of small businesses by bundling loans and business current accounts.

We are pleased that Clydesdale is now taking the steps necessary to become compliant

For more information, see the [SME Banking Undertakings guidance page](#).

1. The [SME Banking Undertakings](#) came into force in 2002. They were signed by 8 of the UK's longer-established banks and limit bundling while also

providing clear pricing information and faster methods of switching. The 8 banks are generally improving their procedures to monitor and promote compliance with the SME Banking Undertakings, as illustrated in the CMA's [2019 Report on SME Banking compliance](#), an annual report published on whether the banks are complying with the rules. The 2018-2019 reporting period shows that no banks breached these undertakings.

2. The following 8 banks are currently subject to the bundling prohibition: AIB Group (UK) plc; Bank of Ireland; Barclays Bank plc; Clydesdale Bank plc, HSBC Bank plc, Lloyds Banking Group, Danske Bank and NatWest Group plc (formerly the Royal Bank of Scotland Group which includes Ulster Bank Limited in Northern Ireland).
3. [The Bounce Back Loan Scheme was launched by the Government on 4 May 2020.](#)
4. Yorkshire Bank is a trading name of Clydesdale Bank PLC.

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## Director handed 10-year ban for creating fake invoices

Pure Point was incorporated in April 2009 and Russell Ivan Murch (43), from Leicester, became director in August 2010. The company was based in Lutterworth and manufactured signs and displays.

In April 2016, Pure Point experienced difficulties collecting payments from its clients and began to use a factoring company to secure finance.

Factoring companies provide finance by purchasing invoices from a business. When the invoices are paid, arrangements are made for the proceeds to be paid back to the factoring company to repay the monies advanced to the borrower.

In August 2018, Russell Murch forwarded two emails to the factoring company advising them to collect £185,000 from one of Pure Point's clients.

The factoring company paid £185,000 in advance to Pure Point but when they attempted to claim funds from the client, the debts were disputed and the factoring company was unable to collect money owed to them.

Pure Point fell into rent arrears and assets were seized by the landlord. The company then went into liquidation in March 2019 before an investigation was launched by the Insolvency Service into Russell Murch's conduct.

Investigators uncovered that the emails claiming Pure Point was owed £185,000 had been falsified. Russell Murch claimed to have received emails from the customer which he forwarded to the factoring company to receive the funds, but the email addresses used did not exist.

Russell Murch told the Insolvency Service that he informed the factoring company that due to ill health, the company's sales manager had taken control of the company and that this employee was inflating sales.

The factoring company, however, had no record of either discussion and at liquidation, Pure Point owed them more than £257,000.

On 11 December, the Secretary of State accepted a disqualification undertaking from Russell Murch after he admitted submitting invoices to a factoring company for £185,000 which he knew were false or inflated, or that he failed to exercise proper control over Pure Point of Sale's financial affairs by submitting invoices without verifying they were genuine.

Russell Murch's ban will last for ten years and commenced on 1 January 2021. Russell Murch is banned from directly or indirectly becoming involved, without the permission of the court, in the promotion, formation or management of a company.

Robert Clarke, Chief Investigator at the Insolvency Service, said:

Submitting false documents to dishonestly obtain funds is a serious matter. As director it was Russell Murch's sole responsibility to ensure this didn't happen, whether that was him or another employee.

Russell Murch 's behaviour was totally unacceptable and to be removed from the corporate arena for 10 years shows the seriousness of his actions.

Russell Ivan Murch is of Leicester and his date of birth is September 1977

Company Pure Point of Sale Limited (Company Reg no. 06874178).

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](#).

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

You can also follow the Insolvency Service on: