



The Insolvency
Service



MIDLANDS FRAUD FORUM
Bringing the public & private sectors together

MFF Masterclass

The Insolvency Service – “Lifting the Mist”

Thursday 9 January 2020
8.15am – 12.30pm

Hosted by:

Apex Court, City Link, Nottingham NG2 4LA

Synopsis

These 5 sessions, organised as a Midland Fraud Forum master class, cover the principal functions of the Insolvency Service and aim to bring about greater understanding of how they are structured and their internal processes, so that we are all better equipped to work together to provide help where it is needed, but also to pose a genuine threat to those who act unlawfully within the Insolvency regime.

AGENDA

08.15	Registration and refreshments
09.00	Introduction – Glenn Wicks MFF Vice Chairman
09.10	<p>Civil Investigation Alan Draycott - Deputy Official Receiver</p> <p>Whilst the majority in insolvencies are genuine financial failures, official receivers investigations identify those who cause financial harm to others. The culprits’ behaviour may range from negligence or mismanagement of their affairs through to serious dishonesty and fraud. Alan is familiar with using statutory powers to investigate such cases, to recover money for creditors and take civil action against those involved.</p>
09.40	<p>Robert Clarke – Insolvent Investigations</p> <p>Rob will provide an overview of the Insolvency Service’s investigations into the conduct of directors involved in failed companies; the common types of unfitness encountered and the nature of the outcomes achieved. Investigations undertaken within Rob’s command produce upward of 150 disqualifications each year, with an average ban of 5.6 years, whilst the teams also refer criminality to internal prosecutors and work closely with criminal investigators to support the criminal enforcement regime. Their powers also extend into Scotland.</p>
10.10	<p>Lee Mckenna – Companies Live</p> <p>The Live investigations Team has civil powers to conduct confidential enquires into limited companies where it has received information that indicates that the company is not trading in the public interest or there is serious corporate abuse, such as fraud or a scam, taking place. They receive complaints from a wide variety of sources including members of the public, employees and other regulators and prosecutors. Where misconduct is identified they may apply to the court for the company to be wound up and /or for the directors to be disqualified. They may also refer information to other prosecuting or regulatory bodies where they have more appropriate powers to deal with any misconduct they identify and they also cover Scotland.</p>

10.40	Coffee break
11.00	<p>Georgina Maskell - Insolvency Practitioners Regulation Section</p> <p>IP Regulation Section is the oversight regulator for the insolvency profession. Our primary role is to ensure that the four regulatory bodies are complying with the regulatory objectives set out in the Insolvency Act. We monitor the regulators, consider complaints against them and we are a hub for intelligence. We work closely with the Legal Services directorate to refer criminality, FCA, OPBAS and NECC. The Secretary of State now has powers to sanction the regulators and also directly sanction practitioners, this has meant our role has become more focused on outcomes and we closely monitor the independent committees which sanction practitioners post investigation to ensure consistency across the regulators and whether the sanction was appropriate for the facts.</p>
11.30	<p>Glenn Wicks Team (CIT) Criminal Investigations</p> <p>The Criminal Investigation Teams were an addition to The Insolvency Service's range of in-house services from January 2018 and provide the lead in tackling criminality within the insolvency regime. With teams based in 3 regions of England and Wales, each one contains a wealth of expertise gained within the law enforcement community over literally hundreds of years. Last year 53 offenders received prison sentences either imposed or suspended, as a result of these investigations. Glenn will describe their work processes and role within the insolvency service and importantly how to refer cases presenting best evidence, whilst negotiating evidential pitfalls along the way. This is an area of "work in progress" with in the service and this session will allow you the opportunity to influence and steer that development</p>
12.00	Questions and Answers
12.30	Event close

REGISTRATION/APPLICATION FORM

The Master Class is **free** for Midlands Fraud Forum members, or a substitute colleague from their organisation.

Non-members can attend at a cost of £60.00 which includes attendance at any other master class during the next year (excluding the annual conference)

Registration for this event can now be made on the website using the link below:

<https://midlandsfraudforum.wildapricot.org/event-3650231>

For non-members or replacement colleagues please email Jo Buckley at info@midlandsfraudforum.co.uk or telephone 07804 694094

Please Note: Your attendance at this event qualifies as an hourly equivalent of your CPD requirement provided your non accredited course allowance has not already been met.