



DISCIPLINARY CONSENT ORDER

04 October 2016

PURSUANT TO RULE 5 OF THE IPA INVESTIGATION COMMITTEE RULES

Thomas Fox, of Glasgow, Scotland, an IPA member and Licensed Insolvency Practitioner.

This Order is made in relation to a complaint from a debtor that Mr Fox, in his role as Trustee of a Protected Trust Deed, breached the fundamental principle of Professional Competence and Due Care of the Ethics Code by wrongly seeking legal costs from the debtor and monies from the sale of his property.

Accordingly Thomas Fox is liable to disciplinary action under Article 66.

The Common Sanctions Guidance provides for a Severe Reprimand and fine commensurate with the breach where there has been a material breach of the fundamental principles of the Insolvency Ethics Code. The sanction reflects that in mitigation, the Committee noted that Mr Fox had acted quickly when the matter was drawn to his attention and has implemented new systems to ensure there would be no repeat of this error. Additionally, Mr Fox offered to reimburse the debtor's legal fees as a goodwill gesture. However as an aggravating factor, the Committee noted that the debtor had personally been put through an unnecessarily difficult time.

The Investigation Committee has decided to impose a disciplinary order that Mr Thomas Fox be reprimanded and fined £500.