



DISCIPLINARY CONSENT ORDER

10 March 2015 PURSUANT TO RULE 5 OF THE IPA INVESTIGATION COMMITTEE RULES

Michael Bowell, of Surrey, England, an IPA Member and Licensed Insolvency Practitioner.

This order is made in relation to a complaint from an insurance company that Mr Bowell in his role as Trustee in Bankruptcy

1. breached the fundamental principle of integrity by misleading the annuities provider when he requested that annuity payments for several bankrupts be made to his former firm's bank account, and signing the documentation as Trustee in Bankruptcy, at a time when he had ceased to act as Trustee in Bankruptcy;
2. breached the fundamental principle of competence and due care by purporting to sell an asset that he ought to have known could not be transferred.

The sanction reflects the decision that whilst Mr Bowell's actions were clearly commercial the way he approached this matter was wrong. It was accepted that Mr Bowell having been assigned the case by the Official Receiver and with a duty to act in the interests of the creditors could have felt compelled to try to realise an asset that transpired to be non-assignable, however it was wrong to hold himself out to be in office when he was not.

Accordingly Mr Bowell was found liable to disciplinary action under the IPA's Articles of Association. The Investigation Committee decided to impose a disciplinary order that Mr Bowell be severely reprimanded, pay a fine of £5,000 and make a contribution towards costs.