

Disciplinary Orders and Regulatory Decisions



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Investigation orders

Investigation Committee consent orders

1.	Mr Michael Richard William Brooke FCA	3
2.	Miss Bilkees Kalyan ACA	3
3.	Mr John Weston Ridgeway ACA	4
4.	Mr David Richard Meacher-Jones FCA	4 – 5
5.	Mr Anthony Vincent Portman Stitt	5

Investigation Committee fixed penalty orders

6.	Mr Stephen Roy Copson FCA	6
7.	Mr Damien Chandler ACA	6
8.	Mr Marcus Warry ACA	7
9.	Mr Howard Sidney Michael Rabin FCA	7
10.	Higsons Chartered Accountants	8
11.	Mrs Vanessa Longley FCA	8
12.	Mr James Crescenzo ACA	9
13.	Mr Andrew Greenwood Allen FCA	9
14.	A J Brown Limited	9
15.	Mr Nicky Jarvis ACA	10

Regulatory orders

Audit Registration Committee

16.	Chicksand Gordon Avis Limited	11
17.	Guilfoyle, Sage & Co	11
18.	Bajaj & Company.	11

19. Beresfords 11

Insolvency Licensing Committee

20. Mr Michael Leslie Grieshaber 12

Other orders

Practice Assurance Committee

21. Mr Clive Martin Unitt FCA 13

22. K M Business Solutions Limited 13

23. D.C. Evans 13

24. Styles & Co JFC Limited 14

INVESTIGATION COMMITTEE CONSENT ORDERS

1. **Mr Michael Richard William Brooke FCA**

Consent order made on 28 May 2020

With the agreement of Mr Michael Richard William Brooke of Abingdon, United Kingdom the Investigation Committee made an order that he be reprimanded, fined £1,000 and pay costs of £2,700 in respect of complaints that:

1. Between 17 September 2015 and 29 March 2016, Mr Michael Brooke FCA, in acting for the “A” trust, only took instructions from one trustee without the agreement of the other trustees when he was on notice as to an on-going dispute between the trustees.
6. Between 17 September 2015 and 29 March 2016, Mr Michael Brooke FCA, in acting for the “A” Trust, failed to undertake appropriate client due diligence in that he did not verify the identity of all individuals who had control over the trust, and all individuals entitled to at least 25% of the capital of the trust property, in breach of Regulations 5 and 7 of The Money Laundering Regulations 2007.
7. Between 21 May 2017 and 5 June 2017, Mr Michael Brooke FCA, as the engagement partner for the “A” Trust, failed to provide any substantive response to “B” Ltd.’s letter dated 19 May 2017.

043091

2. **Miss Bilkees Kalyan ACA**

Consent order made on 29 May 2020

With the agreement of Miss Bilkees Kalyan of Leicester, United Kingdom the Investigation Committee made an order that she be severely reprimanded, fined £3,500; and pay costs of £1,800 in respect of the complaints that:

1. Between 9 February 2019 and 16 May 2019 Ms Bilkees Kalyan ACA engaged in public practice without holding a practising certificate contrary to Principal Bye-law 51a.
2. Between 9 February 2019 and 9 May 2019 Ms Bilkees Kalyan ACA engaged in public practice without holding Professional Indemnity Insurance as required by Regulation 3.1 of the Professional Indemnity Insurance Regulations.
3. Between 9 February 2019 and 16 May 2019 Ms Bilkees Kalyan failed to ensure that “X” was registered with an Anti-Money Laundering Supervisor as required by the Money Laundering Regulations 2017.

049019

3. Mr John Weston Ridgeway ACA

Consent order made on 4 June 2020

With the agreement of Mr John Weston Ridgeway of Chesham, United Kingdom, the Investigation Committee made an order that he be severely reprimanded, fined £19,000, and pay costs of £1,552 in respect of the complaints that:

1. Between 31 March 2016 and 26 August 2016, Mr J Ridgeway ACA failed to comply with a condition imposed by the Audit Registration Committee (ARC) to obtain hot file reviews and submit the results of those reviews to the ARC within one month of completion of the reviews in respect of the following financial statements:

Company	Year end	Date of audit report
"X" Ltd	31 December 2015	8 June 2016
"Y" Trust	31 December 2015	8 June 2016

2. Between 11 July 2016 and 26 July 2016, Mr John Ridgeway ACA signed the audit reports for:
 - a) "X" Ltd for the year ended 31 December 2015; and/or
 - b) "Y" Trust for the year ended 31 December 2015

and failed to accurately date the said reports, the recorded date of the report being 8 June 2016, in breach of International Standard on Auditing (UK and Ireland) 700 'The independent auditor's report on financial statements.

039126

4. Mr David Richard Meacher-Jones FCA

Consent order made on 4 June 2020

With the agreement of Mr David Richard Meacher-Jones of Chester, United Kingdom the Investigation Committee made an order that he be severely reprimanded, fined £4,900 and pay costs of £2,000 in respect of the complaints that:

1. Mr Meacher-Jones FCA approved his tax return for the year ended 5 April 2008 when the tax return was incorrect as it did not include the consideration for the disposal of his shares in "A" Ltd on 4 July 2007.

2. Mr Meacher-Jones FCA, approved unaudited financial statements for his accountancy firm, Meacher-Jones & Company Ltd, when they did not comply with UK Generally Accepted Accounting Practice (UKGAAP) as no amortisation was provided on goodwill for the following years and Financial Reporting Standards:

- i. Year ended 31 March 2009 - Financial Reporting Standard for Smaller Entities (FRSSE 2007); and / or
- ii. Year ended 31 March 2010 - Financial Reporting Standard for Smaller Entities (FRSSE 2008); and / or
- iii. Year ended 31 March 2011 - Financial Reporting Standard for Smaller Entities (FRSSE 2008); and / or
- iv. Year ended 31 March 2012 - Financial Reporting Standard for Smaller Entities (FRSSE 2008); and / or
- v. Year ended 31 March 2013 - Financial Reporting Standard for Smaller Entities (FRSSE 2008); and / or
- vi. Year ended 31 March 2014 - Financial Reporting Standard for Smaller Entities (FRSSE 2008); and / or

- vii. Period ended 30 June 2015 - Financial Reporting Standard for Smaller Entities (FRSSE 2008); and / or
- viii. Period ended 31 March 2016 - Financial Reporting Standard applicable to Micro-entities Regime (FRS 105); and / or
- ix. Year ended 31 March 2017 - Financial Reporting Standard applicable to Micro-entities Regime (FRS 105); and / or
- x. Year ended 31 March 2018 - Financial Reporting Standard applicable to Micro-entities Regime (FRS 105)".

048488

5. Mr Anthony Vincent Portman Stitt

Consent order made on 4 June 2020

With the agreement of Mr Anthony Vincent Portman Stitt of London, United Kingdom, the Investigation Committee made an order that he be severely reprimanded, fined £5,000; and pay costs of £805 in respect to a complaint that

- 1. Between 23 October 2019 and 7 November 2019, Mr A V P Stitt failed to provide the information, explanations and documents requested by letter dated 21 October 2019, issued in accordance with Disciplinary Bye-law 13.1, contrary to Disciplinary Bye-law 13.2.

The Committee also makes it a condition of the consent order that Mr Stitt provides the information, explanations and documents which were requested by letter dated 21 October 2019 issued under Disciplinary Bye-law 13.

053001

INVESTIGATION COMMITTEE FIXED PENALTY ORDERS

6. Mr Stephen Roy Copson FCA

Penalty order made on 17 March 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Mr Stephen Roy Copson FCA, the Investigation Committee ordered that Mr Stephen Roy Copson, of Bristol, United Kingdom be reprimanded, and given a fixed penalty of £700 representing a financial penalty of £1,000 to which a discount of 30% has been applied with respect to a complaint that:

Mr Stephen Roy Copson FCA, subsequent to a QAD visit in 2014, made the following assurance on behalf of his firms, Copson Grandfield Ltd and Brigadoon Bookkeeping Services, in relation to Anti-Money Laundering procedures:

“We have decided to take your advice and use the ICAEW AML service and have applied for cover via SWAT Limited.

We will adopt the service for new clients, for carrying out an annual review on existing clients when we prepare their annual accounts (or tax returns if no accounts).

We will also ensure that any existing client, for whom we will not be preparing annual accounts within the next 6 months, gets a separate review. This will mean that all existing clients will be reviewed within 6 months.”

but at a QAD visit on 13 June 2018, it was found that the assurances had not been complied with.

047920

7. Mr Damien Chandler ACA

Penalty order made on 23 March 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Mr Damien Chandler ACA, the Investigation Committee ordered that Mr Damien Chandler ACA, of Worcester, United Kingdom be reprimanded, and a fixed penalty of £700 representing a financial penalty of £1,000 to which a discount of 30% has been applied with respect to a complaint that:

Between 28 June 2018 and 29 April 2019, Damien Chandler ACA engaged in public practice, without holding a practising certificate contrary to Principal Bye-law 51a.

052135

8. Mr Marcus Warry ACA

Penalty order made on 3 April 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

- i. With the agreement of Mr Marcus Warry ACA, the Investigation Committee ordered that Mr Marcus Warry ACA, of London, United Kingdom, be reprimanded, and a fixed penalty of £700 representing a financial penalty of £1,000 to which a discount of 30% has been applied and given a fixed penalty of £1,222.90 representing a financial penalty equal to the fees saved of £1,747.00 to which a discount of 30% has been applied with respect to complaints that:
 1. Between 22 August 2012 and 1 November 2019, Mr Marcus Warry ACA engaged in public practice without holding a practising certificate contrary to Principal Bye-law 51a.
 2. Between 1 April 2013 and 1 July 2019, Mr Marcus Warry ACA failed to comply with Regulation 6 governing the use of the description 'Chartered Accountants', as his firm, Archie & Doris Ltd described itself as a firm of Chartered Accountants when not eligible to do so.

049220

9. Mr Howard Sidney Michael Rabin FCA

Penalty order made on 3 April 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Mr Howard Sidney Michael Rabin FCA, the Investigation Committee ordered that Mr Howard Sidney Michael Rabin FCA, of Middlesex, United Kingdom be reprimanded, and given a fixed penalty of £700 representing a financial penalty of £1,000 to which a discount of 30% has been applied with respect to a complaint that:

1. Mr Howard Sidney Michael Rabin FCA, following a QAD visit on 3 June 2010, confirmed on behalf of his firm that:

In respect of the requirement to carry out client due diligence on an annual basis for all clients and to document the results:

"Client due diligence will be reviewed regularly and a record kept in each case."

but at a QAD desktop review on 27 July 2018, it was found that the assurance had not been complied with.

The firm was in breach of the regulations regarding the requirement to apply customer due diligence measures (Money Laundering Regulations 2007, paragraph 7, sections (1) to (4)) for the period 3 June 2010 and 27 July 2018.

047930

10. Higsons Chartered Accountants

Penalty order made on 7 April 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Higsons Chartered Accountants, the Investigation Committee ordered that Higsons Chartered Accountants, of 93 Market Square, Farnworth, Bolton, BL4 7NS, United Kingdom be reprimanded, and a fixed penalty of £700 representing a financial penalty of £1,000 to which a discount of 30% has been applied with respect to a complaint that:

1. Mr Keith Higson FCA, following a QAD visit on 3 March 2010, confirmed on behalf of his firm that:

In respect of the requirement to inform all clients in writing of the basis on which fees would be charged and of the firm's complaints procedures:

"We will introduce engagement letters for all clients over the course of the next 12 months."

but at a QAD review on 9 April 2018, it was found that the assurance had not been complied with.

The firm was in breach of the Code of Ethics (paragraphs 240.2a and b) and Disciplinary Bye-law 11.1 for the period 3 March 2010 and 9 April 2018.

051202

11. Mrs Vanessa Longley FCA

Penalty order made on 8 April 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Mrs Vanessa Longley FCA, the Investigation Committee ordered that Mrs Vanessa Longley, of Devon, United Kingdom be reprimanded, and a fixed penalty of £700 representing a financial penalty of £1,000 to which a discount of 30% has been applied with respect to a complaint that:

Mrs Vanessa Longley FCA following a QAD visit to her firm, Longley Consulting Limited, in June 2015, confirmed in respect having procedures in place to assess and document client due diligence (CDD), to comply with the Anti-Money Laundering (AML) regulations, that:

"This year due diligence will be carried out on all existing clients by completing a Know your client checklist for each at the time that the accounts/tax returns are prepared.

By the end of July 2016 due diligence will have been carried out on all existing clients.

A Know your client checklist will be completed for all new clients.

In future years a risk assessment will be carried out annual at the time that the accounts/tax returns are prepared.

I confirm that I will submit an example of a completed CDD if requested."

but at the QAD's subsequent visit on 15 November 2018, it was found that this assurance had not been complied with.

051195

12. **Mr James Crescenzo ACA**

Penalty order made on 9 April 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Mr James Crescenzo ACA, the Investigation Committee ordered that Mr James Crescenzo, of Brighton, United Kingdom be reprimanded, and a fixed penalty of £1,400 representing a financial penalty of £1,000 to which a discount of 30% has been applied with respect to a complaint that:

1. Between October 2018 and 27 February 2020 Mr Crescenzo ACA engaged in public practice without a practicing certificate contrary to Principal Bye-law 51a.
2. Between October 2018 and 27 February 2020 Mr Crescenzo engaged in public practice without holding qualifying professional indemnity insurance contrary to Regulations 3.1 of the Professional Indemnity Insurance Regulations.

050998

13. **Mr Andrew Greenwood Allen FCA**

Penalty order made on 21 April 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Mr Andrew Greenwood Allen FCA, the Investigation Committee ordered that Mr Andrew Greenwood Allen, of Cornwall, United Kingdom be reprimanded with respect to a complaint that:

On 6 February 2020 Mr Andrew Greenwood Allen FCA was convicted of causing criminal damage to property valued under £5,000 and of assault by beating.

054202

14. **A J Brown Limited**

Penalty order made on 12 February 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of A J Brown Limited, the Investigation Committee ordered that A J Brown Limited, of Regency House, Westminster Place, York, YO26 6RW, United Kingdom be reprimanded, and given a fixed penalty of £515.90 representing a financial penalty equal to the fees saved of £737 to which a discount of 30% has been applied with respect to a complaint that:

Between 31 March 2016 and 5 December 2019, A J Brown Limited failed to comply with Regulation 6 governing the use of the description 'Chartered Accountants', as it described itself as a firm of Chartered Accountants when not eligible to do so because a director of the company, Mr Neil Foster, was not a member or affiliate member of ICAEW.

052867

15. Mr Nicky Jarvis ACA

Penalty order made on 7 May 2020

Under Disciplinary Bye-law 14A the Investigation Committee has exercised its powers under delegation to consider this complaint by way of fixed penalty.

With the agreement of Mr Nicky Jarvis ACA, the Investigation Committee ordered that Mr Nicky Jarvis ACA, of Essex, United Kingdom be reprimanded, and given a fixed penalty of £700 representing a financial penalty of £1,000 to which a discount of 30% has been applied with respect to a complaint that:

Between 6 August 2019 and 13 January 2020 Mr Nicky Jarvis ACA, on behalf of his firm SJJ Accountants, failed to obtain professional indemnity insurance cover as required by Regulation 3.1 of the Professional Indemnity Insurance Regulations.

053868

AUDIT REGISTRATION COMMITTEE

ORDER – 11 MARCH 2020

16. Publicity Statement

Chicksand Gordon Avis Limited, London, United Kingdom, has agreed to pay a regulatory penalty of £5,000, which was decided by the Audit Registration Committee. This was in view of the firm's admitted breach of audit regulation 3.10, in that the firm signed 30 audit reports on behalf of two clients when the firm had failed to conduct audits in accordance with the ISA's.

050645

ORDER – 11 MARCH 2020

17. Publicity Statement

Guilfoyle, Sage & Co, Newport, United Kingdom, has agreed to pay a regulatory penalty of £2,000, which was decided by the Audit Registration Committee. This was in view of the firm's admitted breach of audit regulation 6.06 for failing to comply with an undertaking to submit the results of an external cold file review.

037078

ORDER – 8 APRIL 2020

18. Publicity Statement

Bajaj & Company., North Harrow, United Kingdom, has agreed to pay a regulatory penalty of £1,120, which was decided by the Audit Registration Committee. This was in view of the firm's admitted breach of Licensed Practice Handbook paragraphs 5.07 and 2.08b for failing to have arrangements in place for an external cold file review to be conducted of its ATOL work at least once every three years, and for the incorrect completion of its 2019 ICAEW annual return.

053070

ORDER – 13 MAY 2020

19. Publicity Statement

Beresfords, Folkestone, United Kingdom, has agreed to pay a regulatory penalty of £4,000, which was decided by the Audit Registration Committee. This was in view of the firm's admitted breach of audit regulations 3.20 and 6.06 for failing to arrange for annual cold file reviews to be carried out, failing to provide accurate information to ICAEW during a visit and for the incorrect completion of its ICAEW annual returns.

051660

INSOLVENCY LICENSING COMMITTEE

ORDER – 15 APRIL 2020

20. **Publicity Statement**

Mr Michael Leslie Grieshaber, Wokingham, United Kingdom, to pay a regulatory penalty of £1,000 for breach of an undertaking previously given to the committee to properly document pre-appointment ethical considerations, client due diligence and anti-money laundering risk-assessments on all new cases.

052964

PRACTICE ASSURANCE COMMITTEE

ORDER – 21 MAY 2020

21. Publicity statement

Mr Clive Martin Unitt FCA of Uxbridge, United Kingdom has agreed to pay a practice assurance penalty of £525, which was decided by the Practice Assurance Committee. This was in view his admitted breaches of:

- a) Principal Bye-law 51a, in that he engaged in public practice without a practising certificate (PC) between February 2011 and 6 January 2015; and
- b) Professional Indemnity Insurance (PII) Regulation 3.1 for his failure to arrange qualifying insurance between February 2011 and 1 December 2019 for X Ltd and between June 2017 and 1 December 2019 for Y Ltd which met the requirements of ICAEW's PII Regulations.

054566

ORDER – 21 MAY 2020

22. Publicity statement

K M Business Solutions Limited of Burnley, United Kingdom has agreed to pay a practice assurance penalty of £1,000, which was decided by the Practice Assurance Committee. This was in view of the firm's admitted breach of Practice Assurance penalty under PA Regulation 4 (2008 Regulations) in that it failed to comply with a previous assurance to keep CDD records up-to-date, as required by the Money Laundering Regulations 2007.

054177

ORDER – 21 MAY 2020

23. Publicity statement

D.C. Evans of Denbigh, United Kingdom, has agreed to pay a practice assurance penalty of £1,050, which was decided by the Practice Assurance Committee. This was in view of the firm's admitted breach of Practice Assurance Regulation 4 (2008 Regulations); in that it failed to comply with written assurances to:

- document client due diligence and risk assessments on all clients, as required by the Money Laundering Regulations 2007;
- issue clients with details of the firm's fees and complaints procedures, as required by the Code of Ethics (240.2b [2011]) and ICAEW Disciplinary Bye-law 11.1; and
- disclose the details of the firm's professional indemnity insurance to clients as required by the Provision of Services Regulations 2009.

053095

ORDER – 21 MAY 2020

24. **Publicity statement**

Styles & Co JFC Limited of Warrington, United Kingdom has agreed to pay a practice assurance penalty of £700, which was decided by the Practice Assurance Committee. This was in view of the firm's admitted breach of Practice Assurance Regulation 4 (2008 Regulations); in that the firm failed to comply with a written assurance to record an initial risk assessment and ongoing risk assessments on its clients, as required by the Money Laundering Regulations 2017.

053730

All enquiries to the Professional Conduct Department, T +44 (0)1908 546 293