

Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 14 October 2021

Committee name: REGULATION AND CONDUCT COMMITTEE

Details of IP: **Gareth Neill**, formerly of **Aperture**, a former IPA member, and Licensed Insolvency Practitioner (IP).

Summary of complaint: This Order is made in relation to a complaint that Mr Neill breached the fundamental principle of professional competence and due care when he failed to ensure that all closed cases, in respect of which he remained trustee, were transferred to an alternative insolvency practitioner following his departure from Aperture in December 2016 and consequently failed to ensure the cases were administered appropriately.

Accordingly, Mr Neill was found liable to disciplinary action under the IPA's Articles of Association.

Summary of sanctions: The Common Sanctions Guidance provides for a reprimand and a fine of £2,000 as a starting point, where there has been a less serious failure to comply with the fundamental principle of professional competence and due care.

The Committee considered that the minimal chance of repetition following Mr Neill's retirement from insolvency practice and Aperture ceasing to trade were relevant to sanction and a mitigating factor. However, the potential loss to an informant was considered an aggravating factor.

The Committee imposed a disciplinary order that Mr Neill be reprimanded, fined £2,000 and pay £5,985 towards the costs.