

# Press release: New charity investigation: Anaya Aid

The Charity Commission, the independent regulator of charities in England and Wales, has opened a statutory inquiry into Anaya Aid, registered charity number 1152971. The inquiry was opened on 5 June 2017.

Anaya Aid has objects to provide humanitarian aid internationally during emergency or disastrous situations.

In December 2015, the Commission was made aware by police that a trustee and a former trustee of Anaya Aid were stopped by UK Ports Officers and approximately £5000 in cash belonging to the charity was seized. Although these funds were later returned to the charity, the Commission advised the trustees of the inherent risks involved in cash couriership and the need to safeguard the charity's funds. In April 2017, the Commission was again informed by police that the same trustee of the charity was stopped by UK Ports Officers where cash totaling €23,000 and £1,500 belonging to the charity was seized. These funds are subject to a cash detention order and are at risk of loss in the event of a successful forfeiture application.

The 2017 cash seizure came despite the Commission having previously provided the trustees with regulatory advice and guidance against cash couriership, which was not followed.

Furthermore, the Commission has previously carried out 3 compliance visits at the charity's premises due to a range of regulatory concerns, particularly in relation to the charity's work in Syria and the partners it has used. The trustees were issued with an action plan to address these concerns but failed to comply with all of its requirements.

The trustees have put charity funds at risk of loss on a number of occasions, and have failed to comply with the Commission's regulatory advice and guidance. The Commission has therefore opened a statutory inquiry to take further regulatory action. The Commission has issued an order under section 84 of the Charities Act 2011 directing the trustees to take specific actions within set timeframes and issued a further order under section 76(3)(f) of the act restricting certain transactions that the trustees can enter into without the Commission's prior consent.

In order to thoroughly address these concerns, the investigation will look at:

- whether the trustees have put the charity's funds at risk by allowing a trustee of the charity to carry the charity's funds in cash whilst travelling via a convoy
- the inability of the trustees to adequately account for the end use of the charity's aid and funds which are applied, on the charity's behalf, through partners

- the trustees' failure to fully comply with regulatory advice and guidance issued by the Commission over the course of its engagement with the charity's trustees
- the administration, governance and management of the charity by the trustees

The Commission recently [issued an alert](#) to charities strongly advising against the use of cash couriers.

It is the Commission's policy, after it has concluded an inquiry, to publish a report detailing what issues the inquiry looked at, what actions were undertaken as part of the inquiry and what the outcomes were. [Reports of previous inquiries](#) by the Commission are available on GOV.UK.

The charity's details can be viewed on the Commission's [online charity search tool](#).

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#### Notes to editors

1. [The Charity Commission](#) is the independent regulator of charities in England and Wales. To find out more about our work, see our [annual report](#).
  2. Search for charities on our [online register](#).
  3. Section 46 of the Charities Act 2011 gives the Commission the power to institute inquiries. The opening of an inquiry gives the Commission access to a range of investigative, protective and remedial legal powers.
  4. The Commission's decision to announce the opening of a statutory inquiry is based on whether it is in the public interest to do so and with consideration of our objective to increase public trust and confidence in charities.
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## [News story: Cutting the price of contact centre services](#)

Contact Centre Services (RM3815) is a four year agreement available to help government departments, wider public sector and the third sector to procure contact centre services and specialist support and advice.

From central government departments and local councils delivering essential

benefit, tax and advisory services through to the emergency services, there is a huge volume of contact services that touch the lives of almost all UK residents on a daily basis.

The new framework helps public sector bodies to maximise opportunities for innovation, channel strategy, self service and optimisation.

CCS is predicting commercial benefits and savings in the region of 10% on the costs the public sector currently spends providing similar services.

There are two lots on the framework:

- Lot 1 – Specialist Contact Centre Consultancy Services:

Strategic advice to public sector bodies on the design of Contact Centre services to provide value for money, improve efficiencies and minimise risk. This will provide benefits for both in-house and outsourced solutions.

- Lot 2 – Contact Centre Services:

The provision of a wide range of contact centres services from voice telephony to web chat and multi-channel customer engagement.

To find out more, visit [the Contact Centre web pages](#).

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## [Speech: Trade and continued cooperation between France and the UK](#)

Good morning.

I am delighted to be here today to address the members of the oldest British Chambers of Commerce in Europe, and the oldest such chamber in France.

When I became Secretary of State for International Trade, I was also made President of the Board of Trade. As the holder of an office that dates back to 1672, it is not surprising to me that our ancient institutions are still invaluable in addressing the most cutting-edge trade issues!

Mon message aujourd'hui est clair – La Grande-Bretagne et la France partagent un relation inébranlable.

Given the sometimes tumultuous history of our 2 nations, I suspect those words have not been uttered many times before, and certainly not in French, by a full-blooded Scot representing an English constituency!

Mon père était un professeur de langue française quand j'étais jeune. Ceci explique non seulement pourquoi je parle Français avec l'accent écossais,

mais également la connexion que je ressens avec la France, et avec l'Europe.

For me, childhood holidays did not mean Cornwall or the Western Isles, but summer in Orange.

I actually became engaged to my wife in the picturesque setting of Carcassonne.

My own experience is just one example of the strong personal bonds that unite Britain and France.

Over 400,000 French citizens live in London alone, making it the equivalent of France's sixth largest city.

One area, South Kensington, is sometimes referred to as the 21st Arrondissement of Paris!

It may seem flippant, but it illustrates the closeness of our relationship, built upon the ties of history, defence, and of course, trade and industry.

France is Britain's third largest export partner, conducting trade worth £69 billion each year.

France is also Britain's largest European foreign investor. My department estimates that around 5,000 firms are investing across the channel in both directions, supporting over half a million jobs.

It is a commercial partnership that continues to go from strength to strength. When firms approach my department for advice on exporting, France is consistently the most popular destination behind the US.

It is no wonder that your own Chambers currently boast over 700 members.

For centuries, cross-channel trade has been a cornerstone of the European economy.

It is a source of great pride within my Department that Britain and France were the first 2 nations on earth to sign a free trade agreement.

In 1860, 2 of Europe's leading economists, Michel Chevalier and Richard Cobden, met in secret to negotiate the lifting of tariffs on raw materials, food and drink between the 2 countries.

Although the treaty lasted only 30 years, its effects can be seen to this day. The British addiction to French wine is matched only by the French love of whisky. This country consumes more per head than any other nation on earth.

For all the closeness of our nations, I cannot come here today without addressing the fact that, politically, the United Kingdom has chosen a different path to the one we have followed for the past 40 years.

I must stress, however, that Britain's decision to leave the European Union

was in no way a rejection of Europe, our European partners, or the values that we share.

It was a decision that said increasing European political union was not the direction for us, and we understand that there is a negotiation ahead of us following our decision to leave.

But ours was a vote to ensure that we can embrace a wider world, trade freely across the globe, and determine our own destiny, while at the same time ensuring that our relationships with European partners remain as close as possible.

There will be no abdication of our international responsibilities. The UK has always been an open, globalised nation. We will always continue to welcome talent from across France, Europe and the world.

We will always welcome businesses or investment to our shores.

And we will always maintain a commitment to our close friends and allies in Europe.

Politically and militarily, we will continue to work together to face our common threats. As Secretary of State for Defence, I worked on the 2010 Lancaster House Treaty.

This agreement has allowed us to develop co-operation between British and French Armed Forces, the sharing and pooling of materials and equipment including through mutual interdependence, the building of joint facilities, mutual access to each other's defence markets, and industrial and technological co-operation. Sovereign nation, to sovereign nation.

I would like to see that declaration between our 2 countries honoured in the future.

Economically, the UK will remain committed to the values of free and open trade. The British government has no interest in erecting barriers where none yet exist. It is in all our interests to maintain the freest possible trade between Britain and the European Union, just as it is in Britain's interests to see the EU succeed.

We desire nothing more than a strong, secure and prosperous partner in Europe.

Whilst we remain within the EU, we will continue to work tirelessly towards those free trade agreements and preferences that are under negotiation.

We recognise the vast benefits that free trade brings, not only to large economies such as Britain and France, but to smaller developing nations across the world to which free trade offers an escape from poverty.

This year marks 2 centuries since David Ricardo introduced his Theory of Comparative Advantage. The experience of globalisation, and of technological advances unimaginable in Ricardo's time, have only served to validate his

theory.

Free trade is an unalloyed force for good in the world, a system that spreads prosperity amongst nations without detriment.

The United Kingdom is committed to advancing the cause of free trade across the world, and as a government we reject any notion of restrictions to trade and commerce.

Yet promoting free trade is about more than international policy. It is about ensuring that businesses have the tools and the support they need to trade globally, and expand into new markets.

For all our devotion to commercial freedoms, the Department for International Trade recognises that it is not politicians, but businesses like yours that generate wealth and national income.

You are the drivers of prosperity. Without your drive and innovation, our work would be wasted.

My department stands ready to support you in all your endeavours. Whether it is finance, or advice, or local market knowledge, DIT has the tools available to help companies in France and around the world trade in the UK, as well as to help British companies sell overseas.

For over 140 years, the Franco-British Chamber of Commerce has been a stalwart of cross channel trade, industry, and relations. As Britain takes a new, global path, your work will be more vital than ever before.

It is 113 years since Britain and France signed the Entente Cordiale. In that time, our nations have been united by diplomacy, by defence, and finally by an emerging mutual prosperity.

We may be opening a new chapter in our history, but I am confident that it will be our most successful yet.

Thank you.

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## **[News story: Poor record keeping nets 9 year ban for Birmingham businessman](#)**

Mr Ferguson was the sole director of Allied Commercial Factors Limited which provided financial services and operated from Cannock, Staffordshire. The company went into Liquidation on 14 October 2014, owing an estimated £1,159,011.

An Insolvency Service investigation found, specifically, that the company had

failed to maintain, preserve or deliver up records that could explain payments of £20,529, 834 from the company bank account. This included £329,567 paid directly to Mr Ferguson and £177,337 paid to an associated company.

The Insolvency Service also found that Allied failed to deal with its tax affairs and at Liquidation, the Company owed HMRC in excess of £290,000 for VAT, penalties and charges.

Commenting on the disqualification, Sue MacLeod, chief investigator at the Insolvency Service, said:

Company directors should note from this enforcement result that any failure to maintain or deliver up adequate accounting records is likely to lead to serious censure.

In this particular case, Mr Ferguson failed to deliver up the Company's accounting records with the result that transactions amounting to more than £20,500,000 could not be explained.

This disqualification is a reminder to others tempted to do the same that the Insolvency Service will rigorously pursue enforcement action to seek and remove from them the privilege of trading with limited liability to protect the public for a lengthy period.

## **Notes to editors**

Allied Commercial Factors Limited (Company Registration No. 07382287) was incorporated on 21 September 2010 and traded from Morston Court, Cannock, Staffordshire, WS11 8JB.

John Alexander Ferguson, (date of birth 08 November 1963) was the sole registered director from incorporation, until Liquidation.

The company went into Liquidation on 14 October 2014. On 22 May 2017, the County Court sitting at Birmingham made a Disqualification Order against Mr Ferguson, effective from 12 June 2017, for a period of 9 years.

The matters of unfit conduct upon which the Secretary of State's claim was based were that Mr Ferguson failed to ensure that Allied Commercial Factors Limited maintained and/or preserved adequate accounting records from 01 March 2012 to 14 October 2014, the date of Liquidation or, in the alternative, he has failed to deliver them up to the Official Receiver. The last accounts filed by ACF at Companies House were in respect of year ending 29 February 2012.

As a result the Insolvency Service has been unable to determine, in the absence of purchase invoices, whether payments in the total sum of

£20,529,834 paid from ACF's bank accounts between 01 September 2012 and Liquidation on 14 October 2014 represent legitimate company expenditure, specifically:

- whether monies in the net sum of at least £329,567 paid to Mr Ferguson between 07 September 2012 and 12 May 2014 represented legitimate company expenditure
- whether payments in the net sum of at least £177,337 paid to a company connected to Allied between 17 September 2012 and 03 September 2014 represented legitimate company expenditure
- whether 68 cheque payments and a further 7 related payments in the total sum of £818,350 paid by Allied in the period from 03 September 2012 to 07 May 2014 represented legitimate company expenditure

It was also not possible to determine the asset position of Allied at liquidation with regard to:

- whether debtors in the sum of £1,427,063 identified in Allied's abbreviated accounts to year end 29 February 2012 have been properly collected for the benefit of Allied
- whether a horse/part share of a horse purchased by way of funds in the sum of £120,000 paid from Allied's bank accounts between 04 April 2013 and 06 August 2013 was an asset of Allied
- whether the horse remained an asset of Allied at Liquidation on 14 October 2014
- whether, if the horse was sold prior to Liquidation, the proceeds of the sale were properly received by Allied
- whether 11 vehicles identified by HMRC during an investigation into the operation of Allied's VAT account were assets of Allied
- whether these vehicles remained assets of Allied at Liquidation on 14 October 2014
- whether, if any of the vehicles were sold prior to Liquidation, the proceeds of any sale were properly received by Allied

Furthermore Mr Ferguson failed to ensure that Allied's VAT was properly accounted for in respect of quarters ending November 2011 to November 2013. As a result, HMRC raised an assessment in the sum of £78,385 in respect of expenses on which HMRC considered that input (purchase) VAT, should not have been claimed and further disallowed monies in the total sum of £198,343 reclaimed by ACF on purchases and other inputs in respect of quarters ending May 2012 and November 2013:

- Mr Ferguson was the sole director and shareholder of ACF from incorporation on 21 September 2010
- on 12 July 2013 HMRC advised that they would be visiting the premises of Allied to carry out an inspection of its VAT account
- HMRC visited the offices of Allied on 22 August 2013 and reviewed the accounting records provided by Mr Ferguson
- HMRC raised a number of queries in respect of purchases and expenses against which input VAT had been claimed by Allied which it could not identify as legitimate company expenditure from the accounting records provided by Mr Ferguson



- between 20 September 2013 and 16 June 2014 HMRC asked Mr Ferguson for an explanation as to why these expenses were considered to be legitimate company expenditure against which VAT could be claimed
- Mr Ferguson failed to provide HMRC with an explanation as to why these payments were considered as legitimate company expenditure
- on 16 July 2014, HMRC advised Allied that it had disallowed monies in the total sum of £198,343 reclaimed by Allied on purchases and other inputs in respect of quarters ending May 2012 and November 2013
- HMRC raised an assessment in the sum of £78,385, plus penalties, in respect of VAT claimed against purchases/expenses for which Mr Ferguson failed to provide an explanation. Allied were informed of this assessment by a letter dated 15 September 2014
- HMRC advised ACF that at 24 September 2014, Allied's liability to HMRC in respect of VAT stood at £203,398.

A disqualification order has the effect that without specific permission of a court, a person with a disqualification cannot:

- act as a director of a company
  - take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership
  - be a receiver of a company's property
- Persons subject to a disqualification order are bound by a [range of other restrictions](#).

The Insolvency Service, an executive agency sponsored by the Department for Business, Energy and Industrial Strategy (BEIS), administers the insolvency regime, and aims to deliver and promote a range of investigation and enforcement activities both civil and criminal in nature, to support fair and open markets. We do this by effectively enforcing the statutory company and insolvency regimes, maintaining public confidence in those regimes and reducing the harm caused to victims of fraudulent activity and to the business community, including dealing with the disqualification of directors in corporate failures. Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

BEIS' mission is to build a dynamic and competitive UK economy that works for all, in particular by creating the conditions for business success and promoting an open global economy. The Criminal Investigations and Prosecutions team contributes to this aim by taking action to deter fraud and to regulate the market. They investigate and prosecute a range of offences, primarily relating to personal or company insolvencies.

Media enquiries for this press release – 020 7596 6187

You can also follow the Insolvency Service on:

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# Press release: Illegal streaming threatens copyright progress

Streaming giants such as Netflix and Spotify have helped keep online infringement in check with innovative new streaming models, however new threats are beginning to challenge recent progress.

- streaming giants such as Netflix and Spotify are keeping infringement levels stable
- consumers accessing exclusively free content at an all-time low
- approximately 7 million internet users still accessing some illegal content
- infringers turning to illicit streaming devices and stream ripping websites
- confusion amongst consumers regarding the legitimacy of some streaming sites

The Online Copyright Infringement (OCI) Tracker, commissioned by the UK Intellectual Property Office (IPO), has revealed that 15 per cent of UK internet users, approximately 7 million people, either stream or download material that infringes copyright.

Legitimate streaming has grown in popularity once again with Spotify seeing a noteworthy 7% increase in user numbers since 2016.

However illicitly adapted set top boxes, which allow users to illegally stream premium TV content such as blockbuster movies, threaten to undermine recent progress. 13 per cent of online infringers are using streaming boxes that can be easily adapted to stream illicit content. In an effort to understand where further action might be necessary to address this problem the IPO has also published a call for views. The Government response is due to be published later this summer.

Legal streaming of music is also under threat. Stream-ripping, by which internet users remove and store content away from its original advertising-revenue generating platform, is becoming a significant problem.

A report commissioned by the IPO and PRS for Music has revealed that 15% of internet users have been involved in stream-ripping. It also reveals that nearly a quarter (24 per cent) of "stream-rippers" believe that their action were not infringing IP rights.

The use of stream-ripping websites increased by 141.3% between 2014 and 2016. In a survey of over 9000 people, 57% of UK adults claimed to be aware of stream-ripping services. Those who claimed to have used a stream-ripping service were significantly more likely to be male and between the ages of 16 to 34 years.

Ros Lynch, Copyright and IP Enforcement Director at the IPO, said:

It's great that legal streaming sites continue to be a hugely popular choice for consumers. The success and popularity of these platforms show the importance of evolution and innovation in the entertainment industry.

Ironically it is innovation that also benefits those looking to undermine IP rights and benefit financially from copyright infringement. There has never been more choice or flexibility for consumers of TV and music, however illicit streaming devices and stream-ripping are threatening this progress.

Content creators deserve to be paid for their work – it is not a grey area. This government takes IP infringement extremely seriously and we are working with our industry partners and law enforcement to tackle this emerging threat.

Robert Ashcroft, Chief Executive, PRS for Music:

We hope that this research will provide the basis for a renewed and re-focused commitment to tackling online copyright infringement. The long term health of the UK's cultural and creative sectors is in everyone's best interests, including those of the digital service providers, and a co-ordinated industry and government approach to tackling stream ripping is essential.

## Notes to editors

1. The Online Copyright Infringement tracker spoke to a UK universe aged 12+ years, using a mixed methodology of online (CAWI) and face-to-face (CAPI) approaches to ensure that we represented the full population including lighter and none internet users. Fieldwork was run in March 2017 speaking to a total of 5,267 individuals.
2. The stream-ripping survey spoke to a UK universe aged 16+ years, using a mixed methodology of online (CAWI) and face-to-face (CAPI) approaches to ensure that we represented the full population including lighter and none internet users. Fieldwork was run mid-November to early December 2016 speaking to a total of 9,112 individuals.
3. The UK Intellectual Property Office is responsible for Intellectual Property (IP) rights in the United Kingdom, including patents, designs, trade marks and copyright.
4. PRS for Music represents the rights of over 125,000 songwriters, composers and music publishers in the UK. As a membership organisation it ensures creators are paid whenever their music is played, performed

or reproduced, championing the importance of copyright to protect and support the UK music industry. The UK has a proud tradition of creating wonderful music that is enjoyed the world over and PRS for Music has been supporting the creators of that music since 1914.