

[Disqualified packaging boss sentenced for breaching ban](#)

Update

Following [Confiscation Orders](#) made by the court in accordance with the Proceeds of Crime Act, Mark Bottjer has been ordered to pay £64,712.83, while Susan Hearn was ordered to pay £18,594.87. Both defendants have to pay prosecution costs and the orders were made on 12 May 2020 at Chelmsford Crown Court before HHJ Gratwicke. The penalty for default of payment is 12 months imprisonment. The 59-year-old appeared at Chelmsford Crown Court on Friday 28 February 2020 where he received a 10-month sentence, suspended for 18 months, and ordered to complete 250 hours of community service.

Press release

Mark Bottjer, from Colchester, Essex, appeared at court after he pleaded guilty to three counts of acting as a director while subject to a disqualification undertaking.

He was joined at court by Susan Linda Hearn after she pleaded guilty to one count of aiding and abetting Mark Bottjer to breach his disqualification.

The 58-year-old from Great Oakley, Essex, received a 2-year community order of 150 hours of unpaid work and 30 days rehabilitation.

The pair were also handed directorship disqualifications by His Honour Judge Christopher Morgan. Mark Bottjer is banned for 12 years, while Susan Hearn is disqualified from running companies for 7 years.

The court heard that Mark Bottjer voluntarily signed a 3-and-a-half-year disqualification undertaking in May 2014 after the company he was director of, Boxperfect Presentation Packaging Ltd, went into administration and he was deemed to be unfit to act as a company director.

This meant he was restricted from managing and forming companies unless he had permission from the courts and following the undertaking, Mark Bottjer terminated his directorship of another packaging company he was a registered director of, Redbox Packaging Design. He then appointed himself as Company Secretary for both Redbox Packaging Design and a separate company, Boxperfect International Ltd.

Despite the appearance that he had stepped back from managing the two packaging companies, he continued to act as director of both Redbox Packaging Design and Boxperfect International.

Evidence seen by the court demonstrated that Mark Bottjer had led meetings and negotiations for more than a year with a high-profile London retailer shortly after his ban. He continued to play prominent roles in the

companies', including determining company purchases and making decisions about company finances, strategy and legal proceedings.

Mark Bottjer also gave the impression to staff that his role had not changed when he stepped down as director after his disqualification.

Susan Hearn had also been involved in the management of Boxperfect International and despite being aware of Martin Bottjer's disqualification, she facilitated a number of Bottjer's decisions to maintain the appearance that he was no longer running the company, including negotiating with the tax authorities.

Before passing sentence, His Honour Judge Christopher Morgan also heard that Mark Bottjer formed another company known as International Packaging Brands Limited and had made payment for its formation while he was restricted under the terms of his disqualification undertaking. The court noted that all 3 companies failed.

Ian West, Chief Investigator for the Insolvency Service, said:

Disqualifications impose significant restrictions on your ability from managing companies. But Mark Bottjer completely disregarded the law when he continued to play prominent roles in three different businesses despite being banned from doing so. Whether that was making financial decisions or even talking to liquidators when one of the companies was being wound-up.

He was aided in his actions by Susan Hearn and the courts have rightfully recognised that the pair had broken the law, resulting in their sentences.

Notes to editors

Redbox Packaging Design (Company number 07575825) went into creditors voluntary liquidation in March 2015.

Boxperfect International (Company number 08905554) went into administration in November 2015.

International Packaging Brands Limited (Company number 09686787) went into creditors voluntary liquidation in August 2018.

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings.

Persons subject to a disqualification order are bound by a [range of other restrictions](#).

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