

[Press release: And, Cut! 10 years bankruptcy restriction for film producer](#)

An Insolvency Service investigation found Mr Wilkinson, formerly of Brighton and Polegate in Sussex, failed to disclose income of £180,964 during the 12 months in which he was subject to bankruptcy, and the existence of three bank accounts that he held at the date of his bankruptcy.

Mr Wilkinson gave an undertaking to the Secretary of State for Business, Energy, & Industrial Strategy, to be bound for 10 years, by the restrictions until 4 October 2027. In addition, he cannot manage or control a company during this period without leave of the court.

The undisclosed income and bank accounts came to light during the Official Receiver's investigation into Warlord Productions Ltd, a company with which Mr Wilkinson had some involvement. The company was [wound up by the High Court in July 2015](#) on a petition presented by the Secretary of State in the public interest.

In April 2012 Mr Wilkinson entered into an Individual Voluntary Arrangement (IVA). The arrangement failed and so the IVA supervisor presented a petition for his bankruptcy. The bankruptcy order was made in the County Court at Brighton on 1 February 2013. The deficiency to creditors was £5,172,044.

At the date of the bankruptcy order, Mr Wilkinson was in receipt of Jobseekers Allowance, but that ceased shortly afterwards and during the 12 months of bankruptcy he received income totaling £180,964. Because the income and bank accounts were not disclosed by Mr Wilkinson, the creditors have been deprived of a possible return of some money.

Commenting on this case Anthony Hannon, Official Receiver in the Public Interest Unit, said:

Mr Wilkinson attended on the Official Receiver shortly after the making of the bankruptcy order and was made aware of his duty to disclose all his assets. He disclosed the existence of a single bank current account, but failed to disclose three further "wealth accounts" held at the bank.

He was also made aware of his duty to disclose full details of his income during the 12 months that he would be subject to the restrictions of bankruptcy. This duty exists so that the Official Receiver or trustee can decide whether to claim some of the income over and above what is needed for the bankrupt's living expenses for the benefit of creditors.

This ten years restriction should act as a deterrent to him and others from acting in the same way.

The bankruptcy order was made in the County Court at Brighton on 1 February 2013 following a petition presented on 8 August 2012. Mr Wilkinson received his automatic discharge from bankruptcy 12 months later on 1 February 2014.

Mr Wilkinson's date of birth is August 1970.

If the Official Receiver considers that the conduct of a bankrupt has been dishonest or blameworthy in some other way, they will report the facts to court and ask for a Bankruptcy Restrictions Order (BR0) to be made. The court will consider this report and any other evidence put before it, and will decide whether it should make a BR0. If it does, the bankrupt will be subject to certain restrictions for the period stated in the order. This can be from 2 to 15 years.

The bankrupt may instead agree to a Bankruptcy Restrictions Undertaking (BRU) which has the same effect as an order, but will mean that the matter does not go to court.

These are restrictions set out in insolvency law that the bankrupt is subject to until they are discharged from bankruptcy – normally 12 months and include that bankrupts:

- must disclose their status to a credit provider if they wish to get credit of more than £500
- who carry on business in a different name from the name in which they were made bankrupt, they must disclose to those they wish to do business with the name (or trading style) under which they were made bankrupt
- may not act as the director of a company nor take part in its promotion, formation or management unless they have a court's permission to do so
- may not act as an insolvency practitioner, or as the receiver or manager of the property of a company on behalf of debenture holder

Additionally, a person subject to a Bankruptcy Restrictions Order/Undertaking or a Debt Relief Restrictions Order/Undertaking may not be a Member of Parliament in England or Wales.

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.

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