

Press release: Swansea claims management directors disqualified for 28 years

The Secretary of State for Business, Energy, & Industrial Strategy has accepted disqualification undertakings from the five directors of McCaskill & Morse Ltd (McCaskill). Timothy Chapple has been disqualified for eight years, Richard Adams for six, Catherine Wood for five, Gary Richards for five and James Bell for four years.

The five directors are now prevented from acting as a director of a company, they cannot take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership, as well as being unable to be a receiver of a company's property.

McCaskill was first incorporated in March 2012, offering claims management services for people miss-sold payment protection insurance and bank charges reclaims.

But clients started to complain to the Ministry of Justice, the regulators of the claims management sector, that while McCaskill claimed to offer a no-win-no-fee service, they had failed to return upfront fees and were often late paying refunds following unsuccessful claims.

The Ministry of Justice issued a warning to McCaskill that they were engaging in unfair trading practices before the company was put into administration in November 2015.

The Insolvency Service investigated McCaskill after it had gone into administration and found that the claims management company had failed to repay upfront fees to clients who were due a refund.

Using complaints data, the Insolvency Service also found that clients received their refunds between 180 and 380 days after the start of the claims process, exceeding the contract terms that stated McCaskill would pay refunds within 90 days.

Further investigations showed that, during their directorships, Mr Bell and Mr Richards failed to properly deal with complaints, prevent delays on refunds and return upfront fees to clients. McCaskill also failed to inform the Ministry of Justice about changes to its business model, including the charging of up-front fees which they had previously declared it did not intend to charge.

Investigators concluded that McCaskill had been engaging in unfair trading practices in breach of the Conduct of Authorised Persons Rules 2006 and 2013 (COAPRs). This meant that they had failed to comply with the Compensation (Claims Management Services) Regulations 2006.

Following the disqualification orders, Robert Clarke, Investigations Group Leader at the Insolvency Service said:

Compensation regulations are there to protect the general public from unfair sales techniques by companies operating within the claims management sector.

It's ironic that McCaskill, a company established to support consumers claw back money owed to them, consistently failed to return what was rightfully owed to their clients.

The length of the bans should serve as a warning to other directors who may feel tempted to breach legislation intended to protect the public, that the Insolvency Service will seek lengthy periods of disqualification.

He added: "I would also like to thank my colleagues at the Ministry of Justice and the Legal Ombudsman for their hard work and co-operation in achieving this outcome.

McCaskill & Morse Ltd (Company Registration No. 08002835) was placed into administration on 11 November 2015 with a deficiency as regards creditors of £93,700. The company which was incorporated on 2 March 2012, traded in claims management, offering claims management services including mis-sold payment protection insurance and bank charges reclaims. McCaskill traded from Suite 1, 4th Floor, Alexandra House, Alexandra Road, Swansea, SA1 5ED.

Mr Chapple, of Tackley, Kiddlington, date of birth December 1976, has been disqualified for eight years commencing 22 December 2017.

Mr Adams, of Swansea, date of birth August 1977, has been disqualified for six years commencing 23 January 2018.

Mrs Wood, of Swansea, date of birth January 1980, has been disqualified for five years commencing 24 October 2017.

Mr Richards, of Swansea, date of birth July 1974, has been disqualified for five years commencing 19 October 2017.

Mr Bell, of Swansea, date of birth October 1983, has been disqualified for four years commencing 18 October 2017

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

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](#).

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.

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.

The agency also authorises and regulates the insolvency profession, assesses and pays statutory entitlement to redundancy payments when an employer cannot or will not pay employees, provides banking and investment services for bankruptcy and liquidation estate funds and advises ministers and other government departments on insolvency law and practice.

Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

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