IN THE DISCIPLINARY TRIBUNAL OF THE TAXATION DISCIPLINARY BOARD **Ref. TDB/2025/19**

THE TAXATION DISCIPLINARY BOARD **TDB**

-and-

Mr JOSEPH BROWN (CIOT No 123503) **Defendant**

DECISION AND REASONS

Date of Hearing	23 January 2026
Venue	Virtual using Microsoft Teams
Tribunal Members	
Legally Qualified Chair	Brett Wilson
Professional Member	Julia Luddington
Lay Member	Michael McCulley
Tribunal Clerk	Nigel Bremner
Taxation Disciplinary Board ('TBD')	Represented by Ms Sophia Kerridge of counsel
Mr Brown	Not in attendance

Background

1. The case for the Taxation Disciplinary Board ('TDB') is that the Defendant was, at all material times, the director of CubicStone Tax Services Limited and a member of the Chartered Institute of Taxation ('CIOT').

2. The TDB says that the Defendant was subject to an anti-money laundering ('AML') visit on 12 March 2024 in which a number of action points were identified.

3. The TDB says that on 30 May 2024, an email was sent to the Defendant requesting copies of client due diligence records and setting a deadline of 7 June 2024 for the production of those documents. The collective information required was not supplied by this date but instead it was received in 2 separate emails, on 7 June and 24 August 2024.

4. On 15 August 2024, an email was sent to the Defendant which summarised what was needed following the AML visit on 12 March 2024. The email set a date for completion of the various actions of 13 September 2024.

5. Having received no response, the CIOT sent a reminder to the Defendant on 21 October 2024 and extended the deadline to 4 November 2024.

6. The TDB argues that the Defendant only made a partial response on 4 November 2024. He provided documents based on CIOT proforma templates and these required substantial amendments.

7. The position as of that date was that most of the actions had not been completed and in an email dated 6 November 2024, the CIOT gave the Defendant additional time to comply. They extended the deadline to 13 November 2024.

8. A further reminder was sent on 7 February 2025 and this warned the Defendant that if no response was received by 21 February 2025, the matter would be referred to the TDB.

9. No response was received and the matter was referred to the TDB on 25 February 2025.

10. The TDB argue that the alleged matters amount to a breach of several aspects of the PRPG and/or rules of the Chartered Institute of Taxation ('CIOT'). The factual allegations and the alleged breaches are set out in Schedule 1 to this decision.

11. On 24 April 2025, the TDB wrote to the Defendant to inform him that the case had been prepared and referred to the Investigation Committee for consideration on 14 May 2025. The Investigation Committee decided that there was a case to answer and referred the matter to the Disciplinary Tribunal. The Investigation Committee decided that a consent order was not appropriate.

12. An email was sent to the Defendant by the Clerk to the Taxation Disciplinary Board's Disciplinary Tribunal (Mr Bremner) on 9 December 2025. That email included the details of the date and time of the hearing and that it would be conducted remotely. The email also provided the Defendant with the bundle, a response form, copies of the various schemes, guidance note, and the Indicative Sanctions Guidance.

13. The Defendant provided a response form in which he indicated that that he accepts all aspects of Charge 1. He did not insert any mark that would show that he accepted or disputed Charge 2 but he stated in the form, below charge 2, that he did not intend to contest any of the charges.

14. In his response form, the Defendant explained that the majority of his clients are referred to him and that, on receiving them, a copy of their passport photo and utility bill of not less than 3 months old was presented to him. He also stated that he had an AML programme for most clients where his is able to provide an AML report for each client. He stated that many of his clients were looked after by him when he was with his previous employer and that he undertook AML training at least on an annual basis. He stated that he had been limiting his 'take-on' procedures of clients to the UK.

15. The Defendant also stated that he was always willing to provide assistance regarding AML issues. He stated that he was disappointed that the two documents sent to the TDB and that they *'were not prepared in the manner that they would provide. This in my opinion was very unfair'*. He also raised concerns about the hearing taking place on 23

January 2026 and that it should have been held in February when *'the craziness of the 31 January deadline ends'*.

16. The Defendant indicated that if he did not attend the hearing, he was content for it to proceed in his absence. He had indicated that he did not intend to be represented and that he would not be calling any witnesses. He did not indicate that he would be providing written representations or mitigation.

17. It appears that the Defendant sent his response form under the cover of an email dated 13 January 2026 in which he referred to the hearing taking place on 27 January.

18. Mr Bremner wrote to the Defendant on 14 January 2026 informing him that that the hearing was taking place on 23 January 2026. Mr Bremner confirmed that the hearing will proceed in the Defendant's absence. The email also put the Defendant on notice that if the Tribunal found the charges proved, the TDB would seek its costs. The email attached a copy of the TDB's schedule of costs.

19. On 22 January 2026, Mr Bremner wrote to the Defendant to clarify whether he intended to attend the hearing. In reply on the same day, the Defendant confirmed that he would not be attending. The Tribunal had sight of these emails. It noted the submissions made by the Defendant regarding partial completion of the risk assessment and policies and that he said that he had carried out a large bulk of AML/KYC activity for his UK based clients. He noted the TDB's costs and asked it to reconsider its position.

Preliminary Issues

20. The Defendant did not attend the hearing and the TDB applied for the Tribunal to proceed in his absence. The Tribunal had regard to rule 17.3 of The Taxation Disciplinary Scheme Regulations 2014 (as amended November 2016 and January 2024) (the 'Regulations') which allowed the Tribunal to proceed in the absence of the Defendant, and rule 17.4 which, required the Tribunal to consider any representations made by the Defendant before deciding whether to proceed in his absence.

21. The Tribunal was satisfied that the aforementioned version of the Regulations applied as the Regulations state that they take effect from 1 January 2024 and that the version to be used is that which is effective on the date of the decision to refer the Charge to the Disciplinary Tribunal. The Tribunal noted that the Investigation Committee decision which referred the matter to the Disciplinary Tribunal was made on 14 May 2025.

22. As to service, the Tribunal noted that the TDB had emailed the Defendant to the same email address to which the Defendant had responded. It was also the same one used for correspondence with the CIOT. The Tribunal could reasonably infer, therefore, that the email address was one which was used by the Defendant to send and receive correspondence and papers relating to this hearing.

23. Pursuant to rule 14.1, the Tribunal considered the email that Mr Bremner sent to the Defendant on 9 December 2025. and it was satisfied that it confirmed the date, time and venue for the hearing. It was sent to an email address that the Defendant had previously used to correspond with the TDB and the CIOT. The email also attached the documents that are listed in rule 14.1 (a) to (f). The Tribunal was satisfied that the Defendant had been given reasonable notice of the hearing and a reasonable opportunity to prepare his case.

24. The Tribunal was satisfied that the Defendant had been effectively served with the required notice and documentation no later than 35 days before the hearing (in accordance with rules 31.1 and 31.3 of the Regulations) and that he had been given a reasonable opportunity to prepare his case which was confirmed by him submitting his response form and written representations set out therein.

25. The Tribunal considered the principles arising from cases such as *Hayward* [2001] EWCA Crim 168 and *Jones (Anthony William)* [2002] UKHL 5. The Tribunal also considered the principles arising from *GMC v Adeogba GMC v Visvardis* [2016] UKHL 5 which allows a disciplinary tribunal, when considering whether to proceed in the absence of a defendant, to have regard to the principles arising out if criminal cases but also that it should also consider the need to act in the protection of the public. In particular, the Tribunal considered the following matters:

a. the likelihood of the Defendant attending in the future if the hearing was adjourned was low;

b. the prejudice that could be caused to the TDB if the hearing was adjourned;

c. the impact that an adjournment could have on the ability of the TDB to protect the public; and

d. in his response form, the Defendant had expressly indicated that he was willing for the Tribunal to proceed in his absence and in his email of 22 January 2026 he confirmed that he would not be attending and he did not seek an adjournment. However, the Tribunal noted that he had stated that it was a particularly busy time for him.

26. The Tribunal was satisfied that there was nothing to suggest that the Defendant would attend a future hearing. Although he had stated in correspondence that this was a particularly busy time for him and had referred to 'February' he had not indicated that even if this matter was adjourned his professional commitments were such that he would be able to attend. The Tribunal was also of the view that an adjournment could undermine the ability of the TDB to carry out its functions of protecting the public. The Defendant had voluntarily absented himself as was clear in his email. The Tribunal therefore decided to proceed in the absence of the Defendant.

Evidence

27. The Tribunal did not hear oral evidence. There were no witnesses to be called by the TDB and, as stated, the Defendant had not indicated that he would be calling any witnesses. The bundle before the Tribunal did not contain any witness statements.

28. The Tribunal was provided with a bundle of documentary evidence consisting of 82 pages.

29. The Tribunal was entitled to consider hearsay evidence and attach such weight to that evidence as it considered appropriate.

30. The bundle contained copies of correspondence exchanged between the CIOT and the Defendant and also that between the Defendant and the TDB. The bundle also contained the Defendant's AML Policies and Procedures Document dated 4 November 2024 and his Firm Wide Risk Assessment document also dated 4 November 2024. The bundle included the Defendant's completed response form and the TDB's schedule of costs.

31. The Tribunal had particular regard to the Defendant's indication that he admitted Charge 1 and his statement (in the response form) that, '*I do not intend to contest any of the charges that have been made against me. However, I would say that I am always willing to provide assistance regarding AML issues'*.

Findings

32. In considering the Charges and the evidence the Tribunal reminded itself that the burden of proof in this case rests with the TDB and the standard of proof was on the balance of probabilities.

33. The Tribunal considered all the evidence before it. The Tribunal reminded itself of rules 30.1, 30.2 and 30.4 of the Regulations. These:

    a. require the Tribunal to conduct the hearing in a manner consistent with the principles of natural justice;

    b. allow the Tribunal to adopt any method of procedure which it may consider fair and which gave each party any opportunity to have their case presented; and

    c. provide that the strict rules of evidence do not apply, allowing the Tribunal to admit any evidence, whether oral or written, whether direct or hearsay, and whether or not that evidence would be admissible in a court of law.

34. These rules allowed the Tribunal to admit and then consider the various letters and emails even though they were not provided as part of a witness statement and amounted to hearsay evidence. The Tribunal attached such weight to the various pieces of

correspondence as it considered appropriate having regard to each individual item on its own merits.

35. The Tribunal also noted that, in his correspondence with the TDB, the Defendant had not expressed an objection to the admission of that evidence and he had made admissions.

Charge 1

36. The Tribunal noted that the Defendant had indicated that he had admitted Charge 1 and stated, in his response form below Charge 2 that he did not contest any of the charges. The Tribunal still had to consider the evidence before it and decide whether the charges were proved on the balance of probabilities but took the Defendant's admissions into account when assessing that evidence.

37. The Tribunal noted that the emails from the CIOT referred to documents and information being requested at the AML visit on 12 March 2024. The Panel also noted the emails from Mr Leach to the Defendant on 30 May 2024 and 15 August 2024 which requested the information. In the email of 30 May 2024, Mr Leach set out a list of what was required and asked for it to be provided by 7 June 2024. On 7 June 2024, the Defendant wrote to Mr Leach attaching an overview from Companies House, a confirmation statement, a copy of the Memorandum and Articles of Association and a trust ID verification report.

38. The Tribunal was of the view that this did not include the whole of what Mr Leach had asked for. It considered the email from Mr Leach to the Defendant dated 15 August 2024 which, again, set out what was required. He asked for the information to be provided by 13 September 2024.

39. The Tribunal had regard to the email which Mr Leach sent to the Defendant on 21 October 2024 in which he stated that he had not received a response to his email of 15 August 2024. It was not until 4 November 2024 when the Defendant provided a risk assessment and a policy and procedures document. These were reviewed by Mr Leach and, as confirmed in his email of 6 November 2024, he considered them to be lacking in certain regards (which he set out in that email) and asked for the Defendant to review and

provide further copies in line with what he had asked for in his previous email. He asked for this to be done by 13 November 2024.

40. The Panel noted the email from Mr Leach to the Defendant dated 7 February 2025. This indicated that the information was still outstanding. To his credit, Mr Leach appreciated that it may be a busy time of year for the Defendant and he extended the deadline to 21 February 2025. The email contained a clear warning that if the documents were not provided on time, the CIOT would refer the matter to the TDB.

41. The Tribunal also considered the email from Ms Mellor to the Defendant dated 25 February 2025 in which she was clear that the information was outstanding and that the CIOT had therefore referred the matter to the TDB.

42. The Tribunal found, on the balance of probabilities, that despite emails being sent by Mr Leach as outlined above, the information that was requested was not provided in full and where there was a provision of documents and information, this was not in accordance with the deadlines which Mr Leach set. The Tribunal noted that the Defendant does not dispute the charges and there was nothing from him to show that he had asked for more time or otherwise complied with Mr Leach's requests.

43. The Tribunal therefore found Charge 1.1 proved.

44. Upon considering the email of Mr Leach dated 6 November 2024, and upon the Defendant not providing any evidence to show that he had addressed Mr Leach's concerns, the Tribunal found Charge 1.2 proved.

45. Further, upon considering the chain of emails before it, the Tribunal was of the view that they show that the Defendant did not respond to Mr Leach's email of 15 August 2024 until around 4 November 2024 and when he did so he did not provide all of what had been asked. This also came after Mr Leach had written to him and extended the deadline. The Tribunal was of the view that a delay of more than two months cannot be considered timely. The Tribunal also noted that there was no evidence before it to show that the Defendant had replied to Mr Leach's email of 6 November 2024 and to Ms Mellor on 7

February 2025. The Tribunal took into account the Defendant's admissions and found Charge 1.3 proved.

Charge 2

46. The Tribunal considered rule 2.6.2 of the Professional Rules and Practice Guidelines (Effective from 9 November 2018 – including additional requirements from 1 January 2021) (the 'PRPG'). It noted that in addition to the general requirement for a member to uphold the professional standards of the CIOT and ATT as set out in the Laws of the CIOT and the ATT, there is a specific requirement for a member to take due care in their professional conduct and professional dealings.

47. The Tribunal was of the view that this objective test would include acting diligently and replying to correspondence within a reasonable time. The Tribunal noted that, at best, the Defendant replied to the CIOT correspondence in just over two months and, at worse, he did not reply at all. The Tribunal noted that even at the hearing today, it appeared that information and documents remained outstanding. The only written submissions from the Defendant were general comments about obtaining identity and address information and undertaking some AML training. He did not provide an explanation for the failure to reply to the CIOT or provide the required information.

48. Where documents had been provided, the email correspondence from Mr Leach identified a number of areas where they were not of the required standard.

49. The Tribunal was also of the view that the Defendant is an experienced practitioner and it would have been reasonably foreseeable to him that the information that the CIOT was requested was in order for it to be able to comply with its obligations as a Professional Body AML Supervisor under the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017.

50. The Tribunal concluded that on the balance of probabilities, the totality of the Defendant's action amounts to a failure to take due care in his professional conduct and amounted to a breach of rule 2.6.2 of the PRPG.

51. The Tribunal was of the view that there were several letters sent by Mr Leach to the Defendant over the course of about a year. The chronology is set out above and the Tribunal was of the view that this amounted to a prolonged period over which the CIOT was repeatedly asking for the information and being ignored by the Defendant. When the Defendant did eventually provide the AML Risk Assessment and the AML Policies and Procedures Documents, these were considered to be lacking in a number of aspects.

52. The Tribunal was of the view that the delays and non-compliance can be described as improper, inefficient and incomplete. The overall period over which this took place can be described as extensive and, as stated, chasing emails were sent on more than one occasion to no avail. The Tribunal was of the view that a fair-minded member of the public could have concerns given that this related to AML obligations and could therefore have the potential to undermine the trust and confidence that the public places in the Defendant, the profession or the CIOT. The Tribunal therefore concluded that on the balance of probabilities, the Defendant is in breach of rule 2.6.3 of the PRPG.

53. For the same reasons outlined above (namely the delay in providing documents and information, failing to reply to correspondence, and the documents that were eventually provided being found to be lacking) the Tribunal concluded that, on the balance of probabilities this amounted to a failure to comply with the UK AML's legislation and a failure to provide information which had been reasonably requested by the CIOT. This was important information to enable it and the Defendant to comply with the 2017 Regulations (as amended).

54. The Panel concluded that on the balance of probabilities Charge 2 was proved in its entirety and it was assisted in this decision by the admissions of the Defendant.

Sanction

55. In considering sanction, the Tribunal had regard to the TDB's Revised October 2024 Indicative Sanctions Guidance ('ISG').

56. The Tribunal reminded itself that the sanctions are not intended to be punitive. The purpose of sanction is protection of the public. The Tribunal had to impose a sanction

which was proportionate and it had to adopt an approach whereby it considered the most lenient sanction first and only if it was of the view that it did not reflect the seriousness of the misconduct should the Tribunal consider a more severe sanction.

57. The Tribunal was not made aware of any previous disciplinary findings against the Defendant by TDB.

58. The Tribunal noted the options available to it pursuant to rule 20.7(f) of the Regulations and that it was able to consider combining a fine with another sanction.

59. The Tribunal considered the categories of misconduct set out in section 4 of the ISG. The Tribunal noted submissions that the conduct straddled Groups 11 (AML Related Breaches) and 8 (Other Breaches of Bye Laws or Regulations).

60. The Tribunal was not greatly assisted by Group 8. The Tribunal was of the view that save for a general breach of AML regulations, Group 8 focused on, what seemed to be, a failure to inform the CIOT of certain circumstances.

61. The Tribunal was of the view that Group 11 was of assistance and of particular relevance were the following types of misconduct listed under the group:

    a. Failure to respond to AML compliance related queries;

    b. Failure to deal with action points following AML reviews and/or visits; and

    c. Failure to meet the requirements of the Money Laundering Regulations such as training, client due diligence, ongoing monitoring and providing criminality checks.

62. The Tribunal noted that the guideline sanction was censure and a fine ranging from £1,000 for a failure to ensure appropriate supervision, to £3,000 for breaches of Money Laundering Regulations and, £5,000 for a failure to report money laundering.

63. The Tribunal was of the view that if it considered a fine to be appropriate, this was not a case of a failure to provide supervision. There was no suggestion of that from either party.

Equally, this was not a case of the Defendant failing to report money laundering. However, the Tribunal noted that the TDB's case included an overall allegation that the Defendant's conduct meant that he had not complied with the Money Laundering Regulations.

64. The Tribunal was also assisted by Group 4 (Failure to Take Due Care) as the misconduct examples listed in this section of the ISG included a failure to respond expeditiously, adequately or at all to professional correspondence, including correspondence from the CIOT or from the TDB.

65. The Tribunal noted that in Group 4, the guideline sanction was censure (although suspension was suggested as being appropriate for repeated offences) and a fine of £3,000.

66. Aggravating features (both in relation to Group 11 and Group 4) are:

    a. The scale of the breach – there were repeated failings over a period of at 12 months and, if the period from the referral to the TDB to this hearing is taken into account, could be as much as 22 months;

    b. The nature of the inefficient work – this was repeatedly delayed or amounted to a complete failure in replying to correspondence and the provision of substandard documents; and

    c. Deliberate / Reckless – there was no explanation or apology from the Defendant.

67. The Tribunal was of the view that there was little by way of mitigation. The reference to some level of AML compliance in the Defendant's response form and recent emails was vague and not supported by evidence. However, the Tribunal gave the Defendant credit for his admissions and that by putting them in his response form he has not left them to the last minute.

68. The Tribunal considered the descriptions of the available sanctions in section 3 of the ISG. The Tribunal considered the less onerous sanctions first.

69. The Tribunal concluded that the sanctions of 'no further action', 'order to rest on file', 'warning' and 'apology' were insufficient to protect the public in light of the period over which the misconduct took place and the extent of it which is reflected in the number of chasing emails sent and the poor quality of the two documents that the Defendant eventually submitted to the CIOT. The Tribunal also noted that there was a lack of remorse and insight and no evidence that the Defendant would not repeat these failings. In fact, the Tribunal noted that whilst the Defendant has had opportunity to comply with the CIOT's requests he has still to date failed to do so.

70. The Tribunal considered the appropriateness of censure. It was of the view that this would serve to protect the public as it is marked on the Defendant's membership. It is a sanction which is available where the misconduct is serious. The Tribunal was of the view that there was some appreciation by the Defendant of the failings, but that he has shown little insight. There was no evidence or submissions of any other disciplinary matters and whilst there had been no attempt by the Defendant to remedy his failings, the Tribunal noted that there does not seem to have been any additional complaints.

71. The Panel noted that there was limited evidence of mitigation beyond that which it has noted above. Therefore, it saw no reason to reduce the period of censure below 5 years.

72. The Tribunal was concerned about the risk of repetition. The Tribunal was of the view that a fine would serve to protect the public as it would be a reminder to the Defendant of the importance of cooperating with the CIOT and the TDB and complying with very important AML requirements. The Tribunal was of the view that the overall seriousness of this matter meant that a £1,000 fine would not be sufficient to focus the mind of the Defendant and act as a deterrent to others.

73. The Tribunal noted that a fine of £3,000 would be in accordance with the guidance set out at Groups 11 and 4 of the ISG. The Tribunal was of the view that some credit should be given to those who make early admissions and it would therefore reduce the fine to £2,500.

74. The Tribunal noted that the Defendant had not provided written evidence or submissions regarding the financial impact of a fine or any time to pay. In fact, it noted that an aspect of the Defendant's case is that he is very busy with work.

75. The Tribunal was of the view that the outstanding documents and information should be provided. It would be unacceptable for these to be overlooked and for the impression to be left that a member can 'buy their way out of jail'. It was in the public interest that the Defendant does what the CIOT has asked of him.

76. For these reasons, the Tribunal was of the view that a condition should be imposed. This is permitted pursuant to rule 20.7(f)(ix) of the Regulations and the condition is as follows:

    a. By 4pm on 31 March 2026 the Defendant must send to the CIOT the following documents and information unless he has done so already and any document or information must be of a standard acceptable to the CIOT. **A failure to comply with this condition could result in further disciplinary proceedings being taken against the Defendant:**

        i. Additional client due diligence records of two clients;

        ii. Confirmation or evidence showing each individual client had a written risk assessment on record including risk ratings;

        iii. An outline of plans for ongoing monitoring of client due diligence and risk and how this would be evidenced in client records;

        iv. Evidence of AML training and the Training Log;

        v. An update on the Defendant's client record keeping and document retention policy;

        vi. An AML Risk Assessment;

        vii. An AML Policies and Procedures document.

77. Having considered the guidance set out in the ISG regarding the appropriateness of censure, fine and conditions, the Tribunal was of the view that the sanction was appropriate and proportionate given the serious nature of the Defendant's misconduct and reflected the totality of the Defendant's misconduct in the number of times that he had delayed or not replied to CIOT correspondence, the poor quality of documents eventually provided, and the period of time.

Costs and Publication

78. The Tribunal proceeded to consider the issues of costs and publication. The Tribunal saw no exceptional reasons as to why the Defendant should not pay the TDB's costs. The Tribunal noted that the Defendant had asked the TDB to reconsider costs. However, he had not provided the Tribunal with any evidence or submissions on the ability to pay the costs or for time to pay.

79. The Tribunal considered the TDB's costs schedule. The Tribunal was of the view that the amount of costs claimed was confined only to the various stages of the disciplinary process and the personnel involved (such as the Presenter and Clerk). The Tribunal found, in the circumstances that the costs claimed by the TDB were reasonable and proportionate and ordered that the Defendant do pay the TDB costs assessed at £3,220 including VAT.

80. Rules 26.2 and 27.1 of the Regulations apply in relation to the time in which the Defendant must pay the fine and costs.

81. There were no submissions from the Defendant to cause the Tribunal to disapply the general rule against publication and therefore the Tribunal ordered publication pursuant to rule 28 of the Regulations.

Brett Wilson

Chair

23 January 2026

Schedule 1

SCHEDULE OF CHARGES

The charges set out below make reference to the following rules of the Professional Rules and Practice Guidelines 2018 (the "PRPG") of the Chartered Institute of Taxation (the "CIOT") and the Association of Taxation Technicians (the "ATT"), as amended from 1 January 2021:

2.6.2 A member must:

- Uphold the professional standards of the CIOT and ATT as set out in the Laws of the CIOT and ATT;
- Take due care in their professional conduct and professional dealings.

2.6.3 A member must not:

- Perform their professional work, or conduct their practice or business relationships, or perform the duties of their employment improperly, inefficiently, negligently or incompletely to such an extent or on such number of occasions as to be likely to bring discredit to themselves, to the CIOT or ATT or to the tax profession;
- Breach the Laws of the CIOT or ATT;
- Conduct themselves in an unbefitting, unlawful or illegal manner, including in a personal, private capacity, which tends to bring discredit upon a member and/or may harm the standing of the profession and/or the CIOT or ATT (as the case may be). For the avoidance of doubt, conduct in this context includes (but is not limited to) conduct as part of a member's personal or private life.

2.10 Compliance with Anti Money Laundering legislation and registration

2.10.1 A member must comply with the UK's AML legislation in force from time to time. A member must act in accordance with the Consultive Committee of Accountancy Bodies (CCAB) anti money laundering guidance including the appendix for tax practitioners.

2.12 Provision of information to the CIOT and ATT

2.12.1 A member must provide such information as is reasonably requested by the CIOT and ATT without unreasonable delay. A member must reply to correspondence from the CIOT and ATT which requires a response and again must do so without an unreasonable delay.

The charges further make reference to the following rules of the Chartered Institute of Taxation (the "CIOT") Anti-Money Laundering Scheme Rules, as amended and in force between 12 November 2018 and 31 October 2025:

5. Rights and Obligations

5.3 A registrant will have available to them up-to-date information from the Institute on anti-money laundering and counter terrorist financing risks faced by tax advisers. The information will be provided from time to time in the form that the Institute sees fit.

5.4 A registrant must comply with the requirements of the Institute as set out in or issued in pursuance of the Scheme. In particular, a registrant must

…

(d) provide such other information as the Institute may request;

…

(f) permit, and co-operate with, inspection visits by the Institute or its authorised representatives;

5.5 Registrants must comply where appropriate with their direct obligations under the 2017 Regulations and other relevant legislation and registration under the Scheme shall not reduce or qualify any such direct obligations.

6. Discipline

6.1 The Scheme is part of the laws of the Institute and a registrant who fails to comply with its terms is liable to disciplinary action under those laws. A complaint against a registrant alleging failure to comply with the Scheme shall be referred for action by the TDB, which may apply any appropriate sanction in accordance with its powers from time to time.

6.3 A registrant may not withdraw, or apply to be removed, from, the register whilst subject to disciplinary action under or in pursuance of paragraph 6.1.

CHARGES

Charge 1

1.1 Following requests from the Chartered Institute of Taxation on 12 March 2024, 30 May 2024 and 15 August 2024, the Defendant failed to provide the following in a timely manner or at all:

a. Additional client due diligence records;

b. Confirmation or evidence showing that each individual client had a written risk assessment on record including risk ratings;

c. An outline of plans for ongoing monitoring of client due diligence and risk and how this would be evidenced in client records;

d. Evidence of AML training and the Training Log;

e. An update on their client record keeping and document retention policy;

1.2 On 4 November 2024, the Defendant provided an AML Risk Assessment and AML Policies and Procedures documents that were not to the required standard;

1.3 The Defendant failed to respond in a timely manner or at all to the correspondence dated:

a. 15 August 2024;

b. 6 November 2024;

c. 7 February 2025.

Charge 2

2.1 Consequent upon the facts and matters set out in Charge 1 above, the Defendant:

a. Did not uphold the professional standards of the CIOT and ATT as set out in the Laws of the CIOT and ATT and take due care in his professional conduct and professional dealings, contrary to rule 2.6.2 of the PRPG; and/or

b. Performed their professional work improperly, inefficiently or incompletely to such an extent or on such number of occasions as likely to bring discredit to themselves, to the CIOT or to the tax profession contrary to rule 2.6.3 of the PRPG; and/or

c. Failed to comply with the UK's AML legislation in force and/or in accordance with the Consultive Committee of Accountancy Bodies (CCAB) anti money laundering guidance including the appendix for tax practitioners contrary to rule 2.10 of the PRPG; and/or

d. Failed to provide a response or such information as was reasonably requested by the CIOT without unreasonable delay contrary to rule 2.12.1 of the PRPG.

END OF CHARGES