

## THE MOST SERIOUS FINANCIAL SCANDAL OF MODERN TIMES

### 14. LLOYDS' ABUSE OF LEGAL PROCESS

While our fourth release summarised how Lloyds Banking Group has corrupted the rule of law, this piece describes just some of the bank's extensive legal wrongdoing, which has taken place in court or for the purposes of court action.

Lloyds has monopolised the best legal talent on its panels, while victims of its frauds have usually struggled to find or afford representation. The imbalance of justice, which victims have faced in court, has been extreme. Against this background, court action takes place in intimidating circumstances and conveniently for the bank, behind closed doors and away from the public gaze. Lloyds has extensively mis-used non-disclosure agreements (NDAs) to ensure that the latter remains the case.

Meanwhile, Government has assisted banks such as Lloyds by making it much harder for victims of banking misconduct and fraud to obtain justice. In 2012, it abolished legal aid for businesses<sup>1</sup> and in spring 2015, increased court fees by up to 600%.<sup>2</sup>

**The corruption of the rule of law and Lloyds' abuse of due legal process have brought the once-renowned British system of justice into severe disrepute.**

**Lloyds' redaction, falsification & destruction of evidence** – all criminal offences.

- Lloyds Bank has engaged in the **redaction**, withholding, falsification and destruction of evidence. When victims have received their DSAR (data subject access request) records from the bank, they have often found sections which have been redacted. This has been done to remove malicious, discrediting or other evidence which would have supported victims' cases that their subsequent defaults had been engineered.
- Lloyds Bank has regularly **falsified** evidence. The now 362 crime reports of signature forgery and 19 files of evidence, which the NCA has refused to investigate for fifteen months, represent a prime example.<sup>3</sup> The bank has not correctly updated title records at the Land Registry, as required by law.<sup>4</sup> Its officers and professional agents have also mis-represented their unlicensed LPA receivers' appointment documents as valid<sup>5</sup>, when this was intentionally not the case. This was done to distance Lloyds Bank from their methods, which while highly effective, were frequently illegal. The falsification of evidence is covered by the **Forgery &**

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2012/10/contents/enacted>

<sup>2</sup> <https://www.osborneclarke.com/insights/court-fees-set-to-rise-by-up-to-600-in-england-and-wales/>

<sup>3</sup> Lloyds Asset Theft Frauds, appendix 6; statements by the Bank Signature Forgery campaign.

<sup>4</sup> Press release 16 – Lloyds' Land Registry fraud.

<sup>5</sup> Legal opinion obtained August 2015 – available on request.

**Counterfeiting Act 1981**, sections 1-4.

- The **destruction** of evidence, knowing that it could be used in court proceedings, is also a criminal offence. Lloyds Bank's recovery unit at Wine Street, Bristol has been among its most notorious. Last September, these offices were suddenly closed and the contents were filmed being emptied into shredder vans.<sup>6</sup> However, the bank could take such action, because it knew that its officers and agents would always be protected from investigation.
- Under the **Criminal Justice Act 1987**, section 2 (16), it is an offence if a person or persons know or suspect that the police or SFO are, or are likely to be carrying out an investigation into serious fraud and they falsify, conceal, destroy or otherwise dispose of documents, which they know or suspect would be relevant to the investigation, or permit anyone else to do the same.

**Fraudulent misrepresentation and perjury in court**

When barristers and solicitors acting for Lloyds Bank have put forward and misrepresented falsified evidence in court, they have committed **fraudulent misrepresentation, perjury and other serious offences related to perverting the course of justice**. These too are criminal offences.

**Other legal wrongdoing**

Court processes have been manipulated to advantage by Lloyds Bank, or look to have been manipulated for its benefit. In one instance, After-The-Event (ATE) insurance regarding one nationally-significant case was withdrawn at the last minute in suspicious circumstances, prior to the launch of proceedings. In another, the HBoS Reading trial in 2017 was divided into two parts, with a solicitor partner of Burges Salmon<sup>7</sup> tried later and conveniently away from those who earlier had been successfully prosecuted.<sup>8</sup> The justification for such action looks to have been highly questionable. The conduct of certain cases in the Royal Courts of Justice and the Bristol courts also merits investigation. In other instances, victims of banking misconduct and fraud have described the unwarranted bias displayed by judges in court, including the refusal even to read their evidence, which violates the fundamental judicial principle, *audi alteram partem* ("let the other side be heard").

**Other press releases involving legal wrongdoing:**

4 – Lloyds' corruption of the rule of law; 15 - Lloyds' industrial forgery of signatures.  
16 – Lloyds' Land Registry fraud; 18 – Lloyds' mis-use of non-disclosure agreements (NDAs) which, as contracts, carry legal force.

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<sup>6</sup> <https://youtu.be/wFXOpikBUhw>

<sup>7</sup> Bristol-based solicitors used by Lloyds Bank for recoveries until 2010.

<sup>8</sup> <https://www.legalbusiness.co.uk/blogs/a-long-drawn-out-process-former-burges-salmon-partner-cleared-in-245m-fraud-case/>