

OUR COUNTRY IS INSTITUTIONALLY CORRUPT

BUT WHO CARES AND CALLS THIS OUT ?

The events concerning the Health Secretary are concealing a much deeper rooted problem in our country and one which should be of great concern to us all. There are now numerous figures in authority, who should have resigned and have not done so. This piece names just a few of them.

THE POST OFFICE - Parker should resign ¹

While many have read the brief coverage of the Post Office scandal and may have listened to the series on BBC Radio 4 ², fewer will have stopped to consider the manner in which the Rule of Law and our judicial system were abused over a prolonged period. A major national institution, owned and supported by Government, was comprehensively assisted by heavyweight lawyers to violate due and proper process. Midway through the six-year period when the Post Office was engaged in serious legal wrongdoing, undertook a fraudulent mediation process and ran up massive costs for victims of its misconduct, Tim Parker was appointed Chairman of the Post Office in 2015. He was subsequently nominated Chairman of HM Courts & Tribunals Service (HMCTS) in April 2018, at the very time when the Post Office was comprehensively abusing court process. At this time also, Paula Vennells, the Post Office's chief executive was awarded the CBE in the 2019 New Years' Honours, resigned a month later and only relinquished her other public roles, an inexpensive act of contrition, following the quashing of 39 sub-postmasters' convictions by the Court of Appeal in April.

Yet, Parker remains Chairman of the Post Office. How is this possible in a society, which has any pretensions of acting correctly ?

NATIONAL CRIME AGENCY - Owens & Biggar should resign ³

In July 2019, the Chairman of the All Party Parliamentary Group (APPG) on Fair Business Banking, Rt. Hon Kevin Hollinrake MP and the Police & Crime Commissioner for Thames Valley, Mr Anthony Stansfeld took evidence of bank signature and document forgery on an industrial scale to the Director General of the National Crime Agency, Lynne Owens and asked her to investigate. The remit of the NCA is to investigate serious organised crime, which this represents but the NCA passed the matter to the FCA and SFO to play for time. The agency also refused the requests of the Treasury Select Committee to investigate three times in writing, which is believed to be unprecedented, before asking Mr Graeme Biggar of the National Economic Crime Centre (NECC) to investigate the matter, in-house within the NCA. The agency has now received 24 files of evidence containing 639 individual crime reports.

¹ Paul Marshall, Speech to the University of Law, 3rd June <https://www.postofficetrial.com/2021/06/marshall-spells-it-out-speech-to.html>

² The Great Post Office Trial, BBC Sounds <https://www.bbc.co.uk/programmes/m000jf7j/episodes/player>

³ Lloyds Omnibus report, section 18 Lloyds' industrial forgery of signatures, section 19 Britain's NCA – playing fast and loose with the Rule of Law on www.lloydsbankassetfrauds.com

After nineteen months of inaction, the NECC has investigated whether there was collusion between banks to forge signatures, when this was never the allegation. The serious charge, which the NCA is refusing to investigate, is signature forgery and the use of deliberately invalid documentation, including in court, by individual banks. Following a meeting between the Thames Valley Police & Crime Commissioner, the Bank Signature Forgeries Campaign (BSFC) and Mr Biggar in March, the former concluded that the NCA and NECC have no intention of investigating the matter further.

In the same month, the NCA also closed its two-year investigation into further aspects of the HBoS Reading fraud, claiming that it could find no evidence of criminality. This was a blatant falsehood since criminality was everywhere to be found but revealing this would have been far too damaging for many. Owens was awarded the DCB in the latest New Years' Honours but she should now resign, along with Mr Biggar.

Why should the public respect the law, if these two senior figures in authority do not ?

FINANCIAL CONDUCT AUTHORITY - Randell & Rathi should resign ⁴

The reputation of the UK's highest financial regulator lies in ruins. Its catalogue of failure to act correctly covers numerous examples of serious banking misconduct involving RBS' Global Restructuring Group (GRG), Lloyds' Business Support Units, the HBoS Reading fraud, LIBOR, Interest Rate Hedging Products (IRHPs), as well as other scandals including London Capital & Finance, Connaught, Woodford, Blackmore Bond and Lendy. The regulator claims to observe high standards but has done nothing of the sort, and been responsible for breath-taking hypocrisy about tackling economic crime. The FCA's failure to apply its "Principles of Business" has become notorious, as has its excuse that matters lie outside its so-called regulatory perimeter. It has routinely mishandled whistleblowers and deliberately ignored their evidence. It conspired with the Serious Fraud Office (SFO) to delay proper investigation by the NCA of systemic signature and document forgery by major banks. Its record could hardly have been worse and now to cap it all, Chairman Randell is leading moves to drastically restrict compensation payable to victims of its own regulatory failure.

The FCA has brought regulatory standards in the UK to an unprecedented low and covered up systemic wrongdoing, notably by major banks. Chairman Randell and Chief Executive Rathi cannot remain in post, since the public can no longer trust them to act with integrity.

THE GOVERNOR OF THE BANK OF ENGLAND – Bailey should resign

Following the 2008 banking crisis and subsequent bailout of RBS and Lloyds, HM Treasury and Andrew Bailey, then Head of Resolution at the Bank of England, launched the Asset Protection Scheme (APS) in 2009. This illegal scheme authorised the two taxpayer-owned banks to steal the assets of business customers to benefit their own balance sheets. They knew well that they had crossed a major red line, so when the APS was shut down in 2012, Bailey was put in charge of the cover up, first at the Prudential Regulation Authority (PRA) and then from 2016, at the FCA. Seen as

⁴ See "The FCA's leadership must resign" on www.lloydsbankassetfrauds.com

the perfect choice, Bailey was appointed famously “without interview”. He supervised the cover up of serious banking fraud, often claiming that the matter in question was conveniently outside the FCA’s regulatory perimeter. In 2018, he was joined by Randell as Chairman and more recently, Rathil was appointed Chief Executive. Both were members of the inner team, which handled the 2008 banking crisis, and so have known exactly what was and continues to be required of them. Bailey did his utmost to prevent publication of the Section 166 report into RBS-GRG in 2017 and has routinely lied and obfuscated before the Treasury Select Committee.

The UK has never before had a Governor of the Bank of England, who has been responsible for covering up widespread banking fraud. This position needs to change, or the international reputation of the City of London will suffer lasting damage.

SOLICITORS REGULATION AUTHORITY – Philip should resign ⁵

The SRA has become notorious for failing to prosecute those solicitors, who have acted for the major banks and been responsible for serious wrongdoing and criminality. It has acted as the trade body for the profession, with the aim of defending its members against all the odds. The regulator’s failure to protect the public has had disastrous consequences, for a fraudulent legal professional, or worse still a whole firm which engages in such misconduct, are among the most dangerous in society, given that they can misuse the powers of the law against their opponents. In July last year, the APPG for Fair Business Banking submitted a complaint in relation to Herbert Smith Freehills (HSF) regarding the HBoS Reading fraud, entitled “undermining confidence in the legal profession”. The same firm also acted for the Post Office during its long-standing corruption of court process. Both instances involved HSF ignoring its “higher” duties to the Court and respecting the proper conduct of the law. To round off its failure to act correctly, the SRA last year undertook moves to restrict significantly the compensation payable to victims of fraudulent solicitors.

The SRA has protected the perpetrators of serious legal wrongdoing, which has shattered the lives of thousands. Chief Executive Philip should resign.

LLOYDS BANKING GROUP – Budenberg should consider his position ⁶

Following the 2008 banking crisis, and with the support of the present Governor of the Bank of England and HM Treasury, Lloyds used its Business Support Units to steal the assets of business customers. It then covered up and defended its illegal conduct, using heavyweight firms of lawyers. The bank and its legal representatives have subverted the integrity of the criminal justice system, ignored due process, and corrupted and abused the Rule of Law. Lloyds stands accused of the redaction, withholding, falsification and destruction of evidence; of fraudulent misrepresentation, perjury and other serious offences relating to perverting the course of justice; of the systemic forgery of signatures on legal documents and of reliance, including in court, on deliberately invalid

⁵ Lloyds Omnibus report, section 34 SRA’s failure to investigate certain fraudulent solicitors, www.lloydsbankassetfrauds.com

⁶ “The Lloyds Frauds – more serious than the Post Office”, June 2021 presentation on the same website.

legal documentation. The bank has denied, lied and obfuscated regarding the HBoS Reading fraud and instigated four entirely unnecessary reviews, the main aim of which was to minimise the compensation paid to its victims. It has routinely mistreated whistleblowers.⁷

The new Lloyds' Chairman, Robin Budenberg is described as an expert in "strategy and governance".⁸ The bank's website also refers to the requirement that "the Company's arrangements are consistent with corporate governance standards and best practice".⁹ Yet, the Chairman is maintaining the bank's cover up of serious banking misconduct and fraud and employing the same heavyweight lawyers, which were used by the Post Office, to do so. This is not remotely compatible with any concept of proper corporate governance.

The public requires major banks such as Lloyds to act correctly and observe the highest standards of governance. If they cannot do this, the bank's senior management should be changed.

DO WE CARE IF OUR COUNTRY IS INSTITUTIONALLY CORRUPT ?

Do we care any longer if our major national institutions are corrupt ? Are we so short-sighted and selfish to believe that because we may not ourselves be involved, such matters can be disregarded ? Are there any persons left in authority, who care about these issues, apart from some brave lone judges, who have delivered scathing criticisms of such conduct ?

However, the Rule of Law¹⁰ matters. It is a fundamental pillar of our democracy and not something to be comprehensively abused and ignored by senior figures in positions of authority. Our national institutions require wholesale reform, if they are to retain public trust. Everyone knows what needs to be done¹¹ and we do not require, and certainly do not want, yet more public enquiries, whose real purpose would be to frustrate and delay these essential reforms. We know all the tricks – they have been played too often.

As Edmund Burke famously remarked: "The only thing necessary for the triumph of evil is for good men to do nothing." At present, far too many good people are doing just that.

⁷ See Lloyds Omnibus report, sections 4, and sections 15-26 pages 35 – 58 for full details.

⁸ <https://www.thecrownestate.co.uk/en-gb/about-us/our-people/the-board/robin-budenberg/>

⁹ <https://www.lloydsbankinggroup.com/assets/pdfs/who-we-are/corporate-governance/board-committees/nom-and-gov-committee-final-extract-2020.pdf>

¹⁰ See "The Rule of Law – why it matters and how it is being corrupted" on www.lloydsbankassetfrauds.com

¹¹ See forthcoming report by Professor Nigel Harper of the Ethical Banking Standards Council; also "Suggested reforms (parts one & two", Lloyds Omnibus report on the above website.