

## NATIONAL CRIME AGENCY & INDEPENDENT OFFICE OF POLICE CONDUCT

*Determined not to act correctly over serious banking fraud*

A recent report, "Police conduct and complaints"<sup>1</sup> by the Home Affairs Select Committee began: "Our society is policed by consent. That means that police officers are given considerable powers to do the often difficult, often dangerous job of investigating crime and maintaining public safety. It also means that those officers have a duty to the public they serve to conduct themselves according to the highest standards of professional behaviour. Well-functioning conduct and complaints systems are essential to maintaining the trust on which the founding Peel principles created this balance between police and public."

These are fine sentiments but the following shows that they are far removed from what has been taking place. The National Crime Agency (NCA) and Independent Office of Police Conduct (IOPC) have both, in their separate ways, been refusing to investigate and are trying to cover up serious banking fraud. The Rule of Law and the proper administration of justice are continuing to be actively violated and this is bringing the Police and its complaints handling system into very serious disrepute.

There are overwhelming grounds to suggest that numerous arms of Police<sup>2</sup> have been directed not to investigate serious banking misconduct and criminal fraud. On 17<sup>th</sup> March, the Justice Secretary referred in a comment piece in The Times - in relation to Russian oligarchs, although he might just as well have been referring to our major banks - to "a struggle between David and Goliath". He mentioned "the inequality of legal arms" and concluded: "We won't allow our courts to be exploited to muzzle those brave enough to call out corruption and wrongdoing." That is precisely what we are doing Mr Rabb, so we look forward to receiving your full support.

### **1. The NCA's deliberate failure to properly investigate bank signature forgeries**

On 2nd March, the National Crime Agency (NCA) stated that it was conducting "ongoing inquiries" into allegations of widespread signature forgery by banks<sup>3</sup>. Rob Jones of the National Economic Crime Centre (NECC) within the agency said that there had been a "thorough review" of the 26 files of evidence provided and that the NCA, working with the FCA and SFO, had identified a number of individuals it wished to speak to in pursuit of its enquiries.

That might sound like progress. However, the NCA statement was virtually identical to that of 2<sup>nd</sup> July 2021, in which the agency reiterated that it had "no active investigation at this stage."

*NCA statement – March 2022*

*"We are continuing to assess the material submitted and information obtained following preliminary inquiries to clarify matters with certain members of the public who had raised the issue. We are making a thorough assessment to determine whether there are grounds for a criminal or regulatory investigation".*

---

<sup>1</sup> <https://committees.parliament.uk/publications/9006/documents/159114/default/>

<sup>2</sup> Specifically, the National Crime Agency, the Serious Fraud Office and all regional police forces – as well as the Independent Office for Police Conduct.

<sup>3</sup> <https://www.thetimes.co.uk/article/national-crime-agencys-bank-signature-fraud-inquiry-on-track-vx9h0t76l>

There are several ways in which this response remains deeply unsatisfactory:

**NCA's stance – has it changed at all ?** Rob Jones is the interim director general of the NECC, having taken over from Graeme Biggar, who himself succeeded Lynne Owens as NCA director general last October. Back in July 2019, Ms. Owens was provided with extensive evidence of signature forgeries by banks including Royal Bank of Scotland (RBS) and Lloyds Banking Group and soon afterwards, stated that the NCA is “making a thorough assessment to determine whether there are grounds for a criminal or regulatory investigation”. However, this line has been used at least three times in the intervening years and is wearing thin. The agency sounds as though it is merely reiterating its existing stance and playing for yet more time by saying that it has identified a number of individuals it wishes to speak to. The questions, which then follow, are: firstly, what exactly has the NCA been doing for the last two and a half years and secondly, have any of these individuals yet been interviewed ?

**NCA responsible with others for appalling state of fraud investigation in the UK:** Rob Jones of the NCA appeared with Commander Clinton Blackburn<sup>4</sup> of the City of London Police before the Justice Select Committee on February 22<sup>nd</sup>. Their performances were decidedly underwhelming, since it has been precisely those two bodies, together with the under-funded and under-resourced Serious Fraud Office (SFO), which have been responsible for the totally unacceptable state of fraud investigation in the UK. This has persisted for many years and the authorities have known all about it. Yet, they have deliberately failed to address it.

**Nearly three years since NCA asked to investigate bank signature forgeries:** When the NCA first received the evidence in July 2019, they played “pass the parcel” with the FCA and SFO to play for time. However, in four months' time, three years will have elapsed since the issue was brought to the attention of the UK's leading crime fighting agency, whose remit is to combat serious organised crime, which bank signature forgery undoubtedly represents. Yet, the NCA pursues other types of major criminality with remarkable vigour. However, as with its three-year investigation into additional aspects of the HBoS Reading fraud, the NCA has established a track record for turning a blind eye to serious banking fraud and refusing to investigate it adequately or properly. The NCA will know that their stance violates the proper conduct of the law but will also be aware that it enjoys complete protection from investigation, so it can act as it chooses, or is directed to act.

**Criminal or regulatory ?** The pretence that signature forgery constitutes only be a regulatory offence has been tried too often, just like the suggestion that these might be only civil, rather than criminal, offences. We would remind the NCA of the legal precedent set at Isleworth Crown Court in May 2021, where an individual, who had submitted forged documents to the High Court, was jailed for six years and firmly establishing such actions as criminal.

## **2. IOPC & the Lloyds Bristol frauds**

In addition to City of London Police, at least ten regional police authorities have refused to investigate allegations of serious banking fraud involving Lloyds Banking Group and / or tried to pretend that the evidence they have been shown relates to civil, rather than criminal, offences. One of the most notorious and long-standing examples has been that of Avon & Somerset Police (A&SP), which for more than a decade has declined to properly investigate widespread fraud alleged to have been

---

<sup>4</sup> T/Commander, Operations, National Lead Force for Economic Crime. National Police Chiefs Council lead for Asset Recovery and Financial Investigation.

undertaken by Lloyds Recoveries, Bristol and its two associates, UK Acorn Finance and Commercial First.

### ***The first IOPC referral - 2021***

In 2018, Thames Valley Police (TVP) carried out a scoping exercise into A&SP's failure to investigate such matters but when the latter was permitted to determine TVP's remit and the results, which were inadvertently leaked, were condemned as a whitewash, the complaint was next raised at a meeting of the A&SP Crime Panel. The latter's refusal to address this then prompted the resignation of one panel member, Mr Andrew Sharman.

The serious question was next elevated to the IOPC but when the latter merely referred it back to A&SP, the Thames Valley Police & Crime Commissioner (PCC), Mr Anthony Stansfeld asked the Policing Minister, Rt. Hon Kit Malthouse MP to request an investigation by HM Inspectorate of Constabulary (HMIC). However, in April 2021, the Policing Minister replied to Mr Stansfeld effectively suggesting that he should go round in circles.

### ***The second IOPC referral - 2022***

In February this year, A&SP referred itself to the IOPC over another matter relating to Lloyds Recoveries Bristol. This is the second such referral within the space of twelve months.

Documentary evidence appears to show that information about a confidential meeting between two senior Police officers and an alleged victim, Mr Kashif Shabir, was passed to Lloyds Bank without his knowledge. The documents also disclose that Lloyds' executives wrote in an internal memo: "They (A&SP) are meeting with Mr Shabir on Monday to tell him that they intend to close their enquiry with no further action intended" – and that was **before the meeting had taken place**. One of the members of A&S Police was none other than the wife of the Chief Constable, Andy Marsh, who following his retirement in July 2021, was appointed by the Home Secretary as the new head of the Police College, a position which he took up last September.

In this second case, A&S Police Standards Department made a mandatory referral to IOPC, as it is required to do. Only for the IOPC, after brief consideration, to hand the matter back to.....yes.....the A&S Police Standards Department ! Now, following a complaint by the former Thames Valley PCC, Mr Stansfeld, another unnamed regional police force is understood to be investigating the complaint.

The way in which the Independent Office of Police Conduct (IOPC) has handled two referrals of serious allegations relating to Lloyds Banking Group's Bristol Recoveries unit provides another ongoing illustration of the way in which the many victims of its professional misconduct and criminal fraud believe that IOPC is seeking to cover up and not properly investigate major banking fraud.

### **The Police - no longer fit for purpose**

**On 19<sup>th</sup> March, the Times carried a double-page article: "Police failings have left the public's faith at rock bottom." This described the abysmally low prosecution rates of crimes such as burglary and rape. These are crimes, which often require considerable further investigation. Worse still in terms of justice is the position regarding economic crimes, which have been thoroughly evidenced and the alleged perpetrators long been identified and yet, the Police has resolutely refused to investigate and prosecute. We may now be in a position where the Police should be subjected to its most radical ever overhaul, with the majority of officers redirected towards lesser roles and the formation of a new, more professional investigation branch. This would be composed of highly motivated staff and have the remit of improving prosecution rates significantly and recovering the people's trust.**