

From: Andy Agathangelou <andy.agathangelou@transparencytaskforce.org>
Sent: 02 February 2023 12:35
To: Andy Agathangelou <andy.agathangelou@transparencytaskforce.org>
Cc: Alex Zitkus <alex.zitkus@transparencytaskforce.org>; Chelsea Houghton <chelsea.houghton@transparencytaskforce.org>
Subject: Recent email correspondence with the BBRs, including their 'right to reply' statement
Importance: High

Hi everybody that booked onto Tuesday's event about the BBRs/Tribunals (in bcc),

Please see the email trail below which I think should be self-explanatory.

I have agreed to publish it in the interests of fairness and balance, so as to give the BBRs a 'right to reply' statement – it's the right thing to do, and everybody is free to form their own opinion on the matters referred to.

I have sought to remove email addresses and phone numbers where it's easy to do so.

Note that TTX is a typo, it should be TTF.

Alexandra, [TF's Head of Events],

As I mention in the email trail below, because the video recording of Tuesday's event is accessible to the TTF members and others, it would make sense in the interests of fairness and balance to also make this email trail available, so that the BBRs' 'right to reply' statement can also be read.

Please therefore make this email trail available in the form of a PDF that people can download from the TTF website, and provide a link to it everywhere that we make available a link to the video recording, e.g. in the Transparency Times and on social media.

Please include this particular email I'm writing as it will help provide explanatory context.

I hope that's all OK.

Kind regards,

Andy

Andy Agathangelou FRSA
Founder, Transparency Task Force; a Certified Social Enterprise
Chair, Secretariat Committee, APPG on Personal Banking and Fairer Financial Services
Chair, Violation Tracker UK Advisory Board
Telephone: +44 (0)7501 460308

From: Andy Agathangelou
Date: Thursday, 2 February 2023 at 10:57
To: Andy Keats

Cc: Jim McGinley, Jean-Marie Sadio, Sally Berlin, Lyndy Geddes, Lewis Shandsmith, Mark Grimshaw, Jonathan Russell, Paul Turner, Steven Wilkinson
Subject: Re: 2nd email: TTF Meeting 31/01/2023

Dear Andy,

Thank you for copying me in on this correspondence, which I believe to be important, because the performance of the BBRs (which I would personally characterise as 'very poor') is clearly a major public interest issue amongst many stakeholders including bank malpractice victims, the media, regulators and Parliamentarians.

In the interest of fairness and balance, I confirm I am happy to circulate this entire email trail including the BBRs statement to the individuals that attended Tuesdays event, as BBRs' 'right to reply'.

The recording of the event is available to TTF members and others so I'll also make this email trail available more generally too, so that in the interests of fairness and balance, anybody that can access the recording of the event can also access the BBRs statement.

I trust that all make sense Andy.

Kind regards,

Andy

Andy Agathangelou FRSA
Founder, Transparency Task Force; a Certified Social Enterprise
Chair, Secretariat Committee, APPG on Personal Banking and Fairer Financial Services
Chair, Violation Tracker UK Advisory Board
Telephone: +44 (0)7501 460308

From: Andy Keats

Date: Thursday, 2 February 2023 at 10:09

To: Lyndy Geddes, Mark Grimshaw, Lewis Shandsmith, Sally Berlin, Jean-Marie Sadio

Cc: Jim McGinley, Jonathan Russell, Paul Turner, Steven Wilkinson, Andy Keats, Andy Agathangelou

Subject: Re: 2nd email: TTF Meeting 31/01/2023

Lyndy,

Thank you for your email.

Unfortunately, as you can see it arrived at 6pm and I made it clear that the TTF meeting began at 6pm and that any response should be made before 6pm, so I was already engaged and did not see the BBRs statement until after the meeting had concluded. However, perhaps that was just as well because I feel that I have to respond quite firmly to the BBRs statement and other issues within your response.

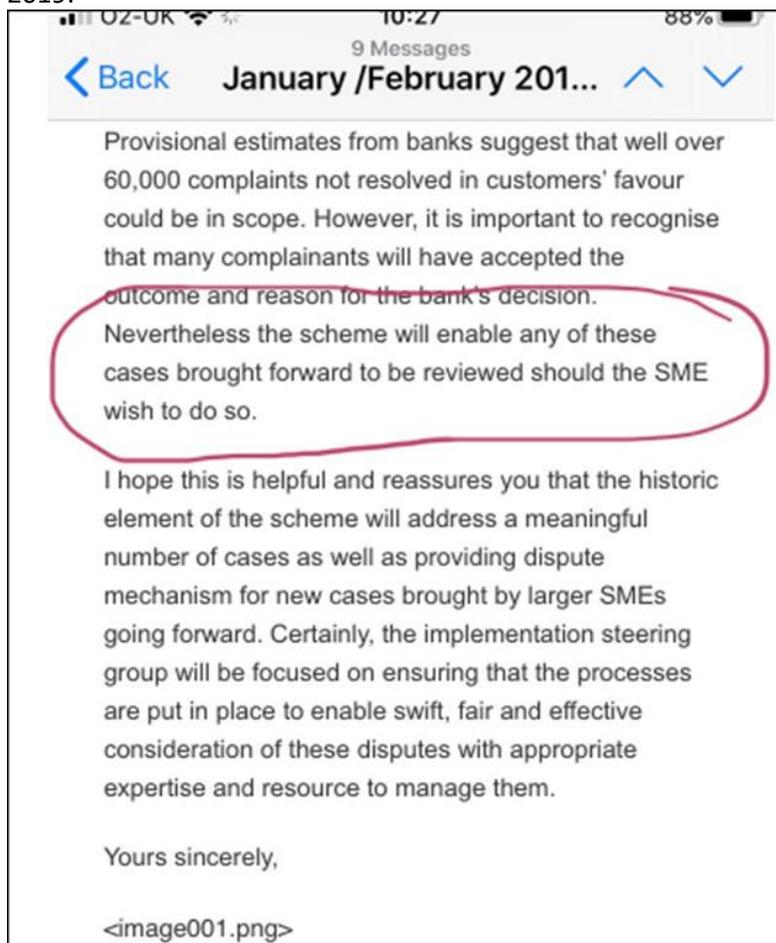
I have known you personally since you joined the BBRS and we have had some robust and very friendly discussions about, for example, how Case Assessors should investigate and we owe it to ourselves to be straight with each other.

I need to be straight with you now. I have to point out that I did not ask for a BBRS statement out of the kindness of my heart. I made that offer because I am making very serious allegations against the BBRS for either allowing the banks to manipulate the BBRS scheme or by manipulating the scheme/rules and customer's evidence yourselves, not you personally, but those around you. The offer to BBRS to provide a statement was to enable the BBRS to provide a serious and cogent response to what I said in my presentation papers.

The BBRS statement:

I will ensure that the BBRS statement is forwarded to everyone that was at the 31/01/2023 TTF meeting. However, I am a simple man with a logical mind and, unfortunately, I find the BBRS statement obscure, unclear, and unintelligible. Therefore I am unclear as to what is actually being said by BBRS and conclude that if I am completely confused others will be too. This is unlike you Lyndy and I conclude that the BBRS statement was written by someone other than you. Therefore, I have numerous questions arising from it.

I believe a good starting point would be what was said by UK Finance and Lewis-Shand Smith in 2019:



consideration of these disputes with appropriate expertise and resource to manage them.

Yours sincerely,

<image001.png>

Stephen Jones

Chief Executive Officer

UK Finance

My comments:

Stephen Jones is writing on behalf of UK Finance.

He clearly says:

- The 60,000 historic case figure came from the banks who confirm that well over 60,000 historic complaints remain unresolved and could be in scope.
- Any of the 60,000 cases brought to the BBRB would be reviewed, not for eligibility, but for actual review.
- His statement is to reassure the recipients that the Historic BBRB Scheme will address a meaningful number of cases.
- The BBRB will put in place a dispute mechanism for larger SME's going forward.
- The ISG will be focussed on ensuring that the processes are put in place to enable swift, fair and effective consideration of these disputes.
- The BBRB will provide appropriate expertise and resource to manage the cases.

Summary: Bank information received by UK Finance confirmed in excess of 60,000 unresolved historic SME disputes. Any of these disputes can be reviewed by BBRB. Each dispute brought to the BBRB will receive swift, fair and effective consideration. BBRB will address and review a meaningful number of disputes.

Conclusion:

- Stephen Jones CEO UK Finance is saying that the BBRB will resolve a meaningful number of the 60,000+ unresolved historic disputes between SME's and Banks.
- The BBRB November 2022 Data shows that of the c590 Historic Dispute complaints received by the BBRB only 7 were deemed eligible for review by BBRB i.e. for whatever reason 98.8% of received complaints were not deemed eligible for BBRB review.
- Importantly, the information on the numbers of unresolved complaints came from the banks.

Your BBRB statement: (in red) (my emphasis)

Statement:

- ***This analysis conflates estimates of the size of the universe of SMEs that are potentially eligible for the BBRB with the numbers of SME cases that have registered with the BBRB and were found to be eligible.***

- I presume we are talking about Historic cases only?
- Are you referring to the analysis of the Bayes Business School or the analysis of the BBRs data by me? (i presume you are referring to the Bayes Business School analysis)
- The starting point for the 'universe of SME's that are potentially eligible for BBRs', has to be the banks as Stephen Jones CEO UK Finance stated was the case.
- This statement is an example of obfuscation.
 - It claims THE ANALYSIS (which analysis?) has conflated an ESTIMATED (by whom and using what parameters?) UNIVERSE of potentially BBRs eligible SME's with the 7 disputes deemed eligible for review by BBRs.
- In what way is the UNIVERSE of SME's conflated with the 7 eligible SME's?
- What is the result of the conflation?
- *The total universe of potential SMEs is the proportion of SMEs which meet qualifying factors based on turnover amount and size of the balance sheet, and then the probable percentage of these that have an eligible and unresolved banking dispute.*
 - The banks have this information already as noted by Stephen Jones.
 - WHERE DID THE ANALYST FIND DATA THAT:
 - PROVIDED A NUMBER OF SME'S THAT HAD:
 - Made a complaint to a qualifying bank?
 - Whether the complaint was made concerning acts and or omissions before or after 31/10/2009?
 - The date of complaint and the business financials at the date of complaint, not when the act or omission occurred?
 - FOR COMPLAINTS ABOUT ACTS OR OMISSIONS OCCURRING BEFORE 31/10/2009?
 - The date the complaint was made versus the business financials at that date?
 - That the business had more than £1M turnover and less than £6.5M on the date of complaint?
 - FOR COMPLAINTS ABOUT ACTS OR OMISSIONS OCCURRING AFTER 01/09/2009?
 - The date the complaint was made versus the business financials on that date?
 - The number of employees the business had at the date of complaint? (10 or more = automatically eligible for BBRs review provided turnover does not exceed £6.5M and gross assets does not exceed £5M)
 - OR at date of complaint - Turnover between €2M and £6.5M AND
 - Balance Sheet (GROSS ASSETS) between €2M and £5M.
 - Without that data being available to the analyst is unable to make any analysis whatsoever. All BBRs 'eligibility' starts with 'THE DATE OF COMPLAINT' which in many cases is years after the event i.e. when the customer discovers the bank has created documents and forged signatures and or created bank accounts with overdrafts in the customer's name but addressed to the bank managers home

address that the bank uses to fund its activities unknown to the customer.

- *The original thinking agreed by the ISG was that 60,000 cases were in scope.*
 - Lyndy who is writing this nonsense?
 - It is universally accepted that the banks provided UK Finance with the 60,000 eligible complainant figure, see Stephen Jones statement above.
 - The ISG was an Independent Steering Group on which I sat. I can guarantee there was no discussion or analysis of any data by the ISG. Lewis will confirm this.
- *PIR 1 found that original assumptions about the number and complexity of cases had been grossly overestimated, as the BBRs team has long asserted.*

- Firstly, the PIR1 simply reported what it said was widely considered.
- It does not say what parties believed the number of cases to be overestimated by a factor of 10. Whoever wrote this statement on behalf of the BBRs is incorrect. There is no finding whatsoever by PIR1 concerning the assumptions of numbers. This is sloppy and misleading Lyndy.

a. **Assessing the nature and scope of the service set out in the Legal Architecture of BBRs as approved by the ISG against the Recommendations.**

We found that the service developed by ISG was largely reflective of the recommendations contained within the UK Finance response to the Walker Report, as set out in the Annex: (Independent DRS Implementation Steering Group) to that document. The documents that make up the legal architecture of the BBRs in turn reflect those recommendations. The architecture and the resulting organisation are considerable in their size and complexity. This may have been based in part on the planning assumptions which prevailed within ISG, particularly in relation to the number of potential cases. **Whilst the number of cases is widely considered to be overestimated by a factor of 10,** we note that BBRs could not in turn have been simplified by a similar factor.

- The BBRs statement claims the PIR 1 also found the complexity of cases to be grossly overestimated. This statement is also incorrect/false? It is plain that, once again, the PIR1 is reporting what it heard and is not making any finding whatsoever.

- PIR1 page 16:

We heard that there has not been a need to establish the panels of legal and technical experts due to the small number of complaints and their lack of **complexity**. We have seen the

- For the avoidance of doubt, the reason there are no panels of legal and technical experts is because only 7 complaints were deemed 'eligible' for review and SMEA knows that at least 2 of those cases were 'push payment fraud' which is a complaint concerning the bank's lack of system robustness allowing fraudsters to gain access and steal the complainants money. It was also made clear to the SME Liaison Panel by Dirk Patterson that some complainants had accepted an apology from the bank and no money. All 500 SMEA historic bank complainants say they have lost their businesses as a result of bank malpractice. We can therefore safely discount all 500 SMEA complainants who would not accept an apology and no compensation for losing their business and livelihoods to bank malpractice.
- The lack of complexity is that, (with the exception of IRHP products which are excluded in any event), the bank products and services were not necessarily complex and not what is complained about. The bank frauds (creating false agreements, changing agreements, forged signatures, false risk calculations, false internal reports about the business, false valuations on business assets to force breaches of covenant and the subsequent cover-ups of that conduct are the complexity issues and these need investigating thoroughly which has not occurred.
- The PIR 1 was dated 07/02/2022. To my knowledge **SMEA had been asserting since 01/07/2020 that the number of likely BBRs applicants for review by the Historic Scheme would be 620 and that the likely number of 'eligible cases' would be less**

than 36 (based on the criteria at that time which was later changed from business financial assessment at the date of act or omission to at date of complaint which would have a dramatic negative effect on the estimated 36.)

- The actual number of historic complaint applicants to the BBRs is c590 and the number deemed 'eligible for review' 7. So SMEA was very close to a perfect prediction of 620 applicants and less than 36 eligible in the July 2020 analysis.
- The BBRs refuted that analysis and to my knowledge continued to do so until the Bayes Business School analysis that BBRs claims says 14,000 eligible complaints (see below). When was the Bayes Business School analysis commissioned and when was it received by the BBRs?
- The BBRs has always claimed, in the press and elsewhere that the numbers of eligible businesses are circa 60,000. I have not seen anything from the BBRs that claims only 14,000 Historic likely eligible cases or that it expects to receive 1,200-1,400 of those.
- *Indeed, research we commissioned more recently from Bayes Business School found there are only 14,000 – 16,500 likely eligible cases*
 - As stated above this Bayes Business School analysis is likely to be nothing short of a flight of fancy.
 - **Will the BBRs disclose the Terms of reference that was provided to the Bayes Business School?**
 - The terms of reference are all important. As you will realise Lyndy, with your NHS complaints background, The entire UK population and anyone visiting the UK would be potentially eligible to make a complaint against the NHS. Therefore, the Terms of Reference to determine likely unresolved NHS complaint numbers requires qualification. How many complaints has the NHS had that it knows were unresolved? Over what time period? What age range? What type of complaints? etc
- *of which we could expect to see 1,200 - 1,400 register with the BBRs over 3 years.*
- *The levels of registrations we have seen supports this.*
- *Ombudsman services expect to receive only 10% of the total universe of potential claims.*
- *The is widely acknowledged both academically and by ombudsman services operating in a variety of sectors.*
 -
 - The vast majority of unresolved historic banking business complaints between 2001 and 01/04/2019, especially between 2001 and 2013, are that the business has been forced to cease trading, or at the very least brought to its knees, as a result of bank malpractice.
 - The notion that only 10% would bother to complaint about it is nonsense.
 - The elephant in the room, as always, is that (excluding 'independent review schemes and IRHP complaints that are excluded from BBRs) there are circa 600 Historic complainants in total and these people have been complaining ever since the events occurred i.e. all the way back to the 1990's in some cases. The BBRs statement shows an appalling wilful blindness in my view. Why would 90% of historic unresolved bank complaints suddenly stop complaining and not take their cases to the BBRs?
 - Chairman of BBRs Lewis Shand-Smith acknowledged this exact point at the BBRs seminar 06/06/2020 when he said: "*I think, if I can also come in on the historical scheme. Looking at the kind of numbers of cases historically as well. On the best information we have, we think there are probably round about 60,000 eligible cases and again from experience, we know that in ombudsman ADR type schemes, that they traditionally or typically see round about 10 per cent of eligible cases, which would mean 6,000 historical cases. I think it will be more than that, because of the levels of cash, the levels of money and the kind and the level of distress as well that has happened for so many people. I think the kind of quantity involved, in terms of the detriment, but also the kind of detriment in terms of what people have gone*

through over those years, I think we will see it at a higher percentage than that 10 per cent."

- *We have done everything in our power to raise awareness of the BBRS to eligible SMEs and want to encourage as many of them as possible to register.*
 - SMEA has consistently told the BBRS not to look for Historic complaints that do not exist and to change the eligibility criteria to allow the c600 historic complaints, that have not had independent review or that has had independent review but can demonstrate that review was tainted in some way, to be reviewed.
 - The BBRS is a sham. It is impossible in my view that the BBRS cannot understand simple plain truths. The amount of money that has been spent on wild goose chases around the UK looking for non-existent historic complainants is disgusting. The banks have the information to hand. For starters; ask the banks to provide details of all businesses the bank put into administration.
- *The overall universe of potentially eligible customers is different to our own caseload.*
 - The BBRS has received c590 Historic complaint applications to be Independently reviewed by the BBRS. Of those the BBRS data shows c7 are deemed eligible for BBRS review.
- *We have received a high proportion of case applications which are ineligible, for a wide variety of reasons.*
 - This is a ridiculous statement. The eligibility criteria has made all 50 historic complaints ineligible for review with the exception of 7. i.e. 98.2% are ineligible. The BBRS now accepts this appalling figure but for 2 years has done absolutely nothing to change anything and the Historic review is due to close on 15/02/2023!
- *Only cases where Eligibility is unclear, in doubt or subject to challenge receive a formal eligibility assessment.*
 - *Of 590 historic cases only 7 are eligible.*
 - *How many cases have been deemed eligible for BBRS review without going through a formal eligibility assessment?*
 - *How can any complaint be deemed eligible for review without a formal assessment? (In my mind this would be impossible with the amount of hurdles the business has to jump over to become eligible, not least the ridiculous 'Dissolved Complainant Waiver' to be signed by the IP that, in most cases, the bank put in place not the business!*
- *It would be misleading to use this figure as a basis for assuming potential, likely and actual eligibility.*
 - What figure are you referring to?

I note that none of the questions I asked were answered. That is par for the course unfortunately. Perhaps you would be good enough to consider my questions and answer them now. I will set them out again for you:

I will answer the remainder of your response under separate cover as the above will be sent to all the attendees of the TTF 31/01/2023 meeting to provide the context to your initial statement.

I look forward to receiving a considered response Lyndy and also note that none of my original 31/01/2023 questions have been answered yet.

- Will you at least inform me whether the BBRS will answer my questions of 31/01/2023?

Kind regards
Andy

Andrew M Keats

CEO

Mobile:



On Tue, 31 Jan 2023 at 18:00, Lyndy Geddes wrote:

Dear Andy,

Thanks for your emails this afternoon. We welcome the opportunity to input into these matters as it's important that both you and those listening to you receive accurate information.

You have kindly asked us for a statement for you to read out ahead of this evening's event, we welcome this opportunity and I've pasted a statement below. I hope this is helpful.

Statement:

This analysis conflates estimates of the size of the universe of SMEs that are potentially eligible for the BBRS with the numbers of SME cases that have registered with the BBRS and were found to be eligible. The total universe of potential SMEs is the proportion of SMEs which meet qualifying factors based on turnover amount and size of the balance sheet, and then the probable percentage of these that have an eligible and unresolved banking dispute.

The original thinking agreed by the ISG was that 60,000 cases were in scope. PIR1 found that original assumptions about the number and complexity of cases had been grossly overestimated, as the BBRS team has long asserted. Indeed, research we commissioned more recently from Bayes Business School found there are only 14,000 – 16,500 likely eligible cases of which we could expect to see 1,200 - 1,400 register with the BBRS over 3 years. The levels of registrations we have seen supports this. Ombudsman services expect to receive only 10% of the total universe of potential claims. This is widely acknowledged both academically and by ombudsman services operating in a variety of sectors. We have done everything in our power to raise awareness of the BBRS to eligible SMEs and want to encourage as many of them as possible to register.

The overall universe of potentially eligible customers is different to our own caseload. We have received a high proportion of case applications which are ineligible, for a wide variety of reasons.

Only cases where Eligibility is unclear, in doubt or subject to challenge receive a formal eligibility assessment. It would be misleading to use this figure as a basis for assuming potential, likely and actual eligibility.

While we will not discuss any individual case we remain confident about the decisions taken on the case to which your refer.

In addition to the statement above we would like to make separate points on confidentiality (not part of statement to be read out):

Confidentiality:

Your decision to record a confidential meeting without consent is of significant concern to the BBRs. We remind you of your duties of confidentiality concerning information relating to your complaint lodged with the BBRs pursuant to the Customer Agreement and additionally your duties of confidentiality concerning information relating to the Implementation Steering Group. We reserve our rights in full in respect of any breaches of those duties.

Regards

Lyndy

Lyndy Geddes

Director of Operations
Business Banking Resolution Service
T:

www.thebbrs.org

Business Banking Resolution Service is a private company limited by guarantee without share capital, registered in England and Wales with registered number 12096333. The company's registered office is C/O Legalinx Limited, 3rd Floor, 207 Regent Street, London W1B 3HH.

The information in this email may be confidential or otherwise protected by law. If you have received it in error, please let us know by return email and then delete it immediately from your system, without disclosing the contents to anyone else.

From: Andy Keats

Sent: 31 January 2023 15:20

To: Lewis Shandsmith; Dirk Paterson; Lyndy Geddes; Sally Berlin
Cc: Jim McGinley; Jonathan Russell; Paul Turner; Steven Wilkinson
Subject: 2nd email: TTF Meeting 31/01/2023 - A Keats will now be presenting and whistleblowing

Dear all,

Further to my first email I now provide the further evidence I will share tonight at the TTX meeting.

This evidence concerns the alterations of the Draft Scheme Rules without consultation with the stakeholders i.e. the SME Representatives.

The attachments:

1. 20220422 BBRs Starters for 10 proposals....email from Osbourne Clarke to the SME reps
2. BBRs Scheme Rules eligibility conflicts....

Attachment 1: shows the position on 22/04/2020 concerning the date a complainant business would be financially assessed i.e. date of act or omission (the obvious date) or the date of complaint (often many years after the event when evidence of malpractice comes to light):

- Eligibility to be assessed at act or omission date or date of complaint – further consideration needed with majority of the Banks preferring date of act or omission; minority preferring date of complaint.
 - BBRs prefers date of act or omission
 - OC preliminary comments: do we have a preference from the cases we have seen? The date of act or omission seems the most logical (similar to the accruing of a cause of action), and is the same as FOS, although it needs to be expanded to include "behaviour" more generally. BBRs seem to think the issue of "Cliff Edge" (i.e., timeframe for historical complaints and steps required before application of the 6-month period after a final response letter is sent commenced) is

Question 1 for the BBRs Executive:

- The obvious date of act or omission was subsequently illogically changed to the date of complaint. What discussion took place within any working group, with the SME reps, Osbourne Clarke, the BBRs Executive, or at ISG, signing off Date of complaint as being the date now preferred by all the banks, the SME reps, the BBRs and recommended by Osbourne Clarke?

Question to BBRs Executive, also on page 7 of the attachment:

Question 2 for the BBRs Executive:

- Were there discussions within any BBRs 'working group' about the amendment of the following Draft Scheme Rules (67 pages) from i.e. the 'OR' which was acceptable, to 'AND'

which was/is definitely unacceptable and which rules out 'eligibility' for most if not all complainants from 1st November 2009 onwards?

| 10/09/2020 Draft Scheme Rules | | 05/02/2021 Draft Scheme Rules | |
|-------------------------------|--|-------------------------------|--|
| | | | (2) If the Complaint mentioned in EL 2(1)(h) was made on or after 1 November 2009: |
| | (ii) where the complaint was made on or after 1 November 2009, a turnover or a balance sheet of at least €2 million; and | (a) | where the Complainant is a sole trader, a Business Organisation other than a trust or a charity: |
| | (iii) in either case a group annual turnover of at least €6.5 million; and | (i) | either employs 10 or more employees or has a turnover and a balance sheet each of over |
| | (iv) total assets not exceeding €5 million; | (ii) | the annual turnover must be at least €6.5million; and |
| | and in determining whether these criteria are met, the Chief Adjudicator will apply Articles 3 and 6 of the Micro-enterprise Recommendation, taking into account in particular the Complainant's 'parent enterprises' or 'linked enterprises' (as those terms are defined in the Micro-enterprise Recommendation). | (iii) | the balance sheet must be at least €5million; |
| | | (b) | where the Complainant is a trust, a partnership or a charity, a net asset value of at least £1million but less than £5million; |
| | | (c) | where the Complainant is a charity, a net income of at least £1million but less than £6.5million. |

I look forward to hearing from you.

- Once again please consider that the BBRS is invited to the TTX meeting at 6pm this evening.
- Alternatively the BBRS is invited to make a statement which I will read out.
- If there is anything you consider I should not be saying publicly and which you consider falls within your SLAPP statement to TTX please let me know:

BBRS 27/01/2023 to TTX: *Lastly, I will once again end by saying that, as I'm sure you will understand, in the event any inaccurate or defamatory material is presented or statements made concerning the organisation, its history or any of its employees, we reserve our rights to take such steps as may appear appropriate to*

protect the reputation of the organisation and its important work.

It is time that all this information becomes public, especially concerning the BAM and the final ISG meeting (which as I said previously, I recorded to preserve the truth - just in case.)

Finally, to demonstrate this is not a witch hunt - this is what I emailed to the BBRs Executive on 10/02/2021:

SME Alliance statement for the press pack. - Please remove until further notice

Inbox × BBRs/Barrister Advice × BBRs Queries and responses ×

Andy Keats <andy.k.smealliance@gmail.com> Wed, 10 Feb 2021, 16.41 ☆ ⏪ ⋮

to Alexandra, Samantha, Lewis, Jon, SME ▾

Lewis, Samantha, Alexandra and Jon,

- Unfortunately, I feel obliged to withdraw the SMEA statement from the press pack. Please ensure that nothing is stated publically in respect of the BBRs that is directly attributable to the SMEA until further notice.

I will re-think the statement that SMEA will submit and forward it as soon as possible. I do hope you understand that my reputation is on the line as well as the SMEA's.

SMEA and I really want the BBRs to be a success. I am afraid that as it stands the BBRs is in danger of being incapable of producing proper resolutions for many historic complainants, especially those with particularly egregious complaints.

I am deeply concerned, as you know others are, with the last-minute changes to the BBRs website and literature. I also highlight those historic complainants with the most egregious complaints will likely be deemed 'Boundary' (I cannot bring myself to use the new word to describe these cases) and then at the mercy of the banks once again. Similarly, complainants within the BBRs process may not achieve anything more than the £350,000 contractual compensation when higher figures are awarded. I would like to be able to say 'time will tell' but it seems the NDA's and lack of award transparency will likely prevent that too.

I know that you were not there at the outset of these negotiations (Lewis was of course) but I promise you that discussions/workshops in 2019 were positive and productive and very different to what is in black and white now.

Please be assured that I believe in the concept of the BBRs and will fight on and assist wherever and whenever I can.

Please acknowledge receipt of this unfortunate request and that it has been actioned.

Kind regards
Andy

Lewis is the only surviving member of the BBRs Executive I emailed on 10/02/2021 i.e. less than 2 years ago! Why is that? (Rhetorical).

Sincerely yours,

Andy

Andrew M Keats

CEO

Mobile:

