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From: **diyLAW** <info@diylaw.co>

Date: Mon, 22 Jun 2020 at 12:21

Subject: Project Heritage update - AF ref NFRC191203392713

To: Stansfeld Anthony <Anthony.Stansfeld@thamesvalley.pnn.police.uk>

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Dear Anthony,

At the time of your investigation into forged signatures, I promised you an "oven-ready" action against Stephen Charles Ball and Lloyds Bank for the allegedly perjured Affidavit that has led to so many evictions that should not have happened. Please find it below (under **Stage 1** in the email addressed to Kevin Hollinrake MP).

You may wish to add some "spice" by taking the potential Criminal Action against the Information Commissioner to the next level (details about the s173 DPA 2018 offence below).

I have seen a draft version of Trevor Mealham's matrix and recognise his issues with the current reporting of crime through Action Fraud. Clearly, this process is not working.

Within Mr Mealham's document, he refers to Foot Anstey, who were in my case, Lloyd's Bank's solicitors, who [misled Mann J](#) (point "E" & "F" on page 3 in the attached document).

The solicitor from Foot Anstey was Robin Brown, who is now retired to the clergy. You may wish to contact him. The latest telephone number is xxxxxxxx241.

Project Heritage, under the direction of Jane Farmer, is developing a remediation process which it can recommend to ALL parties. (as per "calculations" in **Stage 2**).

Project Heritage recommends the Aeropa [alternative](#) to PGs. Obviously, the initial set up costs will fall once the numbers increase.

Jeff

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Dear Kevin,

I can confirm 10 am on 1 July is convenient for the conference call.

Following your discussion with Jeff at the Transparency Task Force event, please allow me to give you an overview of Project Heritage.

Project Heritage is a 3-stage process to achieve some remediation following the despair left by the abuse of Personal Guarantees. Project Heritage has been circulating documents to interested parties, some for about a year.

### **Stage 1: Removing the damaging precedent**

[Our best estimate](#) is that several hundreds of thousands of people have been evicted as a result of Jeff's case in front of the Court of Appeal in 1998 that established:

- 2 banking hours was sufficient time to call on an overdraft and failure to meet that call is perceived as an act of default;
- banks can go straight to the guarantor without seeking recovery first from the borrower (usually a limited company).

This CoA ruling was based on an allegedly [perjured affidavit](#) by SCB, bank manager of Lloyds Bank at the time. Jeff until recently was attempting to get further evidence of a 2008 Investigation by the then FSA (now FCA) through the ICO. Jeff had to prove the FCA was not a business. He has very recently withdrawn that case but has started a criminal action against the IC for "withholding" or "concealing" the evidence of the perjured Affidavit (as per [s173 DPA 2018](#)).

We have raised this case with Action Fraud (under reference number NFRC191203392713). It does not yet appear to have been referred back to Avon and Somerset Police. We have no explanation as to why not.

Project Heritage was originally set up to provide PCC Anthony Stansfeld with overwhelming evidence of the allegedly Perjured Affidavit as part of his investigation into forged documents.

It has done so. The ICO could provide additional evidence if required.

Will the APPG review the evidence provided and confirm that in its opinion there is enough evidence of the Perjured Affidavit to move on to ...

## **Stage 2: Project Heritage Process**

After successfully establishing the user is [eligible](#) to use the process, the automated Project Heritage process will attempt to [calculate](#) the user`s remediation figure (including [the loss of family home](#)). Project Heritage proposes to provide a transparent figure to resolve the issue of where the Secured Lender has gone straight to the Guarantor rather than sought recovery from the Borrower.

The process is still under development; it is very far from perfection. It will not meet victims expectations. It will not be negotiable. The Bank that cancels the liability will be responsible for Project Heritage fees, not the evictee.

The process will include the evictee being able to add an Impact Statement as part of the process ([see Jane Farmer`s](#)).

It will allow many people to get on with their lives, and may allow the banks to take a huge amount of potential liabilities off their balance sheets.

Any cases that are disputed on a new point of Law will proceed in front of a Tribunal. The details of this Tribunal will be worked out with support from the Ministry of Justice. The Tribunal decision may change the computerised process.

It is far from being a perfect remedy. It is transparent and will be tailored to individual cases. Jane Farmer supports this process and it is our belief that many others will do so.

## **Stage 3: replacing Personal Guarantees - an alternative way forward**

[Jane Farmer](#), who suffered from the C of A Judgment is reaching out to the FCA for remediation, is a primary example of the abuse of Personal Guarantees. In her case, Jane`s husband had come up with a series of alternatives to Personal Guarantees to offer to the bank.

Some of these alternative guarantee options have been formalised in [the process being used by Areopa](#), which is already being used in Europe.

Please feel free to ask any questions you may have prior to your meeting with Jeff and Andy.

Regards,

**Daniel Jani**

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