The Evil Charge

Bear in mind that the underlying cause of this 'crime' was NCR's failure to maintain any reasonable financial controls in NCR Belgium. Mike Buchanan, an NCR employee, had realised this and sought to find a way to steal NCR funds for his own benefit. He planned to use me in order to siphon off the funds. He did this by lying, deceiving and inveigling me into moving funds as part of a sham NCR program. I trusted him.

Ultimately, Buchanan was responsible for the removal of almost £750,000. I had borrowed £45,000 in order to pay a tax bill after my accountant had failed to keep me informed of my growing tax liability. Had I not had the tax problem, I would have taken nothing. So Buchanan was responsible for the theft of approximately 94% of the funds I had taken approximately 6%.

During a meeting with Alun Long of NCR on 31st August 1999, we agreed that I would pay NCR the sum of £96,262.53 as a settlement for my part in the 'crime'. This was approximately double what I had taken. There was no doubt that Alun Long accepted that Buchanan had drawn me in against my will. Alun was clearly sympathetic to my situation. I was keen to re-engage with senior business management at NCR, because we had many joint NCR/PSL projects that needed some management decisions to be taken by NCR. Alun suggested that normal business relations could restart once I had paid the agreed funds.

I paid £96,262.53 to NCR by funds transfer on 2nd November 1999. Following this payment Alun Long was sidelined. I never saw him again until sentencing day following the criminal trial of Buchanan on 25th June 2004 when he sat in the front row of the visitors seating and leaned forward to give me a pat on the back on my way to the dock. This was no doubt Alun Long's way of supporting me. He knew that I was an innocent party in this nightmare.

Following the payment, I had another meeting with solicitors TJG on 10th November. They told me that my payment was only a "pre-condition to negotiations," and they refused to approve any meeting with NCR business managers until the full amount taken had been repaid. They told me that their investigations into Buchanan's financial position had not been very fruitful, as he had squandered the majority of the funds he had taken on bad investments. This signalled that they were determined to ignore the many joint projects that were active throughout the world and that the recovery of the funds was the only concern of NCR. NCR's legal department in the US would now pull the strings focussed on my destruction, the destruction of my business and the destruction of the many live projects we supported in the developing world.

The civil case came to the High Court on 24th November 2000. NCR and TJG painted their distorted pictures of a conspiracy between Buchanan and me and secured their aim of getting a Joint and Several judgement against us.

For a while they focussed on Buchanan, tracing his assets in many 'hidden' accounts and trusts and investments throughout the world. In the meantime I had put some assets on the market in order to release funds in order to personally fund PSL following NCR's withdrawal and to pay back further funds, if requested.

On 13th March 2001, I finally sold my flat in central London. I had kept TJG informed of the progress of this sale. Some weeks before the sale was completed, a charge was put on the property and NCR intercepted the sum of £221,318.70, which was every penny of the proceeds. I wrote to them begging them to leave me £50,000 to invest in PSL but they ignored me. I had to support my business and my customers by a personally guaranteed business loan and borrowings on personal credit cards.

They really were determined to destroy our customer's investments and many years of hard work. Why? It made no sense. Many of these projects were successful joint NCR/PSL projects. Why would NCR be so determined to destroy them?

So now I have paid NCR the sum of £317,581.53 being seven times more that the finds that I had taken.

Just one week before NCR/TJG had intercepted the funds from the flat, they had gained approval in the High Court on 7th March 2001, to put an unlimited charge on my family home. The receipt of the notification of this charge made it clear that fairness and justice was to play no part in the destruction that NCR/TJG plan to inflict on me, my business and my customers.

For a while I got on with keeping PSL alive and supporting my customers as best I could, whilst NCR/TJG continued their major focus on tracing Buchanan's hidden dishonest gains.

In February 2003 TJG advised that they had reached a full and final settlement with Buchanan. However, they still had a £276,704 shortfall owing on the judgement. They wanted to know what I could offer. I could offer nothing.

The focus then moved to the build-up to the criminal trial. Having acknowledged that I had moved funds that ultimately were stolen by Buchanan, despite the fact that initially I thought that the request had been from NCR, my solicitor advised that I should admit my guilt to charges of false accounting, which I did. Buchanan pleaded not guilty to all charges so his trial-by-jury started in February 2004 and lasted for 5 weeks. I played no part in the trial, excepting being a prosecution witness.

I received a prison sentence and spent six months in an open prison. With nobody to support my business, my business partner put the company into Administrations and my customers lost tens of millions of dollars and many years of hard work.

Whilst I was in prison my family had no income apart from benefits. They went through hell and I could do nothing about it. Both Barclays Mortgages and Barclays Bank started legal processes to put my family out of our home.

Following my release from prison, it didn't take NCR very long to make contact with their usual mantra. Their position had not changed and they wanted to know what I could offer them.

Due to the immense pressure she had been under, my wife left the family. In 2007, I was looking into the possibilities of divorce, when I checked the Land Registry. There was no charge in the name of NCR. I checked with the situation with two solicitors, one told me that I could sell the house and NCR would never know, the other felt that, as I was aware that the charge had been granted, despite it not being registered, that it might rebound on me in some way if I did sell the house. So I called TJG, they told me that it was an oversight and the charge was registered on 22nd February 2007.

Time drifted by. I had nothing I could offer NCR. With my family broken, my focus was purely to ensure that my two children led as normal and secure a life as possible; that meant keeping hold of our home.

Eventually, in 2009, I requested a meeting with TJG in order to try and reach a settlement. On 2nd September 2009, I met with David de Ferrars of TJG (now Taylor Wessing (TW)). He introduced me to Jonathan Steel of Teradata. They explained that Teradata, formerly an NCR product, had been 'floated off' as a separate company in 2007 and the charge on my home had now been assigned to Teradata. Jonathan Steel was described as the new owner of the charge.

I have little doubt that NCR felt somewhat compromised by the immoral nature of the charge, so they off-loaded it to Teradata, a company that knew nothing of the immoral history of the charge, only the 'black and white' of the legality of the charge. Whether NCR placed a value on the charge when it was transferred I do not know.

I asked for formal notification in writing regarding the transfer of the charge but received nothing from either Taylor Wessing or Teradata.

For two years there were negotiations with Jonathan Steel. In September 2009, I had reason to check the Land Registry. I found that the charge on my home was still in the name of NCR. There was no mention of Teradata.

I wrote to David de Ferrars for clarification and received no reply. I wrote to Jonathan Steel and received no reply. For six months I sent innumerable letters and emails to both

David de Ferrars and Jonathan Steel and received no response. It appeared that they had lied to me.

I submitted a formal complaint to the Solicitors Regulation Authority (SRA) about the lies of David de Ferrars. As is the way with these things, he simply told lies to the SRA and they believed him.

Eventually, dated 23rd July 2012, almost 3 years after they had informed me that the charge rested with Teradata, I received a letter from NCR advising that the charge had been assigned to Teradata by virtue of a 'deed of assignment' dated 20th January 2012. Proof positive that they had lied to me.

The charge was registered in the name of Teradata on 30th April 2012; however, the name of NCR was still on the Land Registry. So there were unlimited charges in the names of both NCR and Teradata. Despite many letters that state that NCR has no further interest in the charge, their name remains on the Land Registry.

This evil charge has destroyed so much but it is treated in such a cavalier fashion by NCR, Taylor Wessing and Teradata. The amounts of money covered by this unlimited charge now amount to over £500,000. This includes funds taken by Buchanan, extortionate interest on the money taken by Buchanan and huge legal fees for pursuing Buchanan.

I was in the wrong place at the wrong time when NCR's corporate incompetence met with Buchanan's greed. Unfortunately I borrowed £45,000 from NCR, but have paid £317,581.53 to NCR.

The charge is immoral and grossly and destructively evil.