



# BRITISH BANKERS' ASSOCIATION

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## The Restore UK Project: a summary

### BACKGROUND

1. A number of the high street banks were approached in 1997 by the Holocaust Educational Trust regarding publishing their lists of bank accounts which had been frozen by the Custodian of Enemy Property during WWII. Some dialogue took place between the banks and the HET, and some data was shared - it was clear that most banks could not isolate these particular accounts from other dormant bank accounts.
2. The HET approached the BBA in September 97 suggesting that the BBA could play a role in resolving the restitution issue. Tim Sweeney, Director-General of the BBA, contacted all BBA members informing them of the HET report's historical research which suggested that the banks still held dormant accounts of holocaust victims, and asked them to get in touch if they thought they were involved in this issue and/or if they wished to be kept informed. The BBA raised the issue at the Governor's Advisory Group<sup>1</sup> and the BBA's president, Andrew Buxton, replied on 11 Sept 97 to the HET that the BBA and those member banks involved shared the HET's concern to correct any historic injustice and to clarify the extent of the problem. The letter pointed out that the BBA had assisted the Trading with the Enemy branch of the Board of Trade during the war, and that the banks had complied carefully with Government instructions regarding 'enemy' accounts. It explained that banks' archivists would continue their work in this area, and were keen to be as flexible and constructive as possible.
3. The banks which had an interest formed a working party which continued to look at this issue. On 30 October Tim Sweeney wrote to Lord Janner, chairman of the Holocaust Educational Trust, to note that a number of members had made progress with research and believed they would be able to reassure the HET that there were few dormant balances on their books from Holocaust victims, and that the BBA would be happy to maintain the dialogue.
4. In January 1998 the BBA received a letter from Lords Janner, Montague and Thomas suggesting that banks other than high street banks had an involvement. Again Tim Sweeney wrote on 6 February to all members asking for confirmation that members did or did not have an involvement.
5. Lords Janner, Thomas and Montague met Tim Sweeney, Roger Miles and Joanna Elson of the BBA in March 1998. Lord Janner made a formal request that banks should publish lists of relevant technical enemy accounts still held in banks, and made it clear that for the HET this was the only acceptable solution.

<sup>1</sup> The Group which advises the Governor of the Bank of England



6. In April 1998 the Government published the Foreign and Commonwealth Office's history note on British policy towards enemy property during and after the Second World War.
7. On 16 April 1998 the BBA once again wrote to its members to check whether they thought they had relevant accounts, and therefore would want to be consulted on a possible data matching process.
8. In July 1998 Lord Archer of Sandwell published his consultation document on a proposed DTI compensation scheme for victims of Nazi persecution for the return of assets placed in the UK which had been confiscated by the Government during the second world war.<sup>2</sup>
- 8.9. In ? April 1999 the Government published a searchable database of, and set up a compensation procedure for, the property of belligerent enemy countries seized by the Custodian and never returned.
- 9.10. In March and April 2000, after the first meeting of the independent panel, the BBA undertook a comprehensive exercise to contact all members who were taking deposits during the wartime period and who had not replied to previous letters and circulars on this issue.

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<sup>2</sup> 'Enemy Property Independent Third Party Consultation, Lord Archer of Sandwell QC, July 1998

## THE DATA MATCHING PROJECT

### **The basis of the project**

~~10.11.~~ The group of banks most closely involved discussed the issue of computerising the George Book records (Government records of assets seized at the time) and matching with banks' dormant accounts from the relevant period.<sup>3</sup> Since the George Books contain only a name, reference number and country code, and no indication of the type of asset (bank account, insurance policy, art treasure etc) the matching would be crucial. Tim Sweeney put this proposal (letter, 13 May 1998) to the wider group of banks who had expressed an interest. They indicated that they did wish to go down this route.

~~11.12.~~ The BBA met again with Lords Janner, Montague and Thomas on 20 May and indicated that the banks were planning to pursue this option. Lord Janner wrote on 3 June to welcome this decision.

~~12.13.~~ BBA started investigating firms who could undertake the matching work. Bids were invited from five firms, and the banks decided that Price Waterhouse Coopers should be invited to undertake the work.

### **Banks involved in the Restore UK project**

Abbey National plc  
Bank Leumi (UK) plc<sup>4</sup>  
Bank of Scotland  
Barclays Bank plc<sup>5</sup>  
C. Hoare & Co  
Clydesdale Bank PLC  
Credit Lyonnais UK  
Halifax plc<sup>6</sup>  
HSBC Bank plc<sup>7</sup>  
Baring Brothers Ltd  
Lazard Brothers & Co. Limited  
Lloyds TSB Group plc  
Morgan Grenfell (Deutsche Bank Group)  
NM Rothschild & Sons Limited  
National Westminster Bank Plc  
Standard Chartered Bank

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<sup>3</sup> The George Books can be found in the Public Record Office at Kew. Their reference numbers is BT 271/807-815 and the Public Record Office can be contacted at 020 8876 3444 and [www.pro.gov.uk](http://www.pro.gov.uk)

<sup>4</sup> Work on unclaimed accounts from Bank Leumi (UK) plc is currently in hand. It is hoped to add relevant names from Bank Leumi to the list in June 2000.

<sup>5</sup> Barclays accounts in the range £10 - £100 are currently being matched and relevant names will be added to the list of names in June 2000.

<sup>6</sup> Work is continuing on the final list of names from Halifax. Relevant names will be added to the list in June 2000.

<sup>7</sup> Accounts relating to British Bank of the Middle East, an HSBC Holdings plc subsidiary, will be added in due course.

### **Bank data included**

~~13.~~14. The banks agreed the following criteria for including data in their list of dormant accounts for matching with the George Books:

- **dates for inclusion** - dates for inclusion of bank records in the project were accounts which went dormant between 1935 and whenever the bank computerised (usually between 1970 and 1975).
- **amounts for inclusion** - amounts for inclusions should be £10+ ( as some banks had no records of accounts less than £10). If banks wished to apply a higher threshold this would be for them to decide and defend. Other banks do not have amounts noted on dormant accounts and have therefore entered all their accounts.

### **George Book data**

~~14.~~15. The banks agreed that the George Books should not be 'narrowed down' to particular countries (ie the technical enemy countries) in case there was a possibility that a mistake had been made (for example in the country code).

~~15.~~16. PwC employed two firms of computer bureaux to input the George Book data, some 213,000 records. The idea was that both firms would input all data, the two data lists would be run against each other and any errors would be obvious, and could then be amended. In practice, the exercise proved much more difficult. The bureaux found it extremely difficult to read some of the fifty year old handwritten records, some of which had deteriorated with age and wear. At the end of the process there still remained several thousand records which seemingly could not be reconciled (eg one version of the record read 'James' another read 'Japes' and a final -where the bureaux had entered the data again - read 'Janes') The banks agreed that in these cases all variants should be added into the computerised George Books, but with a unique identifier.

~~16.~~17. This means that the computerised version of the George Books is longer than the paper version by approximately 64,000 items. However, it ensures that no valid claims are lost along the way. A note attached to the claim form and on the website will make clear that this means that not all names relate to accounts. This is inevitable given the quality of the Government's records.

### **Independent validation of assumptions underlying interpretation of records**

~~17.~~18. The working party invited an independent historian and archivist (Elizabeth Danbury of University College, London and Terry Gourvish of the LSE) to consider PwC's document interpreting the George Books. The purpose was to get a second opinion on whether the assumptions underlying the matching process were fair. The banks met with these experts and ensured that PwC modified their procedures in a number of places based on the advice of the independent experts. [For example, coming up with a list of prefix surnames (eg 'Mdme') to specify so that they did not skew matches.]

### **The matching process**

~~18.19.~~ PwC used their experience to devise a number of 'soundex' routines to match the data. PwC's report outlines this work in much more detail. The outcome was four levels of matches. In striving to achieve the right balance between including any names which could be matches and not publishing names which are not relevant, the banks and PwC agreed that levels three and four matches (but not levels one and two, where a visual check showed that these were not sensible matches) should be published on the website. The Restore UK Panel has endorsed this decision.

### **Independent validation of names on the website and data matching exercise**

~~19.20.~~ The Restore UK panel is commenting on the way in which the matching process was undertaken, including on which data banks included and how the records were interpreted.. The panel's job is to ensure that as far as is possible the correct names are published on the website.

## THE OUTCOME

### **Publication**

~~20.21.~~ On 8 May 2000 the Restore UK website will publish a list of George Book surnames and initials relating to names which matched. The website list, then, will simply say:

Smith, J

Brown, B8

The website will also hold a claims form, based on the standard dormant accounts claim form, which a claimant will be able to complete and return if they believe that they have a claim on any of those names. Claimants will also be able to phone or write for both the list and claims form.

~~21.22.~~ The list will be explained (both on the website and on the paper claim form) by the following explanatory paragraphs:

*'At the start of World War II, the UK Government brought into force legislation to freeze bank accounts and other assets belonging to residents in "enemy" countries. The Government's aim was to prevent "the enemy" from benefiting from any assets held in the UK.*

*UK Government research indicates that after WWII many of the previously frozen assets were collected in by the Government and transferred to the relevant foreign governments who undertook to meet their own citizens' claims directly. Some assets, including bank accounts, were either returned to their original owners by the Government or released.*

*Some of these accounts released to the banks by the Government were never claimed. While these funds were available to be claimed at any time it is possible that some account holders or their heirs may not have been aware of their existence. So far as has been practicable a number of banks, working in conjunction with the BBA, have undertaken a computerised matching exercise, which compares the names of their unclaimed accounts from the wartime period with records of those assets, which were subject to the Government's control. Work is still in progress and the list will continue to be updated.*

*The banks have now published a list of names of individuals and companies whose assets were frozen by the Government and which appear to match names in their own records. The banks have also established Restore UK as an agency of the BBA to handle claims. The published list will include surname and first initial only for data protection and confidentiality reasons; the BBA is the data controller.*

*You can view the list of names on this website. If you think you may be entitled to make a claim either complete the form shown, or a downloaded copy from the website, and post it to Restore UK at Pinnars Hall, 105-108 Old Broad Street, London, EC2N 1EX. You can also send your form electronically to Restore UK but you **MUST** still send a copy by post. **Restore UK will not start to process the claim form until a signed posted copy is received. As the form makes clear, there is no requirement to answer all of the questions.** The procedure that banks will undertake when your form is received is set out*

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8 The reason for only publishing surname and initial is advice by the Office of the Data Protection Commissioner that this protects confidentiality.

within this section.

*The Department of Trade and Industry has also set up a scheme to compensate victims of Nazi persecution whose property in the UK was confiscated by the British Government during the Second World War and never returned. Queries relating to those assets should be directed to, The Department of Trade and Industry, Bay 116-118, 10 Victoria Street, London SW1H 0NN or phone +44 20 7215 3485 or fax +44 20 7215 3487.'*

### **The claims procedure**

~~22.23.~~ The Restore UK agency has been set up to look after the claims procedure. It is staffed by bank secondees and acts as a central postbox to ensure that claims are speedily dispatched to the relevant bank(s) and replied to as quickly as possible. It should provide a seamless service for claimants, and ensure that one reply rather than several is received. Restore UK's mission statement makes clear that they will deal compassionately and efficiently with claimants.<sup>9</sup>

~~23.24.~~ The claims procedure will work as follows:

- Once a completed claims form is received Restore UK will check the database from PwC (which will indicate which bank(s) held accounts which had matched). The claim form will then be forwarded to the relevant bank(s). Each bank will have a named person responsible for these claims.
- Where it is not clear that the name the claimant is enquiring about is on the website the agency will be as helpful as possible, for example by circulating details of the claim in a monthly circular to banks, including the 'second tier' banks.<sup>10</sup>
- No names will be removed from the list at any stage and there will be no cut off point for receiving claims.

### **The second tier process**

~~24.25.~~ Where banks have indicated that they think it is unlikely but not impossible that they have relevant records, the BBA has offered them the facility of participating in a 'second tier' process.

~~25.26.~~ This will work in the following way. Where Restore UK receives a claim which could be within the scheme dates, but where the name does not appear on the matched database, these claim details will be sent in regular spreadsheets to the 'second tier' group of banks, as well as to the banks in the Restore UK scheme.

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<sup>9</sup> Latest draft of this is attached for information.

<sup>10</sup> The second tier banks are those banks which have decided not to join the syndicate because they are almost sure that they have no relevant accounts. Because they cannot be 100% sure, they have opted to receive monthly circulars of claim details which do not appear to relate to the George Book exercise.

~~26-27.~~ The second tier banks are:

- ~~ANZ Grindlays Bank Ltd~~
- ~~Bristol and West~~
- ~~Yorkshire Bank plc~~
- ~~Chase Manhattan~~
- ~~Northern Bank~~
- ~~National Australia Bank~~
- ~~Alliance & Leicester~~
- ~~Woolwich plc~~

### **Judging the Validity of Claims**

~~27-28.~~ As in the normal dormant accounts claims procedure, it will be for the banks to decide on the validity of the claim.

~~28-29.~~ Similarly, as in the normal procedure operated, if no agreement can be reached, the claimant will have the option of going to the Banking Ombudsman<sup>11</sup>. The Ombudsman has agreed to undertake this role – which is an extension of the role he currently plays in general dormant accounts.[The Banking Ombudsman Scheme will be replaced by the statutory Financial Ombudsman Service which the Financial Services and Markets Bill is enacted].

~~29-30.~~ In deciding on the validity of claims banks are likely to use similar criteria to the DTI's panel, which is charged with:

- bearing in mind '*the difficulties of proving a claim after the destruction of the Second World War and the Holocaust and the period that has elapsed since property was confiscated*'<sup>12</sup>
- taking account, when deciding where the balance of probability lies in relation to each claim of whether
  - '*the claimant has provided...all documents and other information relevant to the claim that the claimant can reasonably be expected to produce in view of the particular circumstances*'
  - '*there is any evidence that fraud or forgery affect the claim or evidence submitted, or that other persons may have an identical or better claim in respect of the property in question*'<sup>13</sup>

~~30-31.~~ The DTI has made it clear that it is not acceptable for claimants on banks' dormant accounts to also apply for DTI compensation.

### **Handling of interim claims and enquiries**

~~31-32.~~ In October 99 the BBA formalised the handling of interim enquiries and claims by issuing monthly circulars to all members with an interest detailing (with the permission of the claimants) putative claims and asking members to revert to the BBA if they think they may have a relevant account. The BBA then puts the claimant in touch with the relevant bank(s).

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<sup>11</sup> Shortly to be part of the single financial services ombudsman service.

<sup>12</sup> EPCAP terms of reference, page 6

<sup>13</sup> As 1.



Restore UK has now taken over this work.

**Arrangements for further data to be added to the scheme**

~~32.33.~~ A number of banks who are members of the Restore UK scheme have indicated that they wish to add more data to be matched at a later date. For example, at least one bank will wish to add data on safe custody items at a later date. The BBA is also keen to ensure that should other banks who are not currently members of the scheme discover data relating to this issue this can also be matched. Price Waterhouse Coopers and Restore UK are happy to deal with such requests as they arise. Clearly there will need to be adequate publicity when items are added so that claimants are aware that the list has been added to.

**BBA  
May 2000**