

**Time For**

**TRANSPARENCY**

January 4th 2021, on Zoom



# TTF's Plans and Priorities for 2022 Part 2

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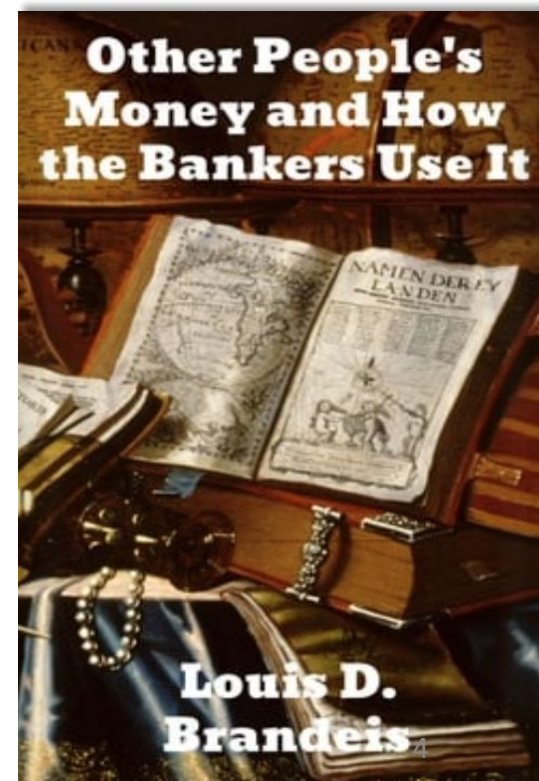
## Why 'Part 2'?

- The purpose of today's meeting is to share our thoughts for 2022, having absorbed the feedback received at the 'Part 1' session that took place on December 16th 2021
- Many thanks to everybody that provided lots of encouragement and helpful input at the December 16th and/or the January 4th meeting - there have been some excellent ideas and they have been absorbed into this latest iteration of the slides
- Particular thanks to:
  - Mark Bishop
  - Jacqueline Hill
  - Barry James
  - Nigel Cairns
  - Annemarie Borg
  - Shane Norman
  - John Howard
  - Pauline Creasey
  - Laurence Wormald
  - Krzysztof Grabowski
  - Sarah Hutchinson
  - Robert Dellner
  - Richard Emery
  - Philip Meadowcroft
  - Sue Lewis; and many more<sup>3</sup>



# About the Transparency Task Force

- A Certified Social Enterprise
- We run 25 groups, each relevant to the finance reform agenda
- Our mission is ***“to promote ongoing reform of the financial services sector, so that it serves society better”***
- Justice Louis Brandeis, 1914
  - ***“Sunlight is the best disinfectant”***
- What needs disinfecting?
- We believe that greater transparency leads to more truthfulness, which in turn leads to greater trustworthiness
- So if we want to drive the kind of positive, progressive and purposeful reforms that are desperately needed, we need more transparency



# What needs disinfecting?

- There is a plethora of problems that need sorting in the financial services sector
- Consider the data within Violation Tracker UK, which shows that financial services is the most violating of all industries  
<https://violationtrackeruk.goodjobsfirst.org/top-industries>

**VIOLATION**  
**TRACKER UK**

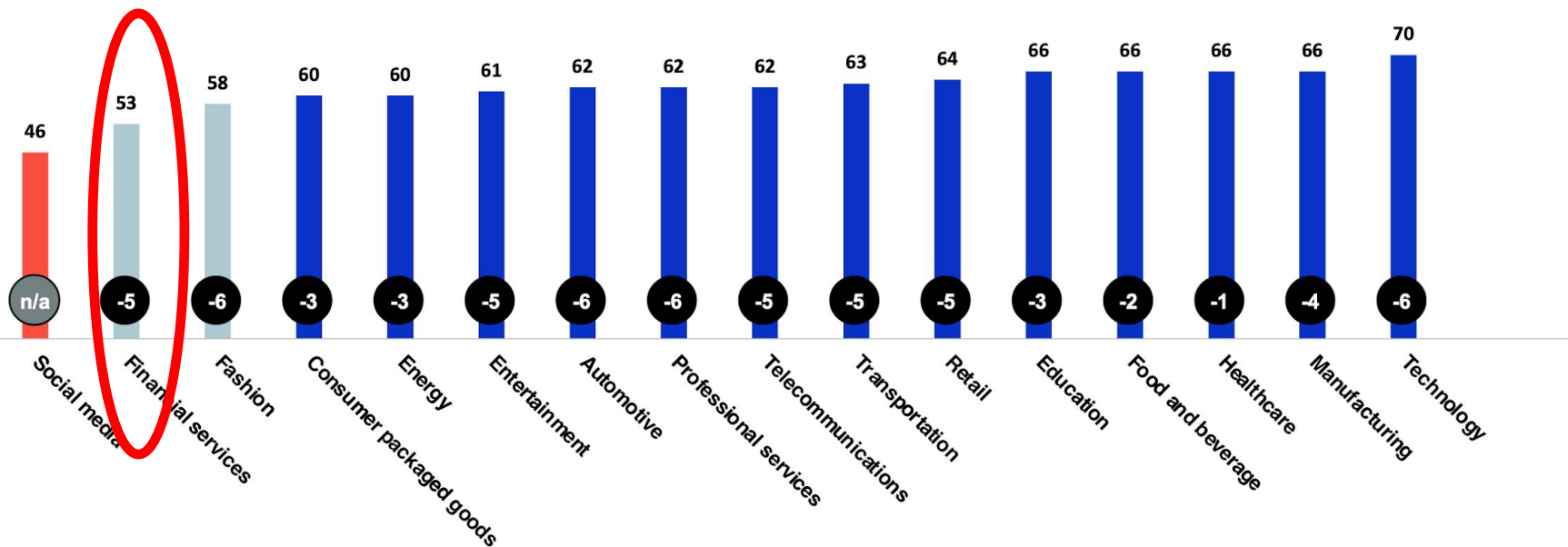


# Poor market conduct leads to distrust

## The 2021 Edelman Trust Barometer

### TRUST DECLINES ACROSS SECTORS

Percent trust in each sector





# The Theory of Constraints

- The Theory of Constraints is a well-established approach to maximising performance of an organisation
- It is about focusing on what matters most
- The Theory of Constraints is relevant in two dimensions:
  - Firstly, in terms of the constraints that are holding back the financial services sector from achieving its true potential
  - Secondly, in terms of the constraints that hold back TTF from achieving its true potential in as a force for good in the sector
- Our Plans and Priorities for 2022 have been developed with the Theory of Constraints in mind
- See: <https://www.goldratt.com/>



# The TTF is highly constrained

- We have very limited resources
- The plethora of problems in the FS sector means that TTF must prioritise
- Until now, if a problem has been identified, I have tended to think ***“If I might be able to help, I’ll do it”***
- That’s a nice attitude to have, but it’s not sustainable because if I carry on in that way I’ll burn myself out
- I therefore need to change my ways





# I need to stop “red-lining it”

- I work 6 or 7 days per week
- Apart from a break over this holiday season and couple of days last Christmas, I haven't had a day off between Monday and Friday since lockdown
- I sometimes work in the middle of the night - I wake with ideas/problems, can't go back to sleep so go downstairs and work
- I'm paying a price in terms of health consequences
- I desperately need to get fit
- I'm paying a price in terms of work/life balance, impact on my family
- The law of diminishing returns applies - you get less effective when you work excessively
- I could actually achieve more by working less, and differently
- I need to work smarter, not harder
- I need to be more like ***“The conductor of the orchestra”*** and less like one of the musicians, acting more strategically and less tactically



# Considering the emotional perspective

- Despite the sense in changing my ways, the thought of not having an attitude of ***“If I might be able to help, I’ll do it”*** makes me feel awkward and guilty - I have always found it difficult to “say no” when help is needed
- The choice seems to be between:
  - Be exhausted/ experience diminishing returns / and not feel awkward and guilty; or
  - Don’t be exhausted/ be efficient/ but feel awkward and guilty



# The key decision I have made

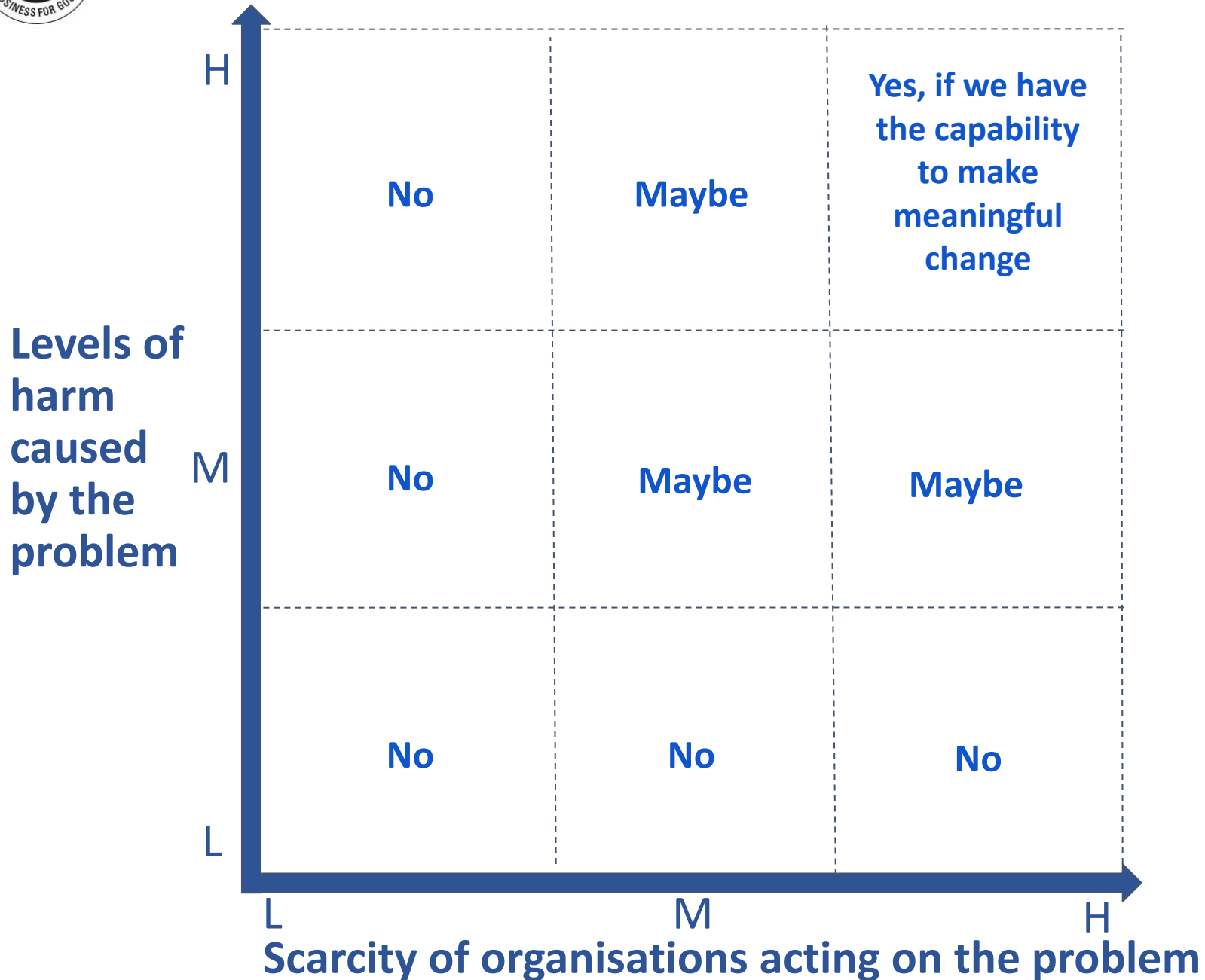
- I have decided to try to make it the latter
- I am hoping that that successful outcomes achieved through working in a more selective and focused way will make any feelings of guilt and awkwardness fade away as time goes by
- I also hope that I will find ways of helping indirectly in the areas where I can't help directly
- Overall, I must move from thinking *“If I might be able to help, I’ll do it”* to thinking more like *“If it makes sense for me to do it, I’ll do it”*
- This leads to two key questions:
  - ***What determines if something makes sense for TTF to do?***
  - ***And if TTF should do it, who within TTF is best placed to do it?***

# The 4 test questions to determine whether “to do, or not to do”

1. What **levels of harm are being caused by the problem?**
  - Low/Moderate/**High**
2. What's the **scarcity of organisations acting on the problem?**
  - Low/Moderate/**High**

Those first 2 questions gives us a 3 x 3 matrix onto which we could plot all our possible campaign activity

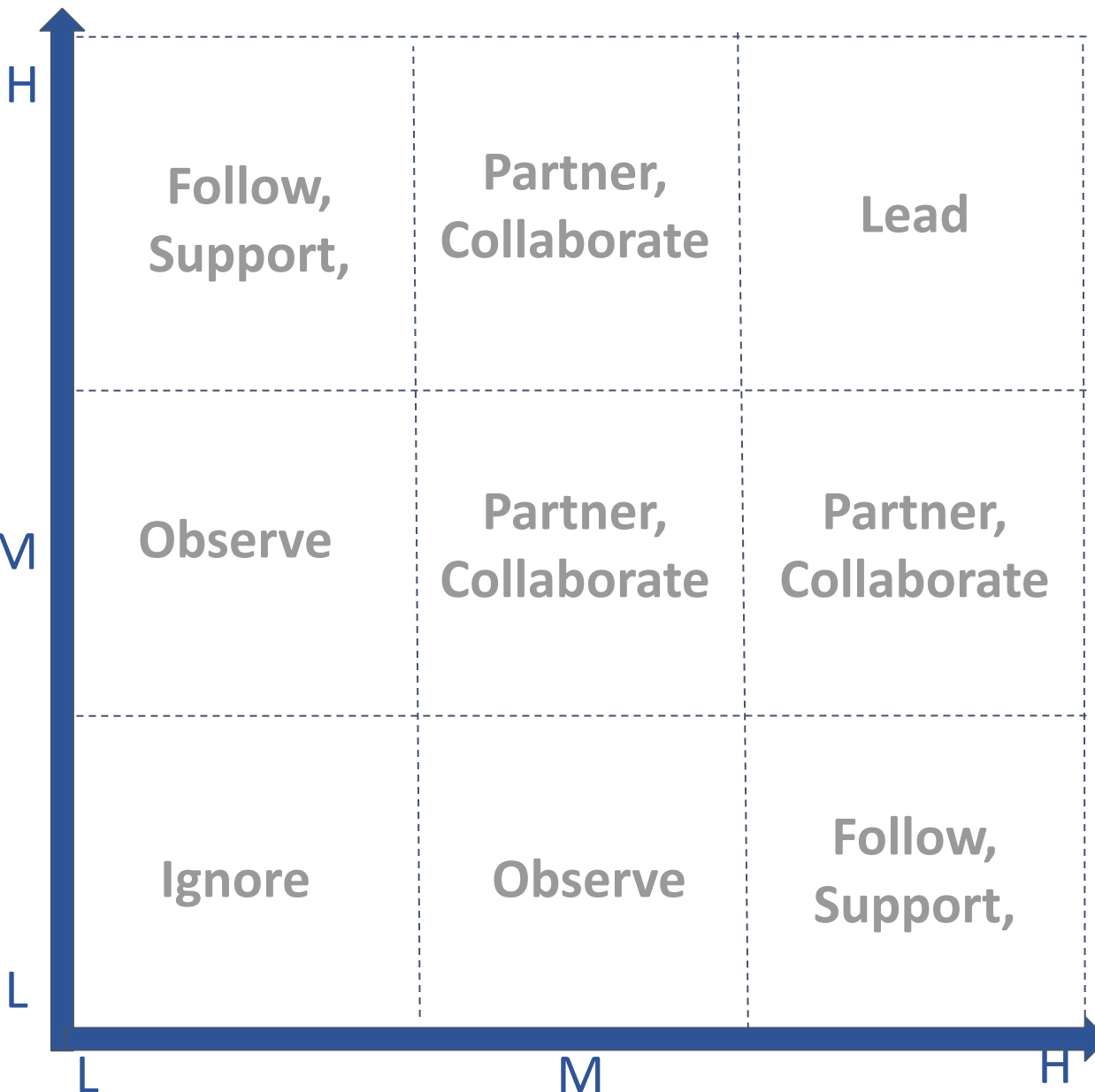
# The “to do or not to do” chart:





# The “to do or not to do” chart:

Levels of harm caused by the problem



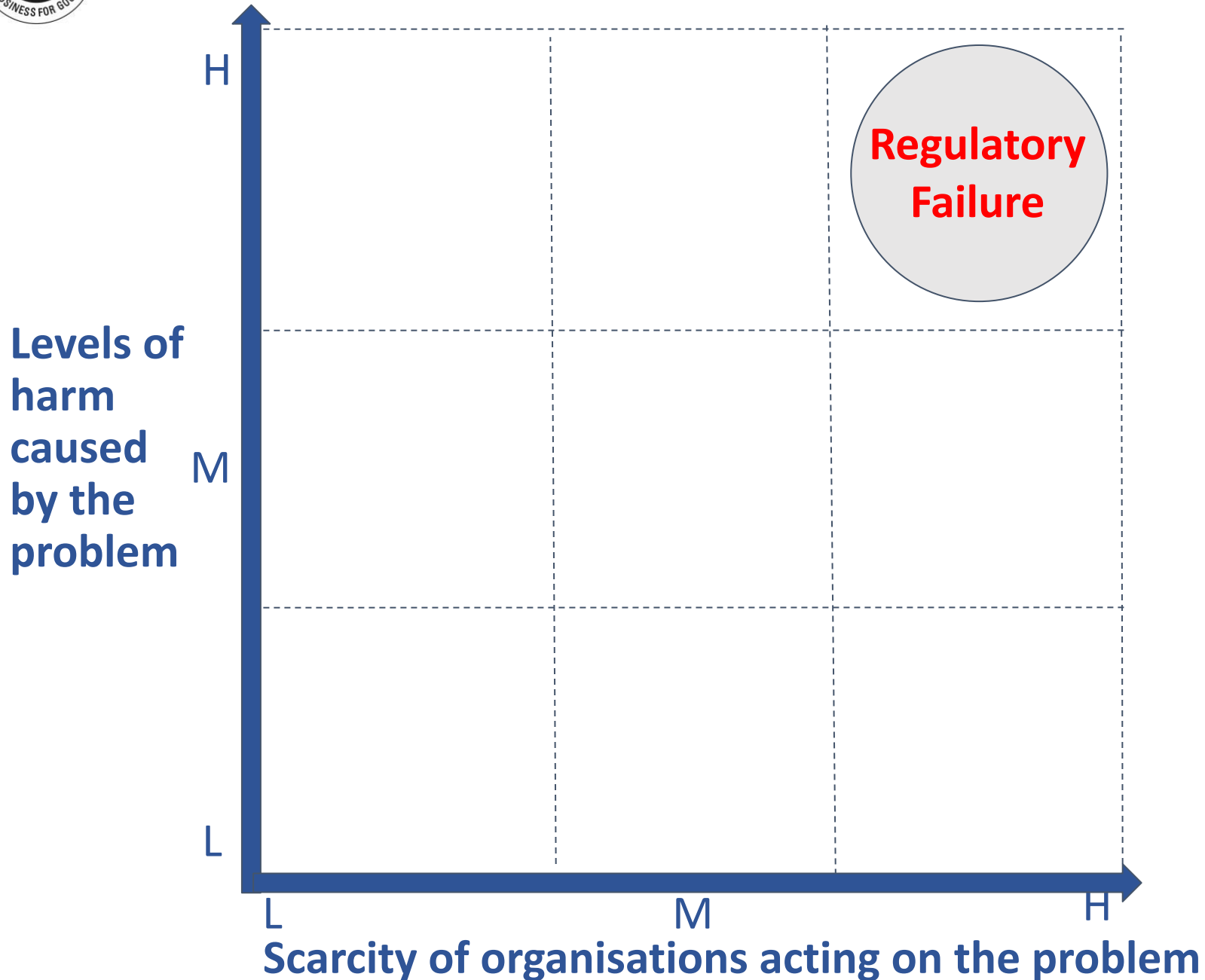
Scarcity of organisations acting on the problem

# The 4 test questions to determine whether “to do, or not to do”

1. What **levels of harm are being caused by the problem?**
  - Low/Moderate/**High**
2. What’s the **scarcity of organisations acting on the problem?**
  - Low/Moderate/**High**
3. What’s the size of our capability to make a meaningful difference?
  - Small/Moderate/**Big**
4. Are there factors creating a sense of **urgency** around the issue?
  - Low Urgency/Moderate/**High Urgency**

So, we should focus on where the levels of harm are high, where the number of organisations dealing with the problem are low, where we believe we are capable of making a meaningful difference and where there are compelling reasons to act sooner rather than later

# The “to do or not to do” chart:







# How we see the Regulatory Failure landscape

- As mentioned earlier, our mission as a Certified Social Enterprise is ***“To promote ongoing reform of the financial services sector, so that it serves society better”***
- We are all about improving conduct in the financial sector
- We believe that if there was effective financial services regulation, many of the issues that concerns us would be getting dealt with
- We therefore want effective financial services regulation
- Regulatory Failure is a major problem, right around the world
- Always, and everywhere, there is a risk of regulatory capture; this is not a criticism of the individuals concerned; it is a harsh reality of any regulatory ecosystem
- It applies to all regulated markets; but the evidence shows that the financial services sector is particularly prone to it



# How we see the Regulatory Failure landscape Continued

- Therefore, the blueprint for all the world's financial regulatory frameworks must be cognisant of that fact
- There need to be sufficient counterweights to the influence of industry lobbying that leads to regulatory capture and conflicts
- TTF is an international organisation and we want to deal with financial regulatory failure issues wherever they occur, through our international network of Ambassadors and members
- Given that we are UK based, we will initially focus on the issues in the UK, with a view to then tackling problems in other countries

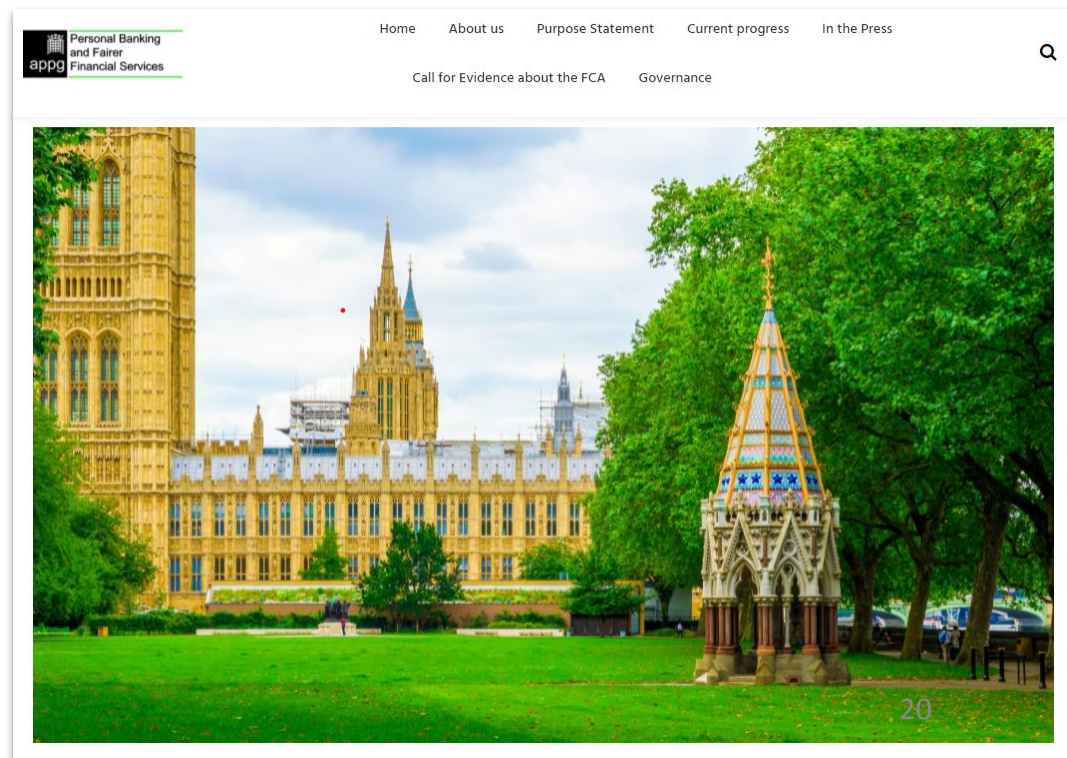


# The significance of the FCA

- The FCA is a very important organisation in the UK's financial regulatory landscape
- It is the primary conduct regulator
- When I started TTF 6 years ago, I thought the FCA was a big part of the solution
- But over the last 6 years, having absorbed all the evidence I have encountered from a multitude of sources, I have gradually come to the conclusion that the FCA is actually a big part of the problem
- I am saddened that this is the conclusion I have come to
- In short, the FCA is riddled with issues
- We have learned a great deal about the FCA and its many issues

# The FCA and its issues

- Many of our members are individuals who have suffered due to regulatory failure by the FCA
- Many of our events have been about topics that relate to the FCA
- The shortcomings of the FCA come up time after time in conversations
- Uniquely, our knowledge of the FCA has been enhanced even further through our role as the Secretariat to the APPG on Personal Banking and Fairer Financial Services, which has been carrying out an extensive Call for Evidence about the FCA





# A mountain of damning evidence about the FCA is getting into the open

- The independent Gloster Report:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/945247/Gloster\\_Report\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945247/Gloster_Report_FINAL.pdf)
- The supposedly “independent” Parker Report  
<https://www.fca.org.uk/publication/corporate/connaught-independent-review.pdf>
- Over 120 other written submissions to the APPG’s Call for Evidence
  - Which includes testimony from FCA staff
- The many video testimonies for the Call for Evidence about the FCA:  
<https://appgonpersonalbankingandfairerfinancialservices.org/call-for-evidence-about-the-fca/videos-and-testimonies>
- The video recordings of the many events we have run that are relevant to catastrophic regulatory failure:  
<https://www.youtube.com/channel/UCTCbg4XfSBzvmneA2hUVvg/videos>
- The Swift Review  
<https://www.fca.org.uk/publication/corporate/independent-review-of-interest-rate-hedging-products-final-report.pdf>
- The excellent reporting by some investigative journalists  
[https://twitter.com/jameshurley/status/1470720018795180043?ref\\_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Etweet](https://twitter.com/jameshurley/status/1470720018795180043?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Etweet)

**IRHPGate! - February 1st, 12pm to 1:30pm!**

# A mountain of damning evidence about the FCA is getting into the open - continued

- The video recordings of the many events we have run that are relevant to catastrophic regulatory failure:
  - Optimising the Regulatory Approach to Approving Financial Promotions:  
<https://www.youtube.com/watch?v=tn7aqcm8anE>
  - Are Regulators Rushing to Minimise Complaints and Compensation for their Failings?  
<https://www.youtube.com/watch?v=KF4laVXszSY>
  - Fixing Banking - dedicated to the memory of Paul Moore R.I.P.  
<https://www.youtube.com/watch?v=TQufL5bBmQc>
  - Are the UK's Financial Regulators Failing?  
<https://www.youtube.com/watch?v=vs3JGzUuPlg&t=8s>
  - About the FCA's Consumer Investment Markets Consultation:  
<https://www.youtube.com/watch?v=klqr5PBKMk8>
  - Are the Financial Regulators fit for Purpose?  
<https://www.youtube.com/watch?v=5luvLfVwJRY>

# A mountain of damning evidence about the FCA is getting into the open - continued

- Fraud and the Fight to Fix it - reflections from a retiring Police Crime Commissioner:  
<https://www.youtube.com/watch?v=9sYJ2dAw6Ug&t=80s>
- The Blackmore Bond Scandal; and why it really matters:  
<https://www.youtube.com/watch?v=jhLnjirfUZQ&t=6s>
- The Essential Ingredients for Effective Financial Regulation:  
[https://www.youtube.com/watch?v=wVY\\_nE1V04w](https://www.youtube.com/watch?v=wVY_nE1V04w)
- The Interest Rate Hedging Products Scandal and why it really matters:  
<https://www.youtube.com/watch?v=IViXgkW116g&t=17s>
- The RBS Scandal; and why it really matters:  
<https://www.youtube.com/watch?v=EVz4ZsCvNcQ&t=6s>
- The Case for Radical Reform of the Banking Sector:  
<https://www.youtube.com/watch?v=OjlkfXVh4QM&t=22s>
- The Premier FX Fraud Fiasco; and why it really matters  
<https://www.youtube.com/watch?v=NBnklclAQs4&t=6s>
- The Lloyds Bank Scandal and why it really matters:  
[https://www.youtube.com/watch?v=BDpN\\_DgO70E&t=7s](https://www.youtube.com/watch?v=BDpN_DgO70E&t=7s)



# A mountain of damning evidence about the FCA is getting into the open - continued

- The FCA's Consultation on Consumer Duty and Why it should be a Duty of Care:  
<https://www.youtube.com/watch?v=LcO-OfJE6LY>
- Why our Financial Regulatory Framework is Failing; and what should be done about it:  
[https://www.youtube.com/watch?v=ibJKE\\_aJWeg&t=105s](https://www.youtube.com/watch?v=ibJKE_aJWeg&t=105s)
- The FCA's Transformation Programme; and beyond  
<https://www.youtube.com/watch?v=TrwKuQCefuw>
- Turning the Tide on Dirty Money  
<https://www.youtube.com/watch?v=-RIJrUVYFIA&t=4842s>
- Interim Conclusions of the Bank Signature Forgery Campaign:  
[https://www.youtube.com/watch?v=ES\\_D7JDHySA&t=1047s](https://www.youtube.com/watch?v=ES_D7JDHySA&t=1047s)
- And there is more here:  
<https://www.youtube.com/channel/UCTCbq4XfSBzvzMneA2hUVvg/videos>





# On balance, what does the evidence show?

- *I believe that most reasonable, independent, unconflicted, dispassionate and objectively-minded people who evaluate the mountain of evidence about the FCA that is now coming to the surface would come to a similar conclusion to us, which is that...*



# There's something seriously wrong at the FCA

- It has cultural and leadership issues that run very deep
- It is captured, at least to a degree
- It is conflicted, at least to a degree
- It is confused about its purpose and priorities, at least to a degree
- It has too many cosy relationships with the sector's trade bodies such as UK Finance; and the sector's "big beasts" such as the banks
- There is a woeful lack of transparency, truthfulness and trustworthiness
- There is a woeful lack of oversight and accountability
- Those to whom it is accountable are too soft on it - Treasury Select C'tee
- It fails to act in good faith, too often
- It is dishonest, too often
- It tries very hard to cover up its mistakes, too often
- It has exploited and abused vulnerable whistleblowers; it has put them in harm's way, to protect the FCA's own interests, too often
- It acts immorally, too often



# There's something seriously wrong at the FCA

## - continued

- It is self-serving
- It fails to make good use of the powers that it has
- It fails to enforce effectively
- It has a huge “Revolving Door” problem that it allows to perpetuate
- Its Financial Services Consumer Panel is no longer effective
- Its Consumer Networks are not effective enough
- It fails to harness the power of deterrent
- It has misinformed Parliament
- It is open to the Treasury’s “Competitiveness” agenda, when doing so will lead to even more consumer harm
- **The vast majority of its employees are very good and highly capable people that want to do an important job well, but they are held back from doing so by the organisation itself**

# There's no reason for confidence about the Transformation Project that is underway

- Einstein: *“We cannot solve our problems with the same thinking we used to create them”*
- The appointment of Megan Butler
- The appointment of her replacement, Emily Shepperd
- Nikhil Rathi’s background - Ex Treasury, former CEO of the London Stock Exchange, his role will have included the needed to sell the UK; this suggests likely bias on the “competitiveness” agenda - race to the bottom etc
- The “Lesley” interview - FCA employee calls on lawmakers to urgently scrutinise FCA’s entirely toxic culture:  
<https://www.fnlonon.com/articles/fca-employee-calls-on-lawmakers-to-urgently-scrutinise-fcas-entirely-toxic-culture-20211206>
- Depending on where you are on the “cynical spectrum”:
  - *“The FCA is not fit for purpose”* or
  - *“The FCA is not fit for purpose, by design”*



# Given what we believe, we should

- Continue to be a “critical friend” to the FCA
- Continue to gather evidence about the FCA’s failings
- Shine a light on that evidence - **“Sunlight is the best disinfectant”**
- Invest time trying to fully understand why the FCA behaves the way it does - a voyage of discovery likely to be answered by achieving a full understanding of the incentives at work that encourage senior people at the FCA to think and behave the way they do Charlie Munger’s famous saying “show me the incentives and I’ll show you the outcome” seems quite apt
- Identify and do our best to deal with the long list of issues, that will become our battlegrounds for regulatory reform

# Battlegrounds and Battleplans for 2022

Duty of Care, Private Right to Action and Pathfinding for Class Actions		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>• Make the case for a private right of action to accompany Consumer Duty</li> </ul>	<ul style="list-style-type: none"> <li>• This would increase the chance that consumers will be compensated if they are ripped off</li> <li>• This would dramatically improve market conduct, because companies would know they were in real jeopardy if they acted badly</li> <li>• This would reduce the introduction of poor products entering the market</li> <li>• If a Private right of Action can be achieved, the next step would be to campaign for the introduction of Class Actions in the UK, based on the approach taken in the US. This will lead to low cost and low risk access to justice for those that have been harmed by the FS sector</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to highlight the fact that the FCA has not consulted as Parliament wanted</li> <li>• Continue to actively engage with Parliamentarians - through the 2 APPGs we run, through those that spoke about this matter in the Financial Services Act 2021; and others known to be “on-side”</li> <li>• Recruit a Response Team for the 2nd Consumer Duty consultation</li> <li>• Organise and apply our Public Relations and Public Affairs capability</li> <li>• Work with other consumer groups to encourage them to amplify our arguments, and if aligned for TTF to amplify theirs.</li> <li>• Consider developing “An alternative Consumer Network”</li> <li>• Recruit “working party” volunteers</li> <li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

## Independent Enquiries into Outstanding Regulatory Failure Cases

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>• Successfully campaign for independent enquiries to be opened</li> </ul>	<ul style="list-style-type: none"> <li>• The victims of several catastrophic regulatory failure cases deserve justice and compensation</li> <li>• They have either not had an enquiry at all (e.g. Blackmore Bond) or the enquiry they have had has not been sufficiently independent (e.g. Connaight)</li> <li>• Make case for reports into Woodford, Blackmore Bond, Collateral, PremierFX, Lendy, Funding Secure etc</li> <li>• Argue for genuine independence (victims consulted on reviewer, terms of reference, protocols etc)</li> <li>• Independent enquiries will also help to accelerate the much-needed reform of the regulatory framework as they will help to further highlight what is wrong that needs fixing</li> </ul>	<ul style="list-style-type: none"> <li>• Create a forum for scam victim Action Group leaders to be able to work together</li> <li>• Continue to gather evidence</li> <li>• Continue to “parade the problem”</li> <li>• Actively campaign for independent enquiries</li> <li>• Engage with the media</li> <li>• Engage with Parliamentarians</li> <li>• Work with other consumer groups to encourage them to support and amplify our campaign work</li> <li>• Recruit “working party” volunteers</li> <li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

## The FCA's Complaints and Compensation Scheme

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>• The FCA is reforming its complaints and compensation scheme and we believe the evidence suggests it wants to make itself even more immune from having to pay compensation</li> <li>• We want to help ensure the FCA's complaints and compensation scheme works as Parliament originally intended - fairly</li> </ul>	<ul style="list-style-type: none"> <li>• Many people, including the victims of several catastrophic regulatory failure cases deserve justice and compensation</li> <li>• By the FCA becoming more accountable for its failures the rate at which it is positively reformed will accelerate</li> </ul>	<ul style="list-style-type: none"> <li>• To closely scrutinise the FCA's action in this space and to stand ready to speak out if it behaves inappropriately or even illegally</li> <li>• Consider the optimum timing of publication - could be linked to the FCA's Annual Public Meeting, or the publication of its own Annual Report</li> <li>• Engage with the media</li> <li>• Engage with Parliamentarians</li> <li>• Work with other consumer groups to encourage them to support and amplify our campaign work</li> <li>• Recruit "working party" volunteers</li> <li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>



# Battlegrounds and Battleplans for 2022

## Annual Assessment and Rating of the FCA

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>To produce an annual assessment and rating of the FCA's performance</li> </ul>	<ul style="list-style-type: none"> <li>Such an assessment will shine a bright light on the realities of the FCA and act as a counterweight to its extensive Public Relations and Public Affairs self-promotion</li> <li>The assessment will help to galvanise support for reform of the FCA</li> </ul>	<ul style="list-style-type: none"> <li>To closely scrutinise the FCA's performance and to produce an evidence-based report that is genuinely objective and balanced</li> <li>To base our approach on the reports produced by the FCA's Financial Services Consumer Panel when under the leadership of John Howard (who is now the Chair of TTF's Advisory Group)</li> <li>Engage with the media</li> <li>Engage with Parliamentarians</li> <li>Recruit "working party" volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

## Win hearts and minds of Parliamentarians

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>To achieve high levels of understanding amongst Parliamentarians about the need for reform of the FCA</li> </ul>	<ul style="list-style-type: none"> <li>Parliamentarians are in a good position to influence the FCA and to influence the entities that influence the FCA</li> <li>Generally-speaking they are unaware of the FCA's failings - our role will be to brief them on that, including for example to raise their awareness of the FCA being very tardy in getting reports e.g. on the banking scandals</li> </ul>	<ul style="list-style-type: none"> <li>To closely scrutinise the FCA's performance and to produce an evidence-based report that is genuinely objective and balanced</li> <li>To base our approach on the reports produced by the FCA's Financial Services Consumer Panel when under the leadership of John Howard (who is now the Chair of TTF's Advisory Group)</li> <li>Carry out briefings for Parliamentarians</li> <li>Produce support packs that would enable constituents to contact their MPs about relevant matters, e.g. to provide standard letter wording</li> <li>To create a constituency by constituency gameplan</li> <li>Engage with the media</li> <li>Engage with Parliamentarians</li> <li>Recruit "working party" volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

## Oppose the “Competitiveness” Agenda

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>Prevent the financial regulators becoming even more conflicted than they are now by them being given a statutory objective to promote competitiveness of the UK’s Financial Sector</li> </ul>	<ul style="list-style-type: none"> <li>It appears HM Treasury are using the “Future Financial Regulatory Framework” consultation to water down the efficacy of our regulatory framework post Brexit, on the basis that lighter regulation will lead to greater success of The City of London</li> <li>We believe a deregulatory agenda will be highly problematic in the medium and long term as it will cause harm to individuals and society as a whole through excessive financialisation of the entire economic ecosystem and we therefore wish to campaign against it</li> <li>To help prevent a “race to the bottom” and consumer detriment</li> </ul>	<ul style="list-style-type: none"> <li>Work collaboratively with the Finance Transformation Network (Finance Innovation Lab + Positive Money)</li> <li>Consider how we can learn from other countries; for example the repealing of the Glass Steagall Act in the USA contributed significantly to the Global Financial Crisis</li> <li>Run an event to galvanise support for resistance to the deregulatory agenda</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Respond to the consultation</li> <li>Recruit “working party” volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

## Improve Governance, Transparency, Scrutiny and Accountability of the FCA

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>There is a woeful lack of governance, transparency, scrutiny and accountability of the FCA</li> </ul>	<ul style="list-style-type: none"> <li>The lack of of governance, transparency, scrutiny and accountability of the FCA leads to it underperforming in relation to its statutory objectives, particularly in relation to providing an appropriate degree of protection for consumers</li> <li>Providing better governance, transparency, scrutiny and accountability of the FCA will lead to a better regulatory framework with issues such as conflicts of interest and regulatory capture being better handled</li> </ul>	<ul style="list-style-type: none"> <li>Learn about how other countries are making progress on this issue by collaborating with credible thought leaders e.g. Dr. Andy Schmulow in Australia</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit “working party” volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

Rid the internet of scam and financial crime advertising		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>Remove advertising by criminals</li> </ul>	<ul style="list-style-type: none"> <li>Consumers are routinely exposed to great peril due the abundance and ongoing proliferation of advertising by criminals</li> </ul>	<ul style="list-style-type: none"> <li>Continue to campaign for this kind of advertising to be included in the Online Safety Bill</li> <li>Investigate where the resistance to these popular reforms is coming from - are organisations such as Google and Facebook lobbying Government successfully?</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit “working party” volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

Deal with misleading advertising of Retail FX Services		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>Remove misleading advertising by some providers of Retail FX Services</li> </ul>	<ul style="list-style-type: none"> <li>Consumers are being misled and mis-sold retail FX services, which means they are paying higher costs and charges than they realise</li> <li>This is a highly profitable area so the resistance to change has been high; the FCA has been doing a poor job on this issue for several years since it took over responsibility for this matter from the Advertising Standards Board</li> <li>Tackling this issue will help with the general problem of regulatory capture and conflicts of interest at the FCA</li> </ul>	<ul style="list-style-type: none"> <li>Continue to campaign for reform through the FCA, CMA and Advertising Standards Board; either for the FCA to do what it has already committed to do, or by having the Advertising Standards Board take over this area of regulation again</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit “working party” volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

## Banks to properly protect customers from Authorised Push Payment Fraud and compensate when it is shown that they have failed to do so

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>• Ensure banks comply with their existing responsibilities</li> <li>• Campaign for the banks to become even more responsible for safeguarding their customers interests</li> </ul>	<ul style="list-style-type: none"> <li>• APP Fraud is a huge and growing issue causing enormous consumer detriment</li> </ul>	<ul style="list-style-type: none"> <li>• Engage with Parliamentarians</li> <li>• Engage with the media</li> <li>• Recruit “working party” volunteers</li> <li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

Bank Signature Forgeries		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>Expose the malpractice by banks that have been forging signatures for their benefit at the expense of customers</li> </ul>	<ul style="list-style-type: none"> <li>Exposing the malpractice will help to achieve justice and compensation</li> <li>It will also help to highlight the failings by relevant authorities including the FCA and the National Crime Agency</li> </ul>	<ul style="list-style-type: none"> <li>Work with the Bank Signature Forgeries Campaign</li> <li>Campaign for a full and independent enquiry and for the FCA to properly enforce</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit “working party” volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>



# Battlegrounds and Battleplans for 2022

## Exposing the Human Cost and Suffering Due to Failings by the Financial Services Sector and its Regulators

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>To raise awareness of the scale of the humans cost and suffering caused by failings by the financial sector and its regulators</li> </ul>	<ul style="list-style-type: none"> <li>To show that there is urgent need for reform, The way the FSCS operates is akin to a “Regulatory Failure Tax”</li> <li>Innocent intermediaries with clean compliance records and very high professional and ethical standards are required to pay a high levy; much of which goes towards paying compensation to victims of malpractice that have been exploited by criminals and/or unethical actors who have been able to operate at least in part by regulatory failure</li> <li>It will also help to highlight the failings by relevant authorities including the FCA</li> </ul>	<ul style="list-style-type: none"> <li>Produce a White Paper that shares the stories of many individuals that have been harmed</li> <li>Publish the White Paper at a Launch Event scheduled for March 1st</li> <li>Galvanise support for reform through the White Paper and its launch even</li> <li>Campaign for a full and independent enquiry into the matter</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit “working party” volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

## The Financial Services Compensation Scheme

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>For the FSCS to be overhauled such that it is fairer</li> </ul>	<ul style="list-style-type: none"> <li>The way the FSCS operates is akin to a “Regulatory Failure Tax”</li> <li>Innocent intermediaries with clean compliance records and very high professional and ethical standards are required to pay a high levy; much of which goes towards paying compensation to victims of malpractice that have been exploited by criminals and/or unethical actors who have been able to operate at least in part by regulatory failure</li> <li>It will also help to highlight the failings by relevant authorities including the FCA</li> </ul>	<ul style="list-style-type: none"> <li>Recruit aligned organisations e.g. highly reputable financial services firms that want to co-campaign</li> <li>Campaign for a full and independent enquiry into the matter</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit “working party” volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

Remedy the lack of true consumer engagement and representation in the regulatory ecosystem		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>To achieve proper consumer engagement and representation</li> </ul>	<ul style="list-style-type: none"> <li>There is a harmful lack of consumer engagement and representation that leads to consumer detriment and poor regulation and regulatory enforcement</li> </ul>	<ul style="list-style-type: none"> <li>To actively campaign for greater consumer engagement and representation</li> <li>Working on the FCA's Financial Services Consumer Panel - campaign for it to be given a statutory objective that will provide greater freedom from the curtailing influence of the FCA</li> <li>Working on the FCA's Consumer network</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit "working party" volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>



# Battlegrounds and Battleplans for 2022

## Remedy the Revolving Door Problem

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"><li>• To reduce the incidence and severity of the revolving door problem</li></ul>	<ul style="list-style-type: none"><li>• The Revolving Door problem creates conflicts of interest and regulatory capture</li></ul>	<ul style="list-style-type: none"><li>• To actively campaign for reform in this space</li><li>• To learn how other countries are tackling this problem</li><li>• To share and promulgate best practice</li><li>• Engage with Parliamentarians</li><li>• Engage with the media</li><li>• Recruit “working party” volunteers</li><li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li></ul>



# Battlegrounds and Battleplans for 2022

## The Economic Crime Bill and Failure to Prevent Legislation

What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"><li>• To help ensure the Economic Crime Bill robustly deals with the underlying causes of malpractice and in the financial sector, including for the introduction of greater accountabilities for action by those in a position to defend integrity of the system</li></ul>	<ul style="list-style-type: none"><li>• Economic Crime is a big and growing problem, especially for the UK</li><li>• We all want a financial ecosystem that is stable and has integrity</li></ul>	<ul style="list-style-type: none"><li>• To actively campaign for reform in this space</li><li>• Engage with Parliamentarians</li><li>• Engage with the media</li><li>• Recruit “working party” volunteers</li><li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li></ul>

# Battlegrounds and Battleplans for 2022

Upholding the Nolan Principles of Conduct in Public Office		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>To help ensure the Nolan Principles of conduct in public office are being observed by the FCA</li> </ul>	<ul style="list-style-type: none"> <li>To ensure the integrity and credibility of our regulatory system</li> <li>To oppose regulatory capture</li> </ul>	<ul style="list-style-type: none"> <li>To actively scrutinise the FCA's conduct in relation to the Nolan Principles</li> <li>To call out apparent/potential breaches</li> <li>Engage with Parliamentarians</li> <li>Engage with the media</li> <li>Recruit "working party" volunteers</li> <li>Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

To protect whistleblowers		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>• To help ensure whistleblowers receive the protection they deserve and are entitled to</li> <li>• To help ensure any failure by the FCA is publicised</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure the integrity and credibility of our regulatory system</li> <li>• To oppose regulatory capture</li> <li>• To help defend the innocent from abuse and exploitation</li> </ul>	<ul style="list-style-type: none"> <li>• To actively campaign in this space</li> <li>• To call out apparent/potential breaches</li> <li>• Engage with Parliamentarians</li> <li>• Engage with the media</li> <li>• Recruit “working party” volunteers</li> <li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>

# Battlegrounds and Battleplans for 2022

To use Violation Tracker UK to highlight malpractice by the FS sector		
What? - the goal	Why? - the benefits	How?- the battle plan
<ul style="list-style-type: none"> <li>• To help ensure whistleblowers receive the protection they deserve and are entitled to</li> <li>• To help ensure any failure by the FCA is publicised</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure the integrity and credibility of our regulatory system</li> <li>• To oppose regulatory capture</li> <li>• To help defend the innocent from abuse and exploitation</li> </ul>	<ul style="list-style-type: none"> <li>• To actively promote Violation Tracker UK</li> <li>• To highlight what its data shows</li> <li>• To continue to Chair its UK Advisory Board</li> <li>• Engage with Parliamentarians</li> <li>• Engage with the media</li> <li>• Recruit “working party” volunteers</li> <li>• Produce an evidence-based policy paper on this issue to form part of our manifesto for 2022</li> </ul>





# Don't forget the international perspective

- Through and beyond 2022, we plan to replicate our work on the problems with the FCA with other regulators, wherever it is clear that there is regulatory failure, wherever that may be in the world



# An important message to the FCA

- If the FCA genuinely believes any of our perceptions about it are wrong, we genuinely invite the FCA to disabuse us of any misunderstanding we have about them
- Until then, we will continue to think according to what the evidence shows we should think
- We may send the Chief Executive of the FCA a letter about this



# The FCA operates within an ecosystem

## How do the other actors influence it?

**HM Treasury**

**Bank of England**

**The FCA's  
Consumer  
Networks**

**The FCA's FS  
Consumer  
Panel**

**The  
Financial Conduct  
Authority**

**UK Finance**

**Parliament**

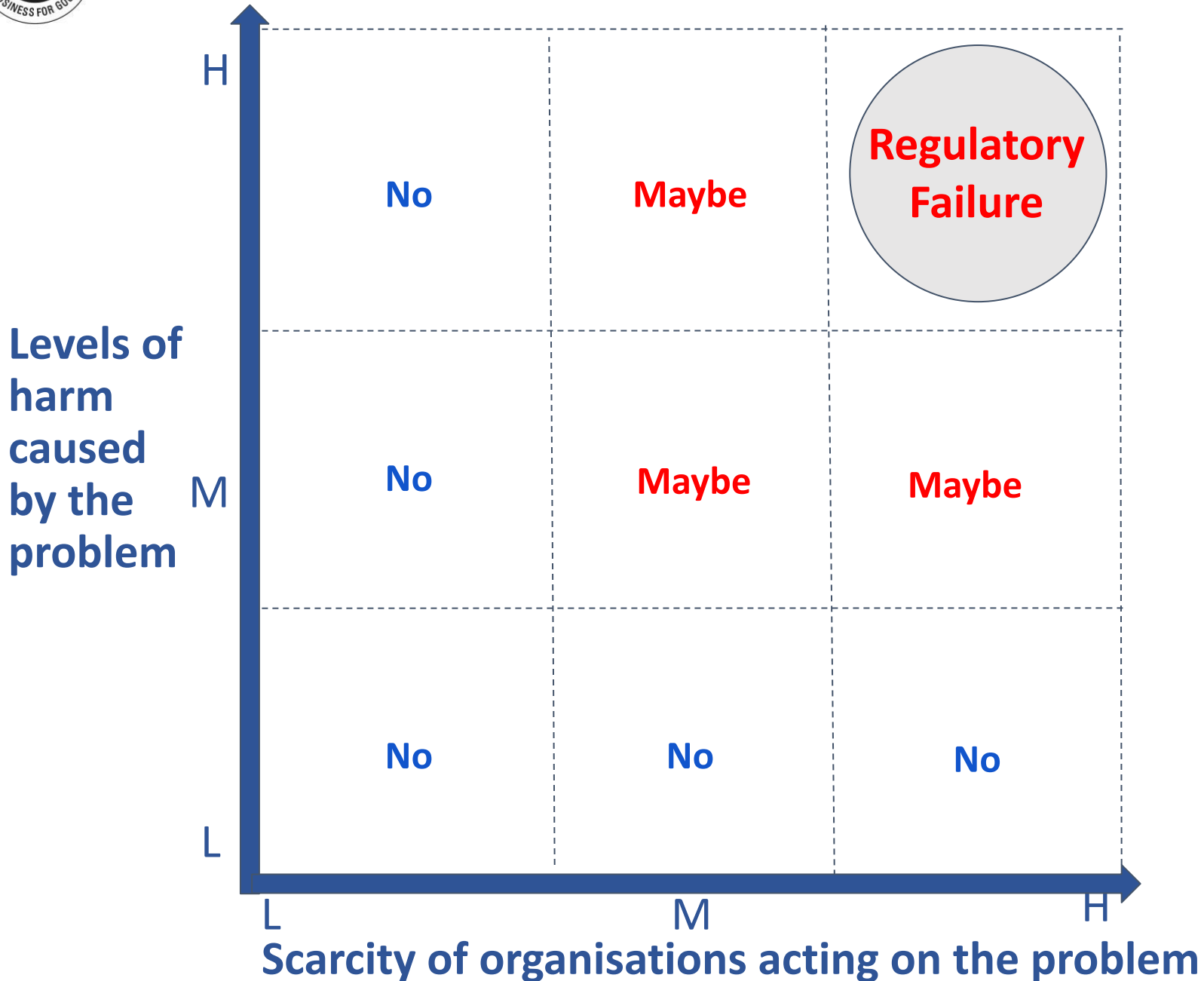
**The City of  
London**

**The Banks**

**The Public**

**The Government**

# The “to do or not to do” chart:





# Other battlegrounds, beyond the FCA

- Mortgage prisoners
- Misleading APR information on loans
- Litigation funding scams for divorce cases
- Corporate governance reforms
- Misleading communications
- The Financial Ombudsman Service
- Companies House
- The Insolvency Service
- HMRC's treatment of pension scam victims
- Losses through voluntary corporate actions
- Transparency on investment holdings
- BSI sustainability definitions
- Ethical leadership in financial services
- Transparency on costs and charges
- Transparency kitemark initiative



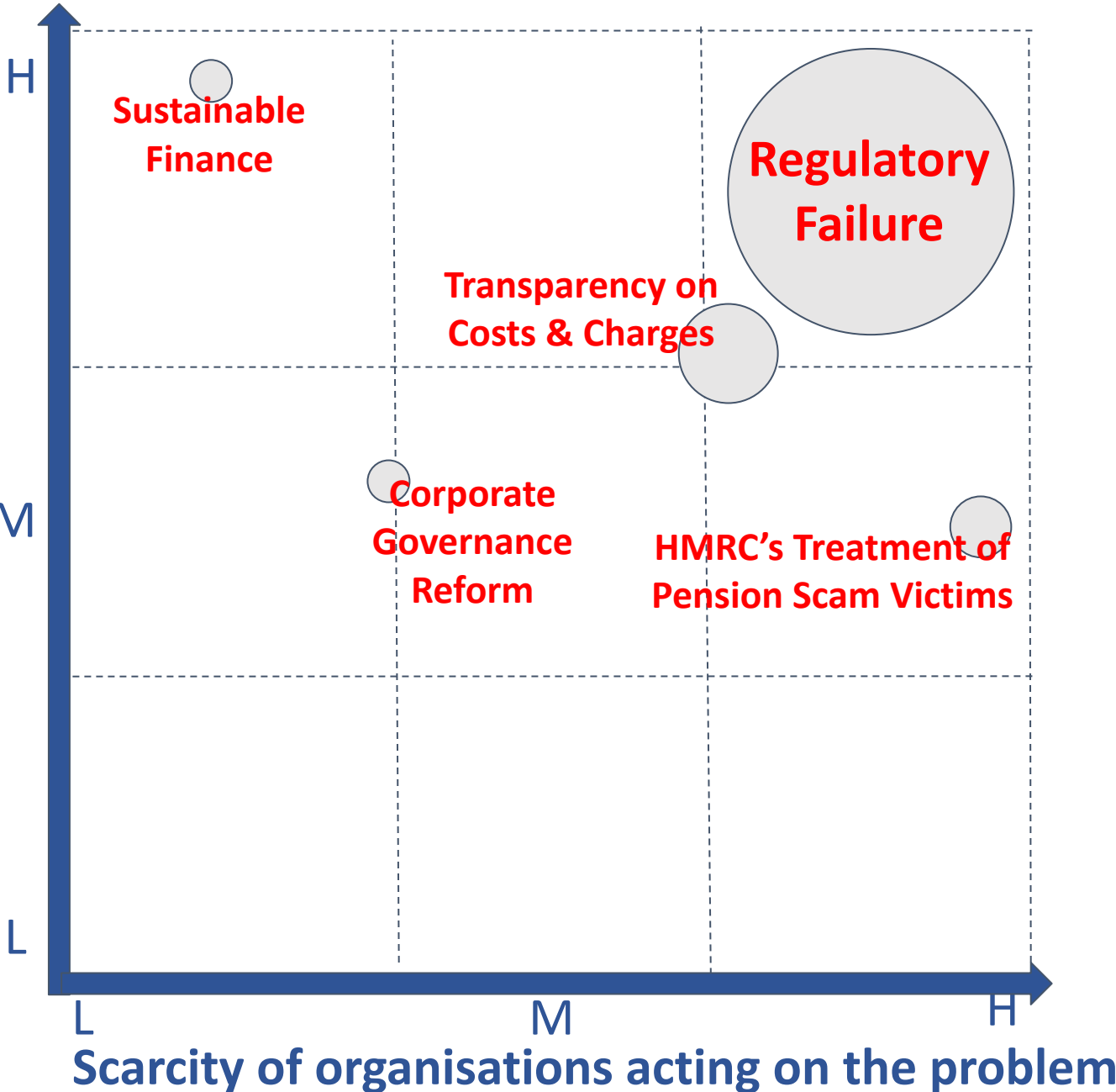
# Other battlegrounds, beyond the FCA Continued

- Protecting the Wealth of the Vulnerable Elderly
- Transparency on investment holdings
- Poor use of data standards in financial services
- Unfair treatment of females by the pensions system
- Developing a global financial services oath
- Better ESG for investments
- The role of complementary currencies
- Tackling excessive debt
- The excessive financialisation problem
- The lack of purposefulness in the finance sector
- The intersection of politics, business and finance

All of these other battlegrounds are somewhere on the chart, here's a few examples

# The “to do or not to do” chart:

Levels of harm caused by the problem





# What does all this mean for our Groups?

## Primary Groups

- Our Primary Groups are those that are in some way relevant to our work to remedy regulatory failure
- For 2022, we will be focusing most of our attention on them, and the associated campaign activity
- They are:
  - Scambusters
  - Regulators Watch
  - Whistleblowing
  - Secretariat to the APPG on Personal Banking and Fairer Financial Services
  - Secretariat to the APPG on Pension Scams
  - Foreign Exchange and Payments
  - Globalisation of Violation Tracker
  - VIP Mind Map initiative



# What does this mean for our Groups?

## Secondary Groups

- Our Secondary Groups are those that are not relevant to our Fixing the FCA initiative
- However, they remain very important to TTF's wider objectives
- We desperately need people to work with us on them
- We are actively looking for these groups to be “member-led”
- They are:
  - Academics for Fairer Finance
  - Authentic communications
  - Banks and Building societies
  - Data Standards in Financial Services
  - Financial Planning
  - Fintech, Disruptors, Interoperability and Open Finance
  - Global Financial Services Oath
  - Governance, culture and conduct



# What does this mean for our Groups?

## Secondary Groups - continued

- Females for Fairer Finance
  - Great insolvency scams
  - International League of Ethical Financial services Leaders
  - Investments
  - The money system
  - Pensions
  - PISCES
  - Protecting the Wealth of the Vulnerable Elderly
  - Unfair Debt
- 
- **Key point: if you want to work with us to help lead one or more of our Groups (primary or secondary) please get in touch**



# Other Priorities for 2022

- Funding
  - *“Fridays for Future and Funding”*
  - Growing our subscriber base
  - Trying to get funding from foundations
  - Trying to get funding from philanthropists
  - Trying to get funding from sponsors
  - Partnering with law/claims management firms
  - Supporting the Failure to Prevent work
  - Crowdfunding
- Operational
  - Contact management system
- International
  - Countries to drive forward national issues, but working on common themes where similarity is high e.g. regulatory failure
- Governance
  - Can we set up a charity with a board of trustees in 2022?



# Here's our Wish List!

- Wanted - volunteers
  - As mentioned earlier, for the TTF to achieve its full potential as a force for good in financial services, I need to move from ***“playing an instrument in the orchestra”*** to ***“being the conductor of the orchestra”***
  - Do you have an hour or more per month that you can volunteer?
  - What are you good at and enjoy doing that can help?
  - Could you help to lead one of our groups?
- Part-time PR/Public Affairs support from a big City agency
- More subscription members, donors and so on
- More people to help with consultation responses
- Anything anybody is willing to do to help - we really are fighting a David v Goliath battle, with our hands tied behind our backs - we need all the help we can get



**Questions,  
comments  
and  
suggestions,  
please!**