



Australian Citizens Party

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MEDIA RELEASE

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ALP-led inquiry blocks bank victims from enlarging focus onto the biggest financial abusers—banks

The Parliamentary Joint Committee on Corporations and Financial Services (PJCCFS) chaired by Labor Senator Deb O'Neill has refused to publish submissions many bank victims made to its inquiry into "the financial services regulatory framework in relation to financial abuse in Australia".

This continues a pattern from Labor, who for the nine years they were in Opposition through multiple Senate inquiries and the 2018 banking royal commission were the best friends of bank victims and financial victims, but in government have shown they have no intention of cleaning up banking misconduct or delivering justice and redress for financial victims.

In the 16 July episode of the excellent ["Corporate Grime" podcast](#), Associate Professor Andy Schmulow of the University of Wollongong School of Law identified the game the Labor and Liberal parties play when it comes to acting on corporate regulator ASIC's failure to police financial misconduct (in the context of Liberal Senator Andrew Bragg's hard-hitting Senate inquiry report calling for the abolition of ASIC):

"What is really disappointing and kind of weird and curious is that whoever is in Government and whoever is in Opposition seems to play the same role", Prof. Schmulow said. "Whoever is in Opposition criticises ASIC and calls for something to be done, and whoever is in government resists those calls. So for the last ten years it was, to be fair, Senator Andrew Bragg's party that was resisting calls for something to be done about ASIC, and it was [PM Anthony] Albanese's party that was calling for steps to be taken. Now the roles have been reversed, and the positions have been reversed. Now it's Bragg and the Liberals who are calling for something to be done and it's the Labor Party that is resisting that. ... I say to people Australia is not a two-party state, it's a one-party state—there's the Liberal Party, then there's the Diet Liberal Party."

What is financial abuse?

On 8 May, the Australian Citizens Party issued a release headlined: ["Tell Parliament to go after the biggest perpetrators of financial abuse—the banks"](#).

The release reported on the inquiry, which was established to look at how the banking system is used to facilitate financial abuse between family members, but noted this was an opportunity to push the government on following through on Labor's years of promising action on the banks' much bigger abuses, and urged bank victims to "make a submission to this inquiry, relaying your experience and demanding the Albanese government finally hold the banks to account".

Many bank victims made hard-hitting submissions about their experiences, which demonstrated beyond doubt that in terms of scale, the banks are far and away the biggest financial abusers in the country.

However, the Labor Party did not want their inquiry to address the elephant in the room.

Senator Deb O'Neill's PJCCFS replied to multiple bank victims with the same message:

"The committee is grateful for your time and effort in writing about your concerns and personal experiences in relation to banks and the banking system more generally. However, the committee has considered your submission carefully against the inquiry terms of reference and decided that the matters you raise, while clearly significant, fall outside the scope of the inquiry. This is because the issue of financial abuse in the context of the inquiry is concerned with interpersonal financial abuse (often occurring within a domestic violence context) as opposed to the impact of bank policies or behaviours on individuals in specific cases.

"Accordingly, the committee has decided to accept your submission as correspondence to the committee rather than as a public submission to the current inquiry."

This was a pathetic excuse by the committee, especially as the bank victims had ensured their submissions were in keeping with the terms of reference (TOR), as bank victim Michael Sanderson, who is a leader of the victims group Bank Warriors, made clear in his written reply to the committee,

which we reprint below.

Michael Sanderson letter to PJCCFS

Dear Committee secretariat

Thank you for your email.

You say my submission “fall[s] outside the scope of the inquiry” and “the issue of financial abuse in the context of the inquiry is concerned with interpersonal financial abuse (often occurring within a domestic violence context)”.

I have attached a copy of the “Terms of Reference” (TOR) and I am unable to find any reference to the limitations you specify. Words like “interpersonal” or “domestic violence” do not appear and even using the most liberal interpretation of the TOR are not even implied. The inquiry name “financial services regulatory framework in relation to financial abuse” unambiguously specifies something more than “interpersonal” or “domestic violence” issues.

Further you then say you will refer the issues of significant financial abuse I raise, to the abuser’s agent, the Australian Banking Association (ABA) and suggest I seek assistance from one of the primary abusers featured in my submission, the Australian Financial Complaints Authority (AFCA). Have you written to anyone that has suffered financial and/or domestic abuse and referred them to their abusers or their agents? This is in effect what you are doing in my case.

I put it to you that submissions that the Committee has already published are outside the criteria that you specify in your email response to me, therefore your reasoning is flawed.

I respectfully request that the committee reconsider my submission as the issues of the lack of “Access to Justice” I raise, impact on those subject to financial abuse, domestic violence and other issues; indeed that lack is a feature of many submissions.

Rather than limit the committee’s enquiries to some unspecified light pruning, the committee must engage in the hard root and branch inquisition consistent with the TOR. If it does not it will be just another inquiry that records a lot of meaningful words, but results in nothing meaningful.

[End of Sanderson letter.]

The ACP urges all concerned citizens to keep putting pressure on the Labor government for action, not just words, to clean up the banks and make redress to their hundreds of thousands of victims.

[Click here to sign the Citizens Party’s petition for a post office people’s bank.](#)