



Counter
Corruption
Analysts

Our ref: 180326 CCA Doogan letter

26 March 2018

Mr Christopher Doogan AM
Independent Chair
Code Compliance Monitoring Committee
PO Box 14240
Melbourne City Mail Centre
MELBOURNE VIC 8001

Re: Bradshaw v Rabobank Australia (CX3410)

Dear Mr Doogan,

The Bradshaws understand you and Consumer and Small Business Representative, Mr Gordon Renouf have been asked to provide them copies of the Code Compliance Monitoring Committee investigation reports.

Ms Anna Bligh has also been asked to provide copies of the reports, and she has resisted making them available to bank customers. The code sets out practices that all the bank parties are required to comply with.

The Bradshaws have allowed you reasonable time to provide copies of all your reports, without exception.

Your immediate response would therefore, be appreciated.

Yours sincerely,

Russell Cousins
Chairperson Counter Corruption Analysts Pty Limited
PO Box 3
TORONTO NSW 2283

Copy: Mr Shayne Elliot, Chair, Australian Bankers' Association; Ms Kate Carnell AO, Australian Small Business and Family Enterprise Ombudsman; Mr William Gurry, Director, Rabobank Australia Ltd.



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Our ref: 180326 CCA Rabobank

26 March 2018

COPY

Mr Christopher Doogan AM
Independent Chair
Code Compliance Monitoring Committee
PO Box 14240
Melbourne City Mail Centre VIC 8001

Dear Mr Doogan,

Re: Banking Royal Commission

Bank Victims' submission 109 into consumer protection in the banking, insurance and financial services sector, includes your response. The submission notes CCMC has refused to provide customers with copies of its reports, which is serious.

You claim the CCMC was bound by the Constitution, which significantly varied the 2004 Code. Bank Victims has reviewed cases that damaged 31 people, including the Bradshaws. The Banking Royal Commission, in Saturday's newspaper, commented on banking practices that were misleading, deceptive and unconscionable.

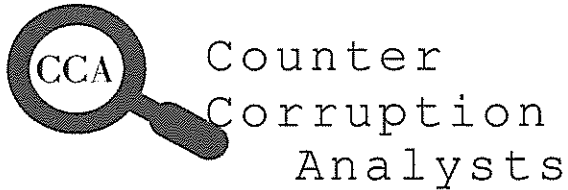
Cases we reviewed go further. NSW legislation states, "*A person who dishonestly... concurs in making... any statement ... that is false or misleading... with the intention of ... causing a financial disadvantage is guilty of an offence*".

The Bradshaws have asked us to allow your committee, Rabobank and the bankers association until Tuesday, 3 April 2018 to explain why you and the banks were party to an arrangement which may involve criminal conduct.

Yours sincerely,

Russell Cousins
Chairperson Counter Corruption Analysts Pty Limited
PO Box 3
TORONTO NSW 2283

Copy: Mr Shayne Elliot, Chair, Australian Bankers' Association; Ms Kate Carnell AO, Australian Small Business and Family Enterprise Ombudsman; Mr William Gurry, Director, Rabobank Australia Ltd.



Our ref: 180306 CCA CCMC

6 March 2018

Mr Christopher Doogan AM
Independent Chair
Code Compliance Monitoring Committee
PO Box 14240
Melbourne City Mail Centre
MELBOURNE VIC 8001

By email: info@codecompliance.org.au

Dear Mr Doogan,

RE: Bradshaw (CX3410)

Bank Victims has filed complaints with the Code Compliance Monitoring Committee (CCMC) on behalf of the Bradshaws (CX3410) in relation to conduct by Rabobank Australia Ltd (Rabobank) and its failure to investigate code breach allegations.

The Bradshaws, as Rabobank customers, are bound by the 2004 Code of Banking Practice (the Code). They are therefore entitled to have their code breach allegations investigated by the CCMC and receive copies of its reports. They were told even if *"the bank resolves the underlying dispute directly with its customer ... the "CCMC will continue to investigate whether the bank's conduct constituted a breach of the Code."*¹

The CCMC, regardless of whether it now claims it is bound by the Constitution, is still required to *"investigate complaints that banks are not meeting their obligations under the Code"*.² *"[A]n investigation starts when a consumer writes to the CCMC with a complaint about a bank ... The final decision on a breach of the Code is made by the CCMC in a written determination to the complainant and the bank"*.³

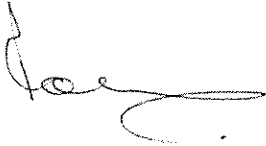
¹ 15 November 2004, Barbara Schade, Executive Officer, Code Compliance Monitoring Committee.

² Frequently asked questions on the [2004] Revised Code of Banking Practice, accessed at 1 December 2008 from <http://bankers.asn.au/Default.aspx?ArticleID=448>

³ Ibid.

Bank Victims requires copies of all the CCMC's investigation reports in relation to the Bradshaw's complaints and code breach allegations within 14 days.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Russell Cousins', with a long, sweeping underline.

Russell Cousins
Chairman, Counter Corruption Analysts
PO Box 3
TORONTO NSW 2283

Copy: Mr Shayne Elliott, Chair, Australian Bankers' Association; Mr Lloyd and Mrs Nolene Bradshaw; Ms Kate Carnell, The Ombudsman, Small Business and Family Enterprise.

Enc: Bank Victims: Our Ref 170616 BV CCMC_CX3410; fido Australian Securities and Investments Commission financial tips and safety checks