

1st November 2018 The Australian Financial Complaints Authority (AFCA) opened, its website says,

“Independent Chair, the Hon. Helen Coonan says, AFCA will play an important role in restoring trust in Australia’s financial institutions in the wake of the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry.

“We will influence reform in the financial services sector by raising standards and improving internal practices to reduce and resolve disputes.”

“AFCA Chief Executive and Chief Ombudsman, David Locke added, AFCA will provide Australians with services that are easy to use, free and efficient. We will use a range of skills including conciliation and negotiation to find fair solutions for all the parties. Where matters cannot be settled then we will make timely and impartial determinations based upon the evidence.”

On 7 November 2018 Victims of Financial Fraud sent evidence to AFCA showing

- Weaknesses in financial system that led to consumers being exposed to the Trio Capital fraud;
- Copy of OPEN LETTER TO JOSH FRYDENBERG <https://tinyurl.com/yd5924qw> shows how ASIC and APRA failed to provide a standard of regulatory governance as expected by consumers; and
- VOFF show ASIC never questioned former Trio director over his role or the missing \$millions. He now lives in Guernsey where locals are worried. ASIC’s reply denies any unresolved issues. VOFF point out that ASIC fail to recognise the crime, calling the Trio loss of money as a “collapse”. ASIC fed the public misinformation and consequently the victims want justice and compensation.

On 13 November 2018 AFCA replied, (part of the letter), *“I am unclear about what you are asking AFCA to do. We have contractual authority over the financial firms that are members of financial services external dispute resolution schemes, but Trio Capital has not been a member of any such scheme since its collapse. As a result, we have no authority to commence any action or investigate complaints against Trio Capital or its directors. In addition, the conduct of Trio Capital which gave rise to losses for many consumers would likely be outside the time limits for our jurisdiction even if it was a member of AFCA.”*

AFCA use the word “collapse”. APRA-regulated funds received compensation because Trio was a “fraud”, had Trio been a collapse, APRA-regulated funds would not have received compensation. Using the word ‘collapse’ to the portion of uncompensated victims is insulting and incorrect.

AFCA refuse to acknowledge VOFF’s evidence showing ASIC interfered with evidence of a crime, thus perverting the course of justice while misleading the public. AFCA showed no empathy to victims of a crime.

John Telford
Secretary VOFF Inc