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**Banking Executive Accountability Regime – Consultation Submission**

I think that the B.E.A.R is a very good initiative, it will be strongly resisted by Banking Executives who will advise people that they can be trusted, but those of us who are or have been in the industry know that Banking Executives are driven by short term results and performance bonuses. This is and will always be a challenge.

The ability to hold an executive, or a bank accountable for the decisions that are made in the pursuit of a bonus should be an effective deterrent as long as the mechanisms are in place for staff of banks to raise their concerns without fear of reprisal. The ability to take civil action against an organisation that knowingly conceals or covers up wrongdoing is very important.

I have stood up to underhanded behaviour by Banking Executives in the past and their response was devastating. After 7 years of fighting JPMorgan Australia, the truth will come out in the New Zealand High Court, and I am happy to say that all my decisions will withstand the most intense public scrutiny.

**I only have one suggestion:**

* The powers of the B.E.A.R should explicitly extend to include the New Zealand subsidiaries of the Australian banks. If you consider that a number of the Australian CEO’s are New Zealanders or have been the CEO of the New Zealand subsidiary prior to moving into the Australian parent company, then it makes sense that the decisions they make as Executives of subsidiaries should be within scope for the B.E.A.R. <https://www.newsroom.co.nz/@boardroom/2017/04/06/18273/insight-three-kiwis-who-run-australias-big-banks>

**Implementation:**

Implementation of a ethics standard by which to judge Banking Executives by, is going to be challenging. There will need to be an agreed set of standards, a minimum code of conduct a type of membership. The banking and finance oath is a step in the right direction, but it is currently voluntary, and it does not have the same disincentives ($50MM or $200MM civil action) that the B.E.A.R will have.

I look forward to seeing this initiative being implemented, I hope that a similar Regime is implemented in New Zealand.

Kind regards

Rob Lewis