Case Summary
Money laundering is not just a CBA specialty. The Royal Commission should investigate the other banks regarding breaches of the Anti Money Laundering Act.

Carolyn Thomson has crystal clear evidence that her bank, ANZ, has breached the Act. Why are none of the agencies doing anything about it? This is not acceptable and shows criminal activity is baked into banking. It is systemic and systematic. Anything goes when there is a buck to be squeezed out of a customer.

Story Details**Story Of:** Carolyn Thomson
Bank Involved: ANZ
Bank Malpractice Type: Corruption
Powermongering & Greed
Other Bad Banking Behaviour

Video - Extend Banking Royal Commission:

Bank Victim Story Carolyn Thomson - ANZ (Money Laundering)

Video of Bank Victim Story Carolyn Thomson - ANZ (Money Laundering)

Overview Of Bank Victim's Case

Bank Story Overview:

Money Laundering issues the Royal Commission needs to address

Carolyn Thomson (CT) - ANZ. Have other banks been guilty of breaching Anti Money Laundering Act?

Case Summary

The Issue

- Under the Anti Money Laundering legislation, a bank has to validate that the account / trust they are using for their customer exists and is properly identified. CBA have breached the Anti Money Laundering Act 53,700 times. Other banks appear to have engaged in similar activities. CT's bank (ANZ) has also breached the Act.

How the issue was revealed

- In CT's case, **on two occasions ANZ did not and could not have validated CT's trust existed because the accountant retained to create the trust did not do it.** There was no copy of the trust deed for ANZ to validate.
- On the second occasion, six months after ANZ opened bank accounts for a trust that did not exist, **ANZ was given a fraudulent copy of the trust deed by the accountant. It was made to avoid admitting that the trust had not been created.**
- CT was told that she could get a copy of her file from FOS. In those documents, **CT found ANZ made documents to try and prove that they had conducted the identification procedure** (when they had not), and gave the false documents to FOS.

© Bank Reform Now™ - Australian Non Profit Organsiation - campaigning to put a stop to predatory, unconscionable banking practices.

- **Those documents state that the law governing the trust was Western Australia. The trust deed stated that it was Queensland.** ANZ have explained this away as simply being an error.

What ANZ and the Accountant did was wrong.

- The Accountant scanned the fraudulent copy of the trust deed because they could not give ANZ an original copy of the trust deed. ANZ should have demanded to sight an original or certified copy of the trust deed but did not.
- **What the accountant did is a criminal offence under the Anti Money Laundering legislation. The penalty is ten years jail.**
- ANZ are required under the Anti Money Laundering Act to report both their breach and the accountant fraudulently creating and providing that fraudulent copy of the trust deed to them. But they won't.

Why ANZ will cover up the breaches

- When asked whether ANZ had reported the accountant, ANZ said it had not given CT and her husband an undertaking to report it
- **The real reason ANZ won't is because they are at risk of an audit, which could find numerous breaches (just like CBA)**

The response of the Authorities

- **CT tried to report this to AUSTRAC, Australian Federal Police, Queensland Police and ASIC. No one will investigate this.**
- **Nor could CT be informed if the matter fell under the jurisdiction of the Australian Federal Police or Queensland Police.**
- The Australian Federal Police said it had to be reported to Queensland Police and they would need to refer this.
- **AUSTRAC by legislation is not required to tell you anything at all. But collectively the advice was this was a civil matter, and she needed to obtain independent legal advice. However, it is a criminal offence under the Act**

ANZ response

- In December 2017, ANZ accepted that the trust had not been created and invited CT and her husband to make a settlement offer to ANZ, which they did.
- ANZ meet with CT and her husband to avoid making any settlement and started the process all over again.
- ANZ again invited CT and her husband to make a further counter offer, which they did, significantly reducing the amount in an attempt to get an agreement by ANZ. Again, ANZ refused to even acknowledge it.
- The matter has now gone to ANZ's Sxxxx Xxxxxxxxx. She recently advised that ANZ would like to give CT and her husband a "rest." CT referred her to the settlement offer and asked her to come back regarding what sort of rest ANZ wanted to give them. She has not.
- Sxxxx instead had someone else respond and ANZ are now using the paperwork ANZ provided to FOS to start this whole process all over again as the ANZ maintain that their legal counsel says they are not in breach of the Act.

ANZ staff refuse to attend court

- **Two employees of ANZ were subpoenaed to give evidence in legal proceedings in regard to the documentation that ANZ had given to FOS; not conducting the legislated identification procedure and the acceptance of a fraudulent copy of the trust deed. Neither employee bothered to turn up at court.**
- Neither employee contacted CT. No-one from ANZ contacted CT to advise that the two witnesses would not be giving evidence. The evidence was crucial to CT in these legal proceedings.

© Bank Reform Now™ - Australian Non Profit Organsiation - campaigning to put a stop to predatory, unconscionable banking practices.

The Royal Commission should investigate the true extent of banks breaching the Anti Money Laundering Act.

Transcript - Video Q&A Interview

Leon Ashby (LA) Asks...:

Have other banks been guilty of breaching the Anti Money Laundering Act?

Extract From Video - Carolyn Thomson (CT) - ANZ Money Laundering.

Interview with Leon Ashby (LA) 14th August 2018 - Extending The Bank Royal Commission, recorded at Parliament House, Canberra ACT Australia.

LA: Carolyn, is it true that under Anti Money Laundering legislation a bank has to validate and identify the trust account they are using for their customer?
CT: Yes

LA: In your case, were there two occasions that ANZ did not and could not have validated your trust existed because the accountant responsible did not do it?
CT: Yes, there was no copy of the trust deed in existence for ANZ to validate.

LA: Did an accountant give ANZ a fraudulent copy of the trust deed, six months after ANZ opened bank accounts for a trust that did not exist?
CT: Yes, this was to avoid admitting that the trust had not been created.

LA: Do you have evidence showing ANZ made documents to try and prove that they had conducted the identification procedure (when they had not), and gave these false documents to FOS?
CT: Yes

LA: Do those documents state that the law governing the trust was Western Australia when the trust deed stated that it was Queensland?
CT: Yes

LA: Did the accountant that was involved in this commit a criminal offence under the Anti Money Laundering legislation that has a penalty of 10 years jail?
CT: Yes

LA: Are ANZ required under the Anti Money Laundering Act to report both their breach and the accountant fraudulently creating and providing that fraudulent copy of the trust deed to them?
CT: Yes

LA: Did you ask ANZ if they will report the accountant?
CT: Yes, but they avoided saying if they would.

LA: Have you tried to report this to AUSTRAC, Australian Federal Police, Queensland Police and ASIC?
CT: Yes, but no one will investigate this.



[Other Notes & Commentry]

Notes:

The Royal Commission must investigate all banks and the breaches of the Anti Money Laundering Act that they have engaged in. The CEOs must be held accountable.

Carolyn Thomson (CT) - Knows that ANZ has breached the Act. Have other banks also been guilty of breaching Anti Money Laundering Act?

CBA is not the only one. They paid a minuscule fine relative to their profits. CEO Ian Narev left in disgrace. It's not good enough. To stop the crimes, the financial penalty must be greater than the profit and the perpetrators must be jailed.

The Royal Commission must be made longer & stronger >> Cast a vote and sign the petition today! >www.bankreform.com.au/petition



© Bank Reform Now™ - Australian Non Profit Organsiation - campaigning to put a stop to predatory, unconscionable banking practices.

More Information:

CBA Money Laundering - Old Article.
Bank Victims Horror Stories - Extend RC Series
Sign Petition For Extended Banking Royal Commission

Related Links:

What Can I Do? Banking RC
What's Missing From Banking RC ?

Source URL (modified on 17 Mar 2019 - 7:44pm): https://bankreformnow.com/node/506

© Bank Reform Now™ - Australian Non Profit Organsiation - campaigning to put a stop to predatory, unconscionable banking practices.