

## Some thoughts on a 10<sup>th</sup> Anniversary

January 6<sup>th</sup> 2006 marked the tenth anniversary of the start of my business. In 1996, stories abounded about Will Carling paying visits to Lady Di in Kensington Palace. The world was a somewhat different place when I delivered a one-day course at Standard Life in Edinburgh entitled “Effective Complaint Handling”.

The business has its origins, as so many do, in a number of different places. In fact, one can argue that it has been running for more like 20 than 10 years. I was working in Switzerland in the late 1980s when my boss at the Swiss Institute of Comparative Law, Professor von Overbeck, was thrilled when I told him that Claude Reymond had recruited me to translate the arbitration award in *Greenpeace v. France* into English. When Nicolas Ulmer, an American lawyer still based in Geneva, met me as we both tried to avoid a lecture in German at the Institute, a key plank of the future business was put in place. Nicolas has fed me little pieces of what he calls “the serious esoteric parts of international arbitration” pretty much ever since.

When I came back to England in 1990, I swore blind that I never wanted to be a lawyer again. I wrote some short talks for the BBC World Service on the closure of BCCI (predicting rightly that nobody would be able to sue the Bank of England), Katrina Krabbe (I said that they’d catch her taking drugs in due course and sure enough....) and the Iraqi Claims Commission (does anybody remember that outcrop from Gulf War One?) The last piece I wrote for the BBC concerned the All Party Committee Report on International Child Abduction which I basically wrote with Lucy Jaffe.

Another origin of the business was my often painful time as an Ombudsman’s Assistant at the Insurance Ombudsman Bureau. I hated the job and most of my colleagues felt similarly about me. Elisabeth Bingham who I first really met singing Tom Lehrer songs on the way back from my first Christmas dinner at the IOB was one of a small gang who kept me vaguely sane during this period. A number of the old financial services industry people kept telling me that I did not understand selling and that if I actually had to do it, would last anything between five minutes and half an hour! They have remained a constant inspiration! More seriously, Malachy MacClelland and Neil Munro have remained good friends, with Malachy sharing with me some of the headaches of self-employed life. Catie Dellow now Keynes and Sarah Jacobs were always there for me when things were at their grimmest. I do remember these things more clearly than one might wish.

Paul Oakes at the Prudential heard me speak on non-disclosure at an Institute of Underwriters function and invited me to address his troops on “Everything you always wanted to know about the Insurance Ombudsman Bureau and were not afraid to ask”. What this meant was that when I found myself without a job in 1995, I knew a possible escape route: training.

John Semple at Standard Life took the original gamble in inviting me to train his complaint handling team. In the early years of the business, people like him and Tom Bellin (then at General Accident) treated me like a much-loved but slightly out of control step-son for which I will always be grateful. Derek Adams ran his fabulous Pension Review and later FSAVC and Endowment Forums and gave people like me a

platform from which to present our wares. In my case, this included being pelted with verbal tomatoes on a number of occasions for saying what the regulator would be insisting on several months later.

Between 1996 and 2001, I had a great deal of fun travelling the country and meeting some of the best people the financial services industry has to offer. Some ran customer relations teams. The greater majority were pension review project managers doing their best to clean up an horrific mess created by an earlier generation of compliance officers and marketing directors. It seems almost invidious to name names and someone will be rightly offended at being left out. Starting with John Semple, Paul Oakes, Nicky Carnevale, Nick Smith, Mark Parry, Sharon Bolland and Tony Bigg in the early days of complaints training, I ended up working with some of the princes and princesses of the pension review. Trudi Mellon, Sandra Burt, Hugh Langridge, Stuart Riley, Mike Hutchings, Anthony Morley, Alan Sherlock, Sally Helmore, Mario d'Sa, Kirsty Tomlinson, John Rowan, Malcolm Warburton, Alan Patterson, Keith Jones are not names widely discussed in the financial press. Yet, they did more to give compliance a good name in the late 1990s than any number of compliance officers and chief executives. I had fun working with them in the pension and FSAVC review trenches.

A combination of Tom Bellin, his insurance broker wife, Rosemary, and Stuart Riley, then at Royal and now at Great Lakes, helped launch the consulting service in about 1998. Things were going very well until the second half of 2001 when after a frantic first six months, the business notably began to slow down. By the middle of 2002, there was a clear problem.

At this point, my strange propensity for having life-changing events in pubs kicked in (I ended up in Switzerland in 1985 as a result of a pub crawl). I had met Chris Hamblin through the Derek Adams forums. We met a few times for a drink and then he asked me whether I liked singing. I grew up singing in cars, trains, just about everywhere. Anyway, after one of our weekly sessions with Tony "Fingers" Pearson at the Golden Eagle in 2002, I made probably the best decision of the last decade. I told Chris that the business was in trouble. He invited me back to his place and worked out my first writing deal with his employer, Complinet. He also introduced me to Timon Molloy, an old University friend and editor of Compliance Monitor. Out of this was born my writing business which enabled me to rebuild the rest of the operation from the ashes of 2002.

In 2003, a competitor to a company chaired by Danby Bloch went to see him about a problem it was having with the FSA involving its website, financial promotions and the perimeter fence of financial services regulation. Danby handed out my contact details. From that stemmed my "internet practice". It also turned me into an expert on financial promotions and the limits of regulation. This has taken me as far as resolving domain name disputes for the World Intellectual Property Organization and helping win an international arbitration involving an online trading system.

The late 1990s saw the Institute of Financial Planning taking me out to lunch to look at their Disciplinary Procedures. They responded to what I did for them by annually inviting me to their Annual Conference and treating me with, and it is a difficult

word, “honour”. I have spoken at Institute’s last three conferences (and picked up a sadly declined invitation to speak this year) which I regard as a serious privilege.

I am actually a member of the Chartered Insurance Institute! Recently, due to the fact that Trudi Mellon has ended up working there, I have gradually started to become increasingly involved in various committees and groups.

More of my time these days is going on Chartered Institute of Arbitrators business. I sit on the Practice Committee and the Arbitration Practice Sub-Committee, the latter with Hew Dundas. Over a bottle of wine, Hew had a major go at me about acquiring a fellowship of the Institute. I finally sorted that out in 2006.

When AIFA was being formed, it became obvious that the new organization was going to be a little different from its predecessor. Fay Goddard and Linda Chandler may be two of the most powerful people in modern financial services regulation at the moment. Linda recently saw me in the office waiting for a meeting and asked me whether I had popped in for a chat. I did not actually think I was welcome to do that. Fay and Linda have passed me some of the more interesting cases I have had to deal with from their membership.

Perhaps above all else, though, Fay is responsible for my mission statement. She introduced me to Teresa Fritz of the Consumers Association at a party when I had left most of my social skills in another place. Teresa looked exasperatedly at me and said: “Who are you?” So, I suggested that she asked Fay.

“Adam Samuel is an independent compliance consultant who will tell anyone no matter who they are what the right answer is.”

Well, it is something to aspire to.

AIFA is indirectly responsible for the publication of my 2005 book, *Consumer Complaints and Compensation: A Guide to the Financial Services Market*. Weighing in at 638 pages and the only serious book ever written on the subject in the UK, it makes a formidable doorstep. Essentially, AIFA told Greg Kilminster then at City and Financial to ask me to write the complaints chapter in its guide to the Financial Services and Markets Act. Over coffee at Carluccio’s in St Christopher’s Place, I dropped the idea with him of a complaints book. Having commissioned it, Greg wisely left the company and myself in the safe guitar-playing hands of Nick Bliss. Nick had to cope with all the author neurosis that all book writers suffer from.

So, what now for the next decade? Honestly, I have no idea. Predicting compliance trends is much easier than working out what the financial services industry will pay for in order to avoid them. My website designer, Joe Gregory suggested that I wrote down all the different types of customers I have, their challenges and my solutions for them. The list which appears on the front left hand side of my homepage goes on for far too long. However, what is not to like about having a customer who is the leading Swiss international genealogical search firm and pays her bills with... well.... Swiss punctuality? There should be more dispute resolution in the mix, the place I professionally came from. Writing still takes up a fair amount of my time as I pursue, with a number of friends, the notion that quality writing ought to receive quality

remuneration. Complinet, Compliance Monitor and increasingly Money Marketing seem to be buying that notion. The big message, though, that I have to communicate better is the need for the financial services industry to bring me in to build that nirvana: the compliance culture. My seat belt is fastened – anyone coming along for the ride?