



## Is the FCA losing its 'fear factor'?

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**Last Friday, at a meeting organised in Oxford by Philip Hanley, one adviser asked Libertatem's Garry Heath whether there would be regulatory retribution if advisers attempted to improve their current lot.**

In saying that, he expressed the fear that we have long suspected has been a prime reason for adviser inaction and a perceived reluctance to join Libertatem. We have written about a collective "Stockholm Syndrome" before, but this was far more personal. It is not without merit. The FCA is very protective of its own empire. It distributes seconded staff both to the Treasury and the Treasury Select Committee, so it has its own intelligence team in positions of power. It also has a large media presence and was even at this week's Conservative Conference (as was Libertatem).

But the FCA is currently in the weakest position it has ever been in. No regulator in living history has faced a no confidence debate in the House of Commons. No regulator has ever publicly lost the confidence of its own Government department. No regulator has ever been put "in special measures" by its own Select Committee. And no regulator has so patently failed to protect the consumer, both from the fraudulent and the vested interests.

And that is just the start. In the 30 years we have had Financial Services regulation, we have seen politics gradually taken over by an inward-looking political elite, who have convinced themselves, that they – and only they – have the wisdom to run things. This mantra has been taken up by regulators who firmly believe that they also are similarly blessed.

The Brexit referendum signalled a seismic change in British politics. The focus is now on delivery, not rhetoric. The political future is, for the first time in years, looking far more positive and pro-active, far less aloof and self-congratulatory.

There is surely no better example of regulatory excess, crony capitalism and abuse of power than the current Financial Services Regime. Theresa May's new approach must be challenged to correct it and that requires advisers to come out of the shadows, join Libertatem and support our push for change.

**For the first time in years, we have a golden opportunity to become a profession and be regulated as one, but only if we act now.**

Our membership list is confidential – so the regulator will never know who you are. Our staff are unregulated and ideally placed to do the heavy lifting. But we cannot do it without your help – either as members or as contributors to our fighting fund.

The alternative, of course, is for you to do nothing and hope the current mess does not affect you before you retire. But first you must ask yourself two questions: Who will be prepared to buy my business in today's regulatory market? And will I really be able to walk away and never have to look over my shoulder?

Only by joining an effective trade association can you give yourself a fighting chance.