

The complaint

Mr N complains that HSBC UK Bank Plc will not reimburse the funds he said he lost to a scam.

Mr N is represented by a firm, but for ease I have only referred to Mr N in this decision.

What happened

Mr N said he saw an advertisement for an investment opportunity and registered his interest. He said he was contacted by a scammer and after some conversation he decided to invest. Mr N said that between November 2024 and February 2025 he made payments towards the scam and was able to withdraw £1,000 early on. But when he could not access anymore of his funds, he determined it had been a scam. He complained to HSBC but it didn't reimburse the money he lost or uphold his complaint.

Our Investigator didn't think the complaint should be upheld. He said he had not been provided with sufficient evidence that Mr N lost money to a scam.

Mr N didn't accept our Investigator's opinion, as such the complaint has been passed to me for a final decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I'm sorry to hear of the challenging circumstances Mr N has faced. I appreciate these have been difficult times for him, made worse by the loss he says he incurred. Whilst I sympathise with Mr N, I must put aside my feelings and consider his complaint impartially. Having done so, I have reached the same outcome as the Investigator and for similar reasons. I know this will be disappointing to Mr N, but I'll explain why.

It is common ground that Mr N authorised the payments. And in accordance with the Payment Services Regulations (2017) and the terms and conditions of the account, he is responsible for the loss. However, taking into consideration the relevant regulatory rules and guidance, codes of practice and good industry practice, HSBC should have looked at the wider circumstances surrounding the transaction before making the payment and taken steps to keep its customer's accounts safe. Therefore, it ought to look out for payments which might indicate that its customer is at risk of financial harm due to fraud

Before considering whether HSBC ought to have done more to protect Mr N, the first thing I must consider is if he suffered a loss as a result of a scam. And I find the information provided insufficient to satisfy me that the payments complained of were linked to a potential scam.

Mr N made international payments in November 2024 to several firms which he said related to the investment scam. He subsequently made payments to a cryptocurrency platform.

When questioned by HSBC Mr N told the bank that the cryptocurrency payments related to the scam. However he has since stated that they were unrelated and his complaint related to the international payments made in November 2024. It's difficult to know what happened here due to the limited evidence of Mr N's interactions with the alleged scammer at the time the payments were made and the inconsistencies in his account of the scam. The communication he provided took place in June 2025, several months after the payments were made.

Mr N provided screenshots of the scam platform, however the deposits shown do not correlate with the dates and the value of the debits from his HSBC account. So while I'm satisfied the evidence provided shows that Mr N made payments to several merchants, there isn't enough information linking the payments to a scam. And as Mr N has not provided statements for his cryptocurrency wallets, I find there is insufficient evidence to persuade me that the funds were subsequently sent to a scammer from his wallet and lost. So I can't fairly or reasonably

I've thought carefully about all that's happened here, I understand that the outcome I've reached is not what Mr N had hoped for, but I can't fairly or reasonably direct HSBC to reimburse Mr N because I'm unable to determine he has suffered a loss as a result of a scam.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 12 January 2026.

Oluwatobi Balogun
Ombudsman