

The complaint

Mr T complains that HSBC UK Bank Plc didn't do enough to prevent him losing money to a scam.

Mr T has used a representative to bring his complaint. But, for ease of reading, I'll mostly just refer to Mr T himself where I also mean his representative.

What happened

The detailed background to this complaint is well known to both parties. So, I'll only provide an overview of some of the key events here. In January 2024, Mr T was sadly the victim of an investment scam. He says he found an opportunity on social media which was endorsed by celebrities. He says this involved downloading software which allowed the sharing of his screen / device. His investment was due to make him a 20% return. He says the scammers took out loans in his name, and these too ended up being sent on as a result of the scam in addition to a significant amount of his savings.

As a result of the scam, Mr H made the below payments from HSBC to his account with another business 'R' (together the transfers totalled nearly £114,000). From there he sent the money on as directed in the belief that this meant it would credit his investment account. He says he had access to a platform where he could see his investment progressing.

Date	Amount
16 January 2024	£10,000
16 January 2024	£15,000
22 January 2024	£10,000
23 January 2024	£8,000
26 January 2024	£9,000
26 January 2024	£8,900
27 January 2024	£8,000
29 January 2024	£20,000
30 January 2024	£15,000
30 January 2024	£10,000

When Mr T realised he'd been scammed he reported this to HSBC, R and the police. HSBC declined to provide a refund. Mr T complained and when HSBC maintained their position he referred his complaint to our service. It was considered by one of our Investigators who didn't recommend it should be upheld. In summary he thought that HSBC had appropriately intervened in Mr T's payments and that they couldn't fairly be said to be responsible for the loss. Mr T disagrees and has asked for an Ombudsman to review his complaint.

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.

Having done so, I've reached the same overall outcome as our Investigator and for similar reasons. I know this will be disappointing for Mr T, so I'll explain why.

I'm also aware of Mr T's linked complaints about both R and a further recipient bank. But this decision can only deal with the actions of HSBC.

Mr T doesn't dispute making the payments relevant to this scam (albeit he was tricked into doing so). So, the starting point is that he will usually be liable for payments he's made himself. And whilst HSBC should follow the instructions provided by their customers like Mr T, they should also be alert to the possibility of fraud, scams and the misappropriation of funds and do what they reasonably can to protect their customers from the same.

In this case, HSBC intervened on numerous occasions, blocking Mr T's payments and requiring him to have phone conversations before payments would go through. I've listened to eight such calls that took place between 16 and 30 January 2024. I agree it was appropriate for HSBC to intervene, the pattern of payments is meaningfully different compared to how Mr T had previously operated his account, and they were right to be concerned he may be at risk of financial harm.

Throughout all the calls that took place, Mr T was consistent in providing his reason for making each payment. This was in essence to send to family overseas for repairs and refurbishment to a house he owned there. He explained that international payments were easier through R and that is why he was moving the money to the account with them in his own name. He repeatedly confirmed that he hadn't been told or asked to mislead the bank as to the purpose of his payment. He also always confirmed that there wasn't anyone in the background or on the phone who was directing him as to how to respond. He also confirmed that the Confirmation of Payee (CoP) was a full match for his account with R.

HSBC also picked up on the fact that there had been recent loan credits to the account which were being moved on and specifically asked about this. Mr T said the loans were to pay for the intended works overseas. HSBC then confirmed various details such as how the account with R had been opened and when. They also provided warnings that would be applicable to such payments which included how Mr T had obtained the account details he was paying, and that HSBC would never ask him to move money to a safe account or to assist in any internal investigation.

Overall, I think HSBC's interventions in this case were sufficiently detailed and probing in nature. And perhaps unsurprisingly, the warnings they gave ended up not being impactful as they weren't linked to the scam Mr T was in the process of falling victim to. But there was nothing in what Mr T said (and he remained consistent in his answers) where I think HSBC would've had sufficient reason to doubt what he as their customer was telling them. And they can only provide warnings based on what Mr T said (particularly as there was no other concerning information about the payments, such as it going to a cryptocurrency exchange or similar).

Mr T has suggested that HSBC should know customers are often coached to lie by scammers. He believes they ought to have called him into branch for a more meaningful interaction which he thinks would've made a difference. I've considered this but I don't agree. HSBC would've been able to see that the payments genuinely were going to an account in Mr T's name with R. He'd provided a consistent and plausible explanation for why he wanted to move that money. Indeed, one of the call handlers even referenced an earthquake in Mr T's home country that had happened in the weeks prior to the payments. And so Mr T's story about helping family and repairs to a home would've seemed particularly

plausible. So, whilst I acknowledge that a very significant amount of money is involved, I don't think this is a case where I can say that I think HSBC ought to have called Mr T into a branch.

Mr T has also suggested that he was vulnerable because English isn't his first language. I've considered this, but Mr T seems to be able to communicate effectively with HSBC's agents across the numerous calls I've listened to. So, I'm not persuaded that HSBC have treated him unfairly or otherwise need to do more for that reason.

For completeness, I've also considered the Lending Standards Boards Contingent Reimbursement Model (CRM Code). This was a scheme (which HSBC had signed up to) and was in place at the time of the payments that sometimes enabled victims of scams to receive redress from the banks involved. But the CRM code isn't applicable to transfers between a customers' own accounts (as is the case here). So it can't be used as a basis to expect more from HSBC.

Overall, I don't think HSBC are at fault for the payments leaving Mr T's account with them. And with regards to recovery, had funds remained, Mr T would've already been in control of them in his account with R. So I don't think anything HSBC did or didn't do in this regard impacted the position Mr T finds himself in.

I'm of course sorry to hear Mr T has been the victim of a cruel scam, particularly with such a significant sum involved. But despite my natural sympathy for him as a victim of crime, my role requires that I remain impartial. And because I don't think HSBC are responsible for his loss, there isn't a reasonable basis upon which I can require them to do more to resolve this complaint.

My final decision

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 24 October 2025.

Richard Annandale
Ombudsman