

THE COMPLAINT

Mr S complains that HSBC UK Bank Plc (“HSBC”) will not reimburse him money he says he lost when he fell victim to a scam.

Mr S is represented matter. However, where appropriate, I will refer to Mr S solely in this decision for ease of reading.

WHAT HAPPENED

The circumstances of this complaint are well known to all parties concerned, so I will not repeat them again here in detail. However, I will provide an overview.

Mr S says he has fallen victim to a cryptocurrency related investment scam. He says scammers deceived him into making payments to what he thought was a genuine investment with HyperVerse. The payments in question are fund transfers made to Mr S’s Nexo account, which he says then went on to fund the alleged scam.

Mr S disputed the above with HSBC. When HSBC refused to reimburse Mr S, he raised a complaint, which he also referred to our Service.

One of our investigators considered the complaint twice, and did not uphold it on both occasions. The investigator held that there was not sufficient evidence for him to be satisfied that Mr S had fallen victim to a scam/suffered a loss. As Mr S did not accept the investigator’s findings, this matter has been passed to me to make a decision.

WHAT I HAVE 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 find that the investigator at first instance was right to reach the conclusion he did. This is for reasons I set out in this decision.

I would like to say at the outset that I have summarised this complaint in far less detail than the parties involved. I want to stress that no discourtesy is intended by this. If there is a submission I have not addressed, it is not because I have ignored the point. It is simply because my findings focus on what I consider to be the central issues in this complaint.

Further, under section 225 of the Financial Services and Markets Act 2000, I am required to resolve complaints quickly and with minimum formality.

Key findings

- When our Service considers complaints such as Mr S’s, the first part of the exercise is to establish whether the complainant concerned has fallen victim to the scam alleged and suffered a loss as a result. This must be satisfied before assessing issues such as causation, or whether a complainant’s payment(s) to fund an alleged

scam ought to have triggered their bank's fraud detection systems.

- In addition to testimony, evidence which assists with establishing the above ordinarily takes the form of, for example, communication between the complainant and the scammer, paperwork and/or information about the alleged scam company.
- I acknowledge it is likely that HyperVerse is/was a scam company. I also acknowledge that Mr S has provided paperwork which appears to be from HyperVerse, such as HyperVerse whitepaper and due diligence documents.
- However, the above in and of itself does not mean that Mr S was scammed by HyperVerse/suffered a loss. I have not seen persuasive evidence to support this proposition. Providing paperwork from a potential scam company does not necessarily prove that a complainant has been scammed.
- I have not seen any evidence of the alleged scammers instructing Mr S to make the payments concerned. Mr S's representatives have provided material which they say is a 'trace report' showing Mr S's losses. However, that material does not show a clear audit trail of what happened to Mr S's money. The crypto transaction statements Mr S has provided simply show that such payments were made – they do not prove Mr S was instructed to make them. Further or alternatively, the statements do not identify who made the transactions.
- I have seen further material such as a video, emails about withdrawals and WhatsApp messages supposedly exchanged between Mr S and his friend. However, none of this material, to my mind, persuasively supports the proposition that Mr S was scammed/suffered a loss.

Taking all the above points together, I am unable to safely conclude that Mr S has fallen victim to a scam/suffered a loss in this case.

Conclusion

Taking all the above points together, I do not find that HSBC has done anything wrong in the circumstances of this complaint. Therefore, I will not be directing HSBC to do anything further.

In my judgment, this is a fair and reasonable outcome in the circumstances of this complaint.

MY FINAL DECISION

For the reasons set out above, 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 S to accept or reject my decision before 23 December 2025.

Tony Massiah
Ombudsman