

### **The complaint and background**

Mr and Mrs M complain that HSBC UK Bank Plc (“HSBC”) didn’t do enough to protect them when Mr M fell victim to an investment scam, resulting in payments of over £2,500 being made. HSBC has refunded just over £990 but Mr and Mrs M believe that the remainder should be reimbursed.

Our investigator didn’t uphold the complaint. He didn’t think that any of the payments looked suspicious such that HSBC ought to have provided warnings or made additional checks before processing any of them.

Mr M disagreed. In summary, he felt that HSBC had failed to provide adequate warnings and that it had implied acceptance of this by providing a partial refund of the first disputed payment – so the same principle should be applied to the subsequent transactions. He also doesn’t think the distress caused or the expectation of protection by the bank has been taken into consideration. And he also doesn’t consider it fair to justify the outcome based on the size of the transaction.

So the complaint has been passed to me to decide.

### **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 taken into account longstanding regulatory expectations and requirements, and what I consider to be good industry practice, HSBC ought to have been on the look-out for the possibility of fraud and made additional checks before processing payments in some circumstances.

I’ve reviewed Mr and Mrs M’s account and the payments made to the scam. Having considered not just the value of these, but the frequency of them and who they were made to, I’m not persuaded HSBC ought to have found any of the payments suspicious, such that it ought to have issued warnings or made enquiries of Mr M before processing them.

I note that the first payment was for £2,000 and was being made to a cryptocurrency provider. While I recognise that this wasn’t an insignificant sum, it wasn’t so substantial that I would have expected HSBC to have intervened. I say this because HSBC is required to process authorised payments without undue delay, and there’s a balance to be struck here between meeting this obligation and protecting its customers from financial harm. Though the payment was also being made to cryptocurrency, this doesn’t mean that it should automatically be treated as suspicious - many payments to cryptocurrency are legitimate. So as there were no other concerning factors about this payment, I don’t think HSBC acted in error by not intervening with this payment.

Turning next to the three remaining payments, these ranged from £20 to £380 and were made across two different days. Similarly, I don’t consider that the amounts or the frequency of these payments warranted an intervention from HSBC.

I recognise that HSBC has provided a partial refund and has said it could have provided warnings before the first payment was made. But this is more than I would have expected it to do in the circumstances of this particular case, for the reasons mentioned above. So I don't think it would be fair to ask it to apply the same logic to the subsequent payments when it has gone beyond what I would have expected.

I'm sorry that Mr M has fallen victim to a cruel scam, and that this has resulted in a loss to both Mr and Mrs M. And I do recognise that it's incredibly distressing to have fallen victim to a scam. But I think it's important to acknowledge that the scammer is at fault for this distress, as opposed to HSBC. And HSBC has already taken steps to put things right by offering a partial refund, which I wouldn't have expected it to do here. So I don't think it would be fair or reasonable to uphold this complaint.

### **My final decision**

For the reasons given, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs M to accept or reject my decision before 14 April 2026.

Melanie van der Waals  
**Ombudsman**