

## **The complaint**

Miss J is unhappy that HSBC UK Bank Plc couldn't stop a payment she made.

## **What happened**

The details of this complaint are well known to both parties, so I won't repeat them again here. The facts are not in dispute, so I'll focus on giving the reasons for my 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.

Having done so, I've reached the same outcome as our investigator for these reasons:

- In line with the Payment Services Regulations 2017 and the terms and conditions of the account, the starting position is that HSBC is expected to make a payment Miss J tells it to. And that, for a faster payment like the one in dispute, it reaches the recipient straightaway and can't be cancelled.
- There are some situations where I'd expect HSBC to step in before making a payment, if it thinks that Miss J might be at risk of fraud.
- But for that to be relevant, I'd need to be persuaded that the disputed payment was connected to a scam.
- It's not clear if that's what Miss J's alleging, but to be clear, I'm not persuaded that's the case here. For that, I'd need to see this payment went towards a dishonest scheme, one that was intended to deceive Miss J into departing with her money.
- From what I've seen, Miss J paid a legitimate company – indeed, she was able to get back most of her money from them, something I wouldn't expect from a scam.
- I recognise Miss J might feel like the company misrepresented matters or didn't do what was agreed. But that's not enough to say it was scam. And, given that this was a faster payment, there's no recourse through HSBC for disputes of this nature.
- I know this will be disappointing news for Miss J. But having considered the matter carefully, I don't think HSBC can be fairly held responsible for her losses.

## **My final decision**

For the reasons I've explained, I don't uphold Miss J's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss J to accept or reject my decision before 15 May 2024.

Emma Szkolar  
**Ombudsman**