



Treasury Committee

House of Commons, Committee Office, 14 Tothill Street, London SW1H 9NB
Tel 020 7219 5769 Fax 020 7219 2069 Email treascom@parliament.uk Website
www.parliament.uk/treascom

Martin Wheatley Esq
Chief Executive, Financial Conduct Authority
25 The North Colonnade
Canary Wharf
London E14 5HS

7 January 2015

Dear Mr Wheatley,

I am writing to you following representations the Treasury Committee has received from a Mr Nicholas Wilson, concerning allegations he makes against HSBC bank about the actions of the former HFC bank. Mr Wilson's concerns can be found on his website: <http://nicholaswilson.com/>.

From 1 April 2014 the FCA has had responsibility for the regulation of consumer credit, work previously undertaken by the Office for Fair Trading. I would appreciate a response from the FCA on the following points:

- Can Mr Wilson's allegations be considered to be of fraud, and is therefore the FCA the correct body to investigate his concerns?
- On 17 November 2010, the OFT imposed requirements on HFC Bank.¹ Please could you provide the following further information to do with the imposition of those requirements:
 - What detriment had the OFT found that led to the imposition of the requirements on HFC Bank? How many people were estimated to have been affected, and what sums of money were involved?
 - Whether the imposition of the requirements on HFC bank was in any way related to the finding of the Solicitors Regulation Authority on 21 March 2007, that a member of Weightmans solicitors had acted in breach of Practice Rule 8? Do the Solicitors Regulation Authority and the FCA have any system for sharing information that may be of mutual interest?
 - What happened to those who had paid any incorrectly levied fee and had subsequently left the book of HFC? Would they have benefitted from the imposition of the Requirement? If not, would it have been possible under the rules of the time to provide them with redress? What powers were available to the OFT to deal with the practices that led to the Requirements being issued? If the events that led to the Requirement being issued had occurred now, what powers, including of redress, would be available to the FCA?

¹ http://webarchive.nationalarchives.gov.uk/20140402142426/http://www.ofi.gov.uk/shared_ofi/press_release_attachments/HFC-requirements.pdf

- What powers does the FCA have to deal with events that may have taken place when the OFT was responsible for consumer credit?
- Has the FCA have assured itself that the activities outlined in the OFT requirements have ceased, that the concerns that Mr Wilson raises have been dealt with, and that there is no continuing detriment to consumers?
- Mr Wilson has also raised a concern about the use of wording supplied by HSBC in a reply from the FCA to Mr Wilson. To what extent does the FCA rely on wording by financial institutions in its own replies?

I would be grateful for a response by Monday 2 February. The Committee may place this letter, and in due course your reply, in the public domain.

CHRIS STANTON
CLERK OF THE TREASURY COMMITTEE