

03.09.2019

By email to:

Commander Karen Baxter, City of London Police
Andrew Bailey, FCA
Anna Bradley, SRA
Antony Townsend, Complaints Commissioner

HSBC Fraud

Dear Sirs

As you know, I campaign for justice for consumers affected by the fraud carried out by HFC Bank and John Lewis Financial Services Limited, both owed by HSBC. The fraud, which you prefer to call “unreasonable charges”, was in breach of the Solicitors Act - the charges were unlawful contingency fees, and solicitors are forbidden to write to an opponent demanding payment of costs that are not properly due.

The main sequence of events is as follows:

- I reported my firm Weightmans to the SRA in 2006, and was immediately dismissed.
- In 2007 the SRA upheld my complaint but took no action because it only happened “in a small number of cases”
- Weightmans continued adding the charges
- In 2010 the Office of Fair Trading made an order that HFC should no longer add the charges unless and until they amended their credit agreements.
- In 2012 I reported HSBC to the FSA. No action was taken

- In 2012 I reported Restons and HFC solicitor Duncan Hamilton to the SRA
- The SRA found “no evidence” of any wrongdoing by Restons. They did not respond to my complaint about Hamilton
- At the time of my reports to the SRA of Weightmans & Restons, Antony Townsend, now Complaints Commissioner, was CEO of the SRA
- Twice I referred the matter to David Manley of City Police. He took no action. The second report was of suspected forged documents by HSBC. David Manley now works at HSBC.
- In 2014 I discovered that the FCA has copied and pasted text from HSBC in response to my FoIA request. The text was 100% untrue.
- I complained to the Complaints Commissioner. In his first report during the Maxwellisation process he found that an apology to me by the SRA was sufficient. I didn't accept this, and subsequently his report resulted in FCA agreeing to reopen their investigation
- In 2017 the FCA announced by press release that HSBC had voluntarily agreed to repay £4m to 6,700 consumers.
- Knowing this to be far from the true figure I had a meeting with the FCA and presented my evidence, which consists of 119,000 records of County Court Judgments containing the unlawful charges. This is only 20% of the total number of claims, and is not a complete record.
- 2 years later the FCA announce by press release that HSBC has discovered another 18,500 affected consumers. The total detriment to date is approximately £30m
- The FCA has refused to look at my evidence, saying that they cannot verify its source. It is county court judgment records held by the Ministry of Justice. They could verify the records there.

- At a recent meeting with the FCA Toby Hall told me that “off the top of his head” he couldn’t recall whether the FCA had liaised with the SRA over the matter.
- The SRA confirmed to the BBC that in view of the latest news they would reopen their investigation.

Since the wrongdoing has been admitted, and my evidence points to at least £200m due in redress, I am writing to you collectively to suggest that you may wish to communicate with each other in order to establish the truth.

Either Restons, Weightmans and HSBC have misled you all, or you have been complicit in minimising the losses to both HSBC and the solicitors.

I had considered making a further complaint to the Complaints Commissioner, but given that he is so profoundly conflicted in the matter, decided against it.

I would be happy to coordinate any joint enquiry. But I must insist that this matter is finally brought to a proper conclusion.

On a personal note I officially live on £22 per month (after payment of the balance of my mortgage), and only survive through kind donations by the public. My home is currently under threat of repossession as I am a mortgage prisoner. HM Treasury owns my home.

I look forward to receiving a positive and coordinated response to this letter, which I am putting the public domain.

Yours
Nicholas Wilson