

## **The complaint**

Mr M complains that Barclays Bank UK Plc didn't do enough to prevent him losing money to scams.

Mr M has used a representative to bring his complaint. But for ease of reading, I'll mostly just refer to Mr M himself.

## **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here. Mr M says that between December 2019 and July 2023, he made numerous purchases of cryptocurrency through different exchanges. These purchases were funded through his Barclays account.

Mr M says he was later targeted and lost the cryptocurrency he'd purchased as a result of two scams which took place in July and November 2023. He would like Barclays to reimburse him for his losses which he says total over £150,000.

Barclays declined to offer a refund, Mr M complained, and the matter was referred to our service. One of our Investigators didn't recommend the complaint should be upheld. In summary he said it wasn't in dispute that the payments from Mr M's Barclays account hadn't been made as a result of a scam. And he didn't agree with Mr M that Barclays should be found to be responsible based on a failure to warn him of potential cryptocurrency scams.

Mr M disagreed and asked for an Ombudsman to review his complaint. Initially I reached out to Mr M with a view to resolving the complaint informally, Mr M has asked that I issue a final 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 and for similar reasons. I know this will be disappointing for Mr M, so I'll explain why.

In a call with our Investigator, Mr M confirmed that none of the payments from his Barclays account were made at the direction or request of any scammer. The scams came at a later point when Mr M was already in possession of the cryptoassets he'd purchased. Barclays should be alert to fraud and scams and act with a view to protecting their customers from these wherever possible.

But (when making the purchase of the cryptoassets) there was no fraud or scam for Barclays to have protected Mr M from. At that time Mr M was making legitimate purchases and this isn't something I think Barclays needed to intervene in – they were following Mr M's

instructions. I agree with our Investigator that even if Barclays had done more to question any of these payments, Mr M most likely would have still gone ahead with them as there was nothing suspicious or any third-party involvement at that time.

The crux of Mr M's argument seems to be that he believes had Barclays intervened, he should have been warned about the types of scams that can occur from his cryptocurrency wallet and that this would have prevented him from being a victim as he later was. I understand Mr M's argument and I have sympathy for the position he finds himself in. And whilst I would agree that Barclays ought to take all reasonable steps to ensure the financial wellbeing of their customers, in the circumstances of this case, I don't agree that this should involve warning of potential future scams in relation to assets purchased through their accounts – specifically, how to protect a digital wallet containing cryptocurrency.

Mr M says he lost his cryptoassets when he received free tokens with a malicious link embedded in them to his wallet. He also said he received *“seemingly legitimate free airdrops as part of an Initial Token Offering containing a scam link”*. Barclays themselves are not a cryptocurrency exchange, they are a bank. In the course of their business, they wouldn't necessarily be aware of the types of scams that target a cryptowallet directly. The types of warnings typically given would generally be to counter factors such as third-party involvement such as scammers posing as 'brokers' presenting investments which often appear too good to be true – this isn't what happened here.

Mr M has also mentioned some aspects of case law, Financial Conduct Authority principles and various regulations and legislation. I've considered all of these, but nothing submitted persuades me to change from the outcome I've reached for the reasons given.

For completeness, given there isn't a dispute that Mr M received the cryptoassets in exchange for the payments from his Barclays account, I don't think there was anything further Barclays could have done that might have resulted in the recovery of the same.

I'm sorry Mr M lost his cryptoassets in the way he's described. But as this isn't something I think Barclays are responsible for, there isn't a reasonable basis upon which I can require them to do more to resolve this complaint.

### **My final decision**

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 5 November 2024.

Richard Annandale  
**Ombudsman**