

## The complaint

Miss H complains that Bank of Scotland plc (trading as Halifax) failed to refund £15,000 she says she lost to a crypto investment scam.

Miss H is being supported in making her complaint by a representative. But for ease, I'll only refer to Miss H in this decision.

The details of this complaint are well known to both parties. So, if there's a submission I've not addressed; it isn't because I've ignored the point. It's simply because my findings focus on what I consider to be the central issues in this complaint – that being whether Halifax was responsible for Miss H's loss.

## 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 decided not to uphold this complaint for largely the same reasons as our Investigator.

It isn't in dispute that Miss H authorised the faster payments she made to a legitimate crypto exchange (which I'll refer to here as 'K'). Miss H has said the funds were then transferred on to a trading platform with an investment company (which I'll refer to here as 'HV'). The payments were as follows:

Date	Payment
25/2/2022	£20
25/2/2022	£9,980
10/5/2022	£100
14/5/2022	£4,000
14/5/2022	£900
<b>Total</b>	<b>£15,000</b>

The payments were requested by Miss H using her legitimate security credentials provided by Halifax. In line with the Payment Services Regulations 2017, consumers are liable for payments they authorise. Halifax is expected to process authorised payment instructions without undue delay.

Halifax also has obligations to help protect customers from financial harm from fraud and scams. Those obligations are however predicated on the funds having been lost to a fraud or scam.

Miss H says she was introduced to 'HV' via a family member (who I'll refer to here as 'L') who she says was already part of 'HV's WhatsApp group.

Miss H explains that 'L' added her to the WhatsApp group from where she was guided by a 'recruiter' who showed her his account with 'HV' so she could see his investments and returns. Miss H says she then opened an account with 'HV' and was guided on how to open an account with 'K'. Miss H added that:

*"all correspondence regarding her initial introduction to 'HV' was held face to face and therefore, she does not hold any written correspondence regarding her introduction to the scam or being instructed to transfer her funds".*

There's evidence to suggest 'HV' was a scam, and that Miss H did have some dealings with them. And it's evident that Miss H made payments to 'K' for the purchase of crypto. But I agree with our Investigator that Miss H hasn't provided *conclusive* evidence to show the transactions she's disputing were lost as part of the scam. My reasons for that finding are as follows:

- The WhatsApp chat transcript provided by Miss H makes several mentions of 'HV' but *no* mention of Miss H or the disputed transactions.
- Miss H said she was added to the WhatsApp chat by 'L' – but this isn't evident from the chat transcript. Nor is there any reference to 'L' in the transcript; contrary to Miss H's testimony that 'L' was an existing member of the WhatsApp group at the time she introduced her to 'HV'.
- Miss H hasn't provided any evidence of her trading account with 'HV' which she said she set up.
- Information from Miss H's account with 'K' aligns with the payments out of her Halifax account but doesn't show that she then converted those funds into 'HV's trading crypto currency – as she claims she did.
- Whilst there are withdrawals from Miss H's account with 'K', it isn't possible to link those withdrawals to 'HV'.
- There's no written evidence of Miss H being given the crypto wallet address used to transfer her funds from 'K' to 'HV's trading platform. Given the complex nature of crypto wallet addresses in general, her testimony that this was provided only verbally, seems unlikely.
- Miss H later contended that it was 'L' that made the transactions to and from her account with 'K'. This is contrary to her initial claim that she made the transactions, and inconsistent with Miss H's testimony that 'L' provided her with the crypto wallet address for 'HV' so she could transfer the funds herself.
- Miss H has provided a large amount of information about 'HV' events and promotions – but this is all generic information that provides no link to her or to the disputed transactions.
- There's some reference to Miss H having a username and password with 'HV'. This also shows she had an 'available' balance of 22853.5162 HPT (presumably 'HV's trading currency). But it's not possible from the information I've seen to link that figure to the payments made from Miss H's Halifax account. This information is also undated – so the balance figure could've predated or postdated the claimed loss; and we don't know what that figure would be in pounds sterling.

Taking everything into account, I can accept there is some evidence to suggest Miss H interacted with 'HA'. And that the nature and operation of 'HV' being on a global scale meant communication with victims on an individual basis was less likely. But in being fair to all parties I *must* be sure that the funds Miss H transferred out of her Halifax account were lost

to this scam. And looking at all the available evidence, I'm not persuaded on balance, in the circumstances of Miss H's complaint, that this is the case.

I appreciate this will likely come as a disappointment to Miss H, and I'm sorry to hear of the situation she's found herself in. However, in the circumstances of this complaint, I don't consider it would be fair and reasonable to hold Halifax responsible for Miss H's claimed loss.

### **My final decision**

For the reasons given above, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss H to accept or reject my decision **before 14 August 2025**.

Anna Jackson  
**Ombudsman**