

## **The complaint**

Miss W complains that Barclays Bank UK PLC did not fully reimburse her when she fell victim to a scam.

## **What happened**

Miss W met an individual on social media and began talking with him. He told her about an investment opportunity he had been investing in for some time, that was linked to gold. I'll refer to the investment company as 'X' for the purposes of this decision. Unfortunately, X turned out to be a scam. Between 28 January and 14 March 2022, Miss W sent £19,351 from her Barclays account to various international accounts to fund the supposed investment. Following this, she tried to make a withdrawal but was told she had to pay tax. Eventually, she realised she had been the victim of a scam.

Miss W raised a scam claim with Barclays on 20 October 2023. Barclays initially closed down the complaint on 15 November 2023 as they couldn't get in touch with Miss W to ask further questions. But they then issued a final response letter on 29 January 2024 in which they partially upheld the complaint. They agreed they could have done more to protect Miss W from the scam as the payments were unusual. But they also felt Miss W should bear some responsibility for the loss as she had been contacted out of the blue by someone on social media, she did not appear to have sought advice about the investment and the returns were too good to be true.

Because of this Barclays agreed to reimburse 50% of the payments totalling £9,675.50, plus 8% simple interest totalling £1,170.19, less tax of £292.54 and £25 compensation. However, Miss W did not agree with this. She felt she should receive the profits that she lost in the trade, totalling over £100,000. Or a full reimbursement of the investment she made, as well as a higher level of compensation.

Our Investigator looked into the complaint and did not agree Barclays needed to recover any supposed returns Miss W may have made on the investment, and they agreed it was fair that Barclays only refunded 50% of the payments. This is because they felt Miss W should share responsibility for the loss with Barclays. But they felt Barclays should increase the level of compensation by £75 to a total of £100, to account for the distress and inconvenience their delays in resolving the complaint caused Miss W.

Barclays agreed to the findings, but Miss W did not. Miss W still felt she should either receive a refund of the profits she made through the investment, or a full reimbursement of the money she deposited into it. In addition, she felt £300 compensation was a fairer amount and highlighted that she was vulnerable at the time of the scam.

As an informal agreement could not be reached, the complaint has been passed to me for 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.

It is not in dispute that Miss W has been the victim of a manipulative scam, or that Barclays should have done more to intervene in the payments made to the scam. What's left to decide is if Barclays is responsible for reimbursing Miss W with the profits she supposedly made on the investment, if they should fully reimburse the payments she made towards the scam and if Miss W is due any additional compensation to the £100 already recommended.

*Should Barclays pay Miss W the profit earned on the investment?*

Miss W believes she has earned over £100,000 on the investment, however she has also said this was a scam. This complaint is against Barclays and not the scammers, so I can only consider any losses that Barclays may directly be responsible for. Even if this investment were not a scam, Barclays would still not be responsible for providing Miss W with any potential profits she had made on an external investment.

As I am satisfied Miss W has been the victim of a scam, any profits showing in her investment platform is most likely fabricated in order to entice her to send more funds, likely in the form of taxes or fees to withdraw the funds. I will therefore not be directing Barclays to provide Miss W a refund of these likely fake returns.

*Did Barclays act fairly when it reduced the reimbursement by 50%?*

I've considered whether or not Miss W should reasonably bear some responsibility for the losses as a result of any negligence in her actions and if it is therefore reasonable for me to make a reduction in the award based on this. In doing so, I've considered whether Miss W has acted as a reasonable person would to protect herself against the loss she suffered. The test is objective but needs to take account of the relevant circumstances.

In doing so, I have considered all of the information available, which only includes partial chats with the individual who introduced her to X. I have seen some screenshots of his supposed returns, which appear to be significant. Miss W herself thought she had made around £80,000 profit in just a few months of trading and has said from the outset that she was looking to make £50,000 in just a few months. On balance, I think these levels of returns should have been seen as too good to be true.

I also have to consider that Miss W appears to have started talking with the individual on social media on 8 January 2022. Despite only speaking with him for 20 days, she followed his advice and began investing in X on 28 January 2022. On balance, I think Miss W should have taken further steps to look into the investment or seek alternative advice about it before beginning to invest, as at that point the individual was essentially a stranger to her.

Miss W has said she thought X was genuine and that she looked at their Companies House record and felt it looked genuine. Looking at their entry, it states that the nature of the business is manufacturing printing ink. With this in mind, had Miss W looked into X in more detail, I think she could have had concerns something was not right.

With all of this in mind, I agree that Barclays acted reasonably when it held Mrs W partially liable for the loss and reduced the reimbursement by 50%.

*Should Barclays award compensation to Miss W?*

I can see that there were some delays between Miss W reporting the scam in October 2023 and the final response being issued in January 2024. And the complaint was closed in November 2023 due to a lack of contact with Miss W.

Miss W has said how frustrating the experience was as she had to repeat her story multiple times and I can appreciate this must have been upsetting for her. I appreciate Miss W has said she was vulnerable at the time of the scam and had other issues going on in her life, however I would not have expected Barclays to have been aware of these.

Having carefully considered all of the information available to me, I think the additional £75 that would bring the total compensation to £100 is in line with what I would have recommended in the circumstances. So, I think this recommendation is fair.

### **My final decision**

I uphold Miss W's complaint in part. Barclays Bank UK PLC should pay Miss W an additional £75 in compensation for the distress and inconvenience caused.

I do not direct Barclays Bank UK PLC to reimburse any further funds Miss W lost to the scam.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss W to accept or reject my decision before 16 April 2025.

Rebecca Norris  
**Ombudsman**