

## **The complaint**

Mr S complains that National Westminster Bank Public Limited Company didn't do enough to prevent him losing money to a scam.

## **What happened**

The detailed background to this complaint is well known to both parties so I'll only provide a brief overview here.

During late November 2023 Mr S received a call from a third-party claiming to work for an investment merchant. Mr S agreed to sign up and was assigned an account manager. He was encouraged to open up a variety of accounts with payment service providers and another bank. He was then given an online account with the investment firm.

Mr S transferred around £95,810 towards the investment from his NatWest account. He realised he had been scammed when he was unable to withdraw any of his 'profits' from the online account he held with the merchant. So, he made a claim to NatWest and the other firms he had opened bank accounts with. NatWest considered the complaint and decided to offer Mr S a refund of £41,990. These were the payments that he made to genuine crypto exchanges. Mr S also received refunds from a payment service provider and another bank he opened an account with. Mr S remained unhappy with NatWest's offer so he brought his complaint to this service.

Our Investigator didn't think the complaint should be upheld. She said that NatWest did provide some early interventions and blocked some of Mr S's payments here. But despite these interventions from NatWest, and other firms, Mr S continued to want to send money towards the scammer and didn't always provide accurate answers when questioned. So, she didn't think NatWest should do anything more.

Mr S disagreed. He said this complaint had caused him a lot of distress and affected his mental health and that other firms had refunded his money. He said he was scammed and that he should've had all his money returned.

## **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 S, so I'll explain why.

I've read and considered the whole file. But I'll concentrate my comments on what I think is relevant. If I don't mention any specific point, it's not because I've failed to take it on board and think about it, but because I don't think I need to comment on it to reach what I think is a fair and reasonable outcome.

Where the evidence is incomplete, inconclusive, or contradictory (as it is here), I have to make my decision on the balance of probabilities – that is, what I consider is more likely than not to have happened in the light of the available evidence and the wider surrounding circumstances.

It isn't in dispute that Mr S authorised the payments here. And, under the Payment Services Regulations 2017 and the terms of his account, NatWest are expected to process the payments and Mr S is presumed liable for the loss in the first instance.

However, taking into account the regulatory rules and guidance, relevant codes of practice and good industry practice, there are circumstances where it might be appropriate for NatWest to take additional steps or make additional checks before processing a payment to help protect customers from the possibility of financial harm from fraud.

Firstly, I note Mr S has received refunds from other firms. But just because he received a refund from other firms doesn't mean he is entitled to a further refund from NatWest. Mr S hasn't brought complaints to this service about all the firms he received a refund from, and each case is assessed separately and independently. So, I can't comment on why he received some refunds from some firms and not from others. I can only look at whether NatWest could've done more to stop the payments from its account and consider the offer it has made to him.

Mr S's remaining loss from NatWest is for payments he sent to a payment service provider that offered him the ability to buy stocks, shares and crypto. Mr S also had a variety of other accounts that he was using to try and send his money towards the scam.

I've considered that NatWest did stop some of the earlier payments Mr S made here. Overall, I think NatWest made reasonable interventions and asked Mr S questions about why he was making the payments. It also told him that what he was doing was most likely fraudulent and to go away do some more research into the merchant and see if he could make any withdrawals from the scammer's platform. But I don't think I need to make a finding on whether NatWest should've reasonably made further interventions or gone further with its questioning here because I don't think it would've made a difference. I'll explain why.

It's clear that NatWest told Mr S about its concerns and that he should conduct further research into the investment. Instead of listening to that advice, Mr S contacted the scammer and tried to find other ways he could send his money. There was a later conversation in December 2023 with NatWest where Mr S did tell the bank that he was investing with a third party. He was asked questions about the investment and how he had discovered it. Some of the responses should've been red flags to NatWest but it had already told him that it felt the payments he was making were potentially fraudulent. NatWest again told Mr S that his payment was most likely fraudulent, and it stopped the payment. But Mr S was happy to go back and continue to try and send his money.

I note Mr S also had one of his other bank accounts blocked because they had concerns about his payments. Again, his reaction was to go back to the scammer to see whether there were any other avenues he could move his money to the scammers. And from the chats I've seen, he was deliberately making smaller value payments to avoid detection and sharing what the banks were telling him on the chat. There's also evidence of Mr S telling the scammer that the bank would be calling him and arranging a call with the scammer before he spoke to the bank.

Despite these issues and being told that his banks had concerns, later on in the scam when he was moving money from a payment service provider to a crypto exchange, he was asked questions about the investment. Mr S didn't provide accurate answers to those questions

and was clear that no other third-party was involved in his decision to send the money. At this point, I don't think that was a reasonable thing to do. Mr S had been told that his banks had concerns about his payments and had his payments blocked. But he decided to then change the answers so as to avoid any further detection. As a result, I don't think Mr S would've likely listened to any further interventions from NatWest or generic warnings about crypto investment scams. And if NatWest had blocked any further payments, I think Mr S would've found other ways to send money to the scammers because he was completely under their spell and control.

Having considered everything that's happened here I don't think I can reasonably ask NatWest to do anything further here. I think it's made a fair refund of some of the payments that were sent towards the scam. It hasn't refunded any of the me2me payments. But as I've said above, I think Mr S would've more likely than not found another way of sending his money towards the scam if NatWest had intervened any further.

### *Recovery*

Natwest has already refunded some of the payments Mr S made here but not to the accounts Mr S held in his own name with another bank and payment service providers. But I know that Mr S forwarded the money that was sent to those accounts to the scammers so there were no funds to recover here.

Mr S has said this scam has had a detrimental effect on his health. I'm sorry to hear about his personal circumstances. But I can only ask NatWest to take those health conditions into account if it was aware of them at the time Mr S made the payments. So, I can't reasonably hold it to a higher standard based upon the circumstances of this complaint.

I have a great deal of sympathy for Mr S and the loss he's suffered. But it would only be fair for me to direct NatWest to refund his loss if I thought it was responsible – and I'm not persuaded that this was the case. For the above reasons, I'm not going to tell NatWest to do anything further.

### **My final decision**

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 S to accept or reject my decision before 16 October 2025.

Mark Dobson  
**Ombudsman**