

## **The complaint**

Mr Y complains about the actions of Barclays UK Plc when he lost money to a scam.

Mr Y is being represented by a legal representative but for ease of reading I'll only refer to Mr Y.

## **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.

At some point in 2021, Mr Y received e-mails from a merchant (scammer) about investing in its platform. The e-mails contained videos and webinars explaining the great returns available and invites to physical seminars in London. Mr Y decided to attend a seminar and after speaking to other attendees started to invest. In total he decided to send around £86,500 from his Barclays account to an account he held with an Electronic Money Institute who I'll refer to here as F. The money was then sent to the scammer via genuine crypto exchanges.

After trying to make withdrawals from the platform he realised he had been scammed. So, he raised a claim with Barclays. But Barclays said it hadn't done anything wrong so it wouldn't be offering Mr Y a refund. Unhappy with that response Mr Y brought his complaint to this service.

Our Investigator didn't think the complaint should be upheld. He said the payments weren't sufficiently unusual or suspicious for Barclays to have stopped and intervened.

Mr Y disagreed and asked for an Ombudsman's review. He said the payments were sufficiently large enough regardless of the fact they were being sent to his own account with F. And if they had been stopped the scam would've more than likely been uncovered.

## **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 conclusion as our investigator. And for largely the same reasons. I'm sorry to hear that Mr Y has been the victim of a cruel scam. I know he feels strongly about this complaint, and this will come as a disappointment to him, 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.

It is common ground that Mr Y authorised the scam payments of around £86,500. I accept that these were authorised payments even though Mr Y was the victim of a scam. So, although it wasn't his intention to pay money to the scammers, under the Payment Services Regulations 2017 (PSRs) and the terms of his account, Mr Y is presumed liable for the loss in the first instance.

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

So, the starting point here is whether the instructions given by Mr Y to Barclays (either individually or collectively) were unusual in relation to his typical account activity. So, I've reviewed the account statements from the previous twelve months before the scam payments. The account was typically well maintained with the balance ranging from around a few hundred pounds up to several thousand pounds. In April 2021 Mr Y sent a genuine payment for £13,000. I've then seen that he made eleven genuine payments on 01 October 2021 ranging from £4,000 to £250,000. In total the payments he made that day totalled just over £580,000. I appreciate this was from a house sale, but it's still considered previous account activity. These payments also weren't going to an account in his own name. I note there was a further £17,250 genuine payment on 06 October 2021.

The largest payment Mr Y made to his account at F as a part of the scam was £15,000, which was paid twice and three days apart. So, I do accept these are large payments, but I don't think Barclays unreasonably allowed the payments to F to go through without intervening based upon his previous account history. I don't think the payments to F would've seemed unusual for his account given the close proximity of the larger and higher velocity payments that took place on 01 October 2021. There are also two other payments for similar amounts to the £15,000 scam payments that were made within the previous twelve months.

In terms of the recovery of Mr Y's money, because he was sending money to himself before forwarding the money to the scammer, there wasn't any money for Barclays to recover on his behalf here.

This is a difficult message for me to give as I know how strongly Mr Y feels about this matter given the size of his loss. But given the evidence I have, I'm unable to reasonably reach any other conclusion in the circumstances of this complaint. To be clear, I'm not blaming Mr Y for the loss – it's ultimately the scammer who is to blame. But for the reasons I've explained above, I don't think he's been treated unfairly by Barclays.

So, taking everything into account, I don't think Barclays needs to take any further action.

### **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 Mr Y to accept or reject my decision before 5 December 2025.

Mark Dobson  
**Ombudsman**