

## **The complaint**

Miss P complains that Lloyds Bank Plc won't refund the full amount of money she says she lost to a scam.

## **What happened**

The background to this complaint is well-known to both parties, so I won't repeat it in detail here. But in summary and based on the submissions of both parties, I understand it to be as follows.

Miss P complains that she sent several payments from her account with Lloyds to what she believed was a legitimate task-based job. When Miss P didn't get her money back, she logged a complaint with Lloyds.

Lloyds looked into the complaint but didn't uphold it. So, Miss P brought her complaint to our service.

Our investigator looked into the complaint but also didn't uphold it. She found both businesses Miss P sent money from intervened and spoke to her. Our investigator said Miss P didn't give accurate answers to the questions the businesses asked - so Lloyds couldn't have prevented the payments being made.

As no formal agreement could be reached, the complaint has been passed to me to decide.

## **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.

I'm aware that I've summarised this complaint briefly, in less detail than has been provided, and in my own words. No discourtesy is intended by this. Instead, I've focused on what I think is the significant part here. If there's something I've not mentioned, it isn't because I've ignored it. I'm satisfied I don't need to comment on every individual point or argument to be able to reach what I think is the right outcome. Our rules allow me to do this. This simply reflects the informal nature of our service as a free alternative to the courts.

I've thought carefully about whether Lloyds treated Miss P fairly and reasonably in its dealings with her, when she made the payments and when she reported the scam, or whether it should have done more than it did. Having done so, I've decided to not uphold Miss P's complaint. I know this will come as a disappointment so I will explain below why I've reached the decision I have.

I have kept in mind that Miss P made the payments herself and the starting position is that Lloyds should follow its customer's instructions. So, under the Payment Services Regulations 2017 (PSR 2017) she is presumed liable for the loss in the first instance. I appreciate that Miss P did not intend for her money to ultimately go to fraudsters – but she

did authorise these payments to take place. However, there are some situations when a bank should have had a closer look at the wider circumstances surrounding a transaction before allowing it to be made.

So, I've thought about whether the transactions should have highlighted to Lloyds that Miss P might be at a heightened risk of financial harm due to fraud or a scam.

By the time payment five was made on 24 October 2024, Miss P had sent multiple amounts in the space of one day and the value and frequency had reached an amount I think ought to have concerned Lloyds.

At this point given the value and identifiable risk, I'm satisfied a proportionate intervention would have been asking Miss P a series of questions to get a better understanding of the payment purpose. Then based on the answers given, provided a warning-based on the scam risk identified. Here though I'm not persuaded any type of intervention would have made a difference. I'll explain why

Lloyds did intervene and speak to Miss P. The Lloyds advisor asked several questions relating to the payment and Miss P wasn't accurate with her responses. Miss P said.

- She was buying cryptocurrency as it had dropped in value and she wanted to resell it within the next three weeks.
- She's been involved with cryptocurrency for 1.5 years.
- She is aware there has been lots of scams involving cryptocurrency.

So, Miss P was giving answers in relation to cryptocurrency investing rather than a task-based job. I appreciate cryptocurrency may have been involved in the job role, but it's clear Miss P wasn't disclosing the true purpose of why she was making the payments or the wider circumstances.

A payment was also stopped by a business (a third-party EMI) Miss P sent the money to before it went to the scammer. Here the advisor asked several relevant and proportionate questions and Miss P wasn't accurate with the answers she gave here either. Here Miss P said.

- She was a professional cryptocurrency investor.
- No one was guiding her and she was investing herself as crypto was dropping and the election in America would make it rise again.
- She was planning to keep it in her own wallet and guaranteed she wouldn't send it to anyone else.
- No-one had contacted her asking her to make any payments.
- She would always answer questions banks asked truthfully as she was a professional investor.
- She wanted to grow her own cryptocurrency portfolio.
- She would be observing cryptocurrency charts to wait for it to rise before transferring it back to fiat currency.
- She has taught herself over a 1.5-year period and had waited six months before investing.
- She spent a long-time researching cryptocurrency including studying graphs.

Lloyds and other businesses rely on its customers providing accurate answers to the questions it asks, and as Miss P was hiding the true purpose of the payments, she denied both businesses the opportunity to uncover the scam.

I've also not seen anything that has convinced me Miss P would have answered any differently had any further interventions happened. Therefore, due to the reasons I have outlined above, I don't think Lloyds could have prevented Miss P's loss.

As Miss P sent the money to another EMI account in her name before sending it on to the scammer, no recovery would be possible.

### **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 Miss P to accept or reject my decision before 26 November 2025.

Tom Wagstaff  
**Ombudsman**