

## **The complaint**

Mr W complains that Barclays Bank UK PLC hasn't refunded payments that he says he made as part of an investment scam.

## **What happened**

While Mr W has a representative in bringing this complaint – for simplicity I'll refer to Mr W in relation to comments made by him and on his behalf.

Between November 2021 and January 2022, Mr W made several payments to his own account with a cryptocurrency provider, I'll call C. He's explained he sent cryptocurrency on to a third party, I'll call S, believing he was investing and described seeing his profits build on an online platform. When he couldn't access his money, he realised he'd been scammed and reported this to Barclays in February 2024.

Barclays didn't refund any of the payments – in summary it said it had asked Mr W for information that it needed to assess the claim and didn't receive this.

When Mr W complained to our service, the investigator didn't uphold the complaint. In summary, they said they didn't have sufficient evidence to show Mr W had been the victim of a scam, or that he had suffered a loss. They added that if Mr W had been scammed, they didn't think Barclays ought to have done more to prevent the payments in the circumstances.

Mr W didn't agree, he set out why he thought the payments ought to have been considered high risk at the time and that Barclays could have prevented his loss with a proportionate intervention. Mr W also provided a link to a publicly available wallet showing cryptocurrency transfers.

As an agreement couldn't be reached, the matter has been passed to me for consideration by an ombudsman.

## **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'm not upholding this complaint for similar reasons to the investigator.

The starting point in law is that a customer is liable for payments that they authorised. But there are some circumstances where the payment service provider (here Barclays) is expected to do more. Particularly where the customer has been the victim of a scam.

Mr W is asking Barclays for a refund on the basis that he made the payments as part of a scam. Mr W says Barclays ought to have done more to intervene at the time, and that a proportionate intervention would have uncovered the scam and prevented his loss.

But for me to make an award on this basis or for it to even be relevant whether Barclays ought to have done more at the time, I would need to be persuaded that Mr W had in fact

suffered a loss as a result of a scam.

Barclays says it didn't receive the information it needed to assess whether it ought to provide a refund of any of the payments Mr W is disputing on the basis that he was scammed.

Our service has also asked for information such as communication with the scammer including any correspondence or marketing. Unfortunately, Mr W says he doesn't have anything to provide – his chats were on social media and have been deleted, he no longer has access to the scam platform, and he didn't take any screenshots at the time. Without this, we are limited to Mr W's recollection of events to establish what happened.

Our service also asked for statements from Mr W's account with C to show the activity and evidence his loss. Mr W says he no longer has access to this account and so hasn't provided this. The investigator did explain that, where this is the case, we need evidence of the attempts to obtain this information from C, but this hasn't been provided. Instead, Mr W has provided a link to a publicly available wallet, but this doesn't say whose wallet it is or show Mr W has incurred a loss.

Without the above information, I don't think Barclays has acted unreasonably. This is because we don't have evidence to support that Mr W has been scammed. Mr W has referenced a company, S, and as the investigator has explained, this appears to be a legitimate company - so it's unclear whether this genuine company is who Mr W was speaking to.

I appreciate what Mr W has described has the hallmarks of a scam on the face of it, but without supporting evidence of the scam or Mr W's loss, I don't think it would be reasonable to proceed on the basis that Mr W has suffered a loss as a result of a scam.

While Mr W has made a number of points about the intervention he thinks Barclays should have made, I don't think this is relevant given my above conclusion. Our service isn't punitive, and it wouldn't be fair for me to make an award when I don't have sufficient evidence that Mr W has suffered a loss as a result of a scam.

### **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 W to accept or reject my decision before 7 November 2025.

Stephanie Mitchell  
**Ombudsman**