

## **The complaint**

Mr S complains that Santander UK Plc won't refund payments he made as a result of a scam.

## **What happened**

- In 2024, Mr S told Santander he was the victim of an investment scam, involving several card payments to a company I'll refer to as 'I'. He explained that a fraudulent company, which I'll call 'A', pressured him into making investments before they disappeared and left him with no access to his earnings.
- Santander didn't refund the disputed payments or uphold his complaint about the decision. It said card payments weren't covered by the Contingent Reimbursement Code, and because Mr S authorised them, it wasn't liable for them.
- Unhappy, Mr S brought his concerns to our service for an independent review. Our investigator concluded that there wasn't enough to show he lost out as a result of a scam, so they didn't think Santander could be fairly held liable for the losses.
- Mr S disagreed. He explained how he was manipulated by scammers and that his personal circumstances made him vulnerable to the scam.
- As this couldn't be resolved informally, the complaint has been passed to me to make 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.

Having done so, I've reached the same outcome as our investigator for these reasons:

- Given the nature of the payments in dispute, in order to tell Santander to put things right, I'd need to be persuaded that: Mr S suffered losses as a result of a scam; Santander ought to have intervened with the payments; and that this error, in not intervening, caused Mr S's losses.
- There's very limited information available to help me to decide this. But I've looked at what we do have to determine what's more likely than not to have happened here.
- Firstly, I've evidence of the disputed payments. These seemingly went to a legitimate trading firm that's regulated overseas. So I don't think that's enough to say it's more likely than not that Mr S suffered losses from a scam.

- I've also Mr S's testimony, which describes his dealings with 'A'. While I appreciate it's what he can recall, it doesn't provide a very detailed account of how the scam unfolded and how A is linked to I. I also don't have any other evidence – like phone records, emails or screenshots – to show A's involvement with the matter or to show that it was operating as a scam.
- With this in mind, while I accept it's possible Mr S lost out from a scam, I don't think the evidence suggests it's more likely than not. And even if I gave Mr S the benefit of the doubt on this point, I'm mindful that I still would not have the evidence to conclude that any warning Santander potentially ought to have given would've resonated with him. Because again, I've very little detail on who was involved or how this operated.
- I realise this will be disappointing for Mr S, who has given us what he can and whose personal circumstances make this difficult (as well as making him vulnerable to scams). But I have to be fair to both sides. And, with the very limited information available, I'm not persuaded I can fairly ask Santander to put things right here.

### **My final decision**

For the reasons I've explained, I don't uphold Mr S's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 28 October 2025.

Emma Szkolar  
**Ombudsman**