

THE COMPLAINT

Miss U complains Barclays Bank UK PLC (“Barclays”) will not reimburse her money she says she lost when she fell victim to a scam.

Miss U is represented by Refundee in this matter. However, where appropriate, I will refer to Miss U solely in this decision for ease of reading.

WHAT HAPPENED

The circumstances of this complaint are well known to all parties concerned, so I will not repeat them again here in detail. However, I will provide an overview.

Miss U says she has fallen victim to a cryptocurrency linked job scam. In short, she says that scammer(s) deceived her into making payments to receive income from completing various job tasks. The fund transfers/open banking transactions in question are:

Payment Number	Date	Beneficiary / Merchant	Amount
1	15 August 2023	Foris Dax Mt Ltd	£200.00
2	15 August 2023	Foris Dax Mt Ltd	£2,300.00
3	15 August 2023	Foris Dax Mt Ltd	£4,800.00
4	16 August 2023	Revolut	£1,500.00
5	16 August 2023	Revolut	£1,500.00
6	16 August 2023	Revolut	£1,500.00
7	17 August 2023	Foris Dax Mt Ltd	£2,000.00
8	17 August 2023	Foris Dax Mt Ltd	£2,500.00
9	17 August 2023	Foris Dax Mt Ltd	£2,000.00
10	17 August 2023	Foris Dax Mt Ltd	£2,900.00

11	18 August 2023	Foris Dax Mt Ltd	£4,500.00
12	18 August 2023	Foris Dax Mt Ltd	£5,300.00
13	20 August 2023	Foris Dax Mt Ltd	£500.00
14	21 August 2023	Foris Dax Mt Ltd	£3,000.00
15	21 August 2023	Foris Dax Mt Ltd	£2,200.00
16	24 August 2023	Foris Dax Mt Ltd	£5,000.00
17	24 August 2023	Foris Dax Mt Ltd	£4,500.00
18	30 August 2023	Foris Dax Mt Ltd	£50.00
19	29 September 2023	Foris Dax Mt Ltd	£800.00

Miss U disputed the above with Barclays. When Barclays refused to reimburse Miss U, she raised a complaint, which she also referred to our Service.

One of our investigators considered the complaint and did not uphold it. As Miss U did not accept the investigator's findings, this matter has been passed to me to make a decision.

WHAT I HAVE 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 find that the investigator at first instance was right to reach the conclusion they did. This is for reasons I set out in this decision.

I would like to say at the outset that I have summarised this complaint in far less detail than the parties involved. I want to stress that no discourtesy is intended by this. If there is a submission I have not addressed, it is not because I have ignored the point. It is simply because my findings focus on what I consider to be the central issues in this complaint.

Further, under section 225 of the Financial Services and Markets Act 2000, I am required to resolve complaints quickly and with minimum formality.

Key findings

- I am satisfied that Payment 3 was an out of character payment which should have triggered Barclays's fraud detection systems. I say this given the value of Payment 3, especially when taken together with Payments 1 and 2 which were all made on the

same day. I have also taken into account the fact that all the transactions were cryptocurrency in nature. I note that in Barclays's submissions to our Service, it also accepts that Payment 3 was out of character.

- I am satisfied that a proportionate intervention to the aggravating features surrounding Payment 3 would have been for Barclays to have carried out a human intervention via telephone. That is, Barclays should have made further enquiries with Miss U and, if necessary, provided warnings relevant to cryptocurrency investment scams.
- However, I am not satisfied that if Barclays had carried out such an intervention it would have made a difference in the circumstances. I take the view that, on the balance of probabilities, Miss U would have likely frustrated Barclays's attempt to try to protect her from financial harm – thereby alleviating any concerns Barclays had. I have reached this conclusion by taking the following points into account:
 - By telephone call on 16 August 2023, Miss U spoke to Barclays about a £10,000 payment she attempted to make to Foris Dax Mt Ltd. In that call, Miss U told the Barclays agent that the £10,000 was from the proceeds of a loan which she took out to purchase a car (Tesla), which she had now changed her mind about. She also confirmed that she had made crypto payments in the past and that she was under no pressure to make the transaction concerned.
 - By telephone call on 21 August 2023, Miss U spoke to Barclays again about 'topping up' the loan mentioned above. She confirmed that she wanted to do this because she had found a more expensive car that she wanted to purchase.
 - Miss U misled Barclays during the course of both telephone calls mentioned above. I say this because the payments Miss U was making to Foris Dax Mt Ltd had nothing to do with the purchase of a car. They were to complete job tasks. However, Miss U chose not to reveal this to Barclays.
 - What Miss U said during the calls has provided me with an indication as to how she would have likely responded had Barclays intervened in Payment 3.
 - Refundee have alluded to the fact that if Miss U tried to use the 'car cover story' during an intervention it would not have been successful. I have considered the following when dealing with this point:
 - It has been submitted, amongst other things, that the scammer did not 'coach' Miss U on what to say during an intervention. This means that Miss U chose to mislead Barclays on two occasions of her own volition. I have not seen anything to suggest she would not have done this in some capacity again, if Barclays had intervened in Payment 3.
 - Miss U delivered her 'cover story' to Barclays very confidently and in some detail.
 - Even if Miss U had used the same cover story during an intervention, I would only have expected Barclays to have

educated Miss U on the steps she could have taken – research, etc. – to ensure she was dealing with a legitimate firm and provide a scam warning if necessary. Had Barclays done this, I am persuaded that Miss U would have wanted to go ahead with Payment 3 regardless – particularly given she had in fact carried out research already. Further, Refundee has set out several reasons in their submissions as to why Miss U found the scam convincing.

- Taking all the above points together, they suggest that had Barclays intervened in Payment 3 (as described above) to try to protect Miss U from financial harm, it is likely she would have frustrated this intervention – thereby alleviating any concerns Barclays had. The above points clearly show that Miss U was under the spell of the scammer at the time and was prepared to mislead Barclays to get her payments over the line.

Other points

- I have thought about what would have likely happened had Barclays intervened in any of Miss U's transactions post Payment 3. Having done so, I am not persuaded the result would be any different to what I have set out above regarding an intervention for Payment 3. Many of the WhatsApp messages exchanged between Miss U and the scammer(s) are not dated and do not identify the sender or recipient. The messages that are dated do suggest that Miss U only started to have significant concerns about the scam after the payments in question.
- I am not persuaded this is a case where Barclays, contrary to Miss U's instructions, should have refused to put her payments through.
- Regarding recovery, I find it unlikely Barclays could have done anything in this respect given the time that had lapsed between Miss U's payments and when she reported the scam.

Conclusion

Taking all the above points together, I do not find that Barclays has done anything wrong in the circumstances of this complaint. Therefore, I will not be directing Barclays to do anything further.

In my judgment, this is a fair and reasonable outcome in the circumstances of this complaint.

MY FINAL DECISION

For the reasons set out above, my final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss U to accept or reject my decision before 5 October 2025.

Tony Massiah
Ombudsman