

## **The complaint**

Mrs O has complained that Bank of Scotland plc (trading as Halifax) won't refund the money she lost after falling victim to a scam.

## **What happened**

In summary, in 2025 Mrs O was contacted by a scammer posing as a recruiter. They offered her a remote flexible job carrying out simple tasks for exceptionally high pay. But she had to pay in her own money in cryptocurrency to clear negative balances and earn commission.

Over the course of several days, Mrs O transferred over £2,000 from her Halifax account to her account at a cryptocurrency exchange. She then bought crypto and sent it on to the scammers. Halifax stopped her last payment entirely and questioned her, but Mrs O stuck to a cover story and made the payment from a different bank instead.

In the end, Mrs O was asked for more and more money, and wasn't allowed to withdraw.

A few months later, Mrs O reported the scam to Halifax via representatives. Halifax didn't think they were liable for Mrs O's loss.

Our Investigator looked into things independently and didn't uphold the complaint. Mrs O's representatives asked for an ombudsman's final decision, so the complaint's 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 understand that Mrs O fell victim to a cruel scam, for which she has my sympathy. I also understand that she was going through a tough time more generally, and I'm grateful to her for being open with us about that. I appreciate that this scam cannot have been an easy matter for her to face, and I appreciate why she would like her money back. It's worth keeping in mind that it's the scammers who are primarily responsible for their own scam, and it's the scammers who really owe Mrs O her money back. But I can only look at what Halifax are responsible for. Having carefully considered everything that both sides have said and provided, I can't fairly hold Halifax liable for Mrs O's loss. I'll explain why.

It's not in dispute that Mrs O authorised the payments involved. So although she didn't intend for the money to end up with scammers, under the Payment Services Regulations she is liable for her own payments and the resulting loss in the first instance. And broadly speaking, Halifax had an obligation to follow her instructions – the starting position in law is that banks are expected to process payments which a customer authorises them to make.

Halifax should have been on the lookout for payments which could be the result of fraud or scams, to help prevent them. But a balance must be struck between identifying and responding to potentially fraudulent payments, and ensuring there's minimal disruption to legitimate payments. I've thought carefully about whether Halifax should have intervened any earlier in this particular case.

However, I don't think the earlier payments were quite so concerning that Halifax needed to intervene any earlier than they did. While they were going to a crypto site, the spending was not concerningly large yet before the point where Halifax did intervene. And in the preceding period, Mrs O had commonly carried out spending at a similar or higher pace. The payments were going from a sufficient balance to an account in Mrs O's name and didn't yet quite form a sufficiently concerning pattern. At that point, I can't see that Halifax had been made aware of the vulnerability that Mrs O's representatives described, and Mrs O hadn't spoken to them about the spending yet, so I can't see that they missed a particular existing opportunity to discuss it. So I don't think that Halifax needed to intervene any earlier than they did.

Further, I'm afraid I don't think it's likely that earlier intervention would've prevented the loss in this case. Mrs O was spoken to about this spending three times by two different banks, but followed the scammers' instructions, stuck to a false story even when probed, and didn't heed the provided warnings. While I do appreciate the representatives' argument that Mrs O would've got more desperate as her losses increased, I can't see any significant change in her contact with the scammers before Halifax intervened – it seems she was also under their spell earlier. And the life situation which had led to this was still the case earlier. Further, even when Halifax blocked her attempted spend outright, Mrs O just went to another bank. And I can see that she was also in the process of opening two more accounts to get around any further prevention. So it seems that Mrs O was determined to put these payments through, and earlier proportionate intervention was unlikely to have stopped the loss.

I've then considered what Halifax did to try to recover the money after Mrs O told them about the scam. As these were payments to Mrs O's own crypto account, they were not covered by schemes like the CRM code or ASR rules. Unfortunately, it wasn't possible for Halifax to recover funds which Mrs O had already sent on in crypto from her crypto account. And any money still remaining in Mrs O's crypto account was still available to her, so there was nothing more for Halifax to do there.

So while I'm very sorry to hear about what the scammers did to Mrs O, I don't think Halifax can fairly be held responsible for her loss. And so I can't fairly tell Halifax to reimburse Mrs O in this case.

### **My final decision**

For the reasons I've explained, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs O to accept or reject my decision before 8 December 2025.

Adam Charles  
**Ombudsman**