

## **The complaint**

Miss P complains that J.P. Morgan Europe Limited, trading as Chase, won't refund the money she lost when she was the victim of a scam.

## **What happened**

In November 2024, Miss P received a text message from someone who said they had been given her details by a recruitment agency and had a potential job for her. And as Miss P had been looking for work at the time, she replied and was told she would be working for a marketing company and the job involved helping clients increase the rating of their apps.

Miss P was given access to the marketing company's platform, where she could see the tasks she could complete and the commission she had earned. And she was shown how to purchase cryptocurrency, which she would use to pay for some of the tasks she was to complete, and send it on to the platform. Miss P then made a number of payments from her Chase account, which went to another account she held with a different bank before being used to purchase cryptocurrency which was sent on to the marketing company.

Unfortunately, we now know the marketing company was a scam. The scam was uncovered after the company told Miss P she had to pay increasingly large amounts of money before she could complete the tasks she had been given or withdraw the money she had made. Miss P then realised she had been the victim of a scam and reported the payments she had made to Chase.

Chase investigated but didn't agree to refund the payments Miss P had made. Miss P wasn't satisfied with Chase's response, so referred a complaint to our service.

One of our investigators looked at the complaint. They didn't think anything we'd have expected Chase to do would have prevented the loss Miss P suffered here. So they didn't think it would be fair to require Chase to refund the payments Miss P had made. Miss P disagreed with our investigator, so the complaint has been passed to me.

## **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.

Banks are expected to make payments in line with their customers' instructions. And Miss P accepts she made the payments here. So while I recognise she didn't intend for the money to ultimately go to scammers, she did authorise the payments. And so the starting position in law is that Chase was obliged to follow her instructions and make the payments. So Miss P isn't automatically entitled to a refund.

The regulatory landscape, along with good industry practice, sets out requirements for banks to protect their customers from fraud and financial harm. So, in line with this, I think Chase should fairly and reasonably:

- have been monitoring accounts and any payments made or received to counter various risks, including preventing fraud and scams;
- have had systems in place to look out for unusual transactions or other signs that might indicate that its customers were at risk of fraud (among other things). This is particularly so given the increase in sophisticated fraud and scams in recent years, which firms are generally more familiar with than the average customer;
- in some circumstances, irrespective of the payment channel used, have taken additional steps, or made additional checks, or provided additional warnings, before processing a payment;
- have been mindful of – among other things – common scam scenarios, how the fraudulent practices are evolving (including for example the common use of multi-stage fraud by scammers, including the use of payments to cryptocurrency accounts as a step to defraud consumers) and the different risks these can present to consumers, when deciding whether to intervene.

But even if Chase had taken the action I would have expected when Miss P tried to make these payments, I don't think it would have prevented her loss. I'll explain why below.

I'm satisfied Chase ought to have recognised that Miss P was at heightened risk of financial harm from fraud by at least the point she tried to make the eleventh payment here, for £2,211 on 5 December 2024. At this point, Miss P had tried to make ten payments to the same payee over four days. The payments were increasing in size over time, and they were all funded by credits into the account immediately before the payments. And this is a pattern of behaviour often seen when customers are falling victim to a scam.

I think a proportionate response to the risk I think Chase should have identified would have been for it to carry out some sort of human intervention with Miss P, asking her a series of questions in order to try to establish the circumstances surrounding the payments and the actual scam risk, and then to provide her with a warning relevant to that risk.

But Chase did carry out an intervention with Miss P when she tried to make this payment. It spoke to her over the phone and asked her several questions about the circumstances surrounding the payment she was making.

Chase explained that it was asking these questions to help protect Miss P, and that fraudsters can tell victims what to say to their banks in order to allow their payments to be processed. It then asked Miss P what the purpose of the payment was, but Miss P answered that it was to pay off a loan she had taken. Chase also asked if Miss P was moving money as part of an investment opportunity, but Miss P answered that she was not.

From what I've seen of Miss P's communication with the marketing company, she was told not to mention that she is buying cryptocurrency for work. And from what I've seen of her communication with other banks she sent money to the marketing company from, Miss P appears to have been willing to follow this guidance, as she also gave another bank inaccurate information about the purpose of the payments she was making.

So while I think Chase should have asked Miss P more open-ended and probing questions about the payments she was making, even if it had done so, I think it's likely she wouldn't have given it accurate information about the purpose of the payments or the circumstances surrounding them – as happened with the questions she was asked by both Chase and the other bank. And so I don't think Chase would have had significant concerns following its

questions and I don't think any warning I would have expected it to show following those questions would have stopped Miss P from making the payments or losing the money she did.

I appreciate that Miss P has been the victim of a cruel scam and that my decision will come as a disappointment to her. She has lost a significant amount of money and I sympathise with the position she has found herself in. I also understand that she only answered Chase and the other bank's questions in the way she did because the scam marketing company was coaching her to do so. But I can only look at Chase's responsibilities and, for the reasons I've set out above, I don't think anything I would reasonably have expected Chase to have done would have prevented the loss she suffered. And so I don't think it would be fair to require Chase to refund the money she has lost.

### **My final decision**

For the reasons set out above, 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 12 December 2025.

Alan Millward  
**Ombudsman**