

The complaint

Miss T complains that Barclays Bank UK PLC failed to sufficiently intervene causing her to fall victim to an authorised push payment (APP) investment scam. She also did not agree that Barclays did everything it could after she reported the scam.

What happened

The details of this complaint are well known to both parties and so I will not repeat them again here. In summary, Miss T says she fell victim to an investment scam after meeting a scammer on a dating website. She says he persuaded her to invest £110,717.66 in 2021, funded through her own money, loans and borrowing from friends, into what turned out to be a scam platform. She subsequently discovered it was a scam when she was unable to withdraw any funds. She then contacted Barclays to raise the scam, try and prevent the last payment she had made leaving her account and for it to get the rest of her funds back. However, Barclays was unable to recover her funds or prevent the last payment. So, Miss T referred the complaint to us.

Our Investigator didn't uphold the complaint as he did not consider there was sufficient evidence to show a loss occurred from a scam. Additionally, he did not consider that even had any further intervention occurred that it would have uncovered the scam. He found this because when Barclays did intervene Miss T was not forthcoming with the information which would have allowed it to do so. He also did not consider that Barclays did fail in the service it gave to Miss T. Miss T disagreed and the case has been passed to me to issue 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.

I'm aware that I've summarised this complaint briefly, in less detail than has been provided, and in my own words. No discourtesy is intended by this. Instead, I've focused on what I think is the heart of the matter here. If there's something I've not mentioned, it isn't because I've ignored it. I'm satisfied I don't need to comment on every individual point or argument to be able to reach what I think is the right outcome. Our rules allow me to do this. This simply reflects the informal nature of our service as a free alternative to the courts.

I have kept in mind that Miss T made the payment herself and the starting position is that Barclays should follow its customer's instructions. So, under the Payment Services Regulations 2017 (PSR 2017) she is presumed liable for the loss in the first instance. However, there are some situations when a bank should have had a closer look at the wider circumstances surrounding a transaction before allowing it to be made. In line with this, Barclays ought to have been on the look-out for the possibility of fraud and made additional checks in some circumstances.

There is very little evidence showing the funds Miss T says she lost is linked with the scam she alleges. Alongside her testimony her evidence includes: some screenshots of a conversation via a platform message system, a police report, pictures of a man and a webpage link of reviews talking about an investment scam. Miss T can evidence funds being sent to a genuine cryptocurrency platform. However, she does not show a link between these funds and the scam platform – such as evidence of the scammer's account details and this being where the money was eventually sent. Although I accept the screenshots do highlight some red flags, they do not conclusively evidence she lost all her funds through a scam.

However, ultimately whether a scam occurred or not would not change my overall decision. I say this because, as our Investigator found, even though Barclays could have intervened further, starting with a written warning covering scam risks from her fourth payment of £8,869.39 due to the increased payment amount, I am not persuaded it would stopped Miss T proceeding. I say this because Barclays did intervene on multiple occasions, via human intervention, but Miss T was not forthcoming with the details which would have allowed it to uncover the scam. Had Miss T shared the full details of what she was doing Barclays may well have been able to prevent her losses.

Unfortunately, Miss T has been unable to supply copies of the scam chats with the scammer. So, it is difficult for me to ascertain the level of influence he had over her. However, considering the answers Miss T gave to Barclays during its interventions she was most likely being coached by the scammer – which would explain why Miss T was not forthcoming with the full investment details. Briefly, Miss T informed Barclays:

- She was just investing her funds, buying gold and had been for years.
- No-one had contacted her recently about moving her money and she had not spoken with an advisor or anyone else.
- She would not share why she had recently taken a loan.
- The company was regulated in the UK and gave it the name of a regulated entity.
- She was told about the opportunity through a friend.
- She has paperwork.
- She was the only one with access to her account and had the log in details.
- She had made withdrawals.

Additionally, when one of the advisors wouldn't release the funds Miss T was very persistent in ascertaining why, when she deemed that she answered all its questions. This also evidences Miss T's decisiveness in wanting to proceed – ignoring the general scam warning given during one of the calls on 10 December.

Consequently as none of these human interventions resonated Miss T, and she was not forthcoming with the information needed to uncover the scam, I do not think Barclays could have prevented her losses from occurring. I'm persuaded this would have been so even if they had intervened further. I've seen no evidence that the scammer's influence was waning which suggests to the contrary. Based on the limited information available to me, Miss T no doubt believed this to be a genuine investment that she was making under the advice of a trusted individual. I do not think Barclays could have broken this spell without Miss T having been more forthcoming when answering it.

I am sorry to hear of the losses Miss T has suffered, the difficulties this has no doubt caused her and the impact this has had on her health. However, I do not think Barclays acted unreasonably with its actions.

The Contingent Reimbursement Model Code

Although Barclays has signed up to the Contingent Reimbursement Model Code, the payments Miss T made were to her own account, not to another individual, and so are not covered. Additionally, card payments are also not covered under the Code. I cannot fairly and reasonably say that Barclays should have to refund payments under the Code when it doesn't apply here.

Recovery

I do not think there was anything further Barclays could have done here to successfully recover Miss T's funds. The attempt at recovery would only ever be from where the funds were originally sent, not where they were eventually forwarded to – regardless of the fact she didn't mean for them to go to a scammer. Ultimately, had Miss T not transferred them from her cryptocurrency exchange wallet they would still be within her control to access whenever she chose to do so.

Although the final card transaction Miss T says she made may not have left her account when she first contacted Barclays, it would not have been able to stop this either. Once authorised the money will have started the process of moving to the requested destination and financial institutions cannot then stop it.

I've noted Miss T's point that she does not think they did enough at the time and delayed raising a complaint. However, even had they opened a complaint for her at that point I am not persuaded it would have led to a different outcome than this. I will add that scammers will move funds very quickly in order to prevent them being recovered. I do not think there was anything additional Barclays could have done in this situation.

So, in light of all of the above findings, there's no fair and reasonable basis under which I can ask Barclays to reimburse Miss T's loss.

My final decision

My final decision is that I do not uphold this complaint against Barclays Bank UK PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss T to accept or reject my decision before 22 October 2025.

Lawrence Keath
Ombudsman