

The complaint

Ms J complains that Bank of Scotland plc trading as Halifax didn't do enough to protect her money when she fell victim to an investment scam. She wants a full refund of the money she lost along with 8% interest and £250 compensation for the distress and inconvenience she has been caused.

What happened

Ms J said that in June 2024 she received an unsolicited message inviting her to join an investment group. She said the investment promised good returns on cryptocurrency investments and she was looking to earn some extra money and had cryptocurrency experience. Ms J said the scammer communicated with her on a messaging app and asked her to create an account on a trading platform. She was then guided through the trading. Ms J said the scammer was very convincing and a friendship was built. Ms J communicated with other people in a group chat and didn't identify any issues. Ms J made some investments and initially made some profits, but she was then convinced to invest in a new coin and each time she tried to withdraw funds she was told she needed to pay more. The scammers then stopped responding to her in October 2024 at which point she realised she had been the victim of a scam.

Halifax issued a final response to Ms J's complaint dated 11 March 2025. It explained that the payments Ms J made from her account were to accounts in her own name or debit card payments, so they weren't covered by the Contingent Reimbursement Model Code (CRM) or the Payment Systems Regulator (PSR) mandatory reimbursement rules. It further noted that it couldn't raise a chargeback for the debit card payments used to buy cryptocurrency as these were made to third-party cryptocurrency exchanges and the service paid for was carried out – being the exchange of funds to cryptocurrency.

Halifax said that it intervened on numerous payments and gave Ms J relevant scam warnings and she confirmed that no one else was involved. It said it didn't have any reasons to suspect the payments were part of a scam.

Ms J referred her complaint to this service.

Our investigator initially didn't think they had enough evidence to say that Ms J had lost money through being the victim of a scam, but after further evidence was supplied they accepted that she had. They then considered the transactions made and thought that the initial fourteen payments didn't carry a heightened risk of financial harm from fraud given the timing and value of the payments.

Our investigator noted that Halifax had started to intervene on 27 July 2024 and provided evidence of written warnings and human intervention. It also stopped several of Ms J payments to a cryptocurrency exchange on 6 August 2024. Our investigator thought the communication provided by Halifax should have resonated with Ms J and were concerned that Ms J had provided inaccurate responses to Halifax's questions.

Our investigator also gained evidence from a third party to which Ms J had made payments

and found it had also given warnings and intervened on transactions but Ms J had continued to make payments and find ways around any issues with this. Therefore they didn't think that any interventions would have prevented the scam and didn't think that Halifax was wrong to process the payments in line with Ms J's instructions.

Ms J didn't accept our investigator's view. She said that Halifax should have done more to protect her.

As a resolution hasn't been agreed, this complaint has been passed to me, an ombudsman, to issue a 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 am sorry to hear of the experience Ms J has had, and I accept that she has been a victim of fraud and lost money through this. However, for me to uphold this complaint I would need to be satisfied that Halifax should have done something differently, such as intervening in the payments at a different time or in a different way, and that had this happened then Ms J would have stopped making further payments. When considering a complaint, I take all relevant rules, regulations and guidance into account, but my decision is based on what I consider fair and reasonable given the evidence I have seen, and the wider circumstances at the time.

The following payments were identified as being the subject of this complaint.

Payment	Date	Type	Amount
1	25 June 2024	Debit card to cryptocurrency wallet	£299.97
2	26 June 2024	Debit card to cryptocurrency wallet	£165.57
3	26 June 2024	Debit card to cryptocurrency wallet	£107.87
4	1 July 2024	Debit card to cryptocurrency wallet	£499.85
5	10 July 2024	Debit card to cryptocurrency wallet	£510.15
6	16 July 2024	Debit card to cryptocurrency wallet	£502.92
7	17 July 2024	Debit card to cryptocurrency wallet	£201.98
8	27 July 2024	Faster payment to own cryptocurrency account	£1,000.00
9	27 July 2024	Faster payment to own cryptocurrency account	£1,000.00
10	27 July 2024	Faster payment to own cryptocurrency account	£1,000.00
11	27 July 2024	Faster payment to own cryptocurrency account	£1,060.00

12	31 July 2024	Faster payment to own cryptocurrency account	£1,436.96
13	31 July 2024	Faster payment to own account check if credit	£2,000.00
14	31 July 2024	Faster payment to own account	£20.00
15	4 August 2024	Faster payment to own account	£408.19
16	5 August 2024	Faster payment to own cryptocurrency account	£106.07
17	5 August 2024	Faster payment to own cryptocurrency account	£2,099.57
18	5 August 2024	Faster payment to own cryptocurrency account	£25.25
19	5 August 2024	Faster payment to own cryptocurrency account	£60.00
20	6 August 2024	Faster payment to own cryptocurrency account	£500.00
21	6 August 2024	Faster payment to own cryptocurrency account	£52.00
22	9 August 2024	Faster payment to own cryptocurrency account	£100.00
23	9 August 2024	Faster payment to own cryptocurrency account	£100.00
24	9 August 2024	Faster payment to own cryptocurrency account	£100.00
25	11 August 2024	Debit card to cryptocurrency wallet	£150.00
26	21 August 2024	Debit card to cryptocurrency wallet	£5.00
27	22 August 2024	Debit card to cryptocurrency wallet	£100.00
28	22 August 2024	Debit card to cryptocurrency wallet	£2.47
29	22 August 2024	Debit card to cryptocurrency wallet	£33.00
30	23 August 2024	Debit card to cryptocurrency wallet	£19.99
31	23 August 2024	Debit card to cryptocurrency wallet	£208.00
32	23 August 2024	Debit card to cryptocurrency wallet	£2.50
33	23 August 2024	Debit card to cryptocurrency wallet	£20.00

34	23 August 2024	Debit card to cryptocurrency wallet	£24.00
35	25 August 2024	Debit card to cryptocurrency wallet	£40.00
36	27 August 2024	Debit card to cryptocurrency wallet	£30.00
37	27 August 2024	Debit card to cryptocurrency wallet	£80.00
38	28 August 2024	Debit card to cryptocurrency wallet	£1.00
39	28 August 2024	Debit card to cryptocurrency wallet	£55.00
40	28 August 2024	Debit card to cryptocurrency wallet	£27.00
41	28 August 2024	Debit card to cryptocurrency wallet	£1.00
42	28 August 2024	Debit card to cryptocurrency wallet	£152.00
43	29 August 2024	Debit card to cryptocurrency wallet	£1.00
44	29 August 2024	Debit card to cryptocurrency wallet	£419.00
45	30 August 2024	Debit card to cryptocurrency wallet	£726.00
46	4 September 2024	Debit card to cryptocurrency wallet	£501.00
47	4 September 2024	Debit card to cryptocurrency wallet	£19.00
48	4 September 2024	Debit card to cryptocurrency wallet	£9.00
49	7 September 2024	Debit card to cryptocurrency wallet	£344.00
50	12 September 2024	Debit card to cryptocurrency wallet	£4,000.00
51	12 September 2024	Debit card to cryptocurrency wallet	£1,550.00
52	12 September 2024	Debit card to cryptocurrency wallet	£4,392.00
53	12 September 2024	Debit card to cryptocurrency wallet	£180.00
54	12 September 2024	Debit card to cryptocurrency wallet	£180.00
55	13 September 2024	Debit card to cryptocurrency wallet	£45.00
56	13 September 2024	Debit card to cryptocurrency wallet	£3,300.00
57	15 September 2024	Debit card to cryptocurrency wallet	£229.00
58	17 September 2024	Debit card to cryptocurrency wallet	£607.00
59	22 September 2024	Debit card to cryptocurrency wallet	£390.00
60	23 September 2024	Debit card to cryptocurrency wallet	£610.00

61	27 September 2024	Faster payment to cryptocurrency account	£1.00
62	28 September 2024	Debit card to cryptocurrency wallet	£5,090.00
63	28 September 2024	Debit card to cryptocurrency wallet	£12,000.00
64	28 September 2024	Debit card to cryptocurrency wallet	£906.45
65	30 September 2024	Debit card to cryptocurrency wallet	£1,500.00
66	30 September 2024	Debit card to cryptocurrency wallet	£1,500.00
67	1 October 2024	Debit card to cryptocurrency wallet	£82.00
68	3 October 2024	Debit card to cryptocurrency wallet	£4,000.00
69	3 October 2024	Faster payment to cryptocurrency account	£1,871.00
70	9 October 2024	Debit card to cryptocurrency wallet	£18.00
71	10 October 2024	Debit card to cryptocurrency wallet	£27.00
72	10 October 2024	Debit card to cryptocurrency wallet	£30.00
73	11 October 2024	Debit card to cryptocurrency wallet	£72.00
74	11 October 2024	Debit card to cryptocurrency wallet	£31.00
75	11 October 2024	Debit card to cryptocurrency wallet	£42.00
76	12 October 2024	Debit card to cryptocurrency wallet	£27.00
77	14 October 2024	Debit card to cryptocurrency wallet	£80.00
78	17 October 2024	Debit card to cryptocurrency wallet	£29.00
79	17 October 2024	Debit card to cryptocurrency wallet	£20.00
80	18 October 2024	Debit card to cryptocurrency wallet	£38.00
81	21 October 2024	Debit card to cryptocurrency wallet	£35.00
82	21 October 2024	Debit card to cryptocurrency wallet	£5.00
83	22 October 2024	Debit card to cryptocurrency wallet	£1.00
84	22 October 2024	Debit card to cryptocurrency wallet	£5.00
85	23 October 2024	Debit card to cryptocurrency wallet	£19.99
86	26 October 2024	Debit card to cryptocurrency wallet	£9.00

Ms J authorised the payments from her Halifax account. Under the Payment Service Regulations 2017, the starting point is that Ms J is liable for the payments she authorised. However, Halifax should have systems in place to look out for out of character or unusual transactions, or other signs that might indicate that its customers are at risk of fraud.

Ms J has explained that she was contacted in June 2024 about an investment opportunity and I can see the first payment subject to this investigation was dated 25 June 2024. The first seven payments were made by debit card to a cryptocurrency account in Ms J's name. The individual payments were not high value and having looked through Ms J's account history the values weren't unusual. While the payments were to a cryptocurrency exchange, Ms J had made previous payments to investment platforms and has explained she had previously traded cryptocurrency. While the payments were made in close succession the timing didn't suggest that Ms J might be under pressure to make these.

The next four payments were made on 27 July 2024 to an account at another financial institution held in Ms J's name. Halifax blocked a payment and Ms J called it about this. She said she was making the payment to her own account and that she was transferring to send to family. Ms J was warned about the possibility of scams and to check with family and friends before transferring money to ensure it is legitimate. Ms J was asked about the account she was sending the money to and she confirmed that it was in her control. I think this intervention was proportionate and based on Ms J's answers, I do not think that Halifax was wrong to allow the payments after Ms J confirmed she wanted these to happen.

Further payments were blocked and calls took place on 28 July 2024, 30 July 2024, 6 August 2024 and 7 August 2024. On these Ms J was provided with warnings about scams and she confirmed that she has been trading cryptocurrency for a long time and that she was making the payments without being asked to do so and was in control of her accounts. I find that Halifax did take proportionate action to warn Ms J about the risks of cryptocurrency and scams and based on the answers she provided I find it reasonable that it then accepted her payment instructions.

Ms J then made a few low value payments between 7 August 2024 and 22 August 2024 at which point Halifax called her again to confirm that the payment was genuine. While no scam or cryptocurrency specific warnings were given at this time, noting the payment was for £100, and the other calls that had happened I do not find this unreasonable. Ms J continued to make low value payments to cryptocurrency exchanges until 12 September 2024, when the payment size increased significantly.

Given the size of the payments Ms J made on 12 September 2024, I think there should have been concerns that these payments were unusual and out of character and that Ms J was at risk of potential financial harm. Therefore, human intervention was needed. Halifax called Ms J twice on 12 September 2024, and on these calls Ms J was required to provide her identity documents and was sent information about fraud prevention which Ms J confirmed she received. She was asked the purpose of the payment and confirmed it was for cryptocurrency and that this was something she did regularly. She was asked if someone had told her to make the payment and she confirmed they hadn't and that she had been doing this for years. Ms J was asked about why she had increased her payment and she said she wanted to invest more for more profit and that no one had contacted her about these payments. Further discussion took place but Ms J confirmed she was making the investment for herself and she was provided with further warnings before she confirmed she wanted the payment to go ahead. Given Ms J's response to the questions asked I think it reasonable that Halifax followed Ms J's instructions for these payments.

The next interventions took place on 27 and 28 September. The payments leading up to this had been relatively small but Ms J then made a payment for over £5,000. Halifax again

questioned Ms J about the payments, their purpose and whether Ms J was being asked to make the payment for someone else. I think these questions should have made Ms J think about the payments she was making. However based on her answers, I do not find I can say Halifax was wrong to allow the payments.

Ms J made further large payments on 30 September 2024 and 3 October 2024. While I cannot see that intervention happened on these payments, given the previous intervention I am not persuaded that had questions been asked these would have stopped Ms J making these payments. I further note that Ms J had received warnings and interventions from one of the financial institutions she was paying to and these hadn't stopped her continuing with her payments. I have also considered the communication she was in with the scammers at this time and can see that Ms J says she is concerned she is being scammed but that she then dismisses this and continues to make payments. Taking this all into account, on balance, I do not think that further intervention at this stage would have changed the outcome.

Following the payment made on 3 October 2024, the subsequent payments were for low amounts and so I wouldn't expect them to have raised concerns, especially given Ms J's previous account history.

While I am sorry that Ms J has lost money as a result of a scam, in this case I think that Halifax did try to protect her by intervening in her payments. Unfortunately based on the information Ms J provided in response to Halifax's questions the scam wasn't identified and despite several warnings, Ms J continued to make payments.

Ms J contacted Halifax about the scam in January 2025, but as has been explained the payments aren't covered by the CRM or PSR. And given the services she paid for using her debit card were provided (being the transfer of funds into cryptocurrency) I accept that a chargeback would have been unlikely to succeed.

So, for the reasons set out above, I do not uphold this complaint.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms J to accept or reject my decision before 29 December 2025.

Jane Archer
Ombudsman