

The complaint

Mr H complains that Northern Bank Limited trading as Danske Bank didn't do enough to protect him when he fell victim to an investment scam.

What happened

Mr H says that he was cold called by a company I'll refer to as C. During this contact he said they presented themselves as helpful and very convincing, emphasising their products great potential – that being a cryptocurrency based investment. Mr H found their approach persuasive which resulted in him investing in C with the large majority of his payments being made to cryptocurrency providers between late 2020 and early 2021.

Mr H through his professional representatives raised a complaint with Danske Bank. It said that the bank should have put additional measures in place to protect Mr H from falling victim to this scam. Danske Bank responded to the complaint advising it was unable to provide a refund to Mr H because he authorised the payments and they have followed their legal obligations to make them.

Mr H brought his complaint to this service, but our investigator didn't uphold it. She said that Mr H's professional representatives had provided little in the way of detail regarding the background to C and the evidence presented was not done so in an appropriate format despite requests made for it. Ultimately our investigator considered that Mr H had provided sufficient evidence that linked any of the disputed transactions made being in relation to C. And in fact payments Mr H advised were being made to C as part of the original complaint raised, were instead payments that were coming into his account. Our investigator acknowledged that from the evidence provided this did show Mr H had some dealings with C in addition to him receiving credits with reference to C. But no evidence had been provided tying Mr H's outgoing payments to C, nor any evidence that demonstrated Mr H had suffered a financial loss as a result of C.

Mr H proceeded to provide some further evidence following our investigator's findings. However our investigator advised that whilst Mr H had provided screenshots of crypto related transactions, she still hadn't seen any evidence tying any of his payments being made in relation to C. Furthermore, she had raised concerns that Mr H was unable to present any evidence of chats he held with C and which might have evidenced instructions he was given about making payments. What Mr C had provided was a group chat – but this did not feature anything about any payment instructions. Mr C asked for an Ombudsman to review his complaint, so the case has now 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.

In broad terms, the starting position at law is that a bank such as Danske Bank is expected to process payments and withdrawals that a customer authorises it to make, in accordance with the Payment Services Regulations (in this case the 2017 regulations) and the terms and

conditions of the customer's account.

Here it's not in dispute that the payments were authorised, so the starting position is that Danske Bank isn't liable for the transactions.

There are, however, some situations where we believe that businesses, taking into account relevant rules, codes and best practice standards, shouldn't have taken their customer's authorisation instruction at 'face value' – or should have looked at the wider circumstances surrounding the transaction before making the payment.

Mr H says he made these payments due to falling victim to an investment scam which was being carried out by C. But he hasn't been able to evidence to this service that the funds he paid out and which were primarily to a cryptocurrency exchange were funds that were lost to this scam. Mr H has evidenced that he held an account with C and that a balance was held with them. But he hasn't been able to show us that the specific payments complained about here are what funded it. Mr H has also provided an undated email from C in relation to a new payment system being used – but the email makes no reference to the name of the payment system. Mr H has seemingly provided evidence of a payment system he is signed up to and getting verified on, but I've seen no evidence that this payment system is specifically tied to C or the disputed transactions.

I've looked carefully at all the evidence that's been provided by Mr H and I can see that some of the payments tie in with the screenshots Mr H has provided of a cryptocurrency wallet. However there is other activity – namely crypto related transactions both received into and out of the account that which are unaccounted for nor supported by any evidence that's been presented by Mr H to date and he's had ample opportunity now to do so since first bringing his complaint to this service. The screenshots Mr H has provided of a cryptocurrency wallet also show that there are instances when some deposits are made, there are a number of days before withdrawals are made. Mr H had also advised our investigator that the account with C was in his own name and only he had access, yet his submissions also provide evidence of an account with C belonging to another party that appears related to Mr H.

With the available evidence, I can't safely say that the payments now reported were lost to, or even relate to, the scam with C.

Whilst I accept Mr H was involved in the scam C ran, he hasn't provided evidence that the payments complained about now, did go to this scam. So I can't fairly say Danske Bank needed to do anything differently, as Mr H hasn't evidenced there was a risk of financial harm associated with him making these payments, that Danske Bank ought to have acted to try and prevent. Or evidenced that he has actually suffered a financial loss from these specific payments as a result of a scam.

I also don't consider Danske Bank needed to do anything to try and recover Mr H's funds once he reported the scam. Mr D has evidenced that he received the cryptocurrency he paid for, so Danske Bank wouldn't have been able to recover these funds.

My final decision

For the reasons given above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 5 November 2025.

Mark O'Connor

Ombudsman