

## The complaint

Mrs H has complained that The Royal Bank of Scotland Plc (RBS) won't refund the money she lost after falling victim to a scam.

## What happened

In summary, Mrs H has explained that in 2022 she entered into several cryptocurrency investment schemes on the advice of friends, which turned out to be scams. She funded them by making payments from her RBS account to her own cryptocurrency or PayPal account, then from there she bought crypto and sent it on to the scam platforms. The payments were made over the course of April to June 2022 and totalled around £12,000.

In 2025, Mrs H complained about this to RBS via representatives. RBS explained they sympathised but didn't think they were liable for the stated loss.

Our Investigator looked into things independently and didn't uphold the complaint. Mrs H'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 H fell victim to scams, for which she has my sympathy. I appreciate that such scams can really be cruel, and are often not easy matters to face, and I appreciate why she'd want her money back from any such scam. It's worth keeping in mind that it'd be the scammers who'd be primarily responsible for their own scams, and it'd be the scammers who'd really owe Mrs H her money back. But I can only look at what RBS are responsible for. Having carefully considered everything that both sides have said and provided, I can't fairly hold RBS liable for Mrs H's stated loss. I'll explain why.

It's not in dispute that Mrs H 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 stated loss in the first instance. And broadly speaking, RBS 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.

RBS 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 RBS should have done more in Mrs H's case.

However, I don't think the payments involved were quite so unusual or out of character that RBS needed to intervene. While I appreciate that this was a substantial amount to lose in total, the payments were spread out and were each of values that were not especially remarkable. The spending was never quite so large or rapid as to have been of particular concern, nor did it form a particularly suspect pattern. The account was newly opened, so there wasn't any significant payment history to compare this to. The payments were going to accounts in Mrs H's own name, and while some went to a crypto account, RBS weren't quite as on-notice about crypto scams back then as they were in later years. And RBS were not aware of the vulnerabilities the representatives described.

So overall, I do not find that RBS needed to intervene here. That means I don't think that they needed to speak to Mrs H or question her or provide tailored warnings about these payments.

Further, even if RBS had intervened, it doesn't seem very likely that this would've worked. I understand that shortly before this, Mrs H had tried to pay into her crypto account using her bank account at another firm. But that bank had intervened, blocked Mrs H's attempt outright, and warned her about crypto scams. Then Mrs H opened this RBS account, and used it primarily to make these crypto payments, which got around the block. So it seems that Mrs H was fairly determined to make her payments, and intervention wasn't likely to have stopped her. Though again, I don't think that RBS needed to intervene here anyway.

I've then considered what RBS did to try to recover the money after Mrs H told them about the scam. Unfortunately, by that point it had been years since the payments. These payments were not eligible for a chargeback, and as they were transfers to Mrs H's own crypto account or PayPal, they were not covered by the CRM code. It wasn't realistically possible for RBS to recover funds which Mrs H had already sent on in crypto. And I'm afraid there was nothing more that RBS could've reasonably done to get the money back here.

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

### **My final decision**

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

This final decision marks the end of our service's consideration of the case.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 3 December 2025.

Adam Charles  
**Ombudsman**