

The complaint

Mr C complains that Bank of China (UK) Ltd (BoC) is refusing to refund him the amount he lost as the result of a scam.

Mr C has previously been represented by a third party. To keep things simple, I will refer to Mr C throughout my decision.

What happened

The background of this complaint is well known to all parties, so I won't repeat what happened in detail.

In summary, Mr C was contacted via a well-known messaging application by an individual that he quickly formed a romantic connection with. I will call this individual "X".

X introduced Mr C to what appeared to be an opportunity to earn some additional money with a company I will call "Y". Mr C was required to complete various tasks via an online platform that would in turn provide him with commission.

Mr C was required to send funds into the scam via cryptocurrency before he could participate in completing the various tasks.

Having completed multiple tasks Mr C was required to add more and more funds to unlock more premium tasks. Eventually Mr C realised he had fallen victim to a scam when he was unable to withdraw money from the platform.

Mr C has disputed the following payments:

Payment	Date	Payee	Payment Method	Amount
1	11 November 2023	Mr C	Transfer	£3,000
2	11 November 2023	Mr C	Transfer	£2,000
3	12 November 2023	Mr C	Transfer	£5,000
4	12 November 2023	Mr C	Transfer no loss	£2,000
5	12 November 2023	Mr C	Transfer no loss	£4,000
6	13 November 2023	Individual 1	Transfer	£2,047
7	13 November 2023	Individual 2	Transfer	£510
8	13 November 2023	Individual 3	Transfer	£545
9	13 November 2023	Individual 4	Transfer	£1,196
10	13 November 2023	Individual 5	Transfer	£3,185
11	13 November 2023	Individual 6	Transfer	£762
12	13 November 2023	Individual 7	Transfer	£4,743
13	14 November 2023	Individual 8	Transfer	£5,740
14	22 November 2023	Individual 9	Transfer	£2,212
15	22 November 2023	Individual 10	Transfer	£1,373
16	22 November 2023	Individual 11	Transfer	£4,200
17	22 November 2023	Individual 10	Transfer	£1,400
18	22 November 2023	Individual 12	Transfer	£4,622

Our Investigator considered Mr C's complaint and didn't think it should be upheld. Mr C disagreed, so this complaint has 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.

It has not been disputed that Mr C has fallen victim to a cruel scam. The evidence provided by both Mr C and BoC sets out what happened. What is in dispute is whether BoC should refund the money Mr C lost due to the scam.

Recovering the payments Mr C made

Mr C made payments in relation to the scam via transfer. When payments are made by transfer BoC has limited options available to it to seek recovery.

As the payments were made either to Mr C's own account at another provider, or in exchange for cryptocurrency, and it took further steps for those funds to end up in the hands of the scammer any attempt to recover the payments Mr C made from his BoC account would have no chance of success.

Should BoC have reasonably prevented the payments Mr C made?

It has been accepted that Mr C authorised the payments that were made from his account with BoC, albeit on Y's instruction. So, the starting point here is that Mr C is responsible.

However, banks and other Payment Services Providers (PSPs) do have a duty to protect against the risk of financial loss due to fraud and/or to undertake due diligence on large transactions to guard against money laundering.

The question here is whether BoC should have been aware of the scam and intervened when Mr C made the payments. And if it had intervened, would it have been able to prevent the scam taking place.

It was not unusual for Mr C to make payments to other accounts in his own name for similar amounts to the first few payments. But I think it could be argued that based on the value of payment 3 BoC should have intervened to try to establish the background of the payment Mr C was attempting.

However, I don't think an intervention by BoC would have made a difference I will explain why.

Mr C has provided a copy of the conversations he had with X via the messaging application. When Mr C found obstacles in making payments, he discussed the issues with X and X advised him how to get around them and avoid payments from being stopped with more than one bank.

X clearly convinced Mr C that banks didn't like cryptocurrency and that Mr C should lie to the banks to have the payments processed. Mr C took X's advice on more than one occasion.

Had BoC intervened further, as I have said it should have, I don't have enough to say that Mr C would have answered its questions any more honestly. I think it's most likely that had BoC intervened further, Mr C would have discussed the intervention with X and X would have

guided him through how to make the payment.

With this in mind I don't think BoC missed an opportunity to prevent the scam, and it is not responsible for Mr C's loss.

My final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 14 October 2025.

Terry Woodham
Ombudsman