

## **The complaint**

Mr L says National Westminster Bank Public Limited (“NatWest”) should’ve done more to protect him when he fell victim to a financial scam.

Mr L has appointed a professional representative who has brought this complaint on his behalf. However, for ease, I will simply refer to “Mr L” throughout my decision, even when referring to submissions made by his representative.

## **What happened**

The facts of this complaint are well known to both parties, so I see no need to repeat them detail here.

In short, Mr L says he made 16 payments, totalling £30,473.62, into a cryptocurrency scam. Mr L says he met the scammer through a well-known Facebook group, when he was contacted by another member of the group who presented him an investment opportunity. Mr L says he saw his investments growing via the online portal the scammers gave him, and he began receiving some returns, so he invested more money. However, he realised he had been scammed when he tried to withdraw his funds but was asked for to pay fees and was unable to withdraw the money. Mr L says NatWest should’ve realised he was falling victim to a scam and should’ve intervened.

NatWest says the funds were sent to another account in Mr L’s name, so it shouldn’t be held responsible for the loss here. It also says it presented him a tailored scam warning when the first payment was made but he didn’t take any note of this. So, it refused to refund any of the payments.

Our investigator considered this complaint and felt that NatWest should’ve intervened at Payment 10. However, he wasn’t persuaded any intervention from NatWest would’ve changed Mr L’s decision to continue investing and so he didn’t feel any intervention would’ve prevented any loss. So, he didn’t uphold the complaint. Mr L wasn’t happy with this outcome, so the complaint has been passed to me for 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.

It is not in dispute that Mr L authorised the payment transactions in this matter. Generally, consumers are liable for payment transactions they have authorised. However, that is not the end of the story. This is because even if a payment is authorised, there are regulatory requirements and good industry practice which suggest firms/banks – such as NatWest – should be on the look-out for unusual and out of character transactions to protect their customers from financial harm. And, if such payment transactions do arise, firms should intervene before processing them. That said, firms need to strike a balance between intervening in a customer’s payment to protect them from financial harm, against the risk of unnecessarily inconveniencing or delaying a customer’s legitimate transactions.

### Should NatWest have intervened in the payments Mr L was making

The investigator considered the complaint and felt it reasonable to have expected NatWest to have intervened at Payment 10. Having considered the payments in detail and having reviewed Mr L's account history for the prior six months, I think this finding is reasonable. I've also seen that Mr L nor his representative have disputed this finding, so I am inclined to agree that Payment 10 is an appropriate point at which NatWest should've intervened. At this point, considering the payment took Mr L into his overdraft and he was sending almost £10,000 to the same payee within the last 48 hours, I think the appropriate intervention would've been human contact.

So, I must now turn to causation. Put simply, I need to consider whether NatWest's failure to intervene caused Mr L's losses. To do this, I need to reflect on whether such an intervention (described above) would have likely made any difference.

### Would the appropriate intervention have made a difference to Mr L's decision to continue making these payments?

This is essentially the crux of this complaint. In recent communication between Mr L's representatives and ourselves, their main argument is that Mr L would've taken a warning from NatWest seriously and this would've made him realise he was being scammed. So, it says as NatWest failed in its duty to intervene, it should refund him all the money lost from Payment 10 onwards. While I think the points they have made are logical, the standard here is to make a finding on what I think is more likely to have happened. And evidence I have from the time is the most persuasive when considering what it likely to have happened.

Having reconsidered all the available evidence and information provided, I am still not persuaded Mr L would've acted differently had NatWest provided the appropriate intervention. I'll explain why.

Having reviewed the chat history between Mr L and the scammer it seems he was fully convinced by this scam. The investigator detailed the conversation in his view, and in summary Mr L seemed keen to take up this opportunity despite his partner and other close relations warning him against it. He also comments on his friend thinking this was a scam, but as he has received money back from the scam, he felt confident. It's clear that Mr L was convinced his investments were genuine as he says, "if it was a scam they would have scammed us by now wouldn't they mate lol,". And the fact that he has this conversation with the scammer himself, shows a deep level of trust.

The evidence shows Mr L had built a personal relationship with the scammer, he knew details about the scammer's personal life and shared information about his own and he later invited the scammer to his wedding. He also showed remorse for not being able to pay back the loan the scammer gave him, showing that he was fully persuaded by this scam and believed the scammer to be someone he could trust.

The evidence shows Mr L had received some returns from his investment, and so even if NatWest had suggested this might be a scam I think Mr L would've been reassured by the fact that he had seen some returns. He had also done some research on the company and had not found anything which caused alarm.

Mr L's representatives say that the fact that Mr L trusted the scammer doesn't mean he wouldn't have listened to the bank. It says the correct question is whether a trained analyst, using the bank's authority and tailored education, would likely have redirected Mr L from reliance on the scammer's narrative to reliance on verifiable proof. While I agree the idea of an intervention is to uncover a scam and to give effective warnings with the intention of

protecting customers from financial harm, a complaint will only be upheld on this basis if it is more likely than not the customer would've listened to the bank. And for all the reasons outlined above, I don't think Mr L would've acted differently with an effective warning from the NatWest.

I've considered all the other points raised and having done so I am not upholding this complaint. For the reasons outlined above I don't think Mr L would've acted differently had the appropriate warning been provided, and I don't think NatWest ought to do anything further.

### **My final decision**

I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 7 January 2026.

Sienna Mahboobani  
**Ombudsman**