

## **Complaint**

Mr A is unhappy that Barclays Bank UK PLC didn't reimburse him after he reported falling victim to a scam. Mr A has brought this complaint with the assistance of professional representatives. For simplicity's sake, I've generally referred to Mr A in the text of the decision.

## **Background**

Mr A says he is the victim of an investment scam. He says he became aware of a large-scale investment opportunity that centred around cryptocurrency. He signed up to a mailing list and would regularly receive promotional offers by email. He says he anticipated making significant returns (\$75,000 within 2 years) and so began to make payments to his account. Between April 2021 and January 2023, he made multiple payments to three third-party cryptocurrency exchanges. As I understand it, he used his funds to purchase cryptocurrency which was then transferred on to the scammers.

He grew concerned when he wasn't able to withdraw funds from the platform. Eventually, he determined that he must have fallen victim to a scam. He notified Barclays but it didn't agree to reimburse him. Mr A wasn't happy with that response and so he referred his complaint to this service. It was looked at by an Investigator who didn't uphold it. Mr A disagreed with the Investigator's opinion and so the complaint has been passed to me to consider and come to a final decision.

## **Findings**

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 firm is expected to process payments and withdrawals that a customer authorises, in accordance with the Payment Services Regulations (in this case, the 2017 regulations) and the terms and conditions of the customer's account. It's common ground that the payments in dispute were authorised and so Mr A is presumed liable at first instance.

However, that isn't the end of the story. Good industry practice required that Barclays be on the lookout for account activity or payments that were unusual or out of character to the extent that they might indicate a fraud risk. On spotting such a payment, I'd expect it to take steps to protect their customer. That might be as simple as providing a written warning as part of the payment process or it might extend to making contact with the customer to establish the circumstances surrounding the payment.

However, none of these expectations is relevant here unless I am first persuaded that Mr A was the victim of a scam. And I can't be persuaded that he was the victim of a scam unless there is reasonably compelling evidence to show he has suffered a financial loss.

It is for Mr A to demonstrate that he has suffered such a loss, and I'm not convinced he has done so. I accept that over an extended period of time he made multiple payments to third party cryptocurrency exchanges. I can also see that he was able to receive credits back into his Barclays account from some of those businesses too. I understand from his

representatives that, when he purchased cryptocurrency, it was subsequently transferred into the control of the fraudsters.

I've looked carefully at the information that has been submitted to support Mr A's case. It includes several screenshots of promotional material apparently related to the investment scam and emails. However, none of these are specific to Mr A or to any individual transaction. Despite multiple requests by our Investigator, no evidence has been provided of any movement of cryptocurrency from Mr A's e-wallet to another controlled by a fraudster.

The representatives of Mr A argue that, by providing the blockchain address allegedly used by the fraudsters to receive cryptocurrency, I should undertake blockchain analysis to ascertain the ultimate destination of his funds. I don't agree with that. This matter concerns a multi-billion-dollar fraud, and Mr A is unable to identify any of the originating addresses from which he sent cryptocurrency. In these circumstances, this suggested course of action is wholly impractical, particularly given that this service exists as an informal alternative to the courts.

In addition to that, I note that the three cryptocurrency exchanges which Mr A dealt with are reputable, well-established entities that remain in operation. I can see no good reason why he should be unable to obtain the necessary evidence to support his claim. For the avoidance of doubt, it is for Mr A to demonstrate, on the balance of probabilities, that he has sustained a financial loss. It is not for this Service, or any other party, to disprove the existence of such a loss.

### **Final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 8 January 2026.

James Kimmitt  
**Ombudsman**