

The complaint

Mr J complains that Barclays Bank UK PLC won't refund the money he lost when he was the victim of a scam.

What happened

In October 2021, Mr J commented on a social media post about a festival he had recently attended, and his comment was liked by a user whose profile name and email address were similar to those of a well-known actor. As he believed they were the genuine actor, Mr J then started communicating with the user. And the user introduced him to a number of other users who were also supposedly well-known actors, and to a number of investment opportunities.

Mr J then made a number of payments from his Barclays account on the understanding that he was either sending money to the actors or was investing in opportunities they had recommended to him. These payments were made between March 2022 and December 2023, and totalled just over £50,000.

Unfortunately, we now know the users Mr J was speaking to were scammers and the investment opportunities they introduced him to were also scams. After the scam was uncovered, Mr J reported the payments he had made to Barclays and asked it to refund the money he had lost.

Barclays investigated but didn't agree to refund the payments Mr J had made. Mr J wasn't satisfied with Barclays' response, so referred a complaint to our service.

One of our investigators looked at the complaint. They didn't think anything we would reasonably have expected Barclays to have done would have prevented the loss Mr J suffered. So they didn't think it would be fair to require Barclays to refund the money he had lost. Mr J disagreed with our investigator, so the complaint has 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.

Banks are expected to make payments in line with their customers' instructions. And Mr J accepts he made the payments here. So while I recognise he didn't intend for the money to ultimately go to scammers, he did authorise the payments. And so the starting position in law is that Barclays was obliged to follow his instructions and make the payments. So Mr J isn't automatically entitled to a refund.

Taking into account relevant law, regulators rules and guidance, relevant codes of practice and what I consider to have been good industry practice at the time, I consider it fair and reasonable that Barclays should:

- have been monitoring accounts and any payments made or received to counter various risks, including preventing fraud and scams;
- have had systems in place to look out for unusual transactions or other signs that might indicate that its customers were at risk of fraud (among other things). This is particularly so given the increase in sophisticated fraud and scams in recent years, which firms are generally more familiar with than the average customer;
- in some circumstances, irrespective of the payment channel used, have taken additional steps, or made additional checks, or provided additional warnings, before processing a payment;

And so I've also considered whether Barclays should have identified that Mr J could be at heightened risk of financial harm from fraud as a result of any of the payments he made here, and what difference any action I would have expected it to take as a result would have made.

But, even if Barclays had recognised that Mr J was at heightened risk of financial harm from fraud when making some of these payments, I don't think the action I would have expected it to take would have prevented his loss. I'll explain why below.

The earlier payments Mr J made from his Barclays account here weren't for particularly large amounts, or amounts I would have expected Barclays to identify as suspicious based on their size alone. And I don't think they formed a particularly suspicious pattern of behaviour I would have expected Barclays to recognise either. And so I wouldn't have expected Barclays to have identified that Mr J was at heightened risk of financial harm from fraud as a result of these earlier payments.

I'm satisfied Barclays ought to have recognised that Mr J was at heightened risk of financial harm from fraud when he tried to make the payments in June 2022. At this point the value of the payments he was making increased significantly. And he started to make a number of payments to the same cryptocurrency exchange on the same day, which matches a pattern of behaviour often seen when customers are falling victim to a scam.

I think a proportionate response to the risk I think Barclays should have identified would have been for it to carry out some sort of human intervention with Mr J to attempt to establish the circumstances surrounding the payments, before allowing them to debit his account.

Barclays has said that Mr J was shown a written warning when he tried to make some of the payments here, which said:

"Could this be a scam?"

Fraudsters fake documents and websites to look like genuine organisations, and post adverts on social media and search engines.

Search the FCA ScamSmart tool and look out for any warnings. If the company is genuine, you'll also be able to find their registered contact details.

If you're investing in crypto-currency, be extremely cautious. Don't continue if someone has control of your wallet, or you can't access it.

Speak to a financial advisor first – if the offer sounds too good to be true, it probably is.

Stop. Challenge. Protect.”

It's also said it blocked Mr J's account when he tried to make some payments, and spoke to him to confirm they were genuine and to warn him about potential scams. But this written warning was fairly generic, and Barclays' records don't provide much detail on the conversation it had with Mr J. So I'm not satisfied these interventions went far enough or were a proportionate response to the risk I think Barclays should have identified.

However, even if Barclays had asked more probing and in-depth questions of Mr J when he was making these payments, and carried out the kind of intervention I would have expected, I'm not satisfied it would have prevented his loss.

Mr J has said he was heavily coached by the scammers and was told what to say if banks blocked his payments, in order to make sure they still went through.

Mr J also made payments towards this scam from other banks he held accounts with, both before and after the payments from his Barclays account, and I've seen evidence of interventions one of these other banks carried out with him. During these interventions, Mr J was asked whether anyone had asked him to make the payments and he answered that they hadn't, it was just him investing on the platform and he was learning to trade online. He was also asked if he had a cryptocurrency broker or account manager helping him with the investment, and he answered that he didn't and was doing it on his own.

So even if Barclays had asked more probing and in-depth questions about the payments Mr J was making here, I think he would likely not have given it accurate or complete information about the purpose or circumstances surrounding them – as happened with the questions he was asked by the other bank. And as the answers Mr J gave and had been coached to give were relatively plausible and persuasive, I think it's likely Barclays wouldn't have had significant concerns or been able to uncover the scam after speaking to him.

From the communication I've seen between Mr J and the scammers, there are also a number of occasions on which Mr J expresses concern that he is being scammed. There are a number of times when he accuses the users he is messaging of scamming him and taking his money, and says he doesn't think what he is being told is real. At one point he also describes in detail how this kind of scam operates, including the use of friendship and celebrities to take money from the victim. But despite these concerns he had, Mr J continued making payments to the scammers.

The communication also shows Mr J's family had significant concerns that the users he was messaging weren't who they said they were. His family appears to have told him they thought he was the victim of a scam and to stop sending money to the scammers, and Mr J appears to have had several significant arguments with his family about his continued contact with the scammers. But despite these concerns his family raised, Mr J continued to make the payments.

I can also see that Mr J continued communicating with the users and went on to make further payments to the scammers after reporting the scam to Barclays. And I think this gives an indication of how under the spell of the scammers Mr J was.

And so I don't think any warnings I would have expected Barclays to have shown him following its intervention would have impacted Mr J's decision to continue making the payments here.

Mr J has said he had made Barclays aware he was vulnerable before these payments were made. But Barclays' records show that the first time any need for additional support was

recorded on its systems was when Mr J first reported the scam in December 2023. So I can't see that Barclays missed an opportunity to put additional measures in place to protect Mr J, or that it acted unreasonably in not taking additional action, beyond what I've set out above.

So I don't think anything I would reasonably have expected Barclays to have done here would have stopped Mr J from making the payments or losing the money he did.

I understand Mr J has said another bank he sent payments from has refunded him. But our service looks at each complaint individually, on its own merits. So I don't think this necessarily means Barclays should have to refund him here. And for the reasons I've set out above, I don't think it would be fair to require Barclays to refund the payments he had complained about here.

I appreciate Mr J has been the victim of a cruel scam and that my decision will come as a disappointment to him. He has lost a significant amount of money and I sympathise with the position he has found himself in. But I can only look at Barclays' responsibilities and, for the reasons I've set out above, I don't think anything I would reasonably have expected Barclays to have done would have prevented the loss he suffered. And so I don't think it would be fair to require Barclays to refund the money Mr J has lost.

My final decision

For the reasons set out above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr J to accept or reject my decision before 10 April 2026.

Alan Millward
Ombudsman