

## The complaint and background

Mrs D, via her representative, complains that Bank of Scotland plc trading as Halifax (“Halifax”) won’t reimburse over £100,000 that she lost when she fell victim to an investment scam in 2024.

Our investigator didn’t uphold the complaint. He felt that it had missed an opportunity to intervene. However, he wasn’t persuaded that an intervention would have prevented Mrs D’s losses. This was because there were several other interventions, by Halifax and a third-party, where Mrs D hadn’t been forthcoming with information and had provided reassurance about the payments she was making. And, when given warnings relevant to the situation she was in, she continued to make payments.

Mrs D’s representative disagreed. It felt that the warnings Mrs D had been provided with were insufficient. And that the answers she was giving were implausible, given the large sums she was transferring.

As the investigator and Mrs D’s representative reached an impasse, the complaint was passed to me. I got in touch with the representative informally to let it know how I was minded to proceed.

I was minded to agree that there should have been further intervention, but that this was unlikely to have prevented Mrs D’s losses. This was because, in calls with Halifax, Mrs D had consistently provided answers that were intended to alleviate any concerns about the payments she was making; she wasn’t working with anyone besides a close family member, and she was sending the money to herself.

In calls with a third-party, in the midst of the payments from her Halifax account, Mrs D was asked about whether she’d seen any celebrity endorsements, been asked to download any screensharing software, or been asked to lie to her bank. And, again, she had expressed very clearly that none of these applied – though her submissions make it clear this was not the case – and maintained that she was only receiving help from her family member. She was provided with warnings which were relevant to the situation she was in, but this didn’t deter her from continuing.

So, had Halifax intervened further, I thought it likely that Mrs D would have continued to answer in a similar way. And this was because she was following advice from the scammer, for what she believed was a legitimate investment, under the illusion that her family member had been successfully investing. As a result, I wasn’t minded to uphold the complaint.

Mrs D’s representative didn’t agree. It felt that the matter should have been escalated to the police. It didn’t think that the interventions provided sufficient evidence that further interventions wouldn’t have made a difference, and it thought that the answers she’d provided warranted further scrutiny. It also didn’t feel that Mrs D had been provided with a cover story.

So I’m now in a position to provide my 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.

Having taken into account longstanding regulatory expectations and requirements, and what I consider to be good industry practice, I agree Halifax ought to have been on the look-out for the possibility of fraud and made additional checks before processing payments in some circumstances.

Halifax did find a payment that Mrs D was making suspicious and required her to visit a branch. The information available to me about this visit is somewhat limited. It doesn't seem to be in dispute that Halifax showed Mrs D an investment scam video. Halifax has explained that Mrs D then confirmed that no one else was involved in the payments she was making and no one had access to her other accounts. So it has said it made some recommendations around due diligence she should carry out and said she had confirmed she understood and would complete these steps before continuing.

As the information, and supporting evidence, around the branch visit is limited, I've thought carefully about the other interventions – and have listened to all the available calls. As has previously been outlined, within each of these phone calls, it's clear that Mrs D wanted to portray that the only person involved with the payments she was making was her family member. And, in the earlier calls, Mrs D expressed frustration at being questioned about the use of her own money, to the extent that she was going to close her account.

I agree with the investigator that Halifax should have intervened again due to the increasing size of the payments Mrs D was making. But I'm not persuaded this would have prevented her loss.

I say this because I've not heard within any of the telephone calls I've listened to that Mrs D was forthcoming with information, or that she provided accurate answers to many pertinent questions when asked, even in situations where the financial business explained the relevance of these. Through a combination of coaching from the scammer, and her own answers, she consistently avoided alerting the financial providers to what was really happening. She had been advised by the scammer to explain the need to move money abroad, which involved her family member. And, seemingly of her own volition, she explained on more than one occasion why she wanted to move her money away from Halifax and to another provider – this was based on the ease of use, access to other currencies and recommendations from others.

I don't think Mrs D was intending to *deceive* by the responses she gave. Instead, I think it's more likely that she was so confident in the investment that she wanted payments to be made without friction. And this was largely because her family member, who she naturally trusted, had introduced her to the 'investment' and had received returns which, as I understand it, she had been able to withdraw and spend on home improvements. And this gave Mrs D confidence in the legitimacy of the purported investment.

I've thought carefully about the points raised by Mrs D's representative. In this case I don't agree that the situation warranted an escalation to the police. Based on the evidence I've seen, any answer Mrs D gave was with the intention of allaying the concerns of the financial providers involved, such as providing assurances that she was acting alone. So I'm not persuaded that it would have been proportionate to involve the police. And, even if it had, I've still seen insufficient evidence to persuade me that Mrs D would have provided accurate and honest answers to questions posed.

I also note that Mrs D's representative felt that the answers she gave warranted further scrutiny. Given that there wasn't further scrutiny, I don't know what Mrs D would have said. But I think the crucial part here, in trying to determine a fair outcome, is thinking about what she thought she was paying for and what her intentions were. Mrs D thought she was paying towards a legitimate investment, endorsed by a close family member. And her actions show that she wasn't deterred from investing by the need to mislead her financial providers – about the involvement of others, screensharing software etc. So, I think her intention here was to do what she needed to in order for her payments to be made. And I therefore don't think further intervention would have prevented her loss.

While Mrs D has undoubtedly been the victim of a cruel scam, and I'm sorry that she's lost such a huge sum of money, I can only uphold her complaint if I'm satisfied that Halifax's failings made a material difference to what happened. For the reasons given, I'm not persuaded they did.

### **My final decision**

For the reasons given, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs D to accept or reject my decision before 2 March 2026.

Melanie van der Waals  
**Ombudsman**