

The complaint

Mr E complains that Metro Bank PLC (Metro) won't refund the money he lost when he fell victim to a job scam. Mr E is represented in this complaint, but I'll refer to him as it's his complaint.

What happened

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here.

Mr E explains that he was vulnerable and susceptible to a scam due to a serious health issue that required surgery. Also, he was at the latter stages of his career and, facing redundancy, he was looking for an extra source of income in 2023.

In late August 2023, Mr E was contacted by a scammer on a messaging app about a part-time commission-based job with Company X (a fake company).

Mr E was told that his name came from a recruiter (Person A) at a legitimate recruitment company he had registered with. Mr E contacted this recruitment company, which had his CV, and although they didn't seem to know much about Person A they confirmed she did work there but her approach would be a private matter.

Mr E was offered a remote job completing sets of music reviews by simply clicking on a data platform which would boost the rating of albums. He was informed that he could earn up to USD4,500 for 30 consecutive days but higher earning album tasks, for which he had to match the financial value, could be lucrative earning USD2,000 to USD 3,000 for two to three days' work.

Mr E checked the recruitment company and Company X online. He agreed to the job and undertook a training session on 12 September 2023.

Mr E was added to a social media chat group where workers discussed the role. He felt Company X was professional and he was able to see his account balance, profit and transaction history.

Company X required payment in cryptocurrency and, after making payments from another bank, Mr E decided to open a bank account with Metro.

As can be seen in this table, Mr E made the following 13 payments to the scammers from his Metro bank account to Firm W (a regulated electronic money institution), three individuals and Firm Z (a crypto exchange), using his debit card and making faster payments, and these totalled £49,961.36:

Number	Date	Payee	Method	Amount
1	02/10/2023	Firm W	Debit card	£4,187.51
2	16/10/2023	Firm W	Debit card	£3,695.46
3	17/10/2023	Firm W	Debit card	£3,780.81
4	17/10/2023	Firm W	Debit card	£3,007.58

5	31/10/2023	Person S	Faster Payment	£4,550
6	06/11/2023	Person D	Faster Payment	£2,725
7	07/11/2023	Person T	Faster Payment	£1,950
8	16/11/2023	Firm Z	Faster Payment	£6,350
9	28/11/2023	Firm Z	Faster Payment	£4,450
10	20/12/2023	Firm Z	Faster Payment	£5,455
11	22/12/2023	Firm Z	Faster Payment	£4,410
12	19/02/2024	Firm Z	Faster Payment	£1,000
13	21/03/2024	Firm Z	Faster Payment	£4,400
Total				£49,961.36

Mr E said he realised he'd been scammed when Company X didn't allow him to withdraw his earnings.

Mr E complained to Metro seeking a refund of his £49,961.36 loss plus 8% interest and £300 compensation, as he believes they failed to intervene and protect him. This is because:

- He had no previous account activity.
- They could see a high influx of payments to new payees and a series of high-value payments in quick succession to a new recipient.
- The rapid movement of funds should've been concerning.

Metro rejected Mr E's claim as they considered the reviews he was carrying out were fake and illicit activity.

Mr E brought his complaint to our service, and it was considered by our investigator. Our investigator didn't agree illicit activity was a fair reason for rejection as the scammers made Mr E believe it was a genuine and legitimate job opportunity. Also, she considered Metro should've intervened, at payment number 8 for £6,350 on 16 November 2023, and this would've likely unravelled the scam. Due to contributory negligence, she said Metro should provide Mr E with a refund of 50% of his loss from this point.

As both parties disagree with our investigator's view, this complaint has been passed to me to look at. The following is a summary of the reasons for disagreement:

- Mr E thinks the intervention and Metro's liability should be at an earlier point than payment number 8. He pointed out:
 - His account was relatively new, and banks should monitor new accounts more closely for potential fraud or suspicious activity.
 - Prior to the payment to Person S, all of Mr E's transactions were debit card payments. This payment was the first instance of an outward Faster Payment, which deviated from the established pattern of account activity.
 - Payment 5 to Person S for £4,550 was the highest value transaction in the account up to that point. Person S was a new payee, and this significant amount should have raised a red flag, particularly given the recent opening of the account.
- Metro continued to say the activity was illicit. Also, they said it would be unfair to hold it liable as the payments Mr E made were between his own accounts and the funds were lost after he purchased crypto.

I issued a provisional decision on 8 October 2025, and this is what I said:

I've considered the relevant information about this complaint.

My provisional decision is different to the outcome of that reached by our investigator. So, I'd like to give both parties a further opportunity to respond.

The deadline for both parties to provide any further comments or evidence for me to consider is 22 October 2025. Unless the information changes my mind, my final decision is likely to be along the following lines.

If I don't hear from Mr E, or if they tell me they accept my provisional decision, I may arrange for the complaint to be closed as resolved without a final decision.

What I've provisionally 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 done so, my decision is different to our investigator's view. I'm not upholding this complaint, and I'll explain why.

I should first say that:

- *I'm very sorry to hear that Mr E has been the victim of this cruel job scam and lost a significant amount of money here.*
- *Although I don't underestimate the severe impact this has had on Mr E, I must approach this matter objectively.*
- *I've carefully considered all the points Mr E and Metro have made and I've focused on what I think are the important points to reach a final decision.*
- *In making my findings, I must consider the evidence that is available to me and where evidence is incomplete, inconsistent or contradictory, I must reach my decision on the balance of probabilities – in other words, what I consider most likely to have happened in light of the available evidence and wider circumstances.*
- *I'm satisfied that the Contingent Reimbursement Model (CRM) code doesn't apply here as the payments were to accounts in Mr E's name and individuals for crypto.*
- *I'm not persuaded that Mr E either recognised or knowingly undertook illicit activity as the scammers trick customers into thinking they are dealing with a legitimate company and therefore undertaking legitimate work.*
- *I don't think Metro could've reasonably been expected to recover funds that were moved to other accounts and then to the scammers. Also, chargeback rules don't cover scams.*
- *I found the following information that Mr E provided to be inaccurate:*
 - *Mr E's said his loss was £49,961.36. However, when I enquired with Firm W about their account closure reason and whether they provided any scam interventions they said he was given a 50% refund for payment numbers 2 and 3. Also, payment 4 didn't go through and was refunded back to him.*
 - *Mr E said he 'opened his Metro account just prior to the scam in*

September 2023'. However, he'd already made several payments to the scammers before he opened the Metro account, through his Bank L account.

- *Mr E told both Metro and our investigator that he 'did not receive any form of intervention or warning from Bank L'. However, when I made enquiries with Bank L, I found that this wasn't the case. Bank L provided evidence (a recording, dated 18 September 2023) that, after they blocked a payment, a fraud and scam specialist spoke to Mr E, repeatedly told him she thought he was being scammed, provided scam education and warnings, refused his payment request and blocked further payments to protect him from financial harm.*

When looking at whether Metro should've intervened and what would've happened if they did so, I considered both the Payment Services Regulations 2017 (PSR) and FCA's Consumer Duty that are relevant here.

PSR

Under the PSR and in accordance with general banking terms and conditions, banks should execute an authorised payment instruction without undue delay. The starting position is that liability for an authorised payment rests with the payer, even where they are duped into making that payment. There's no dispute that Mr E made the payments here, so they are considered authorised.

However, in accordance with the law, regulations and good industry practice, a bank should be on the look-out for and protect its customers against the risk of fraud and scams so far as is reasonably possible. If it fails to act on information which ought reasonably to alert a prudent banker to potential fraud or financial crime, it might be liable for losses incurred by its customer as a result.

Banks do have to strike a balance between the extent to which they intervene in payments to try and prevent fraud and/or financial harm, against the risk of unnecessarily inconveniencing or delaying legitimate transactions. So, I consider Metro should fairly and reasonably:

- *Have been monitoring accounts and any payments made or received to counter various risks such as anti-money laundering and preventing fraud and scams.*
- *Have systems in place to look 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 banks 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, before processing a payment, or in some cases declined to make a payment altogether, to help protect customers from the possibility of financial harm from fraud.*

Consumer Duty

Also, from July 2023 Metro had to comply with the Financial Conduct Authority's Consumer Duty which required financial services firms to act to deliver good outcomes for their customers. Whilst the Consumer Duty does not mean that customers will always be protected from bad outcomes, Metro was required to act to avoid foreseeable harm by, for example, operating adequate systems to detect and prevent fraud.

Metro was also required to look for vulnerabilities. Although Mr E has detailed these, I can't see any evidence that, prior to this scam in October 2023, he'd made them aware of them.

I then considered:

Whether Metro should've identified that Mr E was at risk of financial harm and put in place proportionate interventions?

Although Mr E's account was newly opened and Metro didn't have information on his spending pattern, I wouldn't have expected Metro to have put in place a human intervention for the payments 1 to 3.

This is because they were 'me to me' payments to Firm W, a legitimate and regulated business, and they issued relevant automated scam warnings. Also, Firm W would've had a fuller picture of subsequent payments and undertake due diligence that would lower the risk level. In addition, there was a gap of two weeks between payment 1 and 2 and no scam pattern of increasing consecutive payments.

Furthermore, as mentioned above, Metro has to strike a balance between the extent to which they intervene in payments to try and prevent fraud and/or financial harm, against the risk of unnecessarily inconveniencing or delaying legitimate transactions.

However, payment 4 was the second consecutive payment on one day and brought Mr E's expenditure to firm W over two days to over £10,000. So, because of this, and it being a new account, I would've expected Metro to have put in place a human intervention at this point, with one of their fraud and scam agents, to ask probing questions, give warnings and check he wasn't at risk of financial harm.

I wouldn't have expected to see interventions on payments 5, 6 and 7, to the three individuals that appear to be part of the scam and to whom Mr E appears to have been trading in USDT, as these weren't for high amounts and Metro had applied automated warnings.

Regarding payment number 8, which was to a known crypto exchange, despite this also having an automated warning, I would've expected a human intervention from Metro. This is because in 2023 Metro would've been fully aware of crypto investment and job scams, what they look like and what they involve such as the payment journeys that they can take. So, even though Mr E was transferring funds to a crypto account in his name, Metro ought to have been on the lookout for this type of transaction with a heightened risk.

So, in summary, I think proportionate interventions should've been human interventions at payment numbers 4 and 8.

If a bank doesn't question payments that might be at risk, then it can't fulfil its duty to protect customers. I'm not saying that means it must check every payment out of its customers' accounts. But here, considering the circumstances around these payments, I believe it ought to have contacted Mr E to check he wasn't at risk of falling victim to fraud.

I then considered causation. Put simply, whether Metro's failure to intervene at these two payment points caused Mr E's losses. To do this, I reflected on whether any such interventions would've made any difference.

Mr E fully informed Bank L of what he was doing and, from listening to his conversation with Bank L, he didn't fully agree with the view of their fraud and scam specialist (and her colleague) that he had been scammed and her decision not to release the payment and to block further payments.

Mr E subsequently opened an account with Metro and immediately started to pay Firm W in order to continue with the scam job. My enquiries with Firm W showed

that, on payment 2 and 3 when Firm W intervened with automated questions and warnings, Mr E wasn't truthful. With a choice of options, which would've included 'paying to earn money by working online' or 'making an investment', on both occasions Mr E told Firm W that he was paying 'friends and family' and these answers prevented further intervention.

I found the Bank L intervention to be strong, especially as it considered the tasks Mr E was doing and included information on how job scams work. After Mr E finished speaking to the fraud and scam agent, she appeared concerned that he may attempt further payments and because of this said she would enter a fraud marker on her system.

Despite this strong intervention, Mr E did unfortunately go on to pay the scammers. I think it more likely than not that the reason he adopted an untruthful approach with Firm W was because he didn't agree with the Bank L agents, he was convinced and anxious about missing out on earnings (for simple album reviews) of around USD1,000 per day and he didn't want to have any further payments stopped. Mr E says he thought Metro would be 'less restrictive' and I think it more likely than not that he chose them for the same reason – to avoid further interventions and payment blocks.

It was also evident from Mr E's conversations with Firm W, when they suspended his account, that he was very anxious about being unable to make urgent payments to the scammers and that he was worried about missing out on lucrative earnings.

Due to the passage of time Metro don't have any records of what reason Mr E gave when they similarly implemented automated warnings. But having considered all the above, I think it more likely than not that he would've also given the friends and family reason to Metro both when responding to automated questions and when speaking to an agent at payment number 4.

Mr E says he wouldn't have hidden anything from Metro but even if they'd probed at payment 4, I think it more likely than not that he would've given them a plausible reason for an international payment via Firm W and not risked telling them about the job.

An intervention on payment 8 would've been different, as a Metro agent would've given warnings and asked probing questions about crypto and investments. However, I'm also not persuaded that Mr E would've been truthful at this later point especially as by this time he knew the reason why Firm W had suspended his account and stopped his payments (which was because they thought he was at risk of a scam) and would've been more anxious about paying for tasks and missing out on earnings.

Also, it would've been his first crypto payment, and I think it more likely than not that he would've said he was trading (as he appeared to be doing this with the three individuals) and for the reasons mentioned above not mentioned the job. So, I don't think a Metro agent would've likely been suspicious.

So, in summary, although I think Metro failed to put proportionate interventions in place, I'm not persuaded Mr E would've been truthful and I'm not persuaded that Metro would've been able to prevent his financial loss.

Finally, regarding Mr E's request for a compensation payment, as his distress and inconvenience has been caused by the cruel scammers and not Metro, I don't think it would be fair and reasonable to require them to make such a payment.

I realise the outcome of this complaint will come as a disappointment to Mr E and I'm very sorry he has lost a significant amount of money here. But, for the reasons I've explained, my provisional decision is not to uphold this complaint.

My provisional decision

For the reasons mentioned above, my provisional decision is not to uphold this complaint against Metro Bank PLC.

This is a provisional decision and subject to any comments that either Mr E or Metro Bank PLC may wish to make.

These must be received by 22 October 2025.

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.

Further to my above provisional decision, in which I didn't think a Metro intervention would've prevented Mr E's loss:

- I didn't receive a response from Metro.
- Mr E's representative requested the Bank L call recording (which was delayed) and then said, *'Our client was honest to the bank on the call recording you have issued and had Metro intervened in the same manner, the scam would have not continued'.*

As I still think Metro should've intervened, I again looked at the available information to consider what would've likely happened (if they did intervene) and whether they should've reasonably been able to unravel the scam or stop Mr E making any further payments.

Regarding the Bank L call recording, I didn't think Mr E had been dishonest with Bank L. I said:

- Mr E fully informed Bank L of what he was doing.
- I thought the Bank L intervention was strong, especially as it considered the tasks Mr E was doing and included information on how job scams work.
- Mr E didn't fully agree with the view of their fraud and scam specialist (and her colleague) that he had been scammed and her decision not to release the payment and to block further payments.
- After Mr E finished speaking to the fraud and scam agent, she appeared concerned that he may attempt further payments and because of this said she would enter a fraud marker on her system.

I found that the Bank L's agent's concern was validated. This is because despite their warnings and them telling Mr E he'd been scammed, he went on to make payments to the scammers via Firm W.

Also, there is evidence from Firm W that Mr E then wasn't truthful with them when they intervened. When given a choice of options, which included '*paying to earn money by working online*' or '*making an investment*', Mr E selected paying '*friends and family*' which prevented further intervention.

Mr E hasn't explained this, but when considering file submissions, which included the scammers leading him to believe he'd made high commission (up to USD1000 per day), his Bank L conversation, Bank L's prevention action and him opening a Metro account because he thought they would be '*less restrictive*', I think, on balance of probabilities, that he didn't want them to stop his payments (to what he believed was a lucrative job) and prevent him receiving high current and future earnings.

If Metro had intervened at payment 4, I think Mr E would've also said he was paying family and friends and as it was a 'me to me' payment, where the risk was lower and they would have comfort in Firm W completing due diligence with greater information, I'm not persuaded Metro would've been able to detect a scam. Also, any scam warnings and educational information wouldn't have worked as Mr E knew about these and job scams from Bank L.

If Metro had intervened at payment 8, I think they would've probed what crypto payments Mr E was making. But, by this time, I found Firm W had suspended his account and, from listening to Firm W's call recordings, Mr E was getting anxious and agitated with them about the blocking of his payments and account. I think this was more likely than not because he thought their intervention and blocking action was also unfounded, preventing him from topping up his Company X account, completing any more high earning tasks and gaining access to the high profits he thought he'd made.

So, if Metro also intervened, I think it unlikely that Mr E would've given them the correct reason and, even with probing, I'm not persuaded that Metro would've had enough information to prevent Mr E from continuing to make payments for the scam job or block his account.

I in no way blame Mr E for continuing to make payments after being deceived by these cunning and cruel scammers and I genuinely empathise with his loss and distressing experience. However, on the balance of probabilities, I'm not persuaded that Metro caused his loss and that it would be fair and reasonable to require them to pay a refund here.

My final decision

For the above reasons, I'm not upholding this complaint against Metro Bank PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 30 December 2025.

Paul Douglas
Ombudsman