

## **The complaint**

Mr S complains that Nationwide Building Society (Nationwide) is refusing to refund him the amount he lost as the result of two scams.

Mr S is being represented by a third party. To keep things simple, I will refer to Mr S throughout my decision.

## **What happened**

The background of this complaint is well known to all parties, so I won't repeat what happened in detail.

In summary, Mr S has explained that he has fallen victim to two separate scams.

### *Scam 1*

In March 2024 Mr S was contacted by a company I will call "X" explaining the regulators had located Bitcoin belonging to him to the value of \$90,000 (Mr S had fallen victim to a scam previously that had resulted in a loss of around £5,000).

X would help recover the funds for Mr S and would charge a commission to do so. Remote access software was also used so X could guide Mr S through different processes.

Throughout the process of recovering the funds Mr S was introduced to several people associated with X and given multiple reasons as to why he would need to make payments via cryptocurrency to release the funds.

After making multiple payments as requested by X, Mr S realised he had fallen victim to a scam.

### *Scam 2*

In June 2024 Mr S was contacted by a company I will call "Y" explaining that it had also located Bitcoin belonging to him. Y requested a small initial payment to establish a link to Mr S's account. Y then explained that Mr S's funds had been sent and were pending but Y also convinced Mr S to invest further stating that Bitcoin were having an event and prices were likely to increase.

While in contact with Y Mr S explained that he had funds stuck in an investment with X. Y offered to help but explained a fee of £15,000 would be payable. Mr S paid the fee via Bitcoin in July 2024.

Mr S was then advised he would have to pay multiple fees and taxes before he could receive funds promised by Y,

Mr S was required to open an account with what appeared to be a genuine cryptocurrency exchange where funds appeared to be deposited. But the exchange then also requested further payments before any funds could be released.

Mr S later found that the scammers were impersonating a well-known cryptocurrency exchange and he had not been making payments to a legitimate company.

Below is a list of payments made from Mr S's account with Nationwide that are relevant to his complaint:

Payment	Date	Payee	Payment Method	Amount
1	5 July 2024	CoinCorner	Transfer	£2,326.00
2	8 July 2024	CoinCorner	Transfer	£2,340.00
3	16 July 2024	CoinCorner	Transfer	£2,260.00
4	17 July 2024	CoinCorner	Transfer	£2,890.00
5	4 November 2024	CoinCorner	Transfer	£12,500.00
6	6 November 2024	Crypto.com	Transfer	£23,500.00
	6 November 2024	Modulr (CoinCorner)	Credit	£12,500.00cr
7	7 November 2024	Mr S	Transfer	£5,000.00
	7 November 2024	Foris GFS UK Ltd (Crypto.com)	Credit	£11,988.49cr
	13 November 2024	CoinJar	Credit	£5,744.82cr
8	13 November 2024	Crypto.com	Transfer	£13,600.00
9	14 November 2024	Crypto.com	Transfer	£1,000.00
10	2 December 2024	Crypto.com	Transfer	£5,000.00
11	2 December 2024	Crypto.com	Transfer	£23,500.00
12	3 December 202	Crypto.com	Transfer	£21,750.00
13	4 December 2024	CRO Crypto.com	Transfer	£411.95
14	20 December 2024	Crypto.com	Transfer	£5,000.00
15	21 December 2024	Crypto.com	Transfer	£5,000.00
16	21 December 2024	Crypto.com	Transfer	£5,000.00
17	23 December 2024	Crypto.com	Transfer	£5,000.00
18	23 December 2024	Crypto.com	Transfer	£5,000.00
19	21 January 2025	Crypto.com	Transfer	£5,000.00
20	22 January 2025	Crypto.com	Transfer	£5,000.00
21	23 January 2025	Crypto.com	Transfer	£5,000.00
22	31 January 2025	Crypto.com	Transfer	£5,000.00
23	1 February 2025	Crypto.com	Transfer	£5,000.00
24	3 February 2025	Crypto.com	Transfer	£3,782.00
25	3 February 2025	Crypto.com	Transfer	£5,000.00
26	19 February 2025	Crypto.com	Transfer	£4,000.00
27	20 February 2025	Crypto.com	Transfer	£1,250.00
	21 February 2025	Foris GFS UK Ltd (Crypto.com)	Credit	£5,249.27cr
28	22 February 2025	Crypto.com	Transfer	£5,000.00
29	24 February 2025	Crypto.com	Transfer	£500.00
30	24 February 2025	Crypto.com	Transfer	£2,200.00
31	24 February 2025	Crypto.com	Transfer	£2,500.00
32	6 March 2025	Crypto.com	Transfer	£1,000.00
	7 March 2025	Foris GFS UK Ltd (Crypto.com)	Credit	£1,073.10cr
	7 March 2025	Individual 1	Credit	£5,100.00cr
33	7 March 2025	Crypto.com	Transfer	£4,990.00
	8 March 2025	Individual 1	Credit	£4,990.00cr
34	8 March 2025	Crypto.com	Transfer	£4,995.00
	10 March 2025	Individual 1	Credit	£4,980.00cr

35	10 March 2025	Crypto.com	Transfer	£4,980.00
	11 March 2025	Individual 1	Credit	£4,970.00cr
36	11 March 2025	Crypto.com	Transfer	£4,985.00
	12 March 2025	Individual 1	Credit	£4,960.00cr
37	12 March 2025	Crypto.com	Transfer	£3,750.00
	19 March 2025	Individual 1	Credit	£5,000cr
38	19 March 2025	Crypto.com	Transfer	£5,000.00
	19 March 2025	Crypto.com	Credit	£5,000.00cr

Nationwide refunded more than £57,000 to Mr S but as he remained unhappy, he brought a complaint to our service.

Our Investigator considered Mr S's complaint and didn't think it should be upheld. Mr S disagreed, so this complaint has been passed to me to decide.

### **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 has not been disputed that Mr S has fallen victim to cruel scams. The evidence provided by both Mr S and Nationwide sets out what happened. What is in dispute is whether Nationwide should refund the money Mr S lost due to the scams.

#### *Recovering the payments Mr S made*

Mr S made payments into the scam via transfer. But the payments were not made to the scammer directly, instead they were made to another of Mr S's accounts held elsewhere, or to purchase cryptocurrency. As it took further steps for those funds to end up in the hands of the scammer any attempts at recovery would have no prospect of success.

#### *Should Nationwide have reasonably prevented the payments Mr S made?*

It has been accepted that Mr S authorised the payments that were made from his account with Nationwide, albeit on X and Y's instruction. So, the starting point here is that Mr S is responsible.

However, banks and other Payment Services Providers (PSPs) do have a duty to protect against the risk of financial loss due to fraud and/or to undertake due diligence on large transactions to guard against money laundering.

The question here is whether Nationwide should have been aware of the scams and intervened when the payments were being made. And if it had intervened, would it have been able to prevent the scams taking place.

The first payments made in relation to the scam were not so significant in value that I think Nationwide should reasonably have had cause for concern. But when Mr S made payment 5 he was making a payment of a substantial value to a known cryptocurrency exchange. Considering the value of the payment and the increased risks associated with cryptocurrency related payments, I think Nationwide should have had concerns that Mr S could have been at risk of financial harm and it should have intervened.

I think that a proportionate intervention would have been for Nationwide to have discussed the payment with Mr S with a view of finding the circumstances leading to the payment and for it to have provided an appropriate warning based on the information provided by Mr S.

But I don't think it would have made a difference if Nationwide intervened in the way I have said it should have above. I will explain why.

Nationwide did intervene on two separate occasions when Mr S was making payments in relation to the scam.

On 7 November 2024 a call took place between Mr S and Nationwide when Mr S attempted to make a payment for the value of £5,000.

Mr S explained he was looking to buy Bitcoin as well-known individuals and investment companies were buying it, and he wanted to "get a bit of it". Mr S also confirmed:

- He used other well-known platforms
- He had been investing in crypto since 2018
- No one was advising him
- He was in a sports group where he goes out with them as a group, they dabble in bitcoin, and it's a fun thing to do for them, no one else was advising him and he didn't take advice from the group
- He was aware of the risks and scams going around including that he could lose everything
- No one had asked him to install software including AnyDesk

On 19 March 2025 a call took place between Mr S and Nationwide when Mr S attempted to make a payment for the value of £5,000.

Mr S confirmed:

- He had lent money to someone a long time ago that was being paid back in £5,000 intervals which he had chosen to invest in crypto
- He wanted to invest based on the market changes he thought were likely to happen
- He was sending money to his own account
- He had been investing since 2018
- He didn't get information from any third-party, he was using his own knowledge
- He was storing the currency in his wallet
- There was no third-party involvement
- He was making payments in smaller intervals as the bank gets involved in higher value payments

Having listened to recordings of the above calls I think it's clear that Mr S was willing to give incorrect information to have payments in relation to the scams processed. There was a third party involved, he was using remote access software, and he was being advised.

In addition to the above Mr S also made payments related to the scams from accounts held elsewhere. When those account providers intervened Mr S also provided inaccurate answers.

Providing incorrect information would and did make it very difficult for Nationwide to uncover the scams that were taking place. Even if I was to say that Nationwide should have intervened further or sooner than it did, I don't have enough to say with any confidence that Mr S would have provided any more honest responses.

With the above in mind, I don't think Nationwide missed an opportunity to prevent the scam from taking place and it is not responsible for Mr S's loss.

Had this complaint been referred to our service without any refund being offered by Nationwide I would not be asking it to refund any of the payments. So, I am unable to suggest Nationwide should pay Mr S more than it already has.

Mr S has told us he was vulnerable at the time the payments were made but it is my understanding that Nationwide was not made aware of any vulnerabilities that could have affected Mr S's ability to make sound decisions. So, I can't reasonably have expected Nationwide to have taken any vulnerabilities into account when the payments were made.

### **My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 9 April 2026.

Terry Woodham  
**Ombudsman**