

## The complaint

Miss R complains that Bank of Scotland plc, trading as Halifax, failed to protect her from falling victim to a scam.

A professional representative, M, has brought the complaint to the Financial Ombudsman Service on Miss R's behalf.

## What happened

Miss R fell victim to a cryptocurrency trading scam in 2022 after corresponding with a scammer she met through a dating app.

In November 2024, a complaint was raised to Halifax on Miss R's behalf by M. Five payments were highlighted which M said were linked to the scam and it argued that the bank should reimburse Miss R's losses from them. The case was ultimately referred to our service and an investigator decided that it shouldn't be upheld. In response, M requested a final decision from an ombudsman.

When I reviewed the case, I found that the original list of disputed payments provided by M was inaccurate and required revision. To give both parties a fair opportunity to comment on these material changes, I issued a provisional decision that set out the payments I considered relevant and explained why I believed the complaint should not be upheld. The key contents from that provisional decision are outlined below:

### Relevant payments

*The original complaint and the investigator's assessment highlighted five payments between April and July 2022. Since then:*

- M confirmed to me that two payments made in April and May 2022 were unrelated to the scam and were genuine investments in cryptocurrency. Therefore, they are no longer disputed.*
- One additional disputed payment has been added. This was not included in M's initial complaint to Halifax in November 2024 and so wasn't covered in the investigator's assessment. However, M referenced it in response to questions from the bank in January 2025 and it was included as a disputed payment in the bank's final response letter which was issued shortly after the investigator's assessment in April 2025.*

*Therefore, the revised list of disputed payments is outlined in the table below:*

<b>Date</b>	<b>Payee/merchant</b>	<b>Amount</b>	<b>Payment method</b>
9 July 2022	Coinbase	£50	Card
9 July 2022	Coinbase	£960	Card
10 July 2022	Coinbase	£1990	Card
27 July 2022	Light Technology Ltd	£4300	Faster Payment

*I'll now explain the reasoning behind my provisional conclusion that Halifax does not need to take any further action in this case.*

### Payments to Coinbase

*I'm satisfied that the three payments to Coinbase were connected to a scam. WhatsApp transcripts show how an individual persuaded Miss R to make the three payments to her Coinbase account to purchase cryptocurrency, which she then sent to a wallet under the scammer's control. Miss R believed she was investing through a legitimate trading platform and making profits following the scammer's instructions. In reality, the platform was fraudulent, and once she was unable to withdraw her funds, she realised she had been scammed and reported this to the bank.*

*There is no dispute that these payments were authorised by Miss R. Under the Payment Services Regulations and the terms of her account, Halifax would generally be expected to process transactions a customer authorises, with Miss R presumed liable for any losses from such payments in the first instance.*

*As these were card payments directed to a cryptocurrency account in her name, they are not covered by the Contingent Reimbursement Model (CRM) code as suggested by M in the initial complaint. Therefore, Miss R remains liable for these transactions.*

*While Halifax is expected to identify and help prevent transactions that could involve fraud or scams, I do not consider these payments sufficiently unusual or uncharacteristic to conclude that Halifax should reasonably have intervened to prevent them. In the twelve months leading up to these transactions, Miss R's account showed high-value payments of significantly greater amounts, so these transactions were not out of the ordinary in size.*

*I can also see payments and credits to similar online firms offering cryptocurrency investments, some of which were for amounts greater than the disputed transactions. As confirmed by the payments now known to be unrelated to the scam, Miss R had previously made legitimate payments to Coinbase. Therefore, Coinbase was not a payee that could reasonably have caused concern or appeared out of character to Halifax at the time of these payments.*

*Additionally, the debits in question represented only a small proportion of the overall account balance at the time, so the activity did not deplete the balance in a way that might reasonably have raised concern.*

*When the scam was reported by Miss R to Halifax on 11 July 2022, the bank didn't take any further action to recover the money. But I wouldn't have reasonably expected them to have done anything else here. The funds went to a legitimate cryptocurrency provider which had provided the services intended. As we know from the evidence, the loss arose after those funds were transferred away from the Coinbase account and transferred to the scammer. In circumstances like this, I can't see there would be a realistic possibility or expectation that Halifax would have been able to recover the funds for Miss R at that stage.*

*In response to the investigator's findings, M emphasised Miss R's vulnerability at the time of the scam. However, there is no evidence that Halifax was made aware of any vulnerability or that Miss R was at greater risk of falling victim to a scam prior to the events. Given that the payment activity did not appear unusual or warrant additional scrutiny, I cannot conclude that Halifax missed an opportunity to prevent these losses or failed to identify any vulnerability.*

### Payment to Light Technology Ltd

*M has not provided any details or evidence about the circumstances surrounding the payment to Light Technology Ltd. This may be because the payment was omitted when M first contacted us about the complaint, but based on the information currently available, I have nothing to indicate that this transaction was linked to a scam or resulted in a loss.*

*The payment also took place more than two weeks after Miss R informed Halifax that the earlier payments to Coinbase were the subject of a scam on 11 July 2022. As her correspondence with the scammer appears to have ended the following day, I consider it*

*likely that this payment to Light Technology Ltd is unrelated to the scam raised by M and has been incorrectly included.*

*I hope they can understand why I therefore cannot ask Halifax to take any further action based on the information currently available.*

Halifax accepted my provisional decision and M did not respond by the deadline. Therefore, I can proceed with 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.

With no further comments from either party, I remain satisfied with the conclusions set out in my provisional decision. I appreciate that Miss R is likely to be disappointed with the outcome, but I do not consider that Halifax could reasonably have identified any concern with the payments to Coinbase.

For the payment to Light Technology Ltd, which I do not consider to be connected to the scam involving the payments to Coinbase for the reasons already explained, there is insufficient evidence about the circumstances of the transaction to determine whether it was linked to a scam or to reasonably ask the bank to reimburse any potential loss arising from it.

### **My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss R to accept or reject my decision before 24 February 2026.

James Abbott  
**Ombudsman**