

The complaint

L complains that Barclays Bank UK PLC won't refund the full amount of money it lost to a scam.

What happened

The background to this complaint is well-known to both parties, so I won't repeat it in detail here. But in summary and based on the submissions of both parties, I understand it to be as follows.

L complains that it sent several payments to the personal account of one of its directors then on to what he believed was a legitimate investment.

When L realised it had lost its money, it logged a complaint with Barclays.

Barclays looked into the complaint but didn't uphold it. So, L brought its complaint to our service.

Our investigator looked into the complaint but didn't uphold it. Our investigator didn't think our service had jurisdiction to look into the complaint, due to the money eventually being lost from a personal account of its director - and it was being invested for business purposes.

I wrote to both parties following the view to say that although I've found it is a complaint we can look investigate, I didn't intend to uphold it. L responded to say it still wanted a formal decision. Barclays had nothing further to add.

As L remained unhappy, the 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.

I'm very aware that I've summarised this complaint briefly, in less detail than has been provided, and in my own words. No discourtesy is intended by this. Instead, I've focussed on what I think is the heart of the matter here. If there's something I've not mentioned, it isn't because I've ignored it. I haven't. I'm satisfied I don't need to comment on every individual point or argument to be able to reach what I think is the right outcome. Our rules allow me to do this. This simply reflects the informal nature of our service as a free alternative to the courts.

Where the evidence is incomplete, inconclusive, or contradictory, I must make my decision on the balance of probabilities – that is, what I consider is more likely than not to have happened in light of the available evidence and the wider surrounding circumstances.

In line with the Payment Services Regulations (PSR) 2017, consumers are generally liable for payments they authorise. Barclays is expected to process authorised payment instructions without undue delay. As a bank, it also has long-standing obligations to help

protect customers from financial harm from fraud and scams. But those are predicated on there having been a fraud or scam. So, to start, I've considered whether L was a victim of a scam.

Having considered the information L and its representative have sent to support its claim that it was scammed, I'm not satisfied it shows me more than L making a transfer of funds into a cryptocurrency wallet.

L has sent a limited amount of evidence that shows someone asking the director of L to transfer money, or most importantly that it suffered a loss after the money entered L's director's cryptocurrency wallets.

L has sent screenshots of a registration page with its director's name on, but there is nothing to show he went ahead and sent money to the platform after he signed up to it. The other screenshots L has sent are either generic or there is nothing linking them to L or its director.

L has sent an email asking for a large payment towards the end of the scam, but this doesn't correlate to any of the payments I can see it sent. It also appears to post date the last payment it says it sent from its account towards the scam.

L has provided some documents to the Financial Ombudsman in support of its claim that it has fallen victim to a scam. I've given L's submissions very careful consideration. From this, I'm satisfied L sent payments to its directors personal account and he purchased cryptocurrency. But I haven't seen anything to *specifically* show that any of these transactions (and which ones if so) were carried out in relation to a scam. So, while I've considered L's testimony, I can only be satisfied that it made legitimate transactions on its account – but not that the ultimate beneficiary of the funds was a scammer.

That said, even if I were to be satisfied L had fallen victim to a scam, I'm unable to establish the actual loss it claims to have suffered. This is because I can't be satisfied that L or its director didn't benefit from some of the transactions (due to an absence of evidence of why they were made, along with many cryptocurrency payments going to the same platform before L claims the scam started). And without being able to establish the loss actually suffered (if any), I can't fairly or reasonably direct Barclays to refund L the disputed transactions.

So based on everything I've seen, on balance, I'm not persuaded or satisfied it's been sufficiently demonstrated that L made these payments to a scam, and it created a loss. This is because of L's lack of evidence to show that it or its director was in contact and convinced by a scammer to send the full amount of money it says it lost, or something to show where the money ended up and the exact loss it created.

It's worth noting that I have also asked for several pieces of information that L and its representative have been unable to supply. Along with highlighting several inconsistencies in L's testimony and asking for clarification on these which have not been responded to.

So, although I've explained Barclays has obligations when its customers are sending payments, these are predicated on there having been a fraud or scam. I know L will be disappointed by this outcome. But for the above reasons, I don't think Barclays has acted unfairly by not providing a refund.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask L to accept or

reject my decision before 6 March 2026.

Tom Wagstaff
Ombudsman