

## **The complaint**

Miss B complains that Barclays Bank UK Plc have unreasonably declined to refund transactions that she sent to an alleged fraudster. She'd like the money refunded.

## **What happened**

In October 2018 Miss B got talking to someone she met online. She was persuaded to send them money, which she did with two faster payments. These were for £300 and £160.

Miss B later felt she'd fallen victim to a scam. She contacted Barclays to see if she could get her money back, saying she was a vulnerable individual who'd been taken advantage of. Barclays however declined to refund her.

Unhappy with this Miss B referred her complaint to our service. One of our investigators looked into what happened but didn't think Barclays needed to do anything further – they said it wasn't disputed that Miss B made the transactions herself. The investigator didn't think the transactions were significantly out of character enough that Barclays should have taken steps to intervene or prevent them. So, they didn't think Barclays should be liable for refunding them.

Miss B disagreed, saying she felt it was unfair. She sent some further evidence of the communication she had with the alleged fraudster. But this didn't change the investigator's mind. As no agreement could be reached 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 sorry to hear of the difficulties Miss B has faced, and I've no doubt this experience has been very upsetting for her. But having reviewed the evidence I can't see that Barclays should be responsible for refunding her. I acknowledge she'll likely find this disappointing, but I'll explain why.

Under the relevant regulations around payments – the Payment Services Regulations 2017 – the bank has a responsibility to carry out any legitimate payment instructions requested by their consumer as quickly as possible. In this case it's not disputed that Miss B made the payments herself. So, Barclays haven't done anything wrong by making them, and they're under no obligation under the regulations to refund her.

There may be some circumstances where I'd expect a bank to prevent a payment or hold it up to ask further questions about it. But generally, this would be where the payment, or sequence of payments, was so significantly out of character for the account that it could be seen to be fraud or a scam.

Having reviewed Miss B's statements for several months before these payments, I don't see this to be the case. Neither the amount nor type of either transaction were unusual for her

account. I can't see that Barclays should reasonably have intervened to prevent these payments.

From what I've seen Miss B didn't discuss these payments with Barclays at the time, so missed the chance of recovering any funds from the recipient.

Overall, I don't see that Barclays are liable for refunding these transactions to Miss B.

### **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 B to accept or reject my decision before 19 September 2023.

Thom Bennett  
**Ombudsman**