

The complaint

Mr C has complained that Admiral Insurance Company Limited declined a theft claim he made under his car insurance policy.

What happened

Mr C said his car was given to him as a gift from his parents. The V5 registration document was in the name of a family motor trading company. Mr C said his parents are joint shareholders in the company. Mr C said his parents are going through a divorce.

In December 2020 Mr C said his stepfather forcibly put Mr C's car on a recovery truck and stole it.

Mr C called the police. Based on the documentation his stepfather provided, the police said it was a civil matter. So the police didn't provide a crime reference number. As things stood – no crime had occurred.

Mr C made a claim to his insurer, Admiral for the theft of his car and the items inside. But Admiral said it couldn't consider his claim until it had a crime reference number from the police. Based on what it had, there wasn't enough to show that an insured event – a theft – had occurred.

Mr C was very unhappy with Admiral's decision and asked us to look at his complaint.

Our investigator explained that he couldn't recommend Mr C's complaint should be upheld. He sympathised with the position Mr C found himself in. But the investigator didn't think there was enough evidence to support Mr C's claim that a theft had occurred.

Mr C didn't agree. So the case 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 understand that the impact of not having access to the car has caused significant problems for Mr C and his family. My role is to consider whether the actions of the insurer Admiral has been fair and reasonable. If they haven't, then we can consider the part Admiral played in contributing to the inconvenience and losses that Mr C incurred.

I understand Mr C will be very disappointed. But having reviewed all of the information, I don't think Admiral has acted unreasonably. I'll explain why.

Mr C has told us that he has made a separate complaint to the police and as of July 2021 I understand Mr C hadn't received an outcome. Mr C also explained that he is involved in court proceedings with his stepfather and this is ongoing.

When a claim is made, it's for the customer to prove their claim to the insurer. So in this

case, it's for Mr C to prove his theft claim to Admiral. As the theft of a vehicle is a criminal offence, I don't think it was unreasonable for Admiral to seek a crime reference number to validate the claim. But as things stand, the police hasn't provided one due to the documentation Mr C's stepfather provided about the ownership/registered keeper of the car.

Mr C believes that Admiral should meet his claim as a theft has occurred and he is taking action about the theft through the courts. So not having a crime reference number is in his view irrelevant. Mr C believes Admiral should assist by looking to recover the costs of Mr C's claim through the courts. Mr C is unhappy that he has lost out on being provided with a courtesy car and cover for associated losses as a result of his declined claim.

But I don't think Mr C has yet been able to reasonably support his theft claim. And so it follows that I don't think Admiral is responsible for providing any remaining features of the policy that come with an accepted claim. However, if things change and new information becomes available, I would expect Admiral to reconsider Mr C's claim.

I am sorry to disappoint Mr C. But I don't think Admiral has done anything wrong. So as things stand, I'm not asking it to meet his claim.

My final decision

For the reasons I've given above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 13 October 2021.

Geraldine Newbold

Ombudsman