

The complaint

Mr M complains that Wirecard Card Solutions Limited trading as Pockit, blocked his additional card and failed to return £805.15. Mr M would like his funds back and compensation.

What happened

The facts which led to Mr M bringing his complaint to our service are well known to both parties, so I am not repeating them in full here.

In summary Pockit blocked Mr M's additional card on 11 March 2020. £805.15 was retained by Pockit. Pockit said they had returned these funds to sender on 17 November 2021 but that wasn't the case.

One of our investigators looked into the complaint, she thought the funds hadn't been returned to Mr M and she thought Mr M was entitled to the funds. She thought Pockit should return the funds to Mr M together with 8% interest from 1 April 2020 and £125 compensation for inconvenience of having to pursue the complaint.

Mr M and Pockit accepted the view. Pockit requested statements and then Identification information from Mr M in order to release the funds to him. Mr M provided the statements but was unhappy to provide Identification information. He said Pockit already had a lot of Identification information from him.

One of our investigators looked further into the situation, she thought Pockit were entitled to ask Mr M for additional information to return the funds as it was part of their process, and they were complying with their legal and regulatory obligations. Because she thought Mr M's refusal to provide the information was delaying the payment, she didn't think it fair that Pockit should pay interest for the time the delay was down to Mr M's decision to not provide the identification needed. Mr M was unhappy with the view.

As there was no agreement the matter has come 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 appreciate that this situation has gone on for a long time. Both Pockit and Mr M agreed with the original view as a way of resolving the complaint, so I don't propose to go into detail here except to say having reviewed the information provided by both parties I agree it's a fair resolution to the complaint.

The crux of Mr M's complaint is that he doesn't think he should have to provide identification information to Pockit in order for Pockit to release his funds.

Mr M has said that the information in the news about Pockit and the way they have treated

him during the course of this complaint makes him reluctant to provide them with any extra information. He feels they have all the information they need to pay the money back to him.

I accept the frustrating nature of the situation. However, Pockit are entitled to require identification documentation in cases such as this. They have explained this is part of their process for releasing the funds. I am satisfied with the explanation they have provided to this service and as a service we can't ask them to abandon their process or make an exception in Mr M's case, that wouldn't be reasonable.

Pockit asked for Id documentation on 24 May 2023. Mr M refused to provide this documentation on 18 June 2023.

In the second view, the investigator reduced the period of interest from the date the funds were withheld until 18 June 2023 when Mr M said he wouldn't be providing his identification. Interest is awarded by this service to compensate a customer for not having had access to their funds. Mr M has been deprived of his funds for a long time and that is why we awarded interest in the original view – this was to continue to accrue because Pockit were not being proactive in the way they were dealing with this complaint and through no fault of his own Mr M was being deprived of his funds.

Pockit have asked Mr M to provide photo Identification in order to release the funds. I know Mr M thinks this is unfair as he has provided Pockit with everything they have asked for up till now and his money hasn't been released. However as from 18 June 2023 the delay is being caused by Mr M's unwillingness to provide the information needed. Because of this it isn't fair to ask Pockit to pay 8% interest for delays caused by Mr M refusal, however much I sympathise with his position. So, I think interest should now be paid until 18 June 2023.

Putting things right

To put things right Pockit should pay Mr M £125 compensation and return to him the funds withheld amounting to £805.15. Interest at 8% per annum should be paid on the funds from 20 April 2020 until 18 June 2023.

Mr M should provide Pockit with Identification documentation as requested in order that Pockit may satisfy themselves and comply with their legal and regulatory obligations.

My final decision

I uphold this complaint I require Wirecard Card Solutions Limited to pay Mr M:

- £125 compensation for the inconvenience of having to pursue this complaint.
- Return £805.15 to him upon satisfactory production of identification documentation
- Interest at 8% simple on £805.15 from 20 April 2020 to 18 June 2023.

HM Revenue & Customs requires Wirecard Card Solutions Limited to withhold income tax from the above-mentioned interest. Wirecard card Solutions Limited should give Mr M a certificate showing how much is taken off if Mr M asks for one

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 17 November 2023.

Esperanza Fuentes

Ombudsman