

## **The complaint**

Mr R has complained Barclays Bank UK PLC won't refund money for a payment he didn't authorise.

## **What happened**

In October 2023 Mr R noticed a transaction on his account he didn't recognise. This was for £1,000 to a cryptocurrency company.

He complained to Barclays. They felt their evidence showed this payment had been properly authorised. They wouldn't refund Mr R.

Mr R brought his complaint to the ombudsman service.

After reviewing the evidence Barclays eventually provided, our investigator felt this showed Mr R had made the transaction.

Unhappy with this outcome, Mr R has asked an ombudsman to consider his complaint.

## **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.

Having done so, I've reached the same outcome as our investigator. I'll explain why.

Where there is a dispute about what happened, I have based my decision on the balance of probabilities. In other words, on what I consider is most likely to have happened in the light of the evidence.

When considering what is fair and reasonable, I'm required to take into account: relevant law and regulations; regulators' rules, guidance and standards; codes of practice; and, where appropriate, what I consider to have been good industry practice at the relevant time.

The regulations which are relevant to Mr R's complaint are the Payment Services Regulations 2017 (PSRs). These primarily require banks and financial institutions to refund customers if they didn't make or authorise payments themselves. Other aspects do on occasion apply, but nothing here that specifically applies to Mr R's complaint.

To help me come to a decision, I've reviewed the evidence Barclays provided as well as what Mr R has told us.

I believe this transaction was carried out with Mr R's authorisation. I say this because:

- The evidence submitted by Barclays shows Mr R's registered device was used to complete the transaction. This device has been registered to Mr R's account use for some time before this disputed transaction took place.

- The transaction happened during one of many mobile banking logons to Mr R's account on the morning of 4 October 2023. There's no explanation for how any third party could have accessed Mr R's mobile and then logged into his account. Mr R says no other party knows his account details.
- The IP address at the time of the transaction match an IP address used both before and after the disputed transaction.
- Mr R has never suggested he's made this transaction on someone's else's behalf or was duped into making this payment.

I'm not generally happy about deciding a customer made or knew about the transaction just because the genuine account, device and logon details were used. However in this case, I can see no potential for compromise and the weight of evidence suggests to me that Barclays were right in deciding fraud hadn't taken place.

Overall I'm satisfied Mr R authorised this disputed transaction. I won't be asking Barclays to do anything further.

### **My final decision**

For the reasons given, my final decision is not to uphold Mr R's complaint against Barclays Bank UK PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 16 April 2024.

Sandra Quinn  
**Ombudsman**