

The complaint

Miss F has complained that Barclays Bank UK PLC failed to pick up on problem gambling transactions.

What happened

Miss F has explained that she had a gambling addiction, which developed over time, and Barclays should reasonably have realised this, and not permitted the transactions on her account to continue.

One of our investigators looked into what had happened. She noted that Miss F had explained she'd started to make gambling transactions in 2019. At that point, Miss F considered these to be financially manageable, and not problematic. However, the situation escalated during the pandemic, leading her to register with GAMSTOP for a six-month period. Sadly, Miss F suffered a bereavement at the end of 2022, and her gambling became worse. This continued until she contacted Barclays in February 2024, to explain what was happening.

Our investigator considered whether Barclays was aware Miss F was a vulnerable consumer, and whether this reasonably ought to have made it aware she was susceptible to high value gambling transactions. She felt that, although Miss F did notify Barclays of her bereavement, this didn't inherently imply that she was susceptible to high value gambling transactions - especially as she'd had a number of gambling transactions prior to the bereavement in 2022.

Our investigator also thought it was significant that, looking at Miss F's bank statements over time, frequent identifiable gambling transactions were made. However, the account remained in a credit balance and bill payments were still successfully made from the account - so there weren't any usual signs of financial difficulty here. The account appeared to be managed well. So, whilst Miss F's spending did increase, she didn't think Barclays ought to have been reasonably aware this was causing financial worries. And, there were no evidential signs of excessive borrowing from friends and family on the account statements, sufficient to alert Barclays to financial difficulties.

Thinking about what Barclays could have done; our investigator noted it was running a pilot scheme of texting an initial group of consumers that had a high value of gambling transactions on their statements. But, even if Miss F had been included in this group, she wasn't persuaded an offer of support would have changed her behaviour at the time. This was because Miss F had clearly stated she wasn't ready to acknowledge her addiction until February 2024.

Our investigator said that the existence of gambling on an account isn't enough, in and of itself, for Barclays to consider there may be a problem. And similarly, Miss F's bereavement wouldn't necessarily have meant Barclays should have intervened in the payments.

In conclusion, our investigator didn't think Barclays should reasonably have been aware that Miss F had a problem with gambling.

Miss F disagreed, and feels that Barclays should have realised there was a problem, and intervened. Her complaint's now been passed to me.

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.

First, I'd like to thank Miss F for her openness about her situation. I imagine this took considerable courage. Although there is no shame at all in her predicament, it unfortunately remains the case that addictions can be very hard to acknowledge and speak about. So, I thank her for her candour, and sincerely hope she's being supported in dealing with the issues she's been facing, in particular her profound bereavement. And I'd like to assure her that although I may not refer to all of her points specifically, I've considered all of the information she's provided.

I've needed to consider whether Barclays should have realised, prior to Miss F contacting it in February 2014, that there may be a problem. And, on balance, I'm not persuaded it should. I accept that Miss F had told Barclays about her bereavement, and I accept that this made her vulnerable. But being vulnerable doesn't mean a consumer shouldn't have autonomy over their account, unless there are compelling reasons. And here, Miss F ostensibly managed her account well, and there weren't loans coming in from other financial institutions. And gambling transactions had been a feature of her account for some time.

Had Barclays contacted Miss F, it's impossible to know if she'd have accepted there to be an issue. It may have prompted her to seek help, but it equally may not have done. And Miss F has said she wasn't ready to acknowledge the problem earlier.

So, on balance, I'm not persuaded that Barclays was wrong not to do more, prior to February 2024.

My final decision

Despite my considerable sympathy for Miss F's situation, it's my final decision not to uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss F to accept or reject my decision before 21 October 2024.

Elspeth Wood
Ombudsman