

## **The complaint**

Mr T says Barclays Bank UK PLC ("Barclays"), trading as Barclaycard, refuses to refund him for two transactions on his account he says he didn't authorise.

## **What happened**

Mr T says he received an SMS from Barclays on 29 November 2023 saying his credit card was close to the credit limit. So, he logged onto his account and saw two transactions he didn't recognise. The payments were for £10,000 and £5,000 both to the same beneficiary. Mr T says Barclays should've realised these transactions were fraudulent and it should've called him to check they were genuine. And so, Mr T would like it to refund this money.

Barclays says it has held Mr T liable for the transactions in dispute as they were both verified via one-time passcodes (OTPs) sent to his registered phone number. It also says the IP address used to make the transactions is the same IP address that has been used for online banking activity both before and after the transactions in dispute. So, it says either Mr T made the transactions or gave someone access to his information to make them on his behalf.

Our investigator considered the complaint and decided not to uphold it. Mr T disagreed so the complaint has been passed to me to consider.

## **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'd like to reassure both parties that although I've only given an overview of what happened, I've read and considered everything we've been provided in its entirety.

The evidence provided shows the two transactions were both made on 29 November 2023. They were both online payments and were verified by an OTP sent to Mr T's registered device. Mr T's testimony is that he received a message from Barclays saying he was reaching his credit limit on the same day. As Mr T received this message on his phone it's likely his device also received the earlier messages sent to authorise the payments. Mr T didn't complain to Barclays straight away, the evidence showed he complained about these payments two days later. The evidence also shows the IP address used to make the payments is the same IP address which had been used to access Mr T's online banking from October 2023 onwards. So it seems more likely than not Mr T authorised these transactions or gave permission to someone else to do so on his behalf.

Considering everything, and based on what Mr T has told us, it seems he had fallen victim to a cruel scam. Mr T says he was contacted via a cryptocurrency trading company, and he willingly downloaded an app which gave them control of his device, under the guise of helping him earn money trading in cryptocurrency. Based on his evidence he gave them authority to place trades on his behalf and gave them access to his device. Looking at the IP address information and the destination of the payments, I think it's likely these were made

by the people Mr T gave access of his device to. And Mr T wants Barclays to refund him for this.

I've considered that this must be a very difficult and frustrating situation for Mr T. I am sure this has caused him a lot of stress, and for this he has my sympathy. However, my role is to look at all the evidence, and then reach a decision that takes this into account and is fair to both parties. That means I consider Barclay's position as much as I do Mr T's. And what Mr T is asking for here is for Barclays to use its own funds to pay him back money that he says was spent from his account fraudulently – which in the circumstances, I don't think would be fair.

Mr T says Barclays should've done more to protect him as a customer and should've flagged the transactions as suspicious as they were out of character for his account. I've thought about this, and I've seen that the payment went to a foreign country. I also agree that the transactions are large and out of character for this account. However, the transactions did pass through an additional verification check via an OTP.

In addition, there is evidence that Mr T had made a payment to the same company from his Barclays debit card account around the same time for £4,000. Barclays have shown that it contacted Mr T to check if this payment was genuine, and the notes state he confirmed it was genuine, and said it was for a "software upgrade". I have seen that since this Mr T has received a refund of that transaction as fraudulent, however, at the time these two credit card transactions were made Barclays believed it to be genuine. And even when Barclays tried to question this further, Mr T wasn't forthcoming about the debit card transaction. So, I don't think Mr T would've disputed the credit card transactions or been any more forthcoming if it had called him about the credit card transactions around the same date.

Mr T has also complained about the communication received from Barclays after he logged his complaint. He felt the communication was not clear and was conflicting. I believe Mr T had several complaints logged with Barclays at the time all revolving around this scam. I've seen references of two other complaints being investigated at the same time. I haven't seen the SMS messages Mr T has referred to, so I can't comment directly. But I think it's likely Mr T was receiving multiple updates about the different complaints, and that caused some confusion. But without any other supporting evidence I can't say Barclays had done anything wrong.

I know this outcome will come as a disappointment to Mr T, it is a lot of money and I appreciate this must be difficult. However, for all the reasons outlined above I do not think it would be fair to ask Barclays to refund this money, so I am not upholding this complaint.

### **My final decision**

I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 12 December 2024.

Sienna Mahboobani  
**Ombudsman**