

## The complaint

Mr F complains that Lloyds Bank PLC (Lloyds) is refusing to refund him the amount he says he lost as the result of a scam.

Mr F is being represented by a third party. To keep things simple, I will refer to Mr F throughout my decision.

## What happened

The background of this complaint is well known to all parties, so I won't repeat what happened in detail.

In summary, Mr F has told us that he made payments to a gambling website (Donbet) but that he does not remember making all the payments, and that the payments he sent went to different account names he was not familiar with. Having won a significant amount, he was unable to withdraw funds.

Mr F says that as he was unable to make a withdrawal, he used the funds to gamble further and made a return of around £21,000. But as Mr F was again unable to withdraw his winnings, he eventually lost the money.

Mr F says he was coerced into making the payments by a potentially illegal company and that Lloyds should have done more to protect him when he made the payments.

Mr F has disputed the following payments made from his Lloyds account:

Payment	Date	Payee	Payment Method	Amount
1	28 May 2024	Coresbyte	Debit Card	£275.18
2	28 May 2024	Coresbyte	Debit Card	£366.90
3	28 May 2024	Coresbyte	Debit Card	£639.94
4	3 June 2024	WinterMDSE	Debit Card	£500.55
5	3 June 2024	WinterMDSE	Debit Card	£699.61
7	3 June 2024	WinterMDSE	Debit Card	£1,001.35
8	3 June 2024	Fomiline UAB	Debit Card	£702.48
9	3 June 2024	Goriwire SP.Z.O.O	Debit Card	£802.83
10	3 June 2024	Fomiline UAB	Debit Card	£1,003.54
11	3 June 2024	Goriwire SP.Z.O.O	Debit Card	£1,003.54
12	3 June 2023	Fomiline UAB	Debit Card	£601.21
13	3 June 2024	Topcom	Debit Card	£699.39
14	3 June 2024	Goriwire SP.Z.O.O	Debit Card	£1,002.03
15	3 June 2024	Goriwire SP.Z.O.O	Debit Card	£1,002.08
16	5 June 2024	WinterMDSE	Debit Card	£901.75
17	5 June 2024	Bitsent EU AB Sale	Debit Card	£1,802.06
18	5 June 2024	WinterMDSE	Debit Card	£2,003.40
19	5 June 2024	WinterMDSE	Debit Card	£2,003.50
20	5 June 2024	WinterMDSE	Debit Card	£2,004.54

21	5 June 2024	WinterMDSE	Debit Card	£2,005.82
22	5 June 2024	WinterMDSE	Debit Card	£2,015.51
23	6 June 2024	WinterMDSE	Debit Card	£1,001.80
24	6 June 2024	Ewave	Debit Card	£1,491.79
25	6 June 2024	Topcom	Debit Card	£1,702.08
26	6 June 2024	Topcom	Debit Card	£1,702.08
27	6 June 2024	Ewave	Debit Card	£1,747.52
28	6 June 2024	WinterMDSE	Debit Card	£2,001.11
29	6 June 2024	WinterMDSE	Debit Card	£2,001.18
30	6 June 2024	WinterMDSE	Debit Card	£2,006.48
31	7 June 2024	Goriwire SP.Z.O.O	Debit Card	£800.62
32	7 June 2024	WinterMDSE	Debit Card	£200.20
33	7 June 2024	Topcom	Debit Card	£400.56
34	7 June 2024	WinterMDSE	Debit Card	£701.59

Our Investigator consider Mr F's complaint and didn't think it should be upheld. As Mr F didn't agree this complaint 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.

Not every complaint referred to us and categorised as a scam is in fact a scam. Some cases simply involve high-risks or in this case payments to a gambling website that resulted in disappointing returns or losses.

Mr F has told us he doesn't recall making all the payments listed above but the payments were made to what appears to be a legitimate gambling website and Lloyds has confirmed Mr F authorised the payments using his mobile device and the security in place on it. Mr F has also told us he had access to the website where he initially saw good returns, but eventually lost his winnings. So, I think it's most likely Mr F did make the payments.

Donbet, the website Mr F used when making the payments is still operating today and while it is not registered in the UK it does appear to be a legitimate business. I don't have enough evidence to show Donbet is operating a scam.

### ***Recovering the payments Mr F made***

Mr F made the disputed payments via his debit card. When payments are made by card the only recovery option Lloyds has is to request a chargeback.

The chargeback scheme is a voluntary scheme set up to resolve card payment disputes between merchants and cardholders. The card scheme operator ultimately helps settle disputes that can't be resolved between the merchant and the cardholder.

Such arbitration is subject to the rules of the scheme, meaning there are only limited grounds and limited forms of evidence that will be accepted for a chargeback to be considered valid, and potentially succeed. Time limits also apply.

The payments Mr F made went to a gambling website and it appears that he was provided with a balance on his account with that website which he used to gamble with. As this service was provided to Mr F a chargeback request would have little chance of success.

*Should Lloyds have reasonably prevented the payments Mr F made?*

The available evidence shows that Mr F authorised the payments that were made from his account with Lloyds. So, the starting point here is that Mr F is responsible.

However, banks and other Payment Services Providers (PSPs) do have a duty to protect against the risk of financial loss due to fraud and/or to undertake due diligence on large transactions to guard against money laundering.

As I've explained above, I don't think the payments made from Mr F's account were in relation to a fraud or scam, so Lloyds was not required to step in, in this way.

But in any case, it was not uncommon for Mr F to make payments in relation to gambling from his Lloyds account, often multiple times on the same day, so I don't think the payments would have appeared unusual for Mr F's account and I don't think it was unreasonable that Lloyds didn't intervene.

Overall, it appears that in addition to his complaint against Lloyds, Mr F is unhappy with the way Donbet operates, that it doesn't impose limits to deposits, but does to withdrawals, and that having a balance on his gambling account for longer than he wanted, due to its limitations eventually led him to lose his funds. This isn't something I can say Lloyds should reasonably be held responsible for.

As I don't think Lloyds is responsible for Mr F's loss it is not required to refund the payments he has disputed.

**My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 14 March 2025.

Terry Woodham  
**Ombudsman**