

The complaint

Mr B is unhappy that Bank of Scotland plc ("BOS") won't reimburse money that was stolen from him after he withdrew it from branch.

What happened

Mr B went into a BOS branch and withdrew some money from his account. When Mr B left the branch, he was followed by three people who then robbed him of the money that he had just withdrawn. Mr B asked BOS to reimburse the money that was stolen to him, but BOS refused. Mr B wasn't happy about this, so he raised a complaint.

BOS responded to Mr B but confirmed that they didn't feel that they should reimburse Mr B money that was stolen from him after he left their branch. Mr B wasn't satisfied with BOS's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they didn't feel that BOS should fairly or reasonably be expected to reimburse Mr B in these circumstances. Mr B remained dissatisfied, so the matter was escalated to an ombudsman for a final decision.

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, it's only natural for me to feel sympathy for Mr B regarding what must have been an unpleasant and potentially frightening experience for him, when he was robbed of the money that he'd withdrawn in BOS's branch a short while after leaving the branch.

However, in my professional capacity as an ombudsman, I don't feel that I can fairly or reasonably uphold this complaint against BOS and instruct them to reimburse Mr B's money to him as he would like.

Ultimately, it wasn't BOS's fault that Mr B was robbed. And the robbery didn't take place in BOS's branch but occurred sometime after Mr B had left the branch. As such, I feel that this is criminal matter that would be best handled by the police. And I don't feel that it would be fair to expect BOS to reimburse the stolen money to Mr B, given that I'm satisfied that BOS bear no responsibility or accountability for the money being stolen.

It's my understanding that Mr B has engaged with the police about this matter and has requested CCTV footage from his visit to branch, as he feels that the people that robbed him were in branch and watched him withdraw his money.

BOS have asked Mr B to ask the police contact them about this matter via their established Police Liaison team. But BOS have also explained that CCTV footage is only retained for 30 days. Notably, Mr B didn't raise this matter with BOS for several weeks, when more than 30 days had already passed since the robbery, which means that CCTV footage from that date is no longer available. This is unfortunate for Mr B, but CCTV footage isn't commonly

retained for an extended period, and so I don't feel that it's unfair.

All of which means that while I sympathise with Mr B on a personal level, I won't be upholding this complaint or instructing BOS to reimburse the money that was stolen from him back to him as he would like. I hope that moving forwards that Mr B is successful in recovering his money from the criminals that stole it from him.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 25 December 2024.

Paul Cooper
Ombudsman