

The complaint

Miss K complains Monzo Bank Ltd (Monzo) refuses to refund her for transactions on her account she says she didn't authorise.

What happened

The facts of this case are well known, so I won't repeat them in detail.

In summary, Miss K contacted Monzo on 10 June 2024 to report transactions on her account she didn't recognise. The transactions totalled £22,904.45 and were to cryptocurrency platforms.

Miss K would like a refund of this money and is also unhappy Monzo didn't consider her vulnerabilities when investigating her complaint.

Monzo says the evidence shows all the transactions were carried out on Miss K's device and were validated using an additional verification – via entering her card PIN or using biometrics.

So, it has held Miss K responsible for the transactions. It also feels it hasn't done anything wrong in the handling of her complaint.

Our investigator considered the complaint and decided not to uphold it. Miss K wasn't happy with this outcome, so the complaint has been passed to me 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.

Generally speaking, Monzo should refund any unauthorised payments made from Miss K's account. Those rules are set out in the Payment Service Regulations 2017. Miss K says she didn't carry out the transactions in dispute, but Monzo says she did. So, I have to decide whether I think Miss K did authorise the transactions or not.

Firstly, I would like to let Miss K know that I have read and considered everything she has said. I have also listened to what she has said about her vulnerabilities, and I have written this decision with her needs in mind. I am also sorry to hear she has been having difficulties over the last few years.

For me to make a fair and reasonable decision what I think is more likely to have happened here, I have to look at the evidence and base my findings on what this tells me. From what I've seen, I am not convinced that someone else was responsible for the transactions on Miss K's account. So, I think it is more likely that Miss K made these transactions. I will explain how I reached this decision.

Monzo has provided evidence to show that all the transactions were carried out on the one and only device linked to her Monzo account. I understand this to be Miss K's mobile phone.

Miss K told us that no one else has had access to her device or knows her account log-in details.

We also asked if she had received any suspicious calls or texts or downloaded any new apps like a remote access app. Miss K said she hasn't. So, without anyone else having access to her phone, it is more likely that Miss K made these transactions from her device.

Monzo has also provided evidence to show that all the transactions went through an additional verification process. This process involved either Miss K entering her PIN or using biometrics to confirm the transactions. So, if someone else had made these transactions using her phone, they would've also needed to know her PIN. But this doesn't explain how some of the transactions were verified using her biometrics – which would've been her fingerprint or face ID. This, added to the evidence above, persuades me that it is more likely than not Miss K is responsible for these transactions.

We asked Miss K whether she could've been a victim of a scam whereby someone was asking her or tricking her into making these payments. But she said this wasn't the case.

Miss K says that Monzo should refund these payments unless it can prove she's been grossly negligent with her account details. Monzo would be required to refund the transactions if there was not enough evidence to show they were authorised by Miss K, and they couldn't prove she had been grossly negligent. But that is not the case here. In this case the evidence persuades me it's more likely than not the transactions were authorised. So Monzo are not required to refund them.

I understand that Miss K is unhappy with the way Monzo has treated her throughout her complaint, and she feels like it discriminated against her due to her disabilities. I have looked at the communication with Miss K and have listened to the calls provided. From what I've seen and heard I don't think Monzo treated her unfairly due to her disability.

I understand Miss K feels like had to chase Monzo and continuously call it for updates, but Monzo are dealing with a lot of complaints, and it wouldn't be fair to expect it to call her often without any update to report. I have seen that Monzo engaged appropriately with Miss K every time she called, and I haven't seen anything that persuades me that its actions were unfair or discriminatory.

I know this is not the outcome Miss K was hoping for so I am sure this decision will be disappointing for her. But based on the evidence I have, I am not persuaded the transactions were unauthorised, so I won't be asking Monzo to refund them. I am also not persuaded Monzo discriminated against her during the course of its investigation.

My final decision

I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss K to accept or reject my decision before 5 February 2025.

Sienna Mahboobani
Ombudsman