

## **The complaint**

Mr B complains that Bank of Scotland plc trading as Halifax has declined to refund disputed transactions that were made from his account.

## **What happened**

Between 20 and 24 June 2024, a number of transactions debited Mr B's account to an online bookmaker totalling £350.

When Mr B discovered the transactions, he contacted Halifax on 26 June 2024 to report them as unauthorised and asked it to refund the money. But the bank didn't think it was liable for his loss.

Unhappy with this, Mr B raised a complaint. In response, Halifax said:

- It didn't believe the transactions were fraudulent.
- Mr B had used the same bookmaker in the past for genuine transactions.
- Mr B said no one else had access to his card information. And there is nothing to suggest someone else fraudulently used Mr B's information to make these payments.
- It would not be refunding the £350.

Mr B then referred his complaint to our service where it was considered by one of our investigators. But he didn't believe Halifax should refund the £350 to Mr B, as from the evidence available, he considered Mr B had most likely authorised the disputed transactions.

Mr B disagreed. As well as other things, he says he has no idea how someone accessed both his Halifax and bookmaker's accounts (where the transactions were made from). He says he has no history of making false claims, has been betting for years and has always accepted his losses, and doesn't think our investigator, the bank, or the bookmakers has investigated his fraud claim properly.

As no agreement could be reached, the 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.

Having done so, I realise this will be very disappointing news for Mr B, but I've reached the same conclusions as our investigator, for broadly the same reasons.

Firstly, I'd like to say that it's very clear Mr B has strong feelings about this matter. And I acknowledge his insistence that he didn't make these transactions and would never make a false fraud claim. I've thought very carefully about everything he's said, alongside the available evidence, as well as considering the relevant regulations.

The Payment Service Regulations 2017 (PSR's) say that generally speaking, a bank is

entitled to hold a customer liable for authorised transactions, and the bank is liable for unauthorised ones. And I've taken that into account when deciding what is fair and reasonable in this case.

Mr B has told us that no one else has access to his debit card information, or his bookmaker's account where the transactions were made from. So, from this, and in view of the relevant regulations as mentioned above, I need to decide on balance whether it's likely someone else other than Mr B made these transactions in dispute.

Mr B has made many references into the conduct of the online bookmakers as part of his submissions to our service. But to be clear, I'm not looking into anything in relation what the bookmakers has said or done – because they do not fall within the jurisdiction of our service. I can only look into whether or not Halifax has acted appropriately when Mr B notified it of disputed transactions.

It seems Mr B is of the belief that Halifax was required to contact the online bookmakers as part of its investigation into the disputed transactions. Whilst in some cases it might be appropriate to contact third party companies in fraud claims such as this, banks also have other technical information when it comes to considering whether or not transactions were authorised. This includes, but isn't limited to, how the transactions were processed, the device and/or internet protocol (IP) address used, the timings of the transactions, as well as any explanation its customer can give as to how someone else could've gained knowledge of their card information (for example by friends or family), as well as necessary security credentials required in order to carry out the disputed transactions.

Here, Halifax didn't contact the online bookmakers. Whilst I find this would've been helpful, I don't consider it was essential. As part of our investigations into Mr B's complaint, our service has attempted to obtain information from the online bookmakers, but it declined to provide this due to data protection. Whilst this is unfortunate, like Halifax did, I don't consider it essential to know details of the bets placed using Mr B's own bookmakers account in order to decide whether or not Halifax needs to refund Mr B the £350, because there is other evidence available – although I know Mr B will disagree.

The main point for me here, is that Mr B himself hasn't been able to provide any plausible explanation as to how someone other than him would've been able to access his genuine bookmaker's account. And, whilst there is no such thing as a 'typical fraudster' the pattern of the disputed transactions doesn't strike me as activity an unauthorised third party would do. The transactions range between £10 and £30, span across a four-day period, and do not make use of the account balance straight away. For example, Mr B's balance was £340 with an additional overdraft limit of £1,000 on day one of the disputed activity – but only £140 was spent that day. I consider it unlikely that an unauthorised individual would know how often Mr B checks his Halifax account for him to notice the disputed transactions – so to maximise the use of the card details, I'd expect as much activity to be attempted as soon as possible. But that didn't happen here.

Mr B accepts it's unlikely that a fraudster would use his account to potentially win and then withdraw the winnings to his card. Like our investigator, he agrees this doesn't make sense and I also accept this. Mr B has highlighted something called 'chip dumping' where fraudsters are able to benefit financially from hacking into betting accounts. I don't know if that's what happened here, and I've seen no evidence of malware being installed on Mr B's device either. However, it's not my role to scrutinise the activity on Mr B's betting account, but to decide whether or not there is enough evidence for Halifax to hold him responsible for the transactions.

I know Mr B has raised questions as to why Halifax didn't highlight the disputed activity as

suspicious and contact him to discuss it further. But I don't consider the activity to be so unusual or out of character for Mr B's Halifax account for the bank to have cause for concern that it was subject to fraudulent activity. Therefore, I don't find that Halifax should've contacted Mr B about the pattern of the transactions at the time.

When I consider all of the evidence available for this complaint, whilst I will never know exactly what happened to Mr B's bookmaker's account, for the reasons I've mentioned above, I'm satisfied it was reasonable for Halifax to decline a refund for the £350. I simply have no evidence that anyone other than Mr B would've been able to carry out these disputed transactions.

As such, I don't require Halifax to do anything further here.

### **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 23 October 2025.

Lorna Wall  
**Ombudsman**