

The complaint

Mr K has complained Barclays Bank UK PLC won't refund debit card transactions he says he didn't authorise.

What happened

In April and May 2024 Mr K was overseas visiting family. He lost his card wallet and reported his card missing. Barclays replaced the debit card.

In early June Mr K reported six debit card transactions that had happened with his card after it was lost. Barclays initially refunded Mr K but after investigation felt it was most likely Mr K had made those transactions himself.

Unhappy with this outcome, Mr K brought his complaint to the ombudsman service.

Our investigator reviewed the evidence and Mr K's testimony. She agreed Mr K must have made or authorised these transactions.

Still unhappy, Mr K has asked an ombudsman to consider his complaint. He's confirmed another card went missing at the same time and he was many miles away from where the disputed transactions took place.

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've reached the same outcome as our investigator. I'll explain why.

Where there is a dispute about what happened, I have based my decision on the balance of probabilities. In other words, on what I consider is most likely to have happened in the light of the evidence.

When considering what is fair and reasonable, I'm required to take into account: relevant law and regulations; regulators' rules, guidance and standards; codes of practice; and, where appropriate, what I consider to have been good industry practice at the relevant time.

The regulations which are relevant to Mr K's complaint are the Payment Services Regulations 2017 (PSRs). These primarily require banks and financial institutions to refund customers if they didn't make or authorise payments themselves. There are exceptions to this and that would include if the customer had acted with gross negligence or intent to allow any security details – including the card and PIN, and mobile banking access – to be used by someone else. Barclays has not suggested Mr K has acted in a grossly negligent manner.

To help me come to a decision, I've reviewed the evidence Barclays provided as well as what Mr K has told us.

Overall, I'm satisfied Mr K most likely made these transactions. I say this because:

- All of the disputed transactions were authenticated by contactless technology and therefore confirms the use of the genuine card. This fits with Mr K telling us he'd lost his card but that nobody had access to his other security details.
- The six disputed transactions didn't take place immediately and were spread over a few days. This is extremely unusual fraudulent behaviour. If an unknown third party had found Mr K's cards, I'd have expected them to be used repeatedly and as quickly as possible until they were unable to be used any further.
- Mr K reported his card lost. There were no attempts to use the card after it was stopped. This also strikes me as highly unusual.
- Mr K didn't report the fraud on his account until a month later. I note what he's told us about being overseas for a prolonged period without access to roaming. I'm not sure why he couldn't have reported this through his app, which he confirms he checks regularly. Particularly as he used this app after the disputed transactions came to an end and would have most likely noticed these transactions. Particularly as the balance on this account reduced from over £325 to £115.
- Mr K has had other reported sets of fraud with Barclays. Neither set were for large amounts but at least one set also happened when Mr K was overseas. I can see why Barclays would expect Mr K to be taking better care of his cards.
- Mr K has told us he was miles away from where the frauds took place and photos can prove this. Oddly – even knowing that our investigator didn't uphold his complaint – Mr K hasn't provided these. He has also said fraud was attempted on another card within his wallet at the time his Barclays card was lost. Again he has not provided the evidence of this.

I appreciate Mr K's stance on what happened and I have considered his testimony carefully. However, I'm satisfied that Barclays has sufficient evidence to show the disputed transactions were authorised.

My final decision

For the reasons given, my final decision is not to uphold Mr K's complaint against Barclays Bank UK PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 3 June 2025.

Sandra Quinn
Ombudsman