DRN-5645659

The complaint

Mr Q has complained Metro Bank PLC won't refund him for gambling transactions he didn't authorise.

What happened

Mr Q had held an account with Metro Bank since November 2023. Mr Q has told us that he has mental health issues.

He raised numerous fraud disputes claims with Metro in 2024 for different sets of gambling transactions which he stated he'd not authorised. In January 2025 Metro confirmed in a final response that they wouldn't be refunding a set of gambling transactions made from 3 to 6 October 2024 with a company, who I'll call B.

Mr Q brought his complaint to the ombudsman service.

Our investigator noted that the transactions were executed using Mr Q's card details, which remained in his possession throughout. She also noted B had sent through nine separate credits totalling £1,963 which Mr Q was not disputing. She wasn't going to ask Metro to do anything further.

Unhappy with this, Mr Q has asked an ombudsman to consider his complaint.

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.

To help me come to a decision, I've reviewed the evidence Metro provided, which has included information about the different claims Mr Q has raised, along with nearly 400 pages of statements, and copies of calls between Mr Q and Metro. I've also seen Mr Q's claims to Metro that he either didn't make the transactions, or these should be refunded as a result of his mental health issues.

The regulations which are relevant to Mr Q'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.

I believe all of these transactions were authorised by Mr Q. I say this because:

- The PSRs state there are two elements to authorisation: authentication and consent. The transactions are executed using Mr Q's own card details which suggests he set up the gambling account with B himself. Metro's systems required additional authentication for four of the disputed transactions and the evidence shows this was provided within the Metro app set up on Mr Q's mobile device. There's no indication that Mr Q hasn't retained possession of his mobile throughout.

- B provided nine credits direct to Mr Q's Metro account. Four of these were for £400 each and the total amounts to £1,963. These were not disputed and appear to relate to the expenditure which then appears on Mr Q's statement.

- Mr Q has raised more than five other fraud claims with Metro. Most of these relate to other sets of gambling transactions. I've seen evidence from Metro that they can evidence – in correspondence with the relevant gambling merchants – that accounts for these were set up in Mr Q's name. I'm therefore satisfied that this is most likely true of Mr Q's relationship with B.

- In at least one phone call, Mr Q has talked about lacking control because of the medication he's taking. I believe this suggests Mr Q knows he made these transactions. I don't doubt Mr Q has mental health issues. That said, I've seen no medical evidence to confirm this, nor would this fact alone mean that Metro should refund Mr Q.

Overall based on the evidence, I won't be asking Metro to do anything further.

I believe Metro has since decided to close Mr Q's account as he presents a level of risk they do not wish to accept.

My final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr Q to accept or reject my decision before 24 September 2025.

Sandra Quinn
Ombudsman