

## The complaint

Miss S complained because Barclays Bank UK PLC refused to refund her for cash withdrawals which she said she hadn't made.

## What happened

Miss S opened a Barclays account on 16 May 2025. On 16 June, she contacted Barclays and said there were seven cash machine withdrawals abroad on her account, which she said she hadn't made. The withdrawals had been made between 10 June and earlier on 16 June. The total disputed was £2,880.07.

Miss S told Barclays that she still had her debit card, and it hadn't been out of her possession. She said she hadn't been to the country abroad where the withdrawals had taken place. She said that she hadn't shared her card, or her PIN, with anyone else. Barclays said that it could see Miss S usually logged into her mobile banking (BMB) every day, but she hadn't done during the period of the withdrawals. It asked her why, but Miss S didn't give a reason.

Barclays replied to Miss S's claim on 18 July. It said it had carefully looked into what had happened, but it couldn't find any evidence of fraud. It said it had considered the security capability of the card; Miss S's security obligations under the terms and conditions; and the details of the disputed transactions. Barclays hadn't found any evidence to suggest the withdrawals had been made by a third party, so it refused to refund her.

Miss S complained.

Barclays sent Miss S its final response to her complaint on 4 August. It said there had been no declined PIN attempts or balance enquiries made before the withdrawals. So the person who made them had known the PIN, and how much was in the account. Barclays had found no evidence that Miss S's PIN had been compromised.

Barclays also pointed out that the cash withdrawals had happened over an extended period. It said that pattern wasn't typical of third party fraud, which usually involves quick, successive transactions. There was also no evidence of third party involvement in the transactions.

So Barclays refused to overturn its original decision.

Miss S wasn't satisfied and contacted this service. She said her debit card had been cloned, and used abroad, and she still had her card with her at the time of the transactions. She said she'd used her card in the UK at roughly the same time it was used abroad, and hadn't shared her PIN with anyone.

Our investigator asked Miss S a number of questions. Miss S confirmed that she hadn't lost her phone, which was protected by a password and Face ID. She said no-one else knew her password and it wasn't written down anywhere. She said she did have a relative in the country where the disputed cash withdrawals had been made, but it wasn't a close relative.

Our investigator didn't uphold Miss S's complaint. She said that the cash withdrawals had been made using the genuine card and correct PIN. She said that this service has found no evidence that it's possible for the chip on a card to be cloned. And as Miss S had been in the UK before the withdrawals, for a third party to have made the withdrawals they'd have had to obtain Miss S's details including PIN in the UK, then transport the card and PIN abroad. The investigator also said that she'd expect fraudulent withdrawals to have been spent as quickly as possible – not over several days, as happened here. And Miss S had said she had the genuine card in her possession throughout this time.

So the investigator said this suggested that only Miss S, or someone who'd taken the card with Miss S's permission, could have made the withdrawals.

The investigator looked at the transaction in the UK on 16 June, which took place at a similar time to the last cash withdrawal abroad. Miss S hadn't disputed this, and it had been made using Apple Pay. So the investigator thought it was most likely that Miss S had allowed someone else to use her card abroad with her permission, because knowledge of the correct PIN was needed.

The investigator also noted that Miss S's bank statements and mobile banking records showed that Miss S usually spent some money every day, and also logged in every day. But during the time of the disputed transactions, she hadn't done so.

So the investigator concluded that the transactions could only have been made by Miss S, or someone else with her permission.

Miss S wasn't satisfied. She said the timeline made no sense, and she didn't need her card to make an Apple Pay purchase. She said there was no way she could have made a purchase abroad and in the UK just an hour apart, when it took about 6 hours to fly to the country where the disputed payments had happened. She asked for an ombudsman's 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.

#### *What the Regulations say*

There are regulations which govern disputed transactions. The relevant regulations here are the Payment Services Regulations 2017. In general terms, the bank is liable if the customer didn't authorise the payments, and the customer is liable if they did authorise them. So what decides the outcome here is whether it's more likely than not that Miss S, or a third party fraudster unknown to her, carried out the disputed transactions. If Miss S allowed someone else to use her card and told them her PIN, that counts as Miss S consenting to the transactions.

The regulations also say that account holders can still be liable for unauthorised payments under certain circumstances – for example if they've failed to keep their details secure to such an extent that it can be termed "*gross negligence*."

*Who is most likely to have authorised the disputed transactions?*

The technical computer evidence shows that all seven disputed cash withdrawals were made using Miss S's Barclays card, and her correct 4-digit PIN. Miss S says that she had her card in her possession throughout the time of the disputed withdrawals.

As the investigator explained, this service has found no evidence that it's possible for the chip on a card to be cloned. A magnetic stripe can be copied under certain circumstances, but not the chip. It's the genuine chip, not the magnetic stripe, which was recorded by all the cash machines abroad. So I accept that the card used for the withdrawals was Miss S's genuine card, not a cloned one.

I also can't see how any third party fraudster could have known Miss S's PIN, or the balance in her account. Miss S said she hadn't written down her PIN, or told anyone what it was. There are 10,000 possible combinations of any four-digit number. So it wouldn't have been possible for anyone correctly to guess what the PIN was. Similarly, there were no balance checks before the cash withdrawals. So whoever made them knew the balance in the account.

The transactions themselves also aren't typical of a third party fraudster. Third party fraudsters would normally take out as much money as they could, as quickly as they could, to maximise their gains before the account holder could find out and stop the card. That's not what happened here. The cash withdrawals happened over seven days, and the amounts vary from the sterling equivalent of £78.88 to the sterling equivalent of £490.45.

Miss S's statements show that she normally logged on daily, and also that she normally spent money daily. But between 10 and 16 June she didn't log on, and didn't spend any money on her Barclays card. Miss S was asked the reason for this change, but didn't give a clear answer. I consider it's most likely that the reason she didn't spend money in the UK during this time was either that she was abroad and made the disputed transactions herself, or she'd given her card and PIN to someone else who was making the disputed transactions abroad.

Miss S raised the timing of the final cash withdrawal. This happened at the equivalent of 2.13pm UK time, and like the others, was made abroad. There is also an Apple Pay transaction at a supermarket in the UK, at 3.35pm that day. I agree with Miss S that because of the distance between the UK and the country where the disputed withdrawals happen, it's not feasible that the same person made both of these. But the fact that there was an Apple Pay phone transaction in the UK, doesn't mean that Miss S couldn't have made the card transactions abroad. It just means it's likely there was a second person involved.

In view of all the other evidence, I consider it's most likely either that:

- Miss S went abroad and made the disputed payments herself, and got someone else to make the supermarket payment using her Apple Pay at the time of the final cash withdrawal, or
- Someone else with Miss S's consent took her card abroad, and was provided by Miss S with the PIN in order to make the withdrawals, and she made the supermarket Apple Pay payment at an agreed time.

I can't tell for certain whether Miss S made the disputed withdrawals or someone else did after being provided with her card and PIN. Either scenario counts as Miss S consenting to the payments. So Barclays doesn't have to refund her.

### **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 Ms S to accept or reject my decision before 27 January 2026.

Belinda Knight  
**Ombudsman**