

## The complaint

Miss A complains Cabot Credit Management Group Limited pursued her for a debt that'd been fraudulently taken out.

## What happened

As I understand it an account in a name similar to Miss A's was taken out with a lender I'll refer to as N. The account was ultimately sold to a debt purchaser, who then asked Cabot to service the account. Cabot wrote out to the address they had in November 2020 to tell Miss A this.

The information I have shows Miss A first became aware of this debt on 13 November 2020. This was through letters she was receiving at her property – albeit not addressed to her fully – so she assumed it was a scam. Miss A says she only became aware this was legitimate when she received notification Cabot had pursued legal action against her.

Since November 2020, Miss A has made several complaints to Cabot about the debt. This complaint was made in July 2025 and is about Cabot asking her to repay a debt which had been fraudulently taken out – and the impact of that. The impact includes a County Court Judgment (CCJ) being granted against her in January 2024.

In March 2025 I understand N confirmed the account had been fraudulently taken out and had closed down the account.

In July 2025, Cabot said they'd used the details given to them by N to pursue Miss A for the debt. They explained N had told them the account was fraudulently taken out, so they'd removed their reporting to the credit reference agencies, and refunded any payments she'd made to them. Cabot added they'd arranged for the CCJ to be set aside and would keep her personal data for a period of time. Overall, they didn't think they'd done anything wrong.

Unhappy with this, Miss A asked us to look into things, including Cabot pursuing a CCJ, and them saying they'd keep her data when she wanted it deleted.

One of our Investigators did so but didn't think Cabot had done anything wrong.

Miss A didn't accept this. She said:

- Cabot processed her data for a debt that was never hers
- Used her incorrect legal name when doing so – a significant verification failure
- Contacted her repeatedly and incorrectly since 2020
- Treated her as the responsible debtor
- Added negative information to her credit file
- Instructed a solicitor to obtain a CCJ
- Contributed to a CCJ being issued in her name for a debt she never owed

As Miss A didn't accept the outcome, her complaint's 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.

I think it's important to explain I've considered all of the information provided by both parties in reaching my decision. If I've not reflected or answered something that's been said it's not because I didn't see it, it's because I didn't deem it relevant to the crux of the complaint. This isn't intended as a discourtesy to either party, but merely to reflect my informal role in deciding what a fair and reasonable outcome is.

I have a significant amount of sympathy for the issues and experience Miss A has endured since the account was initially taken out and since. But, being impartial means I need to critically assess whether Cabot did anything wrong which warrants me upholding the complaint against them.

At the core of this complaint is whether Cabot fairly believed Miss A was the same 'Miss A' who had taken out the agreement with N. In short, if they did, then I'll likely find they've not done anything wrong.

In deciding this, I've seen Miss A's full legal name – and understand how key this is to her arguments. I can't spell this out with the same clarity Miss A kindly has for us, as this decision is published on our website and needs to be anonymised.

But, for simplicity, I'll explain it as Miss A has what looks like three names. Typically, they'd be considered as a first, middle and last name. Miss A has explained what I'd usually consider to be a middle name as the first part of her surname – and the third name being the last part of her surname. Or, in other words – a first name, and a two-part surname.

This is important, because when N sold the account, and the details were provided to Cabot, they were given her first and third names. This looks like it's her first name and surname, it doesn't objectively look like it's her first name and the second part of her surname. Crucially, I'm not sure how Cabot could have known this either.

I'm conscious Miss A did tell Cabot her full legal name. But, set against the context of the information given and what they knew at the time, I don't think they could have appreciated the significance.

So, I don't think Cabot did anything wrong in thinking Miss A was the same 'Miss A' who N had told them owed money.

Unfortunately for Miss A, this presents a fundamental problem in her case – because all of the impact she's then experienced flows from this core issue.

Because I'm satisfied Cabot reasonably believed Miss A was the correct party, that means their actions from then onwards – including instructing their solicitors to pursue legal action – is something I consider to be fair. They didn't know the account they were pursuing Miss A for had been fraudulently taken out.

I have seen Miss A raised a number of disputes over the time she was in contact with Cabot. This includes her saying this is a case of mistaken identity or a mistrace. I think Miss A might reasonably point to this and question why Cabot didn't recognise what she was saying.

But I've not seen anything to show Miss A said the account had been fraudulently taken out. And everything Cabot had at this point all suggested Miss A was the correct party to repay the debt.

I appreciate Miss A wouldn't necessarily be aware of this – but it's not uncommon for people to complain a debt isn't theirs. The requirement for Cabot is to be satisfied there is enough evidence to say it is – and in Miss A's case I think there were a lot of factors which suggested it was. The fact this ultimately proved to be incorrect doesn't change what I think Cabot's responsibilities were – which was to be reasonably satisfied the debt was hers.

I also can't ignore Miss A made payments towards the debt. This is extremely unusual in a situation where someone believes the debt isn't theirs. This would quite reasonably add to Cabot's conviction Miss A was the correct party. Bearing in mind at this time they've got documents with her first and last name on it and I don't think they should have recognised this was wrong.

I don't in any way mean to diminish the impact on Miss A. I can see it's been quite significant and as I've said I really do have a lot of sympathy for what she's gone through with this. But, I'd have to find Cabot did something wrong to suggest they have to compensate her for what's happened – and for all the reasons I've explained above I can't fairly say that.

I've also noted Miss A's request for Cabot to delete her data, and their response to say they won't. I've seen our Investigator said Miss A could contact the Information Commissioner's Office (ICO) about this – and I agree they're the right party to consider this issue. If the ICO issue an outcome which Miss A thinks means Cabot needs to do something more, then she can contact them. And, if she thinks Cabot have done something wrong in processing her data which has had an unreasonable impact, then she can ask us to look into that point, though I can't say at this point what steps we'd take.

### **My final decision**

For the reasons I've explained above I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss A to accept or reject my decision before 13 April 2026.

Jon Pearce  
**Ombudsman**