

## **complaint**

Mrs G complains that Tradewise Insurance Company Limited would not pay a claim she made under her motor insurance policy for theft of her vehicle.

## **background**

Mrs G reported the theft of her vehicle to the police and then contacted Tradewise on 21 August 2013. In the initial notification to Tradewise, she said the vehicle was parked at a location away from her home. She said she had been the last person to drive it, and the last time she saw it there was 8.00 am that morning. She said she discovered the vehicle was missing at 4.00 pm and that there was no glass at the scene.

In a telephone call with Tradewise a week later, Mrs G said that her husband had been the last driver. She said that he had parked the vehicle close to where a friend lived on 16 August, before he and his friend went away for the weekend. Mrs G said the vehicle was found to be missing on 19 August at 4.00 pm. She also said there was broken glass found at the spot.

Mrs G and her husband gave written and verbal statements to the police, which put the date the vehicle was found to be missing as 21 August. The transcript of the original phone notification to the police also records contradictory statements by them, and the report records concern about inconsistencies and credibility.

Tradewise asked an independent expert to analyse the vehicle key. The expert reported that the likelihood of the theft being carried out by an opportunist thief without a key was remote, due to the time and noise that would have been involved in overcoming the vehicle's security features.

Tradewise wrote to Mrs G pointing out the inconsistencies in the information provided to it and the police. It said that it was not satisfied that she had adequately shown that a theft had occurred, and it declined the claim.

After Mrs G brought her complaint to this service, Tradewise instructed an investigation company to take further statements from Mrs G and her husband to clarify the events leading up to the theft. Mrs G has indicated she is unwilling to be involved with these further enquiries.

The adjudicator recommended that the complaint should not be upheld. This was because he was satisfied that Tradewise had conducted a sufficient investigation, and - given the contradictory statements from Mrs G and her husband - he did not consider it was unreasonable for Tradewise to decline the claim on the basis that Mrs G had not satisfied it that a theft had occurred.

Mrs G did not agree and the matter has been referred to me to decide.

## **my findings**

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Recordings and transcripts of calls made to Tradewise and the police indicate that the information provided to both by Mrs G and her husband was inconsistent. The report of the expert who inspected the key also concludes that a theft under the circumstances was unlikely.

Mrs G has said that both she and her husband are forgetful and that this accounts for the inconsistencies in their statements. She has also said that her husband does not have English as his first language and this may have contributed to some misunderstanding on his part. However, the evidence of call recordings of Mrs G and her husband suggests that the language was not an obvious problem for him.

I am satisfied that Tradewise has made reasonable efforts to investigate the matter to date, and I note that it was also prepared to take that further, but Mrs G did not wish to do so.

It is for Mrs G to show that she has a valid claim. On the basis of the evidence, I cannot be satisfied she has done this. That means I do not consider that Tradewise was unreasonable in declining the claim.

### **my final decision**

For the reasons above, it is my final decision that I do not uphold this complaint.

I make no award against Tradewise Insurance Company Limited.

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs G to accept or reject my decision before 7 April 2015.

Helen Moya  
**ombudsman**