

complaint

Mr K's complained the Royal Bank of Scotland Plc ('RBS') won't refund transactions he said he didn't make.

background

Mr K was upset about duplicate transactions on his account. Some of these were card payments to online gambling websites. He said there were others but he couldn't specify which ones were duplicates except for the following payments in 2016:

- a £300 ATM withdrawal on 31 May
- two 02 tops on 2 and 3 June
- two transactions for £1,000 on 6 June
- a payment for £1,500 on 28 June.

He asked RBS for a refund.

RBS refused to refund him. It said there weren't any duplicate transactions on his account. And it said he'd already complained about the payments to the gambling websites and this service had issued its final decision on the matter. So, it wouldn't reconsider his complaint about these payments.

Mr K didn't think this was fair so he brought his complaint to this service.

Our adjudicator went through Mr K's bank statements with him and again on her own. She couldn't find any duplicate transactions. She explained the payments to him. And she explained why this service couldn't look at the payments to the gambling websites again.

Mr K wasn't happy with our adjudicator's view. He's asked for an ombudsman's final decision.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I'm very sorry Mr K's felt it necessary to complain to this service about his account. I appreciate how frustrating it must be for him trying to explain why he believes there are duplicate transactions. But having considered all the evidence, I'm afraid I agree with our adjudicator's view. I'll explain why.

Before I do, I'd like to say this service is an informal dispute resolution service. I'm afraid what we can't do is carry out a full, independent audit of Mr K's accounts. So without more details about specific payments, all I can do is look over his statements to see if any transaction has debited his account twice.

I'll deal first with his complaints about the payments to the online gambling websites.

Mr K made a separate complaint about these payments earlier this year. An ombudsman considered his complaint and she issued a final decision. I realise Mr K still feels very strongly about these payments but a final decision is our last word on the matter and I'm afraid I can't look at these payments again.

As for the other transactions, I've also looked at the statements and I can't see any duplicate ones. I've seen transactions which have the same value so they look like duplicate ones. But these are mostly the payments to the online gambling websites and, as I've said, I can't consider them.

There are only a handful of payments, which aren't gambling ones and none of them are duplicates. He's provided very few details. But I've looked through his statements and so has our adjudicator and we can't see any duplicate transactions.

Mr K has mentioned some specific transactions so I will deal with them.

He said there was an ATM cash withdrawal for £300 on 31 May which was a duplicate. But there isn't another ATM cash withdrawal for £300 made on or around that date. So I don't think this was a duplicate transaction.

There were two top up payments to 02 made on 1 and 2 June for the same amount. They were made on different days. So although it might look odd to make two top ups within a day, I don't believe the second payment is a duplicate one.

He said there are duplicate transactions on 6 June for £1,000. I can see his statement shows more than one transaction for £1,000 on 6 June. But one of them was an over the counter cash withdrawal made in a local branch in Coventry on 3 June. The other payments were made to the online gambling websites.

There was a payment for £1,500 on 28 June to a named person. He hasn't said he doesn't know that person. He hasn't said he didn't make a payment to him. There is only one payment for £1,500 to this person on the statement. Again, I don't think this is a duplicate payment.

Mr K also said there are discrepancies between his copies of his bank statements and the bank's internal copies. I've looked at both sets of statements. The lay out of the bank's internal statements is slightly different but it contains the same information as Mr K's own statements. And I can't see any differences in the transactions.

I do understand Mr K feels anxious about the transactions on his account. I hope I can reassure him there's no evidence that any single transaction has debited his account twice. There are regular payments of the same value to online gambling websites but this service has already looked into these.

Based on this evidence, I won't be asking RBS to refund any money to him.

I'm sorry Mr K will be disappointed by this news but I hope the reasons for my decision are clear.

my final decision

My final decision is I'm not asking the Royal Bank of Scotland Plc to do anything.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 6 December 2017.

Razia Karim
ombudsman