

complaint

Mr G complains about the unfair level of bank charges applied to his current account by Barclays Bank PLC.

background

Mr G said he originally raised a complaint in 2007. Barclays has no record of this but said that all the charges applied to his account before it was closed in 2010 were in line with its published tariff.

The adjudicator did not recommend that the complaint should be upheld. He said that:

- Mr G had an overdraft on his account which he regularly used.
- There was no evidence that charges were not correctly applied.
- A Supreme Court Judgment in 2009 said that such bank charges could not be challenged on the basis that they were too high or unfair.

Mr G did not agree and wanted his complaint to be reviewed.

my findings

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

The adjudicator has set out the main issues in this complaint and there is little that I can usefully add. In 2007, when Mr G first complained, the legality of bank charges was being reviewed. But as the adjudicator says the Supreme Court clearly set out the position in 2009. I'm afraid there is no basis here for me to require Barclays to refund these charges.

my final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 30 December 2015.

Michael Crewe
ombudsman