

complaint

Mrs O complains that Barclays Bank PLC will not return to her a deposit that she paid for some airline tickets.

background

Mrs O paid a £60 deposit for some airline tickets in August 2015. She made an online payment from her bank account to a third party's account with Barclays. She says that she became concerned that she had been the victim of a fraud so asked Barclays to get the deposit back from the third party and to return it to her. She was not satisfied with Barclays' response so complained to this service.

The adjudicator did not recommend that this complaint should be upheld. He concluded that there was no reason to believe that the account that Mrs O paid her money into was being used for fraudulent purposes and he couldn't require Barclays to take her money out of it and return it to her.

Mrs O has asked for her complaint to be considered by an ombudsman. She says, in summary, that she was told that she would receive paperwork for her booking soon after the payment was made but the paperwork never arrived. She says that she made a series of phone calls to the third party but the phone was never picked up. So she says that she realised that she had been the victim of a fraud.

my findings

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

Mrs O paid a £60 deposit for some airline tickets. Mrs O has not provided a copy of the agreement under which she paid the deposit. Nor has she provided any evidence to show that she is entitled to a refund. She says that she has been the victim of a fraud but has provided no evidence of the fraud other than to say that she has not received any paperwork and that the third party has not answered her phone calls. She first tried to cancel the payment within a few days of making it. That would not have allowed the third party a reasonable time to send any paperwork to her. So I am not persuaded that there is enough evidence to show that a fraud has occurred. And the third party seems to be a legitimate travel agent who is using the account with Barclays for its legitimate business activities.

Barclays has actioned the payment that was made to the third party's account with it in accordance with the instructions that it received from Mrs O's bank. And I find that it has done all that I would reasonably expect it to do in these circumstances. I can't require it to provide any further information about the third party's bank account. So I find that it would not be fair or reasonable for me to require Barclays to refund the payment to Mrs O or to take any other action in response to her complaint.

my final decision

For these reasons, my decision is that I do not uphold Mrs O's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs O to accept or reject my decision before 22 January 2016.

Jarrold Hastings
ombudsman