

complaint

Miss K says she did not make or authorise certain transactions totalling more than £7,000 to an online gambling site in late December 2010.

background

National Westminster Bank plc did not accept Miss K's argument but it did agree it had not dealt well with her complaint and paid her £50 compensation for this. Our adjudicators considered the complaint as a whole and broadly supported the bank's position, though they recommended the bank pay £200 more compensation for the distress and inconvenience caused to Miss K by how badly the bank had addressed her complaint.

Regarding the disputed transactions the adjudicators did not think they could safely conclude Miss K did not make or authorise them. They noted among other things that whoever made the transactions used Miss K's username and password, and any winnings would have been credited to Miss K's account.

Miss K asked for this review of her complaint by an ombudsman. She insisted she had closed her account with the gambling site before the disputed transactions took place. She admitted she could not explain how someone else could access her gambling account (if it was still open), but she said that was in the nature of being defrauded.

my findings

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

I am sorry to disappoint Miss K but I find myself in full agreement with our adjudicators' conclusions. I have to make my decision on the basis of the evidence available, which firmly indicates that Miss K either made or facilitated the disputed transactions. So I do not think it is unfair for the bank to hold Miss K responsible for them.

I stress I have based my decision on the evidence. I do not question Miss K's honesty.

my final decision

I order National Westminster Bank plc to pay Miss K £200 in extra compensation. I do not otherwise uphold the complaint.

Roger Yeomans
ombudsman