

complaint

Mrs B is unhappy that Santander UK plc won't give her a refund after she was the victim of a scam while on holiday.

background

Mrs B was on holiday abroad. She brought an electronic tablet device from a shop in the resort. The shop owner said he would load a book and a film to the tablet for Mrs B's flight home. So she left the tablet with him.

Several days later Mrs B went back to collect the tablet. The shop owner took her to a workshop a short distance away. Mrs B was told she needed to complete a customs declaration form. She was told she needed to register the tablet.

To do this, Mrs B was asked to put her bank card into a machine. She was told to enter her Personal Identification Number (PIN). She did this. The screen on the machine was filled with a long number. Mrs B was told this was the tablet's registration number.

Mrs B was then told that the registration hadn't worked. She needed to do it all again. She was told to put her card in a different machine. Mrs B did this. The process was repeated. She entered her PIN again.

Mrs B was suspicious. She went straight to the nearest branch of Santander. It was closed. Mrs B returned home the next day. She called Santander. Mrs B found out she had been tricked.

Santander told her the shop had tried to take a payment of over £2,000. This was refused as Mrs B didn't have that amount in her bank account. But a second payment of £951.82 did go through.

Our adjudicator found Santander had done nothing wrong. She found Mrs B had authorised the payment when she entered her PIN.

Mrs B is still unhappy. She wants an ombudsman to look at her case.

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 B has my full sympathy for what has happened to her. It's clear that she was scammed by the shop owner. But having said that, I'm satisfied Santander hasn't done anything wrong here.

Mrs B has told us the machines didn't look like normal chip and PIN machines. She says no paper came out. She asked why. The shop owner told her the information was being sent straight to customs at the airport. Mrs B also questioned the long number that filled the screen. She was told this was the tablet's registration number.

Mrs B was clearly suspicious of what was going on. That's why she went straight to the local Santander branch when she left the workshop. But even with those suspicions, Mrs B still entered her PIN on two different machines.

By entering her PIN, Mrs B has allowed the payment request to be made by the shop owner. Santander correctly processed a payment request that was made using Mrs B's genuine card and PIN.

In the circumstances, I'm satisfied that Santander is entitled not to refund the payment.

my final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 3 September 2015.

John Miles
ombudsman