

## **complaint**

Mr I had a student account with Barclays Bank Plc. He complains that it has refused to refund a number of transactions he didn't make.

## **background**

Mr I disputes a number of payments that were made to a gambling business between 13 April 2016 and 3 May 2016 using his debit card. He says he was on holiday at the time and he didn't make them. He didn't realise what had happened until he tried to get cash from his account after he had returned. At this point he realised there was no money left in the account. Mr I says he had his card with him while he was away but he'd lost his phone. And his card details were stored on his phone. So that's how his account could've been accessed by a third party.

Our adjudicator didn't think Mr I's complaint should be upheld. She didn't think the evidence suggested that an unknown fraudster had accessed Mr I's account without permission. That's because she could see that the payments were verified using Mr I's correct personal information. And there were transactions Mr I hasn't disputed in-between those he has disputed. She could also see that the gambling business credited winnings to Mr I's account during the relevant period. But those winnings were left in his account. She thought it was unlikely that a fraudster would've left that money.

Our adjudicator could see that Barclays paid Mr I £50 for the time it took to look into his complaint. She thought that was fair and reasonable.

Mr I asked for 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. And I don't think Mr I's complaint should be upheld either. I'll explain why.

Mr I says an unknown third party made the transactions after his phone went missing. I accept it's possible that happened. But having looked at Mr I's statements I'm not persuaded that's the most likely explanation. I think such a person would've acted to take as much money from Mr I as quickly as possible. But the pattern of transactions and movements in and out of Mr I's account don't show that. I'm also surprised that Mr I didn't act to secure his online gambling account given that he knew his phone had gone missing, and his details were stored on his phone.

I can also see that Mr I is unhappy that Barclays closed his account after this without giving him a reason. But that has already been considered by us in another complaint.

**my final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr I to accept or reject my decision before 31 October 2016.

Laura Forster  
**ombudsman**