

The complaint

Mr D is unhappy with the decision made by Accredited Insurance (Europe) Ltd (AIE) following a claim made under his car insurance policy.

What happened

In September 2022 Mr D purchased a car insurance policy. Mrs D was also recorded in the Certificate of Motor Insurance as a named driver. The policy terms explained:

Driving and Use of Vehicle

We will not pay for any claim under any Section of your Policy occurring whilst a vehicle which we cover is being:

5.25 Driven by any person:

Who is not permitted to drive in your Motor Insurance Certificate

In February 2023 AIE received notification of a claim made by a third party under Mr D's policy. AIE contacted Mr D to inform him of the claim. Mr D contacted AIE and advised that his son (who I'll refer to as A) was driving the car at the time without his consent.

Mr D was told his claim would be declined. Mr D informed AIE that he would be looking to press charges against A. Mr D was told that he'd need to provide AIE with evidence of this so that the claim could be assessed. Mr D obtained a letter from the police with a crime reference number. The letter confirmed Mr D had made a police report but didn't refer to A.

Mr D complained to AIE about the handling of his claim, saying that it had been unfairly declined as evidence of a police crime report had been provided.

AIE told Mr D that they wouldn't be paying out on his claim in line with his policy terms for unauthorised use of his car. Mr D was asked to provide evidence of prosecution by the police for AIE to further assess his claim. Mr D was unhappy with this response, and brought his complaint to the Financial Ombudsman Service.

The investigator found that AIE had acted reasonably in reaching their decision to decline Mr D's claim on the basis that they didn't have what they needed to assess it, and didn't ask AIE to do anything in settlement of his complaint. Mr D asked for his complaint to be referred to an ombudsman.

As the complaint couldn't be resolved, it has been passed to me for decision.

What I've decided – and why

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

I'd like to reassure the parties that although I've only summarised the background to this complaint, so not everything that's happened or been argued is set out above, I've read and considered everything that's been provided.

I understand it has been a difficult time for Mr D. But having reviewed the evidence I don't think AIE need to do anything more in settlement of this complaint. I can understand this is likely to come as a disappointment to Mr D but I hope my findings go some way in explaining why I've reached this decision. I've focused my comments on what I think is relevant. If I haven't commented on any specific point it's because I don't believe it has affected what I think is the right outcome.

When we investigate a complaint about an insurer's decision on a claim, our role is to consider whether the insurer handled the claim in a fair and reasonable manner. So I've considered the evidence to determine whether AIE have acted fairly and reasonably in reaching their decision on Mr D's claim.

I've considered the claim history, including the police crime report, and the additional evidence request made by AIE to progress Mr D's claim. In doing so I think the request for evidence showing prosecution of A has been reasonable, and in line with what we'd expect for a claim of this type.

Mr D feels strongly that he has already provided AIE with a police crime report showing notification to the police about what had happened. But this evidence only refers to thanking Mr D for *'making a report'*. There is no explanation for what has been reported, the contents of the report, or the person(s) involved. I think it was reasonable for AIE to ask for further evidence such as a copy of the actual police report, charge sheet, and any evidence to support charges brought against A.

I appreciate Mr D's disappointment with this outcome. This situation has clearly left Mr D feeling stressed, upset, and financially out of pocket. But I can't ask AIE to pay for the claim, given the evidence that's been provided, and uncertainty surrounding the claim details. I haven't seen any evidence to persuade me that AIE actions have been wrong, or unfair. So I won't be asking AIE to do anything in response to this complaint.

My final decision

For the reasons provided I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 2 August 2023.

Neeta Karelia
Ombudsman