

## **The complaint**

Miss B complains that Barclays Bank UK Plc won't reimburse a large number of debit card transactions which she says she didn't make or otherwise authorise.

## **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here.

In January 2022 Miss B contacted Barclays. She said she'd recently returned home from a trip abroad and had received a new debit card that she hadn't requested. When speaking to the agent she then reported all the payments back to October the previous year as unauthorised. She said she'd had her card with her abroad and couldn't have used it in the UK.

Ultimately Barclays held Miss B liable for all the debit card transactions. They explained that online, contactless and chip and PIN transactions had all been disputed. But Miss B still had her card and there was no point of compromise for her PIN. They also said that certain payments had also had additional authentication through the mobile banking app associated with Miss B's account. Further to this, one of the online merchants involved had evidenced that items ordered had been delivered to Miss B's address.

Miss B complained to Barclays and later came to our service. Initially one of our Investigators concluded that this wasn't a complaint we could consider as it had been referred to us too late. Barclays then gave their consent for us to consider the complaint despite the time limits. Our Investigator didn't recommend the complaint should be upheld. Miss B disagrees and has asked for an Ombudsman to make a 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 appreciate this is an upsetting matter for Miss B, and I've taken into consideration her personal circumstances when deciding this complaint. But my role requires that I remain impartial and make a decision based on all the available evidence.

Miss B's testimony hasn't always been consistent. She told Barclays that she had her debit card with her abroad. She then suggested to our Investigator that the card had remained in her house. And then, following our Investigator giving her merits view on the complaint, she again said that she might have had it with her. The result of this is that it makes it difficult for me to place a lot of weight on Miss B's testimony as credible evidence because, at best, she is unsure as to whether she had her card with her or not at the relevant times.

Against this, the evidence from Barclays is compelling. This shows that the card was present and the PIN was entered for many of the transactions. Other 'contactless' payments also would have required the presence of the physical card. And whether Miss B's testimony is that she had the card with her abroad or it was in her house (with Miss B confirming to us that she lived alone, no one else had access to her home and she hadn't suffered a break in whilst away), in either case I find Barclays' evidence more persuasive. Even if there were an explanation as to how someone else had the card, there is no point of potential compromise for the PIN. The most recent undisputed use of which was days before the first alleged unauthorised payment, negating the likelihood of it having been observed.

Beyond this, certain payments were authorised within the mobile banking app – there is no clear explanation as to how someone else could have done this. And with regard to the card not present transactions, the evidence Barclays gathered showed that items ordered were delivered to Miss B's address. Something there is no obvious benefit to a third party doing.

The pattern of spending doesn't match what is commonly seen in cases of unauthorised use. Generally, a fraudster will look to quickly deplete an account to maximise their benefit. But here, the alleged unauthorised use took place over several weeks and there were days when no activity took place.

I can understand why Miss B questions the receipt of a new debit card. Barclays haven't been able to explain exactly why this happened, but that sometimes their system will issue a new card. I've considered this but it doesn't impact my thoughts on the crux of this complaint which is whether Barclays reached a fair decision with regard to the authorisation of the disputed payments.

Miss B has said that a relative sent her a link for an online purchase prior to the disputed payments and she thinks it may be linked. I've thought about this, but it doesn't change my mind as to the outcome of this complaint. Many of the payments required the physical card. And for the others, as I've mentioned above, there is no obvious benefit for a third party to order items to be delivered to Miss B's address, when they have no access to it.

Taking all the above into consideration, I don't think Barclays concluding that Miss B most likely authorised the payments she is disputing was unreasonable based on the evidence and information available to them. It follows that there isn't a reasonable basis upon which I can direct them to do anything further to resolve this complaint.

### **My final decision**

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 18 September 2023.

Richard Annandale  
**Ombudsman**