

The complaint

Miss P has complained that Admiral Insurance (Gibraltar) Limited has unfairly declined her claim.

What happened

Miss P has a travel insurance policy, underwritten by Admiral.

Whilst on holiday abroad, her bag was stolen and so she obtained a police report and made a claim on her policy.

Admiral declined the claim on the basis that her bag was unattended, based on what was contained in the police report.

Miss P complained and unhappy with Admiral's response, she referred her complaint to the Financial Ombudsman Service.

Our investigator looked into the complaint but didn't think Admiral had unfairly relied on the policy report or declined the claim.

Miss P disagreed and so the case has been passed to me for a final 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.

Having done so, I don't think this complaint should be upheld. I'll explain why.

The relevant rules and industry guidelines say an insurer should handle claims promptly and fairly. And shouldn't unreasonably reject a claim.

The policy covers personal belongings which are lost or stolen but says: "*We will not pay any claim for unattended personal belongings.*"

The policy definition of unattended is:

"Not in your full view, where you are not in a position to prevent your property being taken without your consent – unless it is locked safely in your personal accommodation, or in the secure area of a motor vehicle (locked and covered boot or locked luggage compartment."

The translated police report says the bag may have been stolen when Miss P went to purchase something. And so Admiral says this means that it's likely the bag would not have been in full view. Miss P says she never left her bag unattended and the police report is wrong. But there is no alternative evidence to show that the police report is incorrect or other evidence to show Miss P didn't leave her bag unattended. So for that reason, I don't think it was unfair or unreasonable of Admiral to rely on the police report.

Based on the above definition of 'unattended' in the policy, I don't think Admiral unfairly declined this claim.

I'm sorry to hear of Miss P's difficult personal circumstances which I have fully and carefully considered. But based on the available evidence and the police report, I don't think Admiral has done anything wrong.

My final decision

For the reasons set out above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss P to accept or reject my decision before 14 September 2023.

Shamaila Hussain
Ombudsman