



# Claim Form

**Claimant**

Professor Ross John Anderson

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

**Address for sending documents and payments (if different)**

Ross Anderson

[Redacted]  
[Redacted]  
[Redacted]

**First Defendant**

National Westminster Bank plc

135 Bishopsgate  
London

EC2M 3UR

**Particulars of Claim**

On 22 Jun 2009 the defendant debited by credit card account no. 5434 68 [Redacted] £126.51 for 'Ian Travel Services', which we did not recognise and about which we found scams reported online. It has failed despite repeated demand to justify the debit - or to even explain whether the transaction was in person or online or what services were supplied. On 14th December a late payment fee was also applied to my account. I therefore claim £138.51.

I also claim interest under section 69 of the County Courts Act 1984 at the rate of 8% a year from July 28 2009 to Feb 6 2010 of £5.51 and also interest at the same rate up to the date of judgment or earlier payment at a daily rate of 3p.

I am the claimant - I believe that the facts stated in this claim form are true.

signed R J Anderson

Claimant

In the <b>Northampton County Court</b>	
<b>Claim Number</b>	0QT15747
<b>Claim Description</b>	Unauthorised debit by bank

**Court Address:** 21-27 St. Katharine's Street  
Northampton  
NN1 2LH

**Second Defendant**

Does, or will, your claim include any issues under the Humans Rights Act 1998?

Yes  No

### Please Note

The defendant has limited time to reply to this claim form.

The defendant may defend this claim online. For details see: [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk) or call 0845 6015935

**REFERENCE COPY.**

To be used at the Court for identification purposes only.

Amount claimed	144.02
Court fee	25.00
Solicitor's costs	0.00
Total amount	169.02
Issue date	



The Royal Bank of Scotland Group

Your ref:

Group Litigation

Our ref: LIT/IWT

1 Princes Street  
London  
EC2R 8PB

Date: 22 February 2010

Telephone: 020 7714 4836

Facsimile: 020 7714 4455

Private and Confidential  
Professor R J Anderson

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Professor Anderson

**Claimant: Professor R J Anderson**  
**Defendant: National Westminster Bank Plc**  
**Claim No: 0QT15747**

I write to advise you that the Bank is willing to pay you the following amounts in full and final settlement of your claim:

- £126.51, by crediting your card account number 5434 68 [REDACTED]
- £12.00, by crediting your card account number 5434 68 [REDACTED]
- the Court fee of £25.00, by cheque posted to you.

No interest has been charged on the disputed £126.51 and therefore the £5.51 will not be payable.

Please note that settlement will be made with no admission of liability and on the understanding that it is in full and final settlement of all or any claims you may have against the Bank in relation to this matter whether under statute, common law or in equity of whatever nature that exist or may exist, whether or not the claims have been identified and whether or not they exist at the time of settlement or not.

Please sign and return the copy of this letter (by fax if more convenient) confirming (1) your acceptance to these settlement terms and (2) that you will be advising the Court that the proceedings are to be discontinued.

I would be grateful if you could return to me by 4pm on 5 March 2010.

Yours sincerely



Ian Thomson  
Legal Adviser

Confirmation.....

Date.....

[REDACTED]  
[REDACTED]  
[REDACTED]

July 28 2009

The Manager  
NatWest Bank  
Cards Customer Service  
PO Box 5747  
Southend-on-Sea SS1 9AJ

Dear Sir

**Apparently fraudulent transaction**

On my June statement for my card account with you number 5434 68 [REDACTED], I see a debit for £126.51 from 'IAN Travel Services' that I do not recall making. On checking online I find a number of people at [www.complaintsboard.com](http://www.complaintsboard.com) reporting ripoffs by this merchant.

Can you please provide evidence that this debit was made according to a mandate by myself or my wife, or else reverse out the transaction.

I would also like to register my dissatisfaction with your customer service. My wife called yesterday and it took her 40 minutes to get through; your operative then demanded that she call me to authorise the complaint, but when I got to the phone your operative had hung up. This is grossly discourteous. I also tried to phone today and your line was busy.

A second service issue is that last time I called you insisted that I give a password, which your operator claimed was my mother's maiden name. I have taken care not to establish a password with any financial service provider because of the industry practice of transferring liability for disputes to all customers who have a password. It is particularly obnoxious that you should have set a password that anyone could easily find out. Please confirm in writing that you have removed this password from my account and that you will treat it in future as an account with no password. If you're not prepared to do this then I'll take my business elsewhere,

Yours Faithfully



Dr Ross Anderson



31 July 2009

Cards Customer Services  
PO Box 5747  
Southend-on-Sea  
SS1 9AJ

MR ROSS J ANDERSON  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Telephone: 0870 333 9091  
Facsimile: 01702 278322

NAT 001 CHB2270100000793000027

Our Ref: IAN TRAVEL SERVI

Dear Mr Anderson,

Account Number: 543468 [REDACTED]

Thank you for your recent enquiry concerning the queried item(s), shown on your account.

Please find enclosed two declaration forms which must be completed and returned to us as soon as possible, and in any event within 14 days. These will allow us to make enquiries which will be directed through MasterCard/Visa International, the governing bodies for credit/charge card transactions.

Before you complete the declaration forms, it may be helpful to provide you with some general guidance.

- In some instances, transactions are processed under a different name, for example 'Top Shop' may appear as 'Arcadia Group'.
- You may have made the purchase from a retailer that operates over the telephone or Internet, in which case you may not have a voucher in your possession corresponding to the item.
- The transaction date showing on your statement may be incorrect. Please check to see if you have a transaction receipt for the same amount but different date.
- Retailers such as AOL, Sky and AA may be debiting your account on an annual, quarterly or monthly basis as previously authorised by yourself. If this is the case please contact the retailer direct. They will be happy to assist you.

If the above information has enabled you to recognise the transaction(s), please notify us immediately in order that we may discontinue our investigation. However, if you are still querying the item(s) the completion of both declarations is essential and will ensure a speedy resolution to our enquiries. Failure to do so may prejudice our ability to help you.

I look forward to hearing from you.

Yours Sincerely,

Trudy Glenister  
Manager  
Chargebacks & Disputes

Please quote Account No: 543468 [REDACTED] and Ref No: CHB227 on all correspondence.

National Westminster Bank Plc  
Registered in England No. 929027  
Registered Office: 135 Bishopsgate, London EC2M 3UR



**DECLARATION 2**

- Please complete, sign and return this declaration form within 14 days to:

**Cards Customer Services**  
**PO Box 5747**  
**Southend-on-Sea**  
**SS1 9AJ**

- Failure to do so may prejudice our ability to help you.

**Part 1 – to be completed in all circumstances**

Card Number: 543468 [REDACTED] .....

Cardholder Name: MR ROSS J ANDERSON.....

Transaction Amount(s): .....

Foreign Currency Amount(s): .....

Date Transaction Debited To Account: .....

Reference Number On Statement: .....

Description On Statement: .....

- I confirm the card has not been out of my possession and neither any additional cardholder nor I have authorised or participated in the above transaction.
- You may divulge any relevant information to the Police.
- You may pass any information on this form and/or any documentation about this matter to the organisation or their bank.
- Where this transaction relates to subscription, I do not authorise any further transactions.

**Part 2 – to be completed, in addition to part 1, if you have previously used the retailer**

- I have previously made a purchase with the above retailer for the sum of ..... on .....
- I did not make the purchase(s) as I have detailed in part 1.
- I enclose a copy of the authorised transaction voucher (if available).
- Where the transaction relates to a subscription, I cancelled this with the retailer on .....

.....  
**Signature: MR ROSS J ANDERSON**

.....  
**Daytime telephone number**

**If you have an additional cardholder please ensure they sign below:-**

.....  
**Signature: MRS SHIREEN ANDERSON**

**For office use only:**

ARN .....

CB Date ..... PK/PA .....

**[REDACTED]**  
**[REDACTED]**  
**[REDACTED]**  
August 17 2009

Trudy Glenister  
Manager, Chargebacks and Disputes  
NatWest Bank Cards Customer Service  
PO Box 5747  
Southend-on-Sea SS1 9AJ

Dear Trudy

**Apparently fraudulent transaction**

Thank you for your letter of 31 July about the debit from Ian Travel Services which we did not recognise.

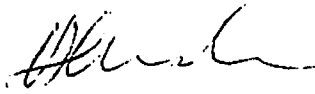
You insist that we complete two declarations – the first stating that we do not recognise the transaction and the second stating that we did not make the transaction. As I made clear in my letter to you, we do not recognise the transaction. I am unable to make a declaration that we did not authorise the transaction, because (as you point out) transactions are often processed under a different name. In fact, I think it is highly abusive of you to demand the second declaration as it will put less educated and less alert customers at risk of making a false declaration. In the case of a careful customer, it would appear to preclude any redress for unidentified transactions.

If you consult your records you will find that I did sue you in the County Court some years ago over an earlier disputed transaction, and I won.

I demand that you either refund me the money within 14 days or else provide evidence that this debit was made by myself or my wife. If you claim that it was a card-not-present transaction then please supply the URL of the merchant website, the merchant name as apparent on the face of the website, and the merchant's contact details displayed on the website under the Distance Selling Directive, and full details of the goods supplied or services rendered. If you claim that it was a card present transaction, then please supply (in light of the judge's comments in Job v Halifax) full log data including the ARQC.

If you don't, I will just sue you in the small claims court to get my money back.

Yours Faithfully



Dr Ross Anderson



Our Ref: JM/CB982545249.32

Mr Ross J Anderson  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Cards Customer Services**  
Chargebacks & Disputes  
PO Box 5747  
Southend-on-Sea  
SS1 9AJ

Telephone: 01702 370466  
Facsimile: 01702 278315  
Website: [www.natwest.com](http://www.natwest.com)

26 August 2009

Account Number: 5434 689 [REDACTED]

Dear Mr Anderson

Thank you for your letter dated 17 August regarding an unrecognised transaction for £126.51 debited to your account on 22 June 2009 to Ian Travel Services. I am sorry that you felt the need to raise this issue with us. I assure you we are a company committed to providing the very best in customer service and therefore, it is disappointing when a valued customer is dissatisfied with any aspect of our service.

Whilst I appreciate your comments that you are at risk of making a false declaration, to enable us to approach the retailer for reimbursement, it is a requirement of MasterCard International that we obtain declaration forms duly completed and signed by our customers, they are not legally binding. Without these forms we are unable to return the funds back to the retailers bank and refund your account.

Regarding the disputed transaction, I have requested a copy of the voucher through the retailers acquiring bank. If I can explain that they have a period of 30 days to respond to our request. If we do not receive a response then, with completed declarations, we will be able to return the funds to the retailer and credit your account.

However, if documents or information are received, they will be sent to your home address for your perusal. After reviewing the information received, if the charge turns out to be genuine, you would not be penalised, the debit would just be reapplied to your account. However, if you are still disputing the charge, we would request that you confirm to us in writing the reasons why.

After reviewing your file I note that your account is paid off in full each month therefore, the disputed charge has already been paid. Although this is the case, I have arranged for £126.51 to be frozen on your account, ensuring that the charge is not included in your balance and does not incur interest. Therefore, your direct debit payment due to be paid by 11 September 2009 will be [REDACTED]



**NatWest**

I hope that the above explains why we require the declaration forms. I have enclosed a pre-paid envelope to facilitate your response alternatively, you can fax the forms back our facsimile number is 01702 278315.

I hope that you will consider that this is a satisfactory resolution to your complaint however, if you would like to discuss the case further, please telephone me and I will be happy to help you.

So that you know how we deal with complaints, I have enclosed our leaflet, "Your guide to making a complaint". If you believe that we have not investigated properly or acted fairly, you have the right to refer to the Financial Ombudsman Service. You can do this if we have not been able to reach an agreement by 13 October 2009, which is eight weeks after you first contacted us. The Ombudsman would then assess whether to check the Bank's own investigation and, if they decided to, would work with you and us to reach a conclusion. However, the quickest and most direct course would be to telephone me directly on 01702 370466 if there is any problem. My office hours are Tuesday through to Friday 8.30 – 4.30.

If you have not made contact with us by 21 October 2009 your file will be closed. Meanwhile, let me thank you once more for bringing this matter to our attention.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J.M.' with a stylized flourish.

Jackie Morris  
Senior Bank Officer

Our Ref: JM/CB982545249.32

Mr Ross J Anderson  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Cards Customer Services**

Chargebacks & Disputes

PO Box 5747

Southend-on-Sea

SS1 9AJ

Telephone: 01702 370466

Facsimile: 01702 278315

Website: [www.natwest.com](http://www.natwest.com)

21 October 2009

Account Number: 5434 68 [REDACTED]

Dear Mr Anderson

I write with reference to my correspondence dated 26 August 2009, to which I have not received a response. In the event that you did not receive my letter, please find enclosed a copy along with the declaration forms required for us to dispute the charge of £126.51 debited to your account on 22 June 2009 with the retailer Ian Travel Services.

As advised in my letter, I requested a copy of the voucher pertaining to the transaction. Unfortunately, the only information the retailer provided us with is that the debit relates to a transaction made through Hotels.com.

If I can now turn to the debit of £126.51, if the reason you have not returned the declaration forms is that you now recognise the transaction, as the amount is still frozen on your account, if I do not receive a response to this letter by 12 November 2009, the £126.51 will be taken out of dispute and become due to be paid on your statement that will to be produced on 13 November 2009.

I have enclosed a pre-paid envelope to facility your response should it be necessary.

Yours sincerely



Jackie Morris  
Senior Customer Adviser

Prof. Ross J. Anderson FRS FREng

Tel: 01223 334733 Fax: 01223 334678 Email:  
natwest2316@ross-anderson.com

27th October 2009

Jackie Morris  
NatWest Cards Customer Services  
PO Box 5747  
Southend-on-Sea SS1 9AJ

Account number [REDACTED]

Dear Ms Morris

Thank you for your letter of October 21st. We still do not recognise the transaction. I did however receive a notification from hotels.com three years ago that my credit card information was compromised by their auditors Ernst and Young. The notification appears to relate to a different card so I am not sure whether our card number with you was compromised as well.

However I do think it very strange in the extreme that a firm wishing to debit my account should not feel under any obligation to provide either (a) a signed voucher or (b) log entries showing what website a transaction was made through, and for what service, to be delivered by what hotel or other service provider. The Consumer Protection (Distance Selling) Regulations 2000 and the Electronic Commerce (EC Directive) Regulations 2002 require customers to be fully informed of the details of online contracts. If they think they have any claim at all, they must do a lot better than this.

Yours Sincerely



Ross Anderson

URN 402161

**ROSS ANDERSON**  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

4 July 2006

**Important information regarding your card ending [REDACTED]**

Dear Customer

I am writing to you as we have been informed by Ernst & Young, our external auditors, that one of their employees had his laptop stolen from his locked car in the US. Highly regrettably, this laptop contained customer details relating to some Hotels.com transactions made between 2002 and 2004. The information contained on the laptop may have included your name, address and some credit or debit card information which you provided at the time. This information had been provided to Ernst & Young as part of a financial audit which they conducted and which was required by law.

At Hotels.com we place great emphasis on customer care and confidentiality, which is why we are contacting you directly. We are extremely disappointed that this situation has arisen and you can be assured that we take it very seriously.

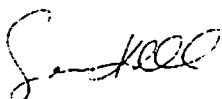
We sincerely apologise for any inconvenience this may cause you and have enclosed a letter from Ernst & Young which contains further details relating to this incident and the steps they have taken at our request. Ernst & Young have assured us that the stolen computer was password protected and that since that time, they have been taking additional steps to protect the confidentiality of their and their clients' data.

The relevant authorities and credit card companies have been informed of the situation. While we have no reason to believe the files have been compromised, it is still prudent to take precautions, including those against possible credit or debit card fraud. We therefore strongly recommend that you monitor your credit or debit card statements for any unauthorised charges. If you notice any suspicious activity, or have other questions about your account, please contact your card issuing company immediately.

Please do not hesitate to call the help line we have set up in conjunction with Ernst & Young if you have any questions or concerns: 020 7951 1998.

Once again, I apologise for what has occurred and regret any inconvenience this may cause you.

Yours sincerely



Sean Kell  
General Manager  
Hotels.com

### Important Information Regarding Hotels.com Customer Information

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For the past several years, Ernst & Young has been the provider of auditing services for Hotels.com. We are writing to inform you about the theft of an Ernst & Young laptop computer that contained information on some Hotels.com customer transactions.

An Ernst & Young employee's backpack containing his laptop computer was stolen from his locked vehicle in the US. The crime was promptly reported to law enforcement agencies, and there is no indication that the thief was specifically targeting the laptop or any information contained on it. We deeply regret that this incident has occurred and want to apologise to you and Hotels.com for any inconvenience or concern this may cause.

Following the theft, we commenced an internal investigation of this matter and determined that the stolen computer contained certain customer information regarding some Hotels.com customer transactions primarily from the year 2004. There were also a small number of transactions from 2003 and 2002.

We believe the transaction information may have included a transaction you made with Hotels.com and, specifically, that the information on the laptop may have included your name, address and some credit or debit card information you provided.

The laptop required a password to use it. To date, we have received no information from law enforcement officials that any of the data stored on the computer has been accessed by an unauthorised person or used improperly.

While we have no reason to believe the files have been compromised, it is still prudent to take precautions, including those against possible credit or debit card fraud. We therefore strongly recommend that if you still have the affected credit or debit card, you check any statements received from March this year for any unauthorised charges. If you notice any suspicious activity, or have other questions about your account, please contact your card issuing company immediately.

We have worked with Hotels.com to set up a call centre to assist you with questions or concerns you may have related to this incident. The number is 020 7951 1998 and will be staffed during regular business hours, Monday to Friday.

Please know that protecting our clients and the privacy and personal information of their customers is something we take very seriously at Ernst & Young. We have put in place enhanced security procedures, including encrypting our laptop computers, to provide additional protection for sensitive information and have taken other measures designed to protect against this type of incident happening again.

Once again, we offer our sincere apologies to you and Hotels.com for the inconvenience caused.

Ernst & Young, LLP.

Our Ref: JM/CB911543371.84

Mr Ross J Anderson  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Cards Customer Services**

Chargebacks & Disputes

PO Box 5747

Southend-on-Sea

SS1 9AJ

Telephone: 01702 370466

Facsimile: 01702 278315

Website: [www.natwest.com](http://www.natwest.com)

11 November 2009

Account Number: 5434 68 [REDACTED]

Dear Mr Anderson

Thank you for responding to my letter of 21 October 2009.

I would like to take this opportunity to explain that we are governed by MasterCard International, who are the governing body for credit card transactions. Under this membership we, the card issuer, have certain rules and regulations that we have to abide by when disputes arise.

Under these rules there are set time constraints we have to adhere to when disputing a charge with a retailer and, the debit processed to your account on 22 June 2009 for £126.51 is unfortunately outside the timeframe set by MasterCard.

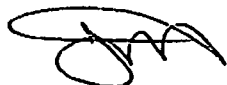
After approaching the retailer for further documentation relating to the charge, they supplied us with additional information. Whilst I appreciate that this information was limited unfortunately, as they complied with our request, we are unable to dispute the same transaction again. Therefore, it is with regret that we have not been able to assist you further in seeking reimbursement from the retailer on this occasion, but trust the above clarifies the Banks position.

However, there may be other options open to you, and would like to respectfully suggest that you seek independent legal advice by contacting either your Local Trading Standards or Citizens Advice Bureau as to other avenues for you to explore.

I hope you will consider that this is a satisfactory resolution to your complaint, however, if you would like to discuss the case further, please call me on 01702 370466 and I will be happy to help you further. If we cannot reach agreement then you will have the right to refer your complaint to the Financial Ombudsman Service, but I hope that will not prove necessary. If I do not hear from you by eight weeks from the date of this letter then I will regard your complaint as closed.

Meanwhile, let me thank you once more for bringing this matter to our attention.

Yours sincerely



**Jackie Morris**  
Senior Customer Adviser



17 December 2009

Cards Customer Services  
PO Box 5747  
Southend-on-Sea  
SS1 9AJ

Telephone: 0870 333 9091  
Facsimile: 01702 278322

NAT0A2/CCADVIA10009147000197J

MR ROSS J ANDERSON  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Mr Anderson,

NatWest MasterCard Account Number: 543468 [REDACTED]

**From October 1<sup>st</sup> 2008, due to amendments to the Consumer Credit Act, we are required to give you notice of when default charges have been applied to your account.**

Please find attached the required Default Sum Notice.

To help you understand why this has been issued and what this means to you, Questions and Answers are provided below.

**Q. Why have changes been made to the Consumer Credit Act?**

A. These changes have been brought in to provide transparency and clarity to our customers.

**Q. What is a Default Sum?**

A. A Default Sum is a fee that is applied to your account if you are in breach of the terms of the Agreement. Examples of these are Late Payment Fee/Over Limit Fee/Return Direct Debit Fee/Return Cheque Fee. These sums are described as Default Charges in your card agreement.

**Q. When are Default Sum Notices issued?**

A. These are issued around the date that your statement is produced.

**Q. Is this fee in addition to the fee on my statement?**

A. No. The Default Sum Notice has been issued to highlight the fees you have already been charged on your statement. We are obliged to issue this separate notice.

Yours Sincerely,



Tanya Sweetman  
Head of Key Service Delivery  
Customer Management

**This notice is being sent to you as required by the Consumer Credit Act 1974  
because default sums have been levied on this account.**

**Please note that the sums detailed below are the same sums detailed on your most recent  
statement. These are not additional charges.**

This Notice does not take account of default sums which we have already told you about in another Default Sum Notice whether or not those sums remain unpaid.

<b>Date incurred</b>	<b>Details</b>	<b>Amount</b>
14/12/2009	LATE PAYMENT FEE	£12.00

Total amount of default sums: £12.00

#### **Interest**

We are not entitled to charge you interest on the default sums for the first 28 days after we have given you this notice. However if the sums are not paid in full by that date interest will be charged at the rate of 18.324%. Since this interest rate is a variable rate, the rate which we will apply to the default sum once the 28 days have passed may be different.

Please quote Account No: 543468 [REDACTED] and Ref No: CCADVI on all correspondence.