

## **The complaint**

Miss K complains that Revolut Ltd have failed to refund £994.43 she says she lost as part of a scam.

The details of this complaint are well known to both parties, so I will not repeat everything again here. Instead, I will focus on giving the reasons for my 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 agree with the conclusions reached by the investigator for these reasons:

- Miss K was the victim of a bank impersonation scam after she called a number which she thought was Revolut (who only offer an in-app chat facility). She was asked to download an app which gave the scammer remote access to her phone and was told she would need to move her money to a cryptocurrency account in order to keep it safe. Miss K then gave her security details which enabled the scammer to move the money from her account.
- I appreciate Miss K may not have carried out the physical steps to make the payment herself. But the evidence suggest that she had effectively given the scammer permission to do so on her behalf, as it's likely she knew that money was being moved from her account to a cryptocurrency account. I understand she may not recall giving the scammer her passcodes for the app. But no other device was used to transfer the money. Therefore, I consider it more likely than not that she did disclose her security credentials to enable the scammer to make the transfer. On this basis, I'm satisfied she has 'authorised' the payment in these circumstances, even though she may not have transferred the money herself, as she had likely given the scammer apparent authority.
- I've gone on to consider whether Revolut should have done more to prevent Miss K from falling victim to the scam. There are some situations in which a bank should reasonably have had a closer look at the circumstances surrounding a particular transfer. For example, if it was particularly out of character for her. However, having taken Miss K's account activity and payment history into account, I do not think the £994.43 payment was particularly unusual for her at the time. It wasn't of such a large amount that it would appear unusual in comparison with her spending history, for example, such that the amount ought to have been regarded as suspicious or indicating that she might have been at risk of falling for a scam. So, I don't think Revolut can fairly be held liable for Miss K's loss here as I'm not persuaded there was any obligation on them to intervene or prevent the payment in these circumstances.
- I've also thought about whether Revolut could have done more to recover the funds after Miss K reported the fraud. She contacted Revolut on 28 August 2020 at 6pm to report the matter, by which point the bank's fraud team had stopped working for the week. The recall request was subsequently made the following week, but the

beneficiary institution responded to say that no funds remained. I don't think there was an unreasonable delay in the time it took Revolut to send the recall request, and it doesn't appear that it would have made any difference if they had sent it earlier in any event (it's common for fraudsters to move money from the receiving account as soon as it has been received, for example, so as to prevent it from being recalled). So, in the circumstances, I don't think Revolut could have done anything more to try and recover Miss K's funds.

I appreciate this will come as a disappointment to Miss K. But I don't consider that Revolut has done anything wrong here, or that there's any fair and reasonable basis in which to hold them liable for the money she lost. It follows that I will not be asking them to take any further action.

### **My final decision**

For the reasons given above, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss K to accept or reject my decision before 28 February 2022.

Jack Ferris  
**Ombudsman**