

The complaint

Miss J is unhappy that Revolut Ltd won't refund money she lost as part of a scam.

What happened

The details of this complaint are well known to both parties. So I won't repeat them all here. The facts aren't in dispute, so I'll 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've reached the same outcome as our investigator for these reasons:

- Although this was part of a scam, Miss J accepted she understood payments were being made. So, in line with Payment Services Regulations 2017, that means the starting position is she's liable for them.
- But that's not the end of the matter. There are some situations where we think it's fair to say that Revolut ought to have identified a fraud risk, so should have enquired about at the wider circumstances surrounding a payment before making it.
- I've considered whether that's the case with these disputed payments. While Miss J didn't use this account the regularly, I'm still not persuaded that the value nor frequency of the payments looked particularly alarming. So, given these overall circumstances, I think it's reasonable Revolut didn't detect a fraud risk – and simply processed the payments in line with her instructions.
- I appreciate this will be disappointing for Miss J, who lost out on money she worked hard for. But overall, I'm not persuaded Revolut is at fault for failing to stop her losses. And I don't think there's anything else relevant to these disputed payments that would fairly mean Revolut ought to refund her. So, while I appreciate she's a victim here, I've not upheld her complaint against Revolut.

My final decision

For the reasons I've explained, I don't uphold Miss J's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss J to accept or reject my decision before 15 April 2024.

Emma Szkolar
Ombudsman