

## **The complaint**

Mr Q complains that Skrill Limited ("Skrill") won't refund around £2,800 he lost as part of an employment scam.

## **What happened**

The details of this complaint are well known to both parties, so I won't repeat everything again here. In brief summary, Mr Q fell victim to an employment scam where he was told he would be paid in order to complete tasks online, but that he would need to deposit money into an account in order to receive his earnings.

Mr Q opened an electronic money account with Skrill on 9 May 2023 at the scammer's instruction, where he then deposited £2,800 from his bank account. Mr Q then made a payment of £2,760 (plus a £40.02 transaction fee) from his e-money account to another Skrill account on 10 May 2023, which was operated by the scammer.

Mr Q realised he'd been scammed shortly after and reported the fraud to Skrill, asking it to refund the transfer he'd made. However, Skrill said it wouldn't refund the money as Mr Q had authorised the payment. Unhappy with this, Mr Q referred the matter to our service.

Our investigator didn't uphold the complaint. He didn't think the amount Mr Q paid from his Skrill account was unusual or suspicious enough to warrant any form of further enquiry or intervention from Skrill, so he didn't think it could fairly be held liable for failing to prevent the scam. Mr Q disagreed, so the matter has been escalated to me to determine.

## **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 and have decided not to uphold it for the following reasons:

- It isn't in dispute that Mr Q authorised the disputed payment he made from his Skrill account. The transfer was requested using his legitimate security credentials provided by Skrill, and the starting position is that firms ought to follow the instructions given by their customers in order for legitimate payments to be made as instructed.
- However, I've considered whether Skrill should have done more to prevent Mr Q from falling victim to the scam, as there are some situations in which a firm should reasonably have had a closer look at the circumstances surrounding a particular transfer. For example, if it was particularly out of character.
- In this instance, I don't think the £2,760 payment would've appeared particularly unusual or suspicious. First, there was no account history for Skrill to compare the payment against to determine that it was out of character, as the account had only been opened the day before the payment was made. Secondly, I don't think there was anything

particularly concerning about the value or circumstances of the payment that would have indicated a heightened risk of financial harm, and neither have I seen any evidence to suggest that Skrill should have been on notice that recipient account was being used as part of a scam either. So, I'm not persuaded there was anything that ought reasonably to have triggered Skrill's fraud monitoring systems, or that would have indicated Mr Q was in the process of being scammed. I therefore don't consider it can fairly be held responsible for failing to prevent the scam.

- I also don't think there was anything more Skrill could've done to recover the money either. Skrill has confirmed that by the time Mr Q disputed the payment, the funds had already been spent or withdrawn from the recipient's account, so there was nothing more it could've done at that point to reverse the transfer or recover the funds.

I appreciate this will likely come as a disappointment to Mr Q, and I'm sorry to hear he has been the victim of a cruel scam. However, in the circumstances, I do not consider it would be fair and reasonable to hold Skrill liable for his loss.

### **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 Mr Q to accept or reject my decision before 10 May 2024.

Jack Ferris  
**Ombudsman**