

## **The complaint**

Ms B, via a representative, complains that Revolut Ltd (“Revolut”) have failed to refund the money she lost as part of a fake job scam.

## **What happened**

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.

In summary though, Ms B was contacted via a messaging service by a scammer that I will call C. C persuaded Ms B that they worked for a company that I will call D, that would pay her for completing a series of tasks online. Periodically, while completing these tasks, she was asked to “top up” her account by paying D.

Ms B then made around 28 transactions totalling over £50,000 via card payments and peer to peer crypto purchases. My understanding is that the funds were then sent to D. Ms B also sent funds from a different current account provider to D as well.

When Ms B attempted to withdraw the “income” that she could see on D’s ‘platform’, she was told that she had to pay additional fees. At this point Ms B realised that she had been scammed.

Ms B asked Revolut to refund these payments, as she believes Revolut should have done more to prevent her from being scammed in the first place. Revolut did not agree with this.

One of our investigators looked into this matter and she thought that, given the answers Ms B gave during interactions with Revolut and from the coaching she sought and received in her chat’s with the scammer, that any intervention from Revolut would likely not have stopped the scam. She therefore did not uphold this complaint.

Ms B did not agree with this and therefore her complaint has been passed to me to issue a 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 the following reasons.

It isn’t in dispute that Ms B authorised the disputed payments she made from her Revolut account. The payments were requested by her using her legitimate security credentials provided by Revolut, and the starting position is that Revolut ought to follow the instructions given by their customers, in order for legitimate payments to be made as instructed.

However, I've considered whether Revolut should have done more to prevent Ms B from falling victim to the scam, as there are some situations in which it should reasonably have had a closer look at the circumstances surrounding a particular transaction. For example, if it was particularly out of character.

Revolut intervened later on in the scam and asked some questions about what the payment in question was for. I do think however, that Revolut should have intervened earlier given the payment purposes provided for the first two payments. I say this because Ms B said that she was transferring funds to a safe account, even though this was not what was actually occurring, I think that this payment reason should have prompted further questions from Revolut.

That said, even if Revolut had intervened and asked her questions in its in app chat facility or even a phone call, I don't think that it would have stopped the scam. I will explain why.

In the chats with the scammer it is clear that Ms B had payments stopped by her other current account provider and it is also clear that Ms B was asking the scammer what she should say to the other provider to get the payments released. She does this on a number of occasions.

Ms B provided answers to the questions asked in the intervention with Revolut that were misleading. Such as her saying that the payment was to pay back a friend. I also have noted that during her interactions with her other current account providers, she said that the payments were for furniture and to pay back money she owed to a family friend.

It is also clear from the online chat with Revolut that Ms B was keen to make the payments and was getting frustrated with her payments being stopped by Revolut.

So, I think it likely had Revolut intervened more and asked more probing questions, Ms B would have given answers designed to allay the suspicions of Revolut. I also don't think that any warnings given by Revolut would have stopped Ms B from carrying on with the payments she was making. Over the course of the scam Ms B was provided with a number of scam warnings, and yet Ms B carried on with the payments regardless. You could argue that the warnings that Ms B was being provided did not relate to the scam that Ms B was actually falling for. But this was because of the answers that Ms B was giving when asked why she was making the payments in question and also because job scams were not as prevalent at this point. So even had she been presented with a warning for crypto scams it would not have mentioned job scams at this time. So I don't think any warning issued would have stopped the scam.

It may have been the case that, had Revolut asked Ms B more probing questions her answers would have not been persuasive enough to have convinced it that Ms B was not being scammed. Had this happened the payments from Revolut may have been stopped, though I find this unlikely given the coaching she was seeking from the scammer. That said, what I don't think would have happened is that Revolut would have discovered exactly what Ms B was doing as she at no point during any intervention did she say that she was making the payment for releasing her earnings from an online job. So, the most I think would have happened is that the payments would have been stopped but she would only have been given a general scam warning.

I don't though think this would have stopped the scam as when her other account provider stopped her from making payments, she started using her Revolut account instead to make the payments. So I think that even had Revolut stopped the payments entirely and I don't think that it needed to, I don't think this would have stopped the scam as Ms B was clearly under the spell of the scammer at the time the payments were made.

Taking everything into consideration, I think that Revolut should have intervened more than it did. But even if it had intervened further, I don't think the scam would have been stopped.

I've also thought about whether Revolut could have done more to recover the funds after Ms B reported the fraud.

Revolut are under no obligation to refund the money to Ms B under the Contingent Reimbursement Model (CRM) Code as Revolut are not signed up to the code. I don't think it could have recovered the funds from the accounts of the peer to peer crypto account holders as they are generally not part of the scam either. I also don't think that a chargeback would have been successful for the card payments as essentially the payments were a means to move money from Ms B's account to a crypto exchange and this is what occurred. So there would be no means to challenge the payments. So overall I don't think the funds could be recovered via other means.

I appreciate this will likely come as a disappointment to Ms B, and I'm sorry to hear she has been the victim of a cruel scam. However, I'm not persuaded that Revolut can fairly or reasonably be held liable for her loss in these circumstances.

### **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 Ms B to accept or reject my decision before 16 January 2025.

Charlie Newton  
**Ombudsman**