

The complaint

Mr B complains that Revolut Ltd didn't do enough to protect him when he says he was the victim of a scam.

Mr B is being supported by a representative, but for ease, I'll refer to Mr B throughout this decision.

What happened

Mr B has told us that in early 2022, after looking for investment opportunities online, he came across the details of an investment company offering trades in crypto. Mr B said he was then contacted by a representative of the company (Mr S) who helped him, via remote access software, to set up accounts with Revolut and a legitimate crypto exchange (which I'll refer to as 'C').

Between February and April 2022 Mr B made several payments from his Revolut account to his account linked to 'C' totalling just under £19,000. Mr B received returns on his investment on 2 and 10 March 2022 for £1,000 and £2,000 respectively.

Mr B said that in April 2022 all his funds '**disappeared**' and he was unable to access his trading platform or make contact with the investment company.

Mr B contacted Revolut, via his representatives, about his loss in September 2023. Revolut asked Mr B for more information to enable it to investigate.

Unhappy with Revolut's response, Mr B referred his complaint to the Financial Ombudsman.

One of our Investigators considered Mr B's complaint but didn't uphold it. In short, he wasn't satisfied Mr B had provided sufficient evidence to show he'd been the victim of a scam or that he'd suffered a loss. And so, he didn't think Revolut needed to take any action.

Mr B didn't agree and asked for an Ombudsman to issue a final decision. He was now able to provide the name of the investment company (which I'll refer to as 'L') and evidence, by way of a Financial Conduct Authority (FCA) warning, that 'L' was linked to a crypto investment scam. Mr B also provided evidence to link 'L' to Mr S.

Mr B said whilst we didn't have evidence of the communication between him and 'L' and/or Mr S - we did have evidence that money left his Revolut account to purchase crypto. And given he'd been able to now name 'L' and evidence links between 'L' and Mr S, Mr B thought, on balance, there was sufficient evidence to show he'd been the victim of a scam.

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 our Investigator, and for largely the same reasons.

I'd like to say at the outset that I appreciate Mr B has gone to considerable effort when providing his submissions in support of his complaint – providing significant detail as to what he says happened and why he thinks Revolut is responsible for the loss he suffered. I therefore want to reassure him that I've given everything he's said careful consideration.

Also, whilst I've summarised Mr B's points, and in far less detail than he provided, I want to stress that no discourtesy is intended by this. And if there is a submission or point that I've not addressed, it isn't because I've ignored it. Instead, it's simply because I've focussed on what I consider to be the central issues in this complaint – that being whether Mr B was the victim of a scam and if Revolut is responsible for the loss he claims to have suffered.

Where the evidence is incomplete, inconclusive, or contradictory, I must make my decision on the balance of probabilities – that is, what I consider is more likely than not to have happened in the light of the available evidence and the wider surrounding circumstances.

In line with the Payment Services Regulations 2017, consumers are liable for payments they authorise. Revolut is expected to process authorised payment instructions without undue delay. But it also has obligations to help protect customers from financial harm from fraud and scams. Those obligations are however predicated on there having been a fraud or scam. And so, it would only be reasonable for me to consider whether Revolut is responsible for the loss Mr B claims to have suffered if, indeed, he has been scammed. I've therefore considered whether Mr B was a victim of a scam.

When Mr B first contacted Revolut and the Financial Ombudsman, he couldn't recall 'L's name, but did remember that he'd communicated with Mr S. Despite our Investigator asking Mr B for 'L's name as part of his enquiries, he was still unable to recall it. But in response to our Investigator's view, Mr B has now provided the name, as well as evidence to show links between 'L' and crypto investment scams. And the information Mr B has recently given us also shows that Mr S is linked to 'L'.

It's not entirely clear how Mr B has now been able to recall 'L's name and why he couldn't do so previously. But aside from that, Mr B hasn't provided any supporting evidence that he was dealing with Mr S - because he said that interaction occurred mainly over the telephone. Nor has Mr B been able to provide any evidence outlining the specifics of the investment or that he held a trading account with 'L'. I therefore don't think the information about 'L's association with crypto scams, the FCA warning or its links to Mr S is enough, in itself, for me to reasonably conclude Mr B made the payments from his Revolut account because of a scam.

Looking now at where the money went. It isn't in dispute that Mr B sent the payments to purchase crypto. But I haven't seen anything to show where the crypto was sent on to. Unfortunately, other than two screen shots confirming Mr B had an account with 'C', and was buying crypto, I've seen no statements from Mr B's account with 'C' to prove he has suffered a loss.

I appreciate Mr B believes the information about 'L' he has now provided should be sufficient, on balance, to prove he's been the victim of a scam. But I must make a decision here based on all the available evidence, as well as the wider surrounding circumstances. And while I'm sympathetic to the situation Mr B has found himself in, it would only be fair for me to direct Revolut to refund the payments if I thought Mr B had been the victim of a scam and Revolut was responsible for the loss – and I'm not persuaded that this was the case in the circumstances of this complaint.

For the above reasons, I don't think Revolut has to do anything further.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision **before 23 February 2024**.

Anna Jackson
Ombudsman