

## The complaint

Miss G complains that Revolut Ltd won't refund payments she says were made as the result of a scam.

Miss G has used a representative when bringing this complaint. But for ease of reading, I'll mostly just refer to Miss G herself.

## What happened

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here. In December 2022 Miss G reported a number of transactions made from her account as 'unauthorised'. The payments together totalled over £160,000 and all went to a cryptocurrency exchange. Some of the payments Miss G said she hadn't made at all and others she said she made in a "state of coercion". She told Revolut that several loans had been applied for without her knowledge and then one loan and some overdrafts she did after being threatened.

Revolut investigated but didn't provide any redress. Miss G complained, and when Revolut maintained their position, the matter was referred to our service. In summary Revolut pointed out some inconsistencies in what Miss G had said and that they needed more information to better understand what had happened.

Miss G has multiple complaints with our service about the various financial businesses involved in the wider circumstances. And as most of those had already been referred for an Ombudsman's decision and allocated to me to decide, it was appropriate for me to also consider this complaint. As one of our Investigators hadn't yet reached an outcome, I issued a provisional decision to give both sides an opportunity for further comment before a final decision was made. My provisional decision said:

*"I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.*

*When reporting what had happened to the businesses involved, Miss G's testimony has changed. Specifically, when she contacted 'N', their call notes record that she said she was forced to take and then move the loans, before later claiming that she largely had no involvement in this at all. Miss G has also suggested that she's been the victim of an investment scam. The impact of Miss G saying different things at different times, means that it is difficult for me to place a lot of weight on her testimony as reliable or credible evidence.*

*The relevant regulations to Miss G's claim of unauthorised payments are the Payment Services Regulations 2017. In broad terms these say that Miss G should only generally be responsible for payments she's authorised. So what I need to decide is whether Revolut have acted reasonably in treating all the payments as authorised.*

*I've looked at the technical evidence provided by Revolut for the payments that Miss G says she had no involvement in. These show that shortly before each payment was sent,*

*fingerprint authentication was done within Revolut's app. So whilst I'm aware Miss G has said she downloaded malicious software to her phone, I'm not persuaded this would have enabled someone other than Miss G to have used her fingerprint to make the transactions. I think it's more likely than not that this would have required physical custody of the phone and isn't something I think could have been done remotely as alleged.*

*The disputed payments took place over a number of weeks. And there is evidence that between the payments that Miss G has alleged were unauthorised, that she accessed her Revolut account through the app. Particularly given the sums involved, I think it's more likely than not that Miss G would have noticed these payments, so it's difficult to understand why they weren't reported at the time if Miss G really had no involvement as she now alleges. Overall, I think it's more likely than not that Miss G made the payments she's reported as unauthorised. I'm more persuaded by the technical evidence than I am by Miss G's testimony.*

*I've next gone on to consider whether Revolut ought to have done more in relation to the payments Miss G disputes making (or those she accepts making but under 'coercion'), particularly as some of Miss G's submissions refer to an investment scam. Many of these payments were for significant amounts of up to £25,000. And I think this activity would have stood out compared to how the account was previously used. Upon review it would have become apparent that the payments were being made to a cryptocurrency exchange. This would have increased the risk associated with those payments as cryptocurrency is often a common feature of scams.*

*Given the sums involved, I think Revolut ought to have forced Miss G into an online chat before processing at least some of the disputed payments. I'd then have expected Revolut to have provided an appropriate warning based on what Miss G had told them about the payments. However, even if that had happened, in the circumstances of this case, I'm not persuaded it would have made a difference.*

*Due to the unreliable testimony our service has been presented with; I can't fairly argue that Revolut should bear responsibility for the loss. I say this as I have information that has changed multiple times, so I'm not convinced that I can argue causation here as I haven't been told an honest account of how an alleged scam took place. It's not clear what the alleged scammer's role was here. Nor indeed is there conclusive evidence that there was a scam at all, because at times Miss G has alleged the payments were either unauthorised or that she made them due to being threatened. For these reasons, I can't fairly and reasonably conclude that Miss G would've stopped making these payments upon suitable warnings from Revolut, or that Revolut reasonably could've been expected to have gone against the payment instructions they were provided with.*

*Miss G has suggested that at the time of the payments she was vulnerable. She says this is based upon her living alone and having some health problems with her spine. I'm sorry to hear of Miss G's health problems, but I can't see that Revolut were aware of these factors at the time or that this is something they reasonably should have ascertained.*

*My provisional decision*

*For the reasons outlined above, but subject to any further information I receive from either Miss G or Revolut Ltd, I'm not intending to uphold this complaint."*

*Revolut responded to say they had nothing further to add. Miss G's representative informed us they were no longer representing her and Miss G herself asked for an extension, but then didn't provide a response.*

**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.

As neither party had any further comments or evidence for my consideration, I see no reason to deviate from the outcome explained in my provisional decision.

**My final decision**

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss G to accept or reject my decision before 23 April 2024.

Richard Annandale  
**Ombudsman**