

The complaint

Miss P complains that Revolut Ltd (Revolut) is refusing to refund her the amount she lost as the result of a scam.

Miss P is being represented by a third party. To keep things simple, I will refer to Miss P throughout my decision.

What happened

The background of this complaint is well known to all parties, so I won't repeat what happened in detail.

In summary, Miss P was looking for a part time job when she saw an advertisement via a recruitment agency, I will call X on social media for a remote working role. Miss P contacted the page and spoke to a representative who explained the role in more detail.

Miss P would be working for an advertising company that specialised in technology and data optimisation and would have to complete multiple tasks each day. Once a specific number of the tasks had been completed Miss P would receive a commission.

Initially Miss P chose not to move forward with the role as she had other commitments but was contacted again by X who managed to persuade her that the role would be a good fit for her. X even directed her to what appeared to be a genuine website for the company she would be working for.

X directed Miss P to open an account with it and she was given access to a portal to complete the tasks. The account had a positive balance and Miss P was advised that she could withdraw funds from the account when the balance was above a certain amount.

The job appeared to be going well, although when Miss P completed tasks the balance on the account fell to a negative number and she was required to top up the balance via a cryptocurrency exchange before she could continue.

When Miss P completed the tasks, X explained that as she wanted to withdraw a large amount, she would have to pay an upfront payment equal to 50% of the withdrawal amount.

Miss P was unable to make the payment that had been requested and X stopped communicating with her. Miss P then contacted the company that X had directed her to in the first instance, that she thought she was working for, and it was confirmed that Miss P had not been working for them but had been scammed.

Miss P made the following payments in relation to the scam:

<u>Payment</u>	<u>Date</u>	<u>Payee</u>	<u>Payment Method</u>	<u>Amount</u>
1	13 October 2023	Alchemy Gps Europe	Debit Card	£25
2	14 October 2023	Simplex Nevadex	Debit Card	£65

3	16 October 2023	Simplex Nevadex	Debit Card	£150
4	16 October 2023	Simplex Nevadex	Debit Card	£400
5	16 October 2023	Simplex Nevadex	Debit Card	£585
6	16 October 2023	Simplex Nevadex	Debit Card	£1,300
7	16 October 2023	Nevada Services Simplex	Debit Card	£2,540
8	16 October 2023	Nevada Services Simplex	Debit Card	£65

Our Investigator considered Miss P's complaint and didn't think it should be upheld. Miss P disagreed so this complaint has been passed to me to decide.

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.

It has not been disputed that Miss P has fallen victim to a cruel scam. The evidence provided by both Miss P and Revolut sets out what happened. What is in dispute is if Revolut should refund the money Miss P lost due to the scam.

Recovering the payments Miss P made

As the payments were made by card and sent to a cryptocurrency account before being forwarded to the scam, Revolut would not have been able to recover the funds. I don't consider that a chargeback would have had any prospect of success given there's no dispute that the cryptocurrency was provided, that was subsequently sent to the fraudsters.

Should Revolut have reasonably prevented the payments Miss P made?

It has been accepted that Miss P authorised the payments that were made from her account with Revolut, albeit on X's instruction. So, the starting point here is that Miss P is responsible.

However, banks and other Payment Services Providers (PSPs) do have a duty to protect against the risk of financial loss due to fraud and/or to undertake due diligence on large transactions to guard against money laundering.

The question here is whether Revolut should have been aware of the scam and intervened when Miss P made the payments. And if it had intervened, would it have been able to prevent the scam taking place.

The first time Miss P attempted to make a payment of £400 on 16 October 2023 the payment was declined by Revolut and a warning was provided via both a push message in the Revolut app and via email to Miss P. Miss P was not able to make any further similar payments until she had engaged with the warning that followed.

Miss P confirmed she was not being guided by anyone to make payment and when given a list of reasons to choose from for why she was making the payment Miss P selected "*as part of an investment*". Miss P selected this option even though the more accurate option of "*to complete a task on a job hiring process*" was available. Miss P was then shown several warnings based on the answers she had given to the previous questions as follows:

"This could be an investment scam, investment scams can promise high returns in short periods of time, and might even have professional-looking online platforms"

“Beware of social media platforms, fraudsters use social media to promote fake investment opportunities. Read online reviews to make sure it’s legitimate”

“Don’t be rushed, take your time and speak with family and friends before making large investments. Say no if you’re being pressured to invest”

I think Miss P could have answered the above questions more accurately. She had been guided to make the payments in relation to her new job and was making the payments in relation to that new job, and the tasks she was required to complete as part of it. As Miss P selected the less accurate option of “Investment” she was provided with warnings related to the option she selected.

Even though Miss P hadn’t answered Revolut’s questions accurately I still think some of the warnings it provided should have caused Miss P to have concerns. Miss P had found the job on social media and was using a professional looking platform to complete the tasks. And considering the payments were made over just a few days, and Miss P was attempting to make a large withdrawal, so I think it’s likely she was also being promised high returns.

But despite the warnings Miss P continued with further payments having confirmed the statement:

“I understand and accept the risks tied to this payment. I will only proceed if I am confident that it’s legitimate”

I think it could be argued that Revolut could have stepped in when Miss P made payments later in the scam. But I think a proportionate intervention to those payments would have looked like that Revolut provided above.

I don’t have enough to say that Miss P would have acted any differently if she was provided with the same intervention when making a later payment or that she would not have continued to make the payments. So, I don’t think Revolut missed an opportunity to prevent the scam and it is not responsible for Miss P’s loss.

My final decision

I don’t uphold this complaint.

Under the rules of the Financial Ombudsman Service, I’m required to ask Miss P to accept or reject my decision before 14 February 2025.

Terry Woodham
Ombudsman