

## **The complaint**

Mr R, via a representative, complains that Revolut Ltd (“Revolut”) have failed to refund the money he 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, Mr R was contacted via a messaging service by a scammer that I will call C. C persuaded Mr R that they worked for a company that I will call B that would pay him for completing a series of tasks online. Periodically, while completing these tasks, he was asked to “top up” his account by paying B.

Mr R then made 5 transactions totalling over £15,000 via faster payment to overseas bank accounts. My understanding is that the funds were then sent to B. Mr R also sent funds from at least three other current account providers to B as well.

When Mr R attempted to withdraw the “income” that he could see on B’s ‘platform’, he was told that he had to pay additional fees to clear a negative balance which would allow withdrawals commensurate with the “income” he had earned. At this point Mr R realised that he had been scammed.

Mr R asked Revolut to refund these payments, as he believes Revolut should have done more to prevent him 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 Mr R gave during interactions with Revolut and his other current account providers, any intervention from Revolut would not have stopped the scam. She therefore did not uphold this complaint.

Mr R did not agree with this and therefore his 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 Mr R authorised the disputed payments he made from his Revolut account. The payments were requested by him using his 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 Mr R 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 on the first payment and asked some questions about what it was for. I also think that Revolut should probably have intervened later in the scam as the volume and pattern of payments is indicative of someone who is being scammed.

That said, even if Revolut had asked more probing questions and provided tailored warnings, I don't think that this would have stopped the scam. I say this for a number of reasons.

Mr R provided answers to the questions asked in the intervention with Revolut that were misleading. Such as him saying that the payment was for friends and family and that the payment was as a result of a face-to-face discussion and not a phone call. I also have noted that during his interactions with his other current account providers he said that the payments were for furniture and to pay back money he owed to a friend.

It is also clear from the online chat with Revolut that he was keen to make the payments and was getting frustrated with his payments being stopped by Revolut to the extent that he closed his account.

So, I think it likely had Revolut intervened more and asked more probing questions, Mr R 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 Mr R from carrying on with the payments he was making. Over the course of the scam Mr R was provided with a number of scam warnings, and yet Mr R carried on with the payments regardless. You could argue that the warnings that Mr R was being provided did not relate to the scam that Mr R was actually falling for. But this was because of the answers that Mr R was giving when asked why he was making the payments in question.

It may have been the case that had Revolut asked Mr R more probing questions his answers would have not been persuasive enough to have convinced it that Mr R was not being scammed. Had this happened the payments from Revolut may have been stopped. That said what I don't think would have happened is that Revolut would have discovered exactly what Mr R was doing as he at no point during any intervention with any of his account providers said that he was making the payment for releasing his earnings from an online job. So, the most I think would have happened is that the payments would have been stopped but he would only have been a general scam warning.

Given this even if Revolut had stopped the payments in question I don't think this would have stopped the scam as Mr R was clearly under the spell of the scammer at the time the payments were made. This is demonstrated by him actively trying to find other ways of making the payments any time a method of payment was declined including after he shut his Revolut account. In the chats in the scam group chat Mr R can be seen asking for different ideas of payment methods as he says (I have removed the company names and replaced them with X and Y) "X had blocked my transfer suspecting scam" "Y stopped suspecting scam" "so trying other methods now". So, I think that had Revolut stopped the payments completely he would have sent payments via other means on the recommendation of the scammer.

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 Mr R reported the fraud.

Revolut are under no obligation to refund the money to Mr R under the Contingent Reimbursement Model (CRM) Code as Revolut are not signed up to the code. I have also thought about whether Revolut could have contacted the receiving banks to recover the funds but given the timescales involved before the scam was reported I think the funds would have been moved on. So I don't think Revolut could have recovered the funds via other means.

I appreciate this will likely come as a disappointment to Mr R, and I'm sorry to hear he has been the victim of a cruel scam. However, I'm not persuaded that Revolut can fairly or reasonably be held liable for his 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 Mr R to accept or reject my decision before 22 October 2024.

Charlie Newton  
**Ombudsman**