

The complaint

Miss T's complaint is about Revolut Ltd's refusal to reimburse her money she says she lost due to a scam.

Miss T is represented by Refundee in this matter. However, I will refer to Miss T solely in this decision for ease of reading.

What happened

The circumstances of this complaint are well known to all parties concerned, so I will not repeat them again here in detail. However, I will provide an overview of events.

Miss T says she has fallen victim to a cryptocurrency linked job scam. In short, she says that fraudsters tricked her into making payments to receive income from completing various 'job tasks'. Below is a list of the Revolut card payments in question:

Payment Number	Date	Time	Merchant	Amount
1	22 September 2023	6.38pm	Onlychain	£74
2	23 September 2023	1.26pm	Onlychain	£500
3	23 September 2023	4.48pm	Onlychain	£1,100
4	23 September 2023	5.03pm	Onlychain	£45
5	23 September 2023	6.16pm	Onlychain	£2,212
6	23 September 2023	6.23pm	Onlychain	£95
7	23 September 2023	8.09pm	Onlychain	£3,826
8	23 September 2023	9.08pm	Onlychain	£10

It also appears that Miss T attempted two further payments of £5008 to Onlychain on 25 September 2023. However, both attempts were unsuccessful because, according to Revolut, Miss T's account was reaching its crypto spending limit.

Miss T contacted Revolut to raise a dispute about the eight payment transactions. Revolut investigated the matter and refused to offer any redress. Consequently, Miss T raised a complaint about this which she referred to our service.

One of our investigators considered Miss T's complaint about Revolut and did not uphold it.

As Miss T did not agree with the investigator's findings, this matter has been passed to me to make a final decision.

What I have 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 at first instance for the reasons I set out below.

Did any of Miss T's payment transactions indicate she might be at risk of financial harm?

It is not in dispute that Miss T authorised the payment transactions in this matter. Generally, consumers are liable for payment transactions they have authorised. However, that is not the end of the story. This is because even if a payment is authorised, there are regulatory expectations and requirements which suggest firms – such as Revolut – should be on the look-out for unusual and out of character transactions to protect their customers from financial harm. And, if such payment transactions do arise, firms should intervene before processing them. That said, firms need to strike a balance between intervening in a customer's payment to protect them from financial harm, against the risk of unnecessarily inconveniencing or delaying a customer's legitimate transactions.

I have borne the above in mind when considering the payment transactions in this matter.

I am persuaded that Payment 5 (set out above) was unusual and out of character. I say this because the following aggravating factors are present. Firstly, all the payment transactions concerned were cryptocurrency related. Secondly, Payment 5 was one of the highest value payment transactions relative to Miss T's account. Thirdly, all the payment transactions were, cumulatively, high in value. Fourthly, the payment transactions were made in quick succession – particularly those on 23 September 2023.

Given the above aggravating factors, I think Payment 5 should have triggered Revolut's fraud detection systems – prompting it to intervene before releasing the transaction. I am mindful of the fact that Payment 5 occurred post the Consumer Duty. Taking this together with the aggravating factors present – my view is that a proportionate intervention in this matter would have been a scam warning tailored to the likely cryptocurrency related scam Miss T was at risk from. For example, a warning asking a series of automated questions designed to narrow down the type of cryptocurrency related scam risk associated with the payment transaction Miss T was making.

Would an intervention from Revolut have made a difference?

As I have taken the view that Payment 5 should have triggered an intervention by Revolut, I must now turn to causation. Put simply, I need to consider whether Revolut's failure to intervene caused Miss T's loss. To do this, I need to reflect on whether such an intervention (described above) would have made any difference. Having done so, I am not persuaded that it would have. I take the view that Miss T would have proceeded with Payment 5 regardless of Revolut intervening and providing a warning (such as the one described above).

I have reached this view for the following reasons. By way of Revolut's chat platform on 28 September 2023, Miss T asks Revolut whether it thinks she has been scammed regarding the payment transactions concerned. In response, Revolut stated, amongst other things, *"don't talk to them anymore or send any money. They are scammers and will keep asking for*

money but won't provided [sic] any benefits." Miss T stated, amongst other things, *"Thank you I will do that because they are asking me to send £13,000 ... I will delete all contact."* Revolut then provided Miss T with some general scam warnings.

However, Miss T did not listen to Revolut. She continued to engage with the fraudsters via WhatsApp messaging. In my view, the nature of those messages suggest that Miss T was not fully convinced she had been scammed; and was prepared to provide more money. For example, Miss T mentioned that she had asked other people to lend her money, but they refused.

Miss T's actions after speaking to Revolut have assisted me with deciding what, on the balance of probabilities, would have likely happened had Revolut intervened in Payment 5. In my judgment, given the fact Miss T did not heed Revolut's warning/advice after she thought she might have been scammed – I find it unlikely that she would have heeded a warning (described above) before that time. Miss T appears to have still trusted the fraudsters even after she thought she might have been scammed. Therefore, I find that at the point Miss T made Payment 5, she was likely fully under the spell of the fraudsters. I deal with this point in more detail in the section below.

Miss T's response to the investigator's findings

In short, Miss T says the fact she asked the fraudsters to return her funds after speaking to Revolut – does not indicate that an intervention would not have made a difference. Miss T says all she attempted to do was recover her money and had no intention of providing further funds to the fraudsters. She contends that a 'phone intervention' from Revolut would have made a difference.

I do not accept these arguments.

For reasons already given, I am satisfied that a proportionate intervention in this matter would have been an automated scam warning, rather than a human intervention.

To my mind, any objective reading of the WhatsApp messages between Miss T and the fraudsters – suggest, on balance, that she was not fully convinced she had been scammed even after speaking to Revolut. For example, on at least three occasions, Miss T asked the fraudsters whether she had in fact been scammed. This supports my above proposition that Miss T was likely very much under the fraudsters' spell at the time of Payment 5.

It follows that I do not accept that Miss T was simply, as she says, "sweet talking" the fraudsters to try to get her money back. In my view, Miss T would have provided more money if she had the funds available.

Even if I accepted Miss T's arguments on this point – which I do not – there are other reasons why I take the view that an intervention would not have made a difference because she was so taken in by the fraudsters. Firstly, having considered all the WhatsApp exchanges between Miss T and the fraudsters, it is clear to see there was a closeness of relationship and a degree of trust. For example, amongst other things, Miss T shared personal matters about her life with the fraudsters. Secondly, she had access to what appears to be a professional looking platform. Thirdly, the fraudsters provided Miss T with a return – albeit nominal. Fourthly, in one of Miss T's messages to the fraudsters, she says her husband had expressed concerns about what she was doing. However, this was not enough to dissuade Miss T from making payment transactions to the fraudsters.

For these reasons, I find it unlikely that an intervention at the time of Payment 5 would have made a difference. At the point of that payment, Miss T was very much taken in by the

fraudsters and likely would have spoken to them about any warning (described above) she encountered.

Conclusion

Taking all the above points together, I do not find that Revolut has done anything wrong in the circumstances of this complaint. Therefore, I will not be directing Revolut to do anything further.

My final decision

For the reasons set out above, my final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss T to accept or reject my decision before 23 February 2025.

Tony Massiah
Ombudsman