

The complaint

Mr R says Revolut Ltd ("Revolut") refuses to refund him for transactions on his account he says he didn't authorise.

What happened

The facts of this case are well known to both parties, so I won't repeat them in detail here.

In summary, Mr R says he was abroad in India when he was forced against his will to withdraw money from an ATM. He says around £3000 was withdrawn and then taken by the fraudsters from his Revolut card on 25 February 2024. He says Revolut should've blocked these transactions as there were many ATM withdrawals in the same day.

Mr R is also unhappy that Revolut told him that if he obtained a police report, it would have a positive impact on his complaint. But after going through the efforts of obtaining one and providing it, Revolut said the complaint was closed and the decision had already been made.

Revolut says it hasn't found evidence of fraudulent access to his account, and as all the transactions were made using his genuine card & PIN Mr R is liable for them.

Our investigator considered the complaint and decided not to uphold it. Mr R wasn't happy with this outcome, so the complaint has been passed to me for a final 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.

Firstly, I would like to say I am very sorry to have learnt about what happened to Mr R. The situation as described sounds very distressing and I'm sorry Mr R went through this.

Generally speaking, Revolut is required to refund any unauthorised payments made from Mr R's account. Those rules are set out in the Payment Service Regulations (PSR) 2017. The regulations also set out what "unauthorised" means and how I should be assessing what is and what is not considered authorised. Mr R says he didn't make these transactions willingly, he did so under duress. So, I have considered everything he has said, in line with the regulations which apply.

Revolut has shown that the transactions in dispute were all ATM withdrawals which were completed using Mr R's genuine card and PIN. And Mr R is not disputing the fact that the transactions were made with his card and using his PIN. This is enough to show that the transactions were authenticated correctly as per the PSRs.

The regulations also say it's necessary to look at whether the card holder authorised the payments. So, I'm looking at whether Mr R made the transactions himself or allowed them to be made. From what I understand, Mr R was taken to a cash machine with his card and forced to make the transactions in dispute himself. I appreciate he did this under duress –

and I don't dispute his testimony about this – but that unfortunately means in law he authorised the payment. This means I won't be able to ask Revolut to refund these transactions as unauthorised.

I've also considered whether Revolut should've flagged these transactions as suspicious, and perhaps intervened. And Mr R feels it should have intervened as so many withdrawals in quick succession was unusual for his account. Although I understand his point, the problem is that the withdrawals were made using the genuine card and the correctly entered PIN.

Chip technology is complex and sophisticated, and there have been no known instances when the chip in the card has been successfully copied. This means that when the computer records show that the genuine card and chip has been used, the withdrawals are taken as not suspect. There were also other transactions in the same geographical area as the disputed transactions. And it's not unusual for cash to be withdrawn in large amounts when abroad. So, I don't think it's fair to say these transactions should've been flagged by Revolut.

In any case, I don't consider it would have made any difference if Revolut had alerted Mr R to the payments and had asked if they were genuine. I say this because the situation, as described by Mr R, had him feeling like he was in danger and couldn't talk about what was happening to him. We've seen that he was not able to tell his mum what was happening over the phone at the time as he felt unsafe. And I think the same would've happened had Revolut called him during the disputed transactions. So even if Revolut had intervened, I don't think this would've prevented the loss to Mr R under the circumstances he was in.

I've also thought about what Mr R says about Revolut giving him the impression that a police report would help his complaint. Having read the communication between Mr R and Revolut I can see why Mr R was led to believe that obtaining the police report would have a positive impact on his case. But I don't think this makes a difference to the outcome. I think Revolut did conduct a review of his complaint and based on the reasons it didn't uphold your complaint, it wouldn't have changed the outcome even if it had considered this before closing the complaint.

I appreciate this decision will be very upsetting for Mr K. It's a lot of money, and the circumstances of the theft sound horrible. So, I do have sympathy for his situation. However, under the rules I must apply I cannot fairly ask Revolut to refund the disputed transactions to him.

My final decision

I am not upholding the complaint

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 10 March 2025.

Sienna Mahboobani
Ombudsman