

## The complaint

Miss O complains that Revolut Ltd hasn't refunded the money she lost when she fell victim to a scam.

## What happened

Miss O was contacted on a mobile messaging service by someone saying they had a job offer for her. Miss O was told this job was to do with providing online reviews to help products sell. Miss O would need to complete 40 'tasks' a day to earn commission. Miss O agreed to take the job and was provided with some training and added to a group chat with others claiming to do the same work. She was also told to open an account with Revolut, where she would receive her pay. After the first set of tasks was completed Miss O was told she would need to pay to unlock further tasks. Unfortunately, and unknown to her at the time, Miss O was dealing with a scammer, there was no legitimate job.

Over the course of around a week Miss O made multiple payments to the scam from her account with Revolut and from accounts she held with other banks (which I'll call B and N). The payments she made from her Revolut account were as follows:

Payment	Date	Time	Amount (including fees)	Payee
<b>Payment 1</b>	23/10/2023	18:21	£300	Payee 1
<b>Payment 2</b>	23/10/2023	19:19	£492.88	Payee 1
Unsuccessful	23/10/2023	20:53 & 21:21	£1548.82	Payee 2
Unsuccessful	24/10/2023	10:33 & 10:47	£707 & £505	Payee 3
<b>Payment 3</b>	24/10/2023	13:15	£1,519	Cryptocurrency wallet
Unsuccessful	24/10/2023	17:11	£2,046	Payee 2
<b>Payment 4</b>	24/10/2023	17:52	£2,000	Cryptocurrency wallet
Returned	25/10/2023	07:44	£926	Cryptocurrency wallet – funds returned 12 minutes later
Unsuccessful	25/10/2023	14:32 & 14:51	£947.30 & £511.50	Payee 4
<b>Payment 5</b>	25/10/2023	15:51	£956.65	Miss O's account with B

After making a final payment (from her account with N) on 28 October 2023 Miss O then asked to withdraw her profits from the scheme, but when she was told she'd need to pay

more in order to withdraw her money she became suspicious, ultimately she realised she had been the victim of a scam and contacted Revolut to let it know what had happened.

Revolut looked into what had happened, but declined to refund any of Miss O's loss. It said that it had taken appropriate steps to intervene in the payments Miss O was making, so it declined to refund those payments to her. Miss O didn't accept this, so she referred her complaint to our service.

One of our Investigators looked into her complaint. They thought Revolut should have taken steps to intervene further by the time of Payment 4, but they did not consider that any proportionate intervention at that stage (or at any later stage) would have stopped the scam. They said this was because Miss O was not being honest with Revolut about what the payments were for, and was following the guidance of the scammer over any warnings she did see.

Miss O remained unhappy, so her case has now been referred to me to reach 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.

Having done so, I've reached the same overall outcome as the investigator, I'll explain why.

It's not disputed that Miss O authorised the payments that are the subject of this complaint. So as per the Payment Service Regulations 2017 (which are the relevant regulations in place here) that means Miss O is responsible for them. That remains the case even though Miss O was the unfortunate victim of a scam.

Because of this, Miss O not automatically entitled to a refund. Revolut is not a signatory of the Contingent Reimbursement Model Code (the Code), and so the terms of the Code are not relevant here. Nonetheless, the regulatory landscape, along with good industry practice, sets out a requirement for account providers to protect their customers from fraud and financial harm. And this includes monitoring accounts to look out for activity that might suggest a customer was at risk of financial harm, intervening in unusual or out of character transactions and trying to prevent customers falling victims to scams.

Taking the above into consideration, I need to decide whether Revolut acted fairly and reasonably in its dealings with Miss O, or whether it should have done more than it did.

In this case, I agree with our Investigator that the first two payments Miss O made to the scam from her Revolut account were not unusual or out of character enough to have merited direct intervention from Revolut. These two payments were relatively low in value, and Miss O indicated that they were payments to 'friends and family'. Given that Revolut had no account history against which to compare these payments, and they were in line with the account purpose that Miss O selected when opening the account, there was nothing about these payments that I think should have caused Revolut any particular concern.

Miss O then made four attempted payments, all of which failed. On the first two of these failed payments Revolut had intervened and asked what the payments were for, Miss O had indicated different payment purposes on each attempt and ultimately was taken through to Revolut's in-app chat feature, where Revolut told her there was a high chance the payments were being made to a scam, and provided some education about common cryptocurrency scams. The next successful payment Miss O made was then for £1,519, and was to a known

cryptocurrency provider. This payment was larger than the previous payments on Miss O's account, and the fact that it was to a cryptocurrency provider would have been an additional risk factor. Revolut provided its standard new payee warning about this payment, but given the previous activity here, I do think it's arguable that more direct intervention would have been proportionate given Revolut's concerns about the previous payments Miss O had been attempting to make. And in any case, by the time of Payment 4, other factors should have caused Revolut even more concern. Miss O had attempted a payment to cryptocurrency not long prior to Payment 4 and her answers to questions about that payment had not made much sense given where the payment was going.

However, with all I've seen about the interactions Miss O had with Revolut both before and after this payment, and with her other banks, I'm satisfied that any further intervention from Revolut at the time of Payment 3 or Payment 4 would not have stopped Miss O from proceeding with the payments. I say this because Miss O does not appear to have been honest with Revolut throughout the payment journey about what she was making the payments for. Miss O told Revolut for one of the payments that she was making a payment to family members or friends and that she had met the payee face to face. For another payment she told Revolut she was transferring gains from cryptocurrency. And I am aware that Miss O told her other bank – B – that she was transferring money to help fund her sister's education. Despite having various interactions with Revolut and with B, Miss O does not appear to have indicated at any stage that she was making payments as part of a job.

And so based on what it had been told – and therefore what Miss O would likely have continued to tell it the payments were for – any warning from Revolut would likely have focused on cryptocurrency investment scams, or impersonation scams, which would not have been relevant to Miss O's actual situation and so would be unlikely to have raised a red flag for her.

With this in mind, I don't consider that Revolut missed an opportunity to protect Miss O from this scam or to prevent her loss.

I've also thought about whether Revolut did all it could to try to recover Miss O's funds when she told it of the scam. But given that the payments Miss O made appear to have been to purchase cryptocurrency (either through her own cryptocurrency wallet or on the peer-to-peer market), or to her account at B, I don't consider there is anything Revolut could have done to recover those funds.

I'm sorry to disappoint Miss O as I know that she has lost a significant amount of money. But, overall, I'm satisfied that any reasonable, proportionate intervention from Revolut would not have prevented Miss O from making further payments to the scam. It follows that I don't think Revolut is liable for her loss and won't be asking it to refund any of her losses.

### **My final decision**

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss O to accept or reject my decision before 17 October 2024.

Sophie Mitchell  
**Ombudsman**