

## The complaint

Mr H complains that Revolut Ltd won't refund payments he made as a result of a scam.

## What happened

Mr H was the victim of a scam involving the following payments from his Revolut account:

Date	Description	Amount
6 June 2023	Card Payment to Binance	£100.00
26 June 2023	Card Payment to Binance	£4,950.00
26 June 2023	Card Payment to Binance	£5,000.00
27 June 2023	Card Payment to Binance	£5,000.00
27 June 2023	Card Payment to Binance	£5,000.00
28 June 2023	Card Payment to Binance	£5,000.00
28 June 2023	Card Payment to Binance	£3,380.00

In summary, Mr H has explained he decided to make investments with a company which I'll refer to as M, which purported to offer fixed returns if he invested a certain amount over a certain period of time. It appears this was based on M offering 'cloud mining' services, where Mr H would be paying to use their services to mine crypto, and in return receive a profit.

To fund M, Mr H made payments to crypto platforms, where the money was exchanged and sent onwards to a wallet connected to M.

As well as making these card payments to Binance from his Revolut account, Mr H also made several other payments to another cryptocurrency exchange from two other bank accounts as part of the scam.

On 23 June 2023, M contacted Mr H to say they'd detected his account was abnormal, and that he'd need to pay more as part of his promotional package or he wouldn't be able to make a withdrawal. It appears that Mr H was also contacted about taxes he'd need to pay and later, that his account was operating illegally and he'd need to pay a fee to avoid his account being frozen.

Mr H has explained that he felt pressured to act to maintain access to his account, but, upon the last request, he looked into the conditions for freezing an account and became suspicious. Shortly afterwards, M's operations shut down and Mr H realised he'd been scammed.

Revolut didn't question the payments Mr H made as part of this scam. But his other banks did. In summary:

- Santander provided written warnings when he attempted to make a payment. These explained that if someone's helping him, it's typically a scam – and to be cautious with unregulated companies and promises of high rewards for low risk or offers that sound too good to be true.

- Santander also spoke with Santander about a payment on 11 June 2023 over the phone. Mr H confirmed it was going to an account for an investment, and he chooses what to invest in by himself. He said he'd only the official apps, and he'd not downloaded any third party apps.
- Mr H was questioned by HSBC about his attempted payments to a crypto platform on 19 and 23 June 2023. They asked him about how he'd checked who he was paying and whether he'd control of his wallet, as well as whether there was anyone else involved. They also asked him whether he'd given remote access to anyone and whether he'd been able to withdraw. Mr H explained he'd be using the payments to trade by himself using his own research – in crypto and stocks and shares. He confirmed there wasn't anyone else involved, he'd opened the wallet by himself, he'd not used any remote access software, and he was confident who he was paying – he'd used them before, and he'd withdrawn money. And that he'd not been asked to pay to withdraw his money. During the call, HSBC mentioned some of the features of investment scams (among other scams) – like remote access, control of someone's wallet, and difficulties making a withdrawal. And at the end of its last call with Mr H, it said it was still concerned, but Mr H chose to go ahead.

Following the scam, Mr H raised a complaint to Revolut – in summary, he said it failed to prevent his losses from the scam. Revolut didn't uphold it – it said it couldn't pursue chargeback claims, and in line with its terms and conditions, it wasn't liable to refund them.

Unhappy with its response, Mr H brought his concerns to us to investigate. To be clear, while Mr H has also raised complaints about this matter with his other banks, this decision solely investigates Revolut's liability for what happened.

### **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 outcome as our investigator for these reasons:

- The starting position in law is that Revolut has a duty to make the payments Mr H tells it to. And that Mr H is responsible for payments he made.
- But, as supported by the terms of the account, that doesn't preclude Revolut from making fraud checks before making a payment. And, taking into account regulatory expectations and good industry practice, I'm satisfied that it should fairly and reasonably have done this in some circumstances.
- Here, I think the circumstances suggested Mr H was at risk of financial harm from fraud. And I think the risk was such that Revolut ought to have spoken with Mr H to establish why he was making these payments – for example, by directing him to speak with an agent via its in-app chat facility.
- But, it's not enough for me to determine that Revolut ought to have done more here. I must also be persuaded that it was this error, in not reaching out to Mr H to discuss the payments, that caused his losses.
- Of course, I can't say for certain how Mr H would've responded, had Revolut asked open and probing questions and provided appropriate warnings about the payments. But civil disputes like these are only ever decided on the balance of probabilities. In other words, what I think is more likely than not to have happened.

- Having considered the evidence carefully, I'm not persuaded that Revolut's intervention would've changed Mr H's mind about making these payments as part of the scam. I've noted:
  - Having reviewed his interactions with his other banks, Mr H wasn't forthcoming about how he intended to use this money to ultimately invest with M. Instead, he consistently and confidently told his banks he was investing by himself, with no-one else involved. So I'm not convinced that Revolut would've found out about M's involvement either.
  - Even if Mr H wasn't forthcoming about M, I'd still have expected Revolut to have provided context around its questions and to explain what a typical investment scam looked like. So I've considered if that could've unravelled the scam too.
  - But overall, I don't think that the scam Mr H fell victim to had many of the hallmarks of a typical investment scam. For example, there wasn't an account manager or broker, he'd not used remote access, and he'd set up his wallet himself. It follows that, even if Revolut did provide adequate context, I'm not convinced it would've resonated with Mr H.
  - That's not to say there weren't any areas where the scams overlap – the returns promised arguably looked 'too good to be true' and you could say Mr H was being asked to pay sums to withdraw what he made. But I'm not persuaded these aspects alone were enough to make Mr H realise that this was a scam, given that lots of the other features didn't apply to him. Indeed, I've noted that when HSBC and Santander mentioned these aspects in its dealings with him, it didn't change Mr H's mind about continuing with the payments.
  - I appreciate Mr H might feel that Revolut ought to have warned him about the type of scam he fell victim to as well. But I can't expect it to warn him about every permutation and variation of investment scams – to do so would likely render its warnings ineffective and disproportionate. Instead, I think it's reasonable for Revolut to have focused on the key hallmarks of the most common scams involving crypto, which, at the time, had the features I've described above.
- Taking this all into account, I find it more likely that, had Revolut questioned and warned Mr H appropriately, he would've continued to make these payments, in the same way he wasn't deterred by his other banks' interventions.
- In saying that, I've noted Mr H's point that we should only consider Revolut's interactions with him in his complaint about Revolut. But it's my role as an impartial decision maker to determine what evidence is relevant to reaching a fair outcome – and that can't be dictated by either side. Here, I'm satisfied it's reasonable to consider how he responded to other banks to determine how he'd have likely responded to Revolut.
- I realise this will be upsetting news for Mr H. And to be clear, this isn't to blame him for falling for the scam. He was clearly the victim of an organised and sophisticated fraud. But for me to tell Revolut to refund these losses, I must find that he lost out because of Revolut's mistake. And here, even if Revolut acted as it ought to have done, I think the scam would've continued regardless. So I don't find it's fair to tell Revolut to put things right here.

**My final decision**

For the reasons I've explained, I don't uphold Mr H's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 11 July 2025.

Emma Szkolar  
**Ombudsman**