

## The complaint

Mrs A is unhappy that Revolut Ltd haven't refunded money she lost as a result of a scam.

Mrs A is being represented by a claims management company but, for ease, I'll only refer to Mrs A.

## What happened

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here.

In November 2023 Mrs A was looking for some part-time work and was contacted via a messaging platform by a third-party offering her a remote role earning commission by completing rating apps. Mrs A then sent money from her Revolut account to a crypto exchange before moving the funds on to the third-party. In total she made the following debit card payments;

	<b>Date</b>	<b>Type of payment</b>	<b>Amount</b>
	30 November 2023	Payment from third-party (Commission)	£76
	30 November 2023	Payment from third-party (Commission)	£152
	1 December 2023	Card payment to crypto exchange	£330 (declined)
	1 December 2023	Card payment to crypto exchange	£330 (Reverted by merchant)
	1 December 2023	Card payment to crypto exchange	£100 (Reverted by merchant)
	1 December 2023	Card payment to crypto exchange	£330
	1 December 2023	Card payment to crypto exchange	£447 (Reverted by merchant)
	1 December 2023	Card payment to crypto exchange	£560
	1 December 2023	Card payment to crypto exchange	£1,500 (Declined)
	1 December 2023	Card payment to crypto exchange	£2,000 (Declined)
	1 December 2023	Card payment to crypto exchange	£500
	1 December 2023	Card payment to crypto exchange	£500
	1 December 2023	Card payment to crypto exchange	£500
	1 December 2023	Card payment to crypto exchange	£900
		<b>Total credits</b>	<b>£228</b>
		<b>Total loss</b>	<b>£3,062</b>

Mrs A realised she had been scammed when she was unable to withdraw her money, so she made a complaint to Revolut. Revolut didn't uphold the complaint, so she brought her complaint to the Financial Ombudsman.

Our Investigator didn't think the complaint should be upheld. She said Revolut stopped some payments here and invited Mrs A to its in-app chat but Mrs A closed the chat twice and

continued to make smaller ones that wouldn't be stopped by Revolut. So, our Investigator didn't think Revolut could've reasonably stopped this scam.

Mrs A disagreed and asked for an Ombudsman's review. She said Revolut failed in its duty to satisfy itself she wasn't falling victim to a scam by not asking suitable questions and providing effective warnings which would've uncovered the scam.

### **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 conclusion as our investigator. And for largely the same reasons. I'm sorry to hear that Mrs A has been the victim of a cruel scam. I know she feels strongly about this complaint, and this will come as a disappointment to her, so I'll explain why.

I've read and considered the whole file. But I'll concentrate my comments on what I think is relevant. If I don't mention any specific point, it's not because I've failed to take it on board and think about it, but because I don't think I need to comment on it to reach what I think is a fair and reasonable outcome.

Where the evidence is incomplete, inconclusive, or contradictory (as it is here), I have to make my decision on the balance of probabilities – that is, what I consider is more likely than not to have happened in the light of the available evidence and the wider surrounding circumstances.

It is common ground that Mrs A authorised the scam payments totalling £3,290. I accept that these were authorised payments even though Mrs A was the victim of a scam. So, although it wasn't her intention to pay money to the scammers, under the Payment Services Regulations 2017 (PSRs) and the terms of her account, Mrs A is presumed liable for the loss in the first instance.

However, taking into account the law, regulatory rules and guidance, relevant codes of practice and good industry practice, there are circumstances where it might be appropriate for Revolut to take additional steps or make additional checks before processing a payment in order to help protect customers from the possibility of financial harm from fraud.

Revolut's first obligation is to follow the instructions that Mrs A provides. But if those instructions are sufficiently unusual or uncharacteristic for the account, I'd expect Revolut to intervene and to ask their customer more about the intended transaction before processing it. I'd also expect Revolut to provide suitable warnings about common scams to help their customers make an informed decision as to whether to continue with the payment. There might also be cases where it's appropriate for Revolut to refuse to follow the instruction if there are good grounds to believe it is being made as a result of a fraud or scam.

I've considered whether Revolut could've done more here and whether this would've more than likely uncovered the scam. I've also considered Mrs A's further responses and explanations as to why she cancelled the chat Revolut which she was invited to by Revolut. Having done so, I'm not persuaded Revolut taking any further action would've more than likely uncovered the scam here because Mrs A's explanation about why the chats with Revolut were closed isn't very persuasive.

In Mrs A's submission to this service, she explained that Revolut stopped and invited her to discuss the £1,500 payment further. She then received a message asking her why she was

making the payment and that Revolut thought it was a scam. But instead of answering Revolut's question she didn't respond because she believed the question was automated and was being asked because she had made a large payment. Less than twenty minutes later Mrs A attempted smaller payments for £500.

Mrs A said she was aware that Revolut was stopping the payment due to it being a large payment size. She also said to our service in her original submission that she was aware Revolut were trying to speak to her about the payment but responded to our Investigator saying she didn't decline Revolut's attempt to chat about the payments. This persuades me that Mrs A was reasonably aware of Revolut's attempts to speak with her about the payment and that the payment size was a factor in why Revolut wanted to talk to her. But instead of discussing this with Revolut she decided to make smaller payments that would be sent without having to chat with Revolut.

I've seen Revolut's evidence of the chat it attempted with Mrs A. This clearly shows an attempt by Revolut to discuss the payments with Mrs A which was then closed down by her. Revolut subsequently declined the two payments it stopped because Mrs A closed the chats. Which I think was a reasonable action for it to take. However, because Mrs A ignored Revolut and proceeded to make smaller payments, this stopped Revolut from being able to discuss the payments with her to find out what was happening. And because of Mrs A's conscious decision to not discuss the payments with Revolut and proceed to make smaller ones, this persuades me - on balance - that Mrs A was keen to send the money to the crypto exchange without having to discuss this with Revolut.

As a result, I'm satisfied Revolut reasonably stopped and tried to discuss two payments with Mrs A but couldn't reasonably be expected to have done anything more than cancel the two payments it stopped because she closed the chats. It follows that if Revolut had stopped any further payments Mrs A was more likely than not going to ignore any further attempts Revolut made to discuss any payments with her.

I've considered whether Revolut acted reasonably when it was made aware of the scam. Having done so, I'm satisfied Revolut didn't treat Mrs A unfairly by not attempting to retrieve her money here. Because of the method of payment, it wouldn't be possible for Revolut to recover the money from the genuine crypto exchanges because Mrs A received the service she paid for on her card (purchasing the crypto) and moved this on to the scammers.

I appreciate this will come as a disappointment to Mrs A, and I'm sorry to hear that she has been the victim of a cruel scam. As a result, I'm not persuaded that Revolut can fairly or reasonably be held liable for her 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 Mrs A to accept or reject my decision before 20 May 2025.

Mark Dobson  
**Ombudsman**