

The complaint

X complains about the actions of Revolut Ltd when he lost money to a scam.

X is being represented by a claims management company but for ease of reading I'll only refer to X.

What happened

In May 2023 X was approached via a messaging service about an employment opportunity. He was contacted by a representative of, what X considered, a professional recruitment company. X was impressed by the website and the ongoing support from the representative. He was put in a messaging group where he thought he was speaking with other employees. Shortly afterwards X agreed to make the following payments to the merchant;

Date	Time	Type of transaction	Amount
23 May 2023	11:19am	Push to Card Payment to Third Party	£421.50 plus £2.95 fee
23 May 2023	14:09pm	Payment to Third party	£509.40
23 May 2023	15:43pm	Faster Payment to Third party	£143.48
23 May 2023	17:34pm	<i>Credit from Crypto exchange</i>	<i>£1,255.21</i>
24 May 2023	05:20am	Push to card Payment to Third Party	£858
24 May 2023	18:47pm	<i>Credit from Third Party</i>	<i>£996.30</i>
25 May 2023	10:33am	Push to card payment to Third Party	£1,319.05 plus £13.19 fee
25 May 2023	11:15am	Push to card payment to Third Party	£977.50 plus £6.84 fee
26 May 2023	13:30pm	Push to card payment to Third Party	£1,449.22 plus £14.19 fee
26 May 2023	15:34pm	Push to card payment to Third Party	£1,734 plus £17.34 fee
26 May 2023	15:47pm	Push to card payment to Third Party	£1,803.36 plus £18.03 fee
26 May 2023	15:54pm	Push to card payment to Third Party	£1,734 plus £17.34 fee
26 May 2023	17:20pm	Transfer to Crypto exchange	£4,340
28 May 2023	10:48am	Transfer to Crypto exchange	£4,350
28 May 2023	10:59am	Transfer to Crypto exchange	£4,340
28 May	11:39am	Transfer to Crypto exchange	£6,857.20

2023			
		Total	£28,675.08

After being pressured to make the above payments and then continue to pay more money to make withdrawals X realised he had been scammed. So, he contacted Revolut to make a claim. But Revolut said it didn't do anything wrong and wouldn't be refunding X's money.

Our investigator didn't think the complaint should be upheld. He said Revolut blocked payments two, three and eleven and offered proportionate warnings to the answers it was given by X at the time. But he felt Revolut should've gone further by payment nine and asked X to contact it via its in-app chat. However, he didn't think this would've more than likely stopped the scam because he was satisfied X was going to say whatever he needed to so that the payment could be sent.

The investigator mentioned calls X had with F after payment eleven which were stopped for further questioning by F. Here X said he was sending money to a friend and was happy for the payment to be sent. The following day X said to G that no third party was telling him to lie nor involved in him making the payment to his Revolut account. The investigator added that the calls with F and G show that even if Revolut had refused any of the payments X would've more than likely found another way to send the money to the scammers.

X disagreed and asked for an Ombudsman's review. He said F and G shouldn't have accepted his answers to their questions at face value taking into account there might be some level of coaching with these scams. And because Revolut would've seen the payment was going to crypto, X's responses wouldn't have held up to any scrutiny and probing questions by Revolut.

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 X has been the victim of a cruel scam. I know he feels strongly about this complaint, and this will come as a disappointment to him, 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 X authorised the scam payments of around £28,675. I accept that these were authorised payments even though X was the victim of a scam. So, although it wasn't his intention to pay money to the scammers, under the Payment Services Regulations 2017 (PSRs) and the terms of his account, X 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 X 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.

X says Revolut should've done more to stop and ask probing questions of the payments he was making. Here, Revolut stopped payments two, three and eleven. On payments three and eleven X told Revolut the payment was for a 'safe account' so a warning was provided in relation to that payment purpose which I don't think was an unreasonable thing for Revolut to do in the circumstances.

I've listened to the calls X had with F and G here. X has said he wasn't being coached by the scammers. But it's clear from these telephone conversations and his later actions that he was determined to send his money to the scammers. So, I'm satisfied X more likely than not trusted the scammer to the extent that any further warnings from Revolut, based upon his payments reasons wouldn't have brought the scam to his attention so that he would've stopped and not continued with the payments.

I've also considered if Revolut had stopped any of the other payments, such as payment nine as the investigator suggested, whether a chat with a member of Revolut' staff in the app would've likely uncovered the scam. But I don't think I need to make a finding on whether Revolut should've stopped any further payments as I agree with the investigator – for similar reasons – that this wouldn't have made a difference. That's because X has shown that he was desperate to send his money to the scammers. He tried payments from Revolut, F and G and received various warnings from those firms. I accept these warnings weren't relevant to crypto currency job scams. But that's because X gave a variety of answers to the firms about why he was making them such as for a friend's company and safe account scam. He also said no third party was involved in him wanting to send his money from his account/s. So, even if Revolut had asked some questions about why X was making the payment to a crypto exchange, I'm not satisfied he would've been honest and said that it was due to a job opportunity. Ultimately, from X's actions here, I'm persuaded – on balance - he would've found another reason for the money to be sent and given another reason as to why he wanted the money to be released.

As a result of the above, I'm not going to ask Revolut to refund X's money here.

Recovery

Here X made seven push-to-card payments where there's no active procedure for his money to be recovered. As a result, Revolut didn't treat X unfairly by not pursuing a chargeback here. The last four payments were to a genuine crypto exchange with the money then being sent on to the scammers. So, it wouldn't have been possible for Revolut to recover that money.

The other transactions were sent to third parties so a chargeback isn't applicable here. Revolut has said that it initially didn't attempt to recover those funds at the time the scam was raised – which was almost two months after the payments were made - because there is no avenue for it to pursue recovery of push to card payments. However, given that the payments were push to card payments the money would've more than likely been spent

extremely quickly by the scammers as in these cases the money they receive is quickly spent and/or withdrawn from the recipient card or account. As a result, I don't think X has been treated unfairly here.

I'm sorry to hear X has been a victim in this way, but I don't think Revolut are responsible for his loss and so I can't fairly ask them to do more.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask X to accept or reject my decision before 7 February 2025.

Mark Dobson
Ombudsman