DRN-5267573

THE COMPLAINT

Mr W complains Revolut Ltd ("Revolut") will not reimburse him money he says he lost when he fell victim to a scam.

WHAT HAPPENED

The circumstances of this complaint are well known to all parties concerned, so I will not repeat them again here in detail. However, I will provide an overview.

Mr W says he has fallen victim to an investment scam. He says a scammer deceived him into making payments to what he thought was a legitimate investment with 4xex/4xtra. Thereafter, Mr W says he fell victim to a second scam – whereby he was tricked into making payments to a company he thought would help him recover the money he lost to the investment scam.

In this decision, I will be dealing with Mr W's payments to the investment scam. These payments are as follows:

Payment Number	Date	Method	Beneficiary / Merchant	Amount
1	08 August 2023	Card	X Shop Ou	£1,000.00
2	16 August 2023	Card	X Shop Ou	£1,000.00
3	16 August 2023	Card	X Shop Ou	£1,000.00
4	16 August 2023	Card	X Shop Ou	£1,000.00
5	4 September 2023	Card	X Shop Ou	£1,000.00
6	4 September 2023	Card	X Shop Ou	£1,000.00
7	4 September 2023	Card	X Shop Ou	£1,000.00
8	5 September 2023	Card	X Shop Ou	£1,000.00
9	5 September 2023	Card	X Shop Ou	£1,000.00

10	6 February 2024	Transfer	BBENERGY, B.B.J. Berthiot	11,572.95 EUR

Mr W disputed the above with Revolut. When Revolut refused to reimburse Mr W, he raised a complaint, which he also referred to our Service.

One of our investigators considered the complaint and did not uphold it. As Mr W did not accept the investigator's findings, this matter has been passed to me to make a decision.

Mr W was represented by Rothley Law Limited. However, they have since withdrawn following the investigator's findings.

WHAT I HAVE 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 find that the investigator at first instance was right to reach the conclusion they did. This is for reasons I set out in this decision.

I would like to say at the outset that I have summarised this complaint in far less detail than the parties involved. I want to stress that no discourtesy is intended by this. If there is a submission I have not addressed, it is not because I have ignored the point. It is simply because my findings focus on what I consider to be the central issues in this complaint.

Further, under section 225 of the Financial Services and Markets Act 2000, I am required to resolve complaints quickly and with minimum formality.

Key findings

- I am satisfied that Payment 4 should have triggered Revolut's fraud detection systems. I say this given Payment 4 was a £1,000 payment made on the same date as two other £1,000 transactions made in quick succession.

- I am satisfied that a proportionate intervention to the aggravating features surrounding Payment 4 would have been for Revolut to have provided Mr W with an automated written warning that broadly covered scam risks.

- However, I am not satisfied that if Revolut had carried out such an intervention it would have made a difference in the circumstances. I take the view that, on the balance of probabilities, Mr W would have likely frustrated Revolut's attempt to try to protect him from financial harm – thereby alleviating any concerns Revolut had. I have reached this conclusion by taking the below points into account which, to my mind, indicate how under the scammer's spell Mr W was:

    - I have seen WhatsApp messages exchanged between the scammer and Mr W. In those messages, amongst other things:

        - Mr W shared screenshots of his declined/pending payments with the scammer.

        - Mr W provided the scammer with the contact details of his friend and cousin as potential investors.

        - The scammer ‘coached’ Mr W on what to say during an intervention: “*[I]f you speak with the bank … just tell them that you are buying crypto … and that nobody is helping you … so they do not hold the transfer*.” Mr W did not question the scammer about this and simply agreed.

        - I have not seen anything in the WhatsApp messages which suggests that Mr W had any significant concerns about the scam until after he made Payment 10. Before this, Mr W appears to have fully trusted the scammer.

    - Revolut presented Mr W with a payment questionnaire when he attempted Payment 10. In that questionnaire, Mr W confirmed, amongst other things, that the purpose of Payment 10 was for the purchase/rental of a “*Property*” which he had “*viewed in person*”. Mr W also confirmed that a third party was not telling him how to answer Revolut’s questions. Mr W was untruthful when completing Revolut’s questionnaire. I say this because a third party was instructing him; and Payment 10 was not for purchase/rental of a property.

    - Following the questionnaire, Mr W was directed to a Revolut in-app chat. In that chat, Mr W stated: “*Hello* [Revolut agent’s name]*, I’m doing the transfer for home improvements. I am quite surprised that you have flagged this transfer because I have been working with these people for a long time*.” In addition to this, Mr W also confirmed that he was not being guided by a third party.

- Taking all the above points together, they suggest that had Revolut intervened in Payment 4 (in the way described above) to try to protect Mr W from financial harm, it is likely he would have frustrated this intervention – thereby alleviating any concerns Revolut had. The above points clearly show that Mr W was under the spell of the scammer at the time; and that Mr W was prepared to mislead Revolut to get his payments over the line.

<u>Other points</u>

- It is arguable that Revolut could have gone further in its intervention regarding Payment 10. However, I am satisfied that had it done so, Mr W would have likely still gone ahead with the transaction – much for the same reasons set out above. I take the same view if Mr W’s other payments had triggered an intervention from Revolut.

- I am not persuaded this is a case where Revolut, contrary to Mr W’s instructions, should have refused to put his payments through.

- Regarding Mr W’s card payments, I am satisfied that he does not have any chargeback rights.

- Regarding Mr W’s fund transfer, Revolut says it attempted recovery, but to no avail. Further or alternatively, the likelihood that even if prompt action had been taken by Revolut on or immediately after the fraud was reported, any of Mr W’s money would have been successfully reclaimed seems slim. I say this because of the time that had elapsed between Mr W’s last payment and when he reported the scam. In these types of scams, fraudsters tend to withdraw/transfer out their ill-gotten gains immediately to prevent recovery.

<u>Conclusion</u>

Taking all the above points together, I do not find that Revolut has done anything wrong in the circumstances of this complaint. Therefore, I will not be directing Revolut to do anything further.

In my judgment, this is a fair and reasonable outcome in the circumstances of this complaint.

MY FINAL DECISION

For the reasons set out above, my final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I’m required to ask Mr W to accept or reject my decision before 3 October 2025.

Tony Massiah
Ombudsman