DRN-5304676

The complaint

Mr O has complained that Revolut Ltd won't refund money he says he lost to a scam.

What happened

The details of the complaint are well known to both parties, so I will not repeat them again here in any detail. Instead, I will focus on giving the reasons for my decision.

Mr M has said he received a call regarding an investment opportunity. During the phone call he was told he would receive 200% of his investment value and that the 'broker' who was the scammer, would be trading on his behalf.

Mr O made the following payments between 28 and 29 June 2022:

Date	Payment	Payment type	Amount
28 June 2022	Payment 1	Transfer	£5,850.00
28 June 2022	Payment 2	Transfer	£1,072.00
29 June 2022	Payment 3	Transfer	£330.00
			£7,252.00

Mr O was able to make one withdrawal of £163.86 on 29 June 2022.

Once Mr O raised the complaint with Revolut on 19 November 2024, it looked into his concerns but it didn't think it had done anything wrong. It said Mr O had opened his account on 18 May 2022, as such it was a newly opened account therefore Revolut was unable to establish his 'usual spending activity'. When Mr O had provided answers to the reason for his transaction, he hadn't provided accurate information and had sent money to an account held in his own name. So, it didn't uphold the complaint.

Mr O remained unhappy and brought his complaint to our service. Our investigator looked into his concerns but didn't recommend it be upheld. As Mr O didn't agree with the investigator's opinion, the complaint was referred to me to consider.

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 agree with the investigator's findings for broadly the same reason, I will explain why.

EMI's such as Revolut, have various and long-standing obligations to be alert to fraud and scams and to act in their customers' best interests. These are predicated on there having been a fraud or scam. So, a first consideration in determining b obligations here would normally be:

- was Mr O scammed as he alleged and to establish the loss he suffered.

And while I don't dispute Mr O's version of events, our service has asked his representative on several occasions to provide further evidence, such as full scam chats as opposed to screenshots of the scam conversation. I want to highlight at this stage I haven't overlooked Mr O's difficult circumstances, or the challenges he may have faced obtaining certain evidence.

However, given the circumstances of this complaint and how the scam evolved, I don't think it is unreasonable to conclude that Mr O would be able to provide some evidence of the loss as a result of a scam he alleges, such as scam conversations demonstrating the discussions surrounding the alleged 'investment' scam, or full chat history as oppose to screenshots (given that Mr O can still access the chats to provide the screenshots. As such, I haven't seen anything to specifically show that the transactions in questions were carried out in relation to a scam Mr O alleges. I've considered Mr O's testimony and while I can only be satisfied that he made the transactions on his account, I can't be satisfied that the ultimate beneficiary of the funds was to the scammer. Nor can I be satisfied that Mr O didn't benefit from some of the transactions (due to an absence of evidence of why they were made).

In any event, in absence of the evidence requested, I have still considered the events which took place to see if I think Revolut should have done anything differently.

Having considered the size of the payment one, where they was going to and what Revolut would've reasonably known at the time, and comparing Mr O's previous expenditure on his account (albeit limited), I'm satisfied that the first payment Revolut should've intervened on, or had been concerned about, was payment one. I say this because it was a big increase in value compared to expenditure and identifiably going to a cryptocurrency platform. So, given the size of the payment, the date of the payment and where it was going to, in my view, there was enough about the characteristics of transaction one that ought to have been concerning such that Revolut should have intervened. However, it's not in dispute that Revolut deemed the payment to be suspicious or that Mr O may have been at risk of financial harm. I say this because by Revolut's own admission, its fraud detections system did flag the transactions as suspicious.

When Mr O attempted to make the payment, Revolut asked Mr O to explain the purpose of the transaction and Mr O selected '*payments for goods or services'* despite investments being an option. Mr O has said, the reason he didn't provide Revolut with accurate information when asked the purpose of his payment was due to him being coached by the scammer on what to say. Based on Mr O's answer, Revolut provided a scam warning (tailored to goods and services scams). As this didn't resonate with Mr O, he proceeded regardless of the warning, as he was falling victim to an investment scam.

By Mr O not providing Revolut with accurate information denied Revolut the opportunity to provide Mr O with a scam warning tailored to his specific circumstances. And while I accept that Mr O's representative has said, Revolut ought to have been aware, wasn't purchasing good or services due to him choosing crypto as reasoning for opening his account, I am satisfied having reviewed the evidence, that wasn't the only option Mr O selected for the reason he wished to open a Revolut account.
Mr O's representative has said a more formal intervention was required to gather further information and identify what Scam Mr O was falling victim to. But I don't agree, if Revolut hadn't had intervened in the way it had (as outlined above). I think it would have been proportionate at that time for Revolut to have issued Mr O with a written cryptocurrency warning (as it was aware the payment was going to a cryptocurrency platform). As, the information which would have been available to Revolut at that time, is that the transactions was of a certain value, on a relatively new account being sent to a cryptocurrency exchange.

However, I have considered what I think is likely to have happened if it had done so. As discussed above, Mr O did select Cryptocurrency as one of the reasons he opened the account, therefore, I don't think a cryptocurrency warning, would have alerted Mr O to the fact that he could be at risk of financial harm. Secondly, Mr O has said through his own admission to this service, that he was being heavily guided by the scammer, as such, I am satisfied a tailored warning (which I deem to be proportionate for that time and in the circumstances) wouldn't have prevented Mr O from continuing with the transaction. Therefore, I can't reasonably hold b responsible for this.

However, even if I was to consider a human intervention was required, as Mr O's representative has suggested (but for clarity I am not of the opinion it was proportionate) I still don't think it would have made a difference. Mr O has said on more than one occasions he was being heaving coached on what to say by the scammer, as such, I am satisfied the information Mr O would have provided Revolut would have been inaccurate, preventing it from identifying the risk/scam Mr O was falling victim to.

I have gone on to consider if Revolut took reasonable steps to try and recover the funds once it was made aware. Mr O didn't make the payments to the scammer directly, he transferred his funds to accounts in his own name. If these funds had not already been transferred to the scammer by Mr O they would be in his control to access as and when he chose. Revolut would not have been able to attempt to retrieve the funds from the scammer directly as that is not where the funds were originally sent to. So, it follows that I won't be asking Revolut to do anything further.

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 Mr O to accept or reject my decision before 4 September 2025.

Jade Rowe
Ombudsman