

## The complaint

Miss L complains that Revolut has declined to reimburse payments made from her account as part of a scam.

## What happened

Miss L received a call from a scammer impersonating another banking provider and Action Fraud. She was convinced that the funds in a business account she managed were at risk. The scammer manipulated Miss L into opening an account with Revolut and transferring funds into this account to keep them safe. Miss L is disputing several card payments, including some using Apple Pay, from her Revolut account.

Revolut declined to reimburse the payments on the basis that it didn't have a valid chargeback claim. It added information about how the payments were made.

When Miss L referred her complaint to our service, the investigator didn't uphold it. In summary they thought Revolut could fairly treat the payments as authorised and that any proportionate intervention by it wouldn't have prevented Miss L's loss based on how she had misled another provider when they intervened. They agreed a chargeback claim would be unlikely to succeed in the circumstances.

Miss L's professional representative didn't agree, in summary it made the following points:

- Miss L hadn't authorised the payments because she didn't consent to them. Rather, she thought she was approving "fake" or "test" payments only.
- Miss L wasn't negligent in her actions; she was manipulated by a persuasive scammer who used pressure and panic to coerce her into taking the steps she did.
- Based on the payment activity, Revolut should have intervened and asked her open questions, being mindful of coaching, to prevent the scam.

The investigator explained why their opinion remained the same. As an agreement couldn't be reached, the matter has been passed to me for consideration by an ombudsman.

## 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'm not upholding the complaint for similar reasons to the investigator.

### Has Revolut acted fairly in treating the disputed payments as authorised?

Under the relevant law - the Payment Services Regulations 2017 (PSRs) – the starting point is that Miss L is liable for payments she authorised and, subject to certain exceptions, Revolut is liable for unauthorised payments.

Where a payment is authorised, that will often be because the account holder has made the payment themselves. But there are other circumstances where a payment should fairly be considered authorised, such as where the account holder has given permission for someone else to make a payment on their behalf or they've told their payment service provider they want a payment to go ahead.

As Miss L's representative argues the payments are unauthorised, I'll address this point first.

Where evidence is incomplete, missing or contradictory, I need to determine what I think is more likely than not to have happened. I do this by weighing up what I do have and making a finding on the balance of probabilities.

It's common ground that Miss L is the victim of a scam and that she set up an account with Revolut thinking she needed to move funds there for safe keeping.

Revolut says all the payments were either made using Miss L's card details and approved in her banking app (a method of stronger authentication known as 3DS) or using a newly set up Apple Pay token. It's shown that only one device was set up to access Miss L's account and it's not in dispute that Miss L approved some of the payments in the banking app.

While Miss L received a message from Revolut containing the one-time passcode (OTP) used by the scammer to set up Apple Pay, it's not clear if she recalls sharing this. But Miss L has told us that she shared her card details with the scammer so they could make "fake payments" as part of working with the police to catch a fraudster.

So, it appears that Miss L was in control of the banking app and approving payments when required, but that it was the scammer who initiated the payments.

Revolut has also shown that it intervened and declined three payments, including the first payment. When Revolut asked Miss L for the payment purpose on two occasions, she selected "*To buy, sell, or rent goods, property, or services*". On the third occasion, Revolut blocked Miss L's card, and she unblocked it in the banking app after being shown details of the payment attempt that had been blocked.

Based on the above, I think it's more likely than not that Miss L did share the OTP used by the scammer to set up Apple Pay and that she agreed to the scammer making payments on her behalf believing she was dealing with someone she could trust. I appreciate she probably didn't think she would lose this money but her actions, including confirming several of the payments in app after seeing the payment details and twice providing payment purposes strongly indicates that she understood payments were being made.

So, for these reasons I think Revolut has acted fairly in treating the payments as authorised.

#### Did Revolut miss an opportunity to prevent Miss L's loss?

In broad terms, the starting position at law is that an Electronic Money Institution ("EMI") such as Revolut is expected to process payments and withdrawals that a customer authorises it to make, in accordance with the PSRs and the terms and conditions of the customer's account.

But, taking into account longstanding regulatory expectations and requirements, and what I consider to be good industry practice, Revolut ought to have been on the look-out for the possibility of fraud and made additional checks before processing payments in some circumstances.

Miss L's representative says Revolut should have considered the payment activity suspicious and done more to intervene. However, for it to be fair for me to make an award on this basis, I would need to think not only that Revolut ought to have done more to intervene, but also that if it had intervened appropriately, it likely would have identified the scam Miss L had fallen victim to and been able to prevent her loss. I don't think that's the case here, I'll explain why.

Miss L transferred the money to Revolut from a business account she managed with another provider I'll call Bank A. It's not in dispute that Miss L spoke to Bank A about these payments and that on the instruction of the scammer she misled Bank A about the circumstances surrounding the payments, including telling it that she was paying her own account for a business trip outside of the country.

As I've touched on earlier, Revolut did intervene on three occasions – twice blocking a payment and seeking more information about the payment purpose. On these occasions, Miss L confirmed she wasn't being guided to make payments and that the payments were *"To buy, sell, or rent goods, property, or services"*. She was then provided with scam warnings relevant to this type of payment purpose.

While I appreciate Miss L was being manipulated by the scammer, and so I make no judgement on her character, this does show a pattern of cooperation with the scammer to mislead her banking providers. Unfortunately, it appears the scammer was able to create a relationship of trust such that Miss L was prepared to follow their instructions and coaching when interacting with her banking providers. We also know that Revolut's main form of communication is in its banking app and that any more in-depth discussions about the payments would likely have taken place in the in-app chat function.

Based on the above, I think it's more likely than not that had Revolut done more to intervene – including asking open-ended questions as Miss L's representative has suggested should have happened – Miss L would have continued to mislead Revolut under the instruction of the scammer whose goal was to make sure the payments went ahead. This is irrespective of whether Miss L was negligent or not.

So, for these reasons I don't think it would be fair to make an award on the basis that Revolut ought to have done more to intervene in the circumstances.

#### Could Revolut have done anything else to recover Miss L's money?

As the disputed payments were made using Miss L's debit card information, a recovery option that would have been available to Revolut would have been through the chargeback scheme. This is a scheme run by the card scheme provider to resolve payment disputes between customers and merchants – subject to the rules they set.

Given the payments were either 3DS approved or made using Apple Pay, a chargeback based on fraud could be unlikely to succeed. Similarly, had Revolut had raised a dispute chargeback based on the goods/services not being received, it's likely that the merchant would have been able to evidence that they had provided the goods/services paid for using Miss L's debit card, even if this wasn't to her. As the scheme is voluntary and limited in scope, Revolut wouldn't be expected to raise a claim that it thought had no prospect of success. So, I don't think there's anything further Revolut should have done in the circumstances.

#### **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 Miss L to accept or reject my decision before 10 October 2025.

Stephanie Mitchell  
**Ombudsman**