

## The complaint

Mr M has complained Revolut Ltd failed to sufficiently intervene causing him to fall victim to an authorised push payment (APP) scam.

## What happened

The background to this complaint is well-known to both parties, so I won't repeat it in detail here. In summary, Mr M says he fell victim to a cryptocurrency recovery scam after receiving contact from a scammer. Mr M was asked to open a Revolut account and transfer funds to the scammer, via a legitimate cryptocurrency exchange. After making payments toward the recovery scam, he realised he had been scammed when he couldn't withdraw any funds.

The relevant transaction history from his account statements are as follows:

Payment	Date	Transaction Type	Amount
1	26 May 2022	Transfer to RW	£300
2	6 June 2022	Debit Card to M	£2,160
3	13 July 2022	Debit Card to M	£1,095
4	14 January 2023	Debit Card to M	£925
5	15 January 2023	Debit Card to M	£300
6	16 January 2023	Debit Card to M	£850
7	18 April 2023	Debit Card to M	£1,259
8	29 April 2023	Debit Card to M	£829
9	26 June 2023	Debit Card to M	£945
10	12 July 2023	Debit Card to M	£1,395
11	13 July 2023	Debit Card to M	£1,495
12	15 July 2023	Debit Card to M	£600
13	18 July 2023	Debit Card to M	£1,580
14	18 July 2023	Debit Card to M	£100
15	16 August 2023	Debit Card to M	£2,535

Our Investigator did not uphold the complaint because he did not think the payments were unusual enough to have caused Revolut any concern. However, Mr M disagreed with this and maintained his stance that Revolut should have intervened. So, the complaint has been passed to me for a decision.

## 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.

I previously issued a provisional decision in which I said the following:

*I'm aware that I've summarised this complaint briefly, in less detail than has been provided, and in my own words. No discourtesy is intended by this. Instead, I've focused on what I think is the heart of the matter here. If there's something I've not mentioned, it isn't because I've ignored it. I'm satisfied I don't need to comment on every individual point or argument to be able to reach what I think is the right outcome. Our rules allow me to do this. This simply reflects the informal nature of our service as a free alternative to the courts.*

*I am sorry to learn of Mr M's loss of funds. However, it would only be fair for me to tell Revolut to reimburse him for his loss (or a proportion of it) if: I thought Revolut reasonably ought to have prevented all (or some of) the payments he made, or Revolut hindered the recovery of the payments Mr M made – whilst ultimately being satisfied that such an outcome was fair and reasonable for me to reach.*

*I've thought carefully about whether Revolut treated Mr M fairly and reasonably in its dealings with him, when he made the payments and when he reported his concerns to it, or whether it should have done more than it did. Having done so, I've decided to not uphold Mr M's complaint. I know this will come as a disappointment to Mr M and so I want to explain why I've reached the decision I have.*

*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 Payment Services Regulations (in this case the 2017 regulations) and the terms and conditions of the customer's account.*

*However, taking into consideration the relevant regulatory rules and guidance, codes of practice and good industry practice Revolut should take steps to identify and where possible prevent sufficiently unusual or uncharacteristic payments to help protect its customers from financial harm resulting from fraud. So, I've thought about whether Revolut acted fairly and reasonably here. Considering the available evidence, I think it did.*

*There are many payments made by customers each day and it's not reasonable to expect Revolut to check every payment instruction to try to prevent fraud or financial harm. There's a balance to be struck between the extent it intervenes in payments to protect customers and not unnecessarily disrupting payment instructions.*

*Although the majority of Mr M's payments went to a cryptocurrency provider, that doesn't mean they would have automatically been treated as suspicious. This is particularly so when there are no other concerning factors about the payment. Buying cryptocurrency is a legitimate activity and it isn't uncommon for users of an EMI account to use them to do so. As Mr M has confirmed, he too has previously made cryptocurrency investments in the past that were not part of a scam.*

*I've kept in mind that as a new account there was no previous account history for Revolut to compare these transactions with. The payments also did not increase dramatically in value as we commonly find with payments made as a result of a*

scam. They fluctuated and were not made in quick succession to show a pattern was emerging, but instead took place over a number of months. Mr M's payments would not have seemed unusual considering the account opening reason given was for completing transfers. Therefore, I agree with our Investigator that the payments complained of were not sufficiently unusual or remarkable value that Revolut should have been concerned and intervened.

I have also noted that Mr M has not been able to supply any correspondence between himself and the scammer. He has explained he has since changed his mobile phone and no longer has access to the chat history. He added, in his frustration he believes he deleted them. Mr M has informed us of the name of the firm which scammed him and supplied screenshots of his cryptocurrency exchange wallet showing funds being transferred elsewhere. However, I do not consider that is enough to show he has lost money to a scam and not due to a failed investment. This is not to say I necessarily doubt Mr M has lost funds, but I would reasonably expect a complainant to provide tangible evidence to support their version of events.

Additionally, even after Mr M flagged the alleged scam with Revolut on 24 July 2023 he sent further funds in August 2023, before attempting to do so again in October 2023 (albeit these attempts were not successful). It is not a particularly reasonable approach to send further funds having discovered a scam is occurring. Neither does sending such a large amount of money to recover, what I would assume to rather modest, profit on a small investment of £200 made in 2020/2021. Even considering the volatility of cryptocurrency these numbers do not seem to tally.

I do empathise with Mr M for the situation he has found himself, but it would not be reasonable for me to find that Revolut should be held liable for the losses he says he's suffered. For clarity, even if Mr M is able to evidence the scam it would not change my position that the payments themselves needn't have triggered any intervention.

### Recovery

It's unclear if Revolut took any action to try and recover payment 1, the funds Mr M transferred directly to another account. But given the length of time that had passed between Mr M making the payments and reporting the scam, I think it's more likely than not that the funds would have already been removed from this account. From what we know of these types of scams, scammers usually move the funds elsewhere shortly after the transfer to seemingly to try and hinder any type of successful recovery. So, I'm not persuaded Revolut could have successfully recovered Mr M's funds.

The only method of recovery Revolut has for all the other payments Mr M made by card is to request a chargeback. However, he didn't make the card payments to the scammer directly, he paid a cryptocurrency exchange. The service provided by the cryptocurrency exchange would have been to convert or facilitate conversion of Mr M's payments into cryptocurrency. If these funds had not already been transferred to the scammer, they would be in his control to access as and when he chose. The fact that the cryptocurrency was later transferred to the scammer doesn't give rise to a valid chargeback claim against the merchant Mr M paid. Therefore, I won't be asking Revolut to do anything further.'

Revolut did not respond to my provisional decision.

Mr M disagreed and supplied me with some additional points. I have reviewed and considered all these points but will only include a brief summary below. If I do not mention something in this summary, or directly respond to it, it is not because it has been ignored. In short, Mr M said:

- Our service does not require evidence that he has lost funds as a result of a scam, but we can make a decision on the available evidence.
- The screenshot he received from the scammer (which has now supplied) shows a balance of \$142,746.90.
- Although a new customer, Revolut should have taken action as he was sending funds to a cryptocurrency provider and therefore potentially at risk of fraud. These payments also drained his account.
- There was a pattern, because he was adding funds to his account and then sending them for cryptocurrency.
- The in-app chat doesn't constitute the full chat between him and Revolut. But, regardless of this, the bank simply informed him that his card was frozen and it failed to provide evidence of it asking him proportionate questions about the scam. Or, that it warned him he had been a victim of a scam. Ultimately, it states no warning was given, just generic questioning.
- After being made aware of potentially being a scam victim, Revolut allowed another payment to be made. Had Revolut given a warning, he would then not have proceeded to send further funds.

As the deadline has passed for any comments I can now proceed with my final decision on this complaint.

Having carefully considered all of Mr M's additional points (and his screenshot) they do not persuade me to find a different outcome to that reached in my provisional decision.

The first consideration is whether Mr M's payments should have triggered an intervention. However, the payments Mr M made were not of such a value, or quick payment succession, that I consider they ought to have alerted Revolut to a potential scam occurring. I'll note here that just because payments are made to a cryptocurrency exchange, particularly when there are no wider concerning factors, I would not expect them to be automatically treated as suspicious. When making such payments it is also not unusual that customers will decide to use EMIs – even choosing to use their account in a similar way to Mr M. This includes sending funds into their account with the sole purpose of then sending them to an exchange. I would not consider this, in isolation of any wider red flags, to be a cause for concern. So, I do not consider Mr M's actions here highlight a pattern that should have caused Revolut any concerns.

Additionally, this means without anything to trigger any such concern there wouldn't be a warning. So, I do not think the lack of warnings in the in-app chat, as highlighted by Mr M, would be a failing, when there was no payment which suggests an intervention should have occurred.

For completeness, I also do not think at the time of Mr M's later payments, or unsuccessful attempts to do so, that Revolut should have intervened for similar reasons as above. If Mr M was under the belief he had fallen victim to a scam, it would not have been a reasonable approach to continue sending funds. This is especially so considering he says his initial investment was very modest.

Considering Mr M's screenshot, it does not give enough information for me to conclude his losses were linked to the alleged scam. But I will note that even if I agreed this was enough

to conclude a scam occurred, my decision to ultimately not uphold the complaint remains unchanged. As I highlighted in my provisional decision, even if Mr M could supply evidence of a scam this would not change my position that the payments themselves needn't have triggered any intervention.

I'm very sorry to disappoint Mr M. However, for the reasons I've explained, I don't think Revolut should have done anything differently when he was making his payments and I see no reason to depart from the provisional decision I issued.

### **My final decision**

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 M to accept or reject my decision before 20 June 2025.

Lawrence Keath  
**Ombudsman**