

## **The complaint**

Miss S, who is represented, complains that Revolut Ltd recorded an adverse fraud marker against her name.

## **What happened**

As the circumstances of this complaint are well-known to both parties, I have summarised them briefly below.

Miss S held an account with Revolut. On 18 October 2023, Revolut received a report from a third-party bank informing it that Miss S's account had been in receipt of the proceeds of crime.

After carrying out an investigation of Miss S's account, Revolut decided to terminate its business relationship with her and close the account. It also loaded an adverse fraud marker to the Cifas database to reflect the misuse of the account.

In 2025, Miss S discovered the Cifas marker and complained to Revolut. As part of its investigation into her complaint, Revolut requested that she provide proof of entitlement for the payments received into her account. As no response was received, it didn't uphold the complaint and retained the Cifas marker.

Unhappy with that response, Miss S referred her complaint to our service for an independent review. An Investigator considered the evidence provided but didn't recommend the complaint be upheld. In summary, they found it likely Miss S was aware of the funds entering her account, and likely moved them on.

Miss S's representative disagreed with that assessment. They maintained that Miss S was unaware of the activity reported on her account.

As an agreement couldn't be reached, the complaint has now been passed to me to decide.

## **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.

One of the relevant considerations here is set out by Cifas: the fraud marker database controller. In its Handbook—which members must adhere to when loading markers—it sets out the burden of proof the member must meet. The relevant standards regarding this complaint are:

1. That there are reasonable grounds to believe that a fraud or financial crime has been committed or attempted.
2. That the evidence must be clear, relevant and rigorous.

My interpretation of these standards is that a member cannot simply load a marker

against an individual based on mere suspicion. It must be able to meet a higher bar; in that a customer was likely a witting participant in the alleged conduct. This has been reinforced by Cifas' Money Mule Guidance, which it released to its members in March 2020.

Having considered these standards, I'm satisfied that Revolut has been able to demonstrate the first of the above two standards has been met. While I am unable to disclose the exact details of the report Revolut received, it is clear this was a credible allegation of fraud by a third-party. And it can be confirmed that the funds stolen as a result of this fraud were transferred to Miss S's account and then transferred on.

There is however contention over the second of the above two standards of proof: whether Miss S was a witting participant in this activity or not.

Firstly, it is important to point out that Revolut has failed to follow the guidelines set out by Cifas prior to loading this fraud marker against Miss S. Within Cifas' Money Mule Guidance, members are expected to contact customers as part of its investigations to allow the customer to provide evidence of their entitlement to the funds. The purpose of carrying out such an activity being to ensure the customer is not an unwitting money mule, or a victim of fraud themselves, considering the serious impact a Cifas marker can have.

However, even where Revolut has failed in its obligations to follow the guidance set out by Cifas, that isn't enough for me to ask it to remove the marker. I must look at the evidence objectively and decide whether the retention of the marker is fair based on the information Miss S has now been given the chance to provide.

Miss S's representative has told our service that Miss S was completely unaware of the transfers into, and then out of, her account. They have postulated that Miss S may have been a victim of fraud herself and that her account was used without her authority to carry out the illicit activity.

Having reviewed the evidence carefully in this case, I'm not persuaded by that assertion.

Miss S's account was opened in May 2023: approximately a month prior to the payments subject to this dispute being paid into her account. Miss S registered a device on her account, and this remained the only active device used throughout the account's history. This eliminates the possibility that another device was used to access Miss S's account without her authority.

Miss S has told our service that no third-party had access to her device or Revolut app. That meant that it wouldn't have been possible for a third-party to access Miss S's device and carry out the payments without her knowledge or assistance; this would have required not only access through her device security, but biometric access to her Revolut app.

Overall, I cannot find from the evidence available a viable point of compromise for Miss S's account. It is therefore reasonable to conclude that Miss S likely carried out the payments herself, or willingly provided a third-party control of her account.

Furthermore, the funds were transferred out to an account that Miss S had paid before. Were I to find that a third-party gained unauthorised access to Miss S's account, I find it reasonable to question why that third-party would exit the fraudulently obtained funds to a payee Miss S had paid several times before. Miss S denies knowing this payee, yet never disputed with Revolut any of the previous payments made to them.

Having reviewed the evidence available, I am satisfied that the second of the evidential standards required to load a Cifas has been met in this case. I therefore find it reasonable

that Revolut retains the marker held against Miss S's name.

While Revolut has made an error in not investigating this matter in line with Cifas guidelines, that hasn't led to any detriment to Miss S; I find even had it investigated the matter sufficiently, this would have led to a fair loading. I therefore cannot recommend that Revolut compensate Miss S for these errors. And it is not the function of this service to fine or reprimand Revolut for poor business practices: that is the role of the Financial Conduct Authority.

### **My final decision**

For the reasons I have given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss S to accept or reject my decision before 15 January 2026.

Stephen Westlake  
**Ombudsman**