

## **The complaint**

Mrs C complains that Revolut Ltd (“Revolut”) has failed to refund over £130,000 she lost to an investment scam.

## **What happened**

The details of this complaint are well known to both parties, so I won’t repeat everything again here. Instead, I will focus on giving the reasons for my decision.

But in summary, Mrs C says her husband saw an advert about investing with a company I’ll refer to as B on a social networking site. Mrs C then read this advert and she left her details and received a call and then messages from an advisor who persuaded Mrs C to invest.

Mrs C then sent over £130,000 via debit card payments to two crypto exchanges and the funds were then converted to crypto and sent to B.

When Mrs C was unable to withdraw her funds from B she realised that she had been scammed. She therefore via her representative raised a complaint with Revolut and requested that she be refunded the transactions. Revolut declined to do this.

One of our investigators looked into this matter and she did not uphold this complaint. Mrs C did not agree with this outcome and therefore her complaint was passed to me to issue a final 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.

Having done so, I agree with the conclusions reached by the investigator for the following reasons:

I am satisfied that Mrs C authorised the transactions she made from her Revolut account as part of the scam, I note that she has said the scammer made the payments for her but I don’t think it likely that this was the case and in any event even if they were being made by the scammer, I think that they were being made with Mrs C permission otherwise I would have expected her to have queried the payments much sooner than she did.

I am also satisfied that some of the payments were considered unusual given they were flagged to Revolut and prompted it to issue warnings/ask further questions through its in-app chat. So, I’ve therefore focused on the extent of Revolut’s intervention and whether it could’ve reasonably done anything more to prevent the scam.

Revolut intervened in relation to a payment Mrs C attempted to make on 28 September 2022, where it asked her whether she had been asked to install any apps such as AnyDesk, the purpose of her account and had she received any calls telling her to create a Revolut account.

Mrs C said no to these questions and the account had been set up in order to make online purchases. Mrs C has said that it was the scammer answering the questions but importantly Mrs C was asked to provide a photo with her holding a sheet of paper with the reasons for the transfer written on it. Mrs C supplied this photo. Therefore, I don't think Revolut ought reasonably to have had further cause for concern. And even if it had probed further, it seems unlikely that Mrs C would've been upfront with what she was doing.

I should also add that I have listened to a call between Mrs C and a different bank. This call took place during the scam and during this call she claimed nobody was asking her to make the payments, she had not installed remote access software and she was sending funds to Revolut in order to buy furniture. Mrs C also explained that the reason she was sending funds to Revolut rather than purchasing directly was due to currency fees as she was purchasing furniture from Europe. This response does suggest that Mrs C had been coached by the scammer.

Given this, I don't think that any further intervention from Revolut would have uncovered or stopped the scam.

Therefore, even if I were to accept that Revolut ought to have done more, I don't think its failure to probe further could reasonably be considered as the proximate cause of Mrs C's loss in these circumstances, as it seems likely she would have given misleading information and proceeded to make the transactions irrespective of any intervention.

I've also thought about whether Revolut did enough to try and recover the funds after the fraud was reported. However, there wouldn't have been any successful prospect of a chargeback for the debit card payments Mrs C made to the crypto provider, as she would've received the services she paid for.

I appreciate this will likely come as a disappointment to Mrs C, and I'm sorry to hear she has been the victim of a cruel scam. However, I'm not persuaded that Revolut can fairly or reasonably be held liable for her loss in these circumstances.

### **My final decision**

For the reasons given above, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 15 April 2024.

Charlie Newton  
**Ombudsman**