

## The complaint

Ms H has complained that Revolut Ltd (“Revolut”) failed to have systems and controls in place to protect her from becoming the victim of an employment-related scam.

## What happened

The background of this complaint is already known to both parties, so I won’t repeat all of it here. But I’ll summarise the key points and then focus on explaining the reason for my decision.

Ms H has used a professional representative to refer her complaint to this service. For the purposes of my decision, I’ll refer directly to Ms H, but I’d like to reassure Ms H and her representative that I’ve considered everything both parties have said.

Ms H has raised two separate complaints about Revolut related to scams. As set out by the investigator, we’ve considered the two complaints separately, so in this decision I’ll only focus on the relevant facts of this complaint.

Around mid-2023 Ms H says she had been looking for extra income to supplement the income from her day-to-day job and had applied for several jobs online. In July 2023 she was contacted by someone on a messaging app (“the scammer”) offering her the opportunity of a part-time remote working role where she would be required to purchase everyday items and post reviews about them in order to boost their sales. She was given access to a “work platform” where she’d complete the reviews and track her earnings. Ms H was also added to a group chat including other people who were part of the alleged employment opportunity, where she was shown evidence of their success in the role.

Ms H opened her Revolut account in February 2022. In July 2023 Ms H sent nine payments from the account to a cryptocurrency platform which I’ll call “C”. She then forwarded the cryptocurrency to the scammer. Ms H has requested a refund of the payments plus with statutory interest.

The payments Ms H sent were as follows:

<b>Date</b>	<b>Amount</b>
06/07/2023	£35
06/07/2023	£30
07/07/2023	£60
07/07/2023	£40
08/07/2023	£150
08/07/2023	£220
08/07/2023	£1,150
08/07/2023	£1,700
08/07/2023	£7,000
<b>Total</b>	<b>£10,385</b>

Ms H explains that the payments she made to the scammer were required in order to reach her target number of reviews per day, as she was required to purchase the products she was reviewing up front before being reimbursed. She says she did an internet search and didn't find anything negative about the opportunity, so she trusted it. But she's explained that when she was asked to make a payment for tax before withdrawing her earnings, which she refused to do, the scammer became aggressive, and Ms H realised she'd been scammed.

Ms H made a complaint to Revolut as she said that it didn't intervene before the payments were sent, despite them being out of line with the normal activity of her account. She says that if Revolut had asked some questions about the purpose of the payments, when she revealed she was making payment for a job Revolut would've identified the scam. Revolut didn't uphold the complaint as it said that Ms H had previously made payments to the same company so it was a trusted payee.

Ms H remained unhappy so she referred the complaint to this service.

Our investigator considered everything and didn't think the complaint should be upheld. She explained that she didn't think the payments were out of character compared to Ms H's previous account activity, so she didn't think Revolut should've known Ms H was at risk of being scammed.

As Ms H didn't accept the investigator's opinion, the case has been passed to me to make 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'm sorry to disappoint Ms H but having considered everything I'm afraid I'm not upholding her complaint, broadly for the same reasons as our investigator, which I've set out below.

In broad terms, the starting position is that a firm is expected to process payments and withdrawals that its customer authorises, in accordance with the Payment Services Regulations and the terms and conditions of the customer's account. And in this case it's not in question whether Ms H authorised these payments from leaving her account. It's accepted by all parties that Ms H gave the instructions to Revolut and Revolut made the payments in line with those instructions, and in line with the terms and conditions of Ms H's account.

But that doesn't always mean that the business should follow every instruction without asking further questions or intervening to ensure requests coming from their customers are firstly genuine, and secondly won't result in harm.

When Ms H opened her Revolut account she was asked what she'd be using the account for. I've seen that she said she'd be using it for foreign exchange, overseas transfers, transfers, and cryptocurrency. And having reviewed her account history, I can see that in the six months before the payments in question there were many payments of varying sizes, both to and from C.

Revolut says that although it didn't show a warning when these payments were made, that's because by the time they were sent the payee in question had become trusted. It says that it showed a warning when Ms H initially set the payee up, in February 2022. But it says the pattern of activity it had seen whereby Ms H had sent multiple payments to C, over an extended period, and the fact she'd received several payments from C, meant it didn't regard the transactions in July 2023 as suspicious.

Revolut has also highlighted that Ms H had previously been the victim of a scam which took place on the same cryptocurrency platform. Revolut says it wasn't aware of that scam at the time of these transactions, but it says that as a result of that scam Ms H was aware of the risks and should've acted more cautiously as a result. As Revolut wasn't informed of the previous scam until after this one took place, this doesn't make me think it ought to have been aware than Ms H might've been the victim of a scam in this case.

I can see that the previous scam ran for almost a year and throughout it Ms H sent multiple payments to C. Although with hindsight I know these weren't genuine payments, the pattern of activity Revolut saw unfortunately normalised activity between Ms H's account and C. This, plus the fact that the payments were in line with one of the account opening reasons that Ms H gave of investing in cryptocurrency, means I don't hold Revolut responsible for not intervening in these payments.

I understand that Ms H has said that the total amount she sent to C in one day was over £10,000 and should therefore have triggered extra checks by Revolut. And in some cases I'd agree with this point. But in this specific case, given the pattern of activity and high number of transactions with C (both in to and out of Ms H's account) over an extended period of time to the same payee, I don't think Revolut ought to have intervened, as it considered the payments in line with what normal activity.

Despite my thoughts, I've also considered what might've happened if Revolut *had* warned Ms H about scams – particularly when she sent the larger payments. But as Ms H was sending funds to a cryptocurrency platform, I think it's more likely than not that she'd have told Revolut she was buying cryptocurrency if it had asked, so Revolut's warning would've related that, as opposed to the risks of employment-related scams such as this one. In this scenario I don't think that would've been effective at making Ms H realise she was being scammed so I don't think a warning would've changed the outcome for Ms H.

I've also thought about whether Ms H did enough to satisfy herself that the job opportunity she was allegedly sending money to take part in was genuine and wouldn't result in her losing that money.

I accept that Ms H had recently posted her CV online as she'd been looking for work, but it's very unusual for a recruiter to contact a prospective candidate and offer them a job through a messaging app, without having ever spoken to them. Ms H also didn't receive any kind of paperwork or employment contract showing what she thought she'd been offered, or what she'd agreed to in return. This, as well as having to pay cryptocurrency to earn money in return, isn't a plausible scenario. So despite Ms H's points in relation to what Revolut should've done, I also don't think Ms H did enough to protect herself from financial harm.

### Recovery of the funds

I've seen evidence that once Revolut was made aware of the scam it contacted the receiving bank in an attempt to recover any remaining funds. But the funds were made available to Ms H immediately as cryptocurrency, which she's confirmed she forwarded to the scammer's wallet, so the initial funds no longer remained in the receiving account, and Revolut wasn't able to recover them.

I'm very sorry that Ms H has fallen victim to this scam and I do understand that my decision will be disappointing. But for the reasons I've set out above, I don't hold Revolut responsible for that.

**My final decision**

I do not uphold Ms H's complaint against Revolut Ltd.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms H to accept or reject my decision before 18 September 2024.

Sam Wade  
**Ombudsman**