

## **The complaint**

Mr V complains about the actions of Revolut Ltd when he was tricked into making payments on his debit card as a result of a scam.

## **What happened**

In May 2023 Mr V was looking for a job and posted his CV on recruitment websites. He was contacted by a third party claiming to work for a genuine recruitment agency and offered a part-time job with a merchant. Mr V was asked to complete tasks on behalf of the merchant and told to set up an account at a genuine crypto exchange. He was then asked to make six payments from his Revolut account totalling £5,700 to the crypto exchange. After Mr V was asked to make a further £10,000 payment he became suspicious and raised a claim with Revolut.

Revolut considered the claim but said it hadn't done anything wrong, so it didn't provide Mr V with a refund.

Our investigator didn't think the complaint should be upheld. He said the payments weren't unusual or suspicious compared to Mr V's normal account activity because the account with Revolut had only been opened a few days before the payments were made to the scammers. The investigator said it wasn't possible for Revolut to recover Mr V's money via a chargeback as the payments were made to an account in his name at a crypto exchange. And that this service was only looking at Revolut's actions here not what the crypto exchange did or failed to do in Mr V's opinion.

Mr V disagreed and has asked for an Ombudsman's decision. He said that Revolut and the crypto exchange allowed fraudulent and deceptive activity to take place on his accounts. He said more should've been done to stop the payments and he should be refunded the money he has lost.

## **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've reached the same conclusion as our investigator. And for largely the same reasons. I'm sorry to hear that Mr V has been the victim of a cruel scam. I know he feels strongly about this complaint and this will come as a disappointment to him, so I'll explain why.

I've read and considered the whole file. But I'll concentrate my comments on what I think is relevant. If I don't mention any specific point, it's not because I've failed to take it on board and think about it, but because I don't think I need to comment on it to reach what I think is a fair and reasonable outcome.

Mr V has said that this service should also be investigating the role of the crypto exchange here. But I can only consider the role of Revolut as a part of this complaint. Any complaint

Mr V wishes to make to the crypto exchange about its role in the scam and the payments need to be dealt with separately and don't form a part of my findings below.

I've firstly considered whether Revolut should've done more to stop all the payments Mr V made towards this scam. It is common ground that Mr V authorised the scam payments with a total loss of around £5,700. I accept that these were authorised payments even though Mr V was the victim of a scam. So, although it wasn't his intention to pay money to the scammers, under the Payment Services Regulations 2017 (PSRs) and the terms of his account, Mr V is presumed liable for the loss in the first instance.

However, taking into account the law, regulatory rules and guidance, relevant codes of practice and good industry practice, there are circumstances where it might be appropriate for Revolut to take additional steps or make additional checks before processing a payment in order to help protect customers from the possibility of financial harm from fraud. So, I have looked into what this means for this case and whether Revolut should have done more here to prevent the payments in dispute.

Here, Mr V sent various payments over a few days to the crypto exchange. The payments were for relatively small amounts at first, ranging from around £100 to £900. This was then followed by later and larger payments of £2,000 and £1,800. I can see from Mr V's statements that there weren't a lot of previous payments to compare these ones to because the account had only recently been opened. So, I agree with the investigator that the payments Mr V made here created a pattern of spending on his account that wouldn't have seemed unusual even when he made the slightly larger payment of £2,000. So, I don't think the payments were so unusual that Revolut should've stopped them and asked further questions of Mr V. Because of this, I don't think Revolut missed an opportunity to prevent the fraud from taking place.

Here, because the payments were sent to an account in Mr V's at the crypto exchange a chargeback couldn't be raised by Revolut because Mr V was provided with the service he paid for by the crypto exchange. As a result, Revolut didn't treat Mr V unfairly by not raising a chargeback and not attempting to recover his money.

I'm sorry to hear Mr V has been a victim in this way, but I don't think Revolut are responsible for his loss and so I can't fairly ask them to do more.

### **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 Mr V to accept or reject my decision before 7 March 2024.

Mark Dobson  
**Ombudsman**