

The complaint

Mr O has complained that Revolut Ltd won't refund a transaction he says he didn't make or otherwise authorise.

What happened

In July 2023, a bank transfer of around £950 was made from Mr O's Revolut app. Mr O says he didn't make this transfer.

Mr O has explained his phone was with him by his bedside, he hadn't lost it, only he knew his phone's passcode and no one else could access it, he hadn't downloaded any suspect apps, he hadn't been scammed or responded to phishing messages, he hadn't recorded or told anyone his security details, and the only other adult present was his wife who didn't know his security details and couldn't have done this.

Revolut held Mr O liable for the payment in dispute, as it had been made on his phone, at his usual IP address, with the security details which only he knew. They found no signs of any hacking or unauthorised access, and there didn't appear to be a way that the payment could've been made without Mr O's consent.

Our investigator looked into things independently and didn't uphold the complaint. Mr O appealed, so the case has 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.

Broadly speaking, Revolut can hold Mr O liable for the payment in dispute if the evidence suggests that he authorised it.

I'm satisfied from Revolut's technical evidence that the payment in question was made on Mr O's genuine app, on his phone, authenticated by his security details. So I can see that it was authenticated properly. The question, then, is whether the evidence suggests that it's most likely Mr O consented to it or not.

First, I've considered the possibility that this was done by someone who Mr O didn't know, such as a third party thief or hacker.

The transaction was made on Mr O's phone, which was the only device registered to the account at the time, which he'd been using since 2022. Mr O's phone was in his possession, it hadn't gone missing, he hadn't given it to anyone, and only he knew the phone's passcode and could access it. He hadn't downloaded any suspicious apps, hadn't responded to any phishing contact, and hadn't given access to his phone as part of a scam. And I've not found any sign of any hacking or unauthorised access to Mr O's app. So there doesn't seem to be a likely or plausible way that someone could've used Mr O's phone without his consent.

Similarly, Mr O hadn't told anyone his Revolut security details or recorded them anywhere. He hadn't downloaded any remote access software, and he hadn't entered his security details in the recent time before the disputed payment, so there was no reasonable opportunity for a thief to have watched him enter it. The security details weren't bypassed and couldn't be learned from the app itself, and it's exceptionally unlikely that someone could just guess them correctly on the first try. So again, there's not a likely or plausible way that a thief or hacker could've learned Mr O's security details without his permission.

The disputed transaction was made at the same IP address Mr O used for his genuine online banking activity both beforehand and afterwards. This means the person who made the payment did so on the same internet connection based at the same location where Mr O normally did his online banking, which looks to have been his home. Again, this was unlikely to have been a thief, and suggests that the payment was more likely genuine, just like all the other activity done at the same IP address.

So I don't see a likely way that an unknown party did this.

It is technically possible that someone known to Mr O may have made the payment without his consent, if they had access to his home and phone and could've watched him enter his security details in the past. But the only other adult present that night was Mr O's wife, and Mr O was certain that she didn't know his security details and couldn't have done this. So it seems Mr O has ruled out this possibility himself.

That leaves only one likely and plausible possibility: that the transaction was made with Mr O's consent. This is well supported by the evidence at hand, as it was made on Mr O's phone, at his IP address, using the security details which only he knew. And I've not found any evidence which makes it seem implausible or unlikely that Mr O could've authorised this payment or given someone else permission to make it.

On that basis, it was fair for Revolut to decline a refund in this case. This is a difficult message to give, and I know it's a difficult message for Mr O to receive. But given the evidence I have, and the balance of probabilities, I'm unable to reasonably reach any other conclusion.

Lastly, I appreciate that Mr O would like Revolut or our service to trace the payees and facilitate their arrest. But neither Revolut nor our service are a police force. Neither organisation is here to trace people for Mr O, and neither organisation is able to carry out criminal investigations or arrest people. And I don't see that Revolut needed to contact the receiving bank given the substantial evidence that the payment was authorised and not fraudulent. Finally, I'm here to resolve the dispute between Mr O and Revolut – not any dispute between Mr O and the payees.

My final decision

For the reasons I've explained, I don't uphold Mr O's complaint.

This final decision marks the end of our service's consideration of the case.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 6 March 2024.

Adam Charles
Ombudsman