

The complaint

Ms K complains that Wise Payments Limited ('Wise') won't refund the money she lost to a job scam.

She's represented by a firm of solicitors. To keep things simple, I'll refer to Ms K throughout this decision.

What happened

The background to this complaint is known to both parties. I won't repeat all the details here.

In summary, in September 2023, Ms K was messaged by someone claiming to be from a genuine recruitment company. The contact wasn't unexpected as she'd used them before. This time though, as she later discovered, she'd in fact been contacted by a scammer.

The scammer 'offered' her an online job opportunity for a mobile *app* (I'll call 'X'). She was told that her role as a 'data generator' at X was to improve the *app*'s ratings. And that she'd earn commission/bonuses for completing sets of 'tasks'. To make the scam more convincing, she was given access to a 'work' platform, provided with 'training' and a small 'commission' payment initially, and added to a group chat with other 'members' for support if needed.

As part of the process, she was instructed to open accounts with Wise and cryptocurrency platforms to facilitate payments. And was required to deposit her own money to fund her 'work' account. These deposits were paid in cryptocurrency which she bought from sellers in the peer-to-peer market (P2P). It was the cryptocurrency that was then sent and lost to the scam. She realised she'd been scammed when she was repeatedly assigned new 'tasks' to complete and told she needed to pay more to withdraw her 'earnings'. By that time a series of payments, totalling around \$13,000, had been sent to the scam during September 2023.

Below are the payments I've considered as part of this complaint. To note, part of the scam was funded by loans from separate lenders and borrowing from friends and family.

	Date	Method	Recipient	Amount
1	05-Sep-23	Transfer	Payee 1	\$30
2	07-Sep-23	Transfer	Payee 2	\$121.62
3	08-Sep-23	Transfer	Payee 3	\$194
4	08-Sep-23	Transfer	Payee 4	\$255
5	08-Sep-23	Transfer	Payee 4	\$5
6	10-Sep-23	Transfer	Payee 5	\$1,442
7	10-Sep-23	Transfer	Payee 5	\$2,317.50
8	11-Sep-23	Transfer	Payee 6	\$4,441.08
9	11-Sep-23	Transfer	Payee 7	\$3,347.50
10	12-Sep-23	Transfer	Payee 8	\$963

A complaint was raised and referred to our Service. Our Investigator didn't uphold it. In brief, she thought Wise had taken proportionate steps to establish a scam risk. It intervened on payments and provided warnings relevant to the 'payment purpose' Ms K had selected. She didn't think it'd be fair to hold Wise responsible for her losses when a 'payment purpose' (matching her situation) was available for her to choose from but was never selected.

As the matter couldn't be resolved, it's 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.

Having done so, I've decided not to uphold it for similar reasons as the Investigator.

Prevention

There's no dispute Ms K was scammed and I'm sorry about the impact the whole experience has had on her. It's also not in dispute she authorised the payments from her Wise account. So, although she didn't intend her money to go to a scammer, under the Payment Services Regulations 2017, she's presumed liable for her losses in the first instance.

There are, however, some situations where I consider that a firm (like Wise) taking into account relevant rules, codes and best practice, should reasonably have taken a closer look at the circumstances of a payment – if, for example, it's particularly suspicious. But it's important for me to emphasise that a firm can't reasonably be expected to intervene on all transactions that may be the result of a scam. There's a balance it needs to strike between identifying scam payments and ensuring minimal disruption to legitimate ones.

In this case, I don't think the disputed payments ought to have appeared as particularly concerning in value. I'm mindful the combined total, while not insignificant, was sent in a series of smaller transactions. And looking at the payment activity, both individually and collectively, I'm not persuaded there came a point that such a suspicious spending pattern had developed to the extent that Wise ought to have gone beyond automated warnings – based on the 'payment purposes' selected. So while I've thought about Ms K's comments that Wise should have questioned her, in a 'live' intervention, on what was happening, that's not the level of intervention I'd have expected here.

In reaching this view, I'm mindful that the account was newly opened (so Wise had limited information on which to assess a payment risk) and that, although the money was used to purchase cryptocurrency (which was then sent to the scammer) that's not something Wise would have known at the time given the method used (P2P). On the evidence, I'm also not persuaded there were other significant factors, including signs that Ms K was particularly vulnerable to scams or about the source of funds, such that Wise ought to have gone further than it did in response to the risk presented by the disputed payments.

Interventions

As referred to by the Investigator, Wise intervened on some payments and Ms K was asked to give a 'payment purpose' in the payment flow before they were processed. For Payment 1 she selected 'Sending money to friends and family'. On four later payments (4, 6, 7, 10) she

selected 'Making an investment'. In turn, she was shown warnings about being contacted unexpectedly about an investment and investments that sound 'too good to be true'.

These warnings didn't resonate and I can appreciate why – given Ms K was falling victim to a different type of scam. At the same time, considering the payment information Wise had available (including the 'payment purpose' selected) a written warning highlighting some of the key risks relevant to what had been selected is what I'd have expected it to have shown. And I don't think it'd be fair to hold it liable for Ms K's losses where a 'payment purpose' closely matching what was happening at the time was available for her to choose from but for whatever reason was never selected.

I note that, in response to the Investigator's outcome, Ms K said she doesn't recall seeing the option 'Paying to earn money by working online' and that, if she'd seen it, she'd have chosen it. She also maintains the option wasn't present. But Wise has provided evidence of what the screens would have looked like at the time; confirmed its payment flow was the same for all customers; and has explained here (and more generally) that new warnings to include 'Paying to earn money by working online' were launched in March 2023.

On balance, I think the disputed 'payment purpose' was likely in the dropdown for Ms K to choose from. I don't think she necessarily intended to mislead Wise about what she was doing. Given her selections weren't always consistent, it might be she wasn't engaging with the automated payment flows in a meaningful way. It might also be that, as she's said, she now doesn't recall seeing that option. But, as noted above, I don't think Wise needed to go further than automated warnings. I'm satisfied that was a proportionate level of intervention in view of the risks presented. And I don't think it'd be fair to hold it responsible for Ms K's losses where, on the evidence, that level of intervention wouldn't have prevented them.

Recovery

In terms of recovery, I'm satisfied there was little Wise could have done. As Ms K has said, the payments were used to buy cryptocurrency from individuals operating in the P2P market. I don't think there would have been a basis for Wise to have requested a return of funds in these circumstances. There's no suggestion the P2P sellers were part of the scam itself.

My final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms K to accept or reject my decision before 31 July 2025.

Thomas Cardia

Ombudsman