

## The complaint

Mr R has complained that Wise Payments Limited (“Wise”) failed to protect him from falling victim to a task-based employment scam.

## What happened

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

I issued a provisional decision on this complaint earlier this month in which I explained why I wasn’t intending to uphold the complaint. I invited both parties to give me any further comments or evidence before making my final decision. I’ve included an extract of my provisional decision below.

### What happened

Mr R explains that around September 2023 he’d signed up to various recruitment agencies as he was looking for a part-time job, so it didn’t seem unusual when he was contacted by an individual (“the scammer”) on a popular messaging application offering him an employment opportunity. Mr R expressed an interest in the role and says the scammer explained that the job involved completing hotel reviews to boost their listings in search results. Mr R was told he’d be paid £380 every five days, plus commission of up to £90, in return for 20-30 minutes’ work.

Mr R says the company’s website, and the systems used to show his work tasks and earnings, were extremely professional and had all of the characteristics he’d expect from a legitimate website in the industry. Mr R also says that he had extensive contact with the scammer, who was professional and knowledgeable, but who was also experienced in using high-pressure sales tactics to persuade him to making the payments.

Mr R was told to open a Wise account, as well as a digital (cryptocurrency) wallet in order to receive his earnings, which he did. He explains he was told he’d need to complete a set number of tasks per day and he was given access to the “work platform” to do the tasks.

Mr R says that he was able to withdraw some payments totalling £611 in relation to the work he’d completed. But he says that when his account in the work platform fell into a negative balance, which it occasionally did, he needed to send a payment to clear this before he could continue working, and these payments far outweighed what he ever received in return.

The payments Mr R sent as part of this scam were as follows:

#	Date	Amount
1	26/09/23	£50
2	27/09/23	£50*

3	27/09/23	£44.45
4	27/09/23	£23.35*
5	28/09/23	£50.00
6	28/09/23	£65.17
7	28/09/23	£77.71
8	28/09/23	£33.48
9	29/09/23	£50.00*
10	29/09/23	£138.77
11	29/09/23	£98.56*
12	29/09/23	£516.49
13	29/09/23	£1,557.44*
14	29/09/23	£3,600.20

*\*Wise intervened in these payments – see below for further details*

After some time Mr R's account was "locked" and he was told he'd need to deposit £50 into it to unlock it, although this would be added to his balance and he'd later be able to withdraw it. It appears that after this happened various time, when Mr R was unwilling to send any more money, he contacted the police and told the scammer he'd done so.

Mr R made a complaint to Wise, in which he said it failed to warn him about the possibility of scams before the 14 payments were made. Wise didn't uphold the complaint, so Mr R referred it to this service.

Our investigator considered everything and didn't think the complaint should be upheld. She explained she didn't think the payments were unusual enough that Wise should've done more to intervene before it sent them. Mr R didn't accept the investigator's opinion, the case was passed to me to make a decision.

I sent a provisional decision earlier this month explaining that I intended to uphold the complaint as Wise hadn't provided its business file, despite our investigator requesting it several times, so I hadn't seen anything to satisfy me that Wise had made any attempt to intervene before Mr R made any of the payments.

In response to my provisional decision Wise sent its business file, so I've reconsidered everything in light of the information that's now become available.

### **What I've provisionally 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.

As I've reconsidered this case with the further information that Wise has provided, I'm issuing a second provisional decision to ensure everyone's had the chance to comment on my provisional findings before I issue my final decision.

I'm sorry to disappoint Mr R but having considered everything I'm afraid I'm now not intending to uphold his complaint. I'll explain why.

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 Mr R authorised these payments from leaving his account. It's accepted by all parties that Mr R gave the instructions to Wise and Wise made the payments in line with those instructions, and in line with the terms and conditions of Mr R'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.

Wise says that on five occasions it asked Mr R for the reason he was making the payment and provided him with a list of options to choose from. Mr R selected various reasons, which were "Paying a bill", "Paying for good or services", "Making an investment", "Something else", and "Sending money to yourself".

Wise says that after asking for the purpose it then showed a specific series of warning screens, which asked Mr R to answer questions specifically tailored to the type of payment being made. On all five occasions I can see that Mr R answered the questions in the way that would've caused the least suspicion to Wise, such as by confirming that he'd read online reviews about the company he was buying goods or services from, and by confirming that nobody had unexpectedly contacted him to make an investment. On each occasion he was also given a message that "Scams can happen to anyone" with further information on how it can be difficult to reclaim money lost as part of a scam, with a highlighted option to "Cancel transfer" or a less prominent option to "Proceed anyway". On all five occasions Mr R chose to proceed to make the payment, and Wise followed his instructions and allowed them to be made.

I've reviewed the other possible options that Mr R could've selected from as a purpose for the transfer, and I note one of them was "Paying to earn money by working online". Had Mr R selected this option, which more closely resembles the actual reason he was making the payments, Mr R would've seen specifically tailored warning messages related to this type of payment – which is well-known to be a scam – and this would've allowed Wise to understand the level of risk involved. So although I appreciate Mr R may've been "under the spell" of the scammers, he didn't give Wise the opportunity to break that spell by giving it inaccurate information when it asked about the purpose of the payments.

For this reason, I don't hold Wise responsible for the losses Mr R has unfortunately made as a result of this scam. I agree that the number of payments in rapid succession could've been deemed unusual, but Wise needs to balance the way it intervenes with what's practical, and what doesn't unnecessarily inconvenience customers. Wise's intervention of showing a tailored written warning for five of the payments was a proportionate way to ensure Mr R was aware of the risks, and for him to decide not to make the payments if he chose to, whilst still ensuring the payments were made promptly. And I can't hold Wise accountable for Mr R giving it incorrect information, which ultimately led to an ineffective intervention.

Although Wise asked for the purpose on five out of the fourteen payments, and I'm mindful they weren't the largest payment, I don't see any reason believe that Mr R would've given a more accurate reason for the payments if Wise had intervened on more occasions. So I don't think Wise would've had the chance to stop this scam from taking place, even if it had done more and intervened on more occasions, or in a different way.

I've also thought about whether Mr R did enough to satisfy himself that the job opportunity he was allegedly sending money to take part in was genuine and wouldn't result in him losing that money.

I accept that Mr R had signed up to various recruitment agencies as he'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. I'm also not aware that Mr R received any kind of paperwork or employment contract showing what he thought he'd been offered, or what he'd agreed to do in return. This, as well as having to pay to earn money in return, isn't a plausible scenario.

I'm very sorry that Mr R 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 think Wise is responsible for that.

### Action since my provisional decision

Mr R requested a recording of a call that took place between Mr R and Wise before payment 12 was made, as it said Wise had missed an opportunity to intervene at that point.

I sent a copy of the call recording to Mr R's representative and it responded, explaining that Wise should've asked Mr R more questions, because he was "clearly distressed" during the call. It said that the scam could've been uncovered if Wise had intervened at this point.

I've also reviewed the call recording and I'm now ready to present my final findings on the matter.

### **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.

During the phone call to Wise, Mr R expressed concern regarding the delay of the 12<sup>th</sup> payment. He'd contacted Wise to understand why the payment hadn't been processed. Mr R's representative noted that Mr R appeared distressed, particularly because he mentioned that failing to make the payment on time would result in a £600 fine. Wise explained that the payment had been stopped for routine checks that require manual input, and these checks couldn't be overridden. The checks were already in the processing queue, and Mr R was informed that he could cancel the payment to have the funds returned to him if he preferred.

Mr R questioned how long the process would take, to which Wise responded that it could take up to four days. This frustrated Mr R, who emphasised the urgency of the situation, stating that he needed the payment to be sent that day to avoid a fine. He also pointed out that the Wise mobile app displayed an expected completion time of 13:23 that day, conflicting with the information provided by Wise. Wise clarified that the checks were mandatory and could not be expedited, even by a manager.

Mr R then asked why the checks were being conducted and what Wise was attempting to verify. Wise explained the process was part of its regulatory obligations and assured him the payment was being handled as quickly as possible. However, Mr R expressed frustration, noting he had been making payments to family throughout the week without issues and questioned why the delay had occurred with this particular transaction. As the Wise agent provided a detailed explanation of the checks, Mr R ended the call while the agent was still speaking.

Whilst I understand Mr R's representative's point that Wise missed the chance to question Mr R further here, even if it had, I'm not persuaded that this would've made a difference.

Firstly, I note that Mr R told Wise during this call he'd been "making payments to family all week" – which in addition to the incorrect reasons he'd initially given Wise for the previous

payments, wasn't true. I also note that Mr R's representative says it's likely the true reason would've been uncovered if Wise had asked Mr R, as he was clearly distressed.

I agree that Mr R sounded frustrated during the call, but I'm not persuaded that Mr R was distressed at the prospect of paying the fine. Instead, he was clearly irritated at being given conflicting information, and the fact that the agent wasn't able to give him what he wanted, or answer his questions with pinpoint accuracy, owing to it not being the customer service team who was delaying the payment from being made.

With this in mind, although I've thought very carefully about what Mr R and his representative have said, I don't think Wise missed an opportunity to uncover the scam during this call.

Even if Wise had pushed Mr R to give more information about the payment he was making, I'm not persuaded the answer he'd have given would've been accurate. So this doesn't change my decision on this case.

### **My final decision**

I don't uphold Mr R's complaint against Wise Payments Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 27 December 2024.

Sam Wade  
**Ombudsman**