

## The complaint

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

She's being represented by a firm of solicitors. To keep things simple, I'll refer to Miss M 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 October 2023, Miss M was contacted about an online job opportunity by an individual (a scammer) claiming to be from a recruitment agency. The contact was not unexpected as she'd been applying for jobs and used recruitment websites previously.

For the job itself, she was told her role would involve providing 'reviews' for hotels to help boost sales. And that she'd earn a salary and commission for completing sets of 'tasks'.

To make the scam more convincing she was provided with some training, given access to a professional-looking platform, and was able to make a small withdrawal initially.

As part of the process, she was required to deposit her own money to fund her 'work' account and complete assigned 'tasks'. She realised she'd been scammed when she was repeatedly assigned new 'combination tasks' to complete and told she needed to pay more to access her money. By that time, however, around 9,000 Euros had been lost.

Below are the transactions I've considered as part of this complaint.

	<b>Date</b>	<b>Method</b>	<b>Payee</b>	<b>Amount</b>
1	02-Nov-23	Transfer	Payee 1	£50
2	03-Nov-23	Transfer	Payee 2	€ 52.53
3	03-Nov-23	Transfer	Payee 2	£26.68
4	04-Nov-23	Transfer	Payee 3	€ 64.26
5	04-Nov-23	Transfer	Payee 4	€ 166.78
6	04-Nov-23	Transfer	Payee 4	€ 47.74
7	05-Nov-23	Transfer	Payee 5	€ 264.93
8	05-Nov-23	Transfer	Payee 6	€ 506.09
9	05-Nov-23	Transfer	Payee 7	€1,545.26
10	05-Nov-23	Transfer	Payee 7	€ 3,692.65
11	05-Nov-23	Transfer	Payee 8	€ 3,211.97

The scam was reported to Wise in November 2023. A complaint was raised and referred to our Service. Our Investigator considered it and didn't uphold it. In brief, she didn't think any of the payments ought to have appeared as particularly concerning. She also noted Wise had intervened on some of the payments and, given Miss M had selected the payment purpose 'Sending money to friends and family', it was prevented from showing her a warning relevant to her situation at the time. She added that, even if she thought Miss M should have been questioned directly, she wasn't persuaded that would have unravelled the scam given the comments that Miss M was being guided by the scammer throughout the process.

As the matter couldn't be resolved informally, 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 reached the same conclusions as the Investigator and for similar reasons. I know this will understandably come as a disappointment to Miss M.

#### *Authorisation*

There's no dispute Miss M was the victim of a cruel scam 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 the money to go to a scammer, under the Payment Services Regulations 2017, she's presumed liable for her losses in the first place. And as the Supreme Court reiterated in *Philipp v Barclays Bank UK PLC*, banks generally have a contractual duty to make payments in compliance with the customer's instructions.

#### *Prevention*

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.

In this case, I'm not convinced there was enough about the payments, looking at their values and what Wise would have known about the payees, for it to have intervened on suspicion that Miss M was at a heightened risk of financial harm from fraud. I note Miss M has said the payments were linked to cryptocurrency, but that's not something Wise would have known. And even though the spending did pick up when it came to the final payments in November 2023, I don't think that the values or the account activity were at a level that Wise, as a money remittance service, ought to have found as presenting a significant risk. I'm not therefore persuaded by the comments that Wise should have questioned Miss M directly, as part of a 'live' intervention, to find out more about the circumstances of her payments.

In any event, as referred to by the Investigator, Wise has provided evidence to show that it did intervene on several payments, including the two larger payments on 5 November 2023 – and that Miss M was asked, in the payment flow, to provide a 'payment purpose' before they were processed. I've seen that the option to select '*Paying to earn money by working online*' (closely matching her situation) was available for her to choose from. Each time, Miss M selected 'Sending money to family and friends' instead. In turn, she was shown warnings relevant to being contacted unexpectedly for money by unknown individuals.

I realise these warnings didn't resonate and I can't say for sure why Miss M selected what she did as the 'payment purpose'. I don't necessarily think she deliberately intended to mislead Wise. At the same time though, I don't think the steps Wise took, to establish if a

possible scam might be taking place, were disproportionate to the payment risks presented. And I can't overlook Miss M's replies to the automated questions in the payment flow didn't lead naturally to it being able to show her a warning relevant to her situation at the time. I don't think it'd be fair to hold Wise liable for what then happened in these circumstances.

I'm sorry Miss M was the victim of a cruel scam. I can understand why she wants to do all she can to recover her money. But, for the reasons I've explained, I don't think that Wise missed an opportunity to prevent the scam. I don't therefore consider it'd be fair to hold it responsible for Miss M's losses. And, in terms of recovery, there was little Wise could have done as the funds had been spent by the time the matter was reported. I'd also add that, in her complaint form, Miss M says the payments were linked to cryptocurrency. If the funds were used to buy cryptocurrency, from sellers likely operating in the peer-to-peer market, then there wouldn't have been a basis for Wise to have requested a return of funds. I've seen little to show those third-parties 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 Miss M to accept or reject my decision before 16 June 2025.

Thomas Cardia  
**Ombudsman**