

## **The complaint**

This complaint is about Wise Payments Limited not refunding money which Mr S lost in a scam. Ms X is representing Mr S under a power of attorney.

## **What happened**

In summary, in 2025 Mr S was contacted by scammers, who said they could recover funds which he'd previously lost in an investment scam a couple of years before. The scammers demanded various fees, but didn't provide the promised funds.

Over the course of about two weeks, Mr S sent around €38,000 across four international payments from his Wise account to an account abroad. The account abroad was set up in Mr S's name, but was under the control of the scammers.

Mr S's family tried to stop him, but he trusted the scammers. Wise questioned Mr S about the spending, and he told them he was just moving money to his other account so he could have it available for his personal use. Just before the second payment, Ms X emailed Wise about her power of attorney and Mr S being targeted by scammers. After the fourth payment, Wise shut down the account against Mr S's wishes. Mr S then continued paying the scammers via his account at a different firm.

Ms X raised a complaint on Mr S's behalf. Wise explained they sympathised, and agreed they shouldn't have let the third and fourth payments go ahead after Ms X's email. They refunded around €22,000. They didn't think they were otherwise liable for the loss.

Ms X brought the case to our service. Our Investigator looked into things independently and didn't uphold the complaint. Ms X didn't agree, so the complaint's been passed to me for a final decision.

## **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.

I understand that Mr S fell victim to a scam, for which he has my sympathy. I appreciate that such scams can be truly cruel, and they're often not easy matters to face. I understand why Ms X would like to get Mr S's money back for him, and I appreciate the efforts she's gone to on his behalf.

I must keep in mind that it's the scammers who are primarily responsible for their own scam and the resulting distress, and it's the scammers who really owe Mr S his money back. But in this case between Mr S and Wise, I'm just looking at what Mr S and Wise are liable for. I can't punish Wise for the actions of the scammers, and I can only make awards to the eligible complainant, not to their representatives or family. Further, I must also explain that we're not the regulator – that's the Financial Conduct Authority (FCA). So we don't issue fines or punish businesses, and we don't oversee or set industry processes. So I don't have the power to set Wise's policies as Ms X might wish. Instead, we're here to decide individual complaints about individual situations. So my decision will be focused on what happened in this individual case between Mr S and Wise.

It's not in dispute that Mr S authorised the payments involved. So although he didn't intend for the money to end up with scammers, under the Payment Services Regulations he is liable for the loss in the first instance. And broadly speaking, Wise had an obligation to follow his instructions – the starting position in law is that e-money firms are expected to process payments which a customer authorises them to make.

Wise should have been on the lookout for payments which could be the result of fraud or scams, to help prevent them. But a balance must be struck between identifying and responding to potentially fraudulent payments, and ensuring there's minimal disruption to legitimate payments. I've thought carefully about whether Wise should've done more in this particular case.

Both parties accept that Wise should not have let the third and fourth payments go through, in view of Ms X's contact. In terms of putting that right, we must again keep in mind that our service is not the regulator and is not here to punish businesses for getting things wrong. Instead, we tell businesses to put customers back in the financial position they would've been in had the mistake not happened. Here, that means refunding payments three and four, plus the appropriate interest – and Wise have already done that. So I can't reasonably tell them to do more there. And I can't fairly hold Wise responsible for payments one and two on the basis of Ms X's first email, either. That email came after payment one, and too little time before payment two for Wise to have reasonably been able to process and act on it.

Both sides also accept that Wise should've intervened here more generally, in view of factors like the payments' size, frequency, and destination, and Mr S's vulnerability. But Wise did intervene, first by asking automated questions about the spending, and then by contacting Mr S directly to get more detail. Unfortunately, the answers that Mr S gave them were misleading, such that they didn't reasonably know what was actually happening. From what Wise could see, the payments were going to an account in Mr S's name – they didn't know it was being controlled by scammers. It seems this was an unfortunate case where Mr S really trusted the scammers – even over the advice of his own family, let alone his banks. It seems he was adamant about making these payments, and thought this was the only way forward. He misled parties, didn't heed warnings, and even when Wise blocked his account outright, he continued paying the scammers from his account at another firm.

Even if I thought that Wise should've intervened sooner or more strongly on payments one and two, I'd only make an award if that extra intervention was most likely to have stopped the loss. But here, even when Wise went as far as blocking the account outright, Mr S still continued paying the scammers from elsewhere. So in this case, I find it's most likely that reasonable intervention would not have stopped the loss from payments one and two. And so I cannot fairly hold Wise liable for those payments on that basis.

Lastly, I've considered what Wise did to try to recover the money after they were told about the scam. Wise did try to recover the money from the receiving bank, but unfortunately this was unsuccessful. As the receiving bank was not based in the UK, they were not subject to UK rules or systems, so there wasn't anything more that Wise could reasonably do to make them comply. Given how long it was taking the receiving bank to respond, alongside how quickly scammers typically move the money on, and how quickly these scammers were apparently moving the money on, it was not realistic that an earlier recovery attempt would've got this money back either. As these were international payments, they were not covered by schemes like the CRM Code or the PSR's latest rules. And I'm afraid there was no other appropriate route which would've realistically got the money back here.

So while I'm very sorry to hear about what the scammers did to Mr S, I find that Wise have already reimbursed the payments that we'd have told them to, and I don't think they can fairly be held responsible for the remaining loss. Nor can I fairly hold Wise responsible for the scammers' actions and the distress the scammers caused, nor can I make any awards to ineligible parties. And so I can't fairly tell Wise to reimburse Mr S further in this case.

### **My final decision**

For the reasons I've explained, I do not uphold this 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 Ms X and Mr S to accept or reject my decision before 23 March 2026.

Adam Charles  
**Ombudsman**