

The complaint

Miss M is unhappy Wise Payments Limited won't refund all the money she lost as part of a scam.

What happened

The details of this complaint are well known to both parties, so I won't repeat them again here. The facts are not in dispute, so I'll focus on giving the reasons for my 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.

Having done so, I've reached the same outcome as the investigator for these reasons:

- Wise refunded Miss M 50% of her losses from the scam. That's because the money was transferred to her Wise account from another bank account before it was sent to fraudsters. So Wise submitted that her other bank, as well as Wise, should be responsible for not intervening with the payments.
- I'm not sure I'm convinced by Wise's reasoning here, but I don't think it matters. Because I'm persuaded that what it's refunded is fair in the circumstances.
- That's because even if I thought that only Wise and not her other bank caused these losses, I would still need to consider whether Miss M should fairly share some of the blame.
- The starting point for contributory negligence is considering what a reasonable person would be expected to have done in the circumstances – and whether Miss M's actions fell below that.
- Having reviewed the circumstances of the scam, I think there were things Miss M ought reasonably to have had concerns about. Namely:
 - Miss M was told about the opportunity from a friend and spoke with the fraudsters over WhatsApp. Given these informal circumstances, I'd have reasonably expected Miss M to be cautious and do some research about who she was dealing with. But I can't see she did.
 - The details of how the scam worked aren't exactly clear. It seems Miss M needed to deposit her own money and was expected to perform missions to earn money. And when she wanted to withdraw money, she was asked to make further payments. Overall, she made seven payments over two days for generally increasing amounts to an individual.
 - In these circumstances, when she'd little to legitimise who she was dealing

with, I'd have expected Miss M to have been more sceptical about why she needed to use her own money and why she needed to pay relatively significant amounts to access the money. Furthermore, I think she ought to have questioned why these payments were made to an individual, who seemingly didn't have a connection to the company the fraudsters were posing as.

Taking this all into account, I don't think Miss M acted as I'd reasonably expect in the circumstances – and I think she's partly to blame for her losses. It follows that I think the 50% refund is fair compensation.

My final decision

For the reasons I've explained, I don't uphold Miss M's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 26 February 2024.

Emma Szkolar
Ombudsman