

Scottish Widows Complaint: PO-14071

*Involving fraudulent evasion of pension encashment by SW,
and its brazen cover up by The Pensions Ombudsman*

Complainant: Ian Clive McInnes
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Website: <https://www.elpobrecorderito.com/PersonalPensionFiasco/>

This document is part of the complete correspondence on the above website. This contains proof of criminal misconduct by two organisations that one would expect to act with the highest standards of probity. Their contempt for the law amounts to a gross breach of the trust the public must place in them.

Scottish Widows is guilty of fraudulent evasion of personal pension encashment (amongst numerous other instances of [cavalier customer treatment](#)). In particular, the assertion that their onerous (and in my case, impossible to satisfy) "verification" demands "*are required under UK legislation*" is a blatant false pretence. In fact, the government requires no verification whatever when there is an ongoing business arrangement, let alone the draconian, changing, and dreadfully documented demands of Scottish Widows.

The Pensions Ombudsman is guilty of criminal protection of Scottish Widows in its refusal (after a year of quite deliberate inaction and prevarication) to investigate and determine the above, as is required under the Pension Schemes Act 1993/2017. Instead, it has forced an [illegal "pragmatic solution" with SW](#).

Both the above organisations are also guilty of lies, deceit, and evasiveness. And if I were mistaken about SW's fraudulent verification requirements, the numerous statements on the matter that I have made to SW, TPO, and also TPAS would have been rebutted; instead they have met only with silence.

Document Details

Date Sent / Received	1 August 2019
Sender / Recipient / Medium	The Work and Pensions Committee / Ian Clive McInnes / Email
Description	Reply to my email of 28 July 2019, signed by an anonymous "Committee for Work and Pensions" (it is clear that this response is from a Clerk). I was told only that they would sent my information to an unnamed "pensions specialist" to "inform the Committee's future work in this area"
Website Links to More Info	Event Summary

Work And Pensions Committee <WORKPENCOM@parliament.uk>

Para:ian.mcinnnes@yahoo.com.mx

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Dear Mr McInnes

Thank you for your email about Scottish Widows.

We are very sorry to hear about the experience you have had. This is not something we are able to help with directly, as a Departmental Committee our role is to scrutinise policy and expenditure within the Department for Work and Pensions and its associated bodies and we are unable to conduct inquiries into individual cases. We do however take an ongoing interest in the work of the Pensions Ombudsman as part of our wider role in scrutinising the work of the Department for Work and Pensions and related public bodies and as such I have asked that your letter be passed to our pensions specialist to inform the Committee's future work in this area.

Many thanks.

Work and Pensions Committee

From: Ian McInnes <ian.mcinnnes@yahoo.com.mx>

Sent: 28 July 2019 20:09

To: Work And Pensions Committee <WORKPENCOM@parliament.uk>

Subject: Criminal Misconduct by Scottish Widows and TPO: PO-14071

To all members of the Parliamentary Select Committee for Work & Pensions

I present you with a clear case of a **TPO conspiracy to pervert the course of justice**, in protecting Scottish Widows from criminal charges. And there is evidence that this followed a TPO deal with Scottish Widows shortly after my case was assigned to the Adjudicator (Barry Berkengoff). The conspiracy involves the Pensions Ombudsman (Anthony Arter) down.

My case involves (among other cavalier and deceitful customer treatment) the imposition of highly onerous "identification and verification" requirements for pension encashment under the false pretence that they "are required under UK legislation". Although Scottish Widows refused to explain further, by common consent the pretext is based on Anti-money laundering (AML) regulations. Those applicable to my application of April 2016 are dated 2007; the next update was not until 2017.

AML regulations make clear that due diligence is not required for a customer identified on a face-to-face basis where there is an ongoing business relationship (I was physically present in the UK for identification purposes). Even if verification documents were required, those specified by Scottish Widows (in changing documentation with conspicuous errors) are grossly excessive.

These demands were clearly introduced shortly before my application, and have nothing to do with AML. I believe that they follow the Pension Freedom legislation of April 2015, and are part of a strategy to stem the resultant increase in pension encashment. I present overwhelming evidence that Scottish Widows introduced these demands knowing them to be illegitimate.

TPO's misconduct is yet more evidence of Scottish Widows' misconduct. After a year of clearly deliberate delay and prevarication, TPO refused to investigate. Instead, the Adjudicator (Barry Berkengoff) imposed a "pragmatic solution" that would allow Scottish Widows to maintain its false pretence and escape justice. This is clearly in gross violation of the Pension Schemes Act 1993/20167. This was continued over a year later by the Casework Manager (Jane Stephens). Only after I had rejected this "solution" in five (unanswered) emails and quoted the Pension Schemes Act, was a quite absurd Opinion issued, followed by the Determination by Anthony Arter.

The published Determination contains gross misrepresentations, both over the facts of my case, and of AML regulations. For example, paragraph 7 claims against full documentation provided to TPO that only a single document was required for verification, when in fact four were specified. These false statements are clearly part of a desperate effort to make Scottish Widows' position appear reasonable. Apart from this, there are serious internal inconsistencies, which would not withstand close scrutiny even by someone unfamiliar with my case and AML regulations.

Importantly, the Determination also shows that **TPO never asked Scottish Widows to justify their documentation requirements**, but instead **acted as Scottish Widows' advocates self-appointed AML experts**. In so doing, they made some egregious errors, that would lead to serious implications for Mr Arter if the case were appealed in the High Court. However, my Mexican residency prevented me from doing this.

I have thus been denied justice in a case that would not simply be a narrow appeal on my own behalf, but an attempt to bring about better treatment for pension holders in general, who clearly get a very raw deal. And, apart from corruption within TPO, there is clear evidence that TPO acts above the law the protection of the Department for Work & Pensions and the Metropolitan Police (at least).

Given my experiences, I write this with little expectation that you will act to stop these abuses, but still hope for a sign that these matters will be dealt with. Otherwise, I must consider a private prosecution and/or promulgating the whole sordid business in the mass media.

I attach a [concise summary](#) of the case, including an analysis of the Determination. For your convenience, I also attach the [Determination](#), although it is published on the TPO website.

Yours sincerely,

Ian McInnes.

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