

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	29 August 2019
Sender / Recipient / Medium	Work and Pensions Committee / Ian Clive McInnes / Email
Description	<p>Reply to my follow up of 26 August 2019. My email contained several links, of which only that to my previous report to the Select Committee for Work & Pensions was accessed - see the access reports.</p> <p>I was told that the Pensions Ombudsman is appointed by the Secretary of State and that the Committee has a limited role in this and no veto. There was a link to a document explaining the appointment of the PO in 2014-2015. This document showed that, while this is true, it is clear that the Committee and/or Department for Work & Pensions is behind the decision. The larger part of this document was taken up with Mr Arter's CV and covering letter; conspicuously absent was any discussion of what (if any) other candidates had been considered.</p> <p>I was advised to contact the Department of Work & Pensions directly over the Opinion Rejection that they had received (but there was no email address). I was also told the obvious point that I should contact the police (perhaps I should have mentioned that I have done this three times to date, and this shows that the police will not investigate reports involving TPO - see here).</p>
Website Links to More Info	Event Summary

Work And Pensions Committee <WORKPENCOM@parliament.uk>

Para: Ian McInnes

29 ago. a las 8:28

Dear Mr McInnes

Thank you for your further correspondence about your case.

As a Parliamentary Committee responsible for scrutinising the work of the Department for Work and Pensions the Committee is unable to conduct inquiries into individual cases. The Committee has no formal role in the running of the Pensions Ombudsman, which is an independent organisation funded by the Government through the Department for Work and Pensions.

The Pensions Ombudsman is appointed by the Secretary of State for Work and Pensions and not the Committee. A predecessor to the current Work and Pensions Committee held a pre-appointment hearing with the current post holder in February 2015, where it [endorsed the Government's appointment](#). While Select Committees are able to hold pre-appointment hearings for certain public posts they do not have the power to veto appointments.

Any information you have sent to the Department for Work and Pensions will not have been made available to the Work and Pensions Select Committee. If you do not feel this has been appropriately acted on you should raise this with the Department directly. If you believe that a crime has been committed this should be reported to the police.

Work and Pensions Committee

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

Sent: 26 August 2019 17:48

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

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

Thank you for replying to my email of 28 July; however, it appears that this is **all** you have done in response to my email. I can hardly feel reassured that my report of clearly-documented criminal misconduct by a government organisation to the government organisation responsible for stewarding it has been referred by an anonymous "Work and Pensions Committee" to an unnamed "pensions specialist" to "inform the Committee's future work in this area".

In your "wider role" you clearly have a legal responsibility to deal with self-evident and gross violations of both pensions and criminal law; and my case calls for the prosecution of all those involved. I am therefore sending this follow up to my previous report, to (if possible) make this conspiracy to pervert the course of justice even plainer.

Failure by the Work and Pensions Committee to deal appropriately with this matter will demonstrate its complicity in it. This is especially so since:

1. The Committee appointed a Pensions Ombudsman who, with shares in 22 pension providers and a background as a solicitor acting for such companies, could hardly be less suited for a position in which impartiality is paramount.

2. I reported this matter to the Committee in an [email of 5 May 2018](#) in response to a request for information with a deadline of 18 May 2018; however, the TPO abuses have continued unabated.
3. The Department for Work & Pensions has been made very well aware of my case, having received the [Opinion Rejection](#) I sent to TPO on 27 January 2019, presumably from the new Adjudicator. This appears to have been whistleblowing; alternatively it might be consultation over how to handle the difficulties that I raised over the quite outrageous statements by Jane Stephens. But whatever, DWP spent several hours on three occasions examining the evidence on my website via links in this document, but again has taken no action. This is even though they examined documents that demonstrate clearly the absurdity of the TPO position. See the [Access Reports](#).

Scottish Widows is guilty of imposing draconian documentation requirements for pension encashment under the false pretence that they "are required under UK legislation". All the circumstances indicate that "UK legislation" is in fact an oblique reference to the Pension Freedom of April 2015; nonetheless, TPO's position (in the absence of any explanation from Scottish Widows) is that they are to comply with anti-money laundering legislation. As it was clear that Scottish Widows' demands were illegitimate, I refused two "offers" to accept documents that did not comply with their requirements.

After a year of clearly deliberate delay and prevarication, TPO imposed a ridiculous "pragmatic solution" to allow pension encashment, while enabling Scottish Widows to maintain its false pretence and escape justice. This is shown by the Adjudicator's [email of 31 October 2017](#) (also see the two appended emails). *This "pragmatic solution" was quite incongruous, partly because it was based on the untenable position that my national ID card was not acceptable verification of my name, and partly as I had previously rejected two "offers" by Scottish Widows in their efforts to defuse my complaint.*

Mr Arter brazenly refers to this in paragraph 41 of the [Determination](#) as an "attempt by my office to achieve a mediated resolution". But even if Mr Arter managed to acquire the right of mediation following the consultations of December 2018, he certainly did not have it then. And this was hardly "mediation": the correspondence shows that not only was it forced upon me, but that its motive was to protect Scottish Widows from very serious charges. A whitewash [Opinion](#) was issued only after I had rejected this "solution" in five emails, and quoted the Pension Schemes Act.

Moreover, there is [strong circumstantial evidence of a "deal"](#) between Scottish Widows and TPO that was concluded within a few weeks of my case being assigned to the original Adjudicator (Barry Berkengoff, who has now left TPO).

The Determination shows clearly that TPO did not obtain any explanation from Scottish Widows for their documentation requirements; nor did they obtain an evaluation from HMRC in the absence of satisfactory answers from Scottish Widows. Instead, TPO acted as Scottish Widows' advocates and AML experts. Their attempts in the Opinion and Determination to defend Scottish Widows on this basis are simply laughable.

There are also numerous gross misstatements and misrepresentations, at least some of which are quite clearly deliberate. For example, compare the description of Scottish Widows' documentation requirements in their email of 5 April 2006 as stated in [paragraph 7 of the Determination](#) with the actual [email](#) and its attached [form](#). Many of these are inherited verbatim from the Opinion, despite my painstaking comments with references showing them to be false. And although the Determination has been published on the TPO website, it also contains such serious internal inconsistencies that it would not withstand close scrutiny, even by someone unfamiliar with my case and AML regulations.

My case was partially upheld on the false pretext that Scottish Widows had not done enough early on in helping me to meet their requirements. The effect of this is to conceal Scottish Widows' offers to accept documents that did not comply with their requirements as soon as they realised I was about to make a complaint. This was only part of their efforts and those of TPO to prevent my serious complaint from being brought to justice.

I have consistently refused to yield to criminal activity in order to access my pension funds. This position will not change, and I will continue to pursue this case with all the means and vigour at my disposal. I am shocked and appalled at the insidious corruption that now clearly pervades the British Establishment, to the serious detriment of the individual (in this case the pension holder). It is vital that those in public office be held to account for these abuses.

Even if you have managed to muzzle the British mass media, you should consider that the world is digitally connected, and that organisations overseas might be interested in the evident corruption of the British government. The longer you continue your efforts to oppress complainants and suppress the facts, the greater will be the scandal when it finally breaks.

Full details are on my website. For the case involving Scottish Widows and TPO including the complete correspondence see:

<https://www.elpobrecorderito.com/PersonalPensionFiasco/>

For a more general picture of the corruption surrounding UK pensions see:

<https://www.elpobrecorderito.com/>

Yours sincerely,

Ian McInnes.

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