

Scottish Widows Complaint: PO-14071 (Preface)

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

This document mirrors one of the main web pages 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.

If my comprehensive website is accessible via the above link, please review this instead. This document nonetheless contains active links (underlined) to [web pages](#) in [blue](#) and [PDF documents](#) in [crimson](#). It is also more suited to printing than the corresponding web page.

Links to Main Web Pages

Key Facts	Key Facts of the case in numbered paragraph format.
Case Overview	Case summary and narratives for SW and TPO.
Verification Issues	Analysis of the "verification" requirements imposed by SW.
Event Summary	Chronological lists of events (two separate timelines).
Details (SW)	Detailed chronology with correspondence involving SW.
Details (TPO)	Detailed chronology with correspondence involving TPO.
Determination	Analysis of the TPO Final Determination.
Epilogue	Analysis of the pensions 'industry' and its protection by TPO & DWP.
Questions for SW	Questions sent to SW to probe their "verification" measures.
Document List	Complete list of documents (including this one).

Links to Main Sections within This Document

[Introduction](#)

[General \(mirrors of web pages\)](#)

[Correspondence \(Scottish Widows\)](#)

[Verification](#)

[Correspondence \(TPO\)](#)

[Correspondence \(Other\)](#)

[Reference](#)

Scottish Widows Complaint: PO-14071 (Content)

Document List

This contains a complete categorised list of PDF documents, mainly paginated for A4 paper. These include mirrors of the main pages of the website (which are kept in tandem with the web pages for better printouts), and the entire and unedited^s text of all relevant correspondence *§with the sole exception that my National Insurance Number has been hidden for security reasons.*

Nearly all PDF documents are prefixed by a header that contains firstly a summary of the case, and secondly a description of the following content. The content is **graphical** in the case of scans (postal items, verification documents), otherwise textual (emails, attachments, online forms, and web page mirrors). With emails and web pages, the PDF target preserves any hyperlinks in the source email or document. *I hold all original paper correspondence as evidence.*

For emails, the content is generated from Yahoo Mail by copying and pasting into a Word document, then converting to an optimized PDF. I have not modified the textual content in any way (all typos are faithfully preserved), but have found it necessary to improve the formatting (particularly to remove inappropriate blank lines). However, in each case there is a link to the email alone as rendered by Yahoo Mail (much larger, but more authentic); I have provided such links to all emails involved in my case, including wrappers. *Also, all my emails are retained on the Yahoo Mail server, and for the purpose of verifying them as evidence, I would issue a temporary password to some appropriate individual to enable direct access to my account.*

The first column of each table gives the filename of the document (without .pdf extension), with a hyperlink for download. Any date prefix is that on which I sent or received the document. The description is only intended to be sufficient to help identification; the Events document gives fuller descriptions and backgrounds to the documents it references.

General

These mirror the ten main HTML documents of this website.

Key Facts	Key points of case in the form of numbered paragraphs.
Overview	Case Summary and Overview.
Verification	Issues with Scottish Widows' verification requirements.
Events	Summary lists of events with links, in two chronological sequences.
DetailsSW	Detailed chronology of correspondence with Scottish Widows.
DetailsTPO	Detailed chronology of correspondence with TPO.
Determination	Analysis of the TPO Final Determination.
Epilogue	Summary and Analysis of case issues, and a Satisfactory Resolution.
Questions	Introduction and exact list of questions sent to Scottish Widows.
Documents	Complete list of PDF documents (this document).

Correspondence (Scottish Widows)

This gives individual documents that correspond those given on the Details (SW) page of the website. Paper documents not directly relevant to this case are excluded. *The web page includes these peripheral documents (as images only), and supports popup images for more rapid navigation than opening PDF documents.*

In each case, the date given is that which appears on the document; however, the list is in chronological order of the date on which I sent or received them. This order is not always the same as that of the document dates. For example, the rejection of my documents dated 14 April arrived over two months later on 16 June; and whilst the first postal request for documents was sent over a week earlier than this on 6 April, it was not received until 6 July.

Those documents I consider crucial to the case, I have described in **bold**. All dates are in 2016. The originator of each document is given as follows:

ICM Ian Clive McInnes

SW Scottish Widows

20160315EncashmentEnquiry	15 Mar	ICM	Fax to enquire on pension encashment.
20160318EncashmentInfo	18 Mar	SW	Email Response to fax enquiry.
20160405DocRequirements	5 Apr	SW	Content of Information Requested email, specifying verification requirements.
Individual Identification and Verification Form	5 Apr	SW	Attachment of above email, with further requirements, and specifying verification options for Name and Address.
20160411EmailDocuments	11 Apr	ICM	Email with 8 attached document scans (see following section), with clear and detailed explanation of my circumstances.
20160521FollowUp	21 May	ICM	Email follow up, sent after I had received neither reply nor payment.
20160616ConfirmationP56879Q	5 Apr	SW	Confirmation of interview for P56879Q.
20160616ReplyEmail0414	14 Apr	SW	Postal reply to my email of 11 April, rejecting my documents.
20160626IDRP-Query	26 Jun	ICM	Email request for Scottish Widows IDRP.
20160627WotsAnIDRP	27 Jun	SW	First email response to above (as a password-protected PDF), denying knowledge of the term IDRP.
20160630RequestPostDocs	30 Jun	SW	Second email response to above (also as a password-protected PDF), requesting me to send the (now acceptable) documents.
20160706ConfirmationN80803X	5 Apr	SW	Confirmation of interview for N80803X.
20160706cReqDocsN80803X	6 Apr	SW	The first of four requests for documents received on 6 July.
20160706dReqDocsP56879Q	6 Apr	SW	The second of four requests for documents.
20160706eReqDocsP56879Q	24 May	SW	The third of four requests for documents.
20160706fReqDocsN80803X	1 Jun	SW	The last of four requests for documents, this time with a different letter and form.
20160710EmailComplaint	10 Jul	ICM	(Interim) email complaint to Scottish Widows, outlining my main concerns.

20160713ComplaintResponse	13 Jul	SW	Response to the above email, offering only discussion by telephone.
20160717WebsiteRef	17 Jul	ICM	My reply, rejecting telephone discussion and containing a link to my website.
20160801ReplyEmail0710	1 Aug	SW	Email in response to my interim complaint, offering to accept a scan of my certified ID card (alone) as verification.
20160804ClaimClosed0616	16 Jun	SW	Letter terminating my application.
20160804SendDocs0630	30 Jun	SW	Paper version of the document I received by email on 1 July, unclosing my application.
20160915FollowUp0822	22 Aug	SW	Follow-up letter to the email of 1 August.
20160915Final0824	24 Aug	SW	Final Response.
20160929QuestionsForSW	29 Sep	ICM	Request for answers to my list of questions.
20160929OutOfOffice	29 Sep	SW	"Out of Office" notification from above.
20161010ReqDocs0526	26 May	SW	Request for documents #6.
20161010ComplaintInfo0715	15 Jul	SW	Complaint information.
20161123ReplyVoicemails	23 Nov	ICM	Email sent to Scottish Widows in response to their voicemails, at the suggestion of TPO.

Verification

This section contains the exact 8 PDF documents I sent as attachments to my email of 11 April; they include scans of both the original and certified documents.

OriginalID	Original ID card (front and back), showing all details clearly.
OriginalBankStatement	Original bank statement.
OriginalBirthCertificate	Original birth certificate.
CertifiedID	Certified ID card (as with all photocopies of it, not too clear).
CertifiedBankStatement	Certified bank statement.
CertifiedBirthCertificateFront	Certified copy of the front of my birth certificate.
CertifiedBirthCertificateBack	Certified copy of the back of my birth certificate.
Notario	Business card of the notario público.

Correspondence (TPO)

This is my correspondence with The Pensions Ombudsman.

20160828ToTPO	Enquiry to TPO, not knowing what they would need to proceed.
20160830FromTPO	Reply from CM, stating that they need a Final Response from SW.
20160924AppITPO	Application Form with Covering Letter.
20160929ToTPO	Follow up to my application to TPO (that they had just received), stating that I had sent a list of questions to Scottish Widows.
20160930FromTPO	Acknowledgement from TPO (from an Investigation Assistant).
20161004FromTPO	A further acknowledgement (from Assistant Adjudicator CM).
20161030ToTPO	Email to TPO, asking whether I should chase up on the list of questions I sent to Scottish Widows a month ago.
20161031FromTPO	Reply from CM, suggesting that I wait another month.
20161110ToTPO	Email to TPO, reporting the telephone calls from Scottish Widows.
20161123FromTPO	Reply from CM, suggesting that if I did not want to return their calls, I should email them requesting a written response.

20161123ToTPO	Notification to TPO that I had sent the above email to SW.
20161202FromTPO1	Email from TPO advising me of email encryption.
20161202FromTPO2-Wrapper 20161202FromTPO2-Content	Email with password-protected PDF requesting me to resend the link in my email of 23 November, as their system denied access to it.
20161203ToTPO-Wrapper 20161203ToTPO	Email to TPO sent by the secure service with a PDF document both as a link and as an attachment.
20161204ToTPO	Follow up to the above, using the normal service.
20161212FromTPO	Acknowledgement of my emails of 3/4 December.
20170118FromTPO1	Request from another department for Customer Survey participation, stating that my case had been closed.
20170118FromTPO2	Correction, but only to say that they had sent the wrong form.
20170118ToTPO	Response to the above, reflecting my concern.
20170120FromTPO	Apology from CM for error (survey was sent to the wrong people).
20170215FromTPO	Another request for Customer Survey participation.
20170405ToTPO	Email I sent after having received nothing further on my case.
20170407FromTPO	Reply from CM to say that my email had been forwarded to the Senior Adjudicator BB handling my case.
20170514ToTPO	Email I sent after again having heard nothing further.
20170515FromTPO	Initial email from BB (now Deputy Casework Manager).
20170517ToTPO	My response to the above.
20170522FromTPO	Another, more informative, response from BB.
20170524ToTPO	My reply, stating that I had reported my case to Action Fraud.
20170526FromTPO	Response, stating that he would be in touch when he had been able to review the website.
20170610ToTPO 20170610ToTPO2	Replacement of email originally enclosing a ZIP file of most of my website, which was rejected by their delivery system. The second was intended to send several loose files to complete the website.
20170613FromTPO	Indication that denial of access to my website was long term.
20170614ToTPO	Acknowledgement of his willingness to use another connection.
20170615FromTPO	Note to say that he would review my website early next week.
20170712ToTPO	Again nothing heard, so another chase up, this time blunter.
20170714FromTPO	Response denying skulduggery, but with no new information.
20170806ToTPO	Enquiry to the survey department to find out if my case was closed.
20170807FromTPO	Response to above, forwarding my email to the adjudicator.
20170830ToTPO	Detailed follow up to my email of 6 August.
20170831FromTPO	Reply to the above from the Casework Manager.
20170903ToTPO	Email to the Casework Director.
20170904FromTPO	Acknowledgement from the Casework Director.
20170909ToTPO	Follow up to my email of 3 September, to clarify a few points.
Complaint Response20170915 20170915FromTPO	First and Final response to my complaint from the Casework Director with covering email.
20171003FromTPO	Attempt by Mr Berkengoff to force me into a deal with Scottish Widows.
20171004ToTPO	My response to the above, copied to the Casework Director and the Pensions Ombudsman.
20171008ToTPO	Follow up to clarify the above, for the Pensions Ombudsman only.

20171031FromTPO	Another attempt by Mr Berkengoff to push me into dealing with Scottish Widows, or withdraw my case.
20171101ToTPO	Rather than reply to the above, I forwarded it to the Pensions Ombudsman, asking whether he was in agreement with this position.
20180110ToTPO	Summary of issues with SW and TPO to the TPO Legal Director.
20181105FromTPO	Extraordinary email from the Casework Manager, following up the Adjudicator's request of over a year ago for a Mexican passport.
20181111ToTPO	My response to the above, making my position plain.
McInnes Opinion 20190115FromTPO	Unexpected Opinion from the Casework Manager, with covering letter.
20190124FromTPO	Reminder that I must respond by 30 January, or the Opinion will become the final resolution.
20190127OpinionRejection PO-14071 20190127ToTPO	My rejection of their Opinion of 15 January 2019 with a covering letter, sent to the Casework Manager and a new Adjudicator.
20190127FromTPO	Out-of-office notification from the Casework Manager.
20190128FromTPO	An acknowledgement of my rejection of their Opinion.
20190322FromTPO-Notification 20190322FromTPO-Mimecast AmendedOpinionPO-14071	A notification from the Adjudicator that I have received a message via mimecast, the mimecast access page, and the retrieved Amended Opinion.
20190324ToTPO OpinionRejectionPO-14071v2	My rejection of the Amended Opinion, with covering email.
20190326FromTPO- SecureMessageNA 20190327ToTPO	Another mimecast page with a message that was not accessible (<i>actually the Final Determination below</i>), and my response to it.
20190328FromTPO McInnes FD FD Factsheet	Response to the above from the Adjudicator, attaching the Final Determination, and Information about appeals.
DeterminationRejectionPO- 14071	My rejection of the Final Determination for documentation purposes (<i>this was not sent to TPO</i>).

Correspondence (Other)

This is my remaining correspondence.

20160706TPASInfo	Helpful response to my online application.
20160717ToTPAS	Email to TPAS, mentioning my complaint to SW and my website.
20160718FromTPAS	Reply to above (they work with documents, and could not help with evidence of identity issues).
20160724ToTPAS	Reply to TPAS, providing link to my newly-created document list. I also stated that I had found SW's "verification" demands to be completely illegitimate.
20160819FromTPAS1	Notification that my application is to be passed to another advisor.
20160819FromTPAS2	Another acknowledgement, giving my case number.
20160908FromTPAS	Initial email from my TPAS caseworker.
20160911ToTPAS	My reply to the above, setting out my position more fully.
20160918ToTPAS	Email to notify TPAS that I had received the Final Response, and had prepared a list of questions to put to Scottish Widows.
20160923FromTPAS	Email from TPAS, offering to pursue SW's use of post.
20160925ToTPAS	Reply to TPAS, stating that I had mad an application to TPO.

20160926FromTPAS	Reply from TPAS, closing my case as I had approached TPO.
20170429WixtedEnquiry	Enquiry sent to Wixted & Co solicitors (no response received).
20170520ToAF	Online report sent to Action Fraud (contents of Other Details box).
20170522FromAF NFRC170501858997	Acknowledgement (email with attached PDF), although it is not clear whether they will be able to investigate.
NFRC170501858997-0622	Response from ActionFraud stating that they do not have the "leads" needed to pursue my case.
20170625ToAF	My response to the above, urging them to reconsider.
20180117ToTPR	Email to The Pensions Regulator, urging an investigation into TPO.
20180205FromTPR	Reply to the above, referring me to the Work and Pensions Department.
20180228ToCWP	Email to the Commons Select Committee - Work and Pensions (unfortunately bounced as spam).
20180422ToFCA	Email to the Financial Conduct Authority.
20180424FromFCA	Acknowledgement to the above, stating that my email had been forward to the appropriate department.
20180425FromFCA	Further email, with suggestions, but offering no action.
20180505ToCWP	Second email to the Commons Select Committee - Work and Pensions; sent by a contact with access to them (name hidden). <i>Contains web page mirrors that are now outdated.</i>
20180610ToMSE	Post that I attempted to make on Money Saving Expert forum (three tries, each of which was rapidly removed).
20180611FromMSE	Email from MSE, confirming that my posts had been removed on account of "inflammatory language" (e.g. the word "fraudulent").
20180613ToMSE 20180613FromMSE	My email in response to the above, and an automated reply.
20180614FromMSE	Response to the above, stating that my email had been forwarded to their Editorial team.
20180620ToMP	Tweet to the Metropolitan Police, reporting Misconduct in Public Office by The Pensions Ombudsman.
20180620ToAF	Further update to ActionFraud, challenging them to either rebut my fraud claim or investigate it. I also stated that I had made the above Misconduct in Public Office report.
20180703ToMP0 20180703ToMP1 20180703ToMP2	Covering letter, report of Misconduct in Public Office against TPO, and report of Fraudulent Misconduct against SW, sent to the Metropolitan Police by registered post (my tweet was ignored). <i>NB: these documents are paginated for Oficio paper (216x340).</i>
20190209ToMP ReportBerkengoff	Tweet to the Metropolitan Police with link to a report. This was raised specifically against Barry Berkengoff, not mentioning TPO.
20190210ToMP	Follow up, suggesting that they might liaise with the Department of Work and Pensions.
20190606ToHMRC	Email to HM Revenue & Customs to resolve the issue of SW's documentation demands.
20190606FromHMRC	Automated response to the above.
20190728ToCWP	First report to the Clerks of the Committee for Work and Pensions.
20190801FromCWP	Unencouraging response to the above.
20190826ToCWP	Follow up to my first report above.
20190829FromCWP	Reply to the above.

20190902ToTRPL	Email sent to Thomson Reuters Practical Law (via online form).
20190902FromTRPL	Automated response to sending the above.
20190907ToDWP	Report to the Department for Work & Pensions (Online Helpdesk).
20190909FromDWP	Reply suggesting I contact the relevant department (no info given).
20190911FromTRPL	Vacuous reply from Thomson Reuters.
20190915ToDWP	Request to DWP Online Helpdesk for contact details.
20190916FromDWP	Reply giving an irrelevant link to International Pension Centre.
20190916ToTRPL	Follow up to Thomson Reuters, who had not looked at my website.
20190916ToDWP	Email to the International Pension Centre (no reply).
20190923ToDWP	Request to DWP for an email address to report TPO misconduct
20190923FromDWP	under the Freedom of Information Act, and an automated response.
20190924FromDWP	Reply to the above, denying familiarity with 'TPO'.
20190928ToDWP	My reply that TPO is The Pensions Ombudsman that DWP is
20190928FromDWP	supposed to oversee, and another automated response.
20190930FromDWP	Response containing three useless links to web pages.
20200712ToDWP-revised	Revised version of an email sent in response to Tailored Review of the Pensions Ombudsman (see below).
20200720ToCWP	Request to the Committee for Work & Pensions to forward the above email to the author of the review.
20200721FromCWP	Response to the above.

Reference

These are some documents referred to on this website, but not part of the correspondence.

Appointment-PO-2015	Document from DWP describing the appointment of Anthony Arter (<i>no other candidates appear to have been considered</i>).
AML-Guidelines-2007	HMRC guidelines on the applicable Anti-money laundering regulations.
Review-PO-2019	Tailored Review of the Pensions Ombudsman (external web page).
AccessReports-DWP	Access Reports showing that DWP is well aware of TPO corruption.
AccessReports-MP	Access Reports showing that the Metropolitan Police do not investigate complaints against TPO, only individuals.
TPO-Proposals-Dec2018	Proposals to widen the jurisdiction of the Pensions Ombudsman; in particular to allow for early resolution, thus avoiding Determination.
TPO-Proposals-Aug2019	Government response to the above proposals.

There are many other relevant documents, but these should be readily available online. They include the Pension Schemes Act 1993/2017, and documentation relating to the numerous "reforms" introduced by Mr Arter.