

Scottish Widows Complaint: PO-14071

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

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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	10 June 2018
Sender / Recipient / Medium	Ian Clive McInnes / Money Saving Expert / Post to Forum
Description	<p>I found the Money Saving Expert forums after searches involving "Scottish Widows" without having found any references to my experiences. This forum would appear to be a good way to publicise my case, except that there were some worrying signs of censorship, especially bearing in mind the lack of any seriously negative comments about financial institutions.</p> <p>But with the thought "nothing ventured, nothing gained", I created a thread entitled: "Fraudulent Evasion of Pension Encashment by Scottish Widows, and its Cover Up by TPO", to which I added the content given below.</p> <p><i>Within half an hour of my creating the first thread and posting, it no longer appeared. Thinking that I had made a mistake, I created another thread of the same name and reposted. Again, 15-30 minutes later, my post was no more. A third post was also removed (I do not know how long this one survived as I left immediately after making it).</i></p> <p>I did read the forum rules carefully before posting, and these stated that posts were removed only in response to complaints by members; that firstly a report must be made to the forum staff, and only they could and would remove the offending post.</p>

	<p>As my posts were hardly likely to offend any reasonable members (except those involved in SW or TPO), and were made in the small hours of Monday morning UK time, these statements lack credibility. So there is clearly very aggressive monitoring and removal of posts; this combined with the absence of posts negative towards big financial institutions is reason to believe that telling the truth is no longer acceptable in the UK (at least when it threatens businesses and persons in entrenched positions).</p>
Website Links to More Info	Event Summary

Post to Pensions, Annuities & Retirement planning forum

Thread Name: **Fraudulent Evasion of Pension Encashment by Scottish Widows, and its Cover Up by TPO**

If you are giving money to a pension provider (especially Scottish Widows), you should consider how you may be treated as a pensioner. And you can expect no justice from the corrupt Pensions Ombudsman, which in my case is not only grossly violating Pensions Law, but also criminal law in a conspiracy to protect SW. I am astounded that the public appears have a favourable view of SW, and believes that TPO is impartial as it claims. I feel I must dispel these false impressions, and expose the stinking morass of corruption that is TPO and the pensions industry.

Anybody attempting to encash a Scottish Widows personal pension plan must firstly undergo a prolonged telephone interview, which in my case took about an hour and a half (nearly all of which comprised thinly-disguised efforts to dissuade me from encashment). With my poor hearing, this was a nightmare; and with the high cost of calls from Mexico to the UK, it was also costly. Then one must obtain and post several certified "verification" documents that SW (falsely) asserts "are required under UK legislation".

Dreadful confusing, changing, and erroneous documentation exacerbates the problems the customer faces, and their requirements are clearly contrived to create as much difficulty as possible (whilst not being manifestly impossible to satisfy). Although they were initially specified in an email with a PDF attachment (these themselves contradicting each other to some degree), the very next day SW sent two letters and forms (one for each policy number) with quite different requirements. Further letters and forms were sent later, which were different again.

The requirements include very specific conditions (for example how they must be certified) that cannot be met in other countries, where different standards apply. Another requirement that is likely to be impossible to satisfy for those living outside the UK is to reply by post within 14 days of the date of their letters (and this period includes post both ways). Mexico is probably not the only country to which post from the UK can take months to arrive. All in all, SW has done everything possible to make customer fulfilment of the requirements difficult, and SW's rejection easy.

I can only touch here on the obstacles that SW has created for the pensioner, with the clear aim of evading pension encashment. And Scottish Widows in their Fawltiesque Final Response made clear that these requirements are applied to all customers wishing to encash (certain types of) pension policies.

But what makes SW's conduct fraudulent, rather than simply abusive, is its false pretence (again repeated in the Final Response). Let me assure you that these documents are NOT "required under UK legislation", and Scottish Widows could not possibly have believed otherwise.

The only reason that the government could require such verification would be in compliance with anti-money laundering regulations. But government AML documents make clear that no verification whatever is required where there is an ongoing business relationship (as exists between pension provider and pension holder). And where verification is required, SW's requirements are grossly excessive in relation to those of the government; government AML verification requirements would be satisfied by a single government-issued document with proof of Name and Date of Birth (a scan of which should be acceptable).

In fact my invalid documents became acceptable once SW realised I was about to make a complaint. And later, when I stated that government AML documents showed that they had no business to require proof of address with date of birth, they offered to accept a scan of my ID card alone (which contains only name and date of birth). This is about "putting things right" for the customer to avoid legal issues and allow them to continue to inflict their abusive policies on others. See Case Overview and Epilogue.

And the Verification Issues and Questions for SW pages of my website and the list of should make clear the illegitimacy of these "verification" requirements.

Even worse than the above, is its brazen cover up by TPO. After more than a year of inaction and prevarication after assigning my case to an adjudicator, TPO is refusing to investigate it. Instead I am forced to accept a "pragmatic solution" involving provision of yet more verification documents, or withdraw my case. It has become clear that the delay was deliberate and would have continued indefinitely without my interventions. TPO's illegal forced resolution is a barefaced charade, to allow SW to escape justice and maintain its false pretence. And there is complicity in this from the Pensions Ombudsman (Mr Arter) down.

[I]TPO's imposition of a solution via an adjudicator shows contempt for the Pension Schemes Act 1993 (as amended in 2017), sections 145(4C) and 146. This gives the complainant a statutory right to investigation, followed by a determination made by either the Pensions Ombudsman or his Deputy; doing deals is not a function of TPO. But much more serious than TPO's gross violations of pension law is its conspiracy to obstruct/pervert the course of justice, amid connotations of collusion with SW[I].

As with Scottish Widows, TPO ceased to respond to questions and issues that they could not address without incriminating themselves.

My website:

w3dotelpobrecorderitodotcom/PersonalPensionFiasco

includes the complete correspondence relating to my case. And a useful introduction leading with the cover up by TPO is a document I sent to the Commons Select Committee for Work and Pensions (via a contact). This is the last item on the Document List web page.

But I have little expectation that they will deal with this matter, or even view my document. This is especially as I fear that the matter does not stop with the Pensions Ombudsman (which is stewarded by the Department of Work and Pensions). TPAS was very evasive over the verification issue (delaying for several weeks and changing advisor after I reported my findings), whilst Action Fraud claimed that they did not have "sufficient leads" (although the case remained open).

This pensions "industry" appears to operate in a lawless environment with a captive market without the spur of any effective competition, nor the proactive regulation and oversight that is vital in its absence. And there is clearly no access to justice through the "dispute resolution" processes. All this leads me to urge people to by all means avoid putting money in the hands of a pension provider.

Ian McInnes.