

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	24 August 2016 / 15 September 2016
Sender / Recipient / Medium	Scottish Widows (Euan Craighead) / Ian Clive McInnes / Post
Description	<p>Scottish Widows' Intransigent Final Response. <i>This arrived in just three weeks; quicker than any other post from the UK within the last few years, so I did not have to wait for long before approaching TPO.</i></p> <p>This disregards the main issue (that I am legitimately unable to fulfil their onerous, illegitimate and fraudulent "verification" requirements, for reasons that I explained fully). Instead, it focuses on the delays resulting from the poor communication, for which the blame is laid entirely on the Mexican postal service.</p> <p>Scottish Widows' processes include replying to emails only by ordinary post. And they sustain this position in their claim that, being a UK-based company, "our processes are set to suit the majority of our customers". <i>Their "processes" also involve forcing the use of telephone rather than post for browbeating (e.g. the telephone interview), or to keep things off the record (like dealing with complaints, where the browbeating aspect is also useful). The communications medium is set by SW to suit them.</i></p> <p>They forced the use of post in my case, even though I had made clear that post from the UK is unviable as it can take well over three months to arrive here. Moreover, they require a postal response within 14 days of</p>

the date of the letter (and the record of correspondence with Scottish Widows shows that this period includes post both ways).

This Final Response endorses the sending of numerous such letters and forms, when they should have known very well that I could not possibly comply with their draconian requirements (neither the "verification" documentation they demand, nor the time allowed to respond).

There is no doubt in my mind that sending all these unnecessary (and varying) forms serves two purposes: firstly to feign willingness to encash, and secondly to justify terminating my application due to my lack of response to them (including to two sent within two days of each other).

The requirement to respond within 14 days (including post both ways) is likely make compliance impossible for many others living overseas; especially considering the difficulties in satisfying SW's "verification" demands. *The initial email (apart from specifying quite different requirements to those in the letters/forms) misleadingly allows 30 days.*

To illustrate the problems for those overseas, my TPO application took 5 days to arrive using the fastest possible means (DHL Express Letter) at a cost of around £50. And my application for pension encashment was closed due to my lack of response on the very day that I received the initial letter in rejection of my documents.

The ridiculous situation that resulted from forcing the use of post is entirely of Scottish Widows' creation. Any reasonable organisation would have explained why the documents I sent were unacceptable by simply replying to my email (*and the [rejection letter](#) they sent did not give any clear explanation*). And even if their documentation demands were legitimate, the government allows scans for anti-money laundering verification, and so should have Scottish Widows (*as they did later when firefighting my complaint; also reducing the requirements to meet my expressed findings that they should not have required proof of address*).

The links below give more commentary on a document that makes Basil Fawltly look like a paragon of reasonableness. However, it is perhaps helpful in confirming that these "verification" measures are applied to all customers wishing to encash (certain types of) pension policies (I suspect those to which the Pension Freedom legislation of April 2015 applies). *Government anti-money laundering measures are not pension-specific.*

As with the previously-sent complaint information, I am referred to the Financial Ombudsman, which (according to its website) does not handle pension administration complaints; these are supposed to be referred to TPO. But on the Financial Ombudsman website, I quickly found several cases involving Scottish Widows pension administration (only) - and not one of these was upheld. I can only suspect that SW had an arrangement with the FO at that time, as it clearly does now with TPO.

It is interesting to note that exactly a year later (15 September 2017) I received a [Complaint Response](#) from the TPO Casework Director (Fiona Nicol) in which I was slapped down for expressing my over-cautious suspicions about delay and prevarication by the adjudicator. It has now become clear that TPO is corrupt from its PO (Anthony Arter) down, and involved in a criminal conspiracy to protect Scottish Widows (and it is no doubt also protecting numerous other pension providers).

Website Links to More Info

[Overview \(Intransigent Final Response\)](#) / [Event Summary](#) / [Details \(SW\)](#)

24 August 2016

Our Reference: EDH/10982346/EC

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Dear Mr McInnes

Thank you for contacting us in regards to your two pension policies. We always welcome customer comments as it gives us the opportunity to restore your confidence.

You are unhappy that we have failed to settle your policies in a timely manner. You believe our means of communication are unsuitable and you are unhappy that we have failed to clearly set out our requirements for satisfying our Identification and Verification process. You sent us documents via email and we are insisting that these be sent by post.

We appreciate how the situation makes you feel, however, we cannot uphold your complaint on this occasion.

We appreciate the difficulties you may face with the postal service in Mexico. Scottish Widows is a UK based company and our processes are set to suit the majority of our customers. We cannot be held responsible for any mail you have not received in a timely manner due to the Mexican postal service.

Until such times as all of our requirements are met, no claim can be initiated. This would include satisfying any Identification and Verification requirements. These are required under UK legislation and we would ask all customers to satisfy these requirements prior to the settlement of these types of pension policies.

I have checked the history of your case in depth and can find no evidence that we have delayed any response to your enquiries. We have responded to your correspondence in a timely manner each time. Any delay you have encountered in receiving correspondence from us is not a result of Scottish Widows inaction.

We have supplied you with our Identification and Verification requirements and details of who you can use to verify these documents on numerous occasions. I have enclosed a copy of this document once more for your convenience.

I trust I have been able to explain our position to you. If you wish, you have the right to refer your complaint to the Financial Ombudsman Service, free of charge – but you must do so within six months of the date of this letter.

If you do not refer your complaint in time, the Ombudsman will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances. For example, if the Ombudsman believes that the delay was as a result of exceptional circumstances.

Please find a copy of the Financial Ombudsman Service's leaflet enclosed or you can visit their website at financial-ombudsman.org.uk. If you've any questions or further information, please feel free to call me.

Yours sincerely



Euan Craighead
Complaint Manager, Customer Service



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