

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	30 August 2017
Sender / Recipient / Medium	Ian Clive McInnes / TPO (Briony Bowen: Communications Manager) / Email
Description	<p>This follows my attempt of 06 August to get information on the mix-up over the customer survey, and its response that was referred back to adjudicator, stating that he would give me a status report.</p> <p>Although I did not expect to receive such a report, I waited dutifully for it anyway. But I now felt (in the absence of other clear options) that I must repeat my attempt to get information over the survey, this time explaining my position more fully.</p>
Website Links to More Info	Event Summary / Details (TPO)

Customer Survery: PO-14071

- [Ian McInnes <ian.mcinnnes@yahoo.com.mx>](mailto:ian.mcinnnes@yahoo.com.mx)
-
- ago 30 a las 15:02

Para

- Briony.Bowen@pensions-ombudsman.org.uk

Texto del mensaje

Dear Ms Bowen,

This is a follow up to my email of 06 August in connection with the customer survey. You stated in your very prompt reply that this was forwarded to the adjudicator (by whom I assume you mean Barry Berkengoff), and that he would be in contact with a status report. Unsurprisingly, I have received no such report; nor have I received any other evidence of action on my case since it was assigned to him in October 2016.

I am sorry to bring this matter back to you, but my efforts at discourse with Mr Berkengoff are now exhausted. And you are in a position to help resolve a very serious matter, and perhaps benefit many people besides myself. I will therefore explain rather more fully my reasons for sending you that first email, in the hope that you will deal discreetly with this one.

Having tried repeatedly to get information from Mr Berkengoff on my case, it has become clear that he has no intention of investigating it. He only made himself known after six and half months (when his cover was blown); since then, he has done nothing but prevaricate. Moreover, certain circumstances strongly suggest that there has been **collusion with Scottish Widows** to bury my evidence.

Scottish Widows is involved in fraudulent evasion of pension encashment, under the blatant false pretence that their draconian "verification" demands are "*required under UK legislation*". I am clearly not alone in suffering as a result of their scandalous abuses. My case documentation for TPO contains highly incriminating evidence against Scottish Widows, including proofs and analysis that they would have a very strong motive to suppress. And, as my commentary explains, they are very adept at concealing their abuses and evading justice.

On 08 and 09 November 2016 (shortly after my TPO application of 24 September 2016 was accepted), Scottish Widows made several attempts to telephone me at various unsocial hours (including at 0045 UK time), clearly in an effort to get me to withdraw my case. In the interests of justice, I would not have "done a deal" with them (even though by now in need of funds to meet my basic needs). However, events dating from this time indicate that Scottish Widows may have had more success with TPO than they had with me. Undoubtedly a substantial sum would be involved (and I know Mr Berkengoff is from Edinburgh and likes Porsches).

Not only would a cover up of Scottish Widows' criminal misconduct enable them to continue their abuse of pensioners with impunity, it would also be a criminal matter involving obstruction of the course of justice. In the event of collusion within TPO, I hope that you would see it as your duty to uphold justice and the rule of law, rather than protect the perpetrator (and possibly be an accessory). And any failure by TPO to deal firmly with criminal misconduct within its ranks is likely to seriously discredit the organisation. For my part, facing the loss of my pension funds, and being incensed over the maltreatment I have experienced, I will not desist in my efforts to get to the bottom of this matter.

With this in mind, I ask you to help me clear up the following two suspicious circumstances:

FIRST:

Your emails on the customer survey indicate that my case was closed without my knowledge or consent by 18 January. *I assume that the survey is applied only to closed cases.* Please tell me which of the following is true:

- The survey was known to be sent to the wrong people** (as well as being initially the wrong version); so your emails of 18 January and 15 February were no doubt sent in error.
- The survey was sent to the right people (as far as was known)**; the only known error was in sending the wrong version (which was corrected in your email of 15 February).

If (a) is true, then I would have no reason to believe that my case had been closed. But this seems unlikely, as it requires not only that two separate errors were made (version and distribution), but also that the latter (known) error was not mentioned, and furthermore had still not been rectified four weeks later.

If (b) is true, then my case must presumably have been closed at that time, and I would appreciate any information you can give me on the closure (e.g. date, reason, who by). As you were apparently able to determine who is assigned my case, it may have been reopened since. If so, my guess is that this was around 15 May, when Mr Berkengoff finally broke his radio silence (but only after I had discovered his name, surmised his email address, and emailed him directly).

SECOND:

I supplied my case documentation for TPO only via links to my website. Evidence strongly suggests that access to this within TPO was blocked a few days after the telephone calls from Scottish Widows. My application would surely not have been accepted had the documentation on my website not been accessible at that time. And Carl Monk was evidently able to access links in my emails of 30 October and 10 November 2016; yet he reported that he was denied access to the link in my email of 23 November 2016 (I had to send the document as an attachment).

Mr Berkengoff cites the alleged security issues over my website as a reason for the lack of progress (nonetheless, he did not want the offline solution that I offered, or ask me to supply the documentation in any other form). He indicated that the system denied access as a result of the .mx domain name extension. Whilst this kind of arbitrary and sweeping restriction may not be unlikely in the UK, there appears to have been no such general clampdown during this short period. So if my domain name is inaccessible, it seems more probable that it has been specifically targeted; and this would clearly indicate a burial of my case.

I would therefore be very grateful if you would tell me which of these links are accessible on your normal office connection:

- 1) www.vivazamora.mx (my home page, leading to case documentation - reported blocked)
- 2) www.zamora.mx (a local property portal - nothing to do with me)
- 3) www.elsoldezamora.com.mx (a local newspaper)
- 4) www.elpobrecorderito.com (my webspace again, in a new .com domain wrapper)

I would be glad to receive any other information that you may have that would shed light on this. There are probably other resources at TPO that will be helpful in investigating my concerns (for example an audit trail of requests to block websites). My case documentation now contains an additional page devoted to my dealings with TPO, including popup images and PDF documents of all correspondence:

www.elpobrecorderito.com/PersonalPensionFiasco/DetailsTPO.html

IF THERE IS EVIDENCE OF WRONGDOING:

Suspected criminal misconduct within TPO must be reported directly to the police. Hopefully it will be isolated, but one cannot be sure who else may be involved. And it is important that suspects are not given the opportunity to concoct or destroy evidence before being interviewed. Whilst Barry Berkengoff must clearly be the prime suspect, Carl Monk (as the assistant adjudicator I dealt with initially) should be interviewed separately as a witness and possible accessory.

If you wish to report this matter to the police yourself (perhaps as an anonymous tip-off), please quote the National Crime Reference Number for the case I have open against Scottish Widows: NFRC170501858997. This should supply the required leads, and greatly increase the likelihood of a successful prosecution of both parties.

If you prefer to contact me by telephone (rather than email), you can leave a voicemail message before about 2pm your time (when nobody will be in) on: +52 351 512 3899. Please speak slowly and clearly, as my hearing is substandard. Alternatively, you can send a text message to: +52 351 108 7148 (best after around 3pm your time). You can be assured of my absolute discretion and sensitivity to any concerns you may have; I seek only a just resolution of this case.

OTHERWISE:

I hope that you can advise me to whom I can refer the matter, as the prolonged inaction and evasiveness requires proper explanation. Whilst I can believe that TPO is a busy organisation, I cannot believe that this dilatory conduct is reasonable under any circumstances.

Mr Berkengoff states that, as Deputy Casework Manager, he can only do investigations one day a week (although Carl Monk always referred to him as "Senior Adjudicator"). But this can hardly explain why he had been sitting on my case from October 2016 until 15 May 2017 without contacting me, or making any serious attempt to look at it. *He reported that my website was inaccessible only in his email of 22 May, six months after Carl Monk reported this.*

His radio silence was broken only after I managed to email him directly (after waiting five weeks for a response to the email forwarded to him on my behalf by Carl Monk). Had I not done this, I am quite sure that I would still not have heard from him. He appears to see it as his business only to react to emails sent directly by me (but not by others on my behalf), and then to prevaricate as he sees fit.

The last email I received from Mr Berkengoff was on 14 July, in response to a blunt exposition of my suspicions that again challenged him to produce some evidence that he was investigating my case. But his reply did nothing to address the questions I raised, offering only denials and reasons/excuses for the delays, and again stating that he would "*be in touch shortly*". I will not pursue this matter further, and thus do not expect to hear any more from him. My fruitless dealings with Mr Berkengoff have seriously degraded my health and well-being, and I have nothing more to say to him.

The blatant and serious nature of my case, and the fact that it is continuing to affect many others, make its chronic neglect particularly odious and distressing. Having done the principled thing in not dealing with Scottish Widows, and having spent hundreds of hours preparing my case in an effort to prevent others being victims, I and many others have good reason to feel betrayed.

Yours sincerely,
Ian McInnes.