

# 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  
Email: [ian.mcinnnes@yahoo.com.mx](mailto:ian.mcinnnes@yahoo.com.mx)  
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	5 November 2018
Sender / Recipient / Medium	TPO (Jane Stephens: Casework Manager) / Ian Clive McInnes / <a href="#">Email</a>
Description	<p>An extraordinarily belated follow-up to their last email of <b>over a year ago</b> (that of <a href="#">31 October 2017</a> and also <a href="#">3 October 2017</a> from the Adjudicator). These forced me into a "deal" with Scottish Widows, who he stated were asking for a Mexican passport. Requiring a lawful and just solution, I sent emails to the Pensions Ombudsman on <a href="#">4 October 2017</a>, <a href="#">8 October 2017</a> and <a href="#">1 November 2017</a> (the first copied to the Casework Director), and to the Legal Director on <a href="#">10 January 2018</a>, all without reply; nor have I received any other communication from TPO since, until this one.</p> <p>The absurdity of this email is hard to summarise. But it again confirms that TPO refuses to carry out its statutory duty of investigation followed by determination by an Ombudsman (as required under the Pension Schemes Act 1993/2017), in its protection of Scottish Widows. It is further evidence of TPO's guilt of the criminal offence of Misconduct in Public Office.</p> <p>Those in both TPO and TPAS are well aware that Scottish Widows is guilty of criminal misconduct in its imposition of onerous "verification" demands that they claim are "<i>required under UK legislation</i>". This is a false pretence, and clearly part of a fraudulent strategy to evade pension encashment. And if my numerous statements to this effect were untrue, TPO and/or TPAS would have rebutted them, rather than evaded the issue.</p>

TPO is thus knowingly protecting SW from what would be criminal charges (in addition there are numerous other counts of cavalier customer treatment). And there is evidence that TPO did a "deal" with SW in November 2016, shortly after my case was assigned to the Adjudicator.

This email continues the ridiculous charade of the Adjudicator, in which I am required to supply further verification, ostensibly to satisfy SW. The Adjudicator stated that SW requested a Mexican passport to this end, even though:

- I am a British citizen, and have at no time given any indication to the contrary
- In my [original application](#), I supplied as evidence of Name my certified ID card as permanent resident (which contains the same verification information as a passport), plus a certified birth certificate (*I thus provided satisfactory proofs of **Name and Date of Birth***)
- My [documents were rejected](#) as I could not completely satisfy SW's requirements for proof of **Address** (*which is not present on a passport*)
- On 30 June 2016, [SW offered to accept the documents as I emailed them](#), requiring only that they be posted (*this was after I asked about their IDRP, and received a reply denying familiarity with this term*)
- On 01 August 2016, SW [offered to accept a scan of my ID card alone](#) as proof of identity, provided it were emailed by my bank (*this was after I had stated that they had no business to require proof of address*)

Ms Stephens claims that Scottish Widows wrote to TPO in November **2017** on the verification issue, but states "I am unclear from our papers whether this email was forwarded to you". I am not sure what "papers" they have to record emails; surely, these are retained on their mail server?

If this extraordinary situation (that this matter has come to light only a year later) is to be believed, then why did Ms Stephens not forward the email from Scottish Widows now? *The embedded text (apparently copied and pasted from the source) hardly provides good evidence of it.*

And am I to believe that Mr Berkengoff, who at that time was doing his utmost to press me into a deal with SW (and by his account, and I have reason to believe, was negotiating directly with them), neglected to send this email at the time?

All things considered, I can give these statements no more credibility than the reasons given by the Casework Director for the delay and prevarication of a year after my case was assigned to the Adjudicator.

*Incidentally, Ms Stephens asserted on 31 August 2017 that my case had been actively investigated since it was assigned in May 2017; however, the Casework Director was subsequently forced to acknowledge that it was actually assigned in October 2016 as I had stated..*

I have no idea why this email was sent, but of one thing I can be sure: it is another pack of lies from TPO. But the bottom line is that TPO's duty is to investigate and determine my case on its merits (as in fact the adjudicator stated he would do in his [initial email of 15 May 2017](#)), not negotiate.

Website Links to More Info

[Event Summary](#) / [Details \(TPO\)](#)

- **Jane Stephens** <Jane.Stephens@pensions-ombudsman.org.uk>

**Para:**ian.mcinnnes@yahoo.com.mx

5 nov a las 9:32

Dear Mr McInnes

I am currently reviewing the papers in relation to your complaint and see that the last correspondence we received from you was in November 2017. Please accept my sincere apologies for the delay in contacting you. In November 2017 Scottish Widows wrote to this office and advised as follows:

"If we have confirmation from Mr McInnes that he does not have a current Mexican passport, we can try the 'Financial Exclusion' route.

Of course, if he does have a passport, this will resolve things and would suffice for Name verification.

If not though, in situations where we have insufficient or no documentation to satisfy the primary list, we can consider a letter of introduction from the final financial exclusion list. The following are letters that may be accepted as verification in the limited circumstances described (not all will be relevant to Mr McInnes of course):

- Letter from UK Forces base commander: to verify members of armed forces address only.
- Letter from University/college or school: to verify address of student or pupil only.
- Letter from Matron of a Nursing Home: to verify address of an elderly resident of home only.
- Home Office Letter granting exceptional leave to remain in the UK: verifies identity only.
- Home Office letter confirming refugee status: verifies identity and address of refugee.
- A letter of introduction from a person of responsibility confirming both name & address of the customer. The person of responsibility must be from the following list:

Doctor, solicitor, barrister, accountant, councillor, civil servant, staff in the registry of a higher education facility, minister of religion, teacher, midwife/district nurse who has visited at home, hostel manager, social worker, armed services officer (active), UK forces base commander, care home managers, prison governors, probation officers, police officers, Members of parliament, Members of the Scottish Parliament or the Northern Ireland Assembly, a Justice of the Peace. **The letter of introduction must include the customer's name and address and in most cases the introducer must confirm that they have known the customer for at least 12 months.**

Once received, Verification will still be required to examine the documentation and determine suitability. They may also need to translate any foreign correspondence but have the means to do so, if required.

In terms of how we can receive the documentation, this will still need to be decided depending on what is being sent to us. I'd therefore recommend we are informed once Mr McInnes believes he is in a position to obtain this information so that we can confirm what method of receipt will be acceptable."

I am unclear from our papers whether this email was forwarded to you. I understand however from Scottish Widows that they have not heard further from you and your policies are yet to be settled so I am assuming it was not for which I apologise. Please can you confirm whether you have a current Mexican passport and, if not, whether you are able to provide one of the letters listed above in order that the Name verification can be progressed and the policies settled?

Yours sincerely

**Jane Stephens | Casework Manager | 020 7630 2225**

The Pensions Ombudsman

**[www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk)**

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