

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	24 March 2019
Sender / Recipient / Medium	Ian Clive McInnes / TPO / Attachment
Description	Response to an Amended Opinion sent by Tunde Adenubi, in which the poor communications of Scottish Widows were acknowledged, but the fraudulent "verification" requirements sustained. This document is a revised version of my rejection of the original Opinion, with a section added to deal with the Amended Opinion.
Website Links to More Info	Event Summary

PO-14071: Response to Opinions of 15 January and 23 March 2019

Summary

I do NOT accept the original [Opinion of 15 January](#) as it is founded on demonstrably false statements, gross distortions, and serious inconsistencies contained within it, relating to both:

- Anti-Money Laundering (AML) Regulations
- The Facts of my Case

I also do NOT accept the amended [Opinion of 23 March](#), as it continues to sustain criminal misconduct by Scottish Widows, and does nothing to address the above issues (only section [37] of the original Opinion).

This document mainly concerns the original Opinion, but ends with some brief comments on the Amended Opinion. I firstly deal with AML regulations, then with matters specific to my case.

This document contains numerous links: I use [blue](#) for HTML documents and [crimson](#) for PDF documents.

Gross Misrepresentation of AML Regulations

Firstly, the AML regulations pertinent to my application of April 2016 are those dated 2007. The discussions in section [31] referring to the introduction of AML regulations in 1993 and the latest update of 2017, with innuendo of changes in between (but neglecting to mention the 2007 regulations) are thus irrelevant; I correctly used the 2007 documentation for my assessment of AML regulations.

I studied this over a period of about a week before concluding unequivocally that Scottish Widows' verification demands are totally illegitimate. My analysis is fully documented in the [Verification Issues](#) page of my website, and is unaltered by your false and misleading statements and the 2017 changes.

Your discussions of AML in [33-35] ignore the basic fact that customer due diligence involves two phases:

1. Identification, in which details are taken from the customer and recorded. This requires documents giving proof of (at least) Name, Date of Birth, and Residential Address.
2. Verification of Identity, which is a check that the individual matches that previously identified. This requires proofs of only a subset of the data recorded during the identification phase: viz. Name, plus EITHER Date of Birth OR Residential Address.

You imply that criteria for identification apply in addition to the simpler requirements of verification of identity. But is clear from both AML documents and common sense that identification is done only to establish and record an identity; subsequently, only verification of that identity would be required.

Scottish Widows has already established my identity; and this identification took place on a face-to-face basis while I was living in the UK. The comments in [35] are therefore incorrect, as I was physically present when the identification checks were carried out. And as I have had an ongoing business relationship with Scottish Widows since identification, no verification is required either.

It may suit you and Scottish Widows to use the terms Identification and Verification together, but this is only one of many errors in their documentation. As noted above, the requirements for Identification and Verification of Identity are different, yet most of their documentation does not distinguish the two. And it should be obvious that one does not do both at the same time. *The [confirmation of telephone interview of 05 April 2016](#) does correctly refer to the process as Verification of Identity (see page 4).*

I maintain that Scottish Widows' assertion that their onerous documentation demands "are required under UK legislation" is false. Furthermore, that Scottish Widows could not possibly have implemented these draconian measures in the genuine belief that they were legitimate, and this together with other circumstances shows that they are part of a fraudulent strategy to evade pension encashment.

False and Unsubstantiated Statements over the Facts of my Case

These are said to be from Scottish Widows, and contained in section [25]. *I have been given no prior opportunity to comment on these (or any other) statements.* They clearly endeavour to deal with certain awkward (for SW/TPO) facts in order to sustain SW's false pretence and TPO's "pragmatic solution".

[25.1] "The documents they have received to date only satisfy the criteria for verifying Mr S' address, not his name"

This statement is preposterous. It diametrically contradicts the facts, and in particular clear documented proof that it was my inability to satisfy their **Address** criteria that resulted in my documents being rejected, without any remedy being available on my part. And as you noted in [9], I explained in my [email of 11 April 2016](#) why it was not possible for me to completely satisfy their Address requirement.

See also [Difficulties in Verification of my Address](#). I give here a summary of the main relevant facts:

- The only verification document I sent containing my address is a [bank statement for April 2007](#). I also sent my national ID card as proof of Name, and my birth certificate as the mandated proof of Date of Birth (no issues were reported with these). I had no more recent bank statement as, for security reasons, I requested that these no longer be sent by post (*this is in fact much less secure than email!*).
- I sent all three documents on [11 April 2016](#) by email, as I was worried that they would be rejected (the biggest worry being over the bank statement). The only usable postal option was courier, which is very expensive. I reasonably expected that Scottish Widows would simply reply to this email, confirming whether or not they would be accepted; and if not, how I could deal with the matter.
- My proof of Address was rejected in SW's [letter of 14 April 2016](#) (received 16 June 2016) as "we are unable to accept any documentation that has fall(sic) outside the required timescales". *This is the document referred to in [10]*. Although the communication is to Scottish Widows' usual low standard, "timescales" can apply only to the bank statement (which must be dated within the last 3 months), not to the other two documents (for which there are no time limits).
- The address on this bank statement is the address that Scottish Widows holds, but this is **NOT my residential address**. As I cannot receive mail at this address, Scottish Widows holds a mailing address (that of a friend) to which to send all their paper. But **AML verification must be done on Residential address**, and Scottish Widows (since my arrival in Mexico in 12/2005) has not held such an address (nor did they ever ask for it). So even if I could have verified this address to SW's satisfaction, it would be invalid for AML purposes. *Another error on SW's "Individual Identification and Verification Form" is that it specifies only plain Address, not Residential Address; these may not be the same.*
- All verification documents were received by Scottish Widows only by email, for the reasons described above. But this medium is clearly unacceptable to Scottish Widows ([10], [25.5]). So on this basis alone, they could hardly have received documents that satisfy their requirements for proof of address; they should still require me to supply these on paper. *On [01 July 2016](#) (after asking for their IDR) I received an email requesting me to post the documents that I had emailed, but I did not do so - see [17].*

The motivation for the above ridiculous assertion is plainly obvious: it is a desperate attempt to negate the embarrassing fact that Scottish Widows' demands for verification of Address were in my case impossible to satisfy, and therefore patently invalid. *The difficulties surrounding SW's requirements demonstrate that their intention was to make them as onerous as they could be, without being manifestly impossible to satisfy; my particular situation was clearly an oversight on their part.*

In the [email of 03 October 2017](#) from Barry Berkengoff, TPO pushed a blatantly illegal "pragmatic solution" requiring me to supply yet more verification documents, in place of investigation and determination. This charade continued on [31 October 2017](#) and [05 November 2018](#). To sustain the false pretence and thereby SW's position, SW/TPO had to continue to assert that the documentation I supplied was unacceptable. And this deficiency could not be proof of Address, as I have explained above. Nor could it be Date of Birth, as I had supplied the mandated birth certificate. So they were left with Name (which is easy to verify)...

[25.2] "His National ID card would not verify Mr S's name"

A patently ridiculous statement, which is also directly contradicted by Scottish Widows' documentation. As a government-issued document with photo ID, it has the highest standard of authenticity, fully equivalent to a passport in this respect, and is my only universally acceptable form of identification here in Mexico. If verification of identity were required under AML regulations, this would offer good proof of both Name and Date of Birth, and thus be the only document required (*AML guidelines make clear that a single document of this nature will satisfy both verification criteria*).

You may have been confused by a statement that my national ID card was disallowed as a form of Name verification in the paper forms that followed the PDF one. But it is clear that all but the last of the paper forms are older than the PDF one (probably from a stock of preprinted copies), and are otherwise replete with conspicuous errors. The latest paper form they sent (dated 01 June 2016) is very similar to the PDF, and relatively error free. And both the [original PDF form](#) and the [latest paper form](#) include national ID card as a valid means of verifying Name. Furthermore, the error of omission in the older paper forms (for example, [this one of 26 May 2016](#)) is clear, as the allowed Evidence of Address documents include National Identity Card with the proviso "if not used to verify name and it shows the address".

Apart from this, for Scottish Widows to not allow a national ID card as a form of verification of name would be nonsensical, and clearly not conformant to AML guidelines. Also contradicting the above statement is that whilst the [letter of 14 April 2016](#) rejecting my documents indicated that I did not have satisfactory proof of address and that the documents must be posted, there was no mention of any other issue. And on [01 August 2016](#), my ID card alone was allowed after I had challenged them over their requirements for proof of address - see [25.5].

But as I indicated above, it was necessary for me to lack satisfactory verification of Name to sustain the charade to protect Scottish Widows started by Mr Berkengoff (although no doubt under instructions).

[25.3] "Bank statements from HSBC would verify Mr S's address"

As noted in [25.1], I was not able to supply a printed bank statement dated later than April 2007 with the address that Scottish Widows holds (which anyway is not valid for AML purposes - Scottish Widows does not even know my residential address). This remains the case, as I cannot supply another statement with the (correspondence, not residential) address held by Scottish Widows - see [Difficulties in Verification of my Address](#). So bank statements did not and still cannot verify my address.

Anyway, this is inconsistent with [25.1], which states that they had already received satisfactory criteria for verifying my address (which clearly could not have been the old bank statement that they rejected).

[25.4] "The reason Mr S was able to take monies was because, at that time, Anti Money Laundering exemptions applied to those policies. Those exemptions do not currently apply to these policies."

(referring to my encashment of SW investment and mortgage plans in 12/2013 with only a signed letter).

I have searched extensively for references to exemptions to Anti Money Laundering policies, and can find none. The 2007 regulations were applicable when I liquefied my investment and mortgage plans, and there are no references to exemptions in that, except where the transaction amount is below the threshold (my liquidation was for many times that amount). And there were no changes to these regulations until 2017.

AML regulations are not transaction-specific (this was stated by TPAS, and confirmed by the lack of any reference to transaction types in government documentation). *The [Final Response](#) from Scottish Widows gave the game away somewhat in indicating that their documentation requirements were applied to "these types of pension policies" (I suspect those to which the Pension Freedom legislation of April 2015 applies).* And there can be no rational basis for HMRC to grant exemptions to certain (unspecified) types of policies, and then remove them at some (unspecified) later date. *It is convenient, of course, that these exemptions do not currently apply to these policies - otherwise the statement might be easy to disprove.*

Apart from the Scottish Widows investment and mortgage plans, I also made a number of large transfers from Lloyds bank accounts in the UK to this same HSBC (Mexico) account from 2006 to 2013; in each case, only a signed letter was required. The last of these was made when I closed my two UK accounts (numbers 10869268 and 02208398) in a letter of 02 December 2013. At least some of these transfers (including early ones for construction of my house, and the last) were well above the threshold at which verification would be required - did AML exemptions apply here too? If so, what types of transaction were not exempted?

Moreover, if there were any basis to this highly questionable statement, you would have given specific information that could be checked, including the types of policies affected and the period of the exemption (just as you provided specific, although irrelevant, information in other areas). And if this statement was made by Scottish Widows, you should have asked them to substantiate it, rather than simply accepting it.

Further, in my initial Opinion Rejection of 27 January 2019, I challenged you to demonstrate the veracity of this statement by providing proper verifiable information; but you have not done so. I therefore maintain that it is not just unsubstantiated, but an outrageous lie, made in another desperate attempt to negate evidence supporting my statements about the illegitimacy of Scottish Widows' documentation demands.

[25.5] "The offer for Mr S to email the documents should not have been made"

Indeed not, as it is yet more evidence of Scottish Widows' manipulations to avoid being brought to justice. But I do not yield to criminal misconduct, which had become clear by the time this "offer" was made.

This second offer was in response my [interim complaint of 10 July 2016](#); this was based on an incomplete AML assessment, in which I asserted only that Scottish Widows had no business to require verification of address. It was to accept my national ID card alone as verification (*this would satisfy AML regulations, were verification required*), but with some stipulations, including that it were emailed by my bank, plus others that were clearly ad-hoc in nature - see [21]. *It was necessary to add these stipulations to avoid the charge that they should have accepted the original emailed documents.*

This was Scottish Widows' second attempt to defuse a complaint that would have grave consequences for them if brought to justice. Their first attempt was on [01 July 2016](#), when they telephoned then emailed an offer to accept the documents as I emailed them, provided they were sent by post. The telephone calls they made at various hours after my case was assigned to the Adjudicator constitute their third attempt.

Other Issues

[8] "...The email stated that, for non-UK residents, Scottish Widows required a certified copy of two of the following documents. One to verify identity and the other to confirm address"... <List of documents>

This statement bears little relation to the facts. The email required the provision of four documents (regardless of residency): proof of name, proof of age, proof of address, and in addition a certified birth certificate. Details of allowed means of proving Name and Address were specified on the [attached PDF form](#) (these did vary according to residency/nationality). *I could also not provide any separate proof of age, but as this was not referred to later, it must be presumed to be yet another error (deliberate or not).*

Nowhere does it say that one document is to confirm address and the other to verify identity; the email indicates that all four documents are required to verify identity. Please view the [email of 05 April 2016](#).

This email also states that 30 days are allowed to respond; yet the very next day, Scottish Widows sent two letters with quite different (and highly erroneous) forms, giving only 14 days (including post both ways).

At the end, it gives the impression of flexible options for sending documents, but it only became apparent in small print on the attached form that all documents must be certified; and these may only be sent by post. The very specific (and unreasonable) certification requirements also differed considerably between the email and the attached form. These and other issues caused considerable difficulties at the outset.

[10] "On 14 April 2016 Scottish widows sent a letter to Mr S, in relation to Policy P5779Q..."

This was the [letter of 14 April 2016](#) referred to above in rejection of my documents (this was a dreadful response to my email of 11 April, both in its medium, and its content). The first part was an unhelpful repetition of the standard letter they sent on five other occasions; in the second part, there was an indication that my documents were rejected as my bank statement was out of date, and that Scottish Widows required documents to be posted. *I received this letter on 16 June 2016 - the same day that Scottish Widows sent a letter terminating my application.*

[12] "On 26 May 2016, Scottish Widows sent another letter to Mr S, in relation to policy P56879Q..."

Yes, this was just two days after they sent [a similar letter and form](#), also for P56879Q (some were for N80803X). Non-response to these two letters and a [further one of 01 June 2016](#) [13] for policy N80803X was used to justify terminating my application in a [letter of 16 June 2016](#) as "we must assume that you do not wish to proceed with this claim" (even though I had sent a [follow-up email](#) on 21 May 2016, to which they responded in their letter of 01 June 2016). *All these letters and forms were quite pointless, and I believe served to feign willingness to encash as well as justify termination.*

[19] "On 15 July 2016, Scottish Widows sent Mr S an email, in response to his email of 10 July 2016..."

This [email of 13 July](#) (re-sent 15 July) offered three communication options - all of them telephone. This was despite having made my difficulties with this clear in the second paragraph of my [email of 10 July 2016](#) [18]. They were unable to deal with my complaint by email on the grounds of security, despite having been able to email me two password-protected PDF documents with secure reply less than two weeks earlier.

[37] (issues with use of post and telephone)

Not only did Scottish Widows insist on corresponding by post in the knowledge that it was completely impractical, their letters also required a response within 14 days of the date of the letter (including post both ways). And the [Final Response](#) was completely intransigent, blaming the problems on the Mexican postal service (chopped from your excerpt in [23]). Whilst post to Mexico may be slow, this 14-day limit would be impossible for many others living overseas to satisfy (even before considering the difficulties in fulfilling their verification demands). Yet they endorsed their imposition of post with this risible remark: *"Scottish Widows is a UK based company and our processes are set to suit the majority of our customers"*.

Scottish Widows reverted to email only after I mistakenly requested their IDR; they sent password-protected PDF documents to deny knowledge of the term Internal Dispute Resolution Procedure, and request me to post the (apparently now valid) documents. *Perhaps they thought encryption would keep this correspondence off the record - but for evidence I defeated it.* This is the first phase of [Dishonest and Evasive Handling of my Complaint](#).

Section [17] skips over the cardinal point that Scottish Widows asked me to post documents that they had previously rejected (on valid grounds, according to their criteria); you did not explain how they could comply with government regulations afterwards but not before.

And I have already explained why I sent my documents by email; I was fully prepared (at that time) to send them by courier if I got the green light by way of a reply to my email (which would take SW a few seconds).

Another issue is the forced use of telephone. This includes the nightmare telephone interview of about an hour and a half (a thinly-disguised effort to dissuade me from encashment), the initial response to my complaint, and the points described in [19] above. The Final Response offered only telephone as a medium for follow up, and they used it frantically to get me to withdraw my complaint on [08/09 November 2016](#).

So whilst feigning flexible communication options, SW forces the medium on the customer. This is usually post, with telephone being imposed to browbeat the customer or keep sensitive material off the record.

If you believe all this is acceptable and not maladministration, I am all the more pleased to live in a country where there is decency and respect for the individual (and also more enlightened use of communications technology). But Scottish Widows is hardly concerned with market-driven quality; nor it seems is there any spur to acceptable standards in the form of effective regulation and oversight. Nobody in their right mind would give money to this company in the light of my experiences; but people putting money into pensions cannot know how they will be treated as pensioners, and have to rely on you for justice.

[38] (summary)

I have already shown that Scottish Widows had no business to require verification documents under the pretext that they "are required under UK legislation", let alone identification ones. Again, you imply that both identification and verification of identity apply, when this would clearly be nonsensical.

The "options" you refer to were forced upon the complainant by yourselves at TPO, in gross violation of your statutory duty to investigate and determine complaints under the provisions of the Pension Schemes Act 1993/2017 sections 145(4C) and 146. The legitimate functions of TPO do not include any kind of arbitration or negotiation, never mind the imposition of a "pragmatic solution". This alone is a very clear and documented case of the criminal offence of Misconduct in Public Office.

But (in consideration of the criminal nature of Scottish Widows' offences) this brazen collusion in their protection is a conspiracy to pervert the course of justice. And I am practically certain that this follows a [deal between SW and TPO](#) concluded on or before 23 November 2016. In any case, you would hardly have resorted to such blatant breaches of pensions and criminal law unless there were some very strong motive. I have expressed the criminal nature of TPO conduct in several emails, including my [email of 11 November 2018](#) - yet you perversely continue to prop up your absurd house of cards in self-evident protection of SW.

When I sent my TPO application, Scottish Widows appeared to have something to fear from TPO. Their documentation nowhere mentioned either TPAS or TPO; instead SW referred me prominently to the Financial Ombudsman (see the [complaint information of 15 July 2016](#) and their [Final Response](#)). You will be aware that this organisation is not supposed to handle pension administration complaints; yet I could quickly find several purely pension administration complaints for Scottish Widows on their website (and none was upheld). But it seems that Scottish Widows now also has an "arrangement" with you at TPO.

The above point that Scottish Widows supplied invalid complaint information was omitted from your Opinion, but this is also clearly serious maladministration (if not a criminal offence), especially as it will mislead complainants into a resolution from an organisation that has no business to deliver it.

Your rehash of my position is otherwise seriously incomplete, but I suppose this is inevitable as there are so many issues involved. I refer the reader to my [Personal Pension Fiasco](#) website for full information.

Finally, it is apposite to put this Opinion in its context. There is a full chronology of my dealings with TPO on my web page [Details \(TPO\)](#). I give a synopsis of events here:

- From the time my case was (by common consent) assigned in October 2016, there was no communication whatever from the Adjudicator until mid May 2017; and that was only after I had learned his name, surmised his email address, and emailed him directly on [14 May 2017](#).
- Since then, the Adjudicator showed considerable evasiveness, and it became clear that he had no intention of investigating my case. After suffering considerable stress and anxiety in my attempts to get my case dealt with, on [12 July 2017](#), I challenged him to give me evidence that he was taking my case seriously. However, the reply was unsatisfactory, containing only empty excuses that were not consistent with the facts.

- I then attempted to get information on my case. As this was not forthcoming, on [30 August 2017](#), I explained in a reasonable and cautious manner my concerns about the conduct of the Adjudicator, urging an investigation. This resulted in more evasiveness (including a blatantly false statement from the Casework Manager that my case had been actively investigated since it was assigned in May 2017, which I had to correct in two emails to the Casework Director), culminating in...
- A malfeasant Complaint Response of [15 September 2017](#) from the Casework Director (*in fact, I never made any formal service complaint*). In any normal situation, my concerns would have been addressed in a reasonable manner, and they would investigate them as I suggested. But instead, there were blank denials and assertions that I had made allegations (I made none). The reasons given for both the delay and subsequent prevarication are untenable, and I am in no doubt that both were quite deliberate. At the end it accused me of mistreating staff (quite outrageous, given my very moderate comments and the mistreatment that I have had from TPO). *With hindsight, I believe that this was intended to soften me up into accepting the ensuing "pragmatic solution"...*
- In Mr Berkengoff's email of [03 October 2017](#) (copied to the Casework Director), it was becoming clear that the protection of Scottish Widows went well beyond the Adjudicator. This was his first effort to force a "pragmatic solution", in which I was required to supply yet more verification documents. He followed this up on [31 October 2017](#) with a request for a Mexican passport (I am still British), requiring me to either accept his "solution" or withdraw my case.
- I sent three emails in response, making clear that I would not be party to such a "solution": one of [04 October 2017 to the Adjudicator](#) copied to the Casework Director and Pensions Ombudsman; one of [08 October 2017 to the PO alone](#); and another on [01 November 2017 to the PO](#). I sent a further email on [10 January 2018 to the Legal Director](#), spelling out clearly the unlawful (criminal) conduct of both SW and TPO and inviting a response. **All four of these emails were unanswered.**
- On [05 November 2018](#), I received a follow up (over a year later) by the Casework Manager to the last email from the Adjudicator. This (perhaps unwisely) revealed that the SW/TPO "pragmatic solution" was based on my supplying verification of Name, and contained some quite absurd statements. I replied to this in an [email of 11 November 2018](#), stating that I considered TPO conduct to be a conspiracy to pervert the course of justice in a corrupt environment. I made an explicit demand that my case be investigated and determined under the provisions of the Pension Schemes Act 1993/2017. **There was also no reply to this email**, or any other communication from TPO prior to this Opinion.

This ludicrous Opinion continues the brazen cover up by TPO of criminal misconduct by Scottish Widows with blatantly false statements, gross distortions, and glaring inconsistencies. It is yet more evidence that TPO will resort to barefaced lies to sustain its position, and that it acts to protect pension providers in a corrupt domain in which it can issue such balderdash protected from external scrutiny and accountability.

Comments on the Amended Opinion of 22 March 2019

This essentially acknowledges only some communications issues (non-criminal matters), and offers £1,000 in compensation. And although the use of post and telephone are criticised, it glosses over the fact that these are abusive policies that will affect everyone. The Final Response makes clear that being able to specify email was never an option, and that they expect postal responses within 14 days.

SW's documentation requirements and TPO's "pragmatic solution" are sustained, without explaining any of the facts above that totally contradict this position.

"Having discussed the case with the Pensions Ombudsman..."

Thank you for confirming that this conspiracy to pervert the course of justice goes right to the top.

"...When it became clear that you were struggling to meet its requirements, it could have taken more cognisance of that and intervened at an earlier stage to assist with other suggestions for meeting the money laundering requirements."

As I made clear, Scottish Widows did make two "offers" (see above) in attempts to defuse my complaint, even though these both seriously violated the requirements they state are "required under UK legislation". This was necessary, since I have explained carefully why I am unable to satisfy their documented requirements for proof of Address. And you at TPO cannot alter this fact, no matter how hard to try to obfuscate and duck the issue.

"... both the 2007 and 2017 Regulations place responsibility on Scottish Widows to ensure due diligence checks were carried out in appropriate circumstances..." " ... it is my opinion that your circumstances meet that criteria(sic)"

It is clear from the [Final Response](#) and other SW documentation that these measures are applied to **all** those wishing to encash (certain types of) pension policies. And my circumstances give no reason for any kind of enhanced due diligence. Identification was carried out by Lloyds TSB (the parent of Scottish Widows) on a face-to-face basis in the UK; and I have held Lloyds bank and other accounts with them since 1973, so I could hardly have a better record.

"... I note that Scottish Widows has now made other proposals regarding how you may be able to comply with its requirements"

Scottish Widows has made NO such proposals to me (only the two "offers" described above). **It was you at TPO who made these "proposals"** in the form of the "pragmatic solution" started by Barry Berkengoff in his [email of 03 October 2017](#), imposed more forcefully on [31 October 2017](#), and continued by Jane Stephens on [05 November 2018](#). This is blatant criminal misconduct.

"... Scottish Widows has now agreed to my recommendations to make an offer of £1,000.."

The Pension Schemes Act does not allow TPO to impose a "pragmatic solution"; nor is negotiation with pension providers a legitimate TPO function (*for reasons that should be obvious*) - TPO has the duty to investigate and determine cases on the basis of the facts. Your criminal misconduct confirms that there is a very serious matter to cover up. And (even though I would like to liberate my funds from Scottish Widow's clutches) I have made clear throughout that I will not be party to criminal misconduct. Anyway, this sum is a pittance for the thousands of hours of work and distress that I have been caused by SW/TPO.

Although I cannot have the least expectation of any justice from TPO, I demand that my case be determined by an Ombudsman in accordance with the provisions of the Pension Schemes Act 1993/2017.

Yours sincerely,

Ian McInnes.