

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 April 2018
Sender / Recipient / Medium	Financial Conduct Authority / Ian Clive McInnes / Email
Description	This is an acknowledgement to an email I sent to an address provided by the Financial Conduct Authority for whistle blowers. It states that my email has been forwarded to the appropriate department.
Website Links to More Info	Event Summary

Whistle <Whistle@fca.org.uk>

Para:Ian McInnes

24 abr a las 8:18

Dear Mr McInnes,

Thank you for your email and the information you have kindly provided.

The whistleblowing team is primarily in place to receive and manage disclosures of employees / ex-employees of firms within the regulated sector. If we receive information that does not represent this we will refer ownership to the relevant area of the FCA that is resourced and trained to handle the matters in question.

This would be best placed with our Consumer Queries Team and I have forwarded this to the team for further investigation. Please contact the team directly if you would like an update or with any further information regarding this matter.

consumer.queries@fca.org.uk

Telephone: 0800 111 6768

Kind Regards

Lola Dosunmu

Administrator – Whistleblowing Team
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From: Ian McInnes [mailto:ian.mcinnes@yahoo.com.mx]
Sent: 22 April 2018 19:30
To: Whistle
Subject: Scottish Widows' Fraudulent Evasion of Pension Encashment

*I include links (underlined) to **PDF documents** and **web pages** on my comprehensive [website](#)*

. In case you cannot access this, I attach corresponding PDF documents (see list at end).

This is to report criminal misconduct by Scottish Widows in the form of draconian and extremely onerous "verification" requirements imposed on customers wishing to encash a personal pension policy (after first being forced to undergo a lengthy telephone interview). What makes this criminal (rather than simply abusive) is that these demands are imposed under the blatant and demonstrably false pretence that they "are required under UK legislation".

The UK government does not require any verification measures where there is an ongoing business relationship (as exists between pension provider and pension holder), and Scottish Widows could not possibly have believed otherwise. The corollary (supported by other evidence) is that they are part of a fraudulent strategy to reduce pension encashment. These demands have been imposed on customers for well over two years (I suspect that they arise from the "Pension Freedom" legislation of April 2015), and it is shocking that SW has been able to flout the law for so long.

As evidence that Scottish Widows imposes these requirements under this false pretence, I present the following communications from SW:

- ['Information Requested'](#) email outlining the requirements (including four certified documents).
- [PDF document](#) detailing acceptable means of proving name and address.
- [Paper version of the above document](#) (one of two sent by post the very next day, with numerous errors and differences creating additional confusion).
- [Final Response](#) confirming that these demands are imposed generally.

As evidence of the illegitimacy and consequent illegality of these demands, please read:

- [Verification Issues](#) (analysis of government requirements against those of SW)
- [Questions for SW](#) (a list of questions sent to SW on two occasions without response)
- [Case Overview](#) (overview of my cases against both SW and TPO)

Further evidence that these requirements are unlawful (in fact criminal) is in the quite extraordinary conspiracy of silence and evasiveness surrounding them (see later). It seems that Scottish Widows (and no doubt other pension providers) can act with total impunity, thanks to the support of organisations that ought to be ensuring that pensioners get a fair deal.

You state that you do not investigate individual complaints from consumers. However, as the above should make clear, the matter I bring before you does not apply only to an individual customer, but generally. And in no country with any pretensions to justice and upholding the rule of law should this flagrant abuse of pensioners be allowed to continue as they have (despite my efforts).

Furthermore, with the conspiracy of silence that I mentioned above, I have no recourse to justice via the means outlined on your page entitled "How to Complain". Neither Scottish Widows, The Pensions Advisory Service, Action Fraud, nor (especially) The Pensions Ombudsman will address the "verification" issue I have against Scottish Widows. All these organisations appear to be complicit in protecting it from my very serious charges.

As I indicated, Scottish Widows ceased to respond after I questioned their "verification" demands. The Pensions Advisory Service initially provided some information that enabled me to establish the illegitimacy of SW's "verification" demands. However, once I put my findings to them, they ducked the "verification" issue, stating that they were not experts on the subject. They offered only to mediate on the non-criminal matter of postal responses to my emails (when I had made clear that post can take well over 3 months to arrive here). I also raised the matter with Action Fraud, who claimed that they did not have the leads they required for a successful prosecution. My follow up with new information and new angles met with no response.

But most egregious of all is the grossly unlawful (and almost certainly criminal) conduct of TPO, in its blatant protection of SW. After a year of inaction and prevarication (for which the explanations given are frankly ludicrous, and which would certainly have continued much longer without my interventions), I have been forced to either enter into a "pragmatic solution" with Scottish Widows via the provision of yet more irrelevant "verification" documents (thus legitimising their unlawful requirements), or else withdraw my case.

As you may know, the Pensions Schemes Act 1993/2017 (as well as TPO's own "customer" information) states that the functions of TPO are investigation followed by a legally-binding determination (with the functions of advice and arbitration being confined to TPAS). However, it is of deep concern that from 1 April this year, these functions are now incorporated within TPO. There are numerous other general concerns with the direction in which TPO has been moving since the appointment of the new Pensions Ombudsman - see [here](#). Although TPO claims to be impartial, it has shown itself in cases other than mine to be anything but. I have no qualms about stating here that TPO is utterly corrupt in its bias towards the pension provider.

The best single piece of evidence for what is clearly (at least) a TPO conspiracy to obstruct/pervert the course of justice is my [last correspondence from TPO](#). I received no response to four subsequent emails I sent in connection with this:

- my [rejection of 04/10/2017](#) to the first attempt to push me into a "solution", copied to the Casework Director and the PO
- a [follow up email of 08/10/2017](#) sent to the PO alone
- an [email of 01/11/2017](#) sent to the PO in response to the adjudicator's email of 31/10/2017

- an [email of 10/01/2018](#) sent to the Legal Director (who is apparently also a SW personal pension holder)

This clearly demonstrates complicity from the Pensions Ombudsman downwards, and that TPO is knowingly flouting pensions law (and almost certainly also criminal law) to cover up SW's criminal misconduct.

I hope you understand from the above why I can have little optimism of obtaining satisfaction from another government organisation involved in the regulation of pension providers. And it is hard to believe that FCSA can be unaware of SW's misconduct. But if the case I present is valid (i.e. SW's demands are not "required under UK legislation"), you ought to take action; and if instead SW's claim is valid, perhaps you could explain why?

If I do not receive a satisfactory response, I must add FCA to my list of government organisations complicit in the protection of SW. Further, in the absence of any law enforcement by government-appointed organisations, my only recourse is clearly to promulgate this via the mass media - I take it the UK still has a free press.

Yours sincerely,

Ian McInnes.

Attached Documents

If possible, please view the [website](#) instead. The links below may be used as an alternative to opening the attachments.

Evidence of Scottish Widow's "verification" requirements:

20160405DocRequirements email outlining SW requirements

Individual Identification and Verification Form detailing acceptable means of proving name and address

20160706cReqDocsN808003X One of several paper versions of the above document

20160915Final0824 Final Response confirming that the "verification" is applied generally

Evidence of Illegitimacy of SW Requirements:

Verification (analysis of government requirements against those of SW)

Questions (a list of questions sent to SW on two occasions without response)

Overview (overview of cases against SW and TPO)

TPO Correspondence and Commentary:

20171031FromTPO my last correspondence from TPO forcing me into a "pragmatic solution" to protect SW

20171004ToTPO my [rejection of](#) the first such attempt, copied to the Casework Director and the PO

20171008ToTPO [follow up to](#) the above, sent to the PO alone

20171101ToTPO [email](#) to the PO in response to the adjudicator's ultimatum of 31/10/2017

20180110ToTPO [email](#) sent to the TPO Legal Director

Epilogue commentary (select link: Unlawful Conduct of The Pensions Ombudsman)

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