

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
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	10 July 2016
Sender / Recipient / Medium	Ian Clive McInnes / Scottish Widows / Email
Description	Interim but detailed complaint, while developing my website. I had already done enough investigation to realise that SW's "verification" measures were grossly excessive (in particular that they had no business to require the proof of address that I could not supply), but still not clear that they were a total sham.
Website Links to More Info	Overview (Dishonest and Evasive Complaint handling) / Event Summary / Details (SW)

Encashment of Policies P56879Q and N80803X

- [Ian McInnes <ian.mcinnnes@yahoo.com.mx>](mailto:ian.mcinnnes@yahoo.com.mx)
-
- jul 10 a las 14:53

Para

- ipc.aftersales@scottishwidows.co.uk

Texto del mensaje

I am in the process of preparing my case for the expedition of the above, plus compensation for what will be substantial financial losses as a direct result of (at best) inappropriate handling by Scottish Widows. I would have prepared this earlier, but for the Brexit Referendum, the outcome of which significantly changes the content. But lest I be accused of being dilatory, I meanwhile present the main points.

I enquired by fax about an encashment process that would avoid the use of post (which, as I continually emphasise, in Mexico is extremely slow and unreliable), and received an email describing a "paperless" process that would involve a telephone interview. Since I have a hearing impairment making it difficult for me to understand things over the telephone, I was not enthusiastic about this. However, as your web page "Take it in cash" does not support foreign bank details, this seemed to be the only practical option.

During the telephone interview on 05 April, I was informed that documents to verify name, address and date of birth were required. I asked whether these could be sent by email, and I am quite clear that the answer was affirmative.

The same day, I received an email with instructions, plus a PDF attachment to some extent duplicating this, with an email address to which documents could be sent. I found the instructions confusing and incongruous, and spent some time trying to make sense of the requirements.

For entirely legitimate reasons, it simply was not possible to completely satisfy the requirements for verification of address. I went to great trouble to fulfil them to the best of my ability.

Having received a long-awaited lump sum from an occupation pension scheme, I was no longer in need of cash, and was concerned about the onerous requirements. However, due to the favourable exchange rate (around 25 pesos per pound, as compared with the 21-22 I had typically received previously) I went ahead with the process.

I verified all three types of document (not being sure which needed to be verified), and on 11 April sent them as email attachments. Although in one place it stated that certified documents must be sent by post, I was given the clear impression over the telephone and in places on the information I received that they could be emailed; and if everything had to be posted, why supply an email address for this purpose?

I had numerous uncertainties, not only with the documents required, but also the means of verifying them (in particular you stated that they had to be marked with the words "original seen"). The requirements are incongruous and do not reflect the circumstances that may be encountered, especially in foreign countries. If what is required by clients to get at their own funds can legitimately not be fulfilled, it is axiomatic that these requirements are illegitimate.

The only sensible means of sending paper from here to the UK is by courier, which is very expensive. Especially given these uncertainties, I did not want to send them this way, only for you to reject them (which as it turns out is what would have happened). Replying to my email with a

few lines of explanation would enable anything amiss to be remedied if I could do so (including a need to send by post - in which case I would have sent by courier).

In the very first paragraph of the text of this email, I spelled out very clearly the following two closely-related facts: 1) the serious problems with use of post, and 2) for quite legitimate reasons (that I explained clearly and in detail) was simply unable to completely fulfil your requirements for verification of address.

Having received neither reply nor payment by 21 May, I sent a follow-up email, to which again I received no reply.

On 16 June, I received four items by post from Scottish Widows, including two unwanted policy statements (several years ago I stated that I did not want to receive these), and a reply to my email of 11 April.

The latter was essentially to reject what I sent in the email, but without giving any clear indication as to what was found lacking. There was some innuendo about being unable to accept documentation that had fallen out of required timescales, which I took to have been a rejection of the best verification I could provide you of the address you hold (which as I made clear is of necessity a mailing address, not my residence).

Worse, the enclosed form differs from that which I had been emailed, in that my ID card is now longer allowed as verification of name. Apart from the fact that this is ridiculous (as a Permanent Resident of Mexico, this is my definitive means of identity), it invalidated the trouble and expense I had gone to in certifying it, and meant that I could (again quite legitimately) no longer verify my name to your requirements.

Replying to my email by post under any normal circumstances would be quite inappropriate, but after the statements in the very first paragraph of my email making very plain the problems with the post (including the fact that it can take over 3 months), this was a quite outrageous way to respond. Moreover, you required that I reply within 14 days of the date of the letter!

This delay is entirely due to Scottish Widows; both in the requirements (unreasonable, unclear, changing in mid-play), and in their egregious use of post. I did my best to meet their demands, and would have fulfilled reasonable and clear requirements without delay. This will lead to substantial financial losses as a result of the collapse in the value of the pound, for which I will be claiming compensation. FYI, the average exchange rate over the two weeks from 17 April to the end of the month (the period during which I could reasonably have expected to receive payment) was 25.11 MXN / GBR.

It is clear from all the above that you paid no attention whatever to my email of 11 April, in which I went to some trouble to make the situation clear. Had you done so you should certainly not have replied by post. You should also have accepted that the verification I supplied was the best I could do, and that no number of forms sent through the post would change this. This email will form the kernel of my case.

Having perused the following:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/372271/mlr8_tcsp.pdf

<https://www.gov.uk/guidance/money-laundering-regulations-your-responsibilities>

I will contend that the documents I supplied with my email were more than sufficient for the verification purposes required by the government. It also seems clear that the government requires only verification of either date of birth, or address - not both.

On 06 July, I received seven further items by post, including four essentially identical requests for documents with forms.

On 26 July, I asked for your Internal Dispute Resolution Procedure, not realising at the time that this applies only to occupational pension schemes. On 01 July, I received a password-protected PDF document dated 27 June, denying familiarity with this term (rather surprising, especially since I know that Scottish Widows also handles occupational pensions - I guess you didn't want to tell me that I don't have to follow such a procedure).

On 01 July, I received another password-protected PDF document under the title "Pension Requirement List" dated 30 June, stating that they had received the documents that I had sent by email, but required them to be sent by post. This appears to request me to send documents that were determined to be invalid - or are they now acceptable when they were not before?

I hope to have prepared my case with full documentation within a week, and will notify you at that time.

Regards,
Ian McInnes.