

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	04 December 2016
Sender / Recipient / Medium	Ian Clive McInnes / TPO (Carl Monk: Assistant Adjudicator) / Secure Email (no link available)
Description	Document discussing a few case issues. This was sent both as an attachment (without the header) to a secure email (for which the link is given above), and as a link within a secure email, due to uncertainty over the lack of access the assistant adjudicator reported to a link to my website in my email of 23 November. <i>But he did not report any problems in similar links in my emails of 29 September, 30 October and 10 November - why?</i>
Website Links to More Info	Event Summary / Details (TPO)

Dear Mr Monk,

I use [crimson](#) for links to PDF documents, [blue](#) for links to web pages.

1. Email Hyperlinks and General Access / Security Issues

You advised me in your email of 02 December that your system did not allow you to access the link in my email of 23 November, and asked me to supply it in a separate email. I cannot see how this would help, unless the issue is with normal email, and links must be provided via the secure facility. I therefore sent the covering email using the secure service, in the hope this will avoid the access issues. The link in question is to the [email I sent to Scottish Widows on 23 November](#) at your suggestion, in response to their telephone calls of 08/09 November.

2. Scottish Widows' Lack of Response to my Emails

In your email of 31 October, you suggested that I wait another month for a reply to my [email of 29 September](#) with an attached list of [questions for Scottish Widows](#), and asked me to let you know if I had still not received a response by then. And on 23 November I sent them the above email in response to their telephone calls, asking them to reply by email; I also took this opportunity to remind them of these questions.

To be more certain of a response, I sent each of these emails to both addresses I have for Scottish Widows; the first appears to be a general portal to which I sent the verification documents, the second is that of an email sent on 13 July in response to my complaint. But I have received no response to either email, and I think it is clear that if they were going to respond to me by email, they would have done so by now. In fact the most recent written communication I have had from Scottish Widows is their Final Response of 24 August.

Perhaps I should acquaint you here with some of my observations on Scottish Widows' communication policies:

1. Although they feign otherwise, the medium is set by Scottish Widows. They choose telephone for communications that they want to keep off the record, otherwise ordinary post. This includes answering emails only by post, no matter how impractical this is (I made clear that post between the UK and Mexico takes around 3 months); furthermore, they require (postal) replies within 14 days of the date of their letters (in fact they did not allow even this time before closing my application). And they justify this policy, claiming in their [Final Response](#) that it suits the majority of their customers, and they cannot be held responsible for delays caused by a foreign postal service. As you can see in their [email of 13 July](#), they offered only telephone discussion to resolve my complaint, and were "not able to respond to the specifics of your complaint by e mail".
2. However, they WILL use email when it suits their purpose, as shown by their entry into complaint-management mode on [01 July](#), continuing with their complaint response on 13 July, and entering panic mode on [01 August](#). *Headless-chickens mode was entered on 08 November with five telephone calls, including one at 0512 local time and one at 0045 UK time; but obviously they did not want to put this on the record.* So I think it is clear that they would have replied by email if they considered it to be in their interests.

They would surely have responded my list of questions if they could provide any good answers to them; particularly as I stated that TPO asked me to notify them in the absence of a response. Their lack of response underscores my allegations that the onerous "verification" measures that they assert are "required under UK legislation" are completely bogus, and can only be intended to reduce pension encashments. The only factor that has previously led me to question this is disbelief that a major financial services provider would even think of implementing such a scheme. But I can no longer escape the conclusion that this is [a case of fraud](#) that should result in criminal prosecution.

And whether their telephone calls were to bribe or to threaten, I cannot tell; but I think one can be certain that there was nothing in what they had to say that they were prepared to put in writing.

3. Case Documentation

There are so many issues involved in this case, especially Scottish Widows' inconsistent and confusing requirements, that many are likely to escape one's attention even after a prolonged period of examination. Scottish Widows has many ways of confusing the customer that could lead to their justifying refusal of pension encashment.

Understanding this case is also made more difficult by the considerable delays caused by the use of post; these vary from several weeks to several months. As a result, there are two timelines to consider - that seen from my side as the receiver of their post, and that from their side as sender. To appraise this case properly, one must consider both.

I do not know exactly how TPO studies and analyses cases, but it seems to me that this will typically involve only paper documents. I believe that in my case this would be quite impractical. I have therefore spent considerable time developing a website, which I will continue to update with new events as they occur. The [Overview](#) page is the place to start.

The site includes the complete relevant unedited correspondence as PDF documents. There are numerous links to both PDF documents and details for a given date. There is also a page listing documents and events in the two time sequences, with a separate complete list. I have included my own observations and analyses, but the abundant links to correspondence will enable TPO to easily evaluate these. I think the documentation that I have provided is to a higher standard than that you will typically deal with, but if there are any improvements that I can make, I would be pleased to oblige.

Yours sincerely,
Ian McInnes.