

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	26 May 2017
Sender / Recipient / Medium	TPO (Barry Berkengoff: Deputy Casework Manager) / Ian Clive McInnes / Email
Description	<p>Response to my email of 24 May 2017, in which the adjudicator hoped that he would have access to my .mx website shortly (he again referred to the .mx website in the last paragraph, even though he would have known that there were no special access issues surrounding my domain).</p> <p>After a paragraph stating that TPO is impartial and does not takes sides, he then made a quite ludicrous statement in defence of SW's "verification" requirements; these he considered probably resulted from SW having slightly different processes for customers living overseas "to ensure that appropriate ID checks are made". And this was after all the detailed information that I had given him that could not have made clearer the gravity of my case.</p>
Website Links to More Info	Event Summary / Details (TPO)

RE: Complaint Against Scottish Widows: PO-14071

- **Barry Berkengoff** <Barry.Berkengoff@pensions-ombudsman.org.uk>
-
- mayo 26 a las 10:01 A.M.

Para

- 'Ian McInnes'

Texto del mensaje

Dear Mr McInnes,

Thank you for your email.

More information can be found here on fair treatment of customers <https://www.fca.org.uk/firms/fair-treatment-customers>

Hopefully I will have access to your **.mx** website/blog shortly and will review the complaint in detail at that point.

As I am sure you already know, this organisation is impartial and does not take sides. Each complaint is assessed on its merits and that process is done objectively based on the evidence that is available.

I will not be able to make specific comment on whether or not Scottish Widows are treating customers fairly as my jurisdiction is restricted to events of maladministration, but I can certainly look at the complaint as it stands which is really about the difficulties you have experienced in trying to access and crystallise your two pension policies. I expect Scottish Widows to have slightly different processes in place for customers who reside overseas (as opposed to UK residents) to ensure appropriate ID checks are made etc.

I will be in touch once I have been able to access the **.mx** website.

Regards

Barry Berkengoff | Deputy Casework Manager | 020 7630 2247

The Pensions Ombudsman

The Pensions Ombudsman and Pension Protection Fund Ombudsman

www.pensions-ombudsman.org.uk

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From: Ian McInnes [mailto:ian.mcinnnes@yahoo.com.mx]

Sent: 24 May 2017 20:57

To: Barry Berkengoff <Barry.Berkengoff@pensions-ombudsman.org.uk>

Subject: Re: Complaint Against Scottish Widows: PO-14071

Dear Mr Berkengoff,

Thank you for your email, and explanation of why there have been problems in accessing my website. It may help you to know that this is hosted by 1&1, with the following details:

vivazamora.mx IP address: 74.208.215.101 (with 1574 other sites)

Location: Kansas City, MS (or Wayne, Pennsylvania?).

Hostname: clienteservidor.mx

Server Type: Apache

It is not secure, and is thus vulnerable to a "man-in-the-middle" attack from the UK. I have been particularly concerned about this, given the damning evidence it contains against Scottish Widows. However, a contact in the UK assured me that it was working a couple of weeks ago.

I have checked the link you gave me to the website of the Pensions Regulator, and in particular the page entitled "Codes of Practice". Unfortunately, none of the items on this page appears to shed any light on how pension providers are required to treat customers. The word "maladministration" has appeared a few times in TPAS/TPO correspondence, but it is not clear to me just what this means. I can only assume that it refers to non-compliance with these codes of practice. Whilst I have not been able to discover what they are, I think I can reasonably assume that the general conduct that I have experienced from Scottish Widows falls a long way below any kind of "best practice".

But the core of my case is the bogus "verification" requirements that Scottish Widows asserts are "required under UK legislation". Having gone to considerable trouble in my attempts to satisfy them, I am denied access to my personal pension funds, even though Scottish Widows always had the clearest possible proof of my identity. I have continually emphasised this aspect of the case in my correspondence, from my application of 24 September 2016 onwards. And in my last four emails, I explicitly attempted to elicit a response as to whether TPO can and will deal with this criminal misconduct appropriately, without success.

So I reported the matter online to Action Fraud last Saturday (20 May), as it now seemed clear that TPO was not the right organisation to deal with it. I regret not having done this several months ago. Although I understand there is no legal obligation to report fraud, there is clearly a moral imperative, especially when many others will be affected by it.

I expect to receive an update from Action Fraud with an assessment of my report within the next 28 working days. Only then will I have any indication of whether they will investigate it. Even if they did, it would naturally cover only the criminal matters (which it seems you would not deal with), not the maladministration to which you refer. I have no plans to take any separate legal action over the latter, and hope that you will be able to review my website shortly.

Yours sincerely,
Ian McInnes.