

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	14 July 2017
Sender / Recipient / Medium	TPO (Barry Berkengoff: Deputy Casework Manager) / Ian Clive McInnes / Email
Description	<p>The adjudicator's response to my email of 12 July, in which I challenged him to give me evidence that he was investigating my case. This email contains denials and excuses, but no such evidence. He again states that he will be in touch shortly, but again there was nothing.</p> <p>This email was my confirmation that he had no intention whatever of investigating my case.</p>
Website Links to More Info	Event Summary / Details (TPO)

RE: Scottish Widows Complaint PO-14071 Website

- **Barry Berkengoff** <Barry.Berkengoff@pensions-ombudsman.org.uk>
-
- jul 14 a las 5:37 A.M.

Para

- 'Ian McInnes'

Texto del mensaje

Dear Mr McInnes,

Thank you for your email. I sincerely apologise for the delay in dealing with your case, but as I had mentioned in earlier correspondence, my main role is managing others in a busy team which means I can only do casework investigation one day a week.

I can assure you that your case has not been "buried ... at the behest of Scottish Widows", it is simply an issue of resourcing at our end. We offer a free service to members of the public as you know and we are currently inundated with enquiries etc.

I realise this is not your problem but that is the honest explanation. There is no other agenda other than that.

I have given you my commitment to investigating your complaint which I am doing, but this must be done whilst I work from home, due to security issues around your **.mw** website.

I will be in touch shortly and thank you for your patience.

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: 12 July 2017 19:51

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

Subject: Re: Scottish Widows Complaint PO-14071 Website

Dear Mr Berkengoff,

In your last communication of 15 June, you indicated that you would review my case within the next few days. Had you done this, I would have expected to receive some feedback well before now. But yet again, I have waited several more weeks and heard nothing. Whilst this is no longer surprising, it is none the more tolerable.

In fact the last information I received on my case was on 31 October 2016, when I was told that it had been assigned to an adjudicator. And I have had no explanation for the inordinate subsequent delay, despite numerous attempts to

obtain information and reassurance. It seems clear that, had I not surmised your email address and emailed you directly on 14 May (after waiting for five weeks after CM forwarded you my email of 05 April), I would still have heard nothing.

I do not believe that this is the way TPO normally behaves (certainly not in the cases I have seen where there is significant merit on the part of the pension provider). This evasive conduct and other circumstances have given me good reason for several months now to believe that my case has been buried. I suspect that this was done around the middle of November 2016 at the behest of Scottish Widows, who would have a very strong incentive to cover it up.

Whilst the prolonged misery that this is causing me is clearly not your concern, you ought to consider the legal implications of obstructing/perverting the course of justice. As I have stated numerous times, this case is not simply about unacceptable customer treatment, but involves fraud under a blatant false pretence. You should surely have been made aware of the gravity of my case, quite apart from my emails; and yet your comments demonstrate the most extraordinary unconcern.

If you really wanted to know whether or not Scottish Widows is making "appropriate ID checks", you could send them the attached list of questions (which you can open on your secure connection). You must agree that if there were any justification to their "verification" demands, they would be able to provide some satisfactory answers to these questions. I sent this document to SW on two occasions (29 September 2016 and 23 November 2016), without response; however, although I mentioned the involvement of TPO, I am a mere customer. But I know that TPO could invoke Section 150(4) of the Pension Schemes Act 1993, to force SW to respond or face legal consequences. Are you willing to do this, and report the outcome? If so, when?

I must tell you clearly that, if within a week I do not receive a reply that shows a good understanding of my case and that you are treating it seriously, I will assume that you are refusing to deal with it, and proceed accordingly. I cannot be expected to tolerate his situation any longer.

Yours sincerely,
Ian McInnes.

De: Barry Berkengoff <Barry.Berkengoff@pensions-ombudsman.org.uk>
Para: 'Ian McInnes' <ian.mcinnnes@yahoo.com.mx>
Enviado: Jueves, 15 de junio, 2017 3:57:35
Asunto: RE: Scottish Widows Complaint PO-14071 Website

Dear Mr McInnes,

I apologise for our security restrictions but hope you understand the reasons why.

I would much prefer to view the information online and will be making time to do this early next week.

Best regards

Barry Berkengoff | Deputy Casework Manager | 020 7630 2247
The Pensions Ombudsman

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www.pensions-ombudsman.org.uk

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