

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	09 September 2017
Sender / Recipient / Medium	Ian Clive McInnes / TPO (Fiona Nicol: Casework Director) / Email
Description	<p>This is the second of two emails I sent to the Casework Director to clarify what was clearly a bowdlerized version of my concerns that had been sent by the Casework Manager. In this version of events, the adjudicator had been actively investigating my case since it was assigned to him in May 2017, when the clear truth was that he had done nothing whatever to investigate since it was assigned to him in October 2016.</p> <p>This false report was likely to lead to a whitewash, and required correction. I felt it important to make clear the evidence that the adjudicator had no intention of investigating my case; and all the circumstances suggested that he may be in collusion with Scottish Widows.</p> <p>In this second email, I felt it appropriate to issue some caveats over its investigation. This was particularly the case considering the above gross misrepresentation by the Casework Manager, for which the most charitable explanation is that the adjudicator (Barry Berkengoff) had updated their database to make it appear that my case had not been allocated until May 2017 when he finally broke radio silence. I also thought it important to make clear the importance of a thorough investigation.</p>

	<p>Addressing these points, I made perhaps the strongest statement of my concerns in my two emails: "Mr Berkengoff is likely to be intent on concealing his actions, and may have been able to manipulate your IT systems (I know that he has been involved in their evaluation)".</p> <p><i>This resulted in the following statement in the Complaint Response from Fiona Nicol: "You allege that our staff have concealed information or manipulated our IT systems". I made nothing remotely like an allegation, but can now confidently state that TPO is corrupt from the PO down.</i></p>
Website Links to More Info	Event Summary / Details (TPO)

PO-14071

- [Ian McInnes <ian.mcinnnes@yahoo.com.mx>](mailto:ian.mcinnnes@yahoo.com.mx)

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- sep 9 a las 14:54

Para

- fiona.nicol@pensions-ombudsman.org.uk

Texto del mensaje

Dear Ms Nicol,

This is to clarify a few points that I may not have adequately conveyed in my previous email. I also urge you to view my webpage (it appears that you have not yet done this):

www.elpobrecorderito.com/PersonalPensionFiasco/DetailsTPO.html

In case you cannot access it, I attach a PDF document with its content; but whilst this is useful for printing, the webpage is far preferable in providing popup images of correspondence and the full context.

Firstly, it is practically certain that my case was assigned to Mr Berkengoff in October 2016 as I indicated, not in May 2017 as I was assured. My correspondence provides solid evidence of this.

I raised the issue of Mr Berkengoff's complete inaction since 2016 in three emails to him (14 May, 10 June, 12 July). If he were allocated my case in May 2017, it is inconceivable that at no time did he correct these allegations. My [email of 12 July](#) in particular was very blunt and intended to put him under pressure; please read this and his [response of 14 July](#). I think that this by itself is very strong evidence that my case was assigned to him in October 2016.

And Carl Monk stated that my case was "earmarked for an adjudicator" in his [email of 31 October 2016](#), and named Barry Berkengoff as the Senior Adjudicator "earmarked" for investigating my case in his [email of 07 April](#). Whilst his use of the word "earmarked" is a little odd, this must surely denote assignment. And I hardly think that he would have forwarded my email of 05 April to Mr Berkengoff if he was not assigned my case at that time.

Secondly, the handling of my case appears to have been decidedly irregular since its acceptance. My understanding is that new cases are first checked that they fall within the scope of TPO (I was told that it takes several weeks to make this decision). Then there is likely to be a wait of possibly months before an appropriate adjudicator becomes available; however, once assigned the adjudicator would then communicate.

Yet my case appears to have been assigned very shortly after being accepted (my application was received on 29 September 2016). However, from then on there was no communication whatever from the adjudicator until I finally pinned him down in my [email of 14 May](#). In his email of 31 October 2016, Carl Monk also told me that it may be a few weeks before I hear from them, without any explanation of why. This gives me reason to believe that Mr Berkengoff may have assigned it immediately to himself on seeing its "potential" (*Scottish Widows is involved in criminal misconduct*).

Thirdly, after much deliberation, I believe that the most likely explanation of all these circumstances is that Mr Berkengoff initiated a deal with Scottish Widows to bury my highly incriminating case. Carl Monk is undoubtedly an accessory, but has probably been coerced to a large degree. I have appended to my webpage/document what I consider to be the [most likely scenario](#), distinguishing factual events from speculative ones. Whilst this is only my working hypothesis, not an assurance, it does have the advantage of being entirely consistent with all my evidence.

It seems that your Casework Manager saw fit to bowdlerize my evidence in preparation for a whitewash. But I hope that you would understand that any failure to deal with criminal activity after my strenuous efforts to bring it to light would have very serious repercussions for TPO.

What is needed is some trustworthy information to confirm or refute my hypothesis. Mr Berkengoff is likely to be intent on concealing his actions, and may have been able to manipulate your IT systems (I know that he has been involved in

their evaluation). I hope that you can find data relating to the events from October 2016 that would not be accessible to Mr Berkengoff; perhaps offsite backups.

Finally, please note out that my email service is web-based, and all the correspondence I present on my website is retained on the Yahoo mail server. If necessary, I would issue a temporary password to enable an appropriate independent party to verify it, and thus enable its use as evidence. My motivation to achieve a just resolution of this dreadful situation overrides any privacy concerns.

Yours sincerely,
Ian McInnes.