

# 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	22 March 2019
Sender / Recipient / Medium	Tunde Adenubi (Senior Adjudicator) / Ian Clive McInnes / <a href="#">Secure Email</a>
Description	<p>An Amended Opinion, following up the Opinion of 15 January from Jane Stephens, which totally dismissed my complaint.</p> <p>This update offers £1000 in respect of the communications and other issues surrounding the "identification and verification" demands, but continues to assert that Scottish Widows was justified in imposing them.</p> <p>The numerous issues I raised against this (including demonstrably false statements in this Opinion) were not addressed. Both this Amended Opinion and the original Opinion are totally lacking in specifics; there is only a bald statement that the Adjudicator considered them appropriate in my circumstances. <i>In fact, by Scottish Widows' own statements, these same requirements are imposed on <b>all</b> customers wishing to encash (certain types of) pension policies, and my circumstances give no reason for enhanced due diligence.</i></p>
Website Links to More Info	<a href="#">Event Summary</a>

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- **Tunde Adenubi** <Tunde.Adenubi@pensions-ombudsman.org.uk>
- 
- 22/03/2019 at 04:34:45 Expires: 21/04/2019 at 05:34:45
- 
- **To: Ian McInnes** <ian.mcinnnes@yahoo.com.mx> Details

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**From:** **Tunde Adenubi** <Tunde.Adenubi@pensions-ombudsman.org.uk>

**Sent:** 22/03/2019 at 04:34:45

**To:** • **Ian McInnes** <ian.mcinnnes@yahoo.com.mx>

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Dear Mr McInnes

### **Scottish Widows Personal Pension Plan**

I refer to our earlier opinion of 15 January 2019 and your email response of 27 January 2019.

Having discussed the case with the Pensions Ombudsman, I have reviewed the file and I am of the view that the complaint should be partially upheld.

I say this because, although Scottish Widows were right to insist on compliance with the money laundering regulations, whether that is the Money Laundering Regulations 2007 (the **2007 Regulations**) or the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017 (the **2017 Regulations**), you experienced difficulties communicating with Scottish Widows. There were also other issues which Scottish Widows could have handled much better.

I note that, from an early stage, you informed Scottish Widows that it would not be appropriate to communicate with you by post because of the delay it would cause. You clearly stated your preference for email communication, and also said that you could not participate in telephone calls due to a hearing impairment. Unfortunately, Scottish Widows used those inappropriate methods in trying to contact you, and I accept that this would have caused issues and been very inconvenient for you. It would also have been very unhelpful in your attempts to obtain clarity and guidance from Scottish Widows.

In addition, Scottish Widows could have handled your request better. When it became clear that you were struggling to meet its requirements, it could have taken more cognisance of that and intervened at an earlier stage to assist with other suggestions for meeting the money laundering requirements.

Overall, it is my view that Scottish Widows were obliged to comply with money laundering regulations as both the 2007 and 2017 Regulations place responsibility on Scottish Widows to ensure customer due diligence checks were carried out in appropriate circumstances. While it is my opinion that your circumstances meet that criteria, Scottish Widows should have paid attention its customer service obligations and to your communication preferences when contacting you with its requirements. I note that Scottish Widows has now made other proposals regarding how you may be able to comply with its requirements, and those were contained in our opinion dated 15

January 2019. Those proposals is still available to you and you should contact Scottish Widows directly to obtain further information.

As a result of my amended view, Scottish Widows has now agreed to my recommendations to make an offer of £1,000 to you in respect of the serious distress and inconvenience caused to you. This is in line with awards an Ombudsman would make in cases such as these and I am satisfied it is sufficient to address the injustice caused to you. Please let me know if possible by Monday 25 March 2019, if you are prepared to accept this in full settlement of your complaint.

You still have the right to have your case considered by an Ombudsman. If you disagree with my view, please email me as soon as possible. I have already noted your previous comments in your email of 27 January 2019, so there is no need to repeat arguments already made or send information already provided. Your case will be passed directly back to an Ombudsman to issue a decision, without the need for me to send an Opinion to both parties providing more detailed reasons for reaching the conclusion that your complaint should be partly upheld.

Please be aware that a determination by an Ombudsman is final and binding, and can only be appealed in the High Court.

Yours sincerely

**Tunde Adenubi (Mr) | Senior Adjudicator | 020 7630 2232**

The Pensions Ombudsman

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