

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	05 February 2018
Sender / Recipient / Medium	The Pensions Regulator (Christina Burton) / Ian Clive McInnes / Email
Description	<p>Reply to my email of 17 January, in which I requested an investigation into the activities of TPO, and described the "pragmatic solution" that this organisation had forced upon me.</p> <p>It is stated that their role is to enforce the role surrounding work-based pension schemes (<i>then who is supposed to fulfil this role for personal pension schemes?</i>). It is also stated that they have no authority over TPO, which is stewarded by the Department for Work and Pensions, and that Pension Scheme providers are regulated by the Financial Conduct Authority.</p> <p>They were unable to comment on decisions made by TPO; but I made clear that no decision was made, and the behaviour of TPO should be reported as Misconduct in Public Office (they did not mention this).</p> <p><i>I subsequently sent a fruitless email to the Financial Conduct Authority, and (after a failed attempt to email the Select Committee for Work and Pensions) managed to convey full information to this committee via a contact (I await any outcome).</i></p>
Website Links to More Info	Event Summary

RE: The Pensions Ombudsman

- **Customer Support** <CustomerSupport@thePensionsRegulator.gsi.gov.uk>
-
- feb 5 a las 3:21 A.M.

Para

- ian.mcinnnes@yahoo.com.mx

Texto del mensaje

Dear Ian

I write in response to your email to Lesley Titcomb of the 17 January 2018. I do apologise for the delay in replying to you.

We note the points you have raised. However, the Pensions Regulator is unable to help with your query, as we do not deal with queries or disputes about individuals' pension benefit entitlements. In addition, we cannot comment on the policies implemented by other organisations, such as the management of security and verification procedures.

Our role is to enforce the legislation surrounding work-based pension schemes in the UK. Our primary objectives include protecting member's benefits of those schemes, promoting good administration and improving understanding of work-based schemes.

We are unable to comment on decisions made by the Pensions Ombudsman, as this organisation does not fall under the auspices of The Pensions Regulator. The Pensions Ombudsman is a non-departmental public body, stewarded by the Department for Work and Pensions. (DWP)

If you wish to complain about the service provided by the DWP, or an organisation providing its services, I attach below a link to the relevant website pages, providing guidance about how to raise a complaint:

<https://www.gov.uk/government/organisations/department-for-work-pensions/about/complaints-procedure>

In addition, pension scheme providers are regulated by The Financial Conduct Authority. (FCA) If you have concerns about the conduct of your pension scheme provider, you can contact the FCA at:

Telephone: 0300 500 0597

Website: www.fca.org.uk

You mentioned that you had a case against a pension scheme provider, involving fraud.

Concerns about fraud can be reported to Action Fraud. Action Fraud is the UK's national fraud reporting service:

Telephone: 0300 123 2040

I hope that this information is useful.

Kind regards

Christina Burton

Technical Advisor

Customer Support

www.tpr.gov.uk/contact-us

The information we provide is for guidance only and should not be taken as a definitive interpretation of the law.

From: Ian McInnes [<mailto:ian.mcinnnes@yahoo.com.mx>]
Sent: 17 January 2018 18:31
To: Hunt, Andrew
Subject: Forced Arbitrated "Solution" by TPO in Violation of Pension Schemes Act 1993

Dear Ms Titcomb,

I have a serious case against Scottish Widows (involving fraud) that TPO will not investigate. Instead, after a year of delay with no credible explanation, I have been forced into a negotiated settlement through the adjudicator. I am aware of several other cases in which TPO is similarly evading its statutory duties.

The Pension Schemes Act 1993 makes clear that the functions of TPO are investigation, followed by a legally-binding determination made by the PO or his Deputy. I am sure you will agree that for TPO to instead impose arbitration on the complainant via the adjudicator is totally unacceptable, and a serious violation of this Act. In particular, it is highly conducive to corruption, in enabling TPO to protect a miscreant pension provider at its will. *There is circumstantial evidence of TPO collusion with Scottish Widows in my case.*

I therefore request an investigation into the actual role of TPO, which in my experience deviates substantially from that required of it under the Pension Schemes Act 1993.

Rather than repeat the issues with TPO and SW here, I attach a PDF of an email I sent to Claire Ryan, the Legal Director of TPO (without response). I also attach PDFs of other correspondence with TPO:

- emails from the adjudicator of 3 and 31 October 2017 pushing me into an arbitrated "solution" (in the second of these, he claimed that he had the discretion to impose this where the case had become "entrenched"; in fact he has clearly made no attempt whatever to investigate it)
- my emails to the PO (Mr Arter) of 4 and 8 October and 1 November 2017 (to which I have received no response)

To give you some idea of my case against SW, I also attach three PDFs that mirror pages on my website. But it will be better to review this website, which includes the complete correspondence with both SW and TPO:

www.elpobrecorderito.com/PersonalPensionFiasco

Yours sincerely,
Ian McInnes.

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