

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	29 April 2017
Sender / Recipient / Medium	Ian Clive McInnes / Wixted & Co. Solicitors / Email
Description	Email sent with full description of my case against Scottish Widows to an apparently award-winning firm of solicitors that specialises in pensions. Moreover, they actually supply an email address. <i>No reply.</i>
Website Links to More Info	Event Summary

Scottish Widows' Misconduct (Personal Pension Scheme)

- [ian McInnes <ian.mcinnnes@yahoo.com.mx>](mailto:ian.mcinnnes@yahoo.com.mx)
-
- abr 29 a las 11:20

Para

- info@wixted.co.uk

Texto del mensaje

Wixted & Co Solicitors

I am a British subject resident in Mexico. Your practice appears to suit my needs; firstly because of your experience in pensions, secondly since you specialise in "No Win No Fee" litigation, and thirdly as you appear to be prepared to use email (which I would prefer to use wherever possible, post being extremely slow, and telephone being difficult in part due to my poor hearing).

The core of my case is Scottish Widows' refusal to pay a lump sum from two Personal Pension Plans that I hold, as I am unable to satisfy the onerous and burdensome "verification" requirements that they assert are "required under UK legislation". This is despite their having had the clearest possible proof of my identity from the outset. I had gone to considerable trouble and expense in my attempts to fulfil these requirements; my inability to do so derives from the fact that the mailing address they hold is not the same as my residential address (to which the postal service will not deliver, as it is somewhat remote).

My investigation shows that these requirements have no valid basis in any government legislation (which could only be anti-money laundering regulations). They are grossly excessive in relation to government AML requirements in numerous respects, including the following:

1. No verification is required for transactions carried out as part of an ongoing business relationship (which clearly exists between Scottish Widows as pension provider and myself as a previously-identified face-to-face pension holder)
2. Where verification is required, no proof of address is needed if (as in my case) there is good proof of date of birth; in any case, this must be done on **residential** address
3. In doubtful cases, AML guidelines state that additional information must be used to judge the risk; it is patently wrong to reject an application on verification grounds where there is clear proof of identity. The HSBC (Mexico) bank account to which the funds were to be paid alone provides the most definitive form of this. Not only is it in my full name of Ian Clive McInnes, but Scottish Widows already had a record of this account, to which they had previously made a much larger payment on encashment of an investment.

My case shows that Scottish Widows applies their requirements rigidly as an end in themselves. They also appear to be applied only to certain types of pension policies, whereas AML requirements are not pension-specific.

It should be easy to show that Scottish Widows could not possibly have introduced these draconian requirements (made all the more troublesome by their dreadful documentation of them) in the genuine belief that they are "required under UK legislation". Given this false pretence, I allege that they are part of a fraudulent strategy to reduce customer pension encashment (perhaps in response to the 25% tax concession introduced in the government's "Pension Freedom" legislation of April 2015).

To this criminal misconduct must be added numerous other counts of unacceptable customer treatment. These are too involved to describe here, but comprehensive documentation of this case is on my website:

www.vivazamora.mx/ScottishWidowsComplaint

The above link should open a front page introducing the main content on 8 further pages, the first of which is entitled "Case Overview". *Please let me know if the link is not accessible or gives unexpected results (it is fine here in Mexico, but given the serious nature of my evidence, I cannot discount the possibility of a "man-in-the-middle" attack from the UK).*

I made an application to The Pensions Ombudsman, which they received on 29 September 2016. I had expected to wait a few weeks; however, 7 months later, it appears that they have still done nothing to progress my case. Over three weeks ago I sent TPO an email outlining my concerns and requesting reassurance that they can and will investigate it; but although this was apparently forwarded to the Senior Adjudicator in charge of it, I have still received no reply.

Given the abuses and cavalier attitudes that I have seen from the pensions industry (not only in this case, but in a previous denial of pension by Equiniti Paymaster), I have long suspected that it operates in a world in which it can do as it pleases with impunity, and my worst fears now seem to be confirmed. Examination of publicised cases resolved by TPO suggests that it deals only with trivial disputes far removed from the flagrant abuses revealed by this case. I am finding it increasingly hard to avoid the view that TPO is set up to give the impression that all is fine and well with the pensions industry, to conceal the fact that the opposite is true.

As I can no longer have any expectation of a satisfactory resolution from TPO, my hopes are now that this can be accomplished by an independent solicitor. Apart from achieving a just outcome for myself, I hope that this will also prevent Scottish Widows from continuing to inflict its abusive policies on others. To this end, awarding punitive damages against Scottish Widows might act as a deterrent to further misconduct by them and other pension providers.

I note that you have had a number of dealings with the press and other media. I strongly believe that the public should be made aware of the way in which Scottish Widows treats its pensioners in this captive market. Accordingly, were you to handle my case, I would be more than happy for you to use it for such publication. This would include providing a link to my website with all its personal details; for me, privacy concerns are outweighed by the importance of exposing these despicable practices.

Yours sincerely,
Ian McInnes.