

## Re: Private and confidential: Evidence of TPO Misconduct in Determination PO-14071

De: Ian McInnes (ian.mcinnes@yahoo.com.mx)

Para: Loreto.Miranda@thomsonreuters.com

Fecha: Junes, 16 de septiembre de 2019 13:57 GMT-5

Dear Ms Miranda,

Thank you for your reply to my email of 2 September, relating to the report you made on the Determination for TPO case PO-14071. But unfortunately it evades the issue - that you have produced and published a report that supports criminal misconduct by both TPO and Scottish Widows. And you appear to have so little concern for the veracity of what you publish that you did not even look at the information on my [website](#).

I have not read the body of this report, but its summary "Scheme administration: Enhanced due diligence checks to verify claimant's identity were not excessive or onerous" contains sufficient absurdity to be going on with. This refers to very onerous "Identification and Verification" documentation demands that Scottish Widows falsely claims are "required under UK legislation". Despite my questions, Scottish Widows never offered an explanation for this (and TPO refused to question them or otherwise investigate). However, by Scottish Widows' [own statement](#), these demands are imposed on **all** customers wishing to encash (certain types of) pension policies.

In the absence of any kind of explanation from Scottish Widows, the TPO position is that these requirements are to comply with anti-money laundering (AML) regulations. *Note that these are not pension-specific - they apply equally to all types of transaction.* I will now present a few inconvenient (for SW/TPO) facts that I related, and how the Determination dealt with them:

### **AML regulations do not require verification of identity in my case, as a customer identified on a face-to-face basis in the UK with an ongoing business relationship.**

The Determination contains two attempts to contradict this, based solely on my Mexican residency (even though there is plenty of evidence indicating that these demands are applied to all customers). [Paragraph 28.4](#) is inherited from the Opinion (although with [substantial revisions](#)); it includes a critical misquote of AML guidelines, and a simply ludicrous attempt to imply that I am not a face-to-face customer as I live in Mexico. In [paragraphs 36-39](#) of the Determination, Mr Arter clearly thought it wise to have another try based mainly on the premise that my move to Mexico constitutes a change of circumstances; but this attempt was also easy to dismiss.

**Even if verification of identity were required, a single document giving good proof of Name plus EITHER Date of Birth OR Residential Address would satisfy AML regulations. Scottish Widows' [email](#) of 5 April 2016 and the attached [form](#) required the provision of four certified documents, with complicated and confusing specifications for both allowable options and certification (confounded by several grossly-erroneous paper forms that followed).**

This was dealt with in [paragraph 7](#) of the Determination, again inherited verbatim from the Opinion, which states that only one document was required to verify identity and gives a simple list of options. This was despite the very clear comments with references I made in my Opinion Rejection (in blue boxes). This gross misstatement of the facts of the case was quite clearly deliberate, and key to TPO's claim that these documentation requirements were reasonable.

**About two years earlier, Scottish Widows made a large transfer of funds to the same bank account in the same circumstances from liquidation of investment and mortgage plans; only a signed letter was required.**

This awkward fact provoked a self-evident lie in [paragraph 24.4](#) of the Determination (again inherited verbatim from the Opinion).

*The above is only one of numerous facts forming part of the [overwhelming evidence](#) that Scottish Widows implemented and applied their demands knowing them to illegitimate.*

The section headed "Scottish Widows' position" (paragraphs 24-27) shows that instead of asking Scottish Widows to explain their "Identification and Verification" documentation requirements (or consulting HMRC in the absence of a satisfactory response), TPO acted as both SW's advocates and self-appointed AML experts. [Paragraph 24](#) contains five preposterous statements in direct contradiction of clearly-documented facts.

These are only a few of the many issues with this absurd Determination which, as I stated in my email, would not stand scrutiny even by an uninformed reader, never mind one familiar with AML regulations and/or the facts of my case. And even if you have no concern for the rule of law, you should consider that anybody viewing your report who does a web search on (for example) "PO-14071" will find prominent references to my website. Unlike TPO and yourselves, I back up my statements with documentation including the complete correspondence, and my information is thus likely to be rather more cogent than your report.

Your publication is dated 9 May 2019, shortly after the deadline of 22 April 2019 (Bank Holiday Easter Monday!) by which any appeal must be made. It may be that you wait for notice of an appeal, and if there is none, assume that the Determination is valid. But the reason there was no appeal in my case is that, since I live overseas, I am denied justice in the High Court. And, although this is a clearly-documented case of serious criminal misconduct, I have also been denied justice by the Metropolitan Police (it has become clear that they ignore reports against TPO). I have also been attempting to pursue this with the Department for Work & Pensions, but it seems clear that this organisation is also protecting TPO - see [here](#) and [here](#). The only other option would be a private prosecution, but this would be very costly.

I am therefore unable to pursue justice through the "appropriate legal channels". However, you can be assured that pursue this case I will. I have consistently refused to be party to efforts by both Scottish Widows and TPO to enable access to my pension funds while allowing Scottish Widows to maintain its false pretence and escape justice. I will continue to stand up to these abuses in the interest of pension holders and others, who clearly get a rotten deal from a corrupt system. The one point in my favour is that I have nothing to hide, and nothing to fear from publicity.

Yours sincerely,

Ian McInnes.

El miércoles, 11 de septiembre de 2019 10:18:38 GMT-5, Miranda, Loreto (Legal) <Loreto.Miranda@thomsonreuters.com> escribió:

Dear Mr McInnes

I refer to your email dated 2 September 2019 (attached) in which you complain of the impact of a legal update published on our Practical Law website on 9 May 2019, namely: *Mr S (PO-14071): Scheme administration: Enhanced due diligence checks to verify claimant's identity were not excessive or onerous*. By way of explanation, Practical Law is an online legal know how service. Our legal updates are simply reports upon judgments and determinations, including those of the Pensions Ombudsman, that have been published into the public domain. We do not publish anything beyond that.

If you have issue with the underlying decision you will need to revert to the appropriate legal channels.

Yours sincerely,

**Loreto Miranda**

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