

The Registrar
[European Court of Human Rights](#)
Council of Europe
F-67075 – Strasbourg Cedex

[Ms Noëlle Klosterkotter-Dit-Rawé](#)
[✂]
[✂]
[✂]
London [✂]
United Kingdom

(By 'Chronopost' Delivery Next Day)

26th January 2012

Dear Madam / Sir

APPLICATION UNDER

This was ALL in vain as 'it' = British State ensured the - unlawful - rejection of my legitimate Application: 06.06.12 - with my comments attached. Hence:
- I have continued to be subjected to ongoing criminal treatment by the British State (e.g. **My Diary**);
- Some 1,100 hours of my time, and over £500 in costs: down the drain (e.g. **Doc library # 1.14**)

Please find herewith enclosed, for your kind consideration:

- my [Application Form](#) and [concurrent document](#) in which I address Sections II to V of the Form; while possibly longer than expected, the objective is to ultimately save the ECtHR's time, as my position and that of the public authorities concerned has already been extensively canvassed; (¹) it is preceded by a contents page intended to act as a detailed summary, and contains comprehensive extracts from the bundle of supporting documents with the aim of minimising the need to refer to them; it is also supported by an [Appendix](#) containing extracts from various legislation;
- a bundle of supporting documents, preceded by a [Contents page](#). (In the Appendix to this letter, I list the case law referred to in my Application, I can send at a later stage).

Summary of Application

In [May 2009](#), I submitted a Subject Access Request under s.7(1) of the Data Protection Act 1998 ('DPA') to the [Metropolitan Police Service \('MPS'\)](#), which included being provided with the "personal data" it had supplied about me to third parties, as well as their name.

In July 2009, the MPS sent me 3 heavily redacted "crime reports": (i) [2002](#): my complaint of harassment against my landlord, [Andrew David Ladsky \('ADL'\)](#); (ii) his [2003](#) 'complaint' of "harassment" against me; (iii) his [2007](#) 'complaint' that my website, [www.leasehold-outrage.com](#), contained "Anti-Semitic, anti-Black, anti-Asian pictures and text", "defamatory comments" about him, various parties in the State sector and in the professions, etc. The MPS failed to address my questions in relation to third parties.

The MPS dismissed my initial response to the "crime reports" of [13th August 2009](#). From there followed, [over the following 10 months](#), my numerous attempts at getting my rights implemented. In addition to escalating my complaint at a high level within the executive, the

¹ I am also concerned that my applying to the ECtHR 'might' lead to the implementation of the death threat I received on [15th June 2009](#) ("Enjoy your life. You don't have long to live").

attempts included a complaint to the [Independent Police Complaints Commission](#) in February 2010 that was dismissed, and a [Notice under s.10 of the DPA](#) in June 2010 that was ignored.

The 2003 and 2007 “*crime reports*” in particular are a source of extreme distress and anguish to me because:

- they *falsely* portray me as: “a Nazi” “anti-Semite” waging some kind of “racist” vendetta against ADL (using my Franco-German origin as rationale); an individual who “*suffers from mental issues*”; also, as somebody who defaults on her contractual obligations; (in the “*crime reports*”, the MPS does *not* provide *any* evidence whatsoever in support of *any* of its accusations against me and opinions of me);
- they amount to holding criminal charges against me: (i) [2003: a “Confirmed” “Substantiated Offence of Harassment”](#); (ii) [2007: a “Confirmed” “Substantiated Racial Incident” – “Hate Crime – Race, Religion”](#);
- in relation to both, the [2003 and 2007 ‘complaints’](#), the MPS *denied* me the right to defend myself against them: (i) in 2003, by *ignoring* [my correspondence](#) asking for evidence; (ii) in 2007, by *not* contacting me at *any point in time* following the ‘complaint’;
- the MPS has a policy of keeping crime reports until individuals reach 100 years of age, and makes its data available to a large number of State parties;
- events lead me to the conclusion that State parties are intent on continuing to use the “*crime reports*” against me.

On [19th April 2011](#), I brought [civil proceedings against the MPS](#), in relation to:

- the “*crime reports*”, asking, under the DPA, for rectifications and/or additions and/or deletions or destruction of the reports data, and included claims under other statutes, among other, in relation to the MPS’ March 2007 e-mails to my website Host;
- its failure to record, as well as investigate my 2 well-documented complaints of harassment in October 2010.

In these contexts, I claimed a violation of my rights under Articles 2, 3, 6 and 8 of the Convention, in conjunction with Article 14. For the purpose of this Application, I have since added a violation under Article 10, as I submit that the treatment I have and continue to be subjected to is primarily due to my ‘daring’ to expose comprehensive detail of my case on my website, in the process exposing various parties, including the MPS - combined with my personal characteristics. The MPS made a blanket denial of breaching / violating *any* of my rights. At a case management ‘hearing’, a Master’s Order of [9th August 2011](#), endorsed the MPS’ position by striking-out all of my claims against the MPS – with [costs of £8,478](#).

I submitted a [29th/30th August 2011](#) Application for Permission to Appeal against the Order. A Judge denied it in a [6th October 2011](#) Order – endorsing the Master’s Reasons. I then submitted a [17th October 2011](#) Request for Oral Hearing of my Permission to Appeal. A Judge denied it at the [24th October 2011](#) ‘hearing’ (without stating his Reasons in the Order).

[My Claim](#) was also against the Home Office for *unlawfully* having me under surveillance and interfering with my means of communications. In this context, I claimed a violation of my rights under Articles 3 and 8 of the Convention, in conjunction with Article 14. In an Order dated [9th August 2011](#), a Master struck-out all of my claims – with [costs of £5,000](#) – on the ground that I should have referred my complaint to the Investigatory Powers Tribunal.

During the case management ‘hearing’, I attempted to argue my case, and very quickly gave-up as I was cut short. I submit that in my position i.e. the current state of the “*crime reports*” plus other data held about me by the MPS et.al. I have not seen, the Tribunal does *not* offer me an effective remedy, because, among other, its judicial review role does *not* include challenging the admissibility of the evidence. In the light of the reaction, as well as response to other parts of my Claim, I did *not* challenge the Order. If, because of this, the ECtHR cannot consider this part of my Application, I trust that it will, at a minimum, note the circumstances and thereby prevent other innocent victims of crime from being subjected to the same extremely distressing, life-destroying treatment.

Lastly, [my Claim](#) was also against the Independent Police Complaints Commission for dismissing my February 2010 complaint. A Master struck-out all of my claims against the IPCC in a [29th July 2011](#) Order - with [costs of £3,703](#) – on the ground that I should have applied for judicial review. I did *not* challenge this Order. While the IPCC is *not* part of my Application, I, likewise, hope that, for the benefit of others, the ECtHR will note events, as well as some media reports I captured about the IPCC in my document.

[My Application](#) is also against the Judiciary, at the [London High Court](#), at the overall level, for what, I submit, is blatant lack of impartiality, as well as bias in dismissing -by way of summary judgment- all my claims against the MPS, and for twice denying my Application for Permission to Appeal. Among others, that it: ‘turned a blind eye’ to the irrefutable evidence in the case; knowingly placed me on an unequal footing by allowing the MPS to file and serve a *less redacted* (and incomplete) version of the “*crime reports*”, *post* filing my Witness Statement in response to its Application to have my Claim struck-out, as they contain data that strongly support some of my key conclusions. As in the case of the other parties, I submit that this conduct stems essentially from retaliation for my ‘daring’ to report comprehensive detail of my case on my website, in the process exposing some of the judiciary, as well as ‘daring’ to stand-up to the authorities by fighting for my rights – combined with my personal characteristics. In the light of the evidence in the case, I submit that the Judiciary violated my rights under Articles 6(1), 10 and 13, in conjunction with Article 14.

Under Section V, I claim for a Declaration of violation of my Convention rights; pursuant to Article 41 of the Convention: (i) awards of Just Satisfaction; (ii) damages; (iii) my costs and expenses from the time of my 2nd reply of 20th September 2009 to the MPS.

There are no further avenues of redress available to me (Article 35(1) of the Convention).

This Application is introduced within 6 months of the exhaustion of domestic remedies, in accordance with Article 35(1) of the European Convention.

Lastly, although I have again changed my PO Box, I am particularly worried that communications from/to the ECtHR may be intercepted. However, I am aware of Article 34.

Thank you in anticipation of your taking the time to consider my Application.

Yours faithfully,

N Klosterkötter-Dit-Rawé

APPENDIX

At a later stage, I can send a copy of the following case law referred to in my Application:

1. *Durant v Financial Services Authority* [2003] EWCA Civ 1746; [2004] F.S.R. 28; [2004] IP & T 814
2. *Chief Constable of Humberside Police v Information Commissioner* [2009] EWCA Civ 1079
3. *R. (on the application of Alan Lord) v Secretary of State for the Home Department* [2003] EWHC 2073
4. *R. (Carson and Reynolds) v Secretary of State for Work and Pension* [2005] UKHL 37; [2006] 1 AC 173
5. *Ashley & Anor v Sussex Police* [2006] Po LR 227, [2006] EWCA Civ 1085, [2007] 1 WLR 398
6. *Kuddus (AP) v Chief Constable of Leicestershire Constabulary* [2001] UKHL 29, [2001] 2 WLR 1789, [2001] 3 All ER 193, (2001) 3 LGLR 45, [2002] 2 AC 122
7. *Watkins v Secretary of State for the Home Office Department and others*, [2006] UKHL 17
8. *Paul Johnson v Medical Defence Union* [2006] EWHC 131