

Royal Courts of Justice Group
[Queen's Bench Division](#)
Case Management Section, Room E07
Royal Courts of Justice
Strand
London WC2A 2LL

[Ms N Klosterkotter-Dit-Rawé](#)

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In spite of: (i) my copying **Master Eyre** on my [24.07.11](#) letter to the MPS clearly detailing key pages missing in the "crime reports"; (ii) his having absolute knowledge that these reports were issued to me POST filing my [19.07.11 Witness Statement](#); (iii) my repeating this during the 29.07.11 Application 'hearing' – **HE DID NOTHING** ([CPR Overriding Objective](#)) = 1 of several examples of **COLLUSION***, **CONNIVING***, **CORRUPTION*** re. [my Claim](#)

(By 'Recorded Delivery')

Ref: HQ11X01471 – Noëlle Klosterkotter-Dit-Rawé v. Office of Commissioner of Police of the Metropolis; (2) The Independent Police Complaints Commission; (3) The Secretary of State for the Home Department

24th July 2011

* (Dictionary definition of (i) **Collusion**: "To come to a secret agreement in order to deceive others; conspire"; (ii) **Connive**: "secretly allow (a wrongdoing); often as adjective, **conniving**, "conspire to do something unlawful or harmful"; (iii) **Corruption**: "Willing to act dishonestly in return for money or personal gain"; "evil or morally depraved")

Dear Madam / Sir

Re-issue of 19th April 2011 Particulars of Claim to comply with [Court's Notice](#) re 'word replaced'

The Notice of Applications hearing set for 29th July 2011, at 11h30, in Room E107, states under 2.(1) that, wherever possible, names of individuals in statements of case must be replaced by 'First Defendant', 'Second Defendant', etc., as appropriate.

The enclosed, dated 24th July 2011, are my 19th April 2011 Particulars of Claim incorporating and marking the changes – as per the above instruction ¹.

By the same post, I am copying the 3 Defendants on the same.

I also enclose a copy of my [24th July 2011](#) letter to the First Defendant's party who has compiled the bundle for the hearing, in which I note some key omissions ².

Yours faithfully

N Klosterkotter-Dit-Rawé

¹ 24th July 2011 version of 19th April 2011 Particulars of Claim incorporating 'word replaced' names

² My 24th July 2011 letter to First Defendant's party who compiled the bundle

BETWEEN

MS NOËLLE KLOSTERKOTTER-DIT-RAWÉ Claimant

and

OFFICE OF COMMISSIONER OF POLICE OF First Defendant
THE METROPOLIS

INDEPENDENT POLICE COMPLAINTS Second Defendant
COMMISSION

OFFICE OF THE SECRETARY OF STATE FOR Third Defendant
THE HOME DEPARTMENT

PARTICULARS OF CLAIM

1 METROPOLITAN POLICE SERVICE

1.1 KENSINGTON & CHELSEA POLICE – CRIME REPORTS

1.1.1 PARTICULARS OF CLAIM – DATA PROTECTION ACT 1998

1. The Claimant, a British National of Franco-German origin, is a woman, single, and a pensioner, who resides in the United Kingdom since 1968. She is and was at all times the leasehold owner, and occupier of flat 3, Jefferson House, 11 Basil Street, London SW3 1AX.
2. The First Defendant is and was at all material times the Office of Commissioner of Police for the Metropolis with responsibility namely for the enforcement of law, the detection and investigation of crime and related activities.
3. By virtue of Section 88(1) of the Police Act 1996, the First Defendant is liable in respect of any unlawful conduct of constables under his direction and control within the Metropolitan Police Service ('MPS'), and accordingly shall, in the case of a tort, be treated for all purposes as joint tortfeasor.
4. Under Section 7(1) of the Data Protection Act 1998 ('DPA') the Claimant filed a 28th May 2009 Subject Access Request ('The SAR') with the MPS Public Access Office (see Annex 1 for copy). It led the Claimant to being supplied with three "*crime reports*": CR:5604102/02 ('The 2002 report'); CR:5602261/03 ('The 2003 report'); CR:5605839/07 (The 2007 report').
5. The subject matter of the reports is:
 - a. The 2002 report: a complaint of harassment the Claimant made to the First Defendant's station of Kensington & Chelsea police (~~KCP~~) against her landlord, Andrew David Ladsky ('ADL'); (see Particulars under paragraphs 30-49)

- b. The 2003 report: a complaint by ADL to the First Defendant ~~KCP~~ accusing the Claimant of harassment; (see Particulars under paragraphs 50-54)
 - c. The 2007 report: a complaint by ADL to the First Defendant ~~KCP~~ which, based on the said report, (as the First Defendant ~~KCP~~ never contacted the Claimant in relation to this complaint), accused the Claimant of having, on her website, www.leasehold-outrage.com, “*anti-Semitic, anti-Black and anti-Asian pictures and text*”, as well as “*slandering comments*” in relation to various parties. (see Particulars under paragraphs 55-63)
6. It is the Claimant’s case that the “*crime reports*” are highly prejudicial to her rights and legitimate interests:
7. 2002 report
- a. This report requires numerous rectifications, deletions, as well as the addition of key data (reference to correspondence and content of conversations) to reflect material events, and thereby ensure accuracy, fairness and lawfulness.
8. 2003 report
- a. Processing of this report is unlawful as it falsely accuses the Claimant of having committed an offence of harassment.
 - b. Evidence was manufactured to justify recording the complaint as harassment, by ADL falsely claiming that the Claimant had a history of swearing at him. His accusations were aided by misleadingly describing ADL as the Claimant’s “*neighbour*”.
 - c. This report also contains other materially false, malicious and therefore unlawful accusations and opinions against/about the Claimant.
 - d. At the time of the complaint, the First Defendant ~~KCP~~ denied the Claimant the right to defend herself against the accusations and opinions of her, as it failed to reply to her written request for precise detail, in writing, of the complaint.
9. 2007 report
- a. Processing of this report is unlawful as it falsely accuses the Claimant of having committed a “*racist*” act.
 - b. It would appear that the Claimant is also accused of having committed other offences, as the report was again reopened in 2009 to add “*associated fields ‘HateCrimeReligion’, and ‘HateCrimeRace’*”.
 - c. In the report, the First Defendant ~~TDC Simon J Dowling of KCP’s Community Support Unit and PC 474BS K O’Brion~~ maliciously state about the Claimant:
 - i. she is “*obviously extremely paranoid because she thinks the police may be following her as well as numerous people employed by her enemies*”;
 - ii. “*I believe she may have some mental issues so will be speaking to social services to see if they are aware of her*”.
 - d. This report also contains numerous other materially false, malicious and therefore unlawful and/or unfair accusations and opinions against/about the Claimant, aided in part by misleadingly describing ADL as the Claimant’s “*neighbour*”.
 - e. Some of these false accusations have been ‘recycled’ from the 2003 report.

- f. Following the complaint, the First Defendant KCP denied the Claimant the right to defend herself against the accusations and opinions of her, as it never contacted her at any point in time.
10. In the three reports parts of the text have been blocked out, at times extensively. The Claimant suspects that this is contrary to Section 7(1)(b)(c) of the DPA.
11. The reports all amount to or contain personal data for the purposes of Section 1 of the DPA, and the 2003 and 2007 reports amount to or contain sensitive personal data for the purposes of Section 2 of the DPA.
12. The obtaining, recording, holding of the reports amount to processing of data for the purposes of Section 1 of the DPA.
13. From July 2009 when the Claimant was supplied with the above three reports, the data controller in respect of the personal data described under paragraphs 10 and 11 above is and was at all times the First Defendant's ~~officer, Chief Superintendent Mark Heath, Borough Commander, KCP.~~
14. Despite detailed requests in writing from the Claimant for rectifications and/or additions and/or deletions or destruction of the reports data, and for a reply to her questions (13th August 2009, supported by a bundle of 49 evidential documents; 20th September 2009), the First Defendant M Heath refused to comply with the Claimant's requests. This includes following a Section 10 Notice under the DPA, dated 2nd June 2010 ('The s.10 Notice') as ~~it he~~ failed to reply. A copy of this Notice and supporting document is served herewith under Annex 1. (They have been served on the Defendants, as well as the SAR, as part of the Pre-Action Protocol).
15. ~~On behalf of M Heath, In~~ a letter dated 22nd September 2009, the First Defendant's local A/ Chief Inspector Steve McSorley, Professional Standards ~~officer, KCP,~~ wrote to the Claimant that she had "*quite clearly expressed [her] concerns*" and to contact the Information Commissioner if she was "*dissatisfied*" with the response from the First Defendant's MPS Public Access Office.
16. In a letter dated 20th November 2009 the same officer S McSorley dismissed the Claimant's accusations of "*gross misconduct by KCP officers*", including her accusations that the officer who sent a 16th and 27th March 2007 e-mail to the Claimant's website Host TDC Simon J Dowling of KCP's Community Support Unit had made "*malicious, scurrilous and libellous accusations*" against the Claimant when he contacted her website Host. Further, the officer S McSorley said to be "*satisfied that the crime reports represent an accurate account of what police were told at the time even if you do not agree with what was said by third parties. Consequently, I will not be making any alterations to the various crime reports unless enforcement notice is served by the Information Commissioner*".
17. The processing of this data is a source of great distress and anxiety to the Claimant given:
 - a. the processor of the data;
 - b. the Association of Chief Police Officers' recommendation of holding information about an individual on the police systems until the individual reaches 100 years of age – leading to the data being processed and/or reprocessed by a multitude of individuals, including other parties to whom the police may supply the data / parts of it (as it has already done);
 - c. the purpose for which it is being processed which, in light of events, indicates an intention by the First Defendant to further use the data, in its current state, against the Claimant. Added to the failure to meet the Claimant's demands, as outlined in the Particulars under paragraph 14 above, this intention was further confirmed on 17th October 2010, as detailed below under paragraph 125c.

Ditto for the rest i.e. crossed out name of police stations and of individuals and replaced by '1st / 2nd Defendant' (I think I was expected to totally delete the names, thereby making it a 'more acceptable' copy to have on file).

NB: [The morally depraved, corrupt, conniving, 'we are above the law MPS'](#) IGNORED my demands. And, at the 29.07.11 Application 'hearing', its 'friend', Master Eyre ALSO IGNORED my repeating it (Dictionary definition of: (i) **Connive**: "secretly allow (a wrongdoing); often as adjective, **conniving**, "conspire to do something unlawful or harmful"; (iii) **Corruption**: "Willing to act dishonestly in return for money or personal gain"; "evil or morally depraved")

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[New Scotland Yard](#)
Broadway
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24th July 2011

Dear Madam

1. Bundle

Please find enclosed my [24th July](#) reply to Mr Martin Bament ¹

2. Re-issue of 19th April 2011 Particulars of Claim to comply with [Court's Notice](#) re 'word replaced'

The Notice of Applications hearing set for 29th July 2011, at 11h30, in Room E107, states under 2.(1) that, wherever possible, names of individuals in statements of case must be replaced by 'First Defendant', 'Second Defendant', etc., as appropriate.

The enclosed, dated 24th July 2011, are my 19th April 2011 Particulars of Claim incorporating and marking the changes – as per the above instruction ².

3. Post-issuing the Claim - Schedule of costs at 22nd July 2011

I also enclose my Post-issuing the Claim - Schedule of costs at 22nd July 2011, which, as I had informed your colleague, Mr Martin Bament, of my intention, I hand-delivered to the Court on Friday 22nd ³ I enclose my covering letter to the Court ⁴

Yours sincerely

N Klosterkotter-Dit-Rawé

¹ 24th July 2011 reply to Martin Bament, MPS

² 24th July 2011 version of 19th April 2011 Particulars of Claim incorporating 'word replaced' names

³ My Post-issuing the Claim - Schedule of costs at 22nd July 2011

⁴ My 22nd July 2011 letter to the Court

Mrs / Ms Julia Chittenden
Lawyer
[Independent Police Complaints Commission](#)
90 High Holborn
London WC1V 6BH

[Ms N Klosterkötter-Dit-Rawé](#)
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24th July 2011

Dear Madam

1. Your 2nd Witness Statement, dated [19th July 2011](#)

I acknowledge receipt of your 2nd Witness Statement, dated 19th July 2011, posted on 20th July, in response to my 1st Witness Statement dated [27th June 2011](#).

I also acknowledge receipt of your [20th July 2011](#) letter confirming that you received my correspondence of [19th July 2011](#) (delivered to your Office at 10h35 am on 20th July), containing: (i) a [19th July 2011](#) Witness Statement, in replacement of mine dated [27th June 2011](#); (ii) replacement exhibits due to the poor quality of those previously supplied; (iii) 2 new exhibits.

As detailed in my attached e-mail, dated [20th July 2011-14h26](#), to the IPCC main e-mail address, and marked for your attention (see attached ¹), on this and the previous day, I made various attempts at contacting you / one of your colleagues to inform of the content of my correspondence and ensure that the appropriate documents would be supplied in the bundle to the Court by the [22nd July](#) deadline.

Having failed in my attempts and concerned that the Court bundle might not include the correct documents, on Thursday 21st I opted to have another copy made of my Replacement 19th July 2011 Witness Statement and exhibits, as well as new exhibits. The following day, Friday 22nd, I hand-delivered the bundle to the Court with the enclosed [22nd July](#) covering letter ² explaining my reason for doing this.

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3. Post-issuing the Claim - Schedule of costs at 22nd July 2011

I also enclose my Post-issuing the Claim - Schedule of costs at 22nd July 2011, I hand-delivered to the Court on 22nd July 2011 ⁴.

Yours sincerely

N Klosterkötter-Dit-Rawé

¹ My 20th July 2011 – 14h26 e-mail – to IPCC main e-mail address

² My 22nd July 2011 to the Court

³ 24th July 2011 version of 19th April 2011 Particulars of Claim incorporating 'word replaced' names

⁴ My Post-issuing the Claim - Schedule of costs at 22nd July 2011

Mrs / Ms Helen John
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(Home Office)

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Yours sincerely

N Klosterkotter-Dit-Rawé

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² My Post-issuing the Claim - Schedule of costs at 22nd July 2011

19 April 2011 Particulars 'wond replaced'
fed back on bundle

Post Office Ltd.
Your Receipt

Rosebery Avenue
London
Greater London
EC1R 4SQ

COURT

Date and Time: 25/07/2011 10:45
Session ID: 7-183810
Dest: UK (EU)
Quantity: 1
Weight: 0.188 kg

Special D by 1 £0.00 £5.90

Total Cost of Services £5.90

Posted after Last Collection? No

Barcode: ZW822250850GB

DESTINATION ADDRESS
Building Name or Number Postcode
ROYAL COURTS WC2A2LL
Address Validated? N

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Special Delivery is an express next
day service for the UK, offering a
money back guarantee for delay and
compensation for loss and damage to
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Greater London
EC1R 4SQ

WYE
MPS

Date and Time: 25/07/2011 10:49
Session ID: 7-183810
Dest: UK (EU)
Quantity: 1
Weight: 0.212 kg

Recorded 1st
Large Letter £1.86

Total Cost of Services £1.86

Posted after Last Collection? No

Barcode: AI2302564206B

DESTINATION ADDRESS
Building Name or Number Postcode
NEW SC YARD SW1H0BB
Address Validated? N

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Rosebery Avenue
London
Greater London
EC1R 4SQ

MPS
GAMMENT

Date and Time: 25/07/2011 10:43
Session ID: 7-183810
Dest: UK (EU)
Quantity: 1
Weight: 0.020 kg

Recorded 1st
Letter £1.23

PrePaidAmount -£1.23

Total Cost of Services £0.00

Posted after Last Collection? No

Barcode: AI230256393GB

DESTINATION ADDRESS
Building Name or Number Postcode
NEW SCOTLAND YARD SW1H0BB
Address Validated? N

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EC1R 4SQ

HPC

Date and Time: 25/07/2011 10:48
Session ID: 7-183810
Dest: UK (EU)
Quantity: 1
Weight: 0.217 kg

Recorded 1st
Large Letter £1.86

Total Cost of Services £1.86

Posted after Last Collection? No

Barcode: AI230256416GB

DESTINATION ADDRESS
Building Name or Number Postcode
90 WC1V6BH
Address Validated? N

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FAD: 026003

Mount Pleasant
Rosebery Avenue
London
Greater London
EC1R 4SQ

VAT REG No. GB 243 1700 02
Date of Issue: 25/07/2011 10:50
SESSION: 7-183810

	Item Price ex VAT	inc VAT	Total (£)
(E)Recorded 1st 1 @	1.23	1.23	1.23
(E)Special D by 1 1 @	5.90	5.90	5.90
(E)Recorded 1st 1 @	1.86	1.86	1.86
(E)Recorded 1st 1 @	1.86	1.86	1.86
(E)Recorded 1st 1 @	1.86	1.86	1.86
(S)=Standard Rate (Z)=Zero Rate (E)=Exempt			

RSF 1st Class 1 @	1.23		1.23
PrePaidRM Stamps 1- @	1.23		1.23-

TOTAL DUE TO POST OFFICE			12.71

Cash	FROM CUSTOMER		12.71
BALANCE			0.00

Please retain for future reference

Thank You

Post Office Ltd.
Your Receipt

Rosebery Avenue
London
Greater London
EC1R 4SQ

T Sol

Date and Time: 25/07/2011 10:47
Session ID: 7-183810
Dest: UK (EU)
Quantity: 1
Weight: 0.203 kg

Recorded 1st
Large Letter £1.86

Total Cost of Services £1.86

Posted after Last Collection? No

Barcode: AI230256402GB

DESTINATION ADDRESS
Building Name or Number Postcode
TRE SOLI DEPT WC2B4TS
Address Validated? N

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PLEASE REFER TO SEPARATE TERMS AND
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