

Office for Judicial Complaints
Steel House, 3rd floor
11 Tothill St
London SW1H 9LJ

[Ms N Klosterkotter-Dit-Rawé](#)

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(By 'Special Delivery')

28th November 2011

See its [05.12.11](#) 'get lost' reply misrepresenting my compliant (= a continuation of my experience [since 2002](#) when making complaints: see [My Diary 6 May 08](#))

[Queen's Bench Claim No. HQ11X01471](#); [Appeal No. QB/2011/0483](#)

Dear Madam / Sir

Complaint against Lord Justice Mackay, [High Court, London](#), for failing to state his Reasons in an Order, and now asking me to pay – an unspecified amount – in order to obtain a transcription of his Reasons

Following a [24th October 2011](#) hearing at which Lord Justice Mackay refused [my Application for Permission to Appeal](#), he issued the enclosed [24th / 25th October 2011](#) Order (¹).

As the Order does *not* state his Reasons for the refusal, in my enclosed [31st October 2011](#) letter (²) I asked that, pursuant to CPR Rule 40.12(2) and PD 40, paras. 4.1 and 4.2, he reissues his Order.

Two weeks later, the lack of response, led me to send the enclosed [14th November 2011](#) letter (including proof of 'Special Delivery' on 15th November) (³). (To ensure delivery, with the letter, I enclosed a pre-paid, self-addressed, 'Special Delivery – Next Day' envelop).

The enclosed [23rd November 2011](#) response (⁴) from "Mr Paul Westlake, Clerk to Mr Justice Mackay" states: "The transcription of reasons given at the hearing on 25 of October can be obtained from the Courts Recording and Transcription Unit at the Royal courts of Justice on payment of the appropriate fee".

Under Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms 1950 (as set out in Sch.1 of the Human Rights Act 1998), courts have a duty to provide reasoned judgments for their decisions. (To meet the requirement of a "fair hearing" it must be possible to understand the verdict).

Why should I – the individual concerned by the Order - pay "an appropriate transcription fee" to obtain an Order stating Lord Justice Mackay's Reasons for his refusal – Reasons that, in any case, he had prepared *ahead* of the hearing as he read them out?

Where, in the Civil Procedure Rules, does it state that I have to pay a fee to get 'a reasoned Order'?

¹ 24th / 25th October 2011 Order from Lord Justice Mackay

² My 31st October 2011 letter to Lord Justice MacKay

³ My 14th November 2011 letter to Lord Justice Mackay, and proof of delivery on 15th November

⁴ 23rd November 2011 letter from "Mr Paul Westlake, Clerk to Mr Justice Mackay"

Where, in the Civil Proceeding Fees, does it state the amount of fee to be paid in order to obtain a 'reasoned Order'?

The previous, enclosed, Orders of [9th August 2011](#) from Master Eye (⁵), and [6th October 2011](#) from Lady Justice Lang DBE (⁶) *contain* their Reasons – and I did not have to pay for this.

In case this is helpful, I enclose a copy of my [17th October 2011](#) Request for an Oral Hearing for Permission to Appeal (⁷).

I also enclose a self-addressed, pre-paid, 'Special Delivery – Next Day' envelop for your response telling me that you have taken action to ensure that, over the next 10 days, I am provided with a *reasoned Order* for the refusal of my Application for Permission to Appeal (⁸).

Thank you in anticipation of your assistance.

Yours faithfully,

Klosterkötter-Dit-Rawé

⁵ 9th August 2011 Order from Master Eyre

⁶ 6th October 2011 Order from Lady Justice Lang DBE

⁷ My 17th October 2011 Request for an Oral Hearing for Permission to Appeal

⁸ Self-addressed, 'Special Delivery' envelop, barcode: ZI 1756 7215 8GB

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Dest:	UK (EU)	
Quantity:	1	
Weight:	0.225 kg	
Special D by 1	£0.00	£5.90
Total Cost of Services		£5.90
Posted after Last Collection?	No	
Barcode:	ZW91937454808	
DESTINATION ADDRESS		
Building Name or Number	Postcode	
OFFICE FOR JUDICIAL	SW1H9LJ	
Address Validated?	N	

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Your item with reference ZW919374548GB was delivered from our SOUTH WEST LONDON Delivery Office on 29/11/11.

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We can confirm that this item was delivered before the guaranteed time.

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