

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

CLAIM NO. HQ11XO1471

BETWEEN:

NOELLE KLOSTERKOTTER-DIT-RAWE

Claimant

- and -

THE COMMISSIONER OF POLICE OF THE METROPOLIS

First Defendant

-and-

INDEPENDENT POLICE COMPLAINTS COMMISSION

Second Defendant

-and-

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Third Defendant

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EXHIBIT JC/1

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**ipcc** independent  
police complaints  
commission

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- See my comments  
to the 29.07.11 IPCC  
ORDER 'ROM' Masher Eyre
- See Also the IPCC's Minutes
- And its 02.03.10 letter  
GRANTING dispensation

### Application for Dispensation

*Schedule 3, Part 1, Paragraph 7 of the Police Reform Act 2002 and Regulation 3 of the  
Police (Complaints and Misconduct) Regulations 2004*

This application must be accompanied by a copy of the complaint and an explanation of the reasons for making the application. Applications for dispensation relating to repetitive complaints should be accompanied by the previous complaint and a copy of the record of any resolution, withdrawal or dispensation of that complaint. Other documents and material to be included with the application are set out on p44 of the Statutory Guidance.

#### Force (or Authority) Details

Force (or Authority) Name	Metropolitan Police DPS (SW)
Force (or Authority) Case Reference	PC 7160/09
Date application sent to IPCC	22/01/2010

Please specify the ground(s) on which the application is being made:

- Out of Time:** More than 12 months have elapsed between the incident, or the latest incident, giving rise to the complaint and the making of the complaint and either that no good reason for the delay has been shown or that injustice would be likely to be caused by the delay.
- Already the Subject of a Complaint:** The matter is already the subject of a complaint.
- Anonymous:** The complaint discloses neither the name and address of the complainant nor that of any other interested person and it is not reasonably practicable to ascertain such a name or address.
- Vexatious, Oppressive or an Abuse of Procedure:** The complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints (as described on p38 of the IPCC Statutory Guidance).
- Repetitious:** The complaint is repetitious.
- Not Reasonably Practicable to Complete the Investigation:** It is not reasonably practicable to complete the investigation of the complaint or any other procedures under Schedule 3 to the 2002 Act.

**TOTALLY IRRELEVANT**

**IT CANNOT BE USED TO INTERFERE WITH  
MY RIGHTS UNDER THE DATA PROTECTION  
ACT 1998.**

**Reason for Application** (please include full details of the reason for the application, explaining the circumstances that have led to the application and how that fits with the ground(s) applied under)

The complainant was involved in a dispute that was long-running and during which 3 crimes reports were recorded. One in 2002, one in 2003 and one in 2007.

July 2009 version: 2002; 2003; 2007

In 2009 the complainant made a Freedom of Information Act request and was supplied with copies of the three crime reports. She has since submitted a request detailing a number of entries within those reports that she is unhappy with. Having been unable to obtain a satisfactory response she has made a complaint against police.

"A request": see my 10 months of hell: paras. 85-112 of my 19.07.11 Witness Statement to police

More than 12 months have elapsed between the latest incident and the making of the complaint or indeed the initial FoIA request. It may be held that the complainant would not have been in a position to make the complaint until she had received copies of the crime reports, but she could have made such a request at a much earlier stage as she was aware of the incidents at the time that they happened. Indeed, in many instances she was aware of the issues at the time they occurred. The delay in making this complaint is therefore entirely due to the complainant delaying her FoIA request.

The complainant has resorted to complaining due to her being unable to secure amendments to the crime reports. This is not a matter that should be addressed through the complaints system. It is a matter for the Information Commissioner. If the crime reports were to be altered at the complainant's request this would set a new precedent for crime reporting and recording across the UK. This complaint is therefore an abuse of process.

The complaint focuses on numerous details within the crime reports that are of little or no practicable significance and relate to actions and or entries completed a considerable time ago. It is impracticable and totally disproportionate to launch an investigation into such matters after such a long time. Neither is any other process under the PRA practicable.

No investigation into these matters has been started. Documents have been printed purely to assist the IPCC to consider this application.

**Complainant Details**

Complainant Name	Ms Noelle Klosterkotter-Dit-Rawe
Complainant Gender	Male <input type="checkbox"/> Female <input checked="" type="checkbox"/>
Complainant Address and Contact Details	
Complainant Ethnicity (16+1 code)	
Complainant Date of Birth	
Solicitors / Other Person(s) <sup>1</sup> Name & Address (please list additional parties and relationship to complainant)	None

**Contact with Complainant**

Complainant advised of application (please attach copy of letter)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date of '21 Day' letter to complainant (if relevant)	Not relevant
Dates and details of other attempted contact (if relevant)	None
Complainant Response	N/A

At the alleged date of 22.01.10 = NOT TRUE  
 As 21.01.10 posted on 04.02.10 - date on which the Met-Com received my 02.02.10 letter.

<sup>1</sup> Other persons as defined in paragraph 21, Part 2, Police Reform Act 2002

Incident and Complaint Details

Date of Incident 2002, 2003, 2007

Date Complaint Made 07.12.2009

Was this complaint previously sub-judice? Yes  No

NOT TRUE  
MY 02.12.11 letter to Met Commissioner WAS delivered on 03.12.11

Background to complaint, details of action to date and a list of documents collected (only attach documents that are specifically relevant to the application - see Statutory Guidance p44)

Complainant was party to a long-standing dispute during which 3 crime reports were recorded. She now takes exception to some of the entries in those reports.

Documents

1. Letter to Complainant advising her of this application
2. Form 3352
3. Letter from Complainant to DPS dated 28.12.2009 ✓
4. Letter from Complainant to MPS dated 2.12.2009 ✓
5. Letter from Complainant to DPS dated 28.11.2009 x MPS
6. Letter from MPS to Complainant dated 20.12.2009 x No 20 Nov
7. Letter from MPS to Complainant dated 17.11.2009 ✓
8. Letter from Complainant to MPS dated 11.11.2009 - x2
9. 2 Letters from Complainant to MPS dated 8.11.2009 - x2
10. Letter from MPS to Complainant dated 22.09.2009 ✓
11. Letter from Complainant to MPS dated 20.09.2009 ✓
12. Letter from Complainant to PAO dated 20.09.2009 ✓
13. Letter from PAO to Complainant dated 25.08.2009 ✓
14. Letter from Complainant to PAO dated 13.08.2009 ✓
15. Letter from Complainant to PAO dated 28.05.2009 ✓
16. Crime reports

2 My complaint is here  
starting with my 13.08.09 letter  
And my last letters by the name of Mrs Application were:  
- 18.02.10 to her  
- 18.02.10 to IPCC

Allegation and Officer Details

Officer(s) / staff member(s) involved Location and rank

MANY NAMES MISSING  
DC Adams 193386, DC Crockett 192325, PC Dowling 216113, all at Kensington & Chelsea + Nottingham Hill  
+DI Paul Webster +PC Neil Watson+ PC O'Brien+ PC Latham, etc + their supervisors + the chief superintendents + Professional Stds

Other Officer(s) / staff members(s) present (not subject to complaint) Location and rank

None

Alleged breach of code of conduct

Duties & Responsibilities, Authority, Respect & Courtesy.

Allegation Category (please see Statutory Guidance p47 for category definitions)

A B C D E F G H I J K L M N P Q R S T U V W X Y

I recommend that the IPCC are requested to grant a dispensation in accordance with Schedule 3, Part 1, Paragraph 7 of the Police Reform Act 2002:

Appointed Officer's signature

Appointed Officer's name and contact details DI Crispin Lee 020 8785 8211

Supervising Officer's signature

Supervising Officer's name and contact details DCI Mark Namji As above

Retention period: 7 years