

This Witness Statement is in response to the so-called 'Independent Police Complaints Commission's 07.06.11 Application to have my 19.04.11 Claim struck out.

Master Eyre granted its wish: 29.07.11 Order (see my attached comments) – resulting in my paying costs of £3,703 with my 13.09.11 letter – on which I copied the Home Secretary stating that she clearly approved of the conduct of the IPCC and police.

(Master Eyre's FULL OF LIES 09.08.11 Order (see my attached comments) also struck out my claims against the police – with costs of £8,478 – I paid in my 22.08.11 letter.

He also struck out my claims against the Home Office: 09.08.11 Order – with costs of £5,000 – I paid in my 22.08.11 letter)

Subsequent additions are also in green boxes

Made by Claimant

Witness: N Klosterkotter-Dit-Rawé

2nd Witness Statement

Exhibits: 1-4; (14th June 2011 Reply); KDR 3-11, 13, 14; JC: 2, 3, 5

Dated 19th July 2011

IN THE HIGH COURT OF JUSTICE

Claim No HQ11X01471

QUEEN'S BENCH DIVISION

BETWEEN:

NOËLLE KLOSTERKOTTER-DIT-RAWÉ

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

In replacement of my 27.06.11 Wit. Stat. because I should not have referred to legislation, nor included opinions and arguments: Notice. But, as I wrote in my 13.09.11 letter to Julia Chittenden, IPCC, I absolutely stand by everything I wrote in it.

Third Defendant

REPLACEMENT WITNESS STATEMENT OF NOËLLE Y S KLOSTERKOTTER-DIT-RAWÉ

- This Witness Statement is based on the heavily redacted MPS' July 2009 version of the "crime reports" (2002, 2003 and 2007). The MPS ONLY supplied me with a less redacted version on 22 July 2011 (2002, 2003 and 2007 "crime reports") – AFTER I had filed and served this and MPS Witness Statement – thereby placing me on 'an unequal footing' (CPR Overriding Objective) - as the July 2011 version provides very strong support to some of my key conclusions. This took place with Master Eyre's absolute knowledge – and therefore endorsement. (He had: (i) my Particulars of Claim (paras.10 & 25); (ii) the Witness Statements: my 19.07.11 letter to the court; (iii) I repeated it during the 29.07.11 Application 'hearing').
- The Judiciary continued to ignore it following my 30.08.11 Appeal against 'Master Eyre's 09.08.11 Order: 'Justice Lang's 06.10.11 Order; 'Justice Mackay's 24.10.11 Order refusing my 17.10.11 Request – IN THE SAME WAY THAT IT TOTALLY IGNORED THE EVIDENCE IN THE CASE.

1. I am Noëlle Y S Klosterkotter-Dit-Rawé, the Claimant in this action. I am a Litigant in Person, a pensioner, and leasehold owner of flat 3, Jefferson House, 11 Basil Street, London SW3 1AX, where I permanently reside.

2. This Witness Statement replaces the [27th June 2011](#) Witness Statement I filed and served in response to the Second Defendant's Application of [7th June 2011](#). It includes re-issuing Exhibits KDR 4 to 8 I issued at the time.
3. Under the [Data Protection Act 1998 \('The DPA'\)](#) I sent a [28th May 2009](#) Subject Access Request to the First Defendant. I refer to Annex 1 of the [Particulars of Claim](#) which is my reply to its 'Section 4 – MPS Specific Information Request – What happened to cause you to contact the police?' In this document I provided a fairly detailed overview of events in relation to 3 complaints filed with the First Defendant, in 2002, 2003 and 2007. In relation to each of the 3 complaints I asked for a copy of the complaint, as well as for documentary evidence in support of various actions / omissions by the First Defendant at the time of the complaints.
4. In July 2009, I received 3 "*crime reports*" from the First Defendant.
5. [2002 "Crime Report" - CR:5604102/02](#) ('The 2002 report'). I refer to Exhibit **KDR 3**. This is a complaint of harassment I made to the First Defendant against [my landlord, Andrew David Ladsky \('ADL'\)](#) following 20 anonymous phone calls made to my home phone in February 2002. At the time, I also reported suffering other forms of harassment from ADL over the previous weeks. According to the '[Abbreviations List](#)' supplied by the First Defendant with the report, it was processed as a "*Major Crime*". This report is discussed below under the report heading.
6. [2003 "Crime Report" - CR:5602261/03](#) ('The 2003 report'). I refer to Exhibit **KDR 5**. This is a complaint by ADL against me to the First Defendant. As the First Defendant did not respond to my [11th February 2003](#) letter in which I asked for "*precise detail - in writing - of the accusation*", to determine what I was accused of requires referring to two documents: a letter to me from the First Defendant, and the report. They are discussed below, under the report heading.
7. Based on the 'Abbreviations List' supplied by the First Defendant, this report was processed as a "*Major Crime*"; "*Substantiated Offence of harassment*"

which was “*confirmed*” on “25/01/2003”. On “25/01/2003” the “*current status*” of the report was recorded as “*Undetected*”. There is no entry for “*Cleared up reason*”. On “06/02/2003” the entry states “*Suspect Eliminated*”. (There are no entries to the other sections: e.g. “*How Suspect Notified*”; “*Date/Time Notified*”. And no entry on page 17 “*Suspect Elimination – Officer’s Notes*”). The entry on the last page states: “*Screening Decision*”: “*IN Crime screened “in” for further Investigation*”; “*Reason*”: “*71 IN-Solvable SP*”.

8. [2007 “Crime Report” - CR:5605839/07](#) (The 2007 report’). I refer to Exhibit **KDR 7**. This is a complaint against me by ADL. As the First Defendant never contacted me at any point in time in relation to this complaint, I must rely on the report to determine what I was accused of, as well as 2 e-mails sent by the First Defendant to my website Host. These are discussed below under the report heading.
9. Based on the ‘Abbreviations List’ supplied by the First Defendant, the report is classified under “*CrTpe:Bailed*”; “*Notifiable/MPS/Other:N-9*” none of the latter are defined in the List; “*Status: Undetected*”
10. This report was processed as a “*RI racial incident; RS anti-Semitic incident*”; “*Hate crime*” relating to “*Race*” and “*Religion*”: “*117*” which must mean ‘Jewish’. It states: “*Suspect Eliminated: 17.07.2008*” (NB: which is 16 months after the complaint was made).
11. In relation to elimination: “*Reason Eliminated: NC No Further Action – see Details*”; “*Method of Detection*” (no entry); “*How Suspect Notified – BF No evidence of offence at this stage*”; “*Date/Time Notified*” (no entry); “*Notified by*”: “*Rank: PS*”; “*Div/D Number: 81BS*”; “*Warrant Number: 29*”; “*Initials: G*”; “*Surname: Latham*”; “*Suspect Elimination*” – “*Conditions*” (no entry); “*Officer’s Notes*” (no entry). “*Screening Decision*”: “*OUT Crime screened “out”. No further investigation*”.
12. On “17/02/2009”, the entry “*Crime reclassified to no crime unconfirmed*” states “*The Branch Flags ‘FH’/RI’/RS’ were present in this crime report. As a*

result of the new 'DV/HateCrime' tab on the General Information screen today, there are now associated fields ('HateCrimeReligion', 'HateCrimeRace') on the new tab and these have been selected".

13. Being an individual with strongly held moral principles of right and wrong from my religious education, I was very shocked and extremely angry, especially by the 2003 and 2007 reports. The reason is because they contain many false, vicious, malicious accusations and highly disparaging assertions and opinions about me, some of which I viewed as amounting to defamation of my name, character and reputation. In addition, the First Defendant had passed the data on to, at least, one other party: social services. And the worst part of it was that I had not been given the chance to put 'my side of the story'. What also shocked me was that the First Defendant was asserting/endorsing some of the false accusations, including 'recycling' one of them from the 2003 report into the 2007 report – in spite of the classification of the 2003 report stating that I had been "*Eliminated*" (as detailed above).
14. Being a law-abiding, honest individual with an impeccable track record since arriving in this country in 1968, I was extremely distraught that the First Defendant held such reports on me, as: the reports portray me as a criminal, instead of what I am: [the innocent victim of crime](#); one describes me as "*suffering from mental issues*"; I knew that the First Defendant had a policy of keeping crime reports against an individual until the individual reaches 100 years of age. This made me absolutely determined to exert my rights.
15. I sent the First Defendant a very detailed 38-page reply, dated [13th August 2009](#). I refer to Exhibit **KDR 9**. With this I supplied a [bundle of 49 documents](#) in support of my demands and assertions. I refer to Exhibit **KDR 9**.
16. The First Defendant replied by letter dated 25th August 2009. I refer to Exhibit **KDR 9**. I assessed this letter as dismissive, contemptuous and a denial of my rights under the DPA. It made me very angry to be treated, as I perceived it, as a non-entity who does not have the right to have rights. I therefore sent another letter to the First Defendant, dated [20th September 2009](#). I refer to Exhibit **KDR 10**. In this letter, in which I reiterated my position, I emphasised

my rights under the DPA by providing comprehensive extracts; highlighted the fact that by not providing me with data it held about me, as well as had passed on to other parties, and by not providing me with the name of the recipients - the First Defendant was denying my rights, under [the DPA](#), for fair processing requirements.

17. Due to my extensive references in this Witness Statement to my above 2 replies, I refer to: my [13th August 2009](#) letter as [Letter A](#); my [20th September 2009](#) letter as [Letter B](#).
18. In the 3 reports, [my landlord, ADL](#), is described as my “neighbour”. Under [paragraph 23 of its Defence](#), the First Defendant stated that “*the effects of the error were negligible*”. I strongly disagree with this.
19. The effects of doing this are major rather than “negligible” as it allowed ADL to state numerous false, malicious accusations against me and highly disparaging opinions of me without being challenged. For example, on page 25 of the [2003 report](#), ADL portrayed himself as having no connection with decisions taken in relation to [Jefferson House](#), as the entry states: “*The suspect seems to think that the victim is behind the company who has sent these letters asking for money*”.
20. I explained the critical importance of this on pages 4, 6, 16 and 25 of [Letter A](#), stating: “*Police records must be amended to reflect the true nature of the relationship*”, and supplied 6 documents in support of my position. They included:
 - (1) I refer to page 1 of Exhibit **KDR 13**, ADL’s [25th January 2001](#) letter to me and to other Jefferson House leaseholders trying to dissuade us from considering acquiring the headlease, following our being sent a [Notice of First Refusal](#).
 - (2) I refer to page 1 of Exhibit **KRD 4**, the identical [11th October 2001](#) letters from [CKFT, solicitors](#), to [2 Jefferson House leaseholders](#), stating that they had reported its client, Andrew Ladsky, to the police.

- (3) I refer to page 16 of Exhibit **KDR 13**, the [29th November 2002 West London County Court](#) claim filed by [CKFT, solicitors](#), on behalf of [Steel Services](#), landlord for Jefferson House, [against me and 13 other flats](#).
- (4) I refer to page 3 of Exhibit **KDR 13**, the [26th February 2002 Central London County Court](#) claim filed by [Portner and Jaskel, solicitors](#), on behalf of [Steel Services](#), against the Jefferson House leaseholder of [flat 12](#).
- (5) I refer to page 46 of Exhibit **KDR 13**, the [3rd October 2006](#) letter to my then website host, from [Portner and Jaskel, solicitors](#), identifying its client as being ADL.
- (6) I refer to page 12 of Exhibit **KDR 13**, the [5th November 2002](#) e-mail to me from the [Kensington & Chelsea Tenancy Relations Officer](#) that he had been approached by ADL who asked to be provided with copy of all that I had supplied to the Tenancy Relations Officer. (As per my rights, [I had approached the Tenancy Relations Officer](#) to determine the name of the directors controlling Jefferson House).
21. On page 21 of [Letter B](#), I stated that, the fact that ADL was the landlord and I am his tenant “*are of crucial importance*”. On page 22, I emphasised the evidence I had previously supplied.
22. [2002 report](#)
23. Paragraph 10 of the First Defendant’s [30th June 2011](#) Application states that my complaint against ADL “*was investigated*”. I reject that assertion.
24. What took place and failed to take place in relation to this complaint led me to write several letters asking for assistance. They included:
- (1) I refer to page 3 of Exhibit **KDR 4**, my [13th March 2002](#) letter to the then [Police Complaints Authority](#). In this I related events and the lack of progress in identifying the anonymous caller, and asked for help in identifying the caller because I was “*living in a state of siege*”. Stating my belief that ADL had made the anonymous phone calls, I wrote that it

[The MPS' 22
July 2011
version](#)

**Dictionary
definition of
'investigate':**
“*carry out a
systematic or
formal inquiry
into (an
incident or
allegation) so
as to establish
the truth*”

was *“The only possible chance I have of proving it”*. I detailed other forms of harassment I had been suffering from ADL over the previous weeks. I also quoted the comments from the First Defendant when I said that other residents had also complained to the First Defendant of suffering harassment from ADL: *“nobody else has complained about him”* and, to my saying *“The man in flat 12 has complained”* his reply was *“The 71 year old man”*. In this letter I also referred to 2 other residents who had complained to the First Defendant of suffering harassment from ADL. I copied the officer concerned on my letter. He never challenged me on its content.

- (2) I refer to page 7 of Exhibit **KDR 4**, my [2nd April 2002](#) letter to the First Defendant. In this I reported events with the above First Defendant’s officer, from 20th to 27th March 2002, including quoting him verbatim, as well as included my observations on what he had told me. (I highlight that the officer concerned did not challenge me on what I reported). This included:
- a. 20th March 2002 - the claim that the anonymous phone calls made from a mobile phone belonged to a Jefferson House resident, [Mrs \[X&X\]](#), and that *“her phone was stolen in November. So, whoever stole it, made the calls”*;
 - b. 20th March 2002 - the suggestion, in relation to the calls made from a landline number, that *“something must have gone wrong with [my] BT voicemail. It’s been calling your number by mistake”*;
 - c. 25th March 2002 - the First Defendant being aggressive to me on the phone when I explained that the reason I could not decide whether or not to prosecute [Mrs \[X&X\]](#) was because I did not have enough information;
 - d. 25th March 2002 - the same officer phoning me c. 3.5 hours after the above phone call to tell me that [Mrs \[X&X\]](#) had

admitted to making the calls to me, and that “*She said she does not know why she has done it..*”; that she had said that “*her phone mysteriously reappeared at her door*”; I sent a [25th March 2002](#) fax to the First Defendant. I refer to page 6 of Exhibit **KDR 4**. In this I captured what he told me, and asked him to confirm. He did not reply.

- e. 25th March 2002 - the officer telling me that [Mrs \[X X\]](#) had complained to him of suffering harassment from ADL, and my reply to him: “*So, there are five people now who have complained to the police about Andrew Ladsky: Mrs [X X], myself, Mr [X X] in flat 12, Mr [X X] in flat 4, and, I believe, Mrs [X X] who used to live in flat 5*”, to which he responded: “*We are talking about anonymous phone calls here*”; my reply to that was: “*Why are you so reticent when I mention Andrew Ladsky’s name?*”;
- f. 26th March 2002 - my having contacted BT who refuted the First Defendant’s explanation that “*something has gone wrong with [my] voicemail*” and reiterated that the calls from a landline were made from a Reach Europe number – and stating that I had sent a [26th March 2002](#) fax to the First Defendant in which I reported my conversation with BT;
- g. 27th March 2002 - the [First Defendant’s reply](#) to my insisting that the Reach Europe subscriber be identified: “*So, we are going to have to throw resources at this for just two phone calls? Mrs [X X] has admitted to making the calls*”; and then stating “*You won’t be able to prove a link with Andrew Ladsky*”. I perceived these comments as attempts to intimidate me and bully me into dropping my complaint.
- h. 28th March 2002 – the First Defendant’s claim that it had contacted Reach Europe and that “*There isn’t a subscriber for the number. BT is wrong. Something must have gone*

wrong with their system. We'll contact BT again but, if they got the wrong number, we won't contact you again". On page 15 [Letter A](#) I wrote that the officer had no intention of contacting me "again" as, the previous day, 27th March 2002, he had entered [on page 24 of the 2002 report](#): "This matter is complete".

- i. In Letter A and B (e.g. pages 12 and 14 of [Letter A](#), and pages 25 and 27 of [Letter B](#)) I highlighted the fact that most of the above had not been captured in the 2002 report, and that the failure to do this undermined my credibility.
- (3) My [5th May 2002](#) letter to the [Chair of the Metropolitan Police Authority](#). I refer to page 12 of Exhibit **KDR 4**. Heading my letter "Need for independent investigation of [crime report BS 5604102/02C](#)", I reported events and asked for assistance.

- (4) I refer to page 16 of Exhibit **KDR 4**, my [31st May 2002](#) chaser e-mail to the [Metropolitan Police Authority](#). In this I report what the First Defendant's officer had told me on 23rd May 2002: that the 3 anonymous calls made to me from a landline number were made from a hotel near Jefferson House; his claim that, like the other 17 anonymous calls, they had been made by [Mrs \[X X\]](#) and he therefore considered the matter "close". Highlighting the fact that this made it the third different explanation, which I listed, in this e-mail I stated my concern that the 3 calls had also been attributed to the resident, and reiterated my view that the calls were made by ADL. Top of my mind was the fact that in the [29th November 2002](#) claim, [Mrs \[X X\]](#)'s share of the 'service charge' was [£63,222](#). I refer to page 16 of Exhibit **KDR 13**. I referred to this on page 18 of [Letter A](#), including stating that the [Land Registry record for her flat](#) had a "Caution in favour of [Steel Services](#)". (Because of this concern, I had agreed to [Mrs \[X X\]](#) receiving a 'formal warning' from the First Defendant).

As I discussed under [para.10](#) of my [29.08.11 Supplementary Witness Statement](#), the text the police had redacted in [its July 2009 version](#) of the 2002 report v [its July 2011 version](#), provides undeniable support to my position that the police's story simply does not stack-up, and is evidently targeted at the brain-dead. (Under [paras 7-9](#) I discussed evidence that making anonymous phone calls is one of Ladsky's standard tactics to anybody who 'dares' stand up to him. (...in the knowledge that he has the police and the courts to protect him)

- (5) As I reported on page 16 of [Letter A](#), at the time of writing the above e-mail, I did not know about the officer's prior claim, captured on [page 29 of the 2002 report](#): *"The result from the last subscribers check has been received, the line is held by -131- This is the -132-133- the number being one of their outside lines. There is no way of tracing which telephone was used to make the three calls between 18h23 and 18h27 on 19/2/2"* – as the officer had not communicated this to me. On page 13 of [Letter A](#), I wrote that if there was *"no way of tracing the phone used"* then there could be no way of identifying the caller.
25. I also cite:
- (1) On [page 23 of the report, at 20th March 2002](#), (following redacted text) the entry reads that I stated *"it is strange that -63- lives above her, (Mrs [X X]) as if intimating that -84- had something to do with this offence despite the evidence pointing to someone else"*.
- (2) [Page 24 of the report, at 26th March 2002](#): *"...in this case there was absolutely no evidence to link -104- (i.e. ADL) with this matter"*. As I stated on page 13 of [Letter A](#) *"this conclusion was premature and is therefore false"* as 2 months later, on 22nd May 2002, the First Defendant entered on [page 29 of the report](#) *"There is no way of tracing which telephone was used to make the three calls between 18h23 and 18h27 on 19/2/2"*.
- (3) On [page 30 of the 2002 report, at 22nd May 2002](#), the First Defendant captured: *"This matter is complete and the papers are now FOD' at BC"*; on the same page, at 25th May 2002 *"...I explained [to me] that as -147-137- had already been warned for making the calls before and after the three from the hotel, no further action would be taken against -138- and that was the end of the matter"*.
- (4) On page 26 of [Letter B](#), I highlighted that the 2002 report does not state that the resident *"admitted"* to also making the calls from the nearby hotel.

26. I also object to other statements in the 2002 report because they undermine my credibility by stating incorrect information and by failing to record important events:

I was right, see [the MPS' 22 July 2011 version of the 2002 "crime report"](#)

More important evidence against the assertion "unknown": the fact the police 'identified' the Resident has having "made the calls" – I raised this under: **(i) para.14** of my [29.08.11](#) Witness Statement; **(ii) para.37(3)** of my [17.10.11](#) Request

- [Elderly Resident](#)
- [Head Residents Association](#)
- [Other Residents](#)
- [Resident K](#)

- **Paras 5 & 6** of my [29.08.11](#) Witness Statement

- (1) [Page 13](#) describes the person who made the anonymous phone calls to me as "unknown". On page 5 of [Letter A](#), I wrote that this was not the case as I identified ADL when I made the complaint, and continued to do so in subsequent correspondence. I stated that I viewed this as undermining my credibility.
- (2) [Page 20](#) falsely states my (then) home telephone number as being one of the numbers from which the anonymous phone calls were made. I raised this issue on page 8 of [Letter A](#), asking why no correction had been made.
- (3) [Page 24](#) of the report states that I "*still insisted that -102-101- is harassing her and other people living at Jefferson House -103- has not been the subject in any Cris reports...*". In my [Letter A](#), I refer to 3 other parts of the 2002 report (pages 20, 21 and 24) that refer to my reporting suffering other forms of harassment from ADL, and for which I captured my comments on pages 9, 10 and 13 of Letter A.
- (4) In relation to my [2nd April 2002](#) letter to the First Defendant (I refer to page 7 of Exhibit **KDR 4**, on [page 26 of the 2002 report](#), the First Defendant captured "*In this she claims that a number of residents have made allegations of harassment against -117*". The rest of the entry is redacted.
- (5) In his [23rd April 2002](#) letter to me (I refer to page 10 of Exhibit **KDR 4**), the First Defendant wrote: "*No crime report has been reported to this police borough regarding Mr Ladsky...*". I viewed this as undermining my credibility because, as I reported on pages 7 and 8 of [Letter A](#), I had evidence of other residents suffering harassment from ADL – and of their having complained about it to the First Defendant. In support of this I supplied, among others, a copy of: (i) I refer to page 1 of Exhibit

KDR 4, an identical 11th October 2001 letter from [CKFT, solicitors](#), to [Mr & Mrs \[X X\], flat 12](#), and to [Mr & Mrs \[X X\], flat 14](#), stating that they had reported its client, ADL, to the police; (ii) I refer to page 5 of Exhibit **KDR 13**, an [18th April 2002](#) e-mail to me from a resident, [Ms \[X X\]](#), stating that Mrs [X X], the person who was running the [Residents Association](#), had reported suffering harassment from ADL to the police. According to Ms [X X], Mrs [X X] had apparently been told by the police to "[fold her tent and go](#)". (I repeated my assertions on page 25 of [Letter B](#)).

27. [2003 report](#)

[The MPS' 22 July 2011 version](#)

28. I reject the assertion in paragraph 11 of the First Defendant's [30th June 2011](#) Application that "*The First Defendant investigated this complaint*".

Dictionary definition of 'investigate':
"carry out a systematic or formal inquiry into (an incident or allegation) so as to establish the truth"

29. I first heard about the complaint from a [27th January 2003](#) letter to me from the First Defendant. I refer to page 1 of Exhibit **KDR 6**, stating: "*The police have been informed by a Mr Andrew Ladsky that you verbally abused him in public over some sort of dispute revolving around your premises*". After referring to a witness, the officer states: "...I am aware I only have his side of the story, however, if events occurred as he described them, then an offence would appear to have been committed by you. Of perhaps greater importance is the fact that any further such outbursts may result in charges of harassment being made against you, as this initial complaint has been fully recorded by the police. I wish to make it clear that my role in this is purely neutral at the moment, but it would be remiss of me not to advise you of the following: Please avoid (if you can) any confrontation with Mr Ladsky or there may be further consequences. In addition, would it be possible for you to call the above telephone numbers to clarify this situation. Thank you for your time and I look forward to your reply". Below the name of the First Defendant's officer was written "*Crime Investigator*". On [page 28 of the 2003 report](#) this letter is simply described as "*warning the suspect of this behaviour*".

30. While I viewed the letter as an attempt to intimidate me, including signing it with "*Crime Investigator*", at the same time I laughed when visualising the

scene: ADL standing in a police station saying: ‘Mr Policeman, a woman swore at me’, and at the First Defendant for having no sense of the ridicule. I also contrasted that with the [11th July 2002](#) letter to me from the Metropolitan Police Authority (I refer to page 17 of Exhibit **KDR 4**) which, on page 2, stated, in relation to my insisting that the landline caller be identified: “...*you must appreciate that officers have to act with consideration for resource and time expenditure...*”. I opted to not reply to the 27th January 2003 letter.

31. The letter was followed by a chaser letter from the First Defendant, dated [6th February 2003](#), asking me to phone (I refer to page 2 of Exhibit **KDR 6**). Having learnt from my experience with the First Defendant in 2002, I decided that the only contact I would have with the police would be in writing. I therefore sent an [11th February 2003](#) letter I posted ‘recorded delivery’ on that day (I refer to page 3 of Exhibit **KDR 6**) in which I asked for “*precise detail – in writing – of the accusation against me*”. I did not receive a reply.
32. As evidenced by the detail contained at the beginning of this Witness Statement, [the report](#) was processed as a “*Substantiated Offence of harassment*” 2 days *before* writing the above letter, and therefore, before contacting me. In this context, I quote from page 1 of the [11th July 2002](#) letter to me from the Metropolitan Police Authority (I refer to page 17 of Exhibit **KDR 4**): “*the police...must only act on the basis of established facts*”.
33. [Page 25 of the report](#) states, after some redacted text: “*the suspect was walking out of her flat and shouted ‘Go fuck yourself’*”. (As I noted on page 17 of [Letter A](#), and page 23 of [Letter B](#)), the First Defendant failed to establish from ADL what had led me to say this to him. My comment was a retort to ADL provoking me by saying to me: “*Better luck next time!*”, followed by a sarcastic laugh. I concluded that he was referring to the impending [London Leasehold Valuation Tribunal](#) hearing on 5th February 2003 – and that, in light of his comment, had ensured that it would be ‘sewn-up’. [Three weeks earlier](#), as I was coming out of my flat, ADL was standing by the door. On seeing me he told me, with a lot of venom in his voice: “[I am](#)

- [going to get you this year](#)". I concluded that this complaint was the start of his vendetta.
34. [Page 25](#), after some redacted text, states: "*The suspect say 'Go fuck yourself to the victim when she sees approx 3 or 4 times...This verbal abuse started in November 2002'*". I wrote on pages 18 and 19 of the [Letter A](#) that: it was not true that I had done this previously; viewed this as being motivated by an intention to make an offence of harassment 'stick' against me; this false accusation conveys a misleading and detrimental perception of me.
35. Concurrently with making the complaint against me to the First Defendant, ADL had also approached [CKFT, solicitors](#), as I received a threatening letter, dated [4th February 2003](#). I refer to page 19 of Exhibit **KDR 13**. It stated that it was writing on behalf of [Steel Services](#), and described ADL as a "tenant". In this it, among others, repeated the same accusations as told to the First Defendant.
36. In accepting the accusation from ADL, the First Defendant failed to refer back to the [2002 report](#) in which it captured, on pages 16, 20 and 21 the instances of harassment I reported suffering from ADL, as well as his replies on the occasions when I confronted him: "*mind your own business*"; "*get lost!*". It also failed to refer to page 24 of the said report: "*Ms Rawé is still insisting that -102-101- is harassing her and other people living at Jefferson House*".
37. [Page 25 of the report](#) states: "*Letters from the [Managing Agents](#) for a service charge to the flats. This letter has been sent to all the residents to pay for this refurbishment*". On pages 18 and 19 of [Letter A](#), I noted that no detail is provided about this letter, nor about the subsequent events. Posing as just 'a resident', ADL would, like all the other leaseholders, have been 'up in arms' at the [15th July 2002](#) letter from the managing agents, as it demanded payment of the global sum of £736,200 (I refer to page 6 of Exhibit **KDR 13**) - and was doing this without providing any detailed costing in support of the demand. (It led '[Steel Services](#)' to, 3 weeks later, file a [7th August 2002](#) Application in the [London Leasehold Valuation Tribunal](#)).

38. [Pages 25 and 26 of the 2003 report](#) state that I “wrote letters accusing the victim of theft. These letters went to the Leasehold Evaluation Tribunal and then got forwarded on to all the tenants in the flat hence, how the victim got hold of his”. I strongly object to that. On pages 19 and 20 of [Letter A](#), I wrote that it was not true that I accused ADL of theft and supplied the correspondence referred to:

- (1) I refer to page 12 of Exhibit **KDR 4**, my [24th October 2002](#) fax to [Kensington & Chelsea Housing](#) following [this department being informed by the managing agents](#) that [Steel Services](#) ‘was’ domiciled in the [British Virgin Islands](#) (it was not correct as it had been “[struck-off the British Virgin Islands’ register](#)”); in this fax I quoted from the [British Virgin Islands website](#), the [benefits of being domiciled in its jurisdiction](#): “Protection of assets from expropriation or confiscation orders from foreign governments” and followed this by stating, in brackets: “Hence, they could siphon-off – at this stage - £750,000+ from [Jefferson House residents](#) and make it disappear”.
- (2) I refer to page 20 of Exhibit **KDR 4**, my [24th October 2002](#) fax to the [London Leasehold Valuation Tribunal](#) on which I copied the above fax, and wrote “...at least some of the flats are owned by people connected with the headlease – namely, [Andrew Ladsky](#)...”.
- (3) As to the statement on [page 26 of the 2003 report](#) “how the victim got hold of this”: ADL got hold of it because he, under the [headlessor](#) name of ‘[Steel Services](#)’, filed the [7th August 2002](#) Application to the [London Leasehold Valuation Tribunal](#).

39. Somebody turns up in a police station and reports being accused of theft, and the First Defendant does not ask for evidence in support? I was angry at being falsely accused of having falsely stated that somebody had committed a theft. I would never say such thing unless I was absolutely sure of it and could back it up with ‘black on white’ evidence.

40. 2 months before making his complaint to the First Defendant, ADL had asked his solicitors, [CKFT](#), to send me a threatening [28th November 2002](#) letter in which it accused me of the same thing in relation to the above faxes, and demanded that I pay “*substantial damages to Mr Ladsky*”. I refer to page 13 of Exhibit **KDR 13**. I ignored the diktats. There was no follow-up.

It also sent a [28.11.02](#) letter to my then employer, [KPMG](#)

41. Determined to clear my name, including against the other false, malicious accusations against me, not only in this report, but also in the 2007 report, on page 20 of [Letter A](#) (which I repeated on page 9 of [Letter B](#)), I wrote “*As it turned out, ‘SS’ did steal c.£500,000 from the leaseholders*”. In support of my statement, in addition to providing detailed explanations, I supplied several documents, e.g.:

- (1) I refer to page 16 of Exhibit **KDR 13**, the [29th November 2002 West London County Court](#) claim filed [against me \(and 13 other flats](#) at Jefferson House).
- (2) I refer to page 36 of Exhibit **KDR 13**, the [Institute of Chartered Accountants for England and Wales’](#) reply of [29th August 2006](#) to my complaint against [Pridie Brewster, accountants](#) for Jefferson House, which includes a ‘Summary of contributions to the major works fund’ at 2002 and 2003, and my analysis of the sums paid by the Jefferson House leaseholders, based on the 29th August 2006 reply. The last 3 pages of the pack are the ‘Apportionments’ supplied by the managing agents, [Martin Russell Jones](#), in the context of the [24th June 2003](#) case management hearing, and [26th August 2003 hearing](#).
- (3) I refer to page 21 of Exhibit **KDR 13**, the [4th March 2003](#) letter supplied to the [London Leasehold Valuation Tribunal](#), from [Martin Russell Jones](#), managing agents for Jefferson House, to [Brian Gale](#), ADL’s surveyor which, on page 1, paragraph 19, states that the construction of a penthouse flat was “*not a viable proposition*”.

- (4) I refer to page 35 of Exhibit **KDR 13**, [the photographs](#) I took, in July 2002 and September 2005, of the back of Jefferson House, showing that [a penthouse flat](#) had been added.
- (5) To stress the kind of people I am dealing with, I also supplied other evidence of another fraudulent claim against me by "[Steel Services, Rootstock Overseas Corp](#)" in 2007: (i) I refer to page 50 of Exhibit **KDR 13**, a [16th February 2007](#) letter from ADL's solicitors, [Portner and Jaskel](#), threatening me with "*bankruptcy, forfeiture of my flat and costs*" unless I paid immediately the sum of £8,937 to "[Rootstock Overseas Corp](#)" – [a company I had never heard of](#); (ii) I refer to page 52 of Exhibit **KDR 13**, the [27th February 2007 West London County Court](#) claim filed against me, and [my reproduction of sums claimed](#), on a yearly basis; (iii) I refer to page 59 of Exhibit **KDR 13**, the [6th June 2008](#) Notice of Discontinuance of "*ALL*" of the claim against me.
- (6) Since then, the fraudulent demands have continued. Currently, it stands at a totally unsupported demand of [£28,000](#) which first started as an equally unsupported "*Brought forward balance*" of £24,000 in an invoice dated [9th July 2010](#). I refer to page 61 of Exhibit **KDR 13**. It is fraud because, as a [6th June 2008](#) Notice of Discontinuance of "*All*" of the 2007 claim against me was issued, which included [all charges to year-end 2006](#) (I refer to page 59 of Exhibit **KDR 13**), it means that for the 3.5 years to the 9th July 2010 invoice, my average service charge would be £6,857 per annum. In 2004, before the addition of a penthouse flat that is [c.7 times the size of my flat](#) and of [3 others flats](#), and before the complete refurbishment of the block, the annual demand from me was [£1,750](#). I refer to page 62 of Exhibit **KDR 13**. (They have ignored all my repeated demands for evidence).
42. [Page 28 of the 2003 report](#) states: "06/02/2003": "*Have attended address nrrk have left note for susp to call me*". I wrote on page 23 of [Letter A](#) "*I never found "a note" from PC Watson at my flat*".

43. Also on [page 28](#), under “12/02/2003” the entry states: “OIC has attempted to make contact with the suspect but this has been fruitless”. This entry is false as, on that day, the First Defendant would have received my ‘recorded delivery’ letter of [11th February 2003](#). The report was closed on that day.
44. It was clear to me from the report that the First Defendant had not probed ADL on any of his accusations against me and opinions of me and, by implication, had not asked to see any supporting evidence.
45. [2007 report](#)
46. At a minimum, this report falsely accuses me of having committed a “racist” offence. As discussed below, this accusation was also stated in an e-mail from the First Defendant.
47. I reject the assertion that the First Defendant “investigated the 2007 complaint”, as claimed under paragraph 13 of its [30th June 2011](#) Application, and paragraph 9 of the First Defendant’s [Defence](#).
48. The first I heard about the complaint was from my website Host who forwarded me a [16th March 2007](#) e-mail it had received from the First Defendant. I refer to page 1 of Exhibit **KDR 8**. Following on from the subject line, titled “Website with anti semitic (sic) views” it stated: “<http://www.leasehold-outrage.com>. Hi the above site contains some inappropriate use of the words “pigs and monkeys” which are racially abusive terms towards Jewish people from the Nazi’s. This is directed at a particular person. I am the police officer dealing with this crime. I would therefore be grateful if this site could be taken down”. In relation to this e-mail, [page 26 of the 2007](#) report states: “I have contacted the -121- to have the site shut down and await a response”.
49. I was in shock, as these were false, malicious, vicious accusations, and an attack on my name, character and reputation. I was also mortified that this e-mail from the [British police](#), accusing me of having ‘committed a crime’, had been sent to my website Host. How would my Host, so far away, react to this e-mail? What were going to be the consequences of this e-mail? I felt

The MPS’
22 July 2011
version

Dictionary
definition of
‘investigate’:
“carry out a
systematic or
formal inquiry
into (an
incident or
allegation) so
as to establish
the truth”

extremely anxious and distressed. I immediately engaged in communication with my Host to say that these accusations were false. We agreed that, considering the style of the e-mail, and the fact that the First Defendant had not supplied any evidence in support of its accusations, the objective was to scare my website Host into closing down my website.

50. I nonetheless spent several hours reviewing my entire website and reported to the legal department of my website Host that, to the best of my knowledge, I simply could not see how the accusations could be substantiated. I believe that my website Host's legal department did some checking at its end. The outcome was that the legal department of my website Host replied to the First Defendant by asking: "*Are you aware that there are laws against making false accusations?*". This reply from my website Host has not been captured in the 2007 report.
51. This led to an e-mail reply from the First Defendant, dated [20th March 2007](#). I refer to page 2 of Exhibit **KDR 8**. Still using the same title in the subject line, as it had done for its [16th March 2007](#) e-mail: "*Website with anti semitic (sic) views*", the e-mail stated: "*Thanks for your reply, yes there are laws relating to false reporting. The producer of this website is franco-german (sic) in origin and so would be aware of the terms pigs and monkeys used during the Nazi regime to refer to Jewish people. Obviously the victim we have has picked up on this as he is Jewish. If you are unable to close the site down I will let the victim know as there is nothing we as a police force can do except class it as a racist incident. Could you let me know who deals with any complaints about websites in the US and I'll pass this on to the victim. Many thanks*". This reply to my website Host has not been captured in the report.
52. While the First Defendant had backed down on its previous accusation that I had 'committed a crime' (by stating "*I am the police officer dealing with this crime*"), it was still accusing me of having committed a "*racist*" act - and still not providing any evidence in support (as I noted on page 31 of [Letter A](#)). I again quote from page 1 of the [11th July 2002](#) letter to me from the

Metropolitan Police Authority (I refer to page 17 of Exhibit **KDR 4**): *“the police...must only act on the basis of established facts”*.

53. My website Host and I also noted the last sentence in the e-mail, which we viewed as another attempt to scare my Host into closing down my website.
54. I viewed the use by the First Defendant of my being of Franco-German origin given as reason to falsely accuse me of *“using terms used by the Nazis”* as amounting to branding me *“a Nazi”* (as I wrote on page 36 of [Letter A](#)). And this was sent to my website Host. In addition to being mortified, I was very distraught by this sick, highly vicious, malicious, defamatory accusation.
55. In light of the above, I totally reject the assertions made under paragraph 12 of the [30th June 2011](#) Application that the First Defendant *“made inquiries to the Claimant’s website host”*, and that *“he did not suggest that the Claimant was guilty of the alleged conduct”*. The purpose of the e-mails was to scare my website Host into closing down my website – and the comments captured on [page 26 of the 2007 report](#): *“I have contacted the -121- to have the site shut down and await a response”*; *“I am still trying to get the website closed down”* are proof of this.
56. I viewed this complaint as revenge by ADL who was piling on one attack on top of another: (i) one month previously, the threat of bankruptcy proceedings and forfeiture of my flat in the [16th February 2007](#) letter. I refer to page 50 of Exhibit **KDR 13**; (ii) the [27th February 2007 claim](#). I refer to page 52 of Exhibit **KDR 13**. And when he failed to get my website closed down following the above e-mails, he then attacked me by sending a [26th March 2007](#) letter to my then employer (I refer to page 3 of Exhibit **KDR 8**) in which he repeated a number of his accusations, and added others, as well as stated: *“The matter has been reported to the police who confirm they are dealing with a racist incident and are in contact with the ISP hosting the offending site”*. This letter led to very serious consequences for me at work. I refer to page 5 of Exhibit **KDR 14**, my [10th April 2008](#) letter to my doctor.

57. I repeat that I totally reject the First Defendant's assertion under paragraph 13 of its Application that it "*investigated*" the complaint by ADL as it never contacted me, the owner and author of the website - at any point in time. It did not provide any evidence in support of its accusations.

58. (As to the reasons I did not challenge the First Defendant at the time: (i) because of my experience in relation to the 2002 and 2003 complaints; (ii) because of the co-ordinated attacks by ADL, as detailed above, that had put me in a situation of having to fight on other fronts simultaneously; (iii) because I was very shaken up by all the events, to the extent that, by mid April 2007, I saw my doctor and was prescribed tranquilisers and anti-depressants. I refer to page 5 of [Exhibit KDR 13](#). By then, I had been in tears, at my desk, in the office, sobbing uncontrollably, practically every day over the previous 2 weeks – leading me, on several days, to take the rest of the day off). (In April 2008, my GP claimed to have no record of my visit –leading me to write the above letter).

59. [Page 19 of the 2007 report](#) states: "*A web page has been created which is alleged to contain anti-Semitic, anti-black, anti-Asian pictures and text*". I strongly object to this because it is not true. I wrote on page 25 of [Letter A](#): "*These are false claims; where is the evidence to support these claims?*" I also stated that it was the first time that I was made aware of the false accusation that my website contained "*Anti-black and anti-Asian pictures and text*". I repeated my denial on page 10 of [Letter B](#), adding that "*they are therefore unlawful, scurrilous, malicious accusations against me intended to defame my name, character and reputation*".

60. [Page 22 of the 2007 report](#) states: "*A web site www.leasehold-outrage.com was created in July 2002 (rectified on page 26 to '2006') in response to a large service charge which she regarded as excessive and unfair*". On page 26 of [Letter A](#), I wrote that it was not true and stated: "*Recording of this - false - information impacts on me as it is part of the objective of portraying me in a negative light*". I included extracts from the then home page to my website.

Dictionary definition of 'investigate': "*carry out a systematic or formal inquiry into (an incident or allegation) so as to establish the truth*"

61. Of importance: as stated on [page 23 of 2007 report](#), the First Defendant “looked at my website”, and in fact, as detailed on page 26 of the report, having done this, decided to contact social services because “I believe she may have some mental issues”. As the First Defendant “looked at” my website, it would have been aware of the reasons for my launching the website, and would have seen all the ‘black on white’ evidence of what had happened to me: the 2002 [fraudulent](#) service charge [demand](#) and [claim](#); the numerous instances of [harassment](#) I had reported suffering, etc. Hence, in relation to the accusations and opinions from ADL and from the First Defendant, discussed below, it would have also known from my website that these accusations and opinions were false.
62. To emphasise that the accusations against me are false and malicious, I give the [reasons for the launch of my website](#) – and stress that this evidence was on my website at the time of the 2007 complaint. The root cause was that: (i) following a [29th November 2002 claim](#) against me [for £14,400](#) (and 13 other flats) (I refer to page 16 of Exhibit **KDR 13**), through [CKFT, solicitors, Steel Services](#) made me an offer dated [21st October 2003](#) for £6,350 (I refer to page 26 of Exhibit **KDR 13**), which [I accepted and paid](#); (ii) three months after the [Consent Order was endorsed](#) by [Wandsworth County Court](#) (I refer to page 29 of Exhibit **KDR 13**), ADL had the [managing agents](#) send me another invoice, dated [21st October 2004](#) for £14,400 (I refer to page 23 of Exhibit **KDR 13**). Hence, the same amount as the [original demand](#), and therefore as though no offer had been made, accepted, paid and endorsed by the Court. It was followed by a [16th November 2004](#) invoice, repeating the demand (I refer to page 24 of Exhibit **KDR 13**). I opted to file a complaint against ADL’ solicitors, managing agents, etc. These complaints entailed battling for 2 years. (All were reported on my website in March 2007). As my battles proved to be in vain, I launched my website [in September 2006](#) in the hope that it would put pressure on resolving my situation which, by then, had been going on for 5 years. It did not.
63. The [21st October 2003](#) offer was triggered by the outcome of the [2003 London Leasehold Valuation Tribunal hearings](#): based on my RICS Chartered

surveyor's assessment (as the LVT failed to include a summary of the impact of the findings on the global sum demanded), the outcome of the 2003 hearings was a reduction of c. £500,000 of the global sum demanded. This included c. £144,000 said to be in the contingency fund at the time (which the Tribunal was of the view should be used against the 'demand' - as stated under point 62 of its [17th June 2003](#) report, [ref. LVT/SC/007/120/02](#)).

64. In the context of the 21st October 2003 offer, (in addition to the [29th November 2002 claim](#)), I highlight the fact that [CKFT, solicitors](#), had sent me a [7th October 2002](#) letter, on behalf of [Steel Services](#) (I refer to page 10 of Exhibit **KDR 13**) in which it threatened me with "*forfeiture, costs, and contacting my mortgage lender if [I] failed to pay immediately the sum of £16,657*" (which included £14,400 for 'the major works'). Likewise, this letter was on my website at the time of 2007 complaint – and discussed.
65. As to the comment on [page 22 of the report](#) "*which she regarded as excessive and unfair*". On pages 26 and 27 of [Letter A](#) (which I repeated to some extent on page 24 of [Letter B](#)), I provided detailed evidence that the 'service charge' most definitely met the criteria of being "*excessive*" and "*unfair*".
66. In the process of accepting the above comments from ADL in 2007, the First Defendant did not refer back to [Page 21 of the 2002](#) report, which states: "*Ms Rawé continues to make allegations against -75- claiming he is harassing her because she is complaining about over charging of excessive maintenance costs. She believes that a deception is being practised surrounding these costs*"
67. [Page 22 of the 2007 report](#) states: "*In order to challenge this charge it actually cost a considerably larger sum of money than she saved. Since this she has been extremely upset and is seeking compensation and retribution for her time, money and effort*". On page 29 of [Letter A](#), I denied the second sentence. I object to this strongly. In spite of being unable to recoup my costs (due to the Tribunal's policy) - as per my rights - I nonetheless challenged [Steel Services'](#) [7th August 2002](#) application to [the Tribunal](#), because I wanted to draw a line under the demand once and for all, and then move on. The

reality is that ADL did not expect me to do this because of my limited financial means.

68. [Page 22 of the 2007 report](#) states: “...there are parts of the [www.leasehold-outrage.com](#) site which are alleged to be extremely upsetting and insulting. There are a number of sections which are alleged to of (sic) a racial nature and numerous references by name to the victim...”. I object to this strongly. On pages 29 and 30 of [Letter A](#), I noted that ADL did not provide any evidence to substantiate his claims, and that, consequently, these claims must be treated as false. I repeated this on page 11 of [Letter B](#), and stated that they were “malicious, scurrilous, trumped-up accusations”.
69. Page 22 of the report states: “The sections of the web site that the complaint relates to is headed “[My Diary](#)” 2002-2007. The specific racist remarks and pictures that are being complained about are contained throughout...” I object to this strongly because it is not true. On page 30 of [Letter A](#), I noted that, likewise, ADL did not provide any evidence to substantiate his claims, and that, consequently, these claims must be treated as false. The same applies to the First Defendant that asserts that “The specific racist remarks and pictures... are contained throughout” – without providing any evidence.
70. [Page 22 of the report](#) states: “...although it appears to be becoming quite paranoid. She thinks the police may be following her as well as numerous people employed by her enemies”. On page 30 of [Letter A](#), I asked: “On what basis does PC K O’Brien considers himself entitled to make this ‘assessment’ about me? This statement is libellous”. On page 15 of [Letter B](#), I wrote: “This ‘expression of opinion’ about me is malicious, scurrilous and libellous as I have evidence to support my claims that I am under surveillance – to which a lot more has been added since”.
71. [Page 25 of the report](#) states: “Looking at the website it seems the suspect thinks she is being followed by either the police or -77-78. This is not the case and she is obviously extremely paranoid.” On page 33 of [Letter A](#), I asked: “On what basis does [TDC Simon J Dowling, of the ‘Community Support Unit’](#), consider himself entitled to make this categorical ‘assessment’ about

-Snapshot – My
Diary 23 May 2010

- My 19.07.11
Witness Statement
to the Home Office

me?”; “How does he know that “This is not the case” that I am “being followed”? As he claimed to have “looked at the website” he would have seen that I have evidence to support my claim, including witnesses (claim for which, at the date of writing, I have since accumulated more supporting evidence)”.

72. [Page 25 of the report](#) states: *“About four years ago –75– organised for refurbishments on the flats. Each household was to pay a certain amount of costs through their service charge. The suspect took exception to this and went to a tribunal to get this charge reduced”.* On page 24 of [Letter B](#), I referred to my right to challenge [Steel Services](#), and added that the statement *“conjures up a negative perception of me”.* On page 32 of [Letter A](#), I wrote *“The suspect took exception to this” has a connotation that I am a troublemaker, somebody who automatically challenges any demand for payment”* – and provided references to my feedback to the 2002 and 2003 reports, stating: *“which refutes the implied comments about me”.*
73. Contrary to what is implied, I was far from being the ‘only objector’ as the [29th November 2002](#) claim filed in [West London County Court](#) (I refer to page 16 of Exhibit **KDR 13**) was filed [against me - and 13 other flats](#).
74. [Page 25 of the 2007 report](#) states: *“Despite the values of the flats going up a considerable amount the suspect is still obviously not happy with what –75– initiated”.* I resent the implication by the First Defendant that I should have turned a blind eye to the fraudulent demand. This is not my value system.
75. Page 25 of the report states: *“-72- and -73- has informed me that the mention of Pigs and Monkeys relates to the words the Nazi’s used referring to Jewish people during the holocaust. This is obviously offensive -74– and believes this is what the suspect is referring to...”.* On page 31 of [Letter A](#), I wrote that I had never heard of this, and that it was totally untrue that I used the terms to refer to Jewish people. I asked for evidence of this. I provided the dictionary definition of both words, making it obvious that I had not – even though it could be seen from the context in which I used them. I was extremely sickened by these accusations by the First Defendant. I would never do such a

thing. I also noted “*and believes this is what the suspect is referring to*”. Instead of the First Defendant making assumptions, why did not it ask me?

76. [Pages 25 and 26 of the report](#) states: “*There is a lot of slanderous comments on the site mainly directed at –79– but also at [K&C Police](#) and even [MPs](#), the [Prime Minister](#) and [DPM](#). Also against [solicitors](#) and many others*”. On page 33 of [Letter A](#), I pointed out that there is no recording on my website. Hence, use of “*slanderous*” is incorrect. I also stated that “*All of these claims are false*”. I also asked what evidence the First Defendant had in relation to each of its categorical accusations, and stated that, as none is provided, these claims are false and libellous.
77. Following redacted text, [page 26 of the report](#) states: “*I believe she may have some mental issues so will be speaking to social services to see if they are aware of her*”. As I wrote on page 17 of [Letter B](#), I was absolutely incensed when I read that, and stated that I viewed this as being motivated by revenge. On page 34 of [Letter A](#), I wrote: “*It is absolutely outrageous. On what basis does [TDC Simon J Dowling, of the ‘Community Support Unit’](#), consider himself entitled to make this ‘assessment’ against me? This statement is highly libellous*”. As the First Defendant has ignored my request for the contact detail of social services, I am extremely worried about the information held about me by social services, and wonder what damage it has / will cause me in future.
78. [Page 26 of the report](#) states: “*There is a previous [CRIS 5602261/03](#) which relates to an harassment of –64– by Ms Rawé no further action was taken at the time. But it shows Ms Rawé used to swear at –85– when seeing –86– in the communal area. This was when the service charge dispute first arose*”. In spite of the fact that the [2003 report](#) states that I have been “*Eliminated*”, this false accusation has been ‘recycled’ by the First Defendant and, in the process, it has fully endorsed it. On page 34 of [Letter A](#), I noted that the assertion by the First Defendant is false.
79. [Page 26 of the 2007 report](#) states: “*Advised by DS – 91 – at the Racial crime Directorate at NSY that there is no crime made out and therefore this should*

be classed as a racial incident and nothing more". As discussed at the beginning of this section on the 2007 report, this accusation is also contained in the First Defendant's e-mail of [20th March 2007](#) to my website Host. I strongly object to this because it is not true. As I asked on page 35 of [Letter A](#): "Why *"should"* it *"be classed as a racial incident"*? Where is the evidence that I have committed a *"racist act"*?" To this day, the First Defendant has not provided any evidence in support of this accusation.

80. On [page 26](#), after some redacted text, the report states: "*I am still trying to get the website closed down*". I commented on that on page 35 of [Letter A](#).
81. Contrary to the First Defendant's assertion under paragraph 6 of its [30th June 2011](#) Application that "*the mere fact that an allegation is recorded on the CRIS does not mean that the allegation is treated as being true*", the above undeniably demonstrates the paramount importance of my ensuring that – as per [my rights](#) - the data it holds about me is accurate, fair, lawful and adequate – as it very clearly ignores the final classification of its reports. And the First Defendant's officer's comment on [17th October 2010](#) when I visited Kensington police: "*We have to keep information in case you commit an offence and end-up in court*", adds a lot of weight to my worry.
82. Contrary to what is stated on [page 13 of the 2007 report](#), that I was "*notified*" that I had been "*eliminated*" by "*PS 81BS G Latham*": I was not. I repeat, the First Defendant never contacted me at any point in time. I note that the report does not state a date on which this contact is meant to have taken place. The only contact I had about being "*eliminated*" was through the Head of Security of [my then employer](#), who, 5 weeks after the First Defendant's last contact with my website Host phoned me to say "*The police is not going to pursue it. Isn't that good news?*" (This is captured on page 37 of [Letter A](#), and page 18 of [Letter B](#)).
83. As highlighted throughout the above, the 3 reports are extensively redacted. I do not know whether the First Defendant is justified in doing this. In light of: (i) the data it has provided me with to date; (ii) the way I have since been treated by the First Defendant, including not being provided with the name of

Re. point 83:

- Note my repeating that "the reports are extensively redacted"

- Under **para.10** of [the Particulars](#) I stated my doubt that the police had complied with my [DPA rights](#) when supplying its July 2009 version of the "crime reports".

As evidenced by its July 2011 version, I was **proven right that it had lied**

in: (i) its [25.08.09](#) letter;

(ii) **paras 25 & 12** of its

[Defence](#); (iii) **para.15** of its [Application](#)

- I reported this under **para.13** of my [17.10.11](#) Request

recipients to whom it has supplied data about me, such as social services - I am extremely worried as to what the First Defendant has kept from me.

84. In this context, I cite what took place during my visit to the First Defendant's station of [Kensington](#) on [16th October 2010](#) (visit recorded under paragraph 123 of the [Particulars of Claim](#)). As a result of my mentioning the false "crime reports" held against me by the First Defendant on its systems, one the officers on duty looked on a computer and, after 2-3 minutes, called his colleague over, and said, pointing to the computer screen: "Read that!". Their expression suggested to me that it was highly damaging data against me. I wondered what it said. Their reaction brought on feelings of extreme anger, as well as tears I barely managed to fight back as, until 2002 i.e. in my previous 33 years in this country, I had *never* had any dealings with the police. The *only* reason I have ended-up on the police systems is because [ADL, that evil, greed-ridden monster decided to steal from me](#) and, while the First Defendant has "No crime report against Mr Ladsky" (I refer to the First Defendant's letter of [23rd April 2002](#) on page 10 of Exhibit **KDR 4**) - it holds 2 false so-called "crime reports" against me – [his victim](#). At one point, I was no longer able to hold back the tears from sheer frustration and anger at being treated in that way.

85. In my [28th May 2009](#) Subject Access Request, I asked a number of questions relating to actions / omissions in relation to each of the 3 reports. As a result of receiving the 3 reports, in [Letter A](#) (which I repeated in Letter B) I asked some additional questions. This included being provided with the contact details for social services which the First Defendant approached in 2007, so that I could submit a Subject Access Request. The First Defendant has claimed in its [25th August 2009](#) reply (I refer to Exhibit **KDR 9**) that "there is no further information we can provide you with".
86. The First Defendant's Public Access Office did not respond to [Letter B](#) i.e. my 20th September 2009 letter.
87. I was livid by the content of the reports and by the dismissive response in the above [25th August 2009](#) letter. With the aim of ensuring the enforcement of

my rights, I sent Letter B i.e. [20th September 2009](#) to the First Defendant's Public Access Office, on which I also spent many hours as, among others, I cross-referenced it to [Letter A](#). I also sent a [20th September 2009](#) letter to the First Defendant (I refer to **Exhibit 2** of my [14th June 2011](#) Reply to the First Defendant's Defence). I headed my letter with "[Kensington & Chelsea police is not exempt from compliance with the requirements of the Data Protection Act 1998](#)". I listed my reasons in support of the header, and concluded with: "*As the above are very clearly in breach of, among others, the Police Professional Standards, as Head of K&C police: what are you going to do in the face of this litany of outrageous, gross misconduct?*". Further adding to my costs, I supplied copies of all the correspondence exchanged with the First Defendant's Public Access Office.

88. I perceived what followed as being a continuation of the utter contempt, of my being treated like a piece of dirt, a non-entity who does not have the right to have rights.
89. The First Defendant replied in its [22nd September 2009](#) letter (I refer to Exhibit **KDR 11** that I had "*quite clearly expressed [my] concerns about accuracy to the MPS*", and that if I was "*dissatisfied with the MPS response [I] should contact the Information Commissioner*". I viewed this as a continuation of being told to 'get lost', and an attempt to make me continue going on the 'treadmill'. I knew I had the right under the [DPA](#) to ask the First Defendant to stop processing data about me that is inaccurate and detrimental to me – and a source of great distress – and that I could do this at any time. I also knew that the Act does not impose a requirement on a data subject to go through the Information Commissioner in order to do this.
90. I replied on [8th October 2009](#) (I refer to Exhibit **KDR 11**) challenging the First Defendant's officer' reply in light of his role as Head of Professional Standards for [the local police](#), and highlighted that he had ignored everything in my [13th August 2009](#) (Letter A) and [20th September 2009](#) (Letter B) correspondence – in spite of stating that I had "*quite clearly expressed [my] concerns*". This dismissal of my rights led me to also send an [8th October](#)

2009 letter to [his Chief Superintendent](#) (I refer to Exhibit **KDR 11**), headed: “Do you endorse the treatment I have and continue to be subjected to by Kensington & Chelsea police?”

91. I saw the lack of response as a continuation of the contemptuous and discriminatory treatment. It led me to send a chaser letter to both of the above, dated [11th November 2009](#) (I refer to [Exhibit KDR 11](#)).
92. It led to a [17th November 2009](#) letter from the First Defendant (I refer to Exhibit **KDR 11**), that the officer who had sent the [22nd September 2009](#) would “write again to outline the previous advice given”. He did this by letter dated [20th November 2009](#) (I refer to Exhibit **KDR 11**). In this letter, he dismissed my conclusions in my above [20th September 2009](#) letter, about the officers who were involved in the 3 complaints. I was extremely shocked that a Head of Professional Standards claimed to not see anything wrong with what had been happening.
93. Absolutely determined to get my rights enforced and clear my name, I resorted to sending a ‘cry for help’ to the [First](#) and [Third](#) Defendants, dated [28th November 2009](#). I refer to **Exhibit 1** of my [14th June 2011](#) Reply to the First Defendant’s [Defence](#). I did this thinking: surely, the [Head of the Metropolitan Police](#) is going to take action when I tell him about my experience; surely he will see that my demands are legitimate; surely the [Head of the umbrella organisation, Home Office](#), will say: something has been going on there for a very long time; it must be addressed. To this effect, in this letter I provided an overview of my experience with [Kensington, Chelsea and Notting police in 2002, 2003, 2007](#), as well as reported my experience since submitting my [28th May 2009](#) Subject Access Request. To prove that I was not making it up, I supported my letter, to each of them, with 11 enclosures, amounting to 100 pages. Hence: another costly letter.
94. As, by then, I had not received the above [20th November 2009](#) letter, I sent another letter, dated [2nd December 2009](#), to the First and Third Defendants. I refer to **Exhibit 3** of my [14th June 2011](#) Reply to the First Defendant’s Defence. I headed my letter “Head of Kensington Police approves of illegal

conduct by some of its officers”. In this letter, I reproduced the [20th November 2009](#) letter from the Head of Professional Standards for my local police, from which I drew a list of conclusions in relation to the 3 “crime reports”.

95. It led to an [8th December 2009](#) letter from the First Defendant’s Directorate of Professional Standards. I refer to **Exhibit 4** of my [14th June 2011](#) Reply to the First Defendant’s [Defence](#). What I viewed as a demonstration of contempt, was the fact that the letter was posted one week later. It stated that it was “*identifying the most appropriate person to deal with the issue(s) you have raised. We will then send you the contact details of the person dealing with your complaint*”.
96. I took delivery of the letter on 24th December, and replied by letter dated [28th December 2009](#). I refer to Exhibit **KDR 11**. As required, in this letter, I provided my contact number.
97. By February 2010, I had not been contacted by the First Defendant’s Directorate of Professional Standards. I was beyond myself with anger, frustration and despair at the way I continued to be treated. What on earth did I need to do to get my rights enforced? I sent a [2nd February 2010](#) letter to the First and Third Defendants. I refer to **Exhibit 4** of my Reply to the First Defendant’s Defence. I also addressed my letter to other parties who had subjected me to similar treatment. I headed my letter with “*When am I due to be killed?*”, referring to the [15th June 2009](#) death threat I had mentioned on page 8, line 11 of my [28th November 2009](#) letter to the First and Third Defendants (“*Enjoy your life. You don’t have long to live*”). I refer to **Exhibit 1** of my Reply to the First Defendant’s Defence.
98. On 4th February 2010, day on which my above letter was delivered to the First Defendant, its Directorate of Professional Standards posted a letter to me, dated [21st January 2010](#). I refer to **Exhibit JC/3**. The letter stated that it was applying to the Second Defendant for “*dispensation because [I] made [my] complaint more than 12 months after the alleged misconduct without good reason; that your complaint has been made only because you have been unable to obtain the result that you desire through the Public Access Office*”.

Re point 98
[Police \(Complaints and Misconduct\) Regulations 2004](#) states under Reg.3(1) and (2)(a) that for the purposes of para.7 of Sch.3 of the [Police Reform Act 2002](#), **dispensation** relates to “*complaints where more than 12 months have elapsed between the incident, or the latest incident, and no good reason has been provided, or that the delay would likely cause injustice*”

I could not believe my eyes: this central department, with responsibility for ‘professional standards’, was endorsing the conduct at local level.

99. I replied by letter dated [18th February 2010](#). I refer to Exhibit **JC/3**. In this letter I included extracts from various correspondences and wrote: “As evidenced by the above, your assessment is incorrect... Where, in the [Data Protection Act 1998](#), does it specify a time limit for a data subject to seek – and obtain – an end to the processing of data that is false, unlawful, misleading, scurrilous, libellous, biased, corrupted, incomplete in some very significant aspects – as well as obtain correction of the data to ensure that it is “fair, lawful and accurate”?”. I copied my letter to the Second Defendant. I refer to [Exhibit JC/3](#).
100. The day after it received my above letter, the Second Defendant sent me a letter dated [22nd February 2010](#). I refer to Exhibit **JC/2**. In this letter, it gave me a 7-day deadline for reply, failing which it would grant the request for dispensation to the First Defendant. It demanded that I “provide good reasons for the delay in making your complaint”, followed by “We will then consider the application taking your reasons into account”.
101. As far as I was concerned, not only had I already provided my reasons, I had kept repeating them in my documents to the First Defendant, and had endlessly highlighted my rights under the [DPA](#), including repeating that I could exert my right – at any time. I had even highlighted the latter in my [18th February 2011](#) letter on which I copied the Second Defendant. The Second Defendant would have known about my reasons, as well as my rights under the DPA as, [under its stated policy](#), the First Defendant would have provided the Second Defendant with these documents in the context of its Application for Dispensation.
102. The letter also stated: “If you do provide a sound explanation for the delay I should make you aware that I am also considering the dispensation on the grounds of ‘abuse of process’, (that the complaints procedures does not exist in order for crime reports to be amended – there being another, more appropriate remedy in the form of the Information Commissioner)...”.

103. I could not believe the content of the letter. How could my exerting my rights under the [DPA](#) amount to “*an abuse of process*”?
104. (As in the case of an important correspondence from a member of my family), the Second Defendant’s letter of [22nd February 2010](#) was intercepted and only delivered to my PO Box once the Second Defendant’s deadline for reply had passed. However, I did not reply, because I concluded that if the Second Defendant could not see “*my reasons*” - as well as my rights - from all the documents with which it would have been supplied by the First Defendant - then there was nothing else I could do to convince it.
105. I had assessed the Second Defendant’s [22nd February 2010](#) letter as ‘preparatory ground for the next instalment’. I proved to be right. Exactly one week later, it sent me a [2nd March 2010](#) letter. I refer to Exhibit **JC/5**. This letter is a near carbon copy of the Second Defendant’s 22nd February 2010 letter. It stated that it was granting dispensation to the First Defendant, and dismissing my complaint on the grounds that: (i) I had “*not provided a good reason for the delay between the incident and the complaint and investigating it would likely cause an injustice*”; (ii) my complaint was “*an abuse of process because the misconduct complaints system does not exist for making changes to old crime reports and I should apply to the Information Commissioner, if there is any way of addressing the issue*”.
106. In relation to the comment “*old crime reports*”: as is obvious from the [17th October 2010](#) comment from the First Defendant’s officer: “*We have to keep information in case you commit an offence and end-up in court*” (contained under paragraph 125c of the [Particulars of Claim](#)) – there is no such thing as “*old crime reports*”.
107. Under paragraph 12 of its [7th June 2011](#) Application the Second Defendant claims to have “*taken into account the representations [I] made in my [18th February 2010](#) letter to the First Defendant*”, on which [I copied the Second Defendant](#). I strongly disagree with this assertion.

108. In response to paragraphs 18-21 of the Second Defendant's [Application](#), I repeat my allegation under paragraph 149 of the [Particulars of Claim](#). The Second Defendant is the appropriate body to escalate a complaint to if the First Defendant fails to address the situation. **I maintain that the Second Defendant has failed me.**

As I wrote in my [13.09.11](#) letter to Julia Chittenden, IPCC: "***the IPCC 'watchdog' is in fact the police's 'poodle'***"

See also my comments attached to the [29.07.11](#) Order

109. By then I had been battling, solidly, for 6 months. And, despite my numerous, very laborious and costly efforts, and my resorting to approaching the highest level in the Metropolitan Police asking for assistance, I had made no progress whatsoever. I felt totally abandoned and distraught. I also felt humiliated and debased from the treatment I had been subjected to by State departments that had a duty to help me – a taxpayer. At the same time, I also felt a lot of anger and frustration.

110. Determined to clear my name of the malicious, false accusations against me, and opinions of me, I summed-up my strength and embarked on extensive desk research with the objective of finding a means of circumventing the repeated refusals to meet my demands. I bought a book on the DPA. From this, realised that I could submit a [Notice under Section 10](#). As it imposes a requirement on a data controller to respond within 21 days, I concluded that doing this would be the solution to my problem. The desk research and compilation of the Section 10 Notice cost me several weeks of intensive work. This was all in vain, as the First Defendant failed to respond to my [2nd June 2010 Notice](#). I refer to Annex 1 of the Particulars of Claim.

111. The rejection of my complaint by the Second Defendant, added to the failure of my strategy number 2, above, led me to conclude that the only solution left was to file a claim – as I knew I could do under the [DPA](#). As I did not have £70,000+ to spend on legal advisers, I embarked on 8 months of intensive desk research in order to do this – resulting in my [19th April 2011](#) claim. In 3 of my letters to the First Defendant (I refer to: (i) [20th September 2009](#)– **Exhibit KDR 10**; (ii) [20th September 2009](#)– **Exhibit 2** to my [14th June 2011](#) Reply to the First Defendant's Defence; (iii) [28th November 2009](#) - **Exhibit 1**, also to my [14th June 2011](#) Reply), I had warned that if my demands were not

met, I would issue proceedings as per my rights under the DPA. As evidenced by events, this threat was not taken seriously.

112. Following my [Pre-action letter](#), it continued to not be taken seriously, as no attempts were made to address the situation - as I was again told to [contact the Information Commissioner](#). I replied to the First Defendant that the DPA does not impose this obligation on a data subject.

113. The above 3 points are my reply to the Second Defendant's paragraphs 20c, 22, 23 and 26 in its [Application](#).

Statement of Truth

I believe that the facts stated in this Witness Statement are true.

.....

Noëlle Yvonne Sylvie Klosterkotter-Dit-Rawé

Date:

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

[Ms N Klosterkötter-Dit-Rawé](#)

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(By "Special Delivery")

Ref: [HQ11X01471](#) – Noëlle Klosterkötter-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

19th July 2011

Dear Madam / Sir

Please find herewith enclosed:

1. My 19th July 2011 Witness Statement – in replacement of my [27th June 2011](#) Witness Statement – in response to the Second Defendant's Application of [7th June 2011](#)
2. My [19th July 2011](#) Witness Statement in response to the First Defendant's [30th June 2011](#) Application
3. My [19th July 2011](#) Witness Statement in response to the Third Defendant's [7th July 2011](#) Application.
4. Because of previous poor quality of the documents – a replacement of the following Exhibits:
 - a. KDR 4
 - b. KDR 5
 - c. KDR 6
 - d. KDR 7
 - e. KDR 8
5. To these I also add 2 new Exhibits:
 - a. KDR 13
 - b. KDR 14

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

I take this opportunity to thank you for sending me, about 10 days ago, an updated Notice of the 29th July Applications hearing, as well as 4 copies of the Second Defendant's Application.

Yours faithfully,

N Klosterkötter-Dit-Rawé

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

[Ms N Klosterkotter-Dit-Rawé](#)

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(By 'Special Delivery – By 9 a.m., 20th July')

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

19th July 2011

Dear Madam

On 17th July, I took delivery of a [14th July](#) letter from your office located at Sale, M33 6FS asking me for feedback on the proposed bundle for the [29th July Application hearing](#). As I am issuing new documents, I thought it best to address this correspondence to you.

Please find herewith enclosed:

1. My [19th July 2011](#) Witness Statement – in replacement of my [27th June 2011](#) Witness Statement – in response to your Application of [7th June 2011](#).
2. My [19th July 2011](#) Witness Statement in response to the First Defendant's [30th June 2011](#) Application.
3. My [19th July 2011](#) Witness Statement in response to the Third Defendant's [7th July 2011](#) Application.
4. Because of previous poor quality of the documents – a replacement of the following Exhibits:
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 - b. KDR 5
 - c. KDR 6
 - d. KDR 7
 - e. KDR 8
5. To these I also add 2 new Exhibits:
 - a. KDR 13
 - b. KDR 14

In response to the question about the bundle:

- It means that item number 12 needs to be replaced with my 19th July 2011 Witness Statement, as detailed above under point 1.
- On the first page of the 19th July 2011 Witness Statement, I have listed the Exhibits I refer to in the Witness Statement.

By the same post, I am copying your Office in Sale, M33 6FS.

Yours sincerely,

N Klosterkotter-Dit-Rawé

[Independent Police Complaints Commission](#)

1st Floor
Oaklands House
Washway Road
Sale
M33 6FS

[Ms N Klosterkotter-Dit-Rawé](#)

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(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

19th July 2011

Dear Madam / Sir

Thank you for your letter dated [14th July 2011](#).

Please find herewith enclosed a copy of my [19th July 2011](#) letter to Mrs / Ms Julia Chittenden, Lawyer, which contains my reply.

Yours sincerely,

N Klosterkotter-Dit-Rawé

Ms Jennifer O'Dwyer
Directorate of Legal Services
[New Scotland Yard](#)
Broadway
London SW1H 0BG

[Ms N Klosterkotter-Dit-Rawé](#)
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(By 'Special Delivery – By 9 a.m.'- 20th July)

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

19th July 2011

Dear Madam

Please find herewith enclosed:

1. My [19th July 2011](#) Witness Statement in response your [30th June 2011](#) Application.
2. My 19th July 2011 Witness Statement – in replacement of my [27th June 2011](#) Witness Statement – in response to the Second Defendant's Application of [7th June 2011](#).
3. My [19th July 2011](#) Witness Statement in response to the Third Defendant's [7th July 2011](#) Application.
4. Because of previous poor quality of the documents – a replacement of the following Exhibits:
 - a. KDR 4
 - b. KDR 5
 - c. KDR 6
 - d. KDR 7
 - e. KDR 8
5. To these I also add 2 new Exhibits:
 - a. KDR 13
 - b. KDR 14

On 17th July, I took delivery of a [14th July](#) letter from Martin Bament, in your department, asking me about documents in be included in the bundles. I am copying him on this letter – and provide the following reply:

- Item number 33: this is now replaced by the enclosed, as detailed above under point 2.
- Items number 37- 41: replacement as detailed above.

I note that a bundle of correspondence has been created, from item number 52, which comprises correspondence from the above Exhibits. This bundle needs to include the clean copies as supplied under point 4 above.

To the items must also be added Exhibit KDR 13 and 14, as detailed above.

On the first page of my enclosed [19th July 2011](#) Witness Statement in response to your [30th June 2011](#) Application, I have listed the Exhibits I refer to in the Witness Statement.

I trust you will liaise with Martin Bament on this.

Thank you.

Yours sincerely,

N Klosterkotter-Dit-Rawé

cc. Martin Bament, MPS Directorate of Legal Services

Mr Martin Bament
Directorate of Legal Services
[New Scotland Yard](#)
Broadway
London SW1H 0BG

[Ms N Klosterkotter-Dit-Rawé](#)

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(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

19th July 2011

Dear Sir

Thank you for your letter dated [14th July 2011](#).

Please find herewith enclosed a copy of my 19th July 2011 letter to Ms Jennifer O'Dwyer, Lawyer, which contains my reply.

Yours sincerely,

N Klosterkotter-Dit-Rawé

Mrs / Ms Helen John
Litigation Group
Treasury Solicitor's Department
One Kemble Street
London WC2B 4TS

(Home Office)

[Ms N Klosterkotter-Dit-Rawé](#)

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(By "Special 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

19th July 2011

Dear Madam

I acknowledge receipt of your correspondence dated 13th July, of which I took delivery on 17th July.

Please find herewith enclosed:

1. My [19th July 2011](#) Witness Statement in response to your [7th July 2011](#) Application.
2. My 19th July 2011 Witness Statement – in replacement of my [27th June 2011](#) Witness Statement – in response to the Second Defendant's Application of [7th June 2011](#).
3. My [19th July 2011](#) Witness Statement in response to the First Defendant's [30th June 2011](#) Application.
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 - b. KDR 5
 - c. KDR 6
 - d. KDR 7
 - e. KDR 8
5. To these I also add 2 new Exhibits:
 - a. KDR 13
 - b. KDR 14

I note the current plan to hold the hearing of your Application on 8th or 9th August. As it stands, I am available on both dates.

I take this opportunity to also enclose a copy of the Second Defendant's Application supplied to me by [the Court](#).

Yours sincerely,

N Klosterkotter-Dit-Rawé

Post Office Ltd.
Your Receipt

6 Raphael Street
London
Greater London
SW7 1DL

O'Dwyer
FRS

Date and Time:	19/07/2011	12:29
Session ID:	7-32154	
Dest:	UK (EU)	
Quantity:	1	
Weight:	1.316 kg	
express10	£29.25	
Enhanced Comp	£0.00	£0.00
Total Cost of Services	£29.25	
Posted after Last Collection?	No	
Conditions Accepted?	Yes	
Barcode:	XWUP59655856B	
DESTINATION ADDRESS		
Building Name or Number	Postcode	
8-10	SW1H 0BG	
Address Validated?	Y	

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SW7 1DL

FRS
Challenor

Date and Time:	19/07/2011	12:27
Session ID:	7-32154	
Dest:	UK (EU)	
Quantity:	1	
Weight:	1.319 kg	
express10	£29.25	
Enhanced Comp	£0.00	£0.00
Total Cost of Services	£29.25	
Posted after Last Collection?	No	
Conditions Accepted?	Yes	
Barcode:	XWUP59655716B	
DESTINATION ADDRESS		
Building Name or Number	Postcode	
80	WC1V 6BH	
Address Validated?	Y	

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Signature

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Thank You

Post Office Ltd.
Your Receipt

6 Raphael Street
London
Greater London
SW7 1DL

19th
Banner
to copy on
to O'Dwyer

Date and Time:	19/07/2011	12:22
Session ID:	7-32154	
Dest:	UK (EU)	
Quantity:	1	
Weight:	0.015 kg	
Recorded 1st Letter	£1.23	
Total Cost of Services	£1.23	
Posted after Last Collection?	No	
Barcode:	AI1679612856B	
DESTINATION ADDRESS		
Building Name or Number	Postcode	
NEW SCOTLAND YARD	SW1H0BG	
Address Validated?	N	

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6 Raphael Street
London
Greater London
SW7 1DL

*1 POC
(North)
2 copy on file
for attendees*

Post Office Ltd.
Your Receipt

Raphael Street
London
Greater London
SW7 1DL

*TS
TSol*

Post Office Ltd.
Your Receipt

6 Raphael Street
London
Greater London
SW7 1DL

court

Post Office Ltd.
Your Receipt

FAD: 011008

Knightsbridge
6 Raphael Street
London
Greater London
SW7 1DL

VAT REG No. GB 243 1700 02
Date of Issue: 19/07/2011 12:33
SESSION: 7-32154

Date and Time: 19/07/2011 12:21
Session ID: 7-32154
Dest: UK (EU)
Quantity: 1
Weight: 0.015 kg

Recorded 1st Letter £1.23

Total Cost of Services £1.23

Posted after Last Collection? No

Barcode: AI1679631056B

DESTINATION ADDRESS
Building Name or Number Postcode
OAKLANDS HOUSE M336FS
Address Validated? N

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Date and Time: 19/07/2011 12:32
Session ID: 7-32154
Dest: UK (EU)
Quantity: 1
Weight: 1.383 kg

Special D by 1 £0.00 £9.05

Total Cost of Services £9.05

Posted after Last Collection? No

Barcode: ZW8416421116B

DESTINATION ADDRESS
Building Name or Number Postcode
CASURY WC2B4TS
Address Validated? N

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Date and Time: 19/07/2011 12:30
Session ID: 7-32154
Dest: UK (EU)
Quantity: 1
Weight: 1.318 kg

Special D by 1 £0.00 £9.05

Total Cost of Services £9.05

Posted after Last Collection? No

Barcode: ZW8416421086B

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

IT IS IMPORTANT THAT YOU RETAIN THIS RECEIPT AS IT IS YOUR PROOF OF POSTING

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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 your item. Check delivery at www.postoffice.co.uk or call 08459 272100 quoting your ref number.

This is not a VAT Receipt
Thank You

	Item Price ex VAT	inc VAT	Total(£)
(S)express10			
1 @	24.37	29.25	29.25
(S)express10			
1 @	24.37	29.25	29.25
SUBTOTAL			58.50
VAT SUMMARY			
Rate	NET	VAT	Total(£)
(S)20.00%	48.74	9.76	58.50
SUBTOTAL	48.74	9.76	58.50

(E)Recorded 1st	1 @	1.23	1.23	1.23
(E)Recorded 1st	1 @	1.23	1.23	1.23
(E)Special D by 1	1 @	9.05	9.05	9.05
(E)Special D by 1	1 @	9.05	9.05	9.05

(S)=Standard Rate (Z)=Zero Rate (E)=Exempt

TOTAL DUE TO POST OFFICE 79.06

Cash	FROM CUSTOMER	80.00
Cash	TO CUSTOMER	0.94
BALANCE		0.00

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Track and trace

Sending tracked mail

Tracking your mail

Top links

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- Postal prices
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- Track an item
- A-Z
- Work for us
- Customer service

Please enter your 13 character reference
e.g. AA000100019GB

ZW841642108GB

Track item

[How to find your reference number](#)

*Court - 19 June 2011
KXS*



Your item with reference ZW841642108GB was delivered from our WEST CENTRAL LONDON Delivery Office on 20/07/11. Thank you for using this service.

We can confirm that this item was delivered before the guaranteed time. The electronic Proof of Delivery may not be available for this item yet. Please allow up to 72 hours after delivery before checking.

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important or valuable mail

TRACKING
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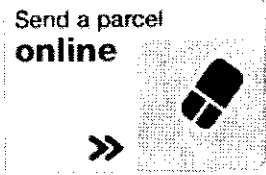
Search our site **GO**
Send a parcel **GO**

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Track & Trace

Proof of Delivery

TIPS



Parcel number: XWUP5965585GB
Part of consignment: XWUP5965585GB
Delivery Postcode: SW1H 0BG
Delivered on: 20-07-2011
Delivered at: 08:32
Signed for by: T SUTCH

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Signature:

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Proof of Delivery

Parcel number: XWUP5965571GB
Part of consignment: XWUP5965571GB
Delivery Postcode: WC1V 6BH
Delivered on: 20-07-2011
Delivered at: 10:35
Signed for by: MR ROBERTO

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- Depot locations
- Price a delivery

Signature:

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Customer service

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ZW841642111GB

Track item

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Your item with reference ZW841642111GB was delivered from our WEST CENTRAL LONDON

Delivery Office on 20/07/11

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