

Office of the Secretary of State for the Home Department
Home Office
2 Marsham Street
London SW1P 4DF

[Ms N Klosterkötter-Dit-Rawé](#)

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- See its 07.04.11 reply
- my Comments attached to 09.08.11 Order 'from' Master Eyre

1 (By 'Special delivery')

2 29 March 2011

3 Dear Madam

4 MY [17 MARCH 2011](#) LETTER OF CLAIM WAS NOT 'FOR INFORMATION'

5 Further to my Letter of Claim dated 17 March 2011, I received the enclosed [21 March 2011](#) letter from J
6 Jones, Home Office Direct Communications Unit ¹

7 Contrary to what the letter suggests, I did not copy your Office 'for information'.

8 **1 In my [17 March 2011](#) Letter of Claim - re. mobile phones; post; email; computer:**

- 9 1. Pg 22, lines 27 and 28: *"The surveillance also includes monitoring of, and interference with my*
10 *mobile phones, my post, and my emails, as well as accessing files on my computer"*
- 11 2. Pg 23, lines 28-31: *"Under which, 'legally-supported', 'high degree of necessity', do the State*
12 *and public authorities justify... monitoring and interference with my mobile phones, post, emails*
13 *and computer – with the outcome of blighting my life?"*
- 14 3. Pg 24, lines 24-26: *"...the financial incentives given to various individuals for...interfering with*
15 *my mobile phones, post, emails, capturing files from my computer, etc."*
- 16 4. Pg 26, lines 10-14: *"18. Take steps to ensure the end of the monitoring and interference with: a.*
17 *my mobile phones; b. emails; c. post; d. computer"*

18 **2 [Regulation of Investigatory Powers Act 2000](#) – re. mobile phones; post; email; computer:**

19 ■ s.2- Meaning and location of "interception" etc.

20 (1)(a) *"postal service" means the collection, sorting, conveyance, distribution and delivery...of*
21 *postal items; "telecommunication system" means any system...which...exists... for the purpose of*
22 *facilitating the transmission of communications..."*

23 (4) *"...the interception of a communication takes place in the United Kingdom if, and only if, the*
24 *modification, interference or monitoring or, in the case of a postal item, the interception is effected*
25 *by conduct within the United Kingdom and the communication is either- (a) intercepted in the*
26 *course of its transmission by means of a public postal service or public telecommunication system;*
27 *or (b) intercepted in the course of its transmission by means of a private telecommunication*
28 *system in a case in which the sender or intended recipient of the communication is in the United*
29 *Kingdom"*

¹ 21 March 2011 letter from J Jones, Home Office Direct Communications Unit

1 ■ s.1- Unlawful interception

2 Includes (1) “any communication in the course of its transmission by means of- (a) a public postal
3 service; or (b) a public telecommunication system”

4 Interception is permitted if it meets any of the requirements under subsections (5) and (6). Given
5 events ² the only possible explanation is (5)(b) “it takes place in accordance with a warrant under
6 section 5”. (Clearly, in the light of events, ‘the service’ also includes ‘quite a few extras’).

7 ■ s.5- Interception with a warrant

8 (1) “...the **Secretary of State** may issue a warrant authorising or requiring the person to whom it is
9 addressed, by any such conduct as may be described in the warrant, to secure any one or more of
10 the following- (a) the interception in the course of their transmission by means of a postal service
11 or telecommunication system of the communications described in the warrant”

12 (2) “The Secretary of State shall not issue an interception warrant unless he believes- (a) that the
13 warrant is necessary on grounds falling within subsection (3); and (b) that the conduct authorised
14 by the warrant is proportionate to what is sought to be achieved by that conduct”

15 (3) “...a warrant is necessary on grounds falling within this subsection if it is necessary- (a) in the
16 interests of national security; (b) for the purpose of preventing or detecting serious crime...”

² Examples:

(1) In 2010, one of my uncles died. To allow me to attend his funeral, in France, my Cousin: (i) left me a message on both my mobile phones (numbers I have had for several years): I did not get them; (ii) sent me an email (on an address she had previously used on numerous occasions): I did not receive it; (iii) sent an [express ‘3-day delivery’ letter](#): 5 days later, it was not in my PO Box. I only found it in my PO Box the following week – after the funeral had taken place. (The content of the letter could be easily guessed from the interception of the voicemails and email, as well as the fact that my Cousin wrote her address on the envelop – and this address is stored on my mobile phones).

(2) ‘Matthew Johnson’, IPCC, sent me a [22 February 2010](#) letter, posted 1st class on 23 February, in which ‘he’ gave me one week to reply “providing good reasons for the delay in making your complaint” and that ‘he’ would then “consider the Directorate of Professional Standards’ application for dispensation”. On 28th February, the letter was not in my PO Box. I only found it in my PO Box the following week – past the deadline for reply.

(3) There are other examples, such as e.g. my ‘not receiving’ a cheque from HMRC (leading me to have to chase for it).

I have twice raised events with the manager for my PO Box. He has assured me they do not interfere with my post. This would leave interception at the sorting office. (Or perhaps the PO Box manager is bound by some gagging clause, such as e.g. s.54 of the Act in relation to ‘Tipping-off’)

As to my mobile phones, I also have ‘black on white’ evidence of interference, including [photographs of a message](#) that appeared to have been sent to me by friends – and was not.

What started off, from 2005-06, as monitoring of my communications, has, since 2008-09, turned into downright interference.

(As to my post ‘going missing’ when I had a PO Box at the local sorting office up to 2006, generously, I attribute this to incompetence).

In relation to my computer, I have photographic evidence of interception.

My Diary 2009
- Intro re post,
phones, etc.

1 ■ s.7- Issue of warrants

2 (1) “An interception warrant shall not be issued except- (a) under the hand of the **Secretary of**
3 **State**”. Or, (b) “under the hand of a senior official” in (2)(a) “an urgent case in which the Secretary
4 of State has himself expressly authorised the issue of the warrant in that case”

5 ■ s.9- Duration, cancellation and renewal of warrants

6 (2) “An interception warrant shall not be renewed under subsection (1) unless the Secretary of
7 State believes that the warrant continues to be necessary on grounds falling within section 5(3)”

8 ■ s.11- Implementation of warrants

9 (4) Stipulates “a duty on the person who has been served with an interception warrant” to put it
10 into effect. While subsection (7) qualifies non-performance as “an offence”, and (8) allows the
11 **Secretary of State** to enforce performance through “civil proceedings”.

12 ■ s.14- Grants for interception costs

13 (1) Duty of the **Secretary of State** to ensure that persons who provide the interception service
14 “receive...a fair contribution towards the costs incurred or likely to be incurred...”

15 **3 In my 17 March 2011 Letter of Claim – re. directed surveillance; intrusive covert**
16 **surveillance; covert human intelligence source:**

17 1. Pg 22:

18 a. Lines 17 and 18: “I know that, (in tandem with ADL’s thugs), public authorities have had me
19 under surveillance since the summer of 2005”

20 b. Lines 23 and 24: “The surveillance has continued ever since... It even takes place when I
21 am overseas...”

22 c. Lines 29-32: “The photographs I have taken of objects... in the ceilings of my flat, also lead
23 me to the conclusion that my flat is bugged. I do not know whether the equipment was
24 installed by ADL or by the police. In light of his very long-standing ‘preferential treatment’ by
25 KCP, and concurrent KCP’s treatment of me - I tend to opt for the latter”

26 d. Lines 33-37: “Extent of the intrusion of the surveillance – and harassment... by a police
27 helicopter...”

28 e. Line 38: “Hence: I am being hounded and monitored as though I were a terrorist”

29 2. Pg 23, lines 28-31: “Under which, ‘legally-supported’, ‘high degree of necessity’, do the State
30 and public authorities justify having me under this highly intrusive, extreme and continuous
31 surveillance... – with the outcome of blighting my life?”

32 3. Pg 24, lines 24-26: “...the financial incentives given to various individuals for monitoring me /
33 reporting on my movements....”

34 4. Pg 26, lines 7-9: “17. Take steps to ensure the end of my being constantly monitored by: a.
35 other State resources when I am in the UK; b. ‘affiliates’ of the British State, at its request, when
36 I am overseas”

37 To the above I add: planting an individual to befriend me, and then ‘assess’ my state of mind - as
38 took place e.g. in April of last year.

1 4 **Regulation of Investigatory Powers Act 2000** – re. directed surveillance; intrusive covert
2 **surveillance; covert human intelligence source:**

3 ■ s.26- Conduct to which Part II applies

4 (2) “...surveillance is directed...if it is covert but not intrusive and is undertaken- (a) for the
5 purposes of a specific investigation or a specific operation; (b) in such a manner as is likely to
6 result in obtaining of private information about a person...”

7 (3) “...surveillance is intrusive...if it is covert surveillance (a) carried out in relation to anything
8 taking place on any residential premises and (b) ...is carried out by means of a surveillance
9 device”

10 (8) “...a person is a covert human intelligence source if- (a) he establishes or maintains a personal
11 or other relationship with a person for the covert purpose of facilitating the doing of anything falling
12 within paragraph (b) or (c); (b) he covertly uses such a relationship to obtain information or to
13 provide access to any information to another person; or (c) he covertly discloses information
14 obtained by the use of such a relationships, or as a consequence of the existence of such a
15 relationship”

16 (10) “...”private information”, in relation to a person, includes any information relating to his private
17 or family life”

18 ■ s.28- Authorisation of directed surveillance

19 (2) “A person shall not grant an authorisation for the carrying out of directed surveillance unless he
20 believes- (a) that the authorisation is necessary on grounds falling within subsection (3); and (b)
21 that the authorised surveillance is proportionate to what is sought to be achieved by carrying it out”

22 (3) “An authorisation is necessary on grounds falling within this subsection if it is necessary- (a)
23 in the interests of national security; (b) for the purpose of preventing or detecting crime or of
24 preventing disorder; (c) in the interests of the economic well-being of the United Kingdom; (d)
25 in the interests of public safety; (e) for the purpose of protecting public health; (f) for the purpose
26 of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to
27 a government department; or (g) for any purpose (not falling within paragraphs (a) to (f)) which is
28 specified for the purposes of this subsection by an order made by the **Secretary of State**”

29 ■ s.29- Authorisation of covert human intelligence sources

30 (2) (As per s.28(2), above)

31 (3) (As per s.28(3), above)

32 ■ s.30- Persons entitled to grant authorisation under ss 28 and 29

33 (2) “For the purposes of the grant of an authorisation that combines- (a) an authorisation under
34 section 28 or 29, and (b) an authorisation by the **Secretary of State** for the carrying out of
35 intrusive surveillance – the Secretary of State himself shall be a person designated for the
36 purposes of this section”

37 ■ s.41- **Secretary of State** authorisations

38 (1) “The Secretary of State shall not grant an authorisation for the carrying out of intrusive
39 surveillance except on application made by- (a) a member of any of the intelligence services” (NB:
40 others are listed)

- 1 ■ s.44- Special rules for intelligence services authorisations
- 2 (1) “...a warrant containing an authorisation for the carrying out of intrusive surveillance...
- 3 (b)...shall not be renewed, except under the hand of the **Secretary of State**”
- 4 It is clear from the above that your Office is the correct one to address in relation to section 4 of my
- 5 Letter of Claim, and related points under section 5.
- 6 Yours sincerely,

- 7 N Klosterkotter-Dit-Rawé

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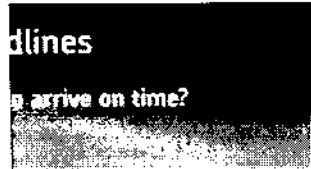
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