

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')

Subsequent notes are in coloured text boxes

Your ref: 64866/JOD/KlosterkotterDR

It replied on [07.04.11](#) simply acknowledging my letter

4 April 2011

Dear Ms O'Dwyer,

Thank you for your letter dated [1st April 2011](#) further to mine dated [17th March 2011](#).

In your letter, you state:

1. That *"It will take some time to investigate [my] allegations, and since there is no formal protocol applicable to this type of claim, accordingly [you] propose to adopt the spirit of the CPR Personal Injury protocol"*.

As an introduction, it may be that I have caused confusion by erroneously describing my 17th March 2011 letter as a 'Letter of Claim'. Indeed, I now realise that a 'letter of claim' is sent in the context of the Personal Injury Pre-Action Protocol.

As you rightly point out, there is no formal protocol applicable to my type of claim. Hence, the Protocol I have complied with is as defined in sections III and IV of the Practice Direction – Pre-Action Conduct.

Please, accept my apologies for any confusion my oversight may have caused.

With respect, looking at the Personal Injury Pre-Action Protocol, I cannot see how *"adopting the spirit"* of this Protocol is relevant, as I am not making a claim for injury, and will not therefore be using a medical expert.

(The *"great distress and anxiety"*, stated on page 4, line 15 of my 17th March 2011 letter is pursuant to [s.13\(1\),\(2\)\(a\) of the Data Protection Act 1998 \('DPA'\)](#)).

As to disclosure, in addition to providing comprehensive details in my 17th March 2011 letter, I have supported this letter with three documents: (i) my [28th May 2009](#) Subject Access Request ('SAR') to the MPS Public Access Office ('PAO'); (ii) my [2nd June 2010 s.10 Notice under the DPA](#) to [Chief Superintendent Mark Heath Kensington Police](#); (iii) [supporting document](#) to the said Notice.

As stated, among other, on page 1 of my 17th March 2011 letter, lines 9 and 10, I supplied, to the PAO, a bundle of [49 supporting documents](#) with my [13th August 2009](#) reply to the *"crime reports"*.

I am happy to supply you with any ~~an~~ other document you may require.

2. You state that *"It will take some time to investigate"* which, in your third paragraph, you define as requiring *"three months"* [See my note below](#)

I do not accept your timescale as, subsequent to my 28th May 2009 SAR:

- a. My first request for rectifications and/or additions and/or deletions and/or destruction of the data (as available) in the "crime reports" was sent to the Police 19 months ago, in a letter dated [13th August 2009](#). This letter also reiterates the questions in my 28th May 2009 SAR.
 - b. This letter was followed by another request, dated [20th September 2009](#). In this letter, I also warned that, if my demands were not met, I would issue proceedings.
 - c. The third request was my [2nd June 2010 s.10 Notice under the DPA](#). In this Notice, I repeated the warning about my issuing proceedings.
 - d. In between, I made other attempts to get my demands actioned. This includes a complaint to [the IPCC](#), dated [18th February 2010](#). Should have specified the 3 letters to the Met Commissioner: [28 Nov 09](#), [2 Dec 09](#), [2 Feb 10](#)
3. In the last paragraph of your letter you suggest that if "[I] have not raised these matters with the Information Commissioner", "[I should] do so prior to commencing civil proceedings".

Under [s.14\(1\) of the Data Protection Act 1998](#) I have the right to seek a Court Order for "Rectification, blocking, erasure and destruction" of personal data held about me, the data subject. Indeed, s.14(1) of the Act states: "...on the application of a data subject..." See my note below

If you are aware of a rule of law that nullifies this right and imparts a legal obligation on my part to approach the Information Commissioner, please, let me know.

Yours sincerely,

NB: Her game in asking for "3 months to reply" was to make me miss the 1-year deadline for filing a claim of violation of my rights by the MPS under the European Convention.

N Klosterkötter-Dit-Rawé

Under the DPA, there is NO REQUIREMENT to approach the Information Commissioner e.g. **Lord, R (on the application of) v Secretary of State for the Home Department** [2003] EWHC 2073 (Admin), at [16].
(Post-filing my [19.04.11 Claim](#), the Judiciary tried the same trick – up to the [24.10.11](#) 'hearing' refusing (for the 2nd time) my [30.08.11](#) Application for Permission to Appeal against **the FULL OF LIES 09.08.11 MPS Order 'from' Master Eyre – with costs** - (see my Comments attached to the Order; [London High Court – Queen's Bench Division](#))
(My [22.08.11](#) letter to [the MPS](#) to enclose payment of [£8,478](#), in which I continued to expose some of **the LIES**).
(I wrote a similar, more comprehensive [13.09.11](#) letter to the so-called 'Independent' Police Complaints Commission, and copied it to the [Home Secretary](#), stating that she very clearly approved of the conduct of [the MPS and IPCC](#))

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*4 April
2 MPs. - posted on 5th April!*

(del 6 April)

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Greater London
WC1V 6BS

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 Session ID: 2-407414
 Dest: UK (EU)
 Quantity: 1
 Weight: 0.020 kg
 Special D by 1 £0.00 £5.45

Total Cost of Services £5.45
 Posted after Last Collection? No

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How to find your reference number

(4 April to MPS, posted on) 5th April.

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(At 9 April but MPS replied on 7th April = had taken delivery)

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