

Mr John Hutchings
Tenancy Relations Officer
Housing and Social Services
The Town Hall
Homton Street
London W8 7NX

By Special Delivery

6 August 2004

Dear Mr Hutchings



Rawé
House
Flat
V3 1AX

Jefferson House - Steel Services does not have Immunity from prosecution

When we spoke yesterday, you told me that you could not issue proceedings against Steel Services to obtain the year-end accounts for Jefferson House because it is domiciled in the British Virgin Islands (BVI).

As you know, I was most taken aback by this, especially when you replied in the affirmative to my question: "So, they are above all L&T laws?"

You said that you would discuss this with Mr McDougall, while also pointing out that when I was in contact with him c. 2 years ago in relation to obtaining the name of directors for Jefferson House he had concluded that Steel Services could not be made to comply with this legal requirement because it is domiciled outside of the UK.

In your discussion with Mr McDougall / your legal department, I would like you to consider the following which lead me to conclude that, in spite of being domiciled in the BVI, Steel Services is not immune from prosecution in this country:

- Steel Services has used the British Courts to file a claim against 11 residents (please see attached ¹)
- When it requested a Case Management hearing on 24 June 2003, my reply to West London County Court was that this hearing should not be taking place as I had Leave of Appeal to the Lands Tribunal until 8 July given that the LVT had issued its determination on 17 June 2003. The Judge agreed with me and ordered that Steel Services pays my costs for the day (and that of other residents present) – and, obviously, refused Steel Services' demand that I (and the other residents) pay its costs for the day (see enclosed ².)
- And I can give you several other examples of Steel Services being issued with orders by West London County Court – with which it had to comply.

This leads me to conclude that, being domiciled in the BVI does not give Steel Services immunity from prosecution in this country. The only exception would be if it can claim diplomatic immunity. As evidenced by events in the Courts over the last 18 months – and the trial due to take place on 17 August – this is clearly not the case: Steel Services is not above the law in this country, and this includes L&T legislation.

In light of this, and given that:

- It is 6 weeks today since you wrote the letter to MRJ requesting that they comply with Section 21 (4) of the L&T Act 1985 by supplying me with the year-end accounts for 2002 and for 2003
- The year-end for Jefferson House is December. Hence, based on the L&T 1985 Act, the 2002 accounts are 1. year overdue, while the 2003 accounts are 6 weeks overdue.

Can you please take the necessary steps to now issue proceedings against Steel Services – Martin Russell Jones. As discussed previously, please ensure that the accounts are sent directly to you so that we avoid wasting your time and mine going round in circles.

Thank you in anticipation of your assistance

Yours sincerely,

Noëlle Rawé

¹ Claim by Steel Services in West London County Court, dated 29 November 2002
² General Form of Judgment or Order, West London County Court, dated 25 June 2003