

Chief Superintendent Mark Heath, Borough Commander
[Kensington Police](#)
72 Earls Court Road
London W8 6EQ

Ms N Klosterkotter-Dit-Rawé
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1 (By 'Special Delivery')

2 2 June 2010

3 Dear Mr Heath,

4 **SECTION 10 NOTICE UNDER THE DATA PROTECTION ACT 1998 (DPA)**

5 Following my [28 May 2009](#) Subject Access Request, at the end of July 2009, the Police Public Access
6 Office sent me three "crime reports": (i) [CR:5604102/02](#); (ii) [CR:5602261/03](#); (iii) [CR:5605839/07](#).

7 **I am issuing this Notice – which I intend to follow with court proceedings under s.14 of the DPA if**
8 **you fail to comply with my demands.**

9 **1 SUPPORTING DOCUMENT**

10 The [enclosed 66-page document](#) contains, in column format:

- 11 ■ The content of each of the three "crime reports", broken down into sentences / paragraphs
12 ("Crime report" CR:5604102/02 - pages 1 to 21; "Crime report" CR:5602261/03 – pages 22 to
13 37; "Crime report" CR:5605839/07 – pages 37 to 66) - and, against each:
- 14 ■ My objections, reasons – and reference/s to my replies of [13 August 2009](#) and [20 September](#)
15 [2009](#) in which I raised the objections and provided reasons
- 16 ■ The DPA Principle/s breached
- 17 ■ Description of the documents in support of my objections – as appropriate, also against each
18 entry. I supplied these documents in my [101 page bundle of 49 documents](#) sent my with my 13
19 August 2009 letter.

20 My analysis demonstrates that, in processing the three reports, you are repeatedly contravening – in a
21 way that is highly prejudicial to my rights and legitimate interests:

- 22 ■ The **First Principle** - By failing to apply standards of: (1) lawfulness; (2) fairness
- 23 ■ The **Second Principle** - By processing data for unlawful purposes
- 24 ■ The **Third Principle** - By failing to process: (1) adequate data; (2) relevant data
- 25 ■ The **Fourth Principle** - By (1) processing false data, including false sensitive personal data; (2)
26 failing to capture accurate data; (3) failing to take reasonable steps to ensure the accuracy of the
27 data obtained - and, (4) in the process, failing to have regard to the purpose for which the data
28 was obtained and further processed.

29 Concurrently, you are also contravening:

- 30 ■ The **Fifth Principle** as, in spite of your dismissive, contemptuous, arrogant replies to my 13 August
31 2009 and 20 September 2009 letters - you cannot – legally – justify continuing with the processing of
32 the materially false, inaccurate, misleading, unlawful data about me.
- 33 ■ The **Seventh Principle** - By: (1) failing to ensure that your employees processing my personal data
34 did not breach my rights under the DPA; (2) failing to take reasonable steps to ensure the reliability of
35 the data - having regard to its intended use.

36 Furthermore, you have breached:

1 ■ The **Sixth Principle**, by failing to supply information pursuant to my questions in my [28 May 2009](#)
2 Subject Access Request – questions I repeated in my [13 August 2009](#) and [20 September 2009](#)
3 letters. These questions are listed below, under section 3.

4 **These numerous, major contraventions of the DPA are the outcome of your officers' connivance**
5 **with Andrew Ladsky, aiding, abetting and procuring the commission of the offences under the**
6 **DPA - as well as under other statutes:**

7 ■ Malicious Communications Act 1998 (detail in the supporting document)

8 ■ Defamation Act 1996 (detail in the supporting document)

9 ■ Protection from Harassment Act 1997 (detail in supporting document)

10 ■ Human Rights Act 1998, by, as a public authority, **(1)** failing *"to treat [me] fairly and with dignity"*; **(2)**
11 failing *"to give [me] access to the service"*; **(3)** subjecting me to *"poor treatment and prejudice"* -
12 including FALSELY accusing me of having committed criminal offences, as well as communicating
13 unlawful, malicious, racist, xenophobic, defamatory comments about me to my website Host
14 (branding me a "Nazi" because I am of part German descent) - with concurrent breaches of several
15 of the Human Rights Act Articles

16 ■ Police Act

17 **In relation to the DPA, your major contraventions amount to highly material prejudices of my**
18 **rights and legitimate interests, and are a source of - totally unwarranted - great distress and**
19 **potentially great damage – given:**

20 ■ The processor of the data.

21 ■ The purpose for which the data is being processed.

22 ■ The fact that the Association of Chief Police Officers recommends that the information about an
23 individual is retained *"until the individual reaches 100 years of age"*. It also means that my
24 personal data will be processed by a multitude of individuals.

25 ■ The very substantial risk of, yet, further contraventions of my rights, as well as further substantial
26 damage (DPA s.14 (4)(b)) through reprocessing of the data - as happened in 2007 when false,
27 unlawful, sensitive personal data from the 2003 *"crime report"* was recycled in support of equally
28 false, unlawful accusations.

29 ■ The risk that the data will be stolen - as the police has shown that it cannot ensure security (e.g.
30 in 2006, the theft of a police laptop containing the bank details of 15,000 police officers)

31 **2 MY DEMANDS ARE:**

32 **2.1 ["Crime report" CR:5604102/02](#) [K&C police # 1](#)**

33 To ensure that, are per my legislative rights, that the data you are processing about me is fair, lawful and
34 accurate – that you make ALL the amendments I have noted on [CR:5604102/02](#) - which is the complaint I
35 filed following receiving a total of 20 anonymous phone calls. Among others (drawing from the enclosed
36 document):

37 ■ You have failed to record the offences against me as offences under the 'Protection from Harassment
38 Act 1997'; 'Hate crime', motivated by 'Race', revenge, and 'Targeted because of vulnerability'.

39 ■ In this report, as well as the other two reports, [Andrew Ladsky](#) is recorded as my *"neighbour"* – in
40 spite of my identifying him as the 'landlord' for Jefferson House – a fact with which K&C police is fully
41 cognisant.

42 As evidenced by events, your objectives in doing this are to: **(1)** Eliminate him as having made, at
43 least some of the anonymous phone calls to me in 2002; **(2)** Help him portray himself as the 'poor
44 innocent victim' – and thereby give some weight to his malicious, unlawful, slanderous accusations
45 against me in 2003 and 2007; **(3)** Give K&C police the opportunity to endorse them; **(4)** Give him
46 from having to explain – and therefore avoid probing, and hence avoid capturing 'inconvenient'

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1 information which would discredit his 'story' and accusations against me in 2003 and 2007; (5) To
2 convey a negative, false, disparaging impression of me – and thereby undermine my credibility.

3 ■ Materially false, inaccurate, misleading data has been recorded with the aim of not revealing that at
4 least some of the anonymous calls were made by Andrew Ladsky – and, in the process, undermine
5 my credibility.

6 ■ Key, relevant data from conversations, as well as correspondence in faxes and letters has not been
7 recorded. The objective is to hide, cover-up the evidence, justify the fabrications, etc. in order to
8 protect Andrew Ladsky – and, in the process, undermine my credibility.

9 This also includes K&C police hiding the fact that I was not satisfied with its handling of my complaint
10 - as it failed to capture [my complaint to the Police Complaints Authority](#), and [to Sir Toby Harris](#), then
11 Chair of the Metropolitan Police Authority, as well as its correspondence connected with these
12 complaints. Hence: yet again, undermining my credibility.

13 Under Schedule 2 s.5 of the DPA you cannot justify processing the data in its current state. Indeed, as it
14 stands, you cannot claim "*legitimate interests in the processing of this data*" - as it is prejudicial to my
15 rights and legitimate interests. And nor can you justify it under the Fifth Principle.

16 I also demand that you notify third parties to whom the data has been disclosed - of the rectifications,
17 additions and erasures. Furthermore, that you provide me with the name of the third-parties – a question
18 in my [13 August 2009](#) and [20 September 2009](#) letters - you have failed to answer.

19 **2.2** ["Crime report" CR:5602261/03](#) K&C police # 2

20 I demand that you **immediately destroy** this so-called "*crime report*", as it FALSELY accuses me of
21 having committed a crime of "*Harassment*".

22 Processing of this report is UNLAWFUL and UNJUSTIFIED as I have NOT committed an offence. It is a
23 malicious, libellous, defamatory attack on my name, character and reputation.

24 This laughable "*crime report*", captured as a result of Andrew Ladsky reporting that I "*swore at him*"
25 should have NEVER been processed.

26 As demonstrated by events – starting with the malicious, unlawful, threatening letter to me of [27 January](#)
27 [2003](#) from PC N Watson 206BS (the contents of which, he failed to capture), the objective was to attempt
28 to intimidate me so that I would stop challenging [Ladsky's](#) fraudulent 'service charge' demand ([fraudulent:](#)
29 [a fact subsequently proven](#)). Among others (drawing from the enclosed document) (and in addition to my
30 above comments about describing Andrew Ladsky as my "*neighbour*"):

31 ■ PC N Watson recorded Ladsky's complaint as "*Harassment*" BEFORE even contacting me.

32 ■ Not only did PC N Watson failed to acknowledge my letter of [11 February 2003](#) in which I asked for
33 "*precise detail – in writing of the accusation against me*" – he actually lied by capturing in the report
34 that I had not responded.

35 ■ The FALSE accusation that I had been swearing at Ladsky on "*several occasions since*
36 *November 2002*" has been captured for the purpose of making the "*crime report*" 'stick' against me
37 under the Protection from Harassment Act 1997 (s.7(3) of the Act states "*A "course of conduct" must*
38 *involve conduct on at least two occasions*")

39 ■ Recording of materially false, misleading, inaccurate, inadequate data – with the aim of adding some
40 weight to Ladsky's 'story', portraying him as the 'poor innocent victim' – and in the process create a
41 negative, misleading, disparaging perception of me.

42 ■ Repeated failure to probe Ladsky for supporting evidence, the context of events – DITTO in terms of
43 objectives.

44 ■ Failure to refer back to my 2002 complaint against Ladsky – as it would undermine his 'story'.

45 ■ Numerous instances of text being blocked out – clearly because 'inconvenient'. This is a further
46 breach of my rights as (1) the data is biographical in a significant sense; (2) I am the focus of the data
47 (e.g. *Durant v. Financial Services Authority* [2003] EWCA Civ 1746)

1 Under Schedule 2 s.5, and Schedule 3, Sensitive Personal data, you cannot justify processing ANY
2 PART of this so-called “*crime report*”. Indeed, as blatantly obvious from the evidence, you cannot claim
3 “*legitimate interests in the processing of this data*” about me - as this processing is TOTALLY
4 UNWARRANTED by reason of being highly prejudicial to my rights and legitimate interests - and
5 therefore UNLAWFUL. And nor can you justify processing it under the Fifth Principle.

6 **Consequently, I demand that you:**

7 (1) TOTALLY AND PERMANENTLY DELETE – this report from:

8 (1) Your system, including on back-up tapes on-site and off-site - to the date the report was first
9 processed;

10 (2) The hard drive of the computers used;

11 (3) Computer disks;

12 (4) USB sticks;

13 (5) Destroy all hard copies of the report.

14 (2) You notify ALL the third-parties to whom the data have been disclosed of the destruction of the data –
15 and that you provide me with the name of the third-parties - a question in my [13 August 2009](#) and [20](#)
16 [September 2009](#) letters - you have failed to answer.

17 **2.3** [“Crime report” CR:5605839/07](#) K&C police # 3

18 I demand that you **immediately destroy** this so-called “*crime report*”, as it FALSELY accuses me of
19 having committed “*Racist*” acts, “*Hate crime*”, “*Crime*” in relation to
20 “*Faith/Religion/Belief*”.

21 This so-called “*crime report*” is a web of FALSE, TOTALLY UNSUPPORTED, LIBELLOUS,
22 DEFAMATORY and therefore UNLAWFUL accusations against me, including MALICIOUS, UNLAWFUL
23 expressions of opinion as to the state of my mental health – trumped-up and concocted by Andrew
24 Ladsky, K&C police, and, in all likelihood other parties.

25 The reason is revenge for my exposing chapter and verse of my case on my website
26 (<http://www.leasehold-outrage.com>) – in the process exposing various parties, including [K&C police](#) -
27 because they don't like having a mirror held to their face - as it reflects their failure to do their job, often
28 amounting to failure to perform their legal remit, incompetence, maladministration, malpractice, collusion,
29 deceit, corruption, fraud.

30 **Your officers have DENIED me the opportunity to defend myself against ALL of these malicious,**
31 **vicious, false, defamatory and therefore unlawful accusations - as K&C police NEVER contacted**
32 **me – AT ANY POINT IN TIME - in relation to this so-called “*complaint*” against me by [Andrew](#)**
33 **[Ladsky](#) – thereby giving free rein to K&C police to capture these fabricated lies against me.**

34 NO EVIDENCE HAS EVER BEEN SUPPLIED. The reason no evidence has EVER been supplied is
35 because these accusations against me are FALSE.

36 Among others (drawing from the enclosed document) (and in addition to my above comments about
37 describing [Andrew Ladsky](#) as my “*neighbour*”)

38 ■ The report FAILS to record that the so-called “*complaint*” against me is a ‘Hate crime’ motivated by
39 revenge, as well as by ‘Racism’ because I am partly of German descent and Andrew Ladsky is
40 Jewish, and that I am being ‘Targeted because of vulnerability’.

41 ■ With the aim of scaring my website Host into closing down my website, on [16 March 2007](#), TDC
42 Simon J Dowling of the ‘[Community Support Unit](#)’ sent an ILLEGAL, malicious, libellous, xenophobic,
43 racist email to my website Host in which - WITHOUT providing ANY evidence in support - he
44 FALSELY accused me of having “*anti-Semitic*” comments on my website – and concluded his email
45 by stating “*I am the officer in charge of investigating this crime*” (In the process – in my opinion –
46 impersonating a police officer). In this xenophobic, racist email, he also branded me a “*Nazi*”.

- 1 ■ Dowling sent this email – BEFORE – determining internally whether his assessment was correct – as
2 he received an internal reply – **three days later** - from the Racial Crime Directorate that "**there is**
3 **no crime made out**"
- 4 ■ Dowling FAILED to capture the 17 March 2007 reply from my website who challenged him by asking
5 "Are you aware that there are laws against making false accusations?"
- 6 ■ And of course, Dowling FAILED to capture in the report his equally unlawful email of [20 March 2007](#)
7 in reply to my website Host - in which he backed down by stating: "Thanks for your reply, yes there
8 are laws relating to false reporting... If you are unable to close the site down I will let the victim know
9 as there is nothing we as a police force can do except class it as a racist incident". (Failure to capture
10 'inconvenient' documents is evidently a trademark of some of your officers – as also evidenced by the
11 2002 and 2003 "crime reports")
- 12 ■ In addition to continuing to make xenophobic, racist comments against me, and continuing to brand
13 me a "Nazi" by stating "The producer of this website is franco-german in origin and so would be
14 aware of the terms pigs and monkeys used during the Nazi regime to refer to Jewish people" –
15 Dowling also continued with his false – TOTALLY UNSUPPORTED - and therefore unlawful
16 accusation against me by stating that I had committed a "Racist" act.

17 **The objective in doing this is clear: to ensure that a "crime report" is recorded against me on the**
18 **police system.**

- 19 ■ In his [20 March 2007](#) email, TDC Simon J Dowling also continued to commit a criminal offence
20 against me under the Malicious Communications Act 1998 – as well as against my website Host - by
21 'asking' "Could you let me know who deals with any complaints about websites in the US..."
- 22 ■ As the scare tactic used by Dowling in his highly defamatory and libellous email of [16 March 2007](#) to
23 my ISP, implying that I had 'committed a crime' - failed to do the trick – behind the scene, he et.al.
24 were desperately trying to find a way of forcing the closure of my website - including evidently
25 attempting to secure the 'ultimate solution': getting me sectioned – as suggested by the following.
- 26 ■ Playing into Andrew Ladsky's hand who portrays me as "mad" to whoever wants to give him the time
27 of day, with the ultimate objective of 'putting me out of action': accusing me of being "obviously
28 extremely paranoid"; of suffering "some mental issues" – because, on my website, I report
29 being followed and monitored – and identify the instigator as Ladsky and, at the time, suspecting
30 involvement by the police – which, in TDC Simon J Dowling's 'opinion' "is not the case".
- 31 OUTRAGEOUSLY - based on this 'assessment', 'Dowling' opted to: "speak to social
32 services to see if they are aware of her"
- 33 ■ Recording materially false, unlawful, misleading, inaccurate, inadequate data – and, in the process,
34 endorsing it – with the aim of adding some weight to Ladsky's accusations; his 'story'; portraying him
35 as the 'poor innocent victim' – and with the objective of creating a negative, misleading, disparaging
36 perception of me.
- 37 ■ Repeated failure to probe Ladsky for supporting evidence, the context of events – DITTO in terms of
38 objectives.
- 39 ■ 'Seeing' things on my website that are NOT there, while 'very conveniently' not seeing things that
40 ARE there – in particular 'missing' ALL the mountain of 'black on white' evidence against Andrew
41 Ladsky and [his aides \(solicitors and surveyors\)](#) – including my repeatedly highlighting their numerous
42 criminal offences committed against me (and my fellow leaseholders) e.g. under the [Protection from](#)
43 [Harassment Act 1997](#) ; the [Fraud Act 2006](#) ; the [Malicious Communications Act 1988](#) ; the [Theft Act](#)
44 [1968](#) ; the [Money Laundering Regulations / Proceeds of Crime Act 2002](#) ; the [Criminal Justice Act &](#)
45 [Public Order Act 1994](#). Etc.
- 46 ■ Failure to refer back to my 2002 complaint against Ladsky – as it would undermine his 'story' – while
47 recycling false, unlawful accusations against me in the 2003 report of: "harassment of Ladsky";
48 that I "used to swear at Ladsky" - with the aim of portraying him as the 'poor innocent victim',
49 and give some weight to his malicious, slanderous accusations against me.

- 1 ■ The report also FAILS to state how I was "*notified*". This took place on 26/27 April 2007, which
2 – by 'amazing coincidence' was three days AFTER I gave prominence, on [my website](#), to the events
3 with K&C police. The message that "*The police is not going to pursue it. Isn't that good news?*" was
4 communicated to me THROUGH my then employer, [KPMG](#). By then, FIVE WEEKS had elapsed
5 since the [20 March 2007](#) e-mail from Simon J. Dowling

6 Under Schedule 2 s.5, and Schedule 3, Sensitive Personal data, you cannot justify processing ANY
7 PART of this so-called "*crime report*". Indeed, as blatantly obvious from the evidence, you cannot claim
8 "*legitimate interests in the processing of this data*" about me - as this processing is TOTALLY
9 UNWARRANTED by reason of being highly prejudicial to my rights and legitimate interests - and
10 therefore UNLAWFUL. And nor can you justify processing it under the Fifth Principle.

11 **Consequently, I demand that you:**

12 (1) TOTALLY AND PERMANENTLY DELETE – this report from:

- 13 (1) Your system, including on back-up tapes on-site and off-site - to the date the report was first
14 processed;
- 15 (2) The hard drive of the computers used;
- 16 (3) Computer disks;
- 17 (4) USB sticks;
- 18 (5) Destroy all hard copies of the report.
- 19 (2) You notify ALL the third-parties to whom the data have been disclosed of the destruction of the data –
20 and that you provide me with the name of the third-parties - a question in my 13 August 2009 and 20
21 September 2009 letters - you have failed to answer.

22 **3 FAILURE TO ADDRESS MY QUESTIONS**

23 Under Part I – 7.(1) of the DPA I have "*Right of access to personal data*", and under s.10 I have the right
24 "*to prevent processing of data likely to cause damage or distress*" e.g. Durant v. Financial Services
25 Authority [2003] EWCA Civ 1746 "*A citizen needs to know what the record says in order to have an*
26 *opportunity of remedying an error or false information*".

27 You have failed to address my questions in my [28 May 2009](#) Subject Access Request, and in my [13](#)
28 [August](#) and [20 September 2009](#) letters - pursuant to my being supplied with the three "*crime reports*".

29 A significant number of these questions relate to the 2003 and 2007 "*crime reports*". Should you fail to
30 comply with my demand to have these reports totally and permanently destroyed, I expect you to address
31 my questions – and will pursue this as part of the court proceedings.

32 **3.1 Failure to supply me with the data 'obviously about me' / 'relating to me' / 'linked to me'**

33 I asked for "*copy of relevant procedure, briefings, correspondence, including any electronic transmission,*
34 *record of any meetings and of any telephone conversations that led to data being processed about me -*
35 *for the purpose of influencing / determining the manner in which I should be treated by [K&C police](#)*" –
36 including:

- 37 ■ Falsely recording that I have committed criminal offences.
- 38 ■ Failing to contact me – at any point in time – in relation to the [2007](#) so-called "*complaint*" against me -
39 thereby denying me the right to defend myself against the false, malicious, defamatory, unlawful
40 accusations.
- 41 ■ Failing to supply – any evidence – in support of Andrew Ladsky and your accusations against me in
42 2007.
- 43 ■ Capturing false, unlawful, malicious, misleading, inaccurate, inadequate, libellous data against me.
- 44 ■ Failing to take reasonable steps to ensure the accuracy of the data and, in the process, failing to
45 have regard to the purpose for which the data was obtained and further processed – by, among

1 others, failing to probe the veracity of the accusations against me, failing to obtain supporting
 2 evidence, failing to probe the context of events, failing to refer back to [my 2002 complaint](#) – while
 3 diligently recycling [Andrew Ladsky](#)'s false accusations against me in [his 2003 so-called "complaint"](#),
 4 etc.

- 5 ■ Failing to record – as criminal - the offences committed against me by Andrew Ladsky.
- 6 ■ Studiously failing to note on [my website](#) ALL the 'black on white' evidence of [criminal actions](#) against
 7 me (and my fellow leaseholders) by Andrew Ladsky and [his aides](#).
- 8 ■ Failing to capture the existence, and/or content of highly relevant correspondence, as well
 9 conversations.
- 10 ■ Sending me an unlawful, threatening letter ([27 January 2003](#))
- 11 ■ Sending two malicious, defamatory emails to my website Host containing the unlawful, unsupported
 12 accusations that I have committed criminal offences, as well as containing racist, xenophobic
 13 comments about me, including branding me a "Nazi".
- 14 ■ Failing to contact me – at any point in time - while getting the message communicated to me through
 15 my then employer, [KPMG](#) that "*The police is not going to pursue it. Isn't that good news?*"
- 16 ■ Failing in relation to the so-called complaints of [2003 and 2007](#) to refer back to [my complaint in 2002](#),
 17 while, in 2007, recycling false, unlawful accusations against me from the 2003 so-called "*complaint*".
- 18 ■ Concluding that you / your officers are entitled to breach my legislative rights under the [DPA](#), the
 19 [Malicious Communications Act 1998](#), the [Protection from Harassment Act 1997](#), the [Defamation Act](#)
 20 [1996](#), the [Human Rights Act 1998](#), the Metropolitan Police Service code.

21 2002, [CR:5604102/02](#) - My [13 August 2009](#) letter – pages 16, 22; my [20 September 2009](#) letter –
 22 pages 28, 29

23 2003, [CR:5602261/03](#) – My [13 August 2009](#) letter – pages 22, 23; my [20 September 2009](#) letter –
 24 page 29, 30

25 2007, [CR:5605839/07](#) – My [13 August 2009](#) letter – pages 24, 31, 32, 36, 37, 38; my [20 September](#)
 26 [2009](#) letter – pages 30, 32, 33, 36, 37, 38

27 Furthermore, some of this personal data has clearly been issued to K&C policy by parties outside of the
 28 police – and therefore processed.

29 **3.2 Failure to address my questions for supporting evidence – in relation to the 2007**
 30 **[CR:5605839/07 "crime report"](#)**

31 1. Accusation that I have 'committed a crime' – My [13 August 2009](#) letter – pages 34, 35; my [20](#)
 32 [September 2009](#) letter – pages 34, 35

33 2. Accusation that "*There are a number of sections which are alleged to be of a*
 34 *racial nature*" – My [13 August 2009](#) letter – page 29; my [20 September 2009](#) letter – pages 31, 32

35 3. Accusation that my website "*contain(s) anti-Semitic, anti-black, and anti-Asian*
 36 *pictures and text*" – My [13 August 2009](#) letter – page 25; my [20 September 2009](#) letter – pages
 37 10, 11

38 4. Accusation that I used the terms "*pigs and monkeys to refer to Jewish people -*
 39 *including Andrew Ladsky*" – My [13 August 2009](#) letter – page 31; my [20 September 2009](#) letter –
 40 pages 32, 33

41 5. Accusation that "*The sections of the web site that the complaint relates to is*
 42 *headed "My Diary" 2002-2007. The specific remarks and pictures that are being*
 43 *complained about are contained throughout..."* - My [13 August 2009](#) letter – page 30; my [20](#)
 44 [September letter](#) – page 32

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1 6. Accusation that "parts of the site are alleged to be extremely upsetting and
2 insulting" - My [13 August 2009](#) letter – page 29; my [20 September 2009](#) letter – page 31

3 7. Accusation that "There is a lot of slanderous comments on the site mainly
4 directed at – 79 – but also at K&C and even MPs, the Prime Minister and DPM.
5 Also against solicitors and many others" – My [13 August 2009](#) letter – page 33; My [20](#)
6 [September 2009](#) letter – pages 33, 34

7 **3.3 Failure to address my questions as to how PC K O'Brien, 474BS, and TDC Simon J Dowling**
8 **of the 'Community Safety Unit' consider themselves entitled to express an opinion as to my**
9 **mental health – in the 2007, [CR:5605839/07](#) "crime report"**

10 1. That I am "obviously very paranoid"; - My [13 August 2009](#) letter – pages 30, 33; my [20](#)
11 [September 2009](#) letter – pages 32, 33

12 2. "I believe she may have some mental issues so will be speaking to social
13 services to see if they are aware of her" – My [13 August 2009](#) letter – page 34; my [20](#)
14 [September 2009](#) letter – page 34

15 **3.4 Failure to address my question as to the meaning of "Crime reclassified to no crime**
16 **unconfirmed" - in the 2007 "crime report"**

17 My [13 August 2009](#) letter – page 37; my [20 September 2009](#) letter – page 37

18 **3.5 Failure to address my question as to which other "consequences" had taken place prior to**
19 **PC N Watson 206BS sending me his malicious, bullying letter of [27 January 2003](#)**

20 My [13 August 2009](#) letter – page 23; my [20 September 2009](#) letter – pages 29, 30

21 **3.6 Failure to provide me with the detail of individuals / organisations to which personal data**
22 **about me has been supplied; the data that was supplied; and the data supporting the**
23 **decision to supply it**

24 In addition to requesting the information, I also asked for "Briefings, correspondence, including any
25 electronic transmission, record of any meetings and of any telephone conversations that led to this
26 information being communicated to the individuals / organisations" – in relation to:

27 1. The 2003, [CR:5602261/03](#), so-called "complaint" against me by [Andrew Ladsky](#) - My [13 August 2009](#)
28 letter – page 24, my [20 September 2009](#) letter – page 30

29 2. The 2007, [CR:5605839/07](#), so-called "complaint" against me by Andrew Ladsky – My [13 August 2009](#)
30 letter – page 37; my [20 September 2009](#) letter – page 37

31 3. 2007, [CR:5605839/07](#) - In relation to TDC Simon J Dowling of the 'Community Support Unit'
32 "contacting social services to see if they are aware of [me]", I asked "Please
33 supply: (1) Contact detail of the social services section that has been contacted; (2) Copy of briefings,
34 correspondence, including any electronic transmission, record of any meetings and of any telephone
35 conversations that have taken place between the police and social services" – My [13 August 2009](#) letter –
36 page 34; my [20 September 2009](#) letter – page 34

37 Information Commissioner: "When data on an individual is passed on to e.g. social services, the individual
38 must be provided with this information in order to satisfy the fair processing requirements... and to allow
39 the individual to make subject access requests"

40 **4 EVENTS THAT HAVE LED TO MY ISSUING THIS NOTICE**

Below events covered under [K&C police # 5](#)

41 Section 13 (1) of the DPA: "An individual who suffers damage by reason of any contravention by a data
42 controller of any of the requirements of this Act is entitled to compensation from the data controller for that
43 damage"

44 1. You failed to take any notice of my [13 August 2009](#) reply in which I highlighted numerous major
45 contraventions of the DPA Principles in the three reports – contraventions which you are reasonably
46 expected to address.

- 1 2. The highly dismissive, contemptuous and arrogant tone of the [25 August 2009](#) 'reply' from Jenna
 2 Neville, Case Worker, at the Public Access Office – implying that you consider your station to be
 3 exempt from compliance with the requirements of the DPA, led me to send another letter, dated [20](#)
 4 [September 2009](#), emphasising my rights under the DPA by including comprehensive extracts from
 5 the Act – and referring back to the points in my 13 August 2009 response. In addition to stating an
 6 intention to approach the Information Commissioner, I also wrote: *"If this proves necessary, I will*
 7 *follow this with legal proceedings as per my rights under s.14 of the Act"*.
- 8 3. Concurrently, I sent you a [20 September 2009](#) letter, headed *"Kensington & Chelsea police is not*
 9 *exempt from compliance with the requirements of the Data Protection Act 1998"*. In this letter, I relate
 10 events (supported by documents), draw conclusions from your failure to address my demands, and
 11 repeat my intention *"to proceed to a court action if necessary"*
- 12 4. It led to a [22 September 2009](#) 'reply', on your behalf, from Steve McSorley, Acting Chief Inspector,
 13 who, while he did not specify it, I discovered through my research, is responsible for 'Professional
 14 Standards and Performance' at K&C police. He wrote *"As you quite rightly point out (in my 20*
 15 *September 2009 letter to Jenna Neville), the Information Commissioner may serve an enforcement*
 16 *notice if he considers the Data Protection Act is breached and if you are dissatisfied with her*
 17 *response I would suggest you contact the office of the Information Commissioner"*
- 18 5. I replied to McSorley on [8 October 2009](#), heading my letter with *"In light of your role at Kensington &*
 19 *Chelsea police: how do you explain your response of 22 September 2009?"* I highlight what he has
 20 ignored – which is everything in my [13 August 2009](#) and [20 September 2009](#) letters. I quote his
 21 comment in his [22 September 2009](#) letter *"I note that you have quite clearly expressed your concerns*
 22 *about accuracy to Jenna Neville at the Metropolitan Police Public Access Office"* and state that *"it*
 23 *evidently cannot be the reason for your ignoring all of my correspondence"*.
- 24 6. I copied this letter to you, also on [8 October 2009](#), and headed my letter with *"Do you endorse the*
 25 *treatment I have and continue to be subjected to by Kensington & Chelsea police?"*
- 26 7. More than one month later, lack of response from you and Steve McSorley led me to send a separate
 27 chaser letter to [both of you](#), dated [11 November 2009](#).
- 28 8. It led a [17 November 2009](#) letter from Sergeant Dave Jones, Staff Officer to the Borough
 29 Commander, that *"The Borough Commander has asked Chief Inspector McSorley to write again to*
 30 *you in order to outline the previous advice given"*.
- 31 9. This was followed by a [20 November 2009](#) letter from McSorley, said to be in acknowledgement of
 32 my 8 October 2009 letter – (hence, six weeks later). He wrote:
- 33 *"For the sake of clarity, may I stress that I do not accept that there has been any "gross*
 34 *misconduct" by any of our officers in relation to the various crime reports in which you are named.*
 35 *Nor do I accept that TDC Dowling made "malicious, scurrilous or libellous allegations" when he*
 36 *contacted your website host. With regard to the wording of the crime reports, I am satisfied that*
 37 *this represents an accurate account of what police were told at the time even if you do not agree*
 38 *with what was said by third parties.*
- 39 *Consequently, I will not be contacting your website host, nor will I be making any alterations to*
 40 *the various crime reports unless enforcement notice is served by the Information Commissioner"*
- 41 *"I am satisfied that this represents an accurate account of what police were told at the*
 42 *time...Consequently I... will not be making any alterations to the various crime reports..."*
- 43 10. In despair, I had sent a [28 November 2009](#) 'cry for help' to Sir Paul Stephenson, Met Commissioner,
 44 and to the [then Home Secretary, Alan Johnson](#), in which I related not only recent events, but also my
 45 experience with your station since 2002. By then, I had not received the 20 November 2009 letter
 46 from McSorley.
- 47 11. It led me to send another letter, dated [2 December 2009](#) to Sir Paul Stephenson and Alan Johnson in
 48 which, among others, I captured all of the 20 November 2009 'reply' from McSorley – and wrote
 49 ***"What a very damning indictment! It certainly IS "reasonably expected" of the police to investigate***
 50 ***third party claims, including obtaining supporting evidence. And it IS likewise "reasonably expected"***
 51 ***of the police to do this BEFORE accusing an individual of having committed criminal actions"***

- 1 12. My approaching Sir Paul Stephenson was followed by an [8 December 2009](#) letter from Hema Patel,
2 Caseworker, Directorate of Professional Standards, Customer Service Team – posted eight days
3 later - on 16 December 2009, enclosing a one-page photocopy headed “*What happens next?*”,
4 described in the letter as “*an information leaflet explaining the various processes*” - and asking me for
5 a telephone number on which I can be contacted. I took delivery of the letter on the 24th, and replied
6 on [28 December 2009](#). This was followed by total silence.
- 7 13. On [2 February 2010](#), I sent a letter to Sir Paul Stephenson, [Alan Johnson, my MP, Sir Malcolm](#)
8 [Rifkind](#), and the [Parliamentary and Health Service Ombudsman](#) (re. a [12 July 2009 complaint](#)
9 against the Court Service). I headed my letter with “*When am I due to be killed?*”. I justified my header by
10 asking whether their total silence was in expectation of my “*not having long to live*”, as they were all
11 aware that I have received a death threat “*Enjoy your life. You don’t have long to live*”.
- 12 14. The next correspondence was a letter from Crispin Lee, Detective Inspector, Directorate of
13 Professional Standards, Prevention and Organisational Learning Command – dated [21 January 2010](#)
14 - posted two weeks later, on 4 February 2010. Hence, on the day that my 2 February 2010 letter was
15 delivered to (among others) Sir Paul Stephenson’s Office. Of course, DI Lee does not refer to my
16 letter - mentioning only my [2 December 2009](#) letter to Sir Paul Stephenson and Alan Johnson.
- 17 15. I replied to DI Lee on [18 February 2010](#) taking each point of his letter in turn, which included his
18 decision “*to apply to the Independent Police Complaints Commission (IPCC) to dispense with your*
19 *complaint... because I consider that you made your complaint more than 12 months after the alleged*
20 *misconduct without good reason... that your complaint has been made only because you have been*
21 *unable to obtain the result that you desire through the Public Access Office...*”. I asked whether DI
22 Lee was (1) “*expecting the IPCC to exempt Kensington & Chelsea police from compliance with the*
23 *Data Protection Act 1998?*” (2) “*expecting the IPCC to turn a blind eye to what I report?*”. I stated
24 that I was copying my letter to the IPCC, with a covering letter dated [18 February 2010](#).
- 25 16. In its [22 February 2010](#) letter ‘the IPCC’ gave me a one week ‘window of opportunity’ to reply to ‘its’
26 letter, unbelievably (given events) asking me “*to provide a sound explanation as to why it should*
27 *consider my complaint...as more than 12 months have passed since the events took place*”. I was
28 denied the opportunity to reply as the letter had very clearly been withheld at my PO Box.
- 29 17. Precisely one week later, in ‘his’ [2 March 2010](#) letter, ‘the IPCC Casework Manager’ wrote: “*The*
30 *IPCC also considers that your complaint is an abuse of the complaints procedure because the*
31 *misconduct complaints system does not exist in order for changes to be made to old crime reports.*
32 *An application to the Information Commissioner might be a more appropriate way to address this*
33 *issue, if there is any way to address it*”. Evidently, ‘the IPCC’ (like the police ‘Professional Standards:
34 Steve McSorley and DI Lee) does not consider Kensington police’s failure to comply with the legal
35 requirements under the Data Protection Act 1998 as amounting to “*misconduct*”.

36 Under the DPA, you have 21 days, from the day of receipt, to comply with this Notice.

37 Should you fail to comply with my demands, the enclosed [66-page document](#) and this letter will be
38 supplied in support of the Particulars of Claim.

39 I will also ask that you issue the judge with the full, un-redacted three reports.

40 I reserve my rights in full.

41 Yours sincerely,

42 N Klosterkotter-Dit-Rawé

43 Enc. [66-page supporting document](#)



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