

**THE NOVA SCOTIA FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT
(MUNICIPAL)**

A REQUEST FOR REVIEW of a decision of the **NEW GLASGOW POLICE SERVICE** to deny access to parts of a police investigation file.

REVIEW OFFICER: Darce Fardy

REPORT DATE: September 17, 2004

ISSUE: Whether disclosing the names included in a police investigation file would harm law enforcement or be an unreasonable invasion of the individuals' personal information.

In a Request for Review under **Part XX of the Municipal Government Act** (the MGA), dated July 15, 2004, the Applicant asked that I recommend to the **New Glasgow Police Service** that it disclose the records he asked for in their entirety.

Background:

The Applicant has for some time been in dispute with the Department of Community Services over social assistance. He brought his complaint to the New Glasgow Police Service and subsequently asked the police for copies of all records related to an investigation of his complaint.

The police provided him with copies of all relevant records but severed the names of police officers, and other members of the public service.

The police said it severed the names from the records because of past experiences it has had with the Applicant. **Section 480(1)** of the MGA requires a municipality to refuse to disclose personal information of an individual if disclosure were an unreasonable invasion of that individuals personal privacy.

Conclusions:

Because the names severed belong to public figures who are already known to the Applicant it is my view that disclosing the names would not constitute an unreasonable invasion of their personal privacy.

Recommendations:

I recommend that the New Glasgow Police Service provide the records sought by the Applicant without severing names.

Section 493 of the Act requires the responsible officer to make a decision on these recommendations within 30 days of receiving them and to notify the Applicant and the Review Officer, in writing, of that decision. If a written decision is not received within 30 days, the New Glasgow Police Service is deemed to have refused to follow these recommendations.

Dated at Halifax, Nova Scotia this 17th day of September, 2004.

Darce Fardy, Review Officer