



## **F06-08-MS                  Victim of Dog Attack Demands Witnesses' Names**

A victim of dog attack made an access request to a municipal police force for the records contained in the police file created as a result of the attack. The police released all of the requested records, including the attacking dog owner's name because it was already known to the applicant, except the names, addresses and telephone numbers of any witnesses or suspects. This information was withheld under section 22(3)(b) of the *Freedom of Information and Protection of Privacy Act*, which authorizes the withholding of personal information if it was compiled and is identifiable as part of an investigation into a possible violation of law.

We determined that the applicant was only looking for the contact information of the dog owner and not the witnesses' information. The applicant said he needed the contact information to start a court action against the owner for damages to the applicant's dog, which had also been injured.

We concluded the police were justified in withholding the owner's contact information. The applicant felt he needed that information to start a court action. Our inquiries with the Small Claims Court about the court process revealed that contact information for a defendant is not needed to start a court action. The information would be needed to serve documents on the defendant, but a plaintiff can ask a judge to order disclosure of contact information for that purpose. We discussed this with the applicant, who expressed satisfaction.