

File n° 99 18 58

BREAKENRIDGE, Richard Anthony

and

MARFURT, Heidi

Applicants

V.

VILLE DE SAINT-HUBERT

Respondent

DECISION

The request for review

Mr. Breakenridge and Ms Marfurt requested from the Police Department of the *Ville de Saint-Hubert* (the "City") in a letter dated September 8, 1999, information on various topics relating to their concerns that the Saint Hubert Police Department had placed them under surveillance, had received complaints about them, and that they were the object of industrial espionage and assassination attempts by third parties.

The person in charge of access, M^e Carmen St-Georges, replied on October 1st, 1999 stating that they had incident reports concerning Mr. Breakenridge dating from 1986, 1987, 1988 and 1991. However, she stated that she could not give Mr. Breakenridge entire access to these documents since they contain nominative information. She requested that Mr. Breakenridge forward a cheque made out to the City so that she could send him the documents.

The applicants requested the *Commission d'accès à l'information* (the "Commission") to review this response on October 22, 1999.

The treatment of the request by the City and subsequent procedures

On February 14, 2000, M^e St-Georges sent all the documents that the City had in its possession and which she felt were encompassed by the request. However, the applicants persisted in maintaining their request and a hearing was scheduled at Hull for January 22, 2001. This hearing was postponed indefinitely at the request of the applicants.

In preparation for the Commission's eventual decision, M^e St-Georges sent the Commission on January 11, 2001, a detailed affidavit of three pages, accompanied by some sixteen different groups of documents, some of which are copies of the documents which are the object of the request for review and others which are copies of her correspondance with the applicants. In the affidavit she explained her attempts to comply with the applicants' requests. She stated that to the best of her knowledge all information concerning the applicants as requested had been released. A copy of all these documents and the affidavit were sent at the same time to the applicants.

On December 10, 2001, the Commission wrote to the applicants, asking for reasons justifying the continued treatment of their file. They replied in a letter dated January 17, 2002, that the City was continuing to withhold information on them and they asked the Commission to order the City to stop destroying the information it held on them.

The decision

The applicants believe, without giving any substantiated reasons, that the City still holds a variety of information on them and continue to request access. However, the person in charge of access for this public body has clearly stated that all relevant information has been given to them.

Having examined the numerous documents released to the applicants and taking into account the sworn affidavit of the person in charge of access for the City, I come to the conclusion that there is no further information which the City can release to the applicants.

CONSEQUENTLY, THE COMMISSION:

DISMISSES the application and

CLOSES the file.

JENNIFER STODDART
Commissioner

Montreal, August 5, 2002