



F06-02-MS Wallet Stolen, Woman's Credit Rating Goes South

Identity theft has reached pandemic proportions. Shredder sales have been very brisk in the last few years as people take whatever precautions they can to protect their personal financial information from dumpster-diving thieves. And if your wallet goes AWOL, you may need to report the loss of your cards without delay to avoid serious consequences.

A thief stole a woman's wallet and used her credit cards and other ID to obtain funds. To add insult to injury, the fraudulent use of her documentation damaged the woman's credit rating. To prove she had been victimized and re-establish her credit rating, she asked her municipal police department for copies of their records relating to the theft and subsequent fraud.

The police refused her request and told her the records were outside the scope of the *Freedom of Information and Protection of Privacy Act*. Section 3(1)(h) of FIPPA provides that the Act does not apply to records relating to a prosecution if all proceedings relating to the prosecution have not been completed. The woman asked our office to review the police force's decision.

Once we confirmed that the charges were still outstanding, it was clear that the position of the police department was correct. However, once we explained to the department the difficulties the woman was encountering as a result of the theft, they agreed to give her certain court documents that were public records. They also, with the agreement of Crown counsel, sent the woman a letter confirming the manner in which she had been victimized.