

# REQUESTS FOR CUSTOMER INFORMATION



**SaskTel** 

2015 TRANSPARENCY REPORT

# REQUESTS FOR CUSTOMER INFORMATION

As a telecommunications company and broadcaster of TV services, government and police agencies within and outside the province contact SaskTel requesting information about our customers. This report is designed to provide more detail on the number and different types of requests we receive.

Our customers' privacy is important to us, and that is why we issue this report annually. SaskTel is an open and honest company and we believe our customers need to know what kinds of information are provided/not provided.

Last year, June 30, 2015, Innovation, Science and Economic Development Canada released voluntary Transparency Reporting Guidelines to assist organizations to maintain the balance between openness and sharing of their personal information, while respecting the work of law enforcement, national security agencies, and regulatory authorities. Although SaskTel has not added new categories in this year's report, we intend to follow the Transparency Reporting Guidelines in 2016.

At the outset, we want to emphasize that we comply with Saskatchewan's privacy laws and take active steps to protect our customers' information. There is a team of people within SaskTel that have a mandate and directive to proactively manage privacy on a day to day basis.

All requests that SaskTel responds to require, as a pre-requisite, a legal basis for making such a request. For example, many of the requests we receive are to respond to court orders from law enforcement agencies. In addition, we receive requests from government departments who are authorized by statute to request information to enforce laws like the Income Tax Act. We also assist police services in emergency life threatening situations or where there is an ongoing investigation concerning child exploitation.

The majority of requests we receive are to confirm a customer's current listed name and address, information commonly found in telephone books. It should be noted that legal and policy changes impact the number of requests, such as the *R. v. Rogers Communications*, known as the "Tower Dump" court case. The demand for information is solely due to the number of investigations government and law enforcement agencies need to conduct.

We do deny requests for customer information. Except for court orders, SaskTel will refuse to provide the information if we believe the request is vague or not supported by statute. Even court orders undergo a review.

## BREAKDOWN OF 2015/2014 REQUESTS

Request Type	2014	2015
1. Customer name and address look up	889	382
2. Court orders	69	94
number of persons with data disclosed	5,447	2,508
3. Freedom of Information and Protection of Privacy (Excluding Child Sexual Exploitation)	949	413
4. Federal/provincial government formal demands	185	90
5. Emergency requests	4,616	3,582
6. Child sexual exploitation	31	57
7. Requests denied	61	32

# TYPES OF REQUESTS

## 1. Customer name/address look up

These requests are to confirm a customer's name and address where the information is listed in the telephone directory or that may be found in Directory Assistance.

*Example: When provided with a name and address, we will confirm whether or not the person is a SaskTel customer. If provided with a listed phone number, we'll provide the listed name and address of a customer. Any information not listed in the telephone directory requires a court order to be released.*

## 2. Court order/warrant

A court order includes production orders, summons, subpoenas and search warrants issued by a judge or other judicial officer. The information shown in the report displays court orders and the number of customers impacted. Many court orders request information concerning more than one customer. It compels SaskTel to provide information listed on the court order or to assist police in some manner, such as setting up a wiretap.

*Example: Customer account information like name and address, non-published phone number, payment history, billing records, long distance records or text message detail records or in many cases simply customer name and address.*

## 3. Freedom of Information and Protection of Privacy

These requests, made by police, are made pursuant to Saskatchewan provincial privacy law and require certification that a lawful investigation is being conducted.

*Example: Police have a cell phone number and request the name or address of the account holder.*

## 4. Federal or Provincial Government demands

Some laws such as the Customs Act or Income Tax Act compel SaskTel to provide customer information to the requesting agency.

*Example: Customer account information such as payment history, billing records or similar records.*

## 5. Emergency requests from police in life threatening situations

SaskTel does assist police services in emergency life threatening situations such as missing person(s) cases, individuals in distress or in cases where a person has called 911 and hangs up. After normal working hours these requests are handled by SaskTel's Network Operations Center.

*Example: Helping locate someone with a cellular phone and providing contact details for someone who has contacted emergency services and may be unable to communicate.*

## 6. Child sexual exploitation emergency assistance requests

SaskTel assists police during child exploitation investigations.

*Example: Confirming the jurisdiction and availability of records when provided with an IP address so that police can get a search or arrest warrant to stop the sexual exploitation of a child. (Note: Cases involving possession of child pornography now require a court order unless there is concern that a specific child is at imminent risk.)*

## 7. Requests for information declined

Yes, we do decline requests for information.

*Example: A request for a non-published number would be declined if the request was made and did not have approval of a court or other judicial officer.*

# QUESTION + ANSWERS

## **Why does SaskTel disclose customer information?**

Like all telecommunications companies that provide services, we are required by law to assist agencies for purposes such as enforcing criminal law, protecting public revenue and safeguarding national security.

We also provide assistance to emergency services agencies for reasons such as responding to life threatening situations or dealing with matters relating to emergency calls. We only disclose customer information in accordance with the law, and we assess all requests for information to ensure they comply with the law.

## **Can I find out if my information has been disclosed to a Government agency?**

Yes. Where an access to information request has been made by our customer, SaskTel would seek the permission of the agency to disclose the information that has been released.

## **Do you notify your customers when police request their personal information?**

No. SaskTel is not permitted under court orders to notify customers if a request for their personal information has been made by police. Customers are not notified for lawful requests made by federal or provincial government agencies.

## **Does SaskTel have a dedicated group for responding to data requests from government agencies?**

Yes. SaskTel does have a dedicated group for responding to data requests from government agents and police. They are experts in the whole area of security, and are intimately familiar with investigative techniques.

## **Does SaskTel receive money or other forms of compensation in exchange for providing information to government agencies?**

No. SaskTel did not receive compensation for providing information to government agencies. Some services are chargeable and permit SaskTel to recover the cost of performing the work to meet the request.

<http://www.sasktel.com/wps/wcm/connect/afd85294-2b3c-476c-a9fd-75869c23537a/110-16.pdf?MOD=AJPERES>

## **Does SaskTel have geo-location information that you may have collected about me, my devices, and/or associated with my account?**

Yes. SaskTel does not provide customers with geo-location services but does create such information in order to route calls over our wireless network, for example. This information would only be released to police under a court order or in an emergency situation.

## **Do you provide metadata or direct access to customer databases?**

No. SaskTel does not provide metadata (without a court order) or direct access to our databases in any event. We only provide the information we are required to provide, and this information is retrieved directly by SaskTel employees.

## **Does SaskTel receive request for information in civil cases?**

Yes. Release of information would be subject to a court order or with the written consent of the person whom the personal information concerns.

# QUESTION + ANSWERS

## **How often does SaskTel receive requests?**

SaskTel does not control the volume of information requests. The volume is determined by the total number of active police investigations and investigations underway by federal or provincial government agencies that have legislative authority to request customer information from SaskTel.

## **What agencies can request customer information from SaskTel?**

The following may not be an exhaustive list since many statutes may have investigative authority that we haven't dealt with:

RCMP, police within the meaning of the Police Act, Canadian Security Intelligence Service, Departments of: Environment, Highways, Liquor and Gaming, CN and CP Police, Canadian Parks, Chief Coroner, Ombudsman, Consumer Protection Branch, Saskatchewan Financial Services Commission, Canada Revenue Agency, Canada Border Services Agency and Enforcement of Maintenance Order Act.