



ROGERS COMMUNICATIONS
REQUESTS FOR CUSTOMER INFORMATION |

2013
TRANSPARENCY
REPORT



INTRODUCTION

As a communications company, government and law enforcement agencies approach Rogers looking for information about our customers. This report is designed to provide more details on the number and types of requests we received in 2013.

We fully comply with Canadian privacy law and take active steps to safeguard our customers' information. At the same time we are compelled by law to respond to federal, provincial and municipal government and law enforcement agencies when they have a legally valid request – like a search warrant or court order.

The requests we receive are to respond to warrants and orders from law enforcement agencies. In addition, we receive requests from government departments who are authorized to request information to enforce laws like the Income Tax Act. We also assist police services in emergency life threatening situations.

About half of the requests we receive are to confirm a customer's name and address, which we respond to so police do not issue a warrant to the wrong person. Otherwise, we only provide customer information when forced by law or in emergencies after the request has been thoroughly vetted. If we consider an order to be too broad, we push back and, if necessary, go to court to oppose the request.

Our customers' privacy is important to us and that is why we are issuing this report. We believe more transparency is helpful and encourage the Government of Canada to issue its own report on these requests.

Sincerely,



Ken Engelhart
Chief Privacy Officer

WHY AND HOW WE RESPOND

Canadian law governs how we protect private customer information and how government and law enforcement agencies can compel us to provide it to them:

- > The *Criminal Code* and other laws allow government and law enforcement agencies to require us to provide customer information.
- > The *Personal Information Protection and Electronic Documents Act (PIPEDA)* covers both how we protect customers' information and how we disclose it.
- > The CRTC Confidential Customer Information Rules (CRTC Rules) set out circumstances under which customer information – other than name, address and listed numbers, which can always be provided – may be disclosed to third parties including law enforcement agencies.

Our Privacy Policy and Terms of Service outline how we safeguard customers' information under these laws and rules. We only give out private customer information when required by law or in emergencies and after the request has been thoroughly vetted. See Type of Requests below and our Frequently Asked Questions (FAQs) for more information.

BREAKDOWN OF 2013 REQUESTS

The statistics below represent the total number of requests we received last year. If we consider an order to be too broad, we push back and, if necessary, go to court to oppose the request.

Customer name/address checks	87,856
Court order / warrant	74,415
Government requirement letter (compelled to provide under a federal/provincial law)	2,556
Emergency requests from police in life threatening situations	9,339
Child sexual exploitation emergency assistance requests	711
Court order to comply with an international Mutual Legal Assistance Treaty request	40
Total	174,917

Notes:

1. These statistics include the following scenarios: (a) The information requested was provided; (b) Partial information was provided; (c) No information was provided because it doesn't exist or the person is not a Rogers customer; and (d) We rejected the request or successfully fought it in court.
2. These statistics do not include informal requests such as phone calls from law enforcement looking for information they would require a warrant for. These requests are rejected because there is no legal authority and no formal response is provided.

WE RECEIVED SIX TYPES OF REQUESTS

1. Customer name/address checks:

Legal authority: PIPEDA and CRTC Rules permit confirming basic information like name, address and listed phone number. **Details:** These requests are to confirm a customer's name and address, which we respond to so police do not issue a warrant to the wrong person. **Examples of info provided:** When provided with a name and address we will confirm whether or not the person is a Rogers customer and when provided with a listed phone number we'll provide the name and address of a customer. IP address is not provided.

2. Court order/warrant:

Legal authority: Issued under the *Criminal Code* or other laws. **Details:** A court order or warrant includes production orders, summons, subpoenas and search warrants issued by a judge or other judicial officer. It compels us to provide customer information to police or other authorities or to attend court to provide evidence/testimony about customer information. **Examples of info provided:** Customer account information like name and address, payment history, billing records, or call records.

3. Government requirement order:

Legal authority: Issued under laws such as the Customs Act or Income Tax Act. **Details:** An order that compels us to provide customer information to the requesting agency. **Examples of info provided:** Customer account information like payment history, billing records, or call records.

4. Emergency requests from police in life threatening situations:

Legal authority: The *Criminal Code* and PIPEDA. **Details:** We assist police services in emergency life threatening situations such as missing persons cases and individuals in distress. **Examples of info provided:** Helping locate someone with a cell phone and providing contact details for someone who has contacted emergency services and may be unable to communicate.

5. Child sexual exploitation emergency assistance requests:

Legal authority: The *Criminal Code* and PIPEDA. **Details:** We assist police during child exploitation investigations. **Examples of info provided:** Confirming a customer's name and address when provided with an IP address so that police can get a search or arrest warrant to stop the sexual exploitation of a child.

6. Court order to comply with a Mutual Legal Assistance Treaty request:

Legal authority: Issued under *Mutual Legal Assistance in Criminal Matters Act*. **Details:** We don't respond to requests from foreign agencies, but we do advise them to have their country's justice authority contact the Department of Justice Canada. If that country has a treaty or convention with Canada, the request is processed by Canadian authorities and an order may be issued by a Canadian court to gather evidence. We're compelled to provide customer information to the police or other authority in Canada conducting the investigation. **Examples of info provided:** Customer account information like payment history, billing records, or call records.

FREQUENTLY ASKED QUESTIONS

1. Which agencies have requested information?

We get requests from many different agencies, including:

- > Federal agencies like the Royal Canadian Mounted Police, Canadian Security Intelligence Service, Canada Border Services Agency, and Canada Revenue Agency
- > Provincial and municipal agencies like police forces and coroners

2. Do you provide metadata or direct access to customer databases?

No, we do not provide metadata without a warrant, or direct access to our customer databases. We only provide the information we are required to provide and this information is retrieved by our staff.

3. How many times did you provide info? Do you ever reject law enforcement requests?

Our statistics represent the total number of requests we received last year. If we consider an order to be too broad, we push back and, if necessary, go to court to oppose the request.

4. How much do you charge for requests?

For most court-ordered responses for customer information, we assume all costs associated with providing a response. In some cases, we charge a minimal fee to recover our costs based on the work required to comply with requests.

5. Do you fight for customers' privacy rights?

Absolutely, if we consider an order to be too broad, we push back and, if necessary, go to court to oppose the request. Our customers' privacy is important to us and that's why we're issuing this report. We believe more transparency is helpful and encourage the Government of Canada to issue its own report on these requests.

6. How long do you keep customer information?

We only keep information for as long as it's required for business purposes or as required by law. For example, we are required by law to keep customer bills for seven years. We don't keep our customers' communications like text messages and emails because our customers' privacy is important and we don't need this information.

HELPFUL LINKS

- > Canada's [Personal Information Protection and Electronic Documents Act](#)
- > Rogers' [Terms of Service](#) and [Privacy Policy](#)
- > Public Safety Canada's [Annual Report on the Use of Electronic Surveillance](#)