

TELUS Transparency Report

2013

TELUS is a national telecommunications company, and as such, law enforcement agencies and government organizations regularly contact us to request specific information about our customers. This transparency report, our first, was created to provide TELUS customers and the general public with information regarding the numbers and types of information requests we received in 2013, and to provide insight into our internal practices and overall approach to complying with or challenging these requests. This report covers TELUS' telecommunications businesses, including wireline, wireless and Internet. We plan to issue this report annually.

The discussions taking place in Canada regarding transparency reporting will help to shape the future privacy landscape in Canada. Respecting our customers' privacy is an important principle of TELUS' Customers First philosophy, and with this in mind we are pleased to contribute to the evolution of the privacy dialogue with the release of this report.

One noteworthy fact this report brings to light is that more than half of all requests we received last year were in emergency situations where someone's life, health or security was threatened. We will, for example, work with agencies such as the Coast Guard and Search and Rescue, providing them the location of a device belonging to a customer who is lost while boating or hiking. Another specific example of an emergency situation occurred in July 2014, where a police agency in Alberta contacted us minutes after a car was stolen with a young child still in the back seat. We were able to help track the location of a wireless device left in the car, and within an hour the car was located and the child was found unharmed.

We handled almost 57,000 such calls last year – an average of almost 156 a day. While customer privacy is of critical importance, it is equally important we acknowledge the crucial role information plays in helping Canadians in a crisis.

Approximate Numbers of Requests from Government Organizations in 2013*

Court Orders/ Subpoenas** Court Orders 3,922 Subpoenas 393	4,315
Court Orders to comply with a Mutual Legal Assistance Treaty (MLAT) request	2
Customer Name and Address Checks	40,900
Emergency Calls	56,748
Internet Child Exploitation Emergency Assistance Requests	154
Legislative Demands	1,343
TOTAL	103,462

* TELUS has calculated these numbers based on how requests are recorded in our systems. We note that this may or may not be consistent with how other telecommunication services providers calculate the number of requests they receive in these categories.

** TELUS measures the number of requests in this category based on numbers of court orders or subpoenas received, rather than the number of impacted subscribers. Most court orders and subpoenas request information with respect to more than one TELUS subscriber.

The types of requests TELUS receives

Court Order/ Subpoena

Description:

An order or subpoena is a legal demand signed by a judge directing TELUS to provide customer information. The information may be associated with any of our TELUS services, including wireline, wireless or Internet. Most orders and subpoenas require TELUS to provide historic information, such as telephone records. A small minority of the court orders require TELUS to provide real-time information; for example, the content of a telephone call (by means of a wiretap) or the location of a cell phone. Court orders obtained by law enforcement agencies are often referred to as “warrants”.

Of the 4,315 orders and subpoenas received in 2013, TELUS provided partial or no information in approximately 40% of the instances*. This was largely due to our limited retention periods which resulted in the requested information no longer being available. In many cases, TELUS challenged an order on the ground that it was either defective or overreaching. Most challenges involved asking a law enforcement agency to reduce the amount of customer information to be provided by TELUS pursuant to the order, so that the agency would receive only the information actually required for its purposes. In some cases, TELUS has gone to court to challenge orders which we believed to be overreaching.

*This estimate was derived by sampling records maintained by TELUS' Corporate Security department.

Applicable law:

Criminal Code of Canada.

Court orders to comply with a Mutual Legal Assistance Treaty (MLAT) request

Description:

These requests take the form of a court order issued by a Canadian court pursuant to the Mutual Legal Assistance in Criminal Matters Act. Typically, these are requests for aid from a law enforcement agency in another country related to a criminal investigation, and require an order from a Canadian court. We don't respond to requests that come directly from foreign agencies, but will provide information if ordered to by a Canadian court.

Applicable law:

The Mutual Legal Assistance in Criminal Matters Act.

<p>Customer Name and Address Checks</p>	<p>Description: Requests to provide basic customer information, such as customer name and address. These are usually done in order to identify an individual associated with a telephone number. Previously, it was understood that such disclosure was permitted under Canadian law and TELUS' service terms. However, in light of the recent decision of the Supreme Court of Canada in the case of R. v. Spencer, TELUS has changed its practice and now requires a court order for customer name and address information, except in an emergency or where the information is published in a directory.</p> <p>Applicable law: Personal Information Protection and Electronic Documents Act (PIPEDA), CRTC rules with respect to customer confidentiality; see also applicable TELUS Service Terms and customer Privacy Commitment.</p>
<p>Emergency Calls</p>	<p>Description: These are usually urgent requests for help locating or assisting an individual where their life, health or security is at risk. For example, TELUS will provide police or other emergency responders with location information for a wireless device belonging to someone who is lost or in danger. In these cases we only provide the information needed to respond to the emergency.</p> <p>TELUS is the incumbent local exchange carrier (the traditional home phone service provider) in British Columbia, Alberta and Eastern Quebec and is responsible for providing technical support for 911 services in those areas. TELUS handles a large number of calls from 911 call centers (32,618 in 2013) and local police and other emergency responders (24,130 in 2013) in order to support 911 and emergency services.</p> <p>Applicable law: PIPEDA and CRTC rules with respect to customer confidentiality.</p>
<p>Internet Child Exploitation Emergency Assistance Requests</p>	<p>Description: In response to police requests, TELUS disclosed the name and address of a customer using an IP address to help the police investigate a case of online child sexual exploitation. Previously, it was understood that such disclosure without a court order was permitted under Canadian law and TELUS' service terms. However, the Supreme Court of Canada in the Spencer case (referred to above) has ruled that such disclosure requires a court order, except in an emergency. Accordingly, TELUS has amended its practices in this regard.</p> <p>Applicable law: PIPEDA, Criminal Code of Canada.</p>
<p>Legislative Demands</p>	<p>Description: A request for information by a government body, where TELUS is required by applicable legislation to provide the information. For example, pursuant to the Income Tax Act, the Canada Revenue Agency may require TELUS to disclose certain customer information.</p> <p>Applicable law: Any federal or provincial legislation that authorizes a government body to request information from TELUS</p>

When does TELUS fulfil requests for customer information?

TELUS will provide customer information to law enforcement agencies or other government organizations where authorized or permitted by our service terms, customer Privacy Commitment, a valid court order or other applicable laws.

More than half of the disclosure requests we received in 2013 related to emergency situations. The information provided ranged from simply providing the street address of a customer who called 911, to more complex information requests such as locating a wireless device belonging to someone who was lost or in difficulty.

When will TELUS challenge a court order?

TELUS will challenge any court order that we believe goes beyond what a judge is authorized to order under applicable legislation, such as the Criminal Code. For example, TELUS recently challenged a general court order obtained by a law enforcement agency requiring the provision of text message data on a nearly real-time basis, and successfully pursued the matter all the way to the Supreme Court of Canada. The resulting Supreme Court decision enhanced the privacy rights of TELUS customers and other Canadians.

What is the process for responding to information requests?

TELUS has a process for carefully assessing information requests received from law enforcement agencies and other government organizations:

- A request is received and logged by TELUS' Corporate Security department.
- A specially trained and authorized TELUS Security team representative reviews the request to ensure it has been correctly prepared and is legally valid. In the case of emergency calls, this involves obtaining confirmation that the situation involves an imminent risk to an individual's life, health or security.
- If the representative has any concerns, those concerns are brought to the attention of a supervisor, TELUS' legal department, or the agency or organization, as appropriate, for resolution.
- Once the representative is satisfied that the request is valid, they will take appropriate steps to properly respond to the information request. For example, this could include searching relevant TELUS databases for the requested information.

Frequently Asked Questions

1. How long does TELUS keep my information?

TELUS keeps customer information only as long as necessary to comply with the law and to fulfill our business purposes. For example, TELUS retains copies of customer bills for approximately seven years to satisfy legal requirements. TELUS also retains call detail records for billable calls made by our customers on our network for a period of up to 14 months for network management and billing purposes. As another example, TELUS retains logs of Internet Protocol (IP) addresses for a period of 90 days for network management purposes.

2. What legislation applies to the protection of customer privacy?

TELUS' telecommunications businesses are governed by the federal Personal Information Protection and Electronic Documents Act (PIPEDA) and by rules prescribed by the CRTC with respect to customer confidentiality.

This report covers TELUS' telecommunications businesses, including wireline, wireless and Internet.

3. Does TELUS charge for providing information in response to requests?

TELUS is allowed to recover some costs for complying with certain types of information requests, but not others. TELUS bears most of the cost of complying with the types of requests referred to in this report.

4. How do you strike the right balance between protecting your customers' privacy rights and fulfilling these information requests?

We take great care to safeguard personal information and ensure that our customers' privacy and confidentiality are preserved wherever possible. While some people may think that telecommunications companies hand over customer information to law enforcement agencies and government organizations without question, TELUS challenges information requests when we believe the request goes beyond what is lawful. We only release confidential customer information when we are satisfied it is appropriate to do so.

5. What is the difference between a court order and a subpoena?

A court order requires TELUS to provide customer information or to assist the police in conducting some activity; for example, intercepting a communication or tracking the location of a cell phone. A subpoena requires a representative of TELUS to bring some customer records to court and, if necessary, to provide oral testimony with respect to those records.

6. Why have you decided to release a Transparency Report?

The discussions taking place in Canada regarding transparency reporting will help to shape the future privacy landscape in Canada. Respecting our customers' privacy is an important principle of TELUS' Customers First philosophy, and with this in mind we are pleased to contribute to the evolution of the privacy dialogue with the release of this report.

7. Will you be producing Transparency Reports in the future?

We plan on releasing Transparency Reports annually.

For more information about TELUS' privacy practices, visit our website at

<http://about.telus.com/community/english/privacy>

For more information about our Corporate Social Responsibility Report 2013, visit

<http://csr.telus.com/en/>



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