

Requests for customer information.



INTRODUCTION

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 are issuing this report. SaskTel is an open and honest company and we believe our customers need to know what kinds of information are provided or not provided.

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 who 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 name and address, information commonly found in telephone books.

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 2013 REQUESTS

Request Type	2013
1. General – Listed Customer Name and Address	1,582
2. Court order	4,139
3. Freedom of Information and Protection of Privacy (excluding child sexual exploitation)	896
4. Federal/provincial government formal demands	233
5. Emergency requests (after-hours by operator services)	718 3,993
6. Child sexual exploitation	49
7. Requests denied	247

WE RECEIVED SEVEN 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.

2. Court order/warrant:

A court order includes production orders, summonses, subpoenas and search warrants issued by a judge or other judicial officer. It compels SaskTel to provide information listed on the court order or to assist police in some manner, such as setting up a wire tap.

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 persons 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 a SaskTel Operator.

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 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. (Note: In 2014, cases involving possession of child pornography will now require a search warrant, as a result of a Supreme Court decision, unless there is concern that a specific child is currently at 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.

Q&A

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 agents?

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 does 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 geolocational information that you may have collected about me, my devices, and/or associated with my account?

Yes. SaskTel does not provide customers with geolocational 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 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. 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.

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, Residential Tenancies Act.