

2018 Rogers Transparency Report

Introduction

Since 2013, Rogers has published the details of the number of requests for customer personal information¹ received from law enforcement and government agencies. This year, we have made some changes to the report, including the addition of a new section on the number of requests made by customers for access to their data.

Through a team of dedicated law enforcement support professionals, we carefully analyse every request we receive for customer information. We only disclose information when required by law or in emergency situations. We work closely with the requesting agencies to amend and minimize the scope of certain requests when we feel it infringes on our customer's privacy, as defined and governed by the Personal Information Protection and Electronic Documents Act (PIPEDA). The importance of protecting and respecting customer privacy remains a top company priority and the reporting of this information is firmly embedded within our organisation².

A Game Changer

Anyone with an interest in data protection knows the game has changed when it comes to personal data and there is no turning back. Customers are more educated than ever before on privacy matters and aware of their rights to access their information. People are demanding more transparency about how their personal information is managed by those they entrust it to. This report seeks to address that customer demand. We want our customers to know the lengths we go to protect their personal information.

Corporate Citizenship and Effective Collaboration

As a large Canadian communications company we understand the important role we play in society and we are steadfast in our commitment to public safety. We have strong relationships with all relevant law enforcement and public safety agencies, including provincial police forces. Open dialogue is the most productive way to find a reasonable balance between maintaining public safety and protecting our customers' privacy. Our Lawful Access Response team reviews all requests for information. They have found that requesting agencies have a much better understanding of what information they are entitled to than they did five years ago. Their requests are more tailored and targeted. This makes our job easier and allows us to respond more effectively.

Key Changes to the 2018 Report

We continually work to improve the content of this report. This year we removed the year-on-year comparisons. This measure did not provide a true comparison because our customer base number is always changing. Additionally, the requests we receive are a function of external events that are beyond our control. If you remain interested in the data from previous years, those reports are accessible online. We also updated the descriptors related to what information we have shared or did not share with law enforcement. Previously we categorised the data into two buckets: rejected or disclosed. As we rarely reject a request outright, this categorisation needed to be clarified. This year we have broken down the requests into three buckets: fulfilled, not fulfilled or partially fulfilled. When a request is not fulfilled, it is often because of errors in the request, the telephone number in question does not belong to Rogers, or the data simply does not exist.

Customer Access

To help round out the full picture of transparency, for the first time this year, we are publishing details of the number of requests we receive from customers for access to their own data. Under PIPEDA, this is a customer right and one that we are obligated, by law, to fulfil. When our customers exercise their right to access their information, we work diligently to fulfill these requests.

In Closing

“Customer privacy and data protection are under the spotlight in a way that I have never experienced. In the past two years, public opinion polls have shown that concern for privacy is consistently in the 90th percentile! Companies are now under immense pressure to do far more in this area. I respect the time and effort that Rogers has invested in publishing this Annual Report. It represents their commitment to protecting their customers' data - it also sets a high bar for other companies contemplating doing more, with regard to reporting on transparency.”

– Dr. Ann Cavoukian, three-term Information and Privacy Commissioner of Ontario, now leading the Global Privacy & Security by Design Centre, and Senior Fellow of the Ted Rogers Leadership Centre at Ryerson University.

Thank you for taking an interest in our report. As privacy continues to be top of mind for Canadians, Rogers remains committed to protecting customer information and disclosing in detail how we do this. We greatly appreciate the recognition from key stakeholders for our work in this area. If you have any questions about this report, please contact our Privacy Office at privacy@rci.rogers.com.

Sincerely,

Deborah Evans
Chief Privacy Officer
Rogers Communications

¹ Customer personal information includes name, contact information such as mailing address, billing and payment records, information about the services received from Rogers and related usage.

² This report covers the Rogers, Fido and chatr brands.

Breakdown of 2018 Requests

- Fulfilled ³
- Not Fulfilled ⁴
- Partially Fulfilled ⁵

Requests from Law Enforcement and Government Agencies

Totals⁶



Fulfilled 136,803 | Not Fulfilled 2,122 | Partially Fulfilled 8,324 | Total 147,249

Court Order/Warrant ⁷

A court order or warrant includes production orders, summonses, subpoenas, and warrants issued by a judge or other judicial officer. These are issued under the Criminal Code. It compels us to provide customer information to police and other authorities, or to attend court or to provide evidence testimony about customer information.



Fulfilled 130,745 | Not Fulfilled 1,774 | Partially Fulfilled 4,012 | Total 136,531

Government Requirement Letters

An order issued under legislation such as the Customs Act or Income Tax Act that compels us to provide customer information to the requesting agency.



Fulfilled 1,405 | Not Fulfilled 134 | Partially Fulfilled 579 | Total 2,118

Foreign Requests

We don't respond directly to requests from foreign agencies. We do advise them to have their national justice authority contact the Canadian Department of Justice. If there is a treaty or convention in place between the two countries, a request can be processed by Canadian authorities and an order issued by a Canadian court. In such a case, we are compelled to provide customer information to the authority in Canada that is conducting the investigation.

Not Fulfilled 41 | Total 41

Emergency Requests from Law Enforcement Agencies

We assist police services in emergencies, such as missing persons' cases and individuals in distress.



Fulfilled 4,653 | Not Fulfilled 173 | Partially Fulfilled 3,733 | Total 8,559

Emergency Responder Requests from 911

We assist police services in emergencies, such as missing persons' cases and individuals in distress.



Fulfilled 63,104 | Not Fulfilled 224 | Partially Fulfilled 16,302 | Total 79,630

Tower Dumps⁸

Total Tower Dump Production Orders/Warrants



Fulfilled 167 | Not Fulfilled 18 | Partially Fulfilled 21 | Total 206

Number of Phone Numbers Released

Total 733,863

Actual Name and Address Provided

Total 43,894

Customer Access Requests

Rogers is obliged under PIPEDA to provide customers with access to their personal information.

The most common request that our office receives relates to requests for a customer's call detail records. This information includes details of the time and date of numbers dialed and text messages sent and time and date of calls and texts received. Our system stores this information for 13 months. We do not store the contents of any calls or messages, nor are we able to provide details on the numbers associated with incoming calls or texts without a court order. This is in order to protect the privacy of third parties.

Emergency Disclosure

Total 45

Under PIPEDA, when we disclose customer information to law enforcement or public agencies when we believe a customer is a threat to themselves or someone else in we are obligated to notify the customer of that disclosure.

Requests for call detail records (CDRs) – Fulfilled

Total 105

This is a combination of customers looking for call, text or cell tower ID.

Requests for call detail records (CDRs) - Not Available

Total 789

This is a combination of customers seeking i) content of emails, texts, and/or personal phone calls, ii) web history, iii) calls or texts delivered by 3rd party application and iv) call detail records that are more than 13 months old.

Requests for call detail records (CDRs) - Withdrawn

Total 523

These requests are withdrawn based on cost or the requestor not wanting to obtain a court order for incoming records.

³ Fulfilled - We provided all the information requested.

⁴ Not fulfilled - There was no information available to provide, the number does not belong to Rogers, the form is filled in incorrectly, etc.

⁵ Partially Fulfilled- Some information was not available and we provided what was available.

⁶ We measure the total requests based on the number of impacted customers. For example, one Court Order that requests information on 10 customers counts as 10 requests. Emergency responder requests from 911 are not included in the total as we will always respond to these requests to the best of our ability. However, emergency requests from law enforcement agencies are included in the total because there is an interpretive role in such requests and there are instances where customer data is not provided.

⁷ This total does not include the number of customers impacted by tower dumps.

⁸ A tower dump is a technique used to identify all devices that were utilised in the coverage area of a cell site during a defined period of time.