

# Access My Info: An application that helps people create legal requests for their personal information

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## ABSTRACT

In the summer of 2014, the authors released *Access My Info* (AMI), a web application that simplifies the process of creating legally justified requests for access to personal information held by data operators. AMI's release was part of a larger effort to encourage Canadian telecommunications service providers to be more transparent about the personal information that they disclose to state agencies and other third parties. Tens of thousands of Canadians are estimated to have used AMI to request access to their personal information. Our proposed talk will describe the motivation, design, implementation, and impact of the *Access My Info* tool.

## Categories and Subject Descriptors

[Security and privacy]: Human and societal aspects of security and privacy; [Social and professional topics]: Computing / technology policy—*Surveillance*

## General Terms

Privacy, Surveillance, Access to Information, Software

## 1. INTRODUCTION

While advocacy groups have used petition-based campaigns to show popular support for surveillance reform,[2] we took a different approach. Ours involved designing and implementing a web application that made it easy for individual to generate and issue legally compelling requests for access to their personal information held by Canadian telecommunications providers. The application was part of a broader effort to render Canadian telecommunications surveillance more transparent to the public, politicians, and policy analysts.[7]

Canada's commercial privacy law, the Personal Information and Electronic Documents Act (PIPEDA), empowers Canadians to request access to their personal information which is held by commercial actors, and which have a significant connection to Canada. These "right to information" (RTI) requests – similar in principle to "subject access requests" in the European Union – require companies to provide the requested information to the requester within 30 days<sup>1</sup> at little or no cost to the requester.

Individuals' RTI requests help them make informed decisions about their personal comfort in using a given company's product or service. Such requests can help customers

<sup>1</sup>Or 60 days with an extension

to better understand their data footprint with an operator than they would normally by simply reading the opaque legalese of privacy policies and end user license agreements, so long as the data operator provides a complete response. Access to information is arguably a fundamental right in a democratic society[1] – people need to have knowledge in order to rationally respond to events around them.

Since 2011, Canadians have learned that their telecommunications records had been routinely, and in bulk, accessed by state agencies. In 2014 they learned that the agencies also included Canada's foreign signals intelligence agency, the Communications Security Establishment.[5] Following the CSE revelations, academics and privacy advocates wrote open letters and editorials calling for increased transparency by government and private corporations. Neither party said much concerning the extent to which government was accessing telecommunications data, nor the rationales for why. In light of the reticence of companies to publish "transparency reports" or otherwise explain the government's access to telecommunications data, we hypothesized that RTI requests could obtain some answers from companies about their data retention, management, and disclosure policies and also function as a means for Canadians to demonstrate their concerns about how their data was handled.

## 2. DESIGNING A REQUEST LETTER

The first stage in our design process was to develop an RTI request template that Canadians could complete and submit to their telecommunications provider. Working with legal experts, we authored the template[6] to be clearly-worded, legally sound, and tailored to provide Canadians with access to their personal information as well as let them learn about how their data was used, retained, and disclosed.

Our request letter template was one of many research instruments used in a broader project to understand telecom information handling practices.[7] The template requests access to a variety of personal data that a telecom could be in a position to collect, and also asks clarifying questions about the company's collection, use, retention, and disclosure of that data. For instance, to learn about disclosures of personal information, the letter asked for "information about disclosures of my personal information". To understand for how long and what personal data telecommunications companies store in technical logs, the letter requests access to "all logs of IP addresses associated with [me]". By reviewing the timeframe of the provided logs, requestors can determine whether logs are routinely deleted after a certain retention period has passed.

### 3. DESIGNING AMI

We created a step-by-step web application to help people generate and send customized RTI requests in order to reduce the challenge in creating the requests.<sup>[3]</sup> As a result, it became relatively easy for Canadians to file their own requests. *Access my Info* was conceived.

AMI<sup>2</sup> guides users through a process of selecting the company from whom they would like to request their data, the company's services to which they subscribe, inputting their account details for each of the services, and finally, inputting their contact information. This user input is then programmatically inserted into our RTI request letter, and a compiled version is subsequently presented to the user for viewing and sending directly to the chosen company's privacy officer. The letter can be saved as a PDF and printed for postal mail, or sent as an email using their own mail client via a mailto link with pre-filled **to**, **subject**, and **body** fields.

AMI does not automatically send the request to the company on the user's behalf. We decided against this so that AMI would be viewed as an assistive tool for users to exercise their legal rights and not as a petition tool. It is up to the tool's users to exercise their autonomy and take the final step to submit their request to the company. We believe this decentralization enhances the legitimacy of each citizen's request in the eyes of a company.

While we developed AMI to enhance our telco-specific project, we recognized the value that such a tool could have on other industries, and potentially in other jurisdictions with similar rights of access. We therefore designed AMI to be easily extensible. The specific data that users could request is programmatically linked to an industry category, which in turn is linked to a set of companies, each with their own privacy contacts. It is not difficult to create new instances of a data operator category, data attributes of interest, and a set of companies for that category.

While it would be helpful to measure AMI's successes and to analyze how different companies responded to requests, AMI does not collect any user inputted data. All user input and processing thereof is performed within the user's web browser; it is a wholly clientside application.

### 4. CASE STUDY: CANADIAN TELCOS

We released AMI through a collaboration with Canadian activist group Open Media<sup>3</sup>. Its release was covered by the Canadian Press, which contributed to its usage by Canadians. While we do not know exactly how many requests have been filed, due to the tool's zero-knowledge design, in conversations with telco executives, we have learned that large companies received up to tens of thousands of requests via the tool. Some companies' legal teams were overwhelmed.

Open Media invited users who had elected to be contacted about the project to complete a short survey. Several users shared with us copies of the responses they received. We also had off-the-record conversations with telecom industry professionals. By analyzing these data we discovered several key findings.<sup>[4]</sup> Companies responded to written requests in a variety of manners (telephone, email, courier, regular mail). Some companies attempted to influence requesters to drop their request, or accept informal answers over the telephone. Companies often used words like "collection" in a

wide variety of ways, leading to confusion as to a company's actual practices. Different companies responded in widely varying levels of detail; our strategy of asking access to very specific information to answer specific policy questions met with varying success across companies. All companies stated they were legally unable to inform Canadians whether or not they had provided the requester's personal information to law enforcement, though companies' rationales differed. Finally, there was a variety across companies when discussing the expense and timeframe associated with responses.

Subsequent to the release of AMI, Canadian telecom companies began publishing transparency reports that addressed some of the questions asked in our RTI template. While AMI was only one of many influences which led to these publications, we believe that by repeatedly addressing very pointed questions in RTI letters, companies could appreciate that publishing much of this information in the form of transparency reports would be simpler and likely reduce the number of subsequent requests received.

### 5. DISCUSSION

The release of *Access My Info* and our associated efforts to enhance transparency into Canadian telecommunications companies' practices were not without limitations. Canadians were largely disappointed with the data they received from their providers. While AMI makes it simple for Canadians to issue requests, the system does not support requesters *after* request creation. There was no support for people with questions about what they received, or those in need of guidance on negotiating with a company. AMI could benefit from treating the request process as an entire lifecycle.

Future work on AMI would seek to address the above issue, as well as developing RTI request templates for a variety of other industries, and incorporating them all into a unified interface. We furthermore are exploring opportunities to implement the tool in other legal contexts, to comparatively assess right to access responses, in areas with differing sociopolitical dynamics that shape citizens' relationships with companies and governments.

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<sup>2</sup>*Access My Info* can be found at: <https://openeffect.ca/ami>

<sup>3</sup><https://openmedia.ca>