

May 20th, 2020, Paris, France

To the European National Data Protection Authorities (EU + EFTA), the European Data Protection Board, the European Data Protection Supervisor, the Lichtenstein, Swiss, Norwegian and Icelandic relevant authorities, and to whom it may concern.

**On the matter of Apple's
massive collection of recordings and data**

Dear Madam/Sir,

I am writing this statement to inform you of massive violation of the privacy of millions of citizens that I have witnessed in the course of my work assignment for Apple.

Between 13th May 2019 and 16th July 2019, I was hired by Globe Technical Services, one of Apple's subcontractors, in Cork, Ireland. In this context, I was assigned to the Siri transcription project (called "Bulk Data"). The aim of this project was to listen to the recordings received from Apple devices in France and correct the transcriptions of Apple's vocal assistant (Siri).

I listened to hundreds of recordings every day, from various Apple devices (e.g. iPhones, Apple Watches, or iPads). These recordings were often taken outside of any activation of Siri, e.g. in the context of an actual intention from the user to activate it for a request. These processings were made without users being aware of it, and were gathered into datasets to correct the transcription of the recording made by the device.

The recordings were not limited to the users of Apple devices, but also involved relatives, children, friends, colleagues, and whoever could be recorded by the device. The system recorded everything: names, addresses, messages, searches, arguments, background noises, films, and conversations. I heard people talking about their cancer, referring to dead relatives, religion, sexuality, pornography, politics, school, relationships, or drugs with no intention to activate Siri whatsoever.

Furthermore, other workers were employed on another project (called "Development data"). In the context of this project, words were tagged in the recordings to be linked to users' data, such as their phone contacts, locations, or music. In other words, staff assigned to the project had access to personal user information, and used it to be able to link it to Siri commands. This means that users' playlists, contact details, notes, calendars, photos, maps, etc. were gathered in huge data sets, ready to be exploited by Apple for other projects.

Offices working on these projects also existed in many other cities across Europe (such as Paris or Barcelona) where several hundreds of people were assigned to the same tasks, in many different languages, over extended periods of time.

All over the world, people had their private life recorded by Apple up to the most intimate and sensitive details. Enormous amounts of personal data were collected, stored and analyzed by Apple in an opaque way.

These practices are clearly at odds with the company's « privacy-driven » policies and should be urgently investigated by Data Protection Authorities and Privacy watchdogs. With the current statement, I want to bring this issue to your attention, and also offer my cooperation to provide any

element substantiating these facts. Although this case has already gone public, Apple has not been subject to any kind of investigation to the best of my knowledge.

People talk to Siri on a daily basis, fooled into thinking it is a friendly AI. It is clearly not. Siri can act as a spy, whose ability to “answer” and “interact” with the user depends on millions of previous recordings reviewed and corrected by humans. Contrary to what most people might think, it is also humans who tag these recordings to identify what Siri has to do.

In this context, Apple issued a statement on 28th August 2019¹ where they announced that they would *start to improve* their users' privacy, thus tacitly acknowledging that they were using illegal recordings before. Nothing has been done to verify if Apple actually stopped the programme. Some sources already confirmed to me that Apple has not. I believe that Apple's statements merely aim to reassure their users and public authorities, and they do not care for their user's consent, unless being forced to obtain it by law.

It is worrying that Apple (and undoubtedly not just Apple) keeps ignoring and violating fundamental rights and continues their massive collection of data. I am extremely concerned that big tech companies are basically wiretapping entire populations despite European citizens being told the E.U. has one of the strongest data protection laws in the world. Passing a law is not good enough: it needs to be enforced upon privacy offenders.

It is a matter of public interest to disclose the fact that several millions of people were, and still are possibly being recorded, in violation of their most basic rights. It is of utmost importance that European citizens know what information these companies are collecting about them. Each one of them, including the millions of people who were recorded, should have the right to know if and how they were recorded by Apple, both as customers, and as citizens.

For these reasons, I request that you, as a data protection authority, set out to protect a fundamental right recognized throughout the Union, to take action and investigate Apple's past and present practices (and of other tech companies following the same practices), in order to stop these programmes, disclose the data they have collected and intercepted, and find out what they intended to do with it. Of course, any further sanctions – including fines and bans of processing – to prevent these big companies from initiating any similar programmes in the future should be encouraged.

Several whistleblowers have spoken up, as I have done too, by sharing our experiences with the media. It did not appear to be sufficient to draw the attention of the relevant authorities. Therefore, this public letter is meant to ask authorities to take action and to call upon people who can testify to their experience with Apple, through a public channel or whistleblowing.

This statement will also be shared with the press, and to the organisations protecting our digital rights. By doing so, I am breaching my Non Disclosure Agreement in order to help the authorities investigate and determine whether Apple actually ceased these practices. The risk I am taking will be worth it only if this letter is followed by a proper investigation and action from your side.

I trust you understand that the privacy of millions of people is at stake and that your action is crucial to protect it.

Sincerely,

Thomas Le Bonniec

¹*Improving Siri's privacy protections*, Apple Statement, August 28, 2019
<https://www.apple.com/newsroom/2019/08/improving-siris-privacy-protections/>