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Khaleel Desai
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C/o Royal Courts of Justice
Strand
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By post and email: solicitor.levensoninquiry@tsol.gsi.gov.uk

2 September 2011

Dear Khaleel

**Re: Leveson Inquiry into the culture practices and ethics of the press
Notice under S21 Inquiries Act 2005**

Thank you for your letters of 24 and 25 August, addressed to T-Mobile and Orange respectively, and for providing us with section 21 notices. Both brands are owned by Everything Everywhere ("EE"), and therefore I trust that you will be content to receive a single reply.

We are willing to provide both a statement and documents voluntarily and in the public interest, and we are happy to waive privilege in response to all documents and evidence we provide.


We understand that the section 21 notices are requiring us to provide to the Inquiry Panel redacted documents relating to sub-paragraphs (e), (f) and (g) as detailed in your letter.

We do not believe that the notice, as currently drafted, requires us to search through our records to identify any additional information that has not previously been provided either to the representatives of the Civil Claimants or the Metropolitan Police during 2005 and/or 2006.

We have reviewed files held by our Law Enforcement Liaison team who are dealing with such matters and can confirm that we have received Orders from the legal representatives of some of the Civil Claimants identified in your letter. It should be noted that EE has also received requests for information directly from some of the other individuals you have identified.

I detail below those individuals to whom we have supplied information under Order, or by direct request from themselves:

Claimant 2 – No formal Order received, but correspondence received from Atkins Thomson Solicitors. EE verbally confirmed availability (or lack of) of information as detailed in sub-paragraphs a) to g) of your letter. The only available information that EE has been able to supply relates to customer account notes, and these were supplied after receiving signed customer consent authorising disclosure.

 T-Mobile
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Everything Everywhere Limited
Registered in England and Wales
Registered Office: Hatfield Business Park
Hatfield, Hertfordshire AL10 9BW
Company Number: 06010000
Registered in the Companies Register

MOD100000237

Claimant 3 - Order received from Bindmans LLP. EE confirmed in writing availability (or lack of) of information as detailed in sub-paragraphs a) to g) of your letter. The only available information that EE has been able to supply relates to customer account notes, and these were supplied after receiving signed customer consent authorising disclosure.

Claimant 5 - Order received from Wiggin LLP. EE confirmed in writing availability (or lack of) of information as detailed in sub-paragraphs a) to g) of your letter. No information was able to be supplied.

Claimant 7 - no request received from legal representative, but request received from customer directly to provide certain account details. These details have been supplied direct to the customer where available.

Claimant 12 - correspondence between Orange Legal and his legal representatives in 2006, but copies of this correspondence are no longer held in line with our retention policy.

Claimant 19 - no request received from legal representative, but request received from customer directly to provide certain account details. These details have been supplied direct to the customer where available.

Claimant 20 - request from Atkins Thomson Solicitors for account information in relation to particular mobile numbers. EE identified that none of the numbers provided to us were registered in name of the Civil Claimant, but confirmed to Atkins Thomson that one mobile number is registered to another individual after receipt of signed customer consent authorising disclosure.

Claimant 24 - correspondence received from Atkins Thomson Solicitors. EE advised that the mobile number in question was registered on the O2 network. No further information supplied.

In relation to your specific request to provide to the Inquiry Panel a copy of documents provided to the representatives of the Civil Claimants required by sub-paragraph (e), (f) and (g) detailed in your letter, I can confirm that it has not been possible to disclose any data in relation to these sub-paragraphs due to the following reasons:

- e) Call records only kept for 12 months so no records available for the period in question (2003-2005)*
- f) We did not hold copies of any records supplied to the Metropolitan Police Service under RIPA (as per our company policy)*
- g) As above*

The Legal Representatives of the Civil Claimants have been advised of above.

We have no record of being asked to supply any information to any of the other Civil Claimants identified in your letter.

We would be happy to review notes made by Orange Customer Services representatives during 2005 and/or 2006 in an attempt to identify occasions where a social engineer tried to access a Civil Claimant's account, as those records have not yet been deleted from our systems, but to do this we would need a list of relevant telephone numbers to search. The T-Mobile data retention policy would mean that similar information relating to T-Mobile customers was no longer likely to be available, as these notes are deleted after a period of 18 months. This exercise, though, would need be carried out separately from the information requested by the Section 21 Notice referred to in the letter dated 25th August, and after a definitive list of relevant numbers had been compiled by the Civil Claimants.

With regards to how a mobile phone can be hacked/voicemail accessed/messages deleted remotely, we feel we should make it clear that we don't know for certain how the unauthorised accessing of voicemails was achieved by the offenders (or alleged offenders) in question, we have not been party to the police investigation to that extent, but we believe it was by simply entering the voicemail PIN to remotely access the victim's voicemail. It is our understanding that there was no technical hacking or abuse of network or computer systems to achieve this. To the best of our knowledge, the offenders (or alleged offenders) either guessed the PIN, or entered default PINs which we then operated on our network prior to 2002, or temporary PINs which our customer services staff use to reset customers' voicemail PINs. Some customers chose not to change these PINs.

The offenders (or alleged offenders) may also have used 'social engineering' techniques, whereby they would call customer services and fool the customer services representative (CSR) into changing the PIN. However, it should be noted that both T-Mobile and Orange have robust security controls to validate the identity of the caller to protect customer's accounts and associated personal data. A customer can help prevent such unauthorised access by keeping their PIN secure and regularly changing it.

Over the years, we have continued to review and enhance the security of the T-Mobile and Orange Voicemail services. As the T-Mobile and Orange brands were operated by separate companies until 2010, the security measures that were introduced into each brand were different. Taken together, these measures included:

- Provisioning mailboxes with a random PIN;*
- Preventing users from changing the random PIN to an easily guessable PIN;*
- Sending users text messages to confirm that instructions have been received to change a PIN;*
- Suspending mailboxes when PINs have been entered incorrectly;*
and
- Preventing more than one handset from accessing a mailbox at the same time.*

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In addition to the above, we are also undertaking a major upgrade of our voicemail platforms, and are taking this opportunity to introduce even further enhanced security controls, including requiring customers to reset their PIN during first visit to their Voicemail box after it has been reset by customer services, customers having the option to request a text every time their Voicemail is remotely accessed and sending a text to the customer informing them when their mailbox has been locked following three incorrect PIN attempts.

Earlier this year we provided the House of Commons Home Affairs Select Committee with information about our voicemail security controls, and assume that copies of the evidence that was given to that Committee has already been made available to you.

I hope this reply is sufficient for your immediate needs.

Regards



*James Bienais
VP, Legal*

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