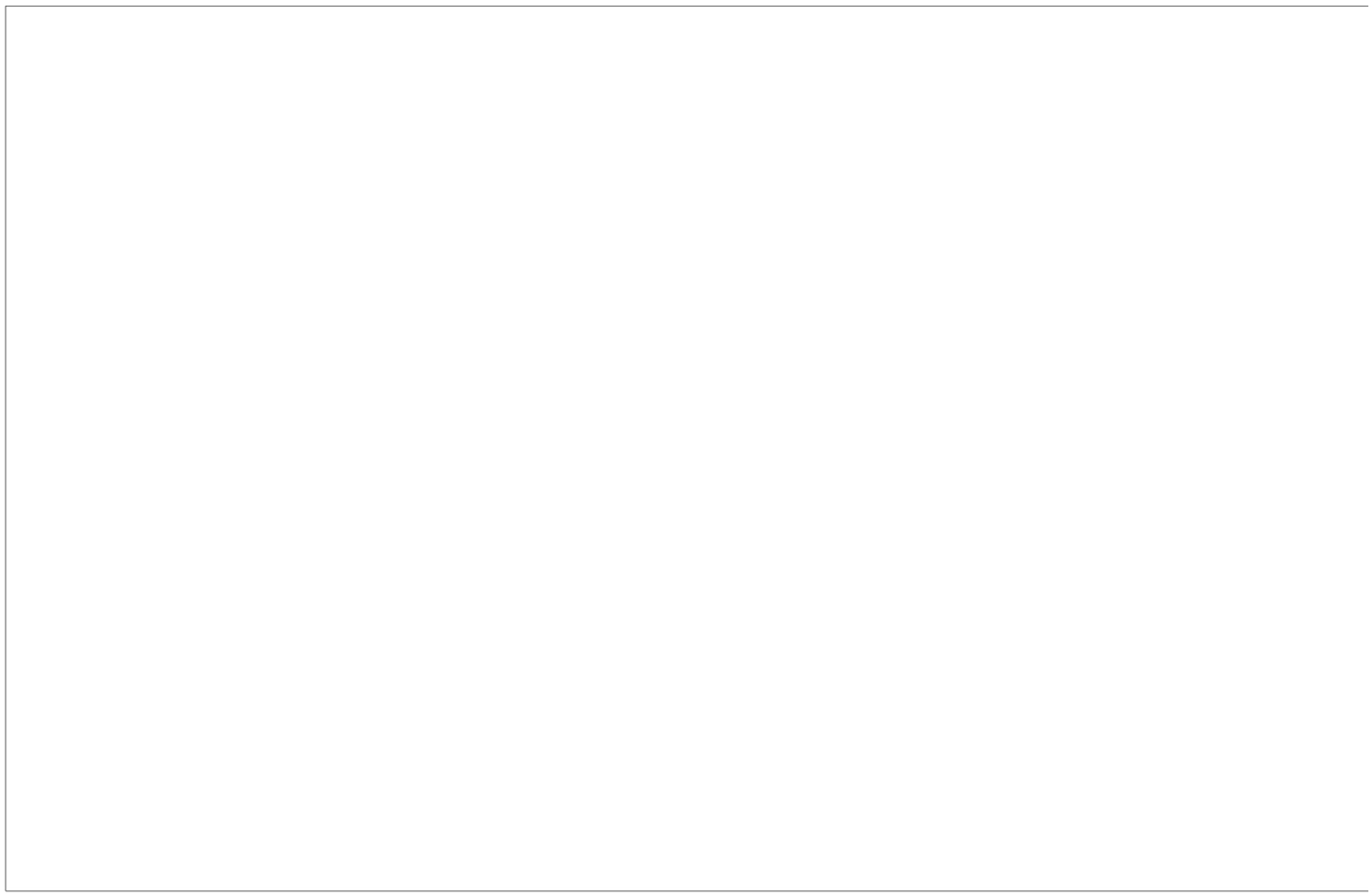

Telefónica

Solicitor to the Leveson Inquiry
c/o Royal Courts of Justice
Strand
London
WC2A 2LL

30.09.2011

By Registered Post and Email: solicitor.levesoninquiry@tsol.gsi.gov.uk

Dear Sir,

Re: Leveson Inquiry into the culture, practices and ethics of the press

We write in response to your letter of 24 August 2011 and apologise for the delay in this response, which has been discussed with the Assistant Solicitor. Unfortunately the address on your letter was incorrect so it took some time to reach the correct department.

We adopt the definitions used in your letter.

1. Documents provided to the representatives of the Civil Claimants

You have asked that Telefónica UK Limited (**"Telefónica"**) provide you with copies of the documents that it has disclosed to representatives of the Civil Claimants in accordance with the Order made by Mr Justice Vos on 13 May 2011.

To clarify the position, Mr Justice Vos ordered that, where one of the Civil Claimants wished to seek disclosure from a mobile network operator (**"MNO"**), they should do so by making an application for a Court Order in the form annexed to Mr Justice Vos' Order. Such an application will be granted by the Court unless there are objections from the relevant MNO.

Mr Justice Vos' Order did not order any of the MNOs to disclose information or documentation. Only where one of the Civil Claimants obtains a disclosure order in respect of an MNO will that MNO be under an obligation to disclose the information and documentation that they hold, which is set out in the order.

Telefónica has been approached by a number of representatives of Civil Claimants requesting that we confirm that we do not object to them applying for a disclosure orders in the form proposed by Mr Justice Vos. In all cases, Telefónica has responded that we have no objection to such an application being made but that, unfortunately, we do not hold the information or documentation being sought, as such information is no longer retained by Telefónica.

In relation to the specific types of documents that you have requested:

i) Call data records are only retained for 12 months, in accordance with the Data Retention Directive;

Telefónica UK Limited 260 Bath Road Slough Berkshire SL1 4DX T +44 (0)113 272 2000 www.telefonica.com

ii) We do not hold any billing data that evidences the accessing of voicemail boxes;
iii) We disclosed some information in relation to Telefónica customers to the Metropolitan Police in 2006, at the Metropolitan Police's request. We have not retained copies of the information disclosed to the Metropolitan Police. We did, however, notify the relevant customers of the issues that were being investigated by the Metropolitan Police at the time. We assume that the Metropolitan Police will still hold the information that was disclosed to them.

To date, none of the representatives of any of the Civil Claimants have pursued a Court Order for disclosure against Telefónica and accordingly Telefónica has not provided any documents to the representatives of the Civil Claimants.

2. **Explanation of how voicemail can be accessed remotely**

You have also asked for a simple explanation of *"how a mobile phone can be hacked/voicemail accessed/messages deleted remotely, and whether there are any technical steps which can be taken... to ensure that hacking/accessing/deletion is made more difficult or altogether impossible"*.

The remote voicemail retrieval service on Telefónica's network is secured with a numerical PIN that can be between four and ten digits long. Remote voicemail retrieval means that a customer can access and delete their voicemail messages using another handset. The PIN is selected by the customer from their own handset. If they do not set a PIN, remote voicemail retrieval using another handset is not possible.

If a customer wishes to access their messages remotely , they can do so by dialling either their mobile number and pressing the * key or, if they have one, dialling their voicemail retrieval number and then entering their PIN in order to retrieve or delete voicemail messages. Entering the PIN incorrectly on more than three occasions will result in the mailbox being locked. Customers also have the facility to enable PIN protection for access to voicemail from their handset (as opposed to remote access). The current protections around voicemail retrieval mean that it is necessary to have access to either (i) the customer's handset (and personal voicemail PIN if one is associated with that particular handset); or (ii) the personal remote voicemail retrieval PIN, in order to retrieve or delete an individual's voicemails.

In the past it was possible for a mailbox to be left with, or reset to, a default PIN and it was possible for the mailbox to be accessed remotely using the default PIN and messages retrieved or deleted. This is no longer possible and customers are forced to set a PIN of their own, otherwise remote access is not available.

Please let me know if we can be of any further assistance.

Yours sincerely

Helen Whitehead
Legal Counsel - Litigation

Telefónica UK Limited