

<http://www.beta.bt.com/bta/forums/message.jspa?messageID=45407#45407>

Poster: Angus Prune Posts: 121 Registered: 8/10/08
Re: BT Webwise Technical Trial Discussion Thread
Posted: Nov 8, 2008 6:40 PM in response to: Mark W Reply

If BT are inspecting all my internet packets, can I trust them?

The purpose of this post is to set the discussion of the current BT Webwise Technical Trial in the context of events from 2006 to the present day.

It seems to me that with respect to the current BT Webwise Technical Trial the issue of TRUST is paramount. There have been a number of key events over the last two to three years where my trust in BT has been sorely tested.

I must trust my ISP as they act as custodians of an enormous amount of my personal data and they act as the (mere?) conduit or carrier of the majority of my private communications. So much of what is private and personal to me goes down that little copper wire attached to my soffit just below the gutter. If my ISP cannot be trusted, then I have no privacy or security. This is particularly important during a BT Webwise Technical Trial.

I also have to trust the postman and all who work for The Post Office/Royal Mail because they act as carrier of so much personal information, bank statements, debit and credit cards, personal letters - they carry it to my door. If the postman cannot be trusted, then I have no privacy or security.

Even without the ongoing BT Webwise Technical Trial, my ISP are in a position of trust. WITH a BT Webwise Technical Trial running, they are even more in a privileged position of trust.

Up until recently, ISP's made a lot of noise about being mere conduits. The ISPA even made public statements to that effect (October 2007),
http://www.ispa.org.uk/news/page_438.html#news
and said that they could not be expected to monitor the content of what went over their networks, that it was not possible, and that it was illegal to do such monitoring or interception. What a lot has changed since then! Enquiries to the ISPA about that statement are met with silence, indeed the ISPA, of which BT is a member have come out firmly in support of Phorm,
<http://www.nma.co.uk/Articles/37294/ISPA+defends+Phorm+as+ICO+conducts+investigation.html>,
which means that the BT Webwise Technical Trial will be doing exactly what the ISPA said it could NOT do, legally or practically, in October 2007 - inspect every packet of data.

The ISPA appear to have forgotten that October 2007 statement, or at least don't like to be reminded of it. Because they don't seem to believe it any more. Nor do BT. ISP's are now apparently quite ready to act as monitors, censors, copyright guardians (when it suits them), and data pimps, using the content of their users' communications as the medium for supplying information to both the music industry, and the government and most recently, to advertisers.

We now face the prospect of having more Phorm supplied, Phorm designed DPI equipment deliberately installed in all of BT's exchanges to monitor every single packet I send over my internet connection, and exploit it for commercial gain. It will also scrape the content of websites I visit, and without those websites' consent, exploit the information they exchange with me, for the commercial gain of BT, Phorm and OIX members, and for the benefit of that website's commercial rivals.

I will leave aside the question of whether this is legal or not. That is being debated elsewhere, not least in Europe. What I want to discuss is the issue of TRUST.

And I am primarily concerned here not with whether I can trust Phorm. That is not my main concern. My concern is with my ISP, BT Retail, for it is they who are the guardians, the custodians of my privacy, and who have my data on trust.

If my ISP has this DPI equipment, monitoring my every communication, inspecting every packet I send, not merely to “manage” the technical side of the provision of the service (the acceptable face of DPI) but to make money out of it through their relationship with a former spyware company, then I need to know that I can TRUST my ISP. The deliberations of Bruce Schneier of BT Global on this subject repay careful examination - although because of his position as an employee of BT Global, he is unable to comment adversely on Phorm and has apparently chosen not to defend it.

http://www.schneier.com/blog/archives/2008/09/bt_phorm_and_me.html

Such silence is comment enough.

As a citizen I am already dismayed to find that a large number of apparently reputable organisations are capable of betraying my TRUST. The BBC and other broadcasters, for example, can betray my TRUST by defrauding me when I take part in a phone-in - even on Blue Peter! My bank can betray my TRUST by losing my personal data. The HMRC and Government Gateway can betray my TRUST by leaving memory sticks in car parks. The MOD can betray my TRUST by lax data security of my late father’s data, at their Personnel department in RAF Innsworth. Each betrayal of TRUST erodes my confidence in these organisations. And of course there is my ISP, who have custody of the data which I exchange electronically with each of these commercial or government organisations. Can I TRUST THEM?

How does BT stand up to a “TRUST audit”?

1) Can I TRUST their technical competence to run Webwise effectively and securely?

BT, guardians of every packet I send down my internet wires, allow personal data to leak out of their Beta forums, including from this technical trial discussion thread, into Google pages, and Google cache.

<http://www.beta.bt.com/bta/forums/thread.jspa?threadID=6962&tstart=0>

This is due, not to a technical glitch, or a hardware failure, but the fundamental design of the forum software and the fact that BT have required users to use their email addresses as the login userID. BT take several days to both find and fix the leaks. Customers had pointed out the risks months earlier.

TRUST?

During the summer of 2008, BT leak cookies from their main www.bt.com site, and when logged-in customers visit the externally overseas hosted 3rd party BT Webwise site, all this cookie information is made available to the 3rd party. Only when customers point this out to BT do they plug the leak.

TRUST?

Dr Richard Clayton points out how easily the Phorm UID and the relevant cookies can be captured by an https site with only minimal technical expertise.

<http://www.lightbluetouchpaper.org/2008/04/22/stealing-phorm-cookies/>

BT and Phorm provide no answer to these challenges about the data security at the heart of the Webwise system but indicate that they are “working on” a cookie free system, although they will not commit to it.

TRUST?

BT announce (September 2008) that the current trial of Webwise uses cookies

<http://www2.bt.com/static/i/btretail/webwise/how-it-works.html>

but so far we can not find a single verifiable instance of a Webwise cookie being set during the trials.

TRUST?

2) We now consider the issue of the ethical stance of BT and how customers come to a view on whether they

can TRUST the integrity of BT - an essential decision which needs to be made by any customer of an ISP planning to travel the DPI road.

Apart from the issue of any non-Webwise TRUST issues pertaining to BT, which are off topic for this thread, there is the sad history of BT Webwise itself which does not inspire TRUST.

Sometime in 2006 or earlier, while Ian Livingstone (the current BT Group plc CEO) was at the helm, BT Retail entered into an arrangement with a company called 121Media,

<http://en.wikipedia.org/wiki/Phorm>

a spyware company with some very dubious products,

http://www.theregister.co.uk/2008/02/25/phorm_isp_advertising/

because they have a plan to make money through behaviourally targeted advertising. They claim to have carried out due diligence on this company but we wonder how much they knew about their activities both in the UK and the USA and the extent of regulatory interest in them. The Webwise plan is hatched. The bean counters suggest it may net BT Retail around £80 Million (using an opt-OUT model).

The CTO of Phorm is a former CTO of BT, Stratis Scleparis.

http://www.phorm.com/about/exec_scleparis.php

TRUST?

2006 - BT carry out a secret trial of Webwise, without the knowledge or consent of customers.

http://www.theregister.co.uk/2008/04/01/bt_phorm_2006_trial/

It involves the interception and modification of customer communications, the injection of javascript into their forum postings,

http://www.bikegirl.co.uk/forum/forum_posts.asp?TID=2418&PN=1

and total silence from BT. They do not tell customers either before or after the trial what has been going on.

The appearance of javascript on forum posts remains a mystery because the one organisation which could have enlightened us, remains silent.

TRUST?

121Media changes its name to Phorm, and produces a logo remarkably similar to that of a design company in Sheffield.

http://www.theregister.co.uk/2008/05/02/phorm_logo/

The new Webwise product, replacing PageSense, shares the name of a TRUSTED BBC project to educate children about internet security and privacy.

<http://www.bbc.co.uk/webwise>

TRUST?

The BT technical report on the 2006 Webwise trials is leaked,

<http://www.wikileaks.org/leak/bt-phorm-report-2007.pdf>

and the full extent of the covert nature of the trial and the meaning of the word “transparency” when used by BT in connection with Webwise, is revealed to the world courtesy of Wikileaks.

TRUST?

2007 - BT carry out a second covert trial of Webwise. Again, they do not tell customers or obtain their consent. Some customers detect the effects of the trial but do not know the reason for what they are seeing, in particular, the browser hijacking via a domain called dns.sysip.net

<http://www.google.co.uk/search?q=dns.sysip.net&ie=utf-8>

When these customers contact BT via the helpdesk, they are given inaccurate information. They are told that they must have a malware infection on their PC's. A business customer on a business connection has to close his business down for some time, while he purchases new computers to make sure that his system is clean and uninfected. BT do not tell him that actually the “malware” is one of their own products. When the story hits the press, BT issue denials of any relationship with Phorm/121Media, and of any knowledge of the domain dns.sysip.net.

http://www.theregister.co.uk/2008/03/17/bt_phorm_lies/

Eventually they change their position and admit both the agreement with Phorm/121Media and the fact that yes, they ARE responsible for the appearance of dns.sysip.net in the browser status bar and logs, and yes, they were responsible for the mysterious forum javascript injections of 2006. And no - they did not obtain customer consent. Statements are made publicly about the dispute with the affected business customer that prove later to be inaccurate. That customer successfully obtains compensation for his loss and inconvenience, suggesting that the customer was right and his ISP was wrong.

TRUST?

A BT spokesperson assures us, by email and TV interviews, of the legality of the product Webwise, and that BT carried out due diligence before the trials. They do not give details or even detailed arguments.

http://www.channel4.com/news/articles/science_technology/bt%20spies%20on%20customers/1933047

But the ICO speaks of technical breaches of legislation in connection with the 2006 and 2007 trials. Independent legal experts declare that in their opinion the Webwise system is illegal.

<http://www.fipr.org/080423phormlegal.pdf>

TRUST?

In February 2008 Phorm Inc make a public announcement about their “agreements” with 3 UK ISP’s. The announcement proves to be somewhat economical with the truth as two of the ISP’s, Virgin Media and TalkTalk/Carphone Warehouse, feel the need to modify it somewhat and dilute the strength of the announcement somewhat.

http://www.theregister.co.uk/2008/05/01/virgin_media_phorm_misleading/

Their logos come and go from the Phorm Webwise webpage. BT announce the commencement of a third Webwise trial

http://www.theregister.co.uk/2008/03/05/bt_phorm_trial/

and for a period of seven months that announcement is repeated with varying degrees of inaccuracy, and the trial does not start as advertised. The trial is - soon, - within 30 days, - has already started, - will be in a few weeks - each of these statements proves to be wrong. Eventually the trial is announced as commencing on September 30th, and involving 10,000 people.

http://www.theregister.co.uk/2008/09/29/bt_phorm_trial_go/

Approximately 3 people surface during the next month who have apparently received the Webwise invitation. One posts on this forum thread, after surfacing on a BT Broadband Anywhere forum announcing problems caused to his mobile device by the interstitial page.

<http://www.beta.bt.com/bta/forums/thread.jspa?threadID=7120&tstart=30>

He is only referred here when a customer provides the url for this thread. BT offer him private email support. No public discussion continues on the BT Broadband Anywhere forum, despite the obvious relevance to customers who might be similarly affected. The announcement of the start of the trial coincides with the announcement of the mid term financial results of Phorm whose share price has fallen spectacularly throughout 2008 after rising sharply on the back of the February ISP agreements announcement.

<http://www.iii.co.uk/investment/detail/?display=news&code=cotn:PHRM.L&action=article&articleid=6919788>

<http://www.iii.co.uk/investment/detail/?display=news&code=cotn:PHRM.L&action=article&articleid=6917292>

Information on the trial is patchy and incomplete. BT fail to answer key questions about significant parts of the trial.

TRUST?

Both Phorm and BT commit early in 2008 to an opt-OUT model. Kent Ertugrul argues for the opt-OUT model vigorously when interviewed on television and in other public appearances.

The financial projections for the Phorm/Webwise model are based firmly on the opt-OUT model. Kent Ertugrul argues that Internet Explorer comes with anti-phishing switched off by default, and that an opt-OUT model is acceptable. BT claim to have done due diligence on the legal aspects of Webwise. CarPhone Ware-

house commit to an optIN model if they adopt Phorm. Virgin stay quiet. BT stick with the opt-OUT model. And Internet Explorer anti-phishing is switched on by default in an upgrade removing at a stroke the main publicly claimed benefit of Webwise.

The ICO next makes a clear statement about opt-IN being an essential legal requirement.

http://www.ico.gov.uk/Home/about_us/news_and_views/current_topics/phorm_webwise_and_oie.aspx

BT alter their trial design to appear to be adopting an opt-IN model, although in fact no choice is offered to the customer about the initial interception of their communications for the invitation, and the continuing interception which occurs even if they opt-OUT. BT refuse to make a clear commitment to an opt-IN model for the final rollout. BT fail to discuss the issue of customer choice around the basic interception of their communications, and they do not discuss the legality or consent attached to the initial presentation of the webwise invitation which constitutes a browser hijack.

TRUST?

FOI requests to various government departments reveal inconsistencies in the dates claimed for various “first contacts” between the government, Phorm and BT over the subject of Webwise.

http://www.theregister.co.uk/2008/08/11/home_office_phorm_bt_foi_dates/

http://www.theregister.co.uk/2008/06/18/home_office_phorm_meetings/

Much of the relevant information about these contacts is withheld from private citizens making FOI requests.

TRUST?

The design of the Webwise invitation page has to be amended AFTER the launch date for the 2008 trial, when a customer points out that key information on the page is missing, information that a senior BT executive promised him would be included.

<http://www.beta.bt.com/bta/forums/message.jspa?messageID=41856#41856>

BT’s explanation that this is due to a scanning error, which missed the relevant sentences because they were at the bottom of the page, fails to take into account the fact that a key asterisk, referencing the “missing” material, has also somehow been missed by the scanner, even though it was at the top of the page. The amended Webwise invitation page is published replacing the earlier one.

TRUST?

BT assure customers and regulators and legislators repeatedly that no personal data is passed to Phorm. Then BT pass personal data to Phorm by using them as data processors for customer enquiries about the Webwise trial via the contact.php page on the BT Webwise site. The form requests a full set of personal data from customers, none of which is relevant to their enquiry or required to answer it. Replies to the enquiries are dealt with via the Phorm company helpdesk. The BT Webwise site is itself hosted outside the EU, by companies who are not registered with the US Safe Harbor scheme. At the time, Phorm have not registered with the ICO as a data processor. Once the facts become public and the ICO is informed, BT decide to repatriate the BT Webwise site to the UK and hand over the data processing to their own bt.custhelp.com team.

TRUST?

The amount of information provided pro-actively to customers about Webwise is minimal. Customers are not emailed about Webwise. Customers are not told about it on the front pages of BT’s own sites, either on www.bt.com or the BTYahoo pages. Webwise is restricted to one thread on Beta forums. The CEO of BT appears unable to let the name of Phorm or Webwise pass his lips

<http://www.dephormation.org.uk/?page=27>

it becomes the elephant in the room at the BT Group AGM. The product that dare not speak its name.

TRUST!

Now then BT - given that you are not in the best of positions with regard to your share price at present, given that Ian (I never mention Phorm or Webwise) Livingston has admitted that BT has ground to make up before things can improve, what do you think BT Retail can do in respect of BT Webwise and this trial, to recover customer TRUST which they forfeited with the BT Webwise Technical Trial(s)?