

Hi 

We have put it in the calendar for 2.00-3.00 on the 28th April.

Look forward to speaking to you then.

Kind regards

Abi



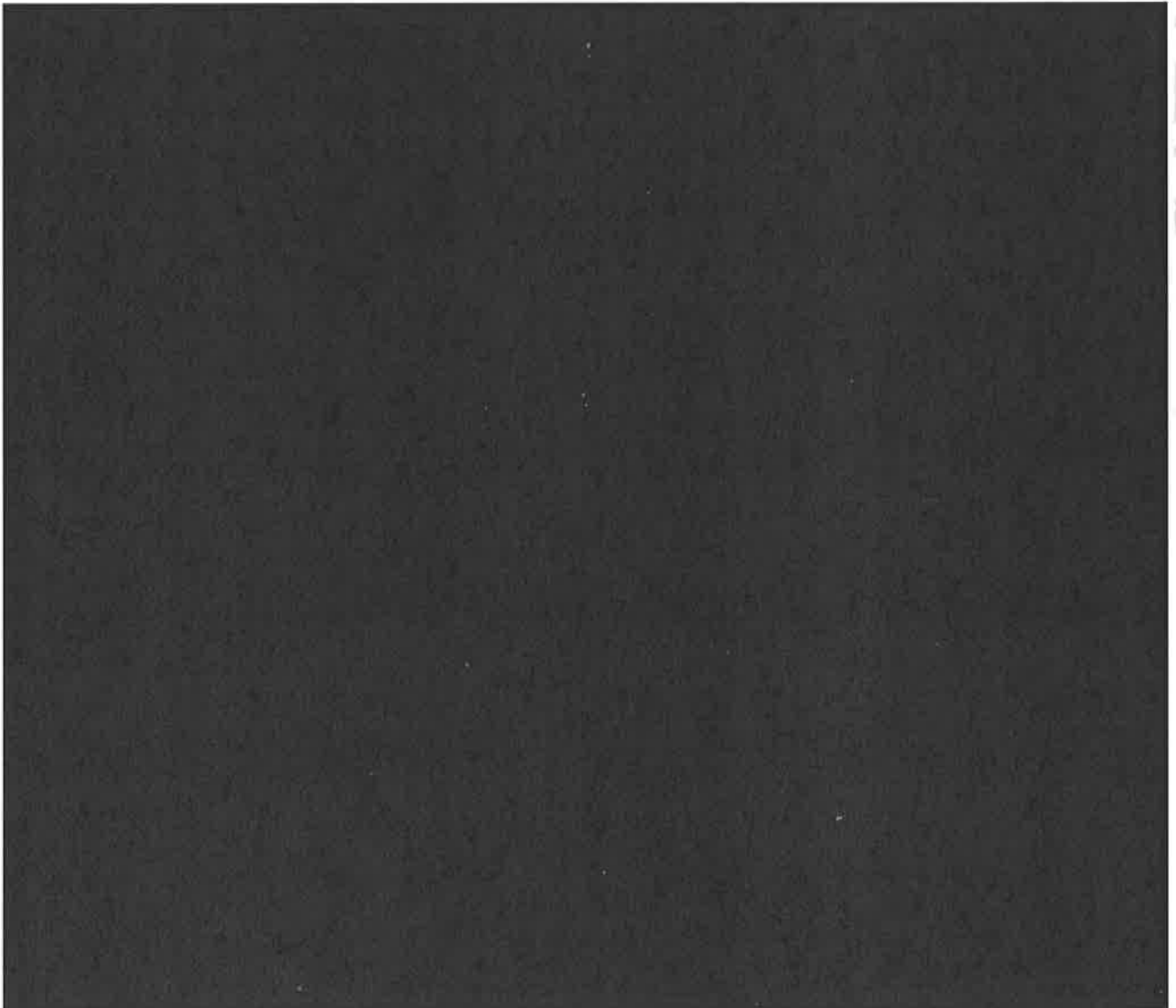
Abigail Saul


Senior Policy Officer □ Strategic Liaison, Business and
Industry Group

Information Commissioner's Office, Wycliffe House, Water Lane,
Wilmslow, Cheshire SK9 5AF

T. 01625 545338 F. 01625 524510 ico.org.uk twitter.com/iconews

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From: Abigail Saul [mailto:Abigail.Saul@ico.org.uk]

Sent: 28 April 2016 16:48

Cc: Garreth Cameron; Simon Rice; Darren Read

Subject: RE: Three's announcement about tackling mobile ads

Hi 

Thank you to you and your colleagues for speaking to us earlier. As discussed, we look forward to hearing from you as the project progresses and have noted Three's intention to seek consent for any product (and from trial participants) and the intention for any product to be a privacy enhancing technology.

Would it be possible to get your colleagues' names (I am conscious I may not be spelling them correctly in our note of the meeting)?

Kind regards

Abi



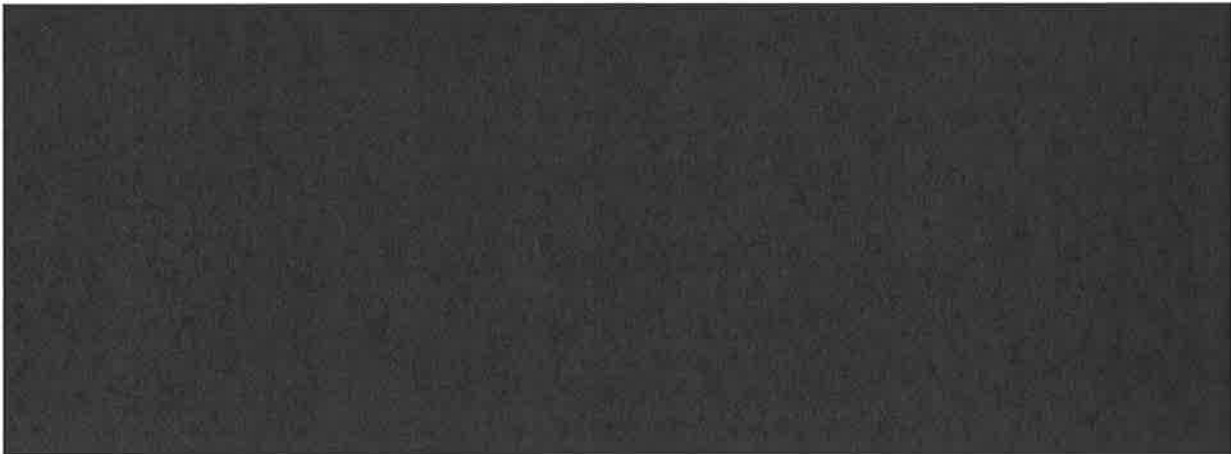
Abigail Saul

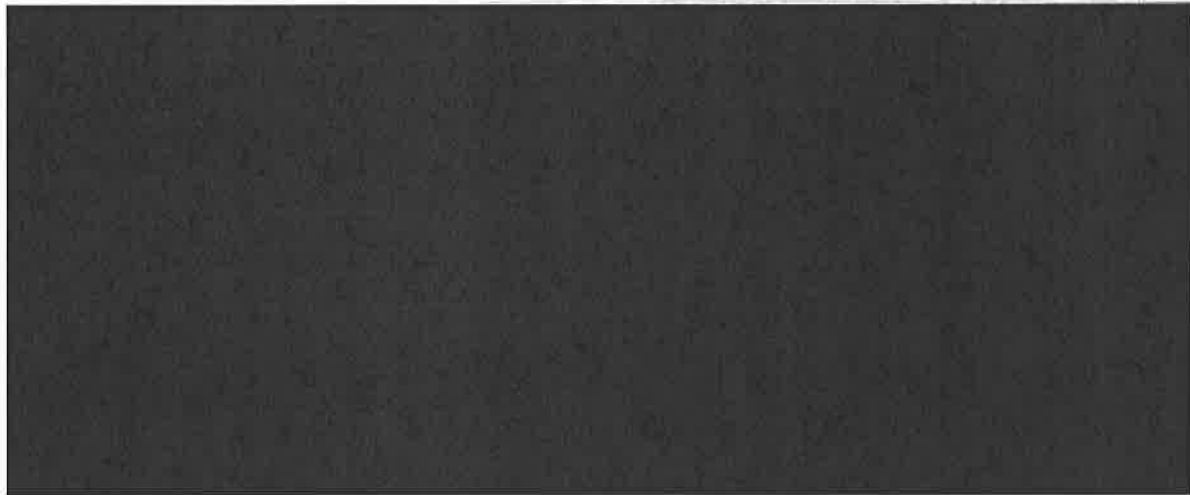
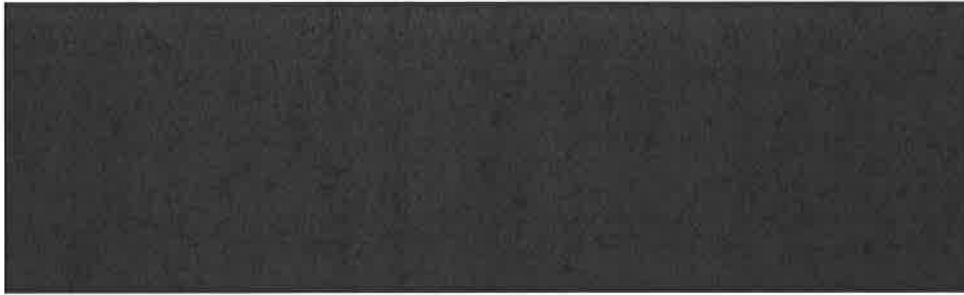
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From: Abigail Saul [mailto:Abigail.Saul@ico.org.uk]
Sent: 06 April 2016 13:53
To: [REDACTED]
Cc: Garreth Cameron; Simon Rice
Subject: RE: Three's announcement about tackling mobile ads

Hi [REDACTED]

The afternoon of the 28th should be fine. If your colleagues can let us know a specific time we can get a call booked in. We can provide a conference call number if needed.

In terms of call content, ideally we would like you/your colleagues to give an explanation of the basis of the project to tackle mobile ads, which we would then use as basis for further discussion around compliance with the DPA and PECR, including a discussion of any privacy impact assessment carried out.

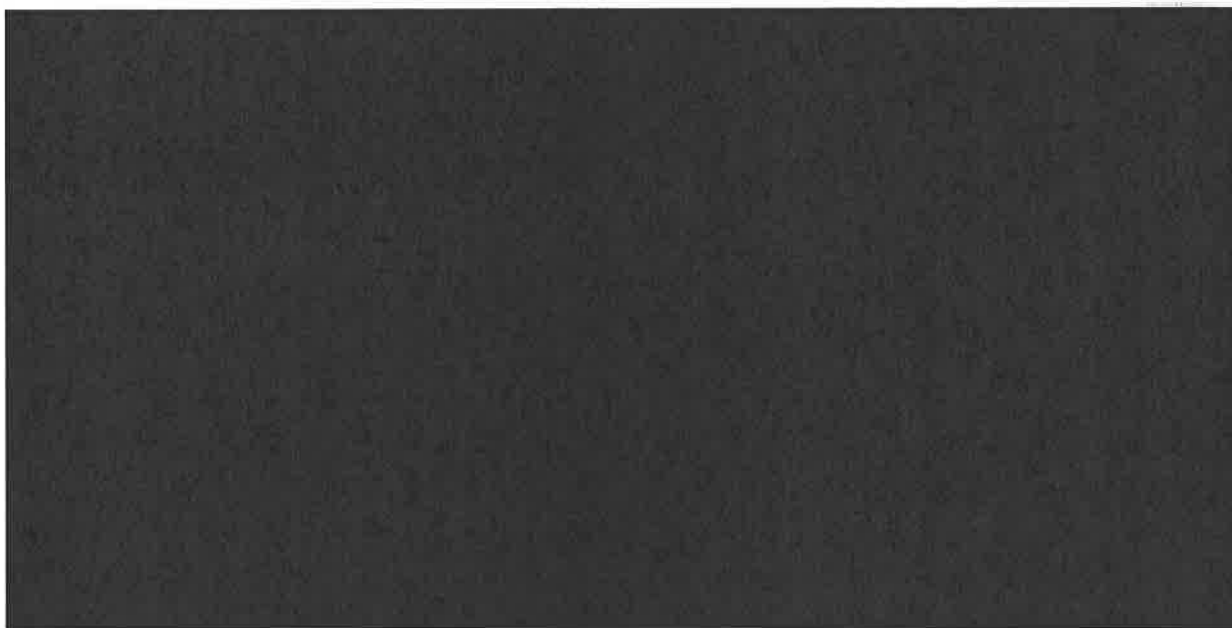
Kind regards

Abi



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From: Abigail Saul [<mailto:Abigail.Saul@ico.org.uk>]

Sent: 06 April 2016 09:04

Cc: Garreth Cameron; Simon Rice

Subject: FW: Three's announcement about tackling mobile ads

Hi [REDACTED]

I just wanted to follow up on our recent contact. Please can you let me have some dates when a call would be possible. I am keen to ensure that we do get something scheduled in for April as discussed below.

Kind regards

Abi



Abigail Saul
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From: Abigail Saul

Sent: 08 March 2016 16:03

Cc: Garreth Cameron

Subject: RE: Three's announcement about tackling mobile ads

Hi 

Thanks for your email below.

I think we had read the press release as announcing a product that was already in existence, rather than referring to a product in early development, and that is why we were seeking the earlier contact.

There is no problem with putting the call after Easter, if that will enable us to have a more meaningful conversation about the intended product. Similarly, if the product/project is still in its early stages, we are probably best holding on to our questions until such time as there is a more concrete product which we can discuss.

If you can forward some dates and times which would suit you, we can get the call arranged. My working pattern is Tuesday-Thursday each week, so I would appreciate it if the call could be on one of those days.

Kind regards

Abi



Abigail Saul

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From: Abigail Saul [<mailto:Abigail.Saul@ico.org.uk>]
Sent: 29 February 2016 13:46
To: [REDACTED]
Cc: Garreth Cameron
Subject: Re: Three's announcement about tackling mobile ads

Hi [REDACTED]

Thanks for getting back to me. I understand regarding the 3rd, obviously we are just keen to get something underway.

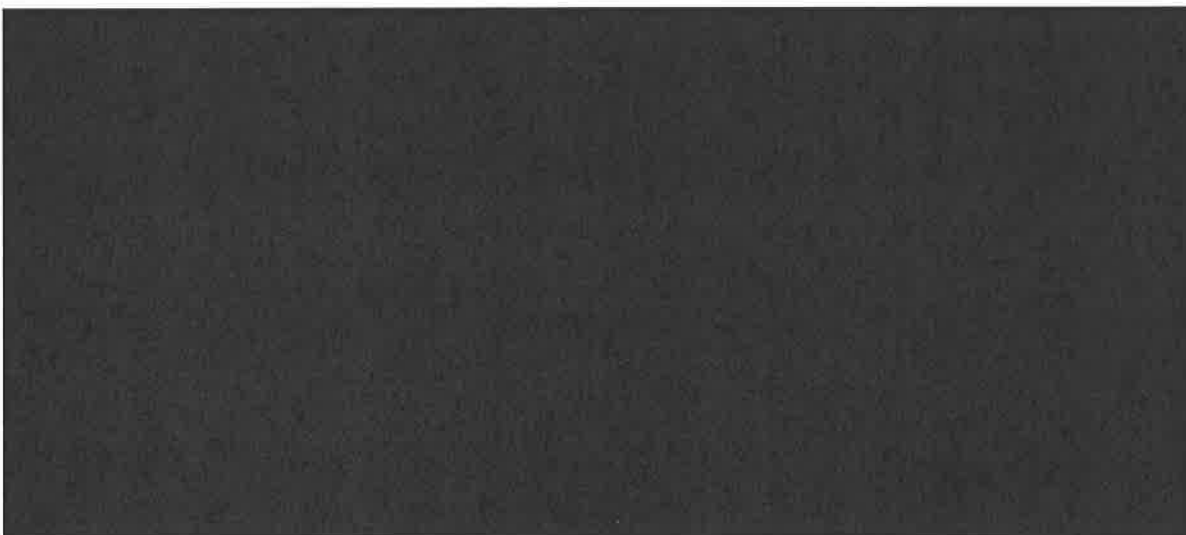
If you could give me a couple of dates (Tuesday-Thursday) in March when you and your colleagues would be able to have a call, I can coordinate with my colleagues this end to get something booked.

[REDACTED] We would like to explore this with you further on the call.

Kind regards

Abi

Abigail Saul
Senior Policy Officer □ Strategic Liaison, Business and Industry Group
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
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From: Abigail Saul [<mailto:Abigail.Saul@ico.org.uk>]

Sent: 24 February 2016 17:22

Subject: Three's announcement about tackling mobile ads

Dear [REDACTED]

I and my colleagues have read with interest Three's announcement (<http://www.threemediacentre.co.uk/news/2016/shine-announcement.aspx>) about taking steps to tackle mobile ads in conjunction with Shine Technologies. We can certainly understand the issue which Three is seeking to address.

We are keen to understand the way in which this filtering is being implemented, and we would like to have a telecon with you to discuss how this solution is working in practice. Our particular interest is in clarifying that the solution does not raise any privacy issues or concerns under the Privacy and Electronic Communications Regulations 2003, as amended.

Please can you let me know when would be a good time for us to arrange a call. My current working pattern is Tuesday to Thursday. Would you and any relevant colleagues have any time available on the afternoon of Thursday March 3rd for a call?

I look forward to hearing from you.

Kind regards

Abi

<image001.jpg>

Abigail Saul
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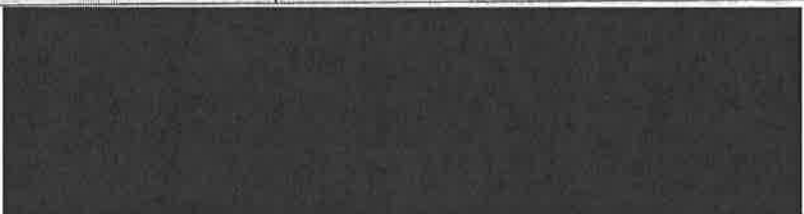
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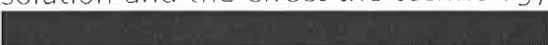
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Strategic Liaison Contact Report			
Contact type:	Conference call		
Date of contact:	28/04/2016		
Location:	Wycliffe House <input checked="" type="checkbox"/>	Other:	
External participants: (name, role, organisation)			
ICO participants:	Abigail Saul, Simon Rice, Darren Read		
Reason for contact:	To discuss Three's potential forthcoming network ad blocking service provided by Shine Technologies		
Business plan ref. no(s):	1.11 - Providing guidance on areas which raise substantial IR concerns	Choose an item.	Choose an item.
Outcome:	Further clarification over technology may be useful for ICO		
Further action:	Three will keep ICO updated with progress on trial of system.		

Additional details of main issues and any stated ICO position	Action
 Three are going to be conducting a trial shortly to test Shine's technology. This will be both to test the efficacy of the ad-blocking solution and the effect the technology will have on their network  The trial will be through some form of recruitment activity, with users having to actively choose to be part of it (ie an opt-in of current Three	

subscribers). [REDACTED]

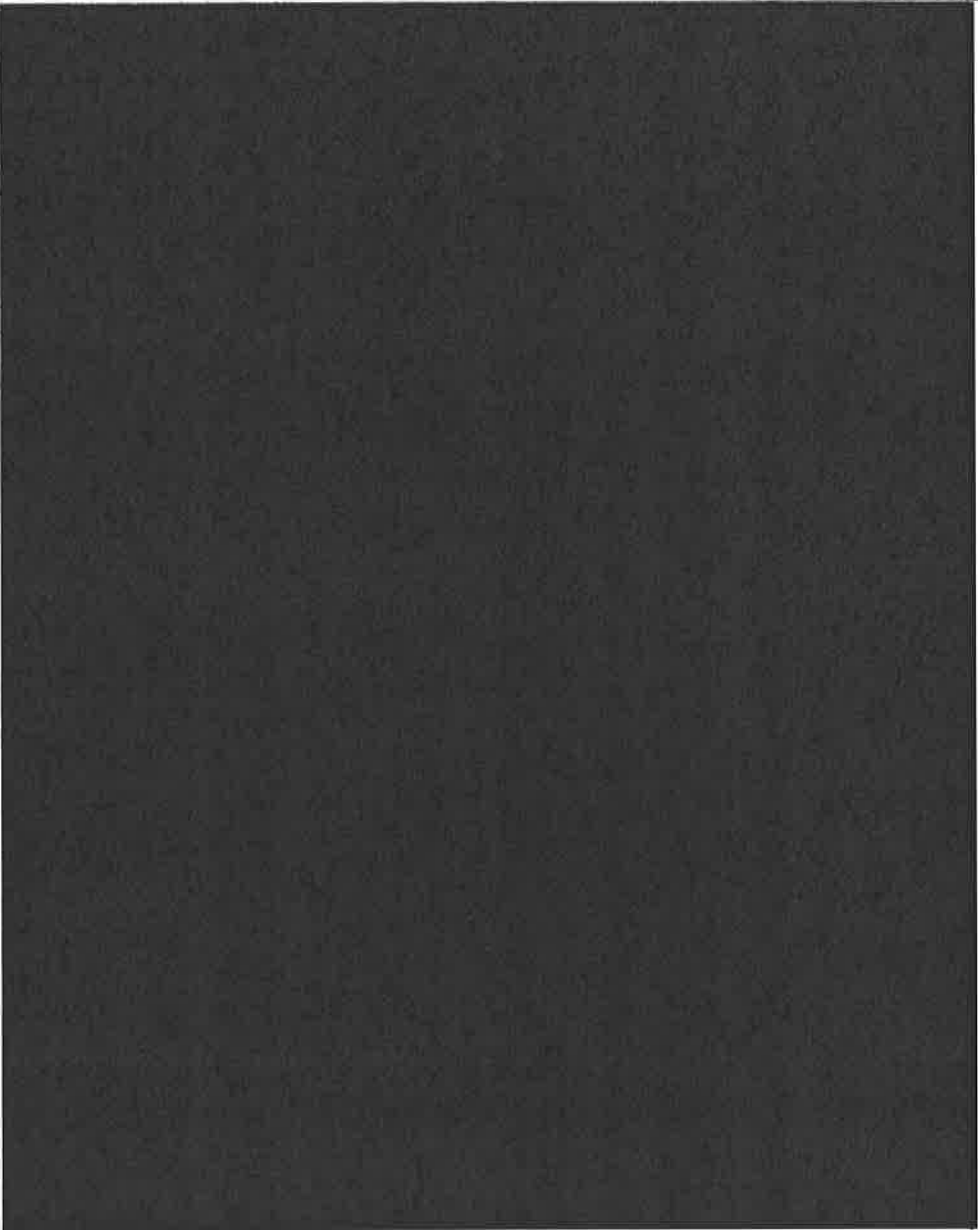
[REDACTED]

SR pointed out that Three will have to provide more information during the trial given the newness of the technology, especially if there is extra monitoring due to the nature of the trial. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

		
Author and date	Darren Read	06/05/2016

Hutchison 3G UK Limited, trading as Three (or "we") are planning to trial a new technology which will enable our customers to filter out adverts on our network before they receive them. We are looking to recruit customers to take part in a trial of this software to assess the technology and to find out more about the customer experience. The trial is scheduled to take place at or around 15th June 2016. If you choose to be a participant you will be required to provide us with your Three phone number and to provide us with your consent to take part in the trial on the following terms:

1. By taking in part in the trial you agree to Three applying technology which is designed to filter out advertisements on your account for a temporary period of time, currently scheduled for 24 hours on or around 15th June 2016.
2. As part of the trial, we may apply the technology to only some of your mobile data usage or only some of the time. You accept that during the trial the technology may not be applied to your account or only applied briefly or intermittently.
3. As this is just a trial, we cannot provide any assurances or promises about the quality or effectiveness of the technology being applied and whether it will work. For a temporary period of time during the trial, your browsing and online services may be affected.
4. By agreeing to take part in the trial, you consent to use of your personal network and data usage data being analysed to understand the effects of Ad- filtering technology on your account and on our network.
5. While we are planning to conduct the trial on or around 15th June 2016, this time may slip due to unforeseen circumstances. Before we conduct the trial we will send you a message letting you know that we will be beginning the trial shortly. It is expected to last for 24 hours or so.
6. After the trial we will pick a selection of customers who took part in the trial to provide us with feedback, and we will do this by way of a telephone call. We hope to contact you soon afterwards but it may take up to three months from the trial for us to contact you. If you are called by us following the trial, please do let us know about your experience to help us learn as much as possible.
7. Unfortunately we cannot contact every customer in the trial for feedback, so if you take part it is possible we may not contact you afterwards.
8. We plan to keep information about the trial, including personal information about individual participants' data usage for a period after the trial to analyse the results and to learn how best to apply this technology. We intend to store such personal information only for as long as is necessary after the trial and in any event for a period of no longer than 6 months.

Thank you for your participation – with your help we want to keep challenging the market to create great products and services our customers love.



Three.co.uk

PRESS RELEASE

Embargoed until May 26 at 00.01 hours

Three UK announces next steps in plans to improve mobile advertising

Three UK has revealed the first step in its plans to revolutionise the mobile advertising experience by trialling ad-blocking technology on its network next month.

We believe the current mobile advertising model is broken* and our customers are becoming increasingly frustrated by irrelevant and intrusive adverts which use up their data allowance and can invade their privacy by tracking their behaviour without their knowledge or consent.

We want to improve the experience for our customers with our three principle goals in mobile advertising which we announced in February.

1. That customers should not pay data charges to receive adverts. These costs should be borne by the advertiser.
2. That customers' privacy and security must be fully protected. Some advertisers use mobile ads to extract and exploit data about customers without their knowledge or consent.
3. That customers should be entitled to receive advertising that is relevant and interesting to them, and not to have their data experience in mobile degraded by excessive, intrusive, unwanted or irrelevant adverts.

Something needs to change and we believe that by working with the advertising industry, brands and publishers, that we can create more relevant, less intrusive adverts that increase consumer satisfaction.

The trial will test the ability of the technology to filter out advertising that damages our customers' mobile browsing experience without impacting their network experience.

Three UK will be contacting customers to ask them to agree to take part in the 24-hour trial which is scheduled to take place during the week commencing 13 June. Customers who choose to take part can sign up via the Three UK website.

Tom Malleschitz, Chief Marketing Officer, Three UK, said: "This is the next step in our journey to make mobile ads better for our customers.

"The current ad model is broken. It frustrates customers, eats up their data allowance and can jeopardise their privacy. Something needs to change.



Three.co.uk

"We can only achieve change by working with all stakeholders in the advertising industry – customers, advertising networks and publishers – to create a new form of advertising that is better for all parties."

ENDS –

*44% of UK adults are planning to use an ad-blocker in the next six months, according to KPMG in April 2016

For further information please contact:

Three UK Corporate PR team: 07454 959 715 / three@mww.com

About Three

Three UK is a communications company. We are focused on making mobile better for everyone.

We want to give customers a quality mobile experience and address the industry issues that frustrate them.

We continue to look at ways of improving the experience we offer our customers.

Three UK carries 42% of the UK's mobile data. Our network covers 98% of the UK population.

Three UK is a member of CK Hutchison Holdings which also has investments in mobile operations in Australia, Austria, Denmark, Hong Kong, Indonesia, Ireland, Italy, Macau, Sri Lanka, Sweden and Vietnam.

Three UK employs over 4,400 people across its offices in Maidenhead, Glasgow and Reading and its 347 retail stores.

For more information visit www.three.co.uk



From: Abigail Saul [mailto:Abigail.Saul@ico.org.uk]

Sent: 26 May 2016 15:38

To: 

Cc: Darren Read; Simon Rice; Garreth Cameron

Subject: RE: Shine - Ad Filtering - Update from Hutchison 3G UK Ltd

Dear 

Thank you for sharing the attached details of the network-level ad filtering software trial, we appreciate being kept informed.

From the attached documents, and from our teleconference a couple of weeks ago, we understand that consent is the legal basis on which the trial is being operated, from a data protection perspective. The DPA relies on Directive 95/46/EC's definition of consent, which requires that consent be a '*freely given specific and informed indication of his or her wishes by which the individual signifies his or her agreement to the data processing*'.

Looking to the wording of the terms and conditions which you have shared, we have some concerns about the level of detail given to enable potential participants to understand what data is being collected about them and how it is being used. To be 'informed' consent, individuals need to be able to understand what data is being used and the ways in which it is being used. At present there is an indication that identifiable information will be used – personal network and data usage data – but little else.

Whilst we appreciate that you will have significant concerns around the commercial sensitivity of the technology, and will want to be circumspect in sharing information that might damage your competitive advantage, we would hope that there is some further information which you can share to enable individuals to make a genuinely informed decision and therefore give you appropriate informed consent. As a separate point we recognise that significant technical detail could be alienating and act to positively discourage understanding, so there is a definite balance to be found.

There may or may not be privacy intrusion involved in the trial (or in the use of the software/technology itself), but the level of information given at present does not enable individuals – or the ICO – to establish that. By contrast the level of detail around the practicalities of the trial such as how long it will run for, the duration of the trial and notification practices is extremely clear.

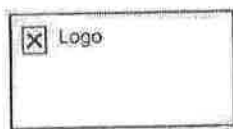
On this basis, is there further information which can be given to ensure individuals sign up with fully informed consent?

One final point relates to who will have access to the data used and generated in the trial – it is implied that it will only be Three, but is not specifically stated. If this is the case, then it would make sense to provide that additional reassurance.

We look forward to hearing from you.

Kind regards

Abi



Abigail Saul
Senior Policy Officer – Strategic Liaison, Business and Industry
Group

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From: Abigail Saul [mailto:Abigail.Saul@ico.org.uk]
Sent: 28 April 2016 16:48
To: [REDACTED]
Cc: Garreth Cameron; Simon Rice; Darren Read
Subject: RE: Three's announcement about tackling mobile ads

Hi [REDACTED]

Thank you to you and your colleagues for speaking to us earlier. As discussed, we look forward to hearing from you as the project progresses and have noted Three's intention to seek consent for any product (and from trial participants) and the intention for any product to be a privacy enhancing technology.

Would it be possible to get your colleagues' names (I am conscious I may not be spelling them correctly in our note of the meeting)?

Kind regards

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8. We plan to keep information about the trial, including personal information about individual participants' data usage for a period after the trial to analyse the results and to learn how best to apply this technology. We intend to store such personal information only for as long as is necessary after the trial and in any event for a period of no longer than 6 months.

Thank you for your participation – with your help we want to keep challenging the market to create great products and services our customers love.



PRESS RELEASE

Embargoed until May 26 at 00.01 hours

Three UK announces next steps in plans to improve mobile advertising

Three UK has revealed the first step in its plans to revolutionise the mobile advertising experience by trialling ad-blocking technology on its network next month.

We believe the current mobile advertising model is broken* and our customers are becoming increasingly frustrated by irrelevant and intrusive adverts which use up their data allowance and can invade their privacy by tracking their behaviour without their knowledge or consent.

We want to improve the experience for our customers with our three principle goals in mobile advertising which we announced in February.

1. That customers should not pay data charges to receive adverts. These costs should be borne by the advertiser.
2. That customers' privacy and security must be fully protected. Some advertisers use mobile ads to extract and exploit data about customers without their knowledge or consent.
3. That customers should be entitled to receive advertising that is relevant and interesting to them, and not to have their data experience in mobile degraded by excessive, intrusive, unwanted or irrelevant adverts.

Something needs to change and we believe that by working with the advertising industry, brands and publishers, that we can create more relevant, less intrusive adverts that increase consumer satisfaction.

The trial will test the ability of the technology to filter out advertising that damages our customers' mobile browsing experience without impacting their network experience.

Three UK will be contacting customers to ask them to agree to take part in the 24-hour trial which is scheduled to take place during the week commencing 13 June. Customers who choose to take part can sign up via the Three UK website.

Tom Malleschitz, Chief Marketing Officer, Three UK, said: "This is the next step in our journey to make mobile ads better for our customers.

"The current ad model is broken. It frustrates customers, eats up their data allowance and can jeopardise their privacy. Something needs to change.



"We can only achieve change by working with all stakeholders in the advertising industry – customers, advertising networks and publishers – to create a new form of advertising that is better for all parties."

ENDS –

*44% of UK adults are planning to use an ad-blocker in the next six months, according to KPMG in April 2016

For further information please contact:

Three UK Corporate PR team: 07454 959 715 / three@mww.com

About Three

Three UK is a communications company. We are focused on making mobile better for everyone.

We want to give customers a quality mobile experience and address the industry issues that frustrate them.

We continue to look at ways of improving the experience we offer our customers.

Three UK carries 42% of the UK's mobile data. Our network covers 98% of the UK population.

Three UK is a member of CK Hutchison Holdings which also has investments in mobile operations in Australia, Austria, Denmark, Hong Kong, Indonesia, Ireland, Italy, Macau, Sri Lanka, Sweden and Vietnam.

Three UK employs over 4,400 people across its offices in Maidenhead, Glasgow and Reading and its 347 retail stores.

For more information visit www.three.co.uk