



Dealing with Spam in Australia *the first 5 years*



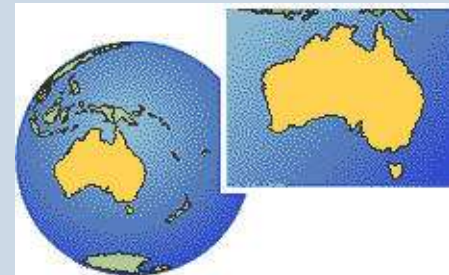
Grant Symons
Executive Manager
Converging Services Branch

Anti-Spam Workshop
CITC
14 October 2008



Australian internet usage ubiquitous

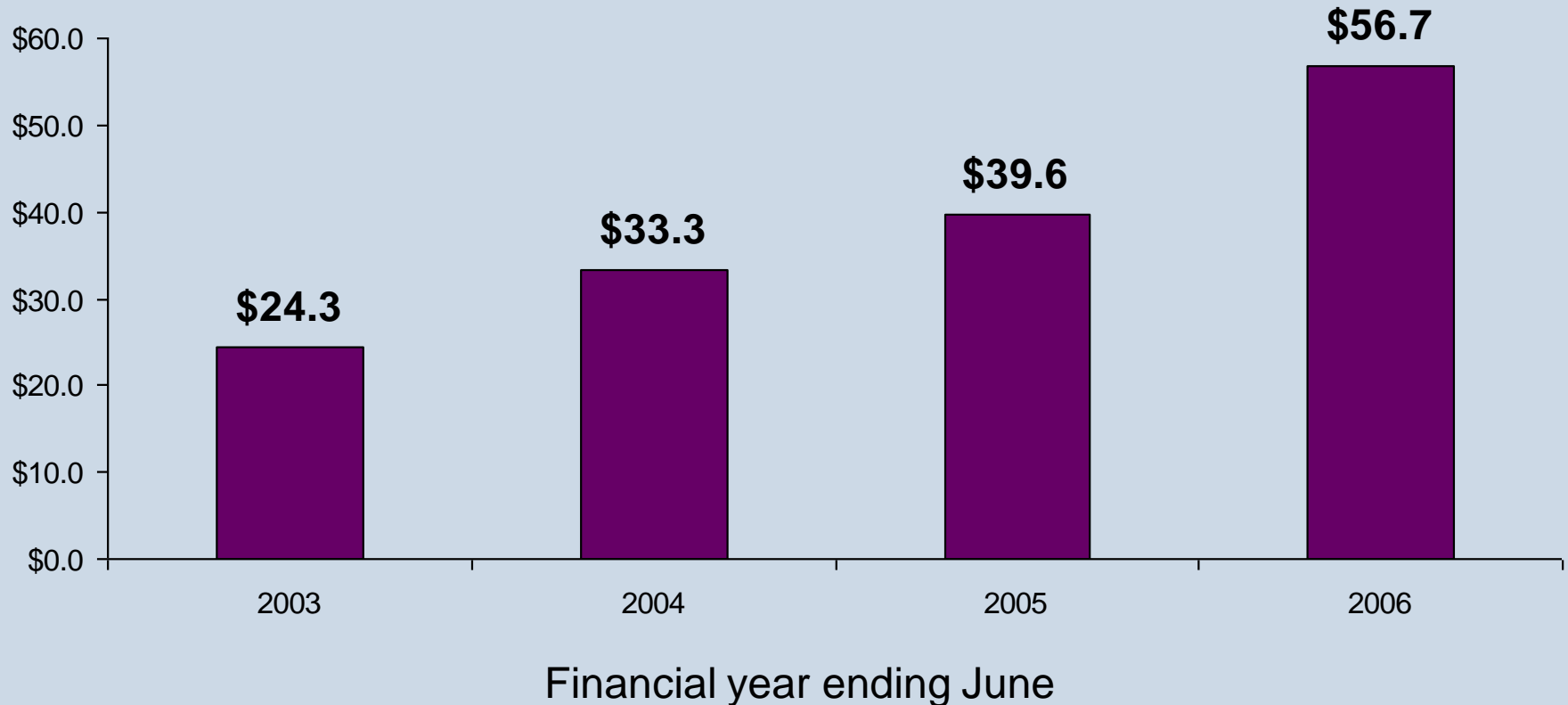
- 13.2 million Australians aged 14 years and over are estimated to have used the internet (Roy Morgan Single Source, May 2008)
- 10.9 million in the last week before being surveyed (Roy Morgan Single Source, May 2008)
- In terms of media consumption - Australians spending more time online than watching television, 13.7 hours per week (Nielsen Online – March 2008)





The internet and the Australian economy

Value of Internet e-commerce*
(in billions AU\$ Source: ABS)



* e-commerce = selling of goods and services online



Spam in Australia

Spam Act 2003

Unsolicited commercial electronic messages

- Delivered by:
 - email
 - Short Message Service (SMS)
 - Multimedia Message Service (MMS)
 - Instant message
- Covers messages with an ‘Australian link’
- Prohibits the use of address harvesting software



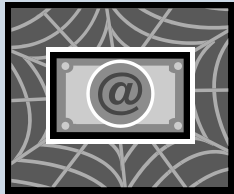
Recent world wide spam trends

- Around 92.3 per cent of business emails are spam
- Fewer viruses in spam, but more links to websites containing malicious content
- Growth of ‘botnets’ - networks of compromised (zombie) computers controlled remotely
- Worldwide spam continues to increase – large increase in second half of 2007 (5 to 9 per cent, Sophos 2008)



email spam and botnets

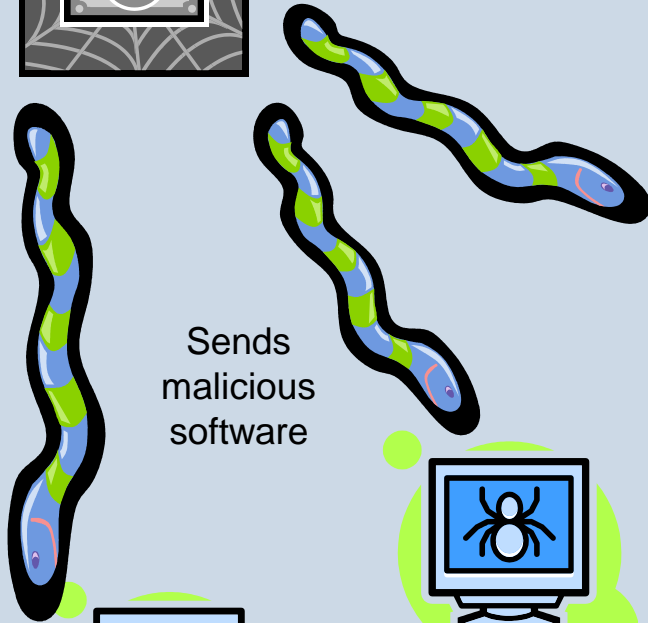
Botnet Herder



Pays to access botnet



Spammer



Sends
malicious
software



Infects (Zombie) PCs
= Botnet



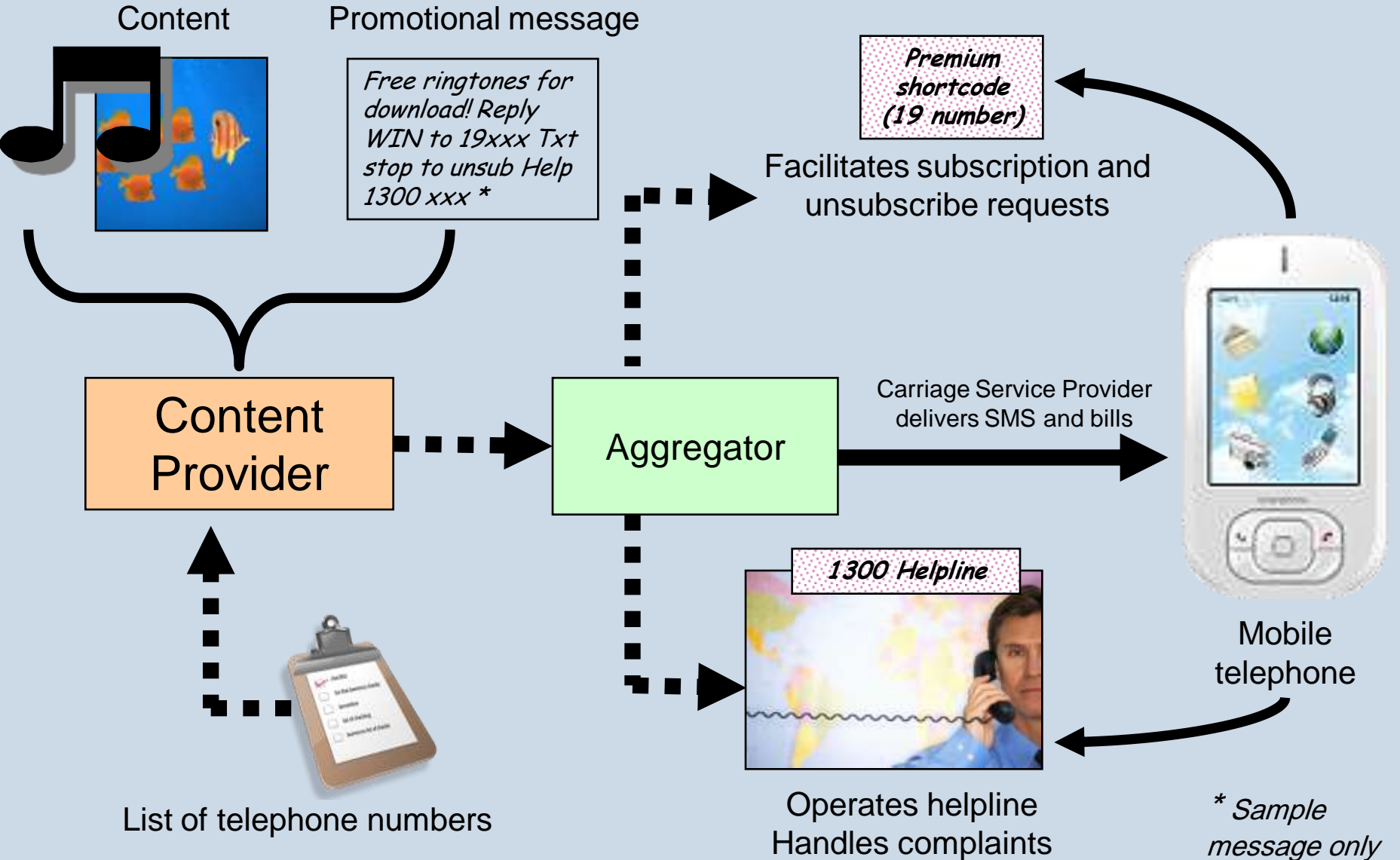
Send spam
DDOS attacks

Mail systems and
networks



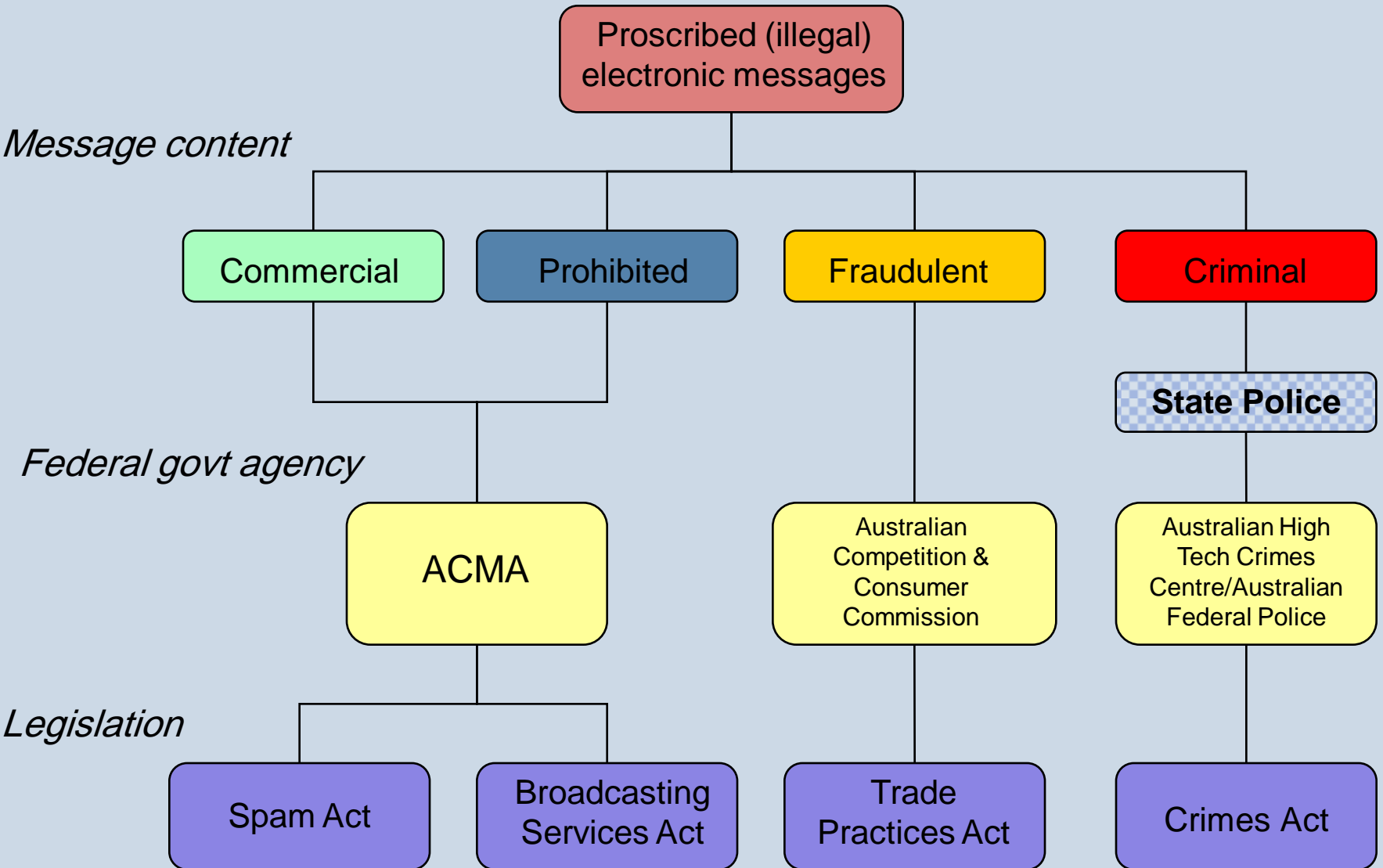


SMS Distribution





Who is responsible for regulation?





ACMA's 5 point approach

- Compliance and enforcement of the *Spam Act 2003*
 - offences
 - extra-territorial application
 - investigatory powers
- Education and awareness
- Technological solutions
- Partnership with industry
- International cooperation



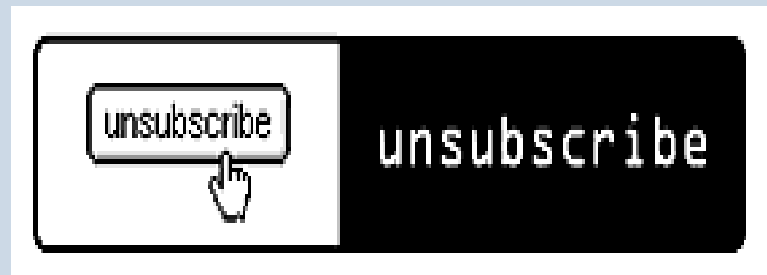
- 3 requirements:
 - consent
 - clear and accurate sender information
 - functional unsubscribe facility
- Not covered: voice telemarketing, fax, bluetooth, physical mail (post)
- ‘Opt-in’ regime – unlike US and a number of other countries (and Australian ‘Do Not Call’ legislation)
- ‘Technology neutral’: email, SMS, MMS, IM
- Complaints about spam on mobile telephones growing - now more mobile services than people in Australia (21 million – ACMA Communications Report 2006-07)



Three key conditions

All commercial electronic messages:

- **Consent**
(express or inferred);
- **Identify**; and
- **Unsubscribe**





Consent - express

- Completes an online form and ticks a box
- Fills in a hard copy registration form and requests commercial information
- Hands over business card and verbally requests information

Consent - inferred

- Conspicuous publication of work related email address; e.g. on a website, trade magazine, newspaper
- Long standing customer, good business relationship; a once off purchase or use of service is generally not enough

Keep good records

Silence does not mean consent



Identify

- Must identify the body that authorised sending of message
- Sender information must be reasonably likely to remain accurate for 30 days



Unsubscribe

- Must be functional, simple to use, low or no cost
- Automatic link within email or SMS or return email/SMS with unsubscribe request
- Must be honoured within five working days



Compliance and Enforcement

- Complaint handling
- Enforcement options
 - formal warnings
 - enforceable undertakings
 - infringement notices
 - injunctions
 - court proceedings
- Investigatory powers
 - seek information
 - require formal interview
 - Subject to warrant - enter premises and seize evidence



Education and awareness

- Industry and consumer focused
- Aimed at improving user behavior
- Spam as a vector for key loggers, trojans
- Nexus with e-security issues
 - Inducements to visit infected web sites
 - Inducements to open infected attachments
 - Inducements to visit fake web sites



Two major ACMA initiatives:

SpamMATTERS

- Enlisting the support of the public to fight spam

Australian Internet Security Initiative (AISI)

- A cooperative arrangement with internet service providers to shut down ‘infected’ computers



SpamMATTERS – Reporting Button

The screenshot shows the Microsoft Outlook interface for the Deleted Items folder. The menu bar includes File, Edit, View, Go, Tools, Actions, and Help. The toolbar contains various icons for actions like New, Collapse All Groups, Reply, Reply to All, Forward, Send/Receive, Find, Back, Forward, Messages, and TRIM. A dropdown menu is open, showing a red circle around the SpamMATTERS! reporting button. Below the toolbar, the Deleted Items folder is displayed with a list of messages. The selected message is from Karine with the subject '[#*SPAM*#] Medium: How to double your company recognition o...'. Other messages in the list include Lauri, Meaveen Winkles, Juan Blankenship, Rosalyn Mehler, Leann Benefiel, Vale Cuen, and Commonwealth Bank of Aust...

From	Subject
@ Lauri	[#*SPAM*#] Medium: Finally a Patch that works!
Karine	[#*SPAM*#] Medium: How to double your company recognition o...
Meaveen Winkles	[#*SPAM*#] Medium: PHApyRMA
Juan Blankenship	[#*SPAM*#] Low: this is interesting
Rosalyn Mehler	[#*SPAM*#] Medium: PHAqftRMA
Leann Benefiel	[#*SPAM*#] Medium: PHAabaRMA
Vale Cuen	[#*SPAM*#] Medium: Re: PHAxcfrMACY
Commonwealth Bank of Aust...	[#*SPAM*#] Low: Commonwealth Bank of Australia hardware pro...



SpamMATTERS progress to date

- Launched 31 May 2006
- Available for download from ACMA website
- 304,000+ registered submitters
- 43 million+ spam emails reported
- Captures spam bypassing anti-spam filters
- Used to enforce Spam Act and assist national and international authorities
- Strongly supported by ISPs



Australian Internet Security Initiative (AISI)

- Pilot of AISI commenced in November 2005 – six internet service providers (ISPs) involved
- Pilot assessed in 2006 and found to be of merit
- Funding for enhancement/expansion of AISI provided by Australian Government in 2007
- Currently 53 ISPs participating



AISI trends and statistics

- Estimated 90 per cent of home internet users covered
- 3,060 compromises currently reported daily to ISPs (average over 1 April to 30 June 2008)
- Equates to more than 1,000,000 reports per annum



International cooperation

- Spam doesn't recognise borders
- Spam campaigns often involve the coordinated work of collaborators spanning multiple sovereign states
- Shortcomings in jurisdictional reach may be ameliorated through cross-border cooperation
- Both multi-lateral and bi-lateral cooperation is valuable in catching the perpetrators



Spam Act 2003 - Successes

- First prosecution under Spam Act in Federal Court – *ACMA v Clarity1/Wayne Mansfield*
 - \$5.5m penalties - October 2006
 - Found to have sent >200 million emails
- 12 infringement notices
- \$149,600 penalty imposed for mobile spam
- 19 formal warnings
- 7 enforceable undertakings



Australian Government

**Australian Communications
and Media Authority**

Thank you