

POLICY ADVISORY BOARD REPORT  
ST JAMES'S SQUARE, LONDON, SW1Y  
14 September 2005  
MEETING 40

Those present:

Tom Adams	Appointed Member - Cabinet Office (e-Government Unit)
Denesh Bhabuta	Elected Member
Alex Bligh	Appointed Member - Nominet Board
Andy Clarey	Appointed Member - DTI
James Cronin	Elected Member
Susan Daley	Appointed Member - CBI
Gordon Dick	Appointed Member - Nominet Board
Earl of Errol (APIG)	Appointed Member - All Parliamentary Internet Group
David Evans Commissioner	Appointed Member - Office of the Information
Clive Feather	Elected Member (co-opted)
Jason Johns	Elected Member
Alex Kells	Elected Member
Sebastien Lahtinen	Elected Member (Chair)
Hazel Pegg	Elected Member
Geoff Smith	Appointed Member - DTI

From Nominet by invitation of the PAB:

Eleanor Bradley, Director of Operations  
Farisha Constable, Solicitor and PAB Secretariat  
Gareth Cook, Communications Executive  
Emily Taylor, Director of Legal and Policy

1. Welcome and apologies

Apologies were received from Eric Ramage and James Conaghan.

Sebastien Lahtinen welcomed the Earl of Errol from the All Parliamentary Internet Group, David Evans from the Office of the Information Commissioner, and Andy Clarey from the DTI as the three new members of the PAB. Sebastien explained that Geoff Smith from the DTI would accompany Andy Clarey for this PAB meeting.

Emily Taylor introduced Farisha Constable. Farisha is a solicitor at Nominet and will be taking over PAB Secretariat duties from Gareth at future PAB meetings.

The PAB expressed their gratitude for Gareth's hard work over the past three years.

2. Approval of July meeting report

The July meeting report was approved unanimously.

3. Feedback from Board on PAB recommendations

There were no comments on the paper.

4. Working Groups Update

Internationalised Domain Names Working Group

Clive Feather reported to the PAB that the Internationalised Domain Names (IDN) consultation period had now closed and the responses were being analysed and summarised by Nominet. A Working Group meeting will be scheduled once the timing of the completion of the analysis by Nominet has been agreed.

#### Lock State Working Group

James Cronin and Hazel Pegg had no further progress to report. Hazel is yet to discuss the best way forward for rechartering the group with James and should have something to report at the next meeting.

#### .net.uk Working Group

Sebastien Lahtinen reported that some work had been done on a draft document and he would be meeting with Jason Johns after the PAB meeting to push this forward. Sebastien apologised for the delay.

#### 5. Review of Appointed Organisations

Emily reported that she had made contact with the Oxford Internet Institute as suggested at the last PAB meeting and had asked them to consider joining the PAB. Emily also informed the meeting that she is continuing to consider ways to approach consumer groups and the small business sector, this being a gap in the current PAB membership.

Susan Daley reported that she had not yet forwarded details of her contact at the Federation of Small Businesses to Emily Taylor, but would do so.

#### 6. Update on the Dispute Resolution Service (DRS) and itunes.co.uk case

Emily Taylor updated the meeting on the itunes.co.uk DRS case. The original application for a judicial review was rejected in August 2005. The applicant, Benjamin Cohen of CyberBritain Group Ltd has requested an oral hearing to appeal that decision. This will take place in early November. Emily will keep the PAB informed of further developments. Emily also explained that Nominet will be carrying out a review of the DRS in due course following feedback raised through PAB members.

#### 7. Internet Governance Presentation

Emily Taylor gave a presentation on the World Summit on the Information Society's (WSIS), Working Group on Internet Governance (WGIG). Emily outlined the current state of play in the UN process, Nominet's active participation in this, the WGIG report and Nominet's view on the report's recommendations of creating a multistakeholder discussion forum, and the four options for "improving" global public policy and oversight.

There was a discussion on the presentation and the following points were raised and debated:

- The four options contained in the WGIG report.
- Some concern over the US Governments control of the root, and the fact that the UN would be unlikely to make things better than the current status quo.
- The practicality of the UN controlling the root servers of different countries and the viability of alternative roots.
- The pros and cons of having a multistakeholder discussion forum.
- Emily's positive experience of participation with the UN Working Group on Internet Governance.

The discussion revealed general support for the private sector continuing to play a major part in Internet Governance. Sebastien Lahtinen asked if the PAB

agreed with the stance Nominet had taken in response to the WGIG report. The PAB expressed its general agreement.

## 8. Industry Standards Presentation

Eleanor Bradley gave a presentation on industry standards explaining that increasing standards was a strategic priority. Eleanor explained that one option the consultation would consider is the introduction of a gold standard accreditation for tag holders and a more general code of practice within the industry.

There was a discussion on the presentation and the following views were raised and debated:

- Whether the gold standard could discriminate against smaller tag holders in favour of those with large resources.
- Whether, if a bond were introduced as part of a gold standard accreditation, it would be proportional.
- If having a code of practice and gold standard would create a competitive hierarchy.
- Whether it was possible to have a code of practice which was itself a gold standard.
- The services provided by the Office of the Telecommunications Ombudsman (OTELO) and the Communications & Internet Services Adjudication Scheme (CISAS).

Eleanor further explained that both notions were still at the idea stage and the gold standard would be viable for all. It would not be size that secures accreditation but more about the way customer service is provided. Eleanor assured the PAB that it is not the wish or intention of Nominet to distort or adversely impact a flourishing dynamic market.

## Resolution

The PAB resolved to recommend that the Board proceed with the consultation detailed in the paper "Raising Industry Standards".

## 9. Matters arising from nom-steer and pab suggest

Sebastien Lahtinen reported that a person had e-mailed PAB members individually regarding certificates and security of data stored by Nominet. He also confirmed he has replied to the query and referred the matter to Nominet on the operational matters but would return to the PAB if any outstanding policy issues arose.

## 10. Urgent Business

### Industry Day

PAB Members raised the issue of when Nominet would be organising the Industry Day that had been discussed prior to the AGM as it was expecting to use this opportunity to liaise with stakeholders. Emily explained that it had been postponed due to a change in the marketing manager. A concern was raised that the justification given for the AGM being paired down was the Industry Day.

Sebastien Lahtinen requested an update on the Industry Day to be given at the next meeting. Emily agreed to action this.

### Tag Holder Contact Information

Jason Johns enquired about having a central database with tag holder contact details and was informed that there is a WHOIS for tag holders that has been approved and is awaiting implementation. Although it will not be mandatory to give contact information, it will be clear on the WHOIS if tag holders have declined to do so.

#### Governance Review

Jason Johns asked about the progress of the Governance Review and whether the issue of elections could be dealt with separately. Jason is unhappy with the current system and believes it is fundamentally unfair to have an election where one voter could decide who could or could not be elected.

Alex Bligh replied that the PAB had previously agreed to handle both matters together and disagreed that it was always possible for a single large voter to determine an election's outcome. There was concern that the Governance Review would not be completed in time for the next AGM. Alex Bligh assured the PAB that the review was taking up the majority of the Board's time and they were working hard to get the review completed.

Hazel Pegg and Denesh Bhabuta pointed out that when the PAB agreed to handle these together, the circumstances were different and it had been suggested that the Governance Review would be completed by a date that had now passed some time ago. With the transition of Chairman, this has slipped further back.

Gordon Dick cautioned that the PAB should be careful as a body to remember its role is with regards to recommending policy for the running of the .uk domain and not governance of the company which is a matter for the Board but that is not to say it should not have input into that governance where it is relevant.

Sebastien Lahtinen requested that an idea of timescale for the Governance Review is obtained and reported back at the next meeting. Emily agreed to action this.

#### Cancellation for False Contact Details

Clive Feather flagged up an issue on which he would be writing a paper for the next meeting. A recent case had occurred where Nominet had written to a customer requesting contact details were updated. This was not done in due time and the domain was cancelled without further notice. It transpired that through no fault of Nominet, a single piece of correspondence had been lost. The issue this raised was the fact that the loss of one letter/email could result in the loss of a domain name and perhaps other options such as suspending the domain would be a better idea.

Emily commented that there had been a lot of discussion in PAB meetings about fast tracking cancellation for false contact details and it was a question of balance. Once the paper has been circulated, this could be discussed further.

#### 11. Date of Next Meeting

The next meeting will be held on Wednesday 9 November 2005.