

Registration Policy Review – Summary of Written Responses

Number of responses

- In total 170 written responses were received via the online form or by email.
- 20 organisations or individuals, listed in appendix 6, gave feedback via bi-lateral meetings or telephone interviews. Three of these respondents also submitted written feedback.
- 6 Parliamentarians, also listed in appendix 6, attended a meeting in the House of Commons.
- Consequently there were 193 organisation or individual respondents in total.
- 4 organisations (Advertising Standards Authority; Mumsnet; Stonewall; UNESCO) noted the consultation but confirmed that they would not be able to respond or that they felt it would be outside of their scope to respond.

The following analysis is of the 170 written responses only.

Breakdown of written respondents by organisation profile

Organisation Profile	Number (%)
Company with less than 250 employees	80 (47%)
Individual	64 (38%)
Academia	7 (4%)
Public Body	4 (2.4%)
Company with more than 250 employees	3 (1.7%)
Representative Body (eg Trade Association)	3 (1.7%)
Sole Trader	2 (1.2%)
Other	7 (4%)
Total	170

Breakdown of written respondents by industry sector

Industry Sector	Number
Information Technology	93 (55%)
Media/Social Media	14 (8.2%)
Financial Services	6 (3.5%)
Civil Society	4 (2.3%)
Government	4 (2.3%)
Legal	3 (1.8%)
Consumer Goods	2 (1.15%)
Consumer Protection	2 (1.15%)
Child Protection	1 (0.55%)
Law Enforcement	1 (0.55%)
Other	40 (23.5%)
Total	170

Breakdown of written respondents by preferred outcome

The online response form provided for respondents asked:

Do you believe that some terms and expressions should be blocked completely, and if so, how do you propose such a list could be drawn up and maintained?

Respondents were then further asked:

If you do not believe that any restrictions should be introduced at the point of registration, should a post-registration complaints procedure be introduced, and if so, what should the criteria be for a complaint to be upheld, and what remedies should be available?

Respondents who answered no to both of these questions are recorded in the table below as advocates of open registration. Respondents who answered yes to the first question are recorded as advocates of pre-registration checks, while those who answered no to the first question but yes to the second are recorded as advocates of post-registration checks. Some respondents could not clearly be classified according to these criteria and are recorded accordingly in the table below.

Preferred outcome for written respondents

Preference	Open Registration	Pre-Registration Checks	Post-Registration Checks	Other or Unsure
Number of Respondents	130	9	23	8

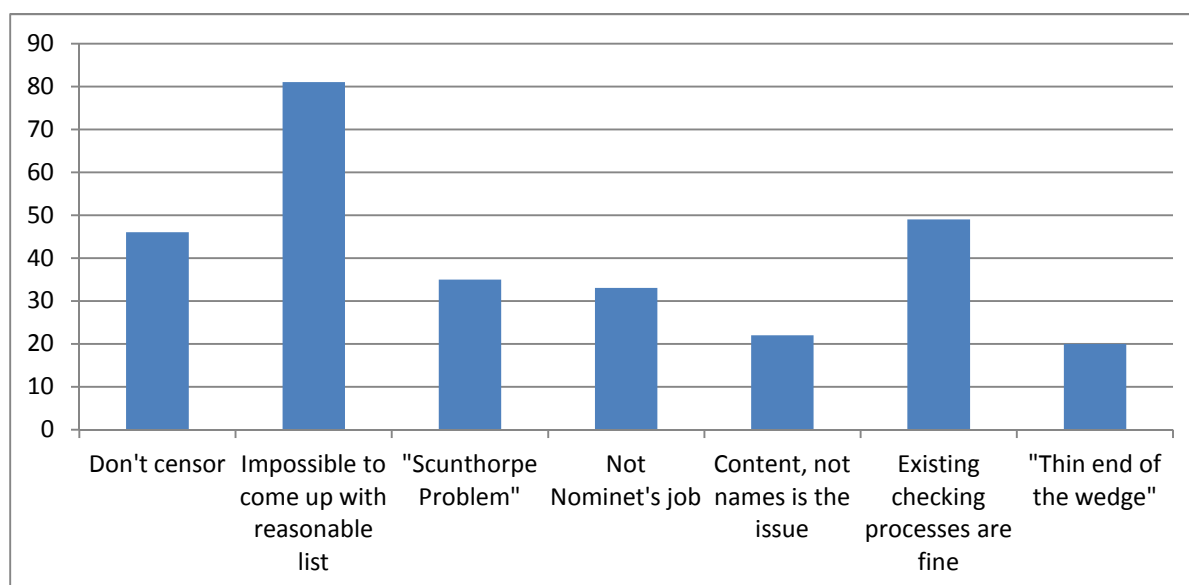
Open registration

A number of themes were frequently highlighted by those respondents whose preference was for a continuation of open registration without any pre- or post-registration checks. Most prominent among these were:

- The importance of free speech, an open Internet, or a general dislike of any forms of censorship.
- The subjective nature of many terms and thus the inherent difficulties in producing an agreed list of terms to be banned.
- Technical difficulties in implementing checks based on any list of banned terms as exemplified by the so called “Scunthorpe problem”.
- A belief that it is not Nominet’s role to be an arbiter in this area.
- A belief that it will always be the website content rather than domain names themselves where any problems lie.
- A belief that Nominet’s existing procedures, particularly its work with the IWF and law enforcement agencies, already deal with these issues adequately.
- Concerns that any move away from a model of completely open registration will prove to be the thin end of the wedge and other perhaps more restrictive measures would inevitably follow.

The number of responses citing each of these themes is shown in the chart below.

Common themes highlighted by advocates for open registration



Other themes that were mentioned by this group of respondents were:

- Concerns that Nominet is being invited to regulate in an area where parliament has not been willing to legislate.
- That any restrictions within *.uk* could be sidestepped easily by registration in other TLDs.
- That any restrictions would not affect sub-domains set up at the fourth level.

Despite their general scepticism with regard to any new Nominet interventions in this area about a half of respondents in this group (67 of 130) confirmed a clear belief that comment published on the Internet or website content in general should not be beyond the law. Many of these respondents noted Nominet's existing procedures for working with law enforcement agencies or the IWF, or assumed such procedures must exist, and were generally supportive of the continuation of this type of work.

Around a quarter of respondents in this group (33 of 130) did specify a second preference, which perhaps they could accept if it seemed clear that some steps were necessary. Usually this second preference was for some sort of post-registration complaints process.

Post-Registration Checks

Respondents who favoured some sort of post-registration check process often advocated the development of a complaints system, whereby people could refer domains that they considered to be offensive to Nominet or an independent body. Such an organisation could then rule on the domain on the basis of a pre-defined set of rules such as an Acceptable Use Policy or alternatively refer cases to the police for a ruling on the alleged criminality of the domain name or the associated website content.

Many responses included suggestions for how the arbitrating body should be constituted, including:

- It involving legal bodies or experts
- It being constituted from within Nominet itself

- It being an external appeal board made up of other individuals including lay people.

Pre-Registration Checks

The option of pre-registration checks or blocks was the least popular option amongst written respondents. Most of those who favoured pre-registration checks advocated the checking of domain names against a list of proscribed words or phrases which should not be used in domain names. One respondent in this group outlined an “ethical naming policy” in which domain names containing certain proscribed terms should not be newly registered or renewed if already existing.

Suggestions for the source of the list of proscribed terms varied and included a list similar to that used by Companies House for company names and a list generated by consultation with community leaders.

Most responses appeared to focus on an automatic block of domain names containing banned terms. However, one response suggested the use of flags, whereby domains that included any of the listed terms would be flagged for manual checking by Nominet.

Responses classified as “other” or “unsure”

These responses were broadly of two kinds. Some respondents discussed a number of the possible options but displayed no clear preferences for any of them. Another group of respondents took the approach of outlining the factors which they felt must be considered, should any policy be undertaken, but then consciously decided to reach no conclusion.

Many respondents in this group did appear to believe that some checks may be necessary, for example for domain names or content linked to child abuse, but did not express a view on what mechanism should be used.