Transcription ICANN London
Update on Data and Metrics for Policy Working Group
Saturday 21 June 2014

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Jonathan Robinson: Okay everyone, we're going to begin the next session please so if we could get a confirmation that we can start the recording? Thank you. Our next session is on an update from the Data and Metrics for Policy Working Group. We have the honor of Jonathan Zuck here to present the update of the work of the group. So to give us some a - little bit of background and update on what's going on over to you, Jonathan.

Jonathan Zuck: Thanks, Jonathan. So we've been hard at work doing some due diligence associated with past working group efforts, having looked at Fast Flux, PEDNR and add review grace period so far and probably a couple more basically to develop some scenarios in which data either was used or should have been or could have been used and how it might have been used in the policy development process.

Our ultimate goal is to do a couple of more - two, three more case studies to flesh out these scenarios and then try to wrap these scenarios into a set of recommendations around how working groups are chartered, how data is requested both from contracted parties and outside sources and integrate it into the policy development process and then also the sort of policy review process, if you will whereas there's been some recommendations in the past two look back on whether or not policy recommendations have been successful.

They haven't really been implemented and there's even some good news to tell some of the time so it's in everyone's interest to check back whether or not a policy was successful and use the data once again to determine that.

So we're trying to find the context in which data can be useful then look at the challenges that have been faced in the past with getting the data and how to surmount those challenges then ultimately look at a set of recommendations both for drafting working group, developing policy and reviewing policy after the fact. We hope to have at least a draft recommendation done in time for Los Angeles.

Jonathan Robinson: Thanks, Jonathan, that's a very succinct and to the point update. One of the things that's just struck me is that we've got a GNSO review going on which is meant to look at how things have gone and what the outcomes of the policy work of the GNSO is done. Are you in any contact with the liaison group working on the GNSO review? Because it strikes me that this data could be very informative at some point in that process.

Jonathan Zuck: We haven't been formally associated with and we've been going through these case studies on our own. We've been trying to invite people that have participated in the working groups in question to be part of that evaluation process in order to determine, you know, if there was sort of a non-scribed aspects of what went down during those working group activities.

But we haven't tried to do a lot of cross pollination at this point because we're trying to drive forward to getting some recommendations out. We're certainly happy to share the research that we're doing and the results that we're finding about how those processes went and where in particular how data might have been useful to make them better. And in certain instances where the outcomes were good despite the lack of data and so there might be some information for us to share so we'd certainly take it under advisement.

Jonathan Robinson: I think it'd be great if you could just - even just open up the channel of communication. And if we can record that, please, Lars and Marika. And I think just to make sure there's - because the danger is we do this really nice work over here, potential work over here, something's commissioned and yet, you know, the purpose - a key purpose of the GNSO review is to measure

effectiveness and outcomes of our policy work and in a sense that's what you're working on as well just referencing it directly to data so that would be great.

And then James is next.

James Bladel: Thanks. Thanks, Jonathan. Great update. And I think everyone appreciates the value of being able to look at a objective and measurable impact of the policy work that we're doing. And one of the things that we often say in my company is, "How will I know when something is working?" And I think that unless you have a - sort of a before and after understanding it's important.

I did have a question about the nature of the conclusions that can be drawn from data and metrics. If you're - right now it seems like you're sort of looking retrospectively at policies that have already occurred and trying to measure their impact.

One of the things that we discussed a couple years ago now in the (ppNSO) was the idea that PDPs could include sort of an economic impact projection, sort of forward-looking while policy work was ongoing. Do you think that this work might support that effort someday so that we could say, you know, if we adopt Policy X or Y we can expect or project certain impacts, you know, looking forward instead of just looking backwards?

Jonathan Zuck: Thanks for the question. That's a great question. And I think that's squarely within the desire of this working group in terms of the processes that it develops. Remember, we're not working on any particular policy or passing judgment on any particular policy that's happened in the past but instead trying to come up with a set of processes that better incorporate data into policy development both the definition of the problem in the first place and then measurement of the solution after the fact.

So that's exactly the idea would be similar to what we're engaged in on the CCT Working Group where we're trying to do projections for the metrics

associated with consumer trust, competition and choice in the new gTLD program. The idea would be to sort of more formalize that kind of activity into any policy development process where it's appropriate. So think projections would be a very good part of the recommendations in terms of frameworks that come out of our group.

James Bladel: Thanks, that's excellent. I think even if it could just help to scope the scale of the problem so that you make sure that new policy, you know, that the cure is not worse than the disease, you know, I think and maintaining those perspectives, anything that can help in that regard I think would be really great.

Jonathan Zuck: Just the idea of even looking back after the fact I think will be relatively new and will help facilitate either making a course change in the development process or reinstituting another PDP if the results of either issues had been more deleterious or not had the desired effect.

Jonathan Robinson: Thanks. We've got Alan and then - and Steve.

Alan Greenberg: Thank you. As the former chair of PEDNR where data, or more pointedly, the lack of data was a very significant part of the discussion and probably one of the things that caused it to run about a year longer than we thought it originally should, I'm very pleased to see you're looking at it. And if there's anything I can do to provide any input or look at your results, I don't know what stage you're at right now, I'd be delighted to participate.

Jonathan Zuck: And we'd love that input. In fact we have a document that was our review of your documentation, you know, refined to the context of data and what might have happened and what could have happened differently and I'd love for you to take a look at it.

Alan Greenberg: I presume you have some PEDNR members on your group. I will point out that the formal documentation presented did not necessarily reflect the nature of some of the discussions.

Jonathan Zuck: It never does.

Steve DelBianco: Thanks. Steve DelBianco with the Business Constituency. And in your look-back at retrospective instances where fact-based or data-based I would encourage you to also consider the four studies that Council and staff had done on Whois. And they were external studies and they were carefully constructed with hypotheses that could be tested by a study and data.

And it's my recollection that despite the careful effort of hypotheses we put together and the hard work of the studies and the money that was spent on it that the answers - the answers received didn't always illuminate whether the hypothesis was true or not because we continue to have the same disagreements and controversies over the privacy versus protective aspects of Whois.

And so it wasn't one of the ones you listed: Fast Flux, PEDNR and AGP. And I realize your group isn't going to try to solve the Whois controversy but it could be among the case studies to see whether we should have done a better job structuring the hypothesis and questions so that the answers would be more apparent.

Jonathan Zuck: Thanks, Steve. I think that's a very good recommendation. I mean, I think it's open to question whether or not those studies were inconclusive or our willingness to accept the results was 100%, you know, where the problem really lies. But I think it's well worth taking a look at them. Thanks for the recommendation.

Jonathan Robinson: Bret next.

Bret Fausett: Quick question, Jonathan. I'm looking at the next steps and collaborating with contracted parties. Who are the members of the Contracted Party House who are on the working group? Are there any?

Jonathan Zuck: Yes. Berry, do you - I mean, do you - I don't remember everyone who is but...

Berry Cobb: Yeah, this is Berry. We've got two members from the Registry Stakeholder Group and two from the Registrar Stakeholder Group as well. I believe Pam is from the Registries and we also have - the list alludes me. There are a few members but especially when we get to that topic we welcome more participation. In fact, we'd love a lot more broad spectrum when we get into that discussion.

Bret Fausett: Yeah, good. I think that would be very helpful to let us understand how we can help you and I think different registries and registrars will have different ways of keeping their own data. And there may not be a one size fits all method of collaboration so I think the more discussion around that the better.

Jonathan Zuck: And we'd welcome your participation at that time. A lot of what we'll be trying to do is develop some frameworks for asking for information, whether the data needs to be anonymized or evaluate if they're third party or trying to solve some of those problems so that we can gain access to data without creating any competitive issues, etcetera. So we welcome your participation.

Jonathan Robinson: Berry, go ahead.

Berry Cobb: Thank you. And to that point so when we - as Jonathan mentioned we're kind of coming towards the end of our due diligence phase of what has occurred in the past then some of our next steps will be getting into that very topic. So I'll make sure that we communicate to the chairs of the Registry/Registrar Stakeholder Group to bring you on.

We're going to try to summarize all the due diligence information we've collected thus far so that we can try to bring up any new members, you know, bring you up to speed quickly.

And to this point it's not so much about asking exactly what data we can get to but it's more about defining a framework when data is asked in the future,

you know, what are kind of the boundaries of what data may be accessible. You know, are there budget implications? You know, competitive standards and those kinds of things that have challenged working groups in the past.

Jonathan Zuck: It's what ICANN does. We're trying to develop protocols.

Jonathan Robinson: Right, that's probably a neat way to call a wrap on that little session. Thanks very much, Jonathan.

((Crosstalk))

Jonathan Robinson: And thanks very much for those of you who have participated with questions and comments. Let's stop the recording on that session now please.