Transcription ICANN Singapore
Update on Data & Metrics for Policy Making
Saturday 22 March 2014

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Jonathan Robinson: Welcome back everyone. That coffee break was slightly longer but apparently it's a myth that you can do it in ten or 15 minutes. So let's get on with the next session which is when we'll be hearing from Chuck Gomes on the work of the Policy and Implementation Working Group.

I'm sorry, sorry. I'm one ahead of myself. It's the data and metrics for policy making Working Group, the retitled one. So we'll be hearing from Mikey on that.

Mikey O'Connor: You know, Berard I think Jonathan just trumped you because he just took my quota down to zero. And so I'm sorry but, you know, you are now taking a back seat to Jonathan. What can I say?

This is Mikey O'Connor. I think my fate this morning is to take really dry topics and get you excited about them.

And so I want to take another dry topic. We started off with IRTP earlier. And now I want to take data and data and metrics for policy and try and get you as fired up about that one.

And Avri's nodding off into her keyboard, clunk. So we'll just run through. This is going to be very short, a very short set of slides. But I'm really pitching we

are going to have a session later in the week where we're going to do a lot of brainstorming about this.

And I especially want to give you contracted party folks kind of a heads up that this is an interesting topic for you and that you are as a group pretty under-represented in this working group right now and you might want to change that.

So very quickly why is this important? You can read the little blue bits. You know, this is the whole fact based information based for policy making. That's what this working group's about.

And we can go on to the next slide Lars. Oh my God, I hope we're not going through the whole charter. Let's go to the next one. Yes these are the questions.

So essentially this next two slides I think is it. Well not that fast. We don't have to go quite them but back up one.

We've really got eight questions here and we're literally in the first days of this working group. We've been underway I think we've had two meetings.

These are the questions that we're going to take a look at. And this week's job is to get people thinking about these topics, start braining storming about ways that we can answer these questions, ways that we can solicit and capture this information especially from contracted parties in a way that preserves the parts of that information that's confidential, ways that we can improve policymaking by putting a factual underpinning under it, et cetera.

I think by now you've read those four. We can go on to the next. I'm not going to read all these. I'm with Berard on that.

So this is the advertisement that says please, please, please start brainstorming about this and especially contracted parties.

We have contracted parties in the Working Group. So we have met the letter of the law on this. But I'm not terribly enthusiastic about the number of them.

And so to the extent that some of you get the message from this little five minute advertisement that you might want to tune in on this one I will have accomplished my goal.

I think that's it for the slides. Let me just have Lars run us one forward to make sure.

Yeah from here these are slides that we're going to use in a longer session. I don't want to go into all that. I really just wanted to touch those two.

So I think I'll stop there, solicit questions and clarifications and then maybe get you back a little bit closer to on schedule tonight but any I mean, you know, I did my best to take this dry toast topic. Oh my esteemed co-chair Jonathan Zook. Go ahead.

Jonathan Zook: Yes thank you chair and working group. I just want to humbly take issue with the notion that this is a dry topic. This is - metrics are very exciting topic. And everyone should know that by now.

When we were in Wellington we went down to southern part of New Zealand and went on this trip where we were driven up to the top of a mountain and put on bicycles and told to ride them down to the bottom. It's terrifying.

Now just imagine if while that was happening there was a ICANN Working Group taking place to determine what type of breaks should be installed in the bicycle you're riding.

There's no breaks in it. When you start out you're just riding down the hill but there's a working group working alongside deciding whether they should be disk brakes or the old-fashioned brakes, how they should be tuned, et cetera. That's the situation we're in right now right, as we have these constant discussions about accountability there is no accountability without measures of success period. That's a fact.

And so we are in this downward race down this mountain in a mountain bike without brakes. And I think this group is one of the areas in which we're trying to design the brake system. And I think everyone should be very interested and frankly excited to participate in this working group, exactly. So thank you very much.

Mikey O'Connor: Can you see why he's my co-chair?

Any other - I can - I'm not even going to attempt to top that. All right the only thing I would refine is that not only - I like the mountain bike analogy but I think I like technology without handle bars so you can't steer it because that's what I think of metrics for is to guide rather than to stop.

John oh and - and Avri. Okay so John and then Avri.

John Berard: So this is John Berard. I have a bad imagination. In the two work - two sessions that you had already has there been a specific example, a speculative or more substantial as to how this might play out?

I mean can you put a more specific frame around the kind of output that this working group will generate?

Mikey O'Connor: This is Mikey again. You know, I think that this serious of eight questions defines the frame. The Working Group is literally getting to know each other. We have done no substantive work yet.

And really the first piece of work is to do the brainstorming around this. And what we'll do is a pretty open process.

Now during the drafting team that came up with this charter the - there as a tendency for the group to sort of skip ahead of the drafting of the charter and start getting into the substance of the work.

There are people who are very deep in metrics and data that are in this Working Group. And I would expect that we'll have a lot of really good ideas.

I think that one of the tricky things with metrics and data is you have to be careful, you know, that which gets measured gets done is one of those old phrases.

And so picking that which gets measured gets tricky. And so I think that not only is it going to be pretty interesting but I think it's also going to be pretty hard work. I think it's a complicated and interesting and really important topic. Avri?

Avri Doria: Thanks. I've been having a horrible time here thinking about all your metaphors having ridden a mountain bike down the mountain.

First of all anybody that starts down without handle bars and without some source of brakes is nuts.

And I think that, you know, we do have some brakes but maybe they're just the old type that heat up and eventually give up on you.

The idea though that -- and I guess it's one of the things that I start being concerned about -- is if you do have these mountain bikes careening down the mountain and all of a sudden you want to start imposing metrics on them have you started giving thoughts to how you do change over the brakes as one is riding down a mountain?

Now as part of the ATRT 2 you know, metrics got fo the second time put in as one of the more important things to get done.

After the first time it didn't really get done. And except for this group eventually being called for let's hope that it gets done.

But I think if you're thinking about metrics and using a metaphor of applying metrics to things that are already ongoing then you need to take some account of how one will indeed, you know, apply a new set of metrics to something that was started without them and that those metrics will in some sense be different than the kind of metrics that you would apply a (priora) on a project.

That's sort of in one you're measuring at the end of the road how badly bruised did you get as you were going down the mountain whereas in the other kind you want to build some so that as you are going down the mountain you can do it relatively safely.

Thank you for the metaphor and I apologize for taking them too far.

Mikey O'Connor: This so Zook you've got metaphor of the day award down cold. Oh Marika go ahead.

Marika Konings: Yes this is Marika. Maybe also taking this to, you know, a higher level and as well a council question I think eventually, you know, once we have hopefully metrics and data gathering in place how do we deal with, you know, those policies that have already been implemented? You know, what is the process for reviewing those and how should that be done?

I mean we know we've gone into that with IRTP and that was a rather lengthy and dare I say painful process.

But, you know, we're recently, you know, (Pendar) UDRP lock, Thick Whois. But we haven't actually started thinking about you know, what should be the cycle for looking at those again and seeing, you know, we do need to have a kind of, you know, what is our data point and what are we trying to achieve and how do we mention that but also, you know, what is the kind of cycle and what are the mechanisms for that?

You know, do we reform the Working Group? Is that a task that is assigned to staff to start such a cycle? Is that a community review team like we've seen for all the efforts?

So I think I'm thinking at some point we'll need to go into that as well as we start to see more policies coming out and, you know, being in force for a while how we actually deal with that.

Mikey O'Connor: (Dan) was very clever. He's sitting directly in front of Marika and leapt into the queue. Go ahead (Dan).

(Dan): So I just wanted to observe that it depends on the kind of data that you want to capture. If you really mean metrics as opposed to anecdotal information then you're talking about surveys and statistics because that will give you rigorous data.

That's not always possible for different kinds of questions. But I think it is important to recognize the distinction.

Mikey O'Connor: Thanks (Dan). Just - and just to add one, this is the beginning of what will probably be a couple hours of really good brainstorming later this week. And I encourage everybody to come.

We're very much in the sort of finding our way getting started mode here. And this is a good time for these kind of discussions.

One of the discussions that we had a lot during the drafting team was are we defining the metrics themselves or are we defining the process by which the metrics are defined and the data is collected and so on?

So there's sort of a middle level above specific metrics. And the tendency of this charter is towards the framework in which metrics are developed not coming up with a specific list of data elements that need to be collected by a given set of parties. But we'll see where that goes.

So I've got I think Marika first and then go ahead Marika.

Marika Konings: Yes this is Marika. Just to note that indeed in the PDP manual I think it does encourage working groups already to come up with metrics or proposals for how to, you know, review the policy once adopted.

But we've seen that working group have actually struggled with that. So indeed any kind of guidance or framework that would help working groups then that they develop their recommendations also define, you know, how the metrics should look like and, you know, what concrete steps for review should be or could be.

I think that will be really, really helpful because I think that's something where we see that working groups often don't either have, you know, either the bandwidth or expertise to actually provide specific guidance on that.

So I think it's very important work that you do.

Mikey O'Connor: Hang on a minute. Let me build a queue. So far I've got Stephan, (Steve), (Alan), (Thomas) and I need to talk to my esteemed chair and see how we're doing on time.

Okay so anybody desperately wanting to get in the queue? Okay so Stephan go ahead.

Stephan Van Gelder: Thanks Mikey. This is Stephan Van Gelder. Just a quick on as your working group is looking at metrics for working groups they have to - the question has to be asked on whether you're considering metrics to how the council will handle the Working Group recommendations or implement the Working Group recommendations, i.e., how can you measure both the Working Group performance and also the council performance in handling the working group recommendations which has been something that you personally have always brought to the council's attention as you've been part of working groups yourself.

And there has, you know, I remember times when you've told the council that the way it was receiving Working Group recommendations was a problem.

So have - are you looking at that side of things as well just keeping it to the Working Group specifically?

Mikey O'Connor: Thanks Stephan. I hadn't thought about that. The focus of this group is really to build a corpus of processes to provide data to policymaking in general.

So for, you know, to go back to Marika's example the IRTP a lot of times we were basically flying blind because we didn't know. But those - you're quoting a topic that's really close to my heart. And, you know, I think we need to include that as well. Thanks.

Let's see, (Steve) you're next.

(Steve): Thanks Mikey. The next group is on this policy versus implementation. And that should dovetail a little bit the work that you and Jonathan are doing on this since during the PDP policy phase it's important to articulate what the objectives of this particular PDP are to, you know, reduce fraud and abuse to increase efficiency.

But if they leave for implementation the definition of survey and metrics that will achieve it we'll run into the problem that Jonathan, I and many are having on this affirmation review working group where the implementation of 70 some metrics produces complexities that cause you to go back and say now why did we want to measure that? Can we do that with the survey? Can we do it with another kind of assessment?

So if at all possible dovetail the work of your group with the very next one, policy versus implementation. And I would recommend that as much as possible that the metrics framework and the specificity of how the metric will be gathered be jammed into the policy side of a PDP and not left to implementation.

Mikey O'Connor: Thanks Steve. That actually was something we did talk a lot about in the drafting team. And that's - we've got that one wired into the work plan. (Alan) go ahead.

(Alan): Thank you. I guess I just wanted to highlight the if you look even at the first bullet there of mechanisms to get information from internal or external and it's important I think to recognize that information comes in a lot of different forms.

In some cases it's information that the parties may have and you just need a mechanisms to - with which to release it.

In other cases it's information which it's statistics that don't exist at all and may be very costly to collect.

And of course in some cases it's not to the - it may not be viewed to the advantage of the parties to release the information either for competitive reasons or simply it will demonstrate that maybe there should, a rule should be made against something they don't want to see against.

So it's a really complex issue and I wish this group very well. I'm considering participating and I wish me very well.

But when I think over the number of working groups I've worked on and the difficulties associated with trying to get data and in some cases in locking is - locking PDP is one of them where we did have cooperating parties who gave us data and it made it, the job completely different.

You know, it really allows you to focus to know what to focus on and what you can simply ignore because it's an edge case.

And it's going to be a real challenge. You know, if we succeed we're going to be much better off.

Mikey O'Connor: Thanks (Alan). (Thomas) I think you get the last word here.

(Thomas): Thanks Mikey. I have some difficulties imagining that a group or that the group that you're chairing can come up with the one size fits all solution or some methodology for each scenario that is thinkable.

When it comes to policy-making I could think of two areas where information is needed. One would be in the face of the issues report to see is - I think a phrase that you like to use is is there smoke or is there fire?

So I guess it would be up to the drafters of the Issues Report to consider what information is needed and what the best approach and what the best it receives to add that information from would be.

And the second would be in the implementation phase. And as far as that is concerned I think one could easily add an additional task or an opportunity for the Working Group or the council to ask them that during the implementation overview they should come up with imperial data and tests to see the

efficiency or, you know, or the effect and the need to further review the work product of a working group.

What I'm not quite sure is whether it is or it might be worthwhile doing a test balloon maybe with two or three PDPs to have to try to piggy-back this data gathering issue support plus implementation to see what the outcome of that would be to simulate this process.

You know, I had some difficultly imaging how we can do this exercise in isolation without having real PDP cases behind it to see what the experience, the real-life experience would be with it.

And maybe we'll just need to have some tweaks through the SEI to the PDP manual to ask for that for exactly that result. Get my point? I'm not sure, maybe we should take it offline.

But maybe it's all there and we just need to add a little bit of encouragement to the PDP life cycle to get this outcome.

Mikey O'Connor: Thanks Thomas. I'm getting a subtle queue from the boss that we're running over time. But let me just touch on one thing.

One of our questions on the previous slide is which comes first, data or policymaking and the chicken and egg problem that that represents is right to the first point that you were making.

And we are going to take a look at a bunch of PDPs that have already taken place and use those as use cases to draw out ideas.

And then in terms of the implementation of this I think you're absolutely right. You don't want to just implement it across the board without doing some testing along the way.

So I - you know, last plug especially to the contracted party house we could really use a bit more participation in this. Thanks.

Jonathan Robinson: Thanks Mikey, noted. Let's stop the recording on that session.