



Dear Mr Whitehead

I refer to auDA's Name Policy Advisory Panel's [Public Discussion Paper on New 2LDs](#) and would like to submit the following comments as Chair of the Australasian Computer Crime Mangers Group (ACCMG)

The ACCMG has been established under the auspices of the Australasian Centre for Policing Research (ACPR) and consists of the managers of all Police computer crime units in Australia and the New Zealand.

The ACPR was ratified by an Australian Police Ministers' Council (APMC) Agreement signed by all Council members on 21 May 1982. It commenced operations with a mandate to co-ordinate, stimulate, sponsor and undertake research programs for all Australian police forces. A Board of Control, comprising all Australasian Police Commissioners directs and controls the administration and operations of the ACPR. The Board of Control reports on a bi-annual basis to the Australasian Police Ministers' Council (APMC).

The auDA Name Policy Advisory Panel's discussion paper on new 2LDs raises the prospect of:

"An 'open slather' 2LD. This means a 2LD with no eligibility requirements whatsoever. This type of domain would be akin to the .com, .net and .org gTLDs, where domain names are licensed purely on a first come, first served basis, and there is no distinction between commercial and non-commercial, or individual and organisation. It has been suggested that an open slather 2LD would ease the pressure in the existing 2LDs."

The ACCMG believes that an 'open slather' 2LD would establish an on-line environment that would be more conducive to crime:

- Consumers would be vulnerable targets because they would be less likely to distinguish between on-line offers that originate from reputable or trust worthy sources and criminals seeking to defraud or harm them;
- It would make easier work for the criminals because it would be much simpler to create a bogus or fictitious web presence; and
- The likely increase in the number of crimes originating from such a policy change and the additional work required to track down the licensee would make for a less efficient use of law enforcement resources.

I have written comment from the Australian Federal Police, South Australia Police, Victoria Police, New South Wales Police and Queensland Police ACCMG representatives who unanimously appose the introduction of 'open slather' 2LDs. The ACCMG is not aware of a single case where the licensee of an '.au' domain space has not be identifiable or contactable during an Internet related investigation. This has not been the case for matters that have originated from other domain spaces, such as '.com'.

Furthermore, an 'open slather' 2LD would be in contradiction to a number of the desirable attributes of a good DNS, previously discussed by the Panel:

1. **Coherent.** A common set of principles, baseline policies and rules which apply to everyone across all 2LDs.

Such a policy would be inconsistent with the remainder of the 2LDs.

2. **Competitive.** Protects domain users as the ultimate beneficiaries of a well-regulated system.

Domain users would be less protected and the regulated system would be weakened.

3. **Robust.** Rules must be technically feasible and stable, and registry information should be reliable and publicly accessible.

Registry information would be less reliable.

4. **Consistent with other rights.** Including intellectual property rights of individuals and businesses.

Domain users will not be less able to protect their rights if they do not know with whom to take issue with. Similarly, law enforcement will be unable to protect the rights of people who are victims of abuse or scams.

5. **Fair.** Promotes trust in the integrity of the system.

Consumers whose rights are infringed and victims of crime will trust the system less.

6. **Transparent.** Adequately addresses privacy and other consumer protection issues.

Knowing with whom you are dealing with is a central plank of the consumer protection regime.

The ACCMG believes that an 'open slather' 2LD would be a counter productive step towards creating an on-line environment that is hostile to crime and one that promotes trust in electronic commerce.

Yours sincerely

Brad Shepherd
Inspector
Special Technical Investigation Branch
New South Wales Police Service
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02 99509204