

Hon. Ed Vaizey MP  
Department for Culture, Media & Sport  
100 Parliament Street  
London  
SW1A 2BQ

## Contacting us

Phone: 01865 332211

Fax: 01865 332288

Email: [nominet@nominet.org.uk](mailto:nominet@nominet.org.uk)

Write to: Nominet UK, Minerva House,  
Edmund Halley Road,  
Oxford Science Park, Oxford, OX4 4DQ

Web: [www.nominet.org.uk](http://www.nominet.org.uk)

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## Domain name registrations containing offensive or abusive terms

Dear Minister,

Thank you for your phone call regarding this issue which I understand has been brought to your attention by John Carr. John has raised also this issue with me directly and I have been in email correspondence with him regarding both .uk policy and the .uk policy process.

We do not have a policy of banning offensive words or phrases from being registered in the .uk domain space. In this respect, the policies we have are broadly similar to those of other registries that have open registration policies, such as .com and .eu.

The question of having a list of banned strings raises a number of issues relating to freedom of expression, but also raises much more direct questions of practicality.

On the first point, defining whether something is offensive is a subjective judgement and one which we believe is better made by public authorities such as the Police, Courts or a Competent Regulatory Authority, rather than by Nominet as a private company. There are of course some potential terms that some would consider self-evidently offensive, but even then the question of whether a domain name registration should be permitted is not necessarily clear cut. For example, the domain name [childabuse.co.uk](http://childabuse.co.uk) is registered to an individual who has forwarded the domain name to the NSPCC website. Arguably this is a good use of a domain name which some people might argue should not be available to register.

In relation to the questions of practicality, the permutations of offensive words and phrases that can be created in the 63 characters of a domain name are almost limitless, so the creation of some kind of exclusion list would ultimately not prevent offensive phrases being registered as domain names. Were we to have a set of words or phrases that could not be registered, we would likely end up restricting many legitimate registrations. A good example is [Scunthorpe.co.uk](http://Scunthorpe.co.uk), which contains an offensive term within the domain name, or [therapist.co.uk](http://therapist.co.uk) which could be read in more than one way.

We could in theory vet all applications for a .uk domain name, but this could only be done by adding considerable time and cost for each registrant to the registration process. Even if we took this step, ultimately

the offensiveness and indeed legality of a particular website is likely to be heavily dependent on its content and this is something that cannot be judged during the process of registering a domain name.

Where a domain name itself is illegal rather than offensive, such as a case of incitement to racial hatred or a threat to an individual, we already cooperate with the appropriate authority (such as the police or Crown Prosecution Service) if asked to suspend a domain name while the case is investigated. We have a good working relationship with various branches of the law enforcement community and regulatory authorities. When a query from these organisations about abusive registrations, malicious or criminal activity arises, it is handled by a dedicated support team in Nominet who are able to operate a rapid suspension process if necessary. This process has been fairly regularly used and I can supply further information, if of interest.

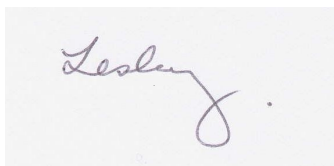
Nominet is a Member of the IWF, but has not, to the best of my knowledge, ever been asked to suspend a .uk domain name associated with child abuse images.

It is of course open to anyone to pursue a case through the courts to mitigate harm or injury (e.g. libel) caused by a domain name and we will be bound by any decisions made by the UK courts. As you know, we have a very successful Dispute Resolution Service that allows people to resolve disputes about abusive registrations, such as trade mark infringement, without the need to go to court.

While I can appreciate the immediate concern that some people may have when considering this policy question, I believe that the open nature of the .uk domain space is a key part of its success and that our policies, alongside robust industry self-regulation, have contributed to the trusted nature of .uk domain names. As you know we operate an open policy development process in which we invite stakeholders to contribute issues that they believe should be addressed in Nominet policy. To date, this issue has not been raised with us as an area where our policies should be reviewed. However, I have sent John links to the policy process in case he wishes to suggest such a review.

I would of course be happy to discuss this issue with you further, but I hope that this letter is helpful in the meantime.

Yours sincerely,

A handwritten signature in purple ink, reading 'Lesley' followed by a stylized flourish.

Lesley Cowley OBE  
Chief Executive