

Dear Sir,

Please note that as a University we are extremely concerned about Ofcom's Code of Initial Obligations, and presume that our response is aligned with that of Universities UK and JISC.

In the Code's current form, universities will be viewed by ISPs as subscribers and therefore will be subject to the receipt of copyright infringement notices from their ISP. With over 14,000 students and 6,000 members of staff, we are not a typical household subscriber and therefore cannot be treated in the same way. Rather, we have our own internal methods of handling copyright infringement which do not lead to restrictions on the use of the Internet for education, teaching and research.

We take notifications of alleged copyright infringement very seriously and have several policies in place with which students and staff must comply, namely the Copyright Policy and the Acceptable Use Policy for information technology / use of computers. If we receive a notification, we investigate it to ensure its authenticity (you may be aware of the firm ACS:Law which sent bogus notifications of copyright infringement out to many organisations and has since been condemned). A tiered structure of disciplinary action exists to ensure that users are fully aware of the consequences of their actions. In addition to this, users may not host or operate file-sharing sites on the University network as a result of internal technical restrictions.

Furthermore, a 20 day period to appeal a copyright infringement notice is unworkable and impractical in an organisation as large and diverse as a university. Many different departments would need to work together to establish facts surrounding even one instance of alleged copyright infringement. We believe that our method of handling alleged copyright infringement is practical, proportionate and effective and does not impact on legitimate daily use.

We strongly oppose the introduction of external technical measures by an ISP as this is extremely disproportionate to the issue in hand; it is not appropriate to limit bandwidth or similar to an institution of over 20,000 members for one user's transgression.

We urge both Ofcom and the Government to either specifically exempt universities and other educational bodies from the provisions of the Digital Economy Act or designate them as communications providers who can continue to tackle instances of alleged infringement in a reasonable and proportionate manner.

Yours faithfully,

Emily Goodhand  
Copyright & Compliance Officer