

## **SSR2 Discussion - ICANN Board and Community Leadership**

**02 November 2017**

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CHRIS DISSPAIN: All right, ladies and gentlemen. If you could please take your seats.

Alan, are you making your way slowly to the stage? Thank you.

We have no particular sort of process for this meeting because, basically, we've never done it before.

So I guess, do you have -- you guys have had a chance to meet together and discuss anything? Do you have -- do you want to run this just as an open discussion? James.

JAMES BLADEL: Thanks, Chris. And I should first probably point out -- James speaking. And I should probably point out that because of the transition hand-off that I'm here at the pleasure of the new GNSO chair, Heather, who just sat down.

CHRIS DISSPAIN: Okay.

JAMES BLADEL: One thing we need clarity on that we heard loud and clear in the GNSO in session on Wednesday is that the SSR2 review team is here in Abu Dhabi. I believe they have a full day's session scheduled for tomorrow.

And there's -- there needs to be, I think, a very clear understanding of what that is going to look like. Are they allowed to continue to work tomorrow? And I think from the SO/AC perspective, who decides that? Doesn't sound like it's a board decision. It certainly seems like it's something that we should all reach consensus on here. But the point is, is that -- what does "paused" mean? What does that mean to you? You guys said you paused it. What does that mean?

CHRIS DISSPAIN: Got it. So before we -- I will respond to that in a second. But before I do, I think we should probably do our usual trick and go around the table and say who we are. Thanks.

JAMES BLADEL: James Bladel.

BRAD VERD: Brad Verd, RSSAC.

HEATHER FORREST: Heather Forrest, new chair to the GNSO.

ANDREW MACK: Andrew Mack, BC chair.

JAY DALEY: Jay Daley standing in for Patrik Faltstrom on SSAC.

LITO IBARRA: Lito Ibarra, ICANN board.

GORAN MARBY: Goran Marby, ICANN org.

STEVE DELBIANCO: Steve DelBianco, business constituency.

GEORGE SADOWSKY: George Sadowsky, ICANN board.

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MARKUS KUMMER: Markus Kummer, ICANN board.

TRIPTI SINHA: Tripti Sinha, co-chair, RSSAC.

GEOFF HUSTON: Geoff Huston. I find myself sitting here from the last meeting, but I'll happily move off the table if you want.

CHRIS DISSPAIN: I wouldn't dream of suggesting that, Geoff.

GEOFF HUSTON: Thanks, Chris.

RAM MOHAN: Ram Mohan, SSAC liaison to the ICANN board.

ALAN GREENBERG: Alan Greenberg, ALAC chair.

WOLF-ULRICH KNOBEN: Wolf-Ulrich Knoblen, chair, ISPCP constituency.

CHRIS DISSPAIN: Chris Disspain, ICANN board.

RINALIA ABDUL RAHIM: Rinalia Abdul Rahim, ICANN board.

KAVEH RANJBAR: Kaveh Ranjbar, ICANN board delegate to SSR2.

KHALED KOUBAA: Khaled Koubaa, ICANN board, incoming chair of the OEC.

THERESA SWINEHART: Theresa Swinehart, ICANN board.

CHERINE CHALABY: Cherine Chalaby, ICANN board.

KATRINA SATAKI: Katrina Sataki, chair of ccNSO Council.

RON DA SILVA: Ron da Silva, ICANN board.

FILIZ YILMAZ: Filiz Yilmaz, ASO AC chair.

ALAN BARRETT: Alan Barrett, ASO.

LEON SANCHEZ: Leon Sanchez, board incoming.

JONNE SOININEN: Jonne Soininen, IETF liaison to the ICANN board.

BECKY BURR: Becky Burr, ICANN board.

CHRIS DISSPAIN: Thank you very much, everybody.

James, to address specifically your question, the letter we wrote to the review team on Friday sets out some questions and then it says, "Without prejudicing the answer to those

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questions, the board considers that the most responsible course is to suspend the review team's work pending responses from the SOs and ACs for ICANN60. The board requests that you continue your engagement sessions and use your scheduled face-to-face meeting on Friday to review the feedback from those issues. However, all other work should be paused until the issues raised have been addressed."

Now, that said, what we also said is that we are now -- having taken that action, we're now handing the matter across to the SOs and ACs and let me be very clear that the board is -- Wolf -- stands ready to help and to facilitate through to find the solutions to this, as we said in the background letter that we sent out a couple of days later, which I understand has finally trickled down to where it's supposed to be, notwithstanding the fact that I sent it to the address I was told to send it to. And in that we set out the background, what the questions are in some detail and that we -- it's over to you now.

So, the blunt answer to your question is that we have said all other work should be paused until those issues raised have been addressed. But if you guys all get together and say, We're going to work on this and in the meantime, we're going to instruct the review team to carry on, I guess that's your decision.

Our position is pretty clear. But we also acknowledge that, look, let's be clear about this, there is no process as I think Steve has said on numerous occasions quite rightly. There is no process. So I think it behooves us all to work together to find something. And there are two -- we could find something that just works with them in the interim and work on a bigger one. That's cool. We could do that. But we do need to find something and do something.

My point would be that if you accept -- and this is just me speaking personally now. If you accept that the questions that were raised in the SSAC's advice and the questions that were raised by the board are real and legitimate questions, not blaming anybody, just real and legitimate questions, then whilst -- solving those is probably sensible. And as a simple example, if you think one of the issues with the team may be the fact that there are not enough people on the team, maybe it would be sensible to at least fix that issue before you decide you want to set it off again. But it is a matter for you.

Steve, go ahead.

STEVE DelBIANCO: Yeah, Steve DelBianco. And Alan and I were among the folks who brought the AoC into the bylaws. One of the things we did was to increase the quantity of individuals and capacity to be on a team. It's 21. And the science behind that was seven ACs and SOs times three, okay? Not that sophisticated.

But this team didn't begin with 21. And with some losses, it's well under that quota, that contingent. So that's an opportunity.

And I would just propose that the SO and AC leaders consider that in parallel with adjusting scope concerns and things like, that in parallel with that, let's get ICANN's assistance to ask for reinforcements. And then it's up to the AC and SO chairs. This is a muscle you have exercised a few times. The AC and SO chairs can round out the team from the reinforcement volunteers. And that will take a few weeks, I understand that. That process will inject some additional help and could go a long way towards getting us back on track to complete this review.

CHRIS DISSPAIN: Thank you.

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Alan.

ALAN GREENBERG: Yeah. I walked into this room early and I found an SSR2 meeting with the board going on. Was there any -- can you give us a summary of what was discussed?

CHRIS DISSPAIN: Sure. This was a meeting that was on the agenda for ages, right? This was a meeting that was set back in September.

ALAN GREENBERG: I didn't say it was an illicit meeting.

CHRIS DISSPAIN: It would be to do anything illicit at an ICANN meeting.

But we discussed the status of the work plan, the communications between the board, and the review team. We discussed whether the review team thinks this is the work, whether the work plan is complete or not, and I think it would be fair -- I haven't covered all the points. But we discussed the shortage of people. And we all agreed that we all want to work together to get this sorted is, in essence, what happened.

And if Denise or Eric or anyone else disagree with my very quick rough assessment of where we got to, please feel free to say something.

Did you want to say something else, Alan? Or that was you? Okay. I have got James' hand up. Jay was first and then James. Jay, go ahead.

JAY DALEY: Just to remind you I'm representing Patrik Faltstrom from SSAC here.

We have recent -- on this issue of additional volunteers, we have provided the SSR2 team with a list of skills that we think might be appropriate for such review. What we look forward to receiving from the SSR2 review team is a matrix of the individuals who are in that team assessed against those skills. And then a separate matrix of the outstanding tasks and the skills required for those that would then allow a gap analysis to be done to determine whether there are any skills gaps there. And it could also be used to assuage any concerns anybody had as to whether the appropriate skills are there.

Now, that's clearly not the same as Steve's point about actual number of people and the resources available. But it's an evidence-based step to start that process off.

CHRIS DISSPAIN: Thank you, Jay. What that does is indicates to me there may be -- that in order for the SOs and ACs to deal with the issue and to complete the work they need to do, it may actually be necessary for the review team to do some things. So I think it would be sensible at least enable that to happen. It could be tomorrow, or it could be next week. My point is if you need the review team to do some stuff, we can enable that through -- sorry, org can enable that as it needs to do.

James.

JAMES BLADEL: Thanks, Chris. James speaking, and speaking for no one but myself at this point. To Steve's point, if I could circle back for a moment, the GNSO, as for this review team and for the review teams that have been selected since SSR2 has used a process where we select three primary members and four alternate members to be used to fill out in the event that other SOs and ACs don't fill out their -- what do you want to say, maximum delegation or allocation to the review team.

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So a couple of points on that. One, shame on me. I should have fought harder for all seven to be seated to fill out the review team because they came through our selection process and all were endorsed as having the skills and the background necessary to contribute to this team. And the second point being that that means we have kind of a built-in ready reserve, if you want to think about it. So if the decision coming forward is to augment this team with some additional members, the GNSO has a group essentially that's been following the work presumably and is ready to go, waiting in the wings.

And thirdly, I just want to point out that one of the criticism that we heard from the board, and from the SSAC letter, was that the resources being consumed by this work were now kind of talking about one of the paths forward out of this is to increase the resource load by about 40%. So I just want to make sure that we're clear that that's part and parcel of what we're discussing and one of the paths we might choose. Thanks.

CHRIS DISSPAIN: Yeah. What's your feeling about Jay's suggestion in respect to skill set, gap analysis, blah, blah?

JAMES BLADEL: I think all of that is welcome and certainly can be taken into consideration, and I think that it's important to note that the -- the diversity of the different communities, everybody's going to bring something different to this review team. If someone were an expert SSAC contributor in the GNSO, they'd be in the SSAC. Or the ASO --

CHRIS DISSPAIN: Sure, of course, of course.

JAMES BLADEL: -- or something else. So there are limits to what that does. And I know that we've all discussed the struggle of staffing or matching skill sets to groups that have no defined scope and that presents the chicken and egg problem because we want these groups to develop their own scope.

So I understand all of those are challenges and I think that we can talk about those, we can refine our process and make it better -- and when I say we, I mean Heather -- for us --  
[ Laughter ]

-- to -- going forward. But I think all of that needs to be on a side rail or a side track to --

CHRIS DISSPAIN: Sure.

JAMES BLADEL: -- getting this immediate problem addressed and that started. Thanks.

CHRIS DISSPAIN: Thank you. No one's in the queue, so can I -- can we take it that there is agreement amongst the SO/AC -- I'm not entirely sure what to call you -- leaders. I'm constantly being told to be careful what you call, there's a difference between leadership team and leaders and whatever, that you need to all get together and work together and figure out what the next steps are with this. Can I assume that that's a given, that you're all here and that's what everybody wants to do. Okay. So on that basis, I suppose my next question would be, what can we do to help you? Heather.

HEATHER FORREST: Thanks, Chris. I suppose I'll turn my intervention into a question which is to say, to the extent that we following on your last point, we do get together as SO/AC

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leaders and we develop a path forward, what sort of input does the board anticipate giving to that? Will the board, to the extent that the SO/AC leaders agree on a path forward, is there a possibility that the board will disagree with that and take action in that regard? Can you give us some indication as to how -- what your next steps would be after our next steps? Thanks.

CHRIS DISSPAIN: So I'm -- I will never say never, but our anticipation is that this -- the acknowledgment that some things need to be done, whether you agree with the specific points made or not made, doesn't much matter for this, for now. The acknowledgment that some things need to be done, even if it's simply more people, if nothing else, just that, is fine and great, and it is a matter for you to decide when you want to -- and I'm not using terms like "restart," "push the button," because they all have their own different meanings and people get upset. But when you want to -- when you say you're ready, then off you go. Now, can I give you a cast iron guarantee that in three months' time that there won't be something that the board will want to talk about? No, of course, I can't. But what I can say, and it's in the background letter, is that we stand ready to help you facilitate and help you get to a point where you're comfortable that the review can resume, and we'll do whatever it takes to make that happen. And it's certainly not a question of you coming to us and saying, we want to do this, do you approve it. The key problem here is that none of us, the board, you, none of us actually have any mechanism for doing any of this. So we're doing it and creating a mechanism. But I want to be very clear, the board does not expect to veto, nor does it expect to have to approve anything. It expects to work with you come -- does it mean we won't say something? I doubt it. I think that's highly unlikely. But nonetheless, we expect to work with you, and it's ultimately in your hands. I hope that's clear, Heather. So what can we do to move this -- Cherine, yeah.

CHERINE CHALABY: So I just -- just want to add to Chris' point. I mean, the worst thing that can happen to the SSR2 review work is to start, stop, start, stop. That would be a waste of time, a waste of everybody's time. The best thing that can happen is that if we all take note that there is -- there is an issue, solve the issue and move forward. And as Steve -- as Chris said, and all my colleagues have said, the board -- I think the board, like you said it, Steve, has two responsibility. One is to cause the review and the other one is an oversight from a fiduciary point of view. I think we've done that. You have a responsibility to restart it again and restart it on the right footing. And we stand ready to help. Don't know what that means. It means you need information, fine, give you information. You need -- whatever you need. I mean, there are three issues, right? It's scope, it's -- and resources, basically. And the work plan, finalize the work plan, whatever that is. So if you need those three, we stand ready to help you on those three, there's no doubt about it. But start, stop, start, stop, will just delay things and will really derail this project. So we want to not do that and avoid that at all costs. Thank you.

CHRIS DISSPAIN: Jay.

JAY DALEY: Thank you. So there is another issue that Patrik has asked me to raise which starts initially with SO/AC chairs for you to see whether or not we agree that we ask the board this, and that's the issue of staff support. We understand from the SSR2 review team

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that they have been unable to get staff report to take notes of telephone calls and that has adversely affected their ability to record and understand their decisions over time. And Patrik wants to know whether we're in agreement that we should be asking the board to address this matter urgently.

CHERINE CHALABY: I think this is a staff issue. Goran should take that probably.

GORAN MARBY: It's -- we've been asking for information about how we -- if there has been things that we could do better, we asked the review team for that. And we have not received specifics in that sense. Which means that -- we will address any problem we can if we know what the specifics are. So this is a specific, and we have to look into it. I bet that Theresa would like to say something as well. And a general point, I think it's -- wherever we are in this process, wherever -- wherever this is done, I think it's important to move forward. And when there is a sort of work plan that everybody agrees and understands upon, it's also easy to align the support. We do reviews for a living, unfortunately. We actually do that, sorry. We do a lot of reviews. Sometimes we do mistakes. We try to work with those mistakes and learn for the next review but also existing review.

So if we can sort of go back to the, we are what we are and then continue with it, we will make sure that we assign the -- we will assign the resources that is needed. Probably things will happen again, and then we will resign again and work with it. Often we do these things together in an open spirit with the people involved in the reviews. And that -- that is important, because if we don't have the sort of trust between the review team and the staff, it's always problematic. Thank you.

CHRIS DISSPAIN: Theresa, do you want to respond?

THERESA SWINEHART: Sure. Just quickly. So two items. One is, we do provide a transcript, and that's been consistent with some of the other sort of areas of work that has been done. And then there's also the capture of action items. And then one of the areas is in taking notes, there's oftentimes you have different people taking notes, so there's different styles of notes. So to ensure consistency, what we identified was, if there's a specific note that should be captured, that that is flagged during the meeting and that is captured. And so we're just try to get some consistency across everything. Both in the style of notes, the action items, and then ensuring that there was a transcript provided to ease everything for everybody.

CHRIS DISSPAIN: So there is a transcript. There are action items. And notes and specifically-requested captured notes. Chérine.

CHERINE CHALABY: This is, from my own personal experience, I -- I would suggest the order with which you tackle -- this is a suggestion -- you tackle the scope first because that's important. From that, you tackle the work program, the work plan and finish it. And then you tackle the resources. At that would be the natural order with which I would have done that, personally.

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CHRIS DISSPAIN: Jay -- Alan. I think Alan may have been first. No, Jay was first? Okay, Jay, go ahead.

JAY DALEY: Tackling the scope and tackling the activity plan is not a lightweight task, and resources are really quite vital to that.

CHRIS DISSPAIN: Yes.

JAY DALEY: And so please, I'm not here to represent the SSR2 team, but I do find myself in an awkward position where we are told one thing by the SSR2 review team and another thing by an ICANN staff. And I think we need to find a process to --

CHRIS DISSPAIN: And I agree, and I suspect that this venue is not probably the right location to be having that discussion. But it's been raised as an issue, and I think we all know it needs to be sorted. I've got Alan and then Steve.

ALAN GREENBERG: Thank you. I will note that uniformity in one area is fine, but we have radically different standards that are being followed. For instance, in the CCWGs and in the GNSO PDPs in terms of note-taking during the meeting and what we're seeing in other areas. So maybe we do need to look at uniformity a little bit more than in one area.

CHRIS DISSPAIN: Yes.

ALAN GREENBERG: Certainly I've seen the same problem in a number of areas that I'm involved with. Thank you.

CHRIS DISSPAIN: Steve. Sorry.

STEVE DeBIANCO: Yeah, thank you. Picking up on what Alan said, there might be differences of the staff support, which could be traceable to single individuals, but I want to use the right word. There is excellence in the staff support, and Theresa's organization, for all the transition on Work Stream 1 and the nine parallel streams of Work Stream 2, the staff support during those calls is outstanding. Especially with respect to action items and notes. So we know the capability is there. And I have no personal knowledge as to whether the capability from time to time is lacking on SSR2 calls, but we know the capability is there. You have an outstanding team. You truly do. But Cherine, doing them in series, like fix the work plan first and then we'll provide the resources, I think that would -- that wouldn't help, right? If they spend tomorrow trying to get the work plan into shape -- obviously Theresa will have team members in the room supporting the action items, follow-up questions, and notes necessary to get the work plan back on track. So in parallel, there would be resources provided tomorrow to assist the work team and at the end of that day tomorrow we should see progress that the AC and SO leaders can examine with respect to getting a more robust work plan.



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CHERINE CHALABY: So I kind of agree with that because what you are saying, you need to put some resources to get the work plan done and then, once you know the full extent, you'll put more resources. I think we agree.

CHRIS DISSPAIN: Okay. So back to the question at hand then. What can we do? So we're clear that we obviously need to provide resources. We figured out that the review team itself will need to -- may need to help the leader -- the AC -- (indiscernible) to come to conclusions and so they will need facilitate -- help to do that. We clear that -- there's a resourcing question that needs to be sorted out. What else, if anything, can we do to help? Jay, go ahead.

JAY DALEY: So in conversations with SSR2 team members and with others, scope is clearly an issue here. And we have recommended to the SSR2 team that there are certain key issues around scope that need resolving and discussed it with them, and there appears to be an understanding within the SSR2 team around those. All we need is those actually properly agreed internally and then written down and made very clear to us. But it doesn't appear that there are strong substantive issues there. It's simply the issue of understanding -- having those properly recorded to make clear to the rest of us. So that's an expectation of that will also be delivered, and then from that point onwards scope is either not a problem or the -- there are a few remaining problems that can be resolved at that point.

CHRIS DISSPAIN: Thank you. I just wanted to say that there is some -- I understand we've got some sort of disagreement about whether there are transcripts or there aren't transcripts. I -- I have in front of me a page from SSR2 meeting 30, 3rd of October, and that appears to me to have a transcript on it. And I -- which I'm clicking on now. So I'm not sure -- I have no knowledge of any of the past of this, but I can certainly see a transcript from a meeting from the [community.icann.org](http://community.icann.org) Web site. So I don't know -- Alan, go ahead.

ALAN GREENBERG: There's no question there are transcripts. The question is, are there meeting notes which are much briefer summary that people can refer to as to what transacted and what people said.

CHRIS DISSPAIN: So I apologize.

ALAN GREENBERG: It is the standard in some meetings --

CHRIS DISSPAIN: I apologize. I thought the question was whether there were transcripts or not. It seems there are transcripts. Okay, good. So I believe -- so that's that one sorted. If there's an issue with meeting notes, then I'm -- I mean, we can take -- Goran and Theresa can take that away and get that sorted.

I just want to go around the room again. Anything else we need -- we need to do to facilitate and help you with this issue?

RINALIA ABDUL RAHIM: There's Jay again.

CHRIS DISSPAIN: So you've got a question. Yeah. Go ahead, Jay.

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JAY DALEY: Not a question. Just one more information point for you in terms of conversations with SSR2. There is a question of how progress is reported against the activity plans, and we understand from SSR2 that the processes by which activity progress is reported does not necessarily accurately reflect the -- well, isn't reflecting it the way they wish it would be reflected, and we, therefore, recommended that they would produce their own form of diagram initially that sets out their understanding of progress. As I understand it, it's effectively because there are multiple things taking progress in parallel, and so if you measure performance by the number of those completed, it looks very bad because they're all due to complete at roughly the same time. So that recommendation is made, and we're hoping that when that appears that gives a different perspective on progress.

CHRIS DISSPAIN: Kaveh, do you want to address that?

KAVEH RANJBAR: I'm sure staff can clarify if I'm wrong, but to my knowledge, there have been three milestones reported with a number of the progress indicator. The first two, which has been -- I think in every two months or three months, have -- has been approved by the co-chairs. And I guess have been discussed within the SSR2, but they have gone through approval by the co-chairs. So the -- whatever is published is approved. The third one has been sent to the co-chairs, not yet approved. But that's also here on the link that is not yet finalized.

CHRIS DISSPAIN: Is that what you were talking about, or is it a different topic?

JAY DALEY: I believe that's it, the third one on the representation of progress, as shown by the third one.

CHRIS DISSPAIN: Okay, fine. Good. I'm -- sorry, yes, Rinalia. Go ahead.

RINALIA ABDUL RAHIM: Sorry. Just to share that the reason that we were able to catch the problem is because we monitor progress of the review teams. And as a matter of curiosity, I would be interested to know whether the SO/AC leaders are planning to do collective monitoring or individual monitoring. And this is your mechanism. Of course, we don't have any say, but it would be a matter of interest to us to know how you would go about doing that and whether there's anything we can do to sync reporting on progress or updates.

CHRIS DISSPAIN: Does anyone want to address that? Alan, go ahead.

ALAN GREENBERG: The simple answer is, we haven't discussed it. Each AC/SO monitors to the extent it chooses and remembers the performance of its people on review teams. To be quite candid, we have done a pretty good job with the support of our CC -- CCT review team members. We haven't done such a job with SSR in the past. That will, of course, change. And I don't think we've discussed at all trying to assemble a -- a composite view at this point. It may be something we should discuss.

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CHRIS DISSPAIN: Thank you. I wanted to -- sorry. Was somebody else's hand up? Cherine. Go ahead.

CHERINE CHALABY: Alan, maybe you should consider, you know, the concept of the PCSD, whether you want to attach it to this group because they produce progress reports to the actual team leaders and help them in monitoring progress on a constant basis and that's been shared with the SO/AC leaders, for example, in the case of WS2. Just a thought. Think about it. You don't have to reply.

CHRIS DISSPAIN: Thank you, Cherine. I just got conscious of the fact that when -- Alan asked me the question later on about what happened in the meeting before this that I have -- I have missed what I would consider to be a fairly substantial chunk of what happened that I need to just tell you, mostly driven by some comments made by Geoff over there. And I think they're important because they go to the fundamental principles of the issues. And what Geoff was basically saying, he addressed the staff support issue. We're dealing with that. But then he went on to talk about the depth and the breadth of review and the complete lack of clarity around what -- leaving aside what we shall do, what this review is meant to do and clear lack of processes both within the review itself and mandated processes, if you will, within the review itself and outside of it, the events like this. So I think we addressed all of that.

And Denise also said -- and I could not agree with her more. It's perhaps unfortunate for the SSR2 review team that they are the first ones out of the trap and they're the ones basically that is allowing us to see that we've got some work to do. And they have to suffer through that. And for that I apologize to them.

But I think it's important to address those points because Geoff did raise them and they were important. There is an understanding, I think, even from within the review team itself that there's a lack of mechanisms, a lack of process, and we really do need to fix that. And I think there's willingness on everybody's part to do so.

I'm going to give us back 25 minutes, 35 minutes of our lives unless anyone else has anything that they need to say.

I leave this meeting with an understanding that the SO/AC leaders are going to go away and do what you need to do. We're on call if you need us. Please ask us for our opinions on stuff. We're happy to give them, as you may know. And also the SSR review team as well.

Anybody else, any last words? Kaveh? Okay. I'm going to call it at that time. And thank everybody very much, indeed, for their time and effort for getting here. I know it's short notice meeting, but we really appreciate it.

And I also want to say thank you to the SSR2 review team as well for being here an hour earlier and staying through this. It's much appreciated. Thank you, all.