



MEDIA STATEMENT

Thursday 19 November 2020

Jersey Competition Regulatory Authority issues Final Direction to JT and Sure regarding repeated failures of 999 emergency call services

The Authority has issued its Final Decision following a comprehensive review of six incidents during early 2020 in which the 999-call services were not available to the citizens of Jersey. The investigation was launched building on an inquiry by the Government of Jersey, Justice and Home Affairs Department (JHA).

Jersey's licenced telecoms companies (Operators) are obligated by their licences to provide the emergency call service, which enables Islanders and visitors to contact the appropriate service in an emergency using 999 or 112. The service is required to be provided "at all times".

During the period from January to April of this year, 999/112 services in Jersey failed multiple times, affecting all citizens in Jersey whether making calls from mobiles or a fixed line service. Some of the failures were identified at the time and others in hindsight, but only one incident was reported directly to the Authority, by Sure. Failure to notify the Authority of such outages is itself a breach of the Operators' licence conditions.

Having considered the evidence provided by the Operators, the JHA's report and other material, the Authority has concluded that each of the Operators (1) failed to manage and provide the public emergency call service with respect to their own customers; and (2) failed to notify the Authority of all the network issues that led to the failures.

The cause of most of the failures was JT's Call Handling Agent infrastructure. On two occasions this caused a complete outage where no-one could call 999 and on the other four occasions the States of Jersey Police had to step in and field emergency calls (a pre-determined fall back procedure). These failures affected all operators. Separately, issues relating to an interconnection link between JT and Sure led to a further problem affecting Sure customers.

Tim Ringsdore, CEO of the Authority said, “Everyone who lives on, or visits Jersey relies on the 999/112 services being available if they need to get help in an emergency. These failures fell far short of the required standard, or what we expect of Jersey’s licensed operators. Whilst a number of the problems were caused by JT’s Call Handling Agent, Sure and other licensed operators also failed to meet their obligations in relation to the 999 service.”

“This is an issue we are taking very seriously. JT and Sure have acknowledged the emergency call service they are bound to provide under the terms of their licences has fallen short of what is required. Fortunately, no loss of life is known to have resulted as a consequence of any of the six incidents that were the subject of this investigation. It is nevertheless evident that the failures which led to their occurrence presented potential life-threatening risk to the public during the pandemic. We are taking significant enforcement measures and clarifying the standards expected to ensure maximum availability of 999 services in the future.

“All operators have taken or will be taking steps to address the issues and are working with us to bring this investigation to a swift conclusion. We are pleased that there are currently no problems with Jersey’s 999 service, and we have no reason to expect the problems to recur. If they do, we expect to take further swift and tough action. We call on all operators to work together to adopt a new Code of Practice and drive lasting improvements to ensure that Islanders and visitors are protected.

As a result of the investigation, the Authority is:

- Setting out the regulatory contraventions and ordering Operators to undertake specific actions designed to minimise the risk of any recurrence. That process has already commenced in relation to JT on a voluntary basis ahead of this Decision (and will now be required to be completed) and will also be undertaken in relation to Sure.
- Discussions have commenced with Airtel Vodafone and Homenet.
- Raising the standard of availability of 999 services in Jersey to align with other jurisdictions and tighten the link to relevant international standards for service resilience.
- Issuing detailed additional guidance to all operators governing access to emergency services.
- Setting out the Authority’s clear expectation that all Operators will work together in light of this decision to establish reliable and robust arrangements supporting 999 calls in Jersey.

The Authority will decide if any further action and penalties, such as fines, are required at a later date.

The Minister for Home Affairs, Connétable Len Norman said, “These failures presented a significant threat to the integrity of our emergency services and the health and safety of Islanders. The swift

response by the Jersey Competition Regulatory Authority and conduct of the investigation is welcomed and I am confident that the future stability of the 999 call network is now assured.”

The Final Decision does not address a further incident which resulted in the Island-wide JT network outage on 12 July 2020, including the loss of the 999 service, which is the subject of a parallel investigation.

About the Jersey Competition Regulatory Authority:

The Authority was established under the Competition Regulatory Authority (Jersey) Law, 2001. It is responsible for administering and enforcing the Competition (Jersey) Law 2005 and also regulates the telecoms and postal sectors and the Ports of Jersey..

The Authority strives to ensure that the markets work well for the benefit of all stakeholders, including Government, business, citizens and consumers facilitating best value, choice and access to high quality services.