

Case T-036

Calling Line Identity (CLI) facilities.

Consultation Response

The Jersey Office of the Information Commissioner (JOIC) supports initiatives which help protect against fraud, allowing consumers to make informed decisions, whilst respecting their right to a private life.

Question 1: Do you have any comments on the Authority's plan to review, clarify and establish expectations for the use of CLI facilities in Jersey?

The JOIC endorses activities which will help consumers and organisations keep abreast of technology whilst affording the right to a private life. The Data Protection (Jersey) Law 2018 (DPJL) applies to both the public and private sectors and helps redress imbalance between the individual and companies/government that collect, process and communicate their data to third parties.

The DPJL preserves democracy, but also protects the individual in the face of massive technological change.

Question 2: Do you agree the Authority should consider amending operator licences to include conditions covering the provision of CLI facilities?

The proposed review and any subsequent license changes which impact on the processing of personal information requires consideration to ensure that the processing activities comply with the provisions of the DPJL and do not adversely impact on the rights and freedoms of the individual.

Question 3: Do you have any comments on the importance or otherwise of protecting islanders from telephone-based fraud as far as practically possible?

The DPJL is all about protecting people. Our function as a regulator is to ensure that the principles of the law are upheld. The DPJL is an enabling law – providing a framework in which organisations can flourish.

The JOIC would welcome the opportunity to collaborate with the JCRA to review initiatives to tackle harm caused by nuisance calls.

Question 4: Do you agree the Authority should pursue introducing a centralised CLI-fraud mitigation system

We support the principle of the centralised CLI-fraud mitigation system but would welcome greater clarity as to the privacy implications for users.

About the Jersey Office of the Information Commissioner (JOIC)

The Commission is an independent statutory authority and its mission is to promote respect for the private lives of individuals through ensuring privacy of their personal information by;

- Implementing and ensuring compliance with the Data Protection (Jersey) Law 2018 and the Data Protection Authority (Jersey) Law 2018
- Influencing thinking on privacy and processing of personal information matters on a local and international basis.
- Implementing and ensuring compliance with the Freedom of Information (Jersey) Law 2011.

In addition, the Commissioner is responsible for providing advice and guidance to island businesses and individuals, and makes recommendations to the Government of Jersey in response to international data protection legislative changes