



Telecommunications (Jersey) Law 2002

Final Decision

Case T-077:

Telecoms service incident impacting Jersey's public emergency call service

This version is **non-confidential**

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[JCRA 23/63]

1. Action

- 1.1 This document explains the Authority's decision to exercise its power under Article 19A of the Telecoms Law¹ and issue JT (Jersey) Limited (JT) with an aggregate financial penalty in respect of its contraventions of certain of its licence conditions:
 - (a) Licence condition 9.1 (the obligation to take all reasonable steps to ensure the integrity, e.g., resilience and reliability, of its network);
 - (b) Licence condition 14.1 (the obligation to provide a public emergency call service at any time);
 - (c) Licence condition 14.3 (the obligation to provide a public emergency call service to Other Licensed Operators); and
 - (d) Licence condition 16.1 (the obligation to provide a public emergency call service from public telephone call boxes, owned and operated by JT).
- 1.2 The Authority's expectations of how a licensed telecommunications operator may reasonably demonstrate its compliance with its licence conditions are set out in its PECS Guidance².
- 1.3 The ability to dial a number to call the emergency services is key for the safety and security of Jersey's citizens and visitors. Given this, the performance and security of Jersey's public emergency call service is critical. Therefore, any service incident with an impact on Jersey's public emergency call service is treated with the utmost seriousness. The actions of the Authority support this position.

2. Background

- 2.1 JT (Jersey) Limited (JT) is licensed under the Telecoms Law to run a telecommunications system in Jersey. JT's licence, issued by the Authority on 30 June 2016 and modified with effect from 4 August 2021, contains various conditions which together set out JT's regulatory obligations.
- 2.2 At 01:45 on 20 September 2022, for a period of 57 minutes, a service incident occurred on JT's network which rendered Jersey's public emergency call service unavailable to users from all landlines and the majority of mobiles³.
- 2.3 Given the potentially life-threatening or personal security related consequences involved, service incidents with an impact on Jersey's public emergency call service are treated with the utmost seriousness by the Authority. Therefore, in the interests of the safety and security of Jersey's public, the Authority deemed it necessary to investigate the service incident.

3. Conclusions of the investigation

- 3.1 The Authority's investigation, which has included substantial technical analysis, identified that JT did not meet certain of its regulatory obligations, as set out within the conditions of its licence issued under the Telecoms Law:

¹ The Telecommunications (Jersey) Law 2002.

² [The Authority's guidance on the provision of a public emergency call service](#)

³ 50% of JT mobile services and 100% of Other Licensed Operator mobile services were impacted.

Licence condition 9.1:

- 3.2 The investigation concluded that JT failed to take all reasonable steps, within its control, to ensure the integrity of its network. This licence condition contravention is considered most serious due to the length of time over which JT could and should have acted to uphold the reliability and resilience of its network. The investigation concluded JT could and should have prevented the service incident from occurring by better understanding its network, particularly in relation to the carrying of the emergency call service.

Licence conditions 14.1 and 14.3:

- 3.3 For the duration of the service incident, the investigation concluded that Jersey's public emergency call service was unavailable to Jersey citizens calling from any landline and the majority of mobiles.

Licence condition 16.1:

- 3.4 For the duration of the service incident, the investigation concluded that Jersey's public emergency call service was unavailable to Jersey citizens calling from a public pay phone.

4. The Authority's Decision

- 4.1 If a licensed telecommunications operator contravenes a licence condition, the Telecoms Law empowers the Authority to take appropriate regulatory action, which includes the issuance of a financial penalty. Based upon the conclusions of its investigation, the Authority decided it necessary to impose a financial penalty on JT.
- 4.2 The Authority has issued financial penalties (and Directions) to JT for eight previous services incidents since January 2020 which have all had an impact on Jersey's public emergency call service. The amounts of these penalties have decreased overtime to reflect commitments given by JT to improve its infrastructure, process, and procedures, to ensure its network is resilient. However, this service incident demonstrates JT has not taken all reasonable steps within its control to ensure the resilience of its network despite the imposition of previous fines.
- 4.3 Within this context and taking into account the facts and circumstances of the service incident, the Authority determined the appropriate and proportionate level of financial penalty to be £380,000. The Order relating to the financial penalty is issued with this Final Decision.