

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY G.P. SOUTHERN OF ST. HELIER**

ANSWER TO BE TABLED ON TUESDAY, 7th NOVEMBER 2006

Question 1

In his response to part (a) of a written question on 24th October 2006, the Chief Minister stated that ‘The Migration Advisory Group recently considered proposals for a population register... (following) meetings with the Data Protection Registrar’. Would the Minister inform members –

- (a) the extent to which any of the current proposals have changed from those agreed by the States in 2005 (P.25/2005 adopted as amended on 22nd June 2005)?
- (b) the extent to which the 11 points raised in the summary of issues submitted by the Data Protection Registrar and contained in Appendix 8 of the Shadow Scrutiny Report ‘Migration: monitoring and regulation’ (SR.5/2005 presented to the States on 7th June 2005) have been met?
- (c) how many meetings the Migration Advisory Group has held since June 2005, and
- (d) how many meetings have been held with the Data Protection Commissioner?

Answer

- (a) The proposals being developed are consistent with those agreed in P25/2005.
- (b) As noted in the written response to question 1240/5 (3045) tabled on 20th October 2006, “The Data Protection Commissioner has been liaised with, and consulted, at each stage of the development of the proposals”. This consultation takes place with a view to ensuring that the proposals, as they develop, address each of the Eight Data Protection Principles. This is progressing appropriately and will continue to ensure that the principles are addressed, in liaison with the Data Protection Commissioner.
- (c) The Migration Advisory Group was constituted by the Council of Ministers on the 16th December 2005. Following the establishment of the Population Office, the first Migration Advisory Group Meeting took place on the 2nd March 2006. The following Migration Advisory Group Meeting took place on 12th May 2006, and the following on the 12th October 2006. The next meeting is planned for early December.
- (d) Meetings have taken place between officers and The Data Protection Commissioner on three separate occasions to discuss the Population Register. In addition, a range of email contact has taken place, as proposals have been developed. In the interests of addressing Data Protection concerns to the fullest extent these meetings will continue.

Question 2

In answer to paragraph (b) of the question, the Chief Minister stated that registration for the purposes of the ‘population register’ would be combined with Social Security registration and that it had been concluded that it would be sensible for the combined registration document or card to incorporate a method of establishing identity, as registration would govern access to employment and housing, and potentially a range of other public services. Would the Chief Minister state –

- (a) what involvement, if any, the Social Security Department has had to date in this process?
- (b) what methods of establishing identity are envisaged and who will have responsibility for ensuring the

security of data?

- (c) what range of additional 'other public services' are currently envisaged and at what stage is it anticipated that these will be included?

Answer

- (a) The Social Security Department participated in the development of the Migration Policies, including the concept of a joint registration processes. Having decided the policy approach, discussions at this stage are of a technical nature, particularly in relation to Information Technology. Again, as noted in the written response to question 1240/5 (3045) tabled on 20th October 2006, "The Population Office is working with officers from Information Services who are responsible for partnering a range of departments. These departments include Social Security.."
- (b) Establishing a person's identity is one of the key elements of a successful and secure register. As noted by the Data Protection Commissioner in the 'Formal Response to the Consultation Paper "Monitoring and Regulating Migration"' –

“..the issues of identity fraud and theft must be addressed. To do this successfully, it must involve the verification of identity to a high level and minimise the opportunities for fraudulent assumption of an individual's identity”.

While it would be inappropriate to set out a detailed procedure for verification of identity at this stage, we would look to other jurisdictions to adopt the most sensible and robust procedures, and note and agree with the advice of the Data Protection Commissioner.

In terms of the security of data, each department which used the database would have their own responsibilities, but Data Controller responsibilities would likely reside with the Chief Ministers' Department.

- (c) Each department would have to make a specific case before access would be granted, including details of why they required access, and indeed, some assurance assessment over data security. Thereon, permission would be granted based on the merits of each case and as set out in the law. Having said that, it would be surprising, and unfortunate, if the core public services, such as Health, Education, and Social Security, did not use the Population Register to establish an accurate name and address. Timing will depend on the individual actions of Departments, and indeed, there is some merit to an incremental adoption by Departments.

Question 3

What measures are proposed to ensure that data about address and employer are kept up to date and how will de-registration be enabled when a person leaves the Island or dies, in order to meet the requirement that data held on residents be maintained accurately?

Answer

It is fair to say that maintaining the Population Register up-to-date is one of the greatest challenges. At the same time, it must be remembered that the States already expends significant effort aiming to maintain its current range of name and address databases. In this sense, the challenges will not be new, indeed, they will be lessened by focusing on a single database, and by the technological solutions afforded by a single database (such as being able to identify multiple addresses, conflicting details, and inactivity across a range of services which would strongly suggest having exited the Island). Again, maintenance of the register is largely a question of detailed processes, and will be worked through as proposals develop.