

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 30th APRIL 2013**

Question

Will the Chief Minister advise members

- (a) how many times the Data Protection Commissioner has received complaints and/or requests for assistance from citizens in relation to subject access requests from the States of Jersey Police, the Police Association and/or the Police Complaints Authority under Article 7 of the Data Protection (Jersey) Law 2005 for each year from 2005 to the present date (further breaking the information down by institution and whether they related to complaints or requests or both)?
- (b) the nature of any complaints received, the actions taken by the Commissioner in each case and the outcome of the intervention and the time taken to resolve the complaints from start to finish, if they were resolved and, if they were not resolved, the time spent on them;
- (c) the nature of the requests and the assistance given or not given in the circumstances;
- (d) the lessons, if any, learnt from these experiences?

Answer

The Office of the Data Protection Commissioner (“ODPC”) is independent of government.

Requirements to report and/or publish its activities are defined by statute (see Part 6 of the Data Protection (Jersey) Law 2005 (“the 2005 Law”)) and by any applicable policies:

- Each year, it produces an Annual Report which provides statistics on complaints.
- Article 59 of the 2005 Law restricts the disclosure of information obtained by or disclosed to the Commissioner.
- ODPC has issued a Policy Statement and Guidance on Complaint Handling and a Policy Statement and Guidance on Communicating Enforcement Activities.

In light of the above, I do not judge that it would be appropriate for me to seek to place specific data relating to an individual intervention in the public domain. However, the Data Protection Commissioner is happy to liaise directly on the questions raised if that would be of assistance.