



Your latest monthly update from The Office of the Data Protection Authority.

Highlights...

**Guidance published
about the Law
Enforcement
Ordinance**



[Law Enforcement Ordinance guidance](#)

We have published new information to support those who are using personal data for law enforcement purposes. The guidance **only** applies to certain controllers (known as 'competent authorities') in certain circumstances.

**FAQs:
*Prevention of Discrimination
(Guernsey) Ordinance, 2022***



[Factsheet on new discrimination law](#)

We have prepared a factsheet for employers and employees following the introduction of discrimination legislation in Guernsey, to explain how the requirements may affect you.

This month's update from our Commissioner, Emma Martins

It has been an exceptionally busy month for us all, across all areas of activity. One of the most significant developments from a regulatory perspective has been the announcement of an [Inquiry into the States of Guernsey's IT outages between November 2022 and January 2023](#).

The Law rightly restricts what we are able to say during live investigations and inquiries but, more generally, this is an issue which demonstrates, again, the far reach and impact of data in all our lives and the importance of robust systems, processes and governance for all those with responsibility for handling personal data.

We have always been **proactive in the area of self-reported data breaches** for good reason - looking at the reality of where problems occur and mistakes are made is the best way of allowing us all (regulator and regulated) to gain insights and take preventative steps.

We have seen a downtick in the **number of breaches reported** during quarter 3, but an uptick in the number of people affected. It illustrates well that as useful and important as statistics are, we must always take care to see beyond the headlines.

The nature of the impact on individuals is also a factor which we must be alive to when considering these issues and we take time at the office to examine each case carefully and cognisant of the context for all parties.

It is easy to lose sight of individuals when looking at numbers and it is one of the many positives of working in a small jurisdiction that we are able to contemplate these things with that principle at the core.

There are many things that small jurisdictions cannot compete on with larger, better funded jurisdictions on, but we are proud of our ability to drill down beyond statistics and consider the human beings involved.

It was also great for our Deputy Commissioner, Rachel Masterton, to participate in a panel session at the recent **Global Privacy Assembly**, where she discussed breach reporting with participants from across the globe.

Closer to home, it was good to be involved in the **Islands Data Governance Forum** event and I remain a strong advocate of groups like this that bring like minded professionals together to talk about their experiences and learn from each other.

Data and its protection is increasingly complex and there is much we can, and should, do to engage intelligently, proactively and with humility.

Moving to our outreach work, we had great pleasure in taking a recent trip to Alderney to ensure that our neighbouring citizens could benefit from general support and information, including a session for young students. Seeing **'Warro'** in their book swap was lovely!

Finally, a reminder for all those in the Bailiwick about updates to **discrimination legislation**. As is so often the case these days, more and more data is being collected on individuals and groups. That data can serve us well as long as it is handled well.

This is particularly important where that data may related to information which may be sensitive to individuals. All data handling processes deserve regular review, but where you may be collecting new information about people, always ensure that data protection and governance is discussed from the outset. Discrimination law is about ensuring we have rights, protections, dignity and autonomy. In that respect, it has much in common with data protection law.

Emma Martins
Data Protection Commissioner

Headlines...

PUBLIC STATEMENT



ODPA launch inquiry into States IT outages

We have begun an inquiry in relation to data room service outages that affected the States of Guernsey's IT systems between November 2022 – January 2023.



45th Global Privacy Assembly 2023 in Bermuda

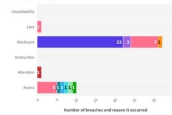
Our Commissioner Emma Martins and Deputy Commissioner Rachel Masterton joined data protection professionals from around the world to exchange ideas, share perspectives and find solutions to some of the most critical issues surrounding data protection globally.

News in brief...

Personal data breaches reported to ODPAs

Reason breach occurred vs. what happened as a result

What happened to personal data as a result of breach



Date range: 1 Jul - 30 Sept 2023
Total breaches reported: 38
Total people affected: 77,321

Breach stats published

Thirty-eight personal data breaches were reported between the beginning of July to end of September 2023 with 46 underlying causes. These affected 77,321 people.



ODPA children's book available online and in local bookstores

As we get ready to distribute 'Warro goes on an adventure' to all Year 4 children in the Bailiwick of Guernsey as part of our schools outreach programme, we are delighted to announce it's now available online and in local bookstores.



Read latest blogs

Catch up with the latest thought-provoking blog posts written by our Commissioner Emma Martins:

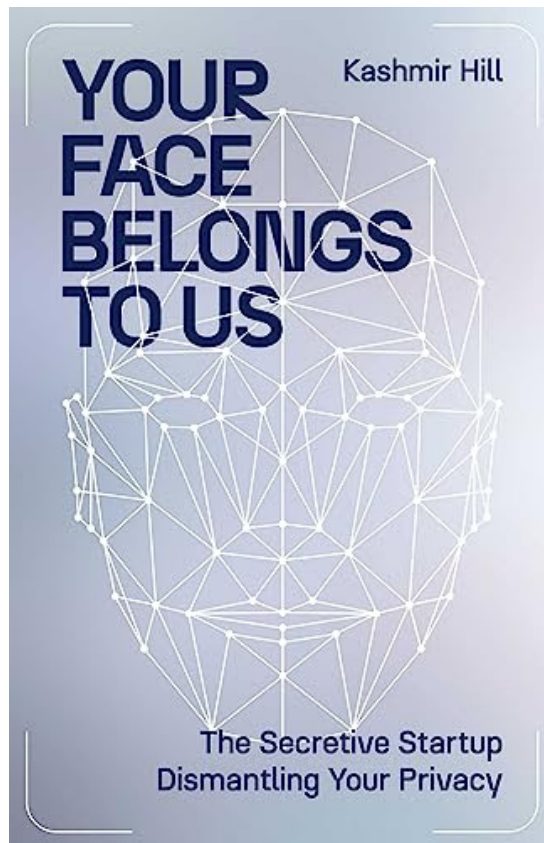
- [Unlocking imaginations in a data hungry world](#)
- [Taxing times](#)



Beyond our shores

The UK's Online Safety Bill was finally passed in September 2023. Find out more with our monthly round-up of recent data-related developments from around the world.

Reading recommendation...



[Your Face Belongs to Us by Kashmir Hill](#)

New York Times writer Kashmir Hill tells the story of **Clearview AI Inc**, the company that set out to capture the world's faces. Hill explores the way in which facial recognition technologies are used by governments as well as private companies (largely big tech/social media) and how this is reshaping our lives.

Coming soon...

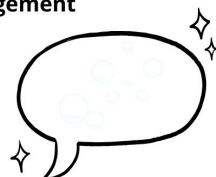
Unlocking success: data protection essentials for start-ups



[Data protection essentials for start-ups](#)

As part of Global Entrepreneurship Week we are running this session at the Digital Greenhouse aimed at start-up businesses.

Speaking engagement



[Chamber of Commerce event](#)

Our Commissioner [Emma Martins](#) will be speaking at next month's lunchtime event, "Reflecting on Successes and Challenges of Data Protection Legislation" [at 12pm on 20 November at the OGH.](#)

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