

NO2ID Briefing for the Second Reading of the Identity Cards Bill

This document is intended to be read in conjunction with NO2ID's more detailed briefing notes at http://www.no2id.net/IDSchemes/bill_brief.php and our comprehensive FAQ, provided by Privacy International, which can be found at <http://www.no2id.net/IDSchemes/faq.php>

Many people believe that the government's ID scheme is just a "simple piece of plastic". This could not be further from the truth. The government is planning to establish a vast, complex and far-reaching system that will involve an unprecedented use of personal information.

1. The Bill outlines an identity system that has eight components.

1. **The National Identification Register.** Clause 1 of the Bill imposes an obligation on the Secretary of State to establish a central population register containing a wide range of details of every UK citizen and resident aged 16 and above.
2. **The code.** Clause 2 (6) requires that every individual must be given a unique number.
3. **Biometrics.** Clause 5 (5) requires individuals to submit to fingerprinting and "other" means of physical identification. This is likely to include electronic face scanning and iris recognition.
4. **The card.** Clause 8 establishes the actual identity card, generated from and containing the information in the Register.
5. **Legal obligations.** Clause 15 establishes a requirement to produce the card in order to obtain public services.
6. **Administrative convergence.** The number and the card register are used by a variety of agencies and organisations as their administrative basis. 1 (5) permits the bringing together of all registration numbers (National Insurance, NHS etc) used by a person.
7. **Cross notification.** Agencies will be required to notify each other of changes to a person's details. Clause 19 authorises the Secretary of State to disclose details from the register to other agencies without the consent of the individual.
8. **New crimes and penalties.** The Bill establishes a large number of new crimes and offences to ensure that people comply with the ID requirements.

2. Will an identity card help eliminate benefit fraud?

The government has not provided evidence to support such a claim. David Blunkett went so far as to dismiss the significance of identity fraud in welfare, saying "benefit fraud is only a tiny part of the problem in the benefit system". The majority of fraud on the benefits system is through under-reporting of income, or non-reporting of financial and family circumstances. Benefits agencies worldwide agree that false identity is not a key issue. The cost to government of establishing an ID infrastructure for benefits would amount to many times the annual loss through false identity.

3. Will an identity card help prevent terrorism?

The government has no idea. On July 3rd, in response to a question by Chris Mullin MP, David Blunkett said, "I accept that it is important that we do not pretend that an entitlement card would be an overwhelming factor in combating international terrorism". The published evidence refutes all these claims. In 2004 Privacy International published the findings of the only research ever conducted on the relationship between identity cards and terrorism. It found that there was no evidence to support the claim that identity cards can combat terrorist threats.

The report stated: "The presence of an identity card is not recognised by analysts as a meaningful or significant component in anti-terrorism strategies. Almost two thirds of known terrorists operate under their true identity. The remainder use a variety of techniques to forge or impersonate identities. It is possible that the existence of a high integrity identity card would provide a measure of improved legitimacy for these people."

4. Will the Identity system reduce the problem of Identity theft?

There is a substantial body of evidence to show that the establishment of centralised identity can increase the incidence of identity theft. The clearest example of this relationship exists in the United States, where the Social Security Number has become an identity hub and a central reference point to index and link identity. Obtaining a person's SSN provides a single interface with that person's dealings with a vast number of private and public bodies. Hence the level of identity theft in the US is extremely high. This situation applies equally in Australia, where the introduction of a Tax File Number has also increased the incidence of identity theft beyond the levels experienced in the UK. The key factor behind identity theft is the widespread availability of a central number, linked to a range of personal information.

5. Will the Identity system reduce illegal immigration and illegal working?

Even if all legal UK residents were to have ID cards, non-residents would still be able to enter the country under a 3-month tourist visa or forged identity documents of other countries. An ID scheme will create social unrest as 'foreign-looking' people are targeted for ID checks. Illegal workers are employed by people who do not care about checking their NI number or other details. They are not going to start caring if there is an ID Card scheme.

6. How much will the scheme cost the taxpayer?

The government estimated in 2002 that the scheme would cost somewhere in the order of £3.1 billion. When in 2004 the Home Affairs Committee asked the Home Secretary to clarify the exact amount he refused, citing commercial secrecy. By the time the final Bill was published in November 2004 the government acknowledged that the cost of the scheme over ten years would be £5.5 billion. The financial impact on public services and employers, e.g. for secure scanning equipment and the people to run it, has yet to be calculated.

7. Who will pay for this scheme?

We will pay for it out of our own pockets. An "enhanced" passport (the international requirement for enhancement is just one biometric, a digital photo of your face, but the Government wants to incorporate at least three – including your fingerprints and iris scan), which includes an entry on the national register with no opt-out, will cost around £85. An ID card without a passport will cost between £35 and £40. There will be a charge for the renewal or replacement of cards.

8. Is the card compulsory or voluntary?

The intention has always been to create a compulsory regime. Government ministers have almost unanimously ruled out the option for legal compulsion to carry a card, and indeed clause 15 (3) of the Bill specifically rules out any provision for requiring people to carry the card at all times. This clause also rules out compulsion to submit a card to receive a benefit or any public service.

However, this clause does not provide protection to anyone who has been ordered to register for a card under clause 6 of the Bill. 6 (1) makes clear that the Secretary of State can order anybody or everybody to register for a card. This might include benefits recipients, new employees, people wanting to open a bank account, people of a particular ethnicity, people who have been in contact with law enforcement or, indeed, the entire population. Clause 2 (4) of the Bill allows the Secretary of State to enter a person onto the National Identity Register without that person's consent. This power will apply, for example, when a person applies for or renews a passport. Passport holders will automatically be entered onto the identification register. For those people who do not have a passport, 6 (1) allows the government to require you to be registered.

9. Presumption of accuracy

As if the dangers of a large National Identity Register were not enough, clause 3(3) introduces a presumption of accuracy in that Register, meaning that any consequences of inevitable errors in the database will be left with the individual, who will have no opportunity for redress.

This problem is compounded by the power granted to the Home Secretary by clause 21, which allows the Secretary of State to 'correct' information "where it appears to [him] that the information was inaccurate or incomplete". On the surface of it, this might seem a sensible provision, except that there is no requirement that the Home Secretary verify that what appears to him is actually the case; it is inevitable, in a database of 75 million individuals, that this power will introduce greater inaccuracy to the dataset.

10. Maintenance of an individual's record and data sharing

Maintaining one's record on the National Identity Register is made both onerous and expensive. Any change in personal circumstances, such as moving house, requires notification to the Home Secretary and a concomitant fee to be paid. To make matters even worse, should a card be issued with an error, such as a misspelling of the name, the individual has to pay such a fee for mistakes made by civil servants!

Clause 19 lists a large number of bodies that may be provided with information without the subject's consent, even before one considers that clauses 20 to 23 allow even wider information sharing. Data may, in the first instance, be shared with:

- Security Service (MI5);
- Secret Intelligence Service (MI6);
- Government Communications Headquarters (GCHQ);
- Serious Organised Crime Agency (SOCA);
- National Criminal Intelligence Service (NCIS, until the establishment of SOCA);
- National Crime Squad (until the establishment of SOCA);
- Any police force (including special constabularies such as the MoD Police and the Civil Nuclear Constabulary);
- Inland Revenue;
- HM Customs and Excise;
- Any government department (in England, Wales, Scotland or Northern Ireland);
- Any Designated Documents Authority.