



# Identity Cards

A Summary of Findings from the Consultation on Legislation on Identity Cards



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*Presented to Parliament  
by the Secretary of State for the Home Department  
by Command of Her Majesty  
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# Introduction

Since July 2002 the Government has been engaged in a wide-ranging public debate about its proposals to introduce a national identity cards scheme. The debate started with the publication of “Entitlement Cards and Identity Fraud: A Consultation Paper”<sup>1</sup>, which sought the views of the public on what were then called “Entitlement Cards”<sup>2</sup>. At the same time the Cabinet Office published “Identity Fraud: A Study”<sup>3</sup>. One of the study’s conclusions was that the “creation of a single document could be beneficial in replacing the present ‘mosaic’ of documents used to establish identity if accompanied by much more secure processes for the issue and use of the document.”

During this first consultation period the Government also carried out an extensive programme of research into public attitudes towards identity cards. This showed an overall level of support at 79% (with 13% opposed and 8% unsure).

The results of this consultation and research were published in November 2003<sup>4</sup>, along with the document “Identity Cards: The Next Steps”<sup>5</sup>. This latter publication gave the details of the Government’s decision to build the base for a compulsory national identity cards scheme.

Also in November 2003 the House of Commons Home Affairs Select Committee announced an inquiry into identity cards to:

*“inquire into all aspects of identity cards, including the practical aspects of the Government’s proposals and of any future schemes, and will examine the Government’s draft Bill. Among the questions they will consider are:*

- *the practical issues involved in the ID database and biometric identifiers;*
- *the security and integrity of the proposed system;*
- *the operational use of ID cards in establishing identity, accessing public services, and tackling illegal migration, crime, and terrorism;*

<sup>1</sup> Cm 5557 July 2002.

<sup>2</sup> The name was subsequently changed to “Identity Cards” because respondents preferred it.

<sup>3</sup> [www.cabinet-office.gov.uk/cabsec/2002/dfraud.htm](http://www.cabinet-office.gov.uk/cabsec/2002/dfraud.htm).

<sup>4</sup> “Identity Cards: A Summary of Findings from the Consultation Exercise on Entitlement Cards and Identity Fraud” Cm 6019.

<sup>5</sup> Cm 6020, November 2003.

- *issues to be addressed in the longer-term, including compulsion; and*
- *the estimated cost of the system.”*

The next stage in the consultation was the publication in April 2004 of the Government’s draft Identity Cards Bill and consultation paper<sup>6</sup>. The Home Affairs Select Committee proceeded to carry out pre-legislative scrutiny of this draft Bill. Their report on both the inquiry and the draft Bill was published in July 2004<sup>7</sup>.

In parallel with the consultation period, which ended at the end of July, the Government carried out more research among the general public. Quantitative and qualitative research was commissioned to establish attitudes towards the Government’s proposals for identity cards. Focus groups were also convened to discuss the attitudes of the general public. Ministers and members of the Identity Cards Programme spoke at various events, conferences, seminars and meetings, for example the Federation of Irish Societies Conference and the Patients Forum. In addition, British Telecom ran two events, in conjunction with the Home Office, one with representatives from industry and the financial sector and the other with different special needs groups.

The Government is very grateful to all those individuals and organisations who responded to these consultation exercises. The results of the latest consultation which are presented here have informed our work on revisions to the draft Identity Cards Bill.

## **Next steps**

The Government has already announced its intention to introduce a national identity cards scheme (as set out in “Identity Cards: The Next Steps” (Cm 6020)). The consultation was therefore on the terms of the legislation necessary to introduce identity cards. The next step is to review the draft Bill in the light of all the comments made, including the recommendations of the House of Commons Home Affairs Select Committee. Details of any revisions to the Identity Cards legislation will not be published before it is introduced into Parliament. However, the Government is responding fully to the recommendations and comments made on the identity cards scheme and the draft legislation in the Report from the Home Affairs Committee. We intend that legislation to build a base for a compulsory national identity cards scheme will then be introduced as soon as feasible.

<sup>6</sup> “Legislation on Identity Cards – A Consultation” Cm 6178.

<sup>7</sup> HC 130-1.

# Part A

## CONDUCT OF THE CONSULTATION EXERCISE

The following chapter explains how the consultation exercise on the legislation on identity cards has been conducted in accordance with the Cabinet Office Code of Practice on written consultations.

Their criteria are:

**Criterion 1** – Timing of consultation should be built into the planning process for a policy (including legislation) or service from the start, so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left for it at each stage.

**Criterion 2** – It should be clear who is being consulted, about what questions, in what time-scale and for what purpose.

**Criterion 3** – A consultation document should be as simple and concise as possible. It should include a summary, in two pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain.

**Criterion 4** – Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals.

**Criterion 5** – Sufficient time should be allowed for considered responses from all groups with an interest. Twelve weeks should be the standard minimum period for a consultation.

**Criterion 6** – Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decisions finally taken.

**Criterion 7** – Departments should monitor and evaluate consultations, designating a consultation co-ordinator who will ensure the lessons are disseminated.



## Timing of consultation

In July 2002, the Government launched a consultation on “Entitlement Cards and Identity Fraud” (Cm 5557). The consultation period lasted until 31 January 2003. A summary of findings from the consultation exercise was published on 11 November 2003 (Cm 6019). The detailed Government’s response to the Consultation Points was published on the Home Office website.

At the same time as publication of the findings, the Government announced its decision to build a base for a compulsory national identity cards scheme. The “Identity Cards: the Next Steps” (Cm 6020) document sets out in more detail how the Government would proceed.

On 26 April 2004, a consultation on the draft Identity Cards Bill was launched with the publication of the consultation paper “Legislation on Identity Cards – A Consultation” (Cm 6178). The consultation period lasted until 20 July 2004. Discussions with some organisations continued after the end of the consultation period.

A deadline for responses was set for 20 July 2004. However, we were keen to see the debate continue and correspondence received after that date continued to be noted and recorded.

## Content of consultation

The publication contained 10 consultation points which were summarised separately. Throughout the consultation, the main points were clearly set out in bold under the relevant sections. Most of the consultation points were based on the clauses of the draft Bill, which were recorded in Annex A.

It was made clear in the consultation document that we were consulting on a UK-wide scheme, and contact has been maintained with each of the devolved administrations throughout the period.

## Forms of consultation

### **STAKEHOLDERS**

A wide range of stakeholders were contacted both before and after the consultation period began. The objectives for contacting these groups were to identify their concerns and emerging views and to decide what needed to be done to address them, if at all possible.

## **FOCUS GROUPS**

Qualitative research based around focus groups was commissioned by the Home Office and conducted by professional researchers. This was a very useful source of information during the consultation period. The work covered 18 separate groups, set up to explore current public perceptions of ID cards and to gauge responses to more specific proposals (e.g. reaction to biometric information).

## **QUANTITATIVE SURVEYS**

Quantitative research was commissioned amongst the UK general public and a representative sample of selected Black and Minority Ethnic (BME) respondents. For the general public survey, questions were placed on Omnibus studies and for BME respondents the survey was conducted on an ad hoc basis.

## **FACE-TO-FACE VISITS AND PRESENTATIONS**

Alongside the responses to organisations and individuals, during the consultation officials and Ministers gave several presentations at events arranged by organisations. These ranged from “closed” events such as those set up by Intellect (the IT industry’s Trade Association) and at the Social Market Foundation to more public ones such as presentations given to the Confederation of Indian Organisations and BT. Numerous meetings were also attended by officials to explain the details of the consultation and card scheme, where organisations had taken up our offer.

## **Regulatory impact assessment**

A Regulatory Impact Assessment has been prepared for the substantive Bill. It is our intention to publish as much of it as possible alongside the Bill, subject to ensuring that a published RIA does not compromise our ability to secure value for money for the scheme.

It has always been and remains our intention to publish further RIAs as more specific decisions are taken.

## **Availability of individual responses**

All responses from organisations and members of the public have been recorded on a database, and all views that have presented new or added value information have been considered, discussed and included in this summary.

All requests for sight of responses will be considered in accordance with Open Government and Freedom of Information provisions.

The summaries of responses for each stakeholder group name the organisations and attribute specific quotations to them, unless privacy has been requested.

However, it cannot be presumed that all general public respondents were aware of the presumption set out in the consultation paper that the names of respondents could be published.

In this light it has been decided not to publish the names of individuals other than those of the stakeholder organisations who have not specifically requested confidentiality, and to keep anonymous the quotations extracted from individual responses.

## **Contact details**

The consultation paper was made available on the Home Office website. Details of the website, email, fax and postal addresses were provided in the consultation document and all correspondence.

Members of the general public who responded to this latest consultation were sent replies and anyone who requested a copy of the consultation was sent one, together with the website address to obtain further copies. Responses were recorded on a database for reference and analysis. No charge was made for the consultation paper at any stage.

Copies of the consultation paper were sent to all the acquisition libraries in the UK.

A website ([www.identitycards.gov.uk](http://www.identitycards.gov.uk)) was established at the beginning of the consultation period, where the publications "Next Steps" (Cm 6020), the consultation paper "Legislation on Identity Cards" (Cm 6178), and a copy of the draft Bill (published within Cm 6178) could be downloaded. An email address appeared on the website which allowed respondents to email their response direct.

# Part B

## **SUMMARY OF FINDINGS FROM THE CONSULTATION EXERCISE**

The Government is grateful to all those who responded to its draft Identity Cards Bill and consultation paper. Their comments have been noted and have informed both the ongoing debate about identity cards and the amendments we are making to the draft Bill.

In preparing this paper, as many views as possible have been taken into account, including those received shortly after the closing date of 20th July 2004, where this has been practicably possible. Although the formal consultation period has ended, we have still been recording and taking into account all views received, as these are important in formulating the next steps, as is our continuing work with stakeholders.

The purpose of the consultation exercise was to elicit views on the draft legislation, rather than on the principle of introducing identity cards, which has already been shown to have widespread public support. However, it is not surprising that many people used the opportunity of the consultation exercise to write and express their views on identity cards in general. It is worth bearing in mind that responses to consultation exercises are by definition self-selecting rather than representative. People tend to be motivated to write in because they are opposed to the proposals under consultation.

There was a relatively small number of responses to the consultation: 766, including 109 from organisations rather than individuals. Table 1 below shows the number of respondents who were in favour of the scheme; the number who were opposed; and the number who were supportive in general but had reservations about some aspects of the Bill. We have also analysed the comments of those people who wrote in during the consultation period, although not directly in response to the consultation exercise, and Table 2 below shows how many of these were in favour, opposed, or neutral.

Because responses to consultations are self-selecting rather than representative, these results should be considered alongside the findings of the research which has been continuing alongside the consultation.

This research was quantitative and qualitative; and covered both the general public and specific groups. The quantitative element used statistically representative samples to elicit the views of the public. The results show continued support for the scheme.

The first phase of research, between July 2002 and January 2003, showed that 79% of respondents were in favour, or very much in favour, of the introduction of identity cards. Of the others, 13% were against and 8% were unsure. A summary of the findings was published in November 2003<sup>1</sup>.

The more recent phase of research was carried out in July 2004. This asked more specific questions about the details of the Government's proposals. The findings follow in Part C. A sample taken from four ethnic minority groups was also asked about their overall support for the scheme. There was a clear majority in favour in all groups – especially with Chinese respondents (84%). Support for ID cards had increased among all four groups since 2003.

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**Table 1: Consultation Responses**

Opposed	370	48%
In favour	240	31%
Supportive in principle, but with reservations about some aspects of the Bill	60	8%
Neutral	96	13%
<b>Total</b>	<b>766</b>	

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**Table 2: General correspondence received during the consultation period**

Opposed	272	21%
In favour	410	31%
Neutral	634	48%
<b>Total</b>	<b>1,316</b>	

<sup>1</sup> "Identity Cards: A Summary of Findings from the Consultation Exercise on Entitlement Cards and Identity Fraud" Cm 6019.

# Chapter 1

## VIEWS OF THE GENERAL PUBLIC

During the course of the consultation, the majority of the public who responded expressed their general views on the subject of identity cards rather than referring to individual clauses of the draft Bill. Of those who did refer to the draft Bill, most concentrated on specific clauses rather than commenting on each one. Others referred to their own particular area of expertise and suggested improvements to the proposed scheme.

The areas on which members of the public commented were similar to those of organisations, and several themes were also common to those of the eighteen focus groups that were carried out during the consultation.

A summary of the views of the general public, both for and against, are provided in the following sections.

### General public – Supporting views

#### MAIN THEMES

Respondents who were supportive of the introduction of identity cards believed identity cards would benefit society in a number of ways:

- Assist in the fight against crime and anti-social behaviour
- Support counter-terrorism
- Help in proving identity
- Help prevent illegal immigration and working
- Make it easier to access services
- Provide proof of age

Many of the respondents believed the proposal would benefit from amendment. The common suggestions were to:

- Make the carrying of an identity card mandatory
- Combine existing documents to create a universal identity document
- Include medical information on the card

### **CRIME AND ANTI-SOCIAL BEHAVIOUR**

Many individuals believed identity cards would help fight crime and anti-social behaviour. With the inclusion of biometric data, it was a common theme that identity cards would act as a deterrent as well as helping in the detection of crime.

*"...an identity card issued to all would make life much easier for law abiding citizens and perhaps somewhat harder for criminals and fraudsters".*

*Name supplied (e-mail)*

### **COUNTER-TERRORISM BENEFITS**

It was a common view that the use of identity cards and biometric data would help reduce the threat of terrorism.

*"In this age of increasing likelihood of terrorism across the world, one can only welcome moves by the government to try to reduce the opportunity of radicals to do harm to our fellow human beings."*

*Name supplied (email)*

### **PROVING IDENTITY**

A number of respondents believed identity cards would help in proving their identity. For those who didn't already own a passport or a driving licence, they believed it would enable them to prove their identity quickly and easily. For those who already owned passports many believed that an identity card would be a good alternative being more durable than a passport and easier to carry around. Some believed that only those who had something to hide would be the ones not wanting to put it to use.

### **HELP PREVENT ILLEGAL IMMIGRATION AND WORKING**

Some comments were received which stated that an identity cards scheme would help tackle illegal immigration and working.

*“Employers and their staff do not have the training or equipment to spot invalid visas or passports, ID cards would vastly improve their identification of these claims.”*

*Name supplied (email)*

## **ACCESSING SERVICES**

It was felt that a card would make it easier to prove identity when accessing services and would also make it harder for people to access services unlawfully.

*“It is surely quite right and proper that an individual should prove his identity when seeking the provisions of services.”*

*Name supplied (email)*

*“...I can see no valid reason why anyone should have cause to refuse to produce an ID card when asked to do so, in order that their particulars may be verified when they are applying for any form of benefit or a public service department requires verification before issuing such benefit or that information is required by another department, unless that individual has something to hide. Personally, I have no objection whatsoever to any of my details being provided anywhere, as referred to in Clauses 16-19...”*

*Name supplied (email)*

## **PROOF OF AGE**

Other respondents felt an identity card would be a useful proof of age.

*“ID Cards are essential for all youngsters under the age of 21, in order to prove to all Alcoholic venues that the individual is of an Adult age and is a suitable person to sell drinks to.”*

*Name supplied (email)*

## **OTHER ISSUES**

Some believed that, while supporting the introduction of identity cards, their effectiveness would only be optimised if it were compulsory to carry. Others believed that only convicted criminals should compulsorily carry identity cards.

*“anyone who has been convicted of a criminal offence (perhaps limited to offences punishable with a fine at level 4 or 5 or with a community penalty or prison) should be compulsorily required to register their biometrics”.*

*Name supplied (email)*



Another common suggestion among supportive respondents was that the benefits of identity cards would be maximised if their uses covered a number of existing documents, including the passport, driver's licence, proof of age card and national insurance record.

*"...I really find myself inundated with cards & forms of identification & as such feel it would be rather useful if we could combine [them]... this could be used to help introduce a unique Identifier for the population..."*

*Name supplied (email)*

Some respondents believed the Bill should include a specific exemption of medical information from that which could be used to verify identity. However, many others commented that medical information should be included on the Register. With the inclusion of such information, many respondents felt this would aid doctors in case of emergencies, which they felt was more important than the policing of crimes.

*"...there should be some clear incentive to carry a card at all times, not just a compulsion backed by criminal law... the best incentive would be... to include key medical details in electronic format. This would be of immense benefit when dealing with an unconscious or confused casualty, and in other circumstances when medical records are not available, or the individual cannot be relied upon to remember all key details."*

*Name supplied (email)*

## **General Public – Opposing views**

### **MAIN THEMES**

The majority of those who were against the introduction of identity cards, objected to the general principle of it being compulsory to own a proof of identity. Often this general objection was supported with generalised assertions that the identity cards scheme and/or the Register would not work.

The main themes from respondents were:

- National Identity Register and "function creep"
- Privacy
- Costs
- Accuracy

- Disclosure
- Aggravate racism
- Biometrics
- Fears over weakness of the technology
- Enforcement
- Foreign nationals
- Ineffective in tackling illegal working and immigration

### **NATIONAL IDENTITY REGISTER AND “FUNCTION CREEP”**

The majority of comments centred on the security of the Register and the information held within it, although some people were also concerned about the potential for human error. Many believed that by creating a centralised database, people’s information would be more accessible to those not entitled to it if a number of organisations and people were accessing the central database at any one time.

There were also a number of respondents who feared a “function creep” where the amount of personal information held on the Register would increase over time.

*“A database of 60 million people is bound to contain inaccuracies as much smaller databases such as credit reference files already do... information will be lost, corrupted, stolen or even sold making the database unreliable... we face the danger of people being wrongly accused and convicted of crimes they have not committed”.*

*Name supplied (email)*

*“The bringing together of separate information centres as proposed, creates a major privacy vulnerability and has extremely profound implications for the protection of our right to privacy.”*

*Name supplied (email)*

### **PRIVACY**

This was a theme through the correspondence. Many people voiced the opinion that their personal data should not be held on the Register and questioned how their data would be used.

*“How are we to exercise control over this data and to ensure that our privacy and basic civil rights are not impinged? The simple answer is that we can’t. At the moment there are no legal protection afforded to citizens in order to ensure the cards are not misused. The Data Protection Act provides some limited protection for the individual, but will not prevent the government from establishing an ID system”.*

*Name supplied (email)*

*“The ability to track in real time one’s movement and activities and therefore have those activities misinterpreted is something about which we should all be concerned. At worst we may be subject to discrimination because the interpretation of these various sources of data is either inaccurate or simply wrong as well as being subject to discrimination because the powers that be simply don’t approve of your movements or our choice of lifestyle. To try to suggest that marginalised groups such as Muslims, or East European Roma won’t be subject to additional discrimination or that the very least, that the police won’t have an additional tool with which to enact this discrimination once these cards have been introduced is at best specious and at worst, a mendacious lie.”*

*Name supplied (email)*

## **COSTS**

Many respondents expressed concerns over the potential costs of the identity cards scheme. It was a common view that the money would be better invested elsewhere. Many respondents commented on the Government’s record of implementing major projects and questioned whether the scheme could be delivered.

Some felt heavily opposed to the cost imposed on individuals. Some described the cost as a “tax”, while others showed concern about the financial burdens on low income families.

*“In practice, once this scheme becomes compulsory, that charge is equivalent to an hypothecated tax, and it should be shown as a tax by the Treasury and in the National Accounts”*

*Name supplied (email)*

## **ACCURACY**

Respondents raised questions around the accuracy of the data that would be held on the Register. It was commonly believed that an individual should have the right to access their own information free of charge and also should have the right to correct information they can prove to be in error.

*“An individual should have the right to access their own record free of charge, including all associated information used to validate claimed identity, and any audit data of that record. The identity of the individual can be verified using biometrics”.*

*Name supplied (email)*

## DISCLOSURE

There were a number of issues raised in regards to the provision of information held on the Register without the consent of the individual. Although the draft Bill only allows for the provision without consent in limited circumstances, many felt that these exceptions were too broad and allowed opportunity for fraudulent access.

*“If you cannot or will not specify precisely who will have the right to access all the data held on these cards and for what reason, how are we, as citizens to have confidence in this scheme?”*

*Name supplied (email)*

It was commented that there should be no circumstances where personal information held on the Register should pass outside the UK.

## AGGRAVATE RACISM

Many respondents felt the introduction of identity cards would result in a disproportionate targeting of particular groups. Many based this on recent media reports of certain ethnic groups being disproportionately targeted by “stop and search”.

*“There is a very real risk that the introduction of an ID card system would in fact serve to aid Police and institutional discrimination... All the evidence from abroad seems to suggest that there is a very real likelihood that it will occur here in the UK if an ID card scheme is introduced... French police have been accused of overzealous use of the ID card against blacks, and particularly against Algerians. Greek authorities have been accused of using data on religious affiliation on its national card to discriminate against people who are not Greek Orthodox...”*

*Name supplied (email)*

## BIOMETRICS

Some respondents expressed anxieties about the use of biometrics. While some were concerned the use of biometrics would infringe their civil liberties, others were more concerned about the possibility of overconfidence in the system and potential failings of the technology which could result in a presumption of guilt should a false-negative occur.

*“Biometrics raise very serious issues about civil liberties. The most important point is that, once submitted, they cannot be recovered and there is nothing to prevent them remaining on Government IT systems for all eternity. There is a good argument that our biometrics are essentially our own property and the business of no-one else, least of all Government”.*

*Name supplied (email)*

## **FEARS OVER THE WEAKNESS OF THE TECHNOLOGY**

It was frequently commented on that the draft Bill made no provisions for those genuinely entitled to goods and services, but due to a technical hitch or system failure they could not gain access to these. Many respondents felt the Bill should make clear where liability lies, and should include safeguards to protect those who have been wrongly identified as carrying a fraudulent identity card.

*“...What happens when a person is falsely rejected from the system, or is, for example, incapable of providing the required biometric is barely considered [in the Bill]... No consideration has been made on what happens if the process does fail at any stage. No provision is made for an individual included on the Register, or any person or organisation relying on the Register to operate correctly, to seek redress if any part of the system fails and causes them loss in some way...”*

*Name supplied (Berkshire)*

## **ENFORCEMENT**

Some respondents felt the civil penalties proposed by the draft Bill were excessive, whereas others disagreed with the existence of them altogether. Many disagreed with the possibility of receiving a civil penalty if the loss or theft of a card remained unreported whilst others believed the draft Bill should include the maximum time period available before reporting the loss of a card in order to allow for the verification of whether the card has in fact been lost or simply misplaced. Many believed the latter to be particularly important due to the financial implications involved in obtaining a replacement card.

It was commented that the maximum possible consequences of non-payment of a civil penalty should be placed on the face of the Bill.

*“...the idea that you could be a victim of a crime and yet be criminalised for forgetting to mention your ID card has been stolen along with your wallet, keys etc is ludicrous...”*

*Name supplied (email)*

## **FOREIGN NATIONALS**

A number of respondents expressed concerns about the intention of only introducing mandatory biometric identity documents for foreign nationals coming to stay in the UK for longer than 3 months. Many believe this undermines many of the aims expressed for the identity card scheme, including reducing illegal immigration and fighting against terrorism.

*“It [the national identity card scheme] will not provide any significant protection against terrorism, for example, under the provisions of Clause 2 people in the UK for less than three months will not be required to have an ID card. It will be easy for terrorists to use this loophole to sidestep the scheme.”*

*Name supplied (email)*

## **INEFFECTIVE IN TACKLING ILLEGAL WORKING AND ILLEGAL IMMIGRATION**

Many respondents believed the identity card scheme would not affect illegal working and illegal immigration. They believe that those who already employ without National Insurance numbers would continue to employ those without identity cards. Also many believed that those who presently avoided the immigration controls would continue to do so.

*“I do not believe that they [identity cards] will deter illegal working or immigration... The people employing workers illegally know that they are doing so and do not make checks for work visas, NI numbers etc. They will continue to be able to employ illegally with identity cards in place”.*

*Name supplied (email)*

## **General Views**

There were many ideas on how a scheme should work, both from those who were in favour and those against the principle of an identity cards scheme.

### **MULTIPLE IDENTITIES**

There were a number of comments about the definition of “identity”. Some believed that an identity card could restrict the individual to a single identity when a person already has the right to use more than one name, provided that it is not for fraudulent reasons. In these cases, some respondents proposed the ability to have more than one identity (and therefore more than one identity card) registered and to provide explicit privacy for the link between those identities to be written into the Bill.

*“It has been a long-standing principle of common law in this country that a person is free to use more than one name... for example singers, actors and writers often use an assumed name for their art, and that name may carry over into wider usage... There are many... cases where a person would not want their two identities connected, and indeed it may be dangerous for them to be connected... To have a single identity in the NIR [National Identity Register] showing both current and previous names would immediately undermine that privacy whenever an identity check was made against it... Explicit restrictions on the disclosure of this crucial information [is required]”.*

*Name supplied (email)*

## **DEFINITION OF GENDER**

There were some respondents who wanted a clear definition of gender to be written into the Bill. Of these, the majority believed that gender should be recorded by social role rather than legal gender.

There were also concerns that sensitive information such as gender change could be discovered by other means such as the inclusion of previous names on the card. It was suggested that such information should not be held on the card and disclosure of this information from the Register should be limited only to the police and security services for the purposes of the prevention or detection of crime or in cases of national security.

## **ADDRESS**

The inclusion of a person's address and the subsequent requirement to inform of a change of address were unpopular with a number of respondents, who did not believe the inclusion of an address had any relation to their identity.

*"I can see no good reason for a person's home address to be in the register – an address, past or present, is not part of their identity".*

*Name supplied (email)*

## **COMPLAINTS PROCEDURE**

Some of the respondents believed that a "complaints procedure" should be clearly defined in the Bill to allow for quick identification of the misuse of an identity card and the Register.

*"...there should be a complaints procedure [clearly defined] so that misuse of the register can be brought to light".*

*Name supplied (email)*

## **THE NATIONAL IDENTITY SCHEME COMMISSIONER**

Most people did not oppose the creation of a National Identity Scheme Commissioner, and some supported his appointment whilst opposing other aspects of the scheme. However, a number of respondents believed the Commissioner should report directly to Parliament rather than the Prime Minister to ensure his independence.

# Chapter 2

## VIEWS OF ORGANISATIONS

At the start of the consultation we contacted stakeholder groups, including all those who responded to the first consultation. A list of all those organisations that responded to this consultation is at Annex 2.

In this chapter, a summary of comments that organisations made on the consultation points is provided. All views have been noted and considered, although not all respondents have been mentioned by name. The length and detail of each summary depends on how many organisations from stakeholder groups responded and the detail of the response. Many groups restricted comments to the consultation points which were most relevant to them, whilst others have responded to all points.



# 1 Business organisations

## The Confederation of British Industry

The CBI is a corporate organisation representing all forms of businesses in the UK. The CBI is supportive, in principle, of the Government's proposals for a national identity card scheme in order to improve security and tackle identity theft. However, they do have some reservations about some of the details of the draft Bill. The main points raised are summarised below:

### Single Identity Authentication System

The CBI is supportive of the principle of the need to authenticate individuals' identity. They believe the potential benefits for businesses nation-wide is massive, and the creation of a single source of identity data would be the best protection against fraud. They also feel that there are other benefits too, such as social and administrative benefits. For example, if all data is held in one place, the public would have to inform only one agency of a change in circumstance, thus massively reducing the need for form-filling. The CBI also suggests the existence of a single data source would help individual businesses by removing the need to hold identity data, and has the potential to remove the need for some businesses to maintain costly backup systems.

### Overall aims and objectives of the proposed identity cards scheme

The CBI is supportive of taking measures to tackle illegal working, to protect against terrorism, and to improve access to public services. They recommend *"[the] Government should clarify the overarching objective of the proposed ID card scheme and define the potential benefits to business of being an integral part of the scheme"*.

### Ensuring effective scrutiny of proposed legislation

The CBI has expressed concerns about the level of secondary legislation used in the draft Bill. They fear this would result in important issues not receiving a sufficient amount of Parliamentary scrutiny and public debate. The CBI understand the use of secondary legislation would enable the scheme to remain flexible, but they recommend all proposed regulations need to be fully consulted prior to Regulations being laid in Parliament. They recommend *"[the] Government should ensure that all proposed secondary legislation is open to a minimum twelve week consultation process and fully consult business prior to Regulations being laid in Parliament"*.

### Creation of a National Identity Register

The CBI agrees that the Bill should establish a single set of "registrable facts". However, they expressed concerns about the ability of the Secretary of State to extend the information required by the Register, which they fear could have legal, financial or operational implications on businesses.

They recommend *“Information required by the [Register] should not be extended unduly or without full consultation with business”*.

They believe the National Identity Register will only be relied on by business if the integrity and accuracy of the database can be assured. They recommend *“registration procedures should be developed based on a strong set of criteria to verifying the accuracy of ID card applications”*.

The CBI feels it would be necessary to minimise the amount of information per applicant held on the register to ensure the ongoing accuracy of the database. They recommend *“[Register] information should be kept to a minimum with no voluntary information allowed”*.

The CBI believes that in order to maintain the viability of the scheme, they would recommend the Government consider additional means to ensure the data entered onto the Register is both accurate and up-to-date.

The CBI recognises that the security of the data held within the Register is essential to the scheme. They welcome the proposed measures for access to the Register being strictly confined to law enforcement agencies, and the introduction of penalties for unauthorised access. However, the CBI has expressed concerns about the proposals to issue individuals with PINs and passwords to identify themselves to the Register for they believe such security measures have significant, well-known weaknesses. They recommend *“consideration should be given to seeking the experience and expertise of businesses in finding alternatives to PIN and password for access to the [Register]”*. They recommend:

- *“Additional measures need to be considered to ensure the Register is compliant with the Data Protection Act”*
- *“Experience of business in developing and maintaining databases should be sought by Home Office”*

### **Creation of data sharing gateways**

The CBI supports the creation of data sharing gateways, understanding the verification of information provided for applications onto the Register is a vital component in ensuring the accuracy of the Register. However, the CBI feel the details over the requirements and redress for private sector organisations involved in data sharing gateways is too vague in the draft Bill. They recommend *“a single set of procedures should be developed in co-operation with business outlining the data definitions allowed and excluded from gateway sharing obligations and guaranteed redress for costs incurred”*. They also believe the types of data that can be requested should be clearly defined in the Bill. They recommend *“information requests under data sharing gateways should be restricted to*

*information that can verify an individual's ID card application". The CBI has expressed concerns and would like reassurance that the providing of data does not contravene the Data Protection Act rules regarding unauthorised or unlawful processing of personal data and individuals right to privacy under the European Human Rights Act. They fear consumers may be unwilling to share their information with companies known to share information with the ID card authorities. They recommend "greater assurance that business will not contravene the DPA when adhering to data sharing gateway obligations".*

They also recommend:

- *"Information shared under a gateway should only be used for ID verification and not by government departments for different purposes*
- *Business expertise in creating effective, efficient, and positive experiences for individuals providing data should be sought by the Home Office"*

### **Disclosure of National Identity Register information to law enforcement agencies**

The CBI has expressed concerns about the access to audit logs without qualification by law enforcement agencies, as they feel that over time, the log would provide very diverse, private details of individuals. They recommend *"further consideration should be given to the implications of allowing unqualified access to audit logs"*. The CBI would like the Bill to include explicitly as to how authority to access the logs will be granted, and under what criteria access will be considered legitimate and appropriate considering the vast diversity of information the log would contain. They recommend *"procedure and safeguards should be put in place to ensure access is granted only where legitimate and appropriate"*.

### **Possible use of ID Cards by business**

The CBI welcomes the proposal of establishing an accreditation scheme to enable businesses to carry out identity checks against the Register, for a specified fee when consent is given. However, they feel the draft Bill does not specify whether companies would be able to access the Register online. They would recommend a highly secure online component to the accreditation scheme to provide Internet-based companies, for example online banks, with the ability to conduct checks to authenticate an individual's right to access goods and services from the Internet. The CBI would like the accreditation scheme and fee structure for Register checks to be developed in co-operation with business to prevent *"the creation of unnecessary bureaucracy"*. They also recommend *"clarity... on how employers will be asked to use ID cards to reduce illegal working"* to be included in the Bill.

### **Legal liability issues for businesses using the National Identity Register**

The CBI believes the draft Bill does not clearly state liability for wrongful identification or verification of an individual through the Register. They fear that businesses that rely on ID cards and the Register as a reliable and trusted source of authentication are financially liable for fraudulent activities conducted using a false identity, verified as accurate by the Register. The CBI believes that if ID cards are to be relied on as a secure means of identification, and if ID theft and illegal working are to be reduced, the Bill needs to address the issues of legal liability.

### **Biometrics as a viable means of authentication**

The CBI has expressed concerns about the use of innovative technology in a nation-wide scheme. They are apprehensive about the accuracy of equipment used to record the biometric information, the security needed to protect stored biometrics and the margins of error for validating a person's identity from biometrics. CBI would like greater consultation with the "wider business community" on biometrics. They also believe greater consideration should be given to the international standards being developed on the use of biometric information.

### **ID Card governance structure and role of National Identity Scheme Commissioner**

The CBI supports the establishment of an executive agency with powers delegated by the Home Secretary. They also welcome the appointment of a National Identity Scheme Commissioner, although they suggest the role of the Commissioner be extended to oversee wider aspects of the scheme, such as maintenance and operation of the Register itself. However, they recommend *"the possible involvement of the Information Commissioner should also be considered as a means to provide reassurance to the safety of data held on the Register"*.

The CBI also supports the proposed introduction of new offences and related penalties suggesting such a move would only help to ensure public confidence in the National Identity Register. They recommend *"[the] Home Office should investigate models for enforcement to ensure the appropriate authorities have powers to act when disparities and possible offences are identified"*.

Other recommendations:

- Consideration to be given to appointing business advisors to the ID Card Programme Board
- An adequate oversight mechanism should be developed separate from the executive agency
- Ways of maximising citizen input to the executive agency, possibly through a formal advisory body on identity management issues, should be developed

- Procedures should be developed to ensure businesses are aware where to raise disparities between information on the Register and ID cards

## **Other business organisations**

The Small Business Council highlighted that there needs to be careful consideration that this scheme does not place any unfair burden on small companies. However, they commented that since the legislation is enabling legislation, there is little to comment on currently.

The London Chamber of Commerce and Industry welcomed the introduction of an identity card. They favoured robust implementation to encourage commercial interest.

The London Chamber did however express concerns that it will not be compulsory to carry an identity card. They believe that in order to optimise the uses of an identity card, compulsion to carry is necessary. They also would like it clear through legislation that *“each citizen is personally responsible for its use, provision and protection against abuse, loss or theft should be covered by some sort of indemnity insurance”*.

The London Chamber voiced concern that terrorists could arrive in the UK from another EU country, stay for three months and therefore not be subject to inclusion on the Register, with the sole purpose of attacking the UK.

A key concern of the London Chamber was that there should be no burden to business. Their view was that the Government should subsidise low income and vulnerable individuals. The cost of accreditation was also raised as well as the implications of any abuse of the system.

They also fear an over-confidence in the system, with the potential of creating an assumption of guilt when a false ‘negative’ is produced.

## **British Telecom**

BT made comments on the implementation of the scheme and on each consultation point on the draft Bill as summarised below. BT also commented on the wider issues that should be borne in mind including, legitimate multiple identities and the benefits of a single ID card.

### **National Identity Register**

BT felt that there should be a clarification of who should be contained on the Register and the information that was necessary to prove identity. Related to this BT considered that there should be a schedule of designated documents and documents that could be used to support an application. BT took the view that data on the card should be limited to that which changes the most infrequently. It

also stressed the need for biometrics to consider the needs of particular groups. BT also raised concerns that provisions of information should be auditable with a clarification of consent.

### **Issue and designation of ID cards**

BT highlighted the different requirements of the registration process including accessibility of enrolment units, the need for renewal, potential for multiple identities, application procedure and the exemptions e.g. in cases of physical disabilities. BT raised a concern that if fees for cards were too high, it would restrict take-up. BT also suggested allowing individuals to access their register entry to verify its accuracy and to promote trust.

### **Data-sharing powers**

BT suggested the individual give consent before a background check is made. The impact on the private sector it was suggested needs further clarification.

### **Disclosure of information**

BT commented that there should be further definition of which data is accessible according to who is accessing the information and how that disclosure is to be audited. There is also an international dimension to disclosure which should be taken into account.

### **Identity fraud**

BT questioned how the ID cards would assist in electronic and phone transactions. It asked for common guidelines on identity verification and strict security in terms of Register infrastructure and staff operating the Register.

### **Compulsion**

BT raised questions about the process of identifying those who should have registered and how to incentivise take up.

### **Requirement to use ID Cards**

BT recommended consideration of extending the scheme functionality to provide greater individual benefit.

### **Devolution**

BT took the view that for the benefits case to be realised, plans for using the scheme should be matched throughout the UK.

### **Governance**

BT questioned whether the scale and complexity of the identity cards scheme required the creation of a new body.

## 2 Campaigning bodies

### NO2ID

NO2ID is a group representing people and organisations that are against the introduction of an identity card scheme. NO2ID are opposed to the ID cards programme arguing that a scheme:

- Fundamentally changes the nature of the relationship between government and citizen;
- Represents an intrusion of privacy;
- Would not have the benefits that are attributed to it;
- Would be costly;
- Would have a negative impact on ethnic minorities.

NO2ID commented on a clause by clause basis on the draft Bill, which has been summarised below:

#### **The National Identity Register and ID cards**

NO2ID welcomed the statutory purposes of the Register as a protection against function creep. However, they argued the range of information, and particularly address information, should not be held on the Register as they do not believe it relates to identity. They have concerns around the data that may be required for validating the Register.

They believe that nothing should be recorded onto the ID card or the Register which is not on the face of the identity card, with the sole exception of the biometrics and the digital signature. They also believe that no data held on the card or the Register should be encrypted, and the data must be accessible by the registered person with suitable, non-specialist equipment.

NO2ID have expressed concerns about the “administrative burden” imposed onto people to keep the Register accurate and up-to-date. There were concerns over the Secretary of State judging the accuracy of data entered onto the Register. They believe this should be the responsibility for an “Independent Regulatory Body”, and the correction of mistakes should be quick and free. They would also like a clearer definition of “prescribed change of circumstances” on the face of the Bill.

NO2ID have also expressed concerns about the Secretary of State’s ability to remove someone’s ID card without replacing it. They believe this should require “Judicial oversight”.



**Enrolment**

NO2ID have concerns about making people keep to appointments allotted to them by the Government. They believe the Government should provide local or mobile enrolment offices to meet the requirements of the UK population.

**Biometrics**

NO2ID believe that the differences between the biometric identifiers are substantial and have a great influence on the final costs and practicalities of the identity card scheme. They would like which biometric identifier that will be used determined and specified onto the face of the Bill.

**Primary/Secondary Legislation**

NO2ID have expressed concerns about the use of secondary legislation. They believe that many aspects of the scheme require full debate and Parliamentary scrutiny of primary legislation.

**Compulsion**

NO2ID believes the compulsion to apply for an identity card when applying for a new or renewal of a “designated document” will eventually make owning an identity card compulsory. They believe there should be “non-ID” versions of designated documents before compulsion. They also believe that the issue of introducing compulsion should require further primary legislation.

**Use of the card**

NO2ID have expressed concerns about the potential for organisations to require individuals to show an ID card. They would like Clause 15 and Clause 19(2) permitting this requirement to be removed from the Bill.

**Penalties**

NO2ID expressed concerns about penalising individuals whose cards are unintentionally damaged or unreadable. They believe that smart cards will experience normal “wear and tear” and they would like them to be replaced for free if they are damaged or unreadable and have not been tampered with.

NO2ID believe Clause 27(3), unlike the previous sub-clauses, needs to provide a requirement for the prosecution to prove mens rea. They do not believe “Without reasonable excuse” is the same as mens rea.

NO2ID are concerned the penalties under 27(4) which allows for a ten year sentence for offences concerning false papers are disproportionate to the two year sentence available for illegal disclosure of details from the National Identity Register. They would like clearer definitions for penalties under Clause 27.

NO2ID would like the penalties in the Bill to include those who might issue false death certificates for financial or other gain. Also, they comment on how Clause 29(1) imposes no penalty for revealing information from the Register you have obtained without the entitlement to access the information. They would like a rewording of this clause in order for penalties to incorporate this.

NO2ID believe the Computer Misuse Act 1990 is out-of-date and needs “revamping”. They believe the CMA should be revised before the Identity Card Scheme is introduced and use it as a deterrence.

NO2ID also criticised the system of civil penalties.

### **Disclosure**

NO2ID believe Clause 20(2) is incompatible with the Regulation of Investigatory Powers Act 2000, which lays down ranks of officers who can authorise various privacy intrusive measures, and the ranks of senior officers and officials who have to sign the warrants or certificates. NO2ID also have concerns about foreign governments demanding access to the data held on the Register without the registered person’s permission.

They are also concerned about potential for “proliferation of bad data” in Clause 22, which enables the correction of ancillary databases without the subject being informed, if the “correction” is in error.

NO2ID argue that disclosures without consent be “reasonable and proportionate”.

### **National Identity Scheme Commissioner**

NO2ID would like the powers of the Commissioner to be increased to head an independent statutory body with the power to investigate complaints from the general public and to prosecute those who abuse the privacy of registered people.

### **Possession of false identity documents**

NO2ID have concerns about proving “intent”. They also believe that as the Forgery and Counterfeiting Act 1981 already applies to passports and driving licences that Clause 27 is unnecessary. They would like clarification of how Clause 27 affects the requirement that asylum seekers are allowed to travel on false identity papers. They also had concern about extending the definition of identity documents by order.

### **Costs**

NO2ID commented that the fees regime lacked precision and imposed financial burdens on every citizen.

### **Personal Reference Numbers, Security Information**

NO2ID believe that personal reference numbers should not be included in the Register – for example they believe National Insurance numbers should not be included for they believe it would only increase the margin for error. Also, they believe the Bill should prohibit the recording of past transaction history of old or expired passports on the Register itself. NO2ID believes security information such as PIN numbers undermines the high security of biometric identifiers.

### **Audit Trail**

NO2ID believes a person should have full access to their audit trail, as well as being available to the National Identity Scheme Commissioner or an independent regulatory body.

## **STAND.ORG.UK**

Stand.org.uk (Stand) is a voluntary group who seek to increase democratic involvement in the legislative process through the use of technology.

Stand raised concerns around the purposes of an ID card scheme arguing that the scheme would not be able to reduce terrorism nor illegal working, and the reduction in benefits fraud had been overstated. Stand also suggests other means to reduce identity theft.

Stand commented on the broad principles of the scheme in terms of:

### **Introduction of a nationwide database of UK residents**

They consider the National Identity Register to have serious privacy concerns in terms of function creep and the provision of information without consent.

### **Use of biometrics with any nationwide scheme**

Stand commented that the technology is not sufficiently mature or reliable, nor able to be implemented at a cost which justifies the benefits, nor acceptable to members of the public.

### **Large-scale public IT projects**

Stand voiced concern over the implementation of “such a massive public IT project”.

### **Commercial confidentiality**

Stand stated their view that the costs of the scheme have been hidden and it is necessary, in order to evaluate the scheme, to know the detailed costs.

### **Mandate and public support**

Stand voiced their dissatisfaction with the handling of the individuals who responded to the earlier

consultation using the Stand.org.uk portal. They also pointed to other polls which show that the public are opposed to some features of the proposals.

### **Transnational issues and racial issues**

Stand commented that there are certain EU and Common Travel Area issues that need to be considered. They also voiced concerns that identity cards would lead to discrimination against minority ethnic individuals, particularly if foreign nationals were required to carry an ID card before British citizens.

### **Abuse of data held in the Register**

Stand argue that this is inevitable since the data is so valuable and seeks further provisions against such misuse.

Stand also made comments on the specific consultation points:

### **National Identity Register**

Whilst acknowledging certain restrictions on the purposes, Stand remain concerned that it is still privacy intrusive with the list of registrable facts. They make associated comments on the nature of a “real” name, different alphabets, address information and biometrics.

### **Issue of identity cards**

Stand said that they are still to be convinced of the purpose of identity cards. Stand voiced concerns over linking ID cards with a designated document, requiring an individual to attend, the range of information that may be required, the biometrics to be used and the lack of detail regarding the card and chip. There was a concern that the onus of renewal and updating information is on the individual. Stand requested more information on the whole process. They were also critical of the charges regime.

### **Data-sharing**

Stand expressed concern that the information that may be required is too wide.

### **Disclosure of information without consent**

Stand believe that these powers are too broad and need greater oversight, particularly with regard to the use of the audit trail of Register use.

### **Oversight**

Stand suggested that oversight ought to be independent with wider functions.

**Criminal offences and civil penalties**

Stand took the view that the crimes were overly broad. In 27(3) they wanted a requirement for mens rea. It criticised the order making powers of Clause 28 and the absence of death certificates and suggested Clause 29 be wider. There were general criticisms of the Computer Misuse Act. Stand were opposed to the use of civil penalties.

**Wider identity fraud issues**

Stand raised the issue of asylum seekers with false documentation being liable under the false documents offence.

**Compulsion**

Stand felt that introducing compulsion should be a matter for further primary legislation. It also argued that the devolved administrations must have their views taken into account. It disagreed with the process of a super-affirmative order and the civil penalties under Clause 6.

**Powers to make regulations under Clauses 15-19**

Stand voiced its view that this should not be left to secondary legislation. Stand are concerned that this creates a barrier to accessing services and Clause 19 protections disappear after compulsion.

**Devolution**

Stand stated its opinion that devolved governments should consult according to Cabinet Office guidelines. It remains concerned about the impact of requiring identity cards to access services, different language requirements, particular sensitivities in Northern Ireland and the different systems of law.

**Governance**

Stand voiced their preference for the governance to be accountable and relevant to the public.

**The Freedom Association**

The Freedom Association expressed opposition to the identity cards scheme both for practical and philosophical reasons. Their key concerns were:

**Police powers**

The Freedom Association argued that there would be an enhancement of powers of arrest under the Police and Criminal Evidence Act since individuals whose identity cannot be “readily” ascertained would be more likely to face arrest if an identity cards scheme were in place.

**National Identity Register**

The Freedom Association voiced their opposition to the retention of personal data after death.

**Impracticalities of implementation**

There was scepticism that the Government could run the service efficiently.

**Costs**

The Freedom Association argued that the costs are likely to increase and the money would be better spent elsewhere, e.g. on improved police funding. It also took the view that there would be further demands on police resources with new criminal offences.

**Ineffective against its stated aims**

The Freedom Association did not agree that identity cards will help tackle crime, benefit fraud or reduce terrorism.

### 3 Education organisations

#### **UKCOSA**

UKCOSA is a charity which promotes the interests of international students studying in the United Kingdom and UK students studying abroad. International students bring in over £4 billion pounds a year to the UK economy and UKCOSA is concerned to ensure that they should not be disadvantaged in any way by the proposals for identity cards.

They stress how important it will be for students coming from overseas to be able to apply for identity documentation as soon as possible after their arrival, and ideally even before their departure. This would ensure that their access to both public services and facilities such as opening a bank account was not compromised. Another key consideration is the need for information on the operation of the scheme to be made available to students, preferably in their home country.

They would support the use of a single number to serve for both national insurance and national identity purposes.

UKCOSA believes that identity cards could be of most value in the context of a one-stop shop service for all transactions with Government departments.

#### **The National Association of Schoolmasters and Union of Women Teachers**

This organisation responded to express their concern that the burden of policing the identity cards system should not rest on teachers. This, they feel, is a particular issue in the light of the implementation of the Bichard recommendations and the recent announcement of job cuts in the Civil Service. It would be unacceptable for it to be assumed that responsibilities could be transferred to the teaching profession.

Another concern is the cost of the project. NASUWT feel that this could impact adversely on the funding of public services, especially given successive Governments' *"appalling track record of delivery and procurement when it comes to large-scale ID projects"*.

NASUWT also raise the possibility of error in the database resulting in the denial of services to which someone might be entitled. Community cohesion, they fear, could also be affected by inappropriate behaviour on the part of the police: *"...it is essential that ID checks do not focus disproportionately on visible ethnic minorities"*.

## 4 Groups representing financial services

### **Fraud and other financial crime**

A number of organisations mentioned that the quality of application, registration and enrolment processes need to be based on a set of strong criteria. Many favoured the idea of private sector organisations being able to check applications against a database. However, concerns exist that those who already own fraudulent documents could upgrade to the use of fraudulent identity cards. Many expressed concerns about the use of Chip & PIN and Passwords as security measures, believing that there are already significant well-known weaknesses, which could damage the trust in the system. Many supported the introduction of “appropriate criminal and civil penalties”.

### **Disclosure**

Many responses supported restrictions in disclosure of the information contained on an individual's entry, but believe that individuals themselves should have the opportunity to access all information held about them on the Register. Many also believed that individuals should be given the opportunity to limit the amount of their own personal information disclosed.

Many responded with concerns on the disclosure of specific information held on the Register without the consent of the individual. Many believed the terms as defined in Clause 20(1), to be too broad. Also the range of eligible authorities as in Clauses 20(2) and 20(3) is thought of as too wide and the test to which information can be disclosed to such bodies as insufficient.

### **The Register**

Many had concerns in regards to the length of time the data on the Register would be kept and whether the Register would be technically secure. Clear information for users about how their data will be used, processed and transferred is needed to ensure the appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against its accidental loss.

### **Compulsion**

Many organisations supported the move to make registering for an identity card compulsory. However, although it was often agreed that the carrying of identity cards should not be made compulsory, it would be a sign of the level of success of the scheme if individuals should be compelled to use the card in order to use services and products and not because the cards themselves were compulsory. There were some organisations who expressed concerns about the effect of compulsion on socially excluded groups, and those who do not register whether out of protest, or otherwise.



## **Governance**

Many organisations would like to see the introduction of a governance structure that is cost-effective, transparent, operates at the highest standard of security and which is accountable to the public. Many support the idea of creating an executive agency which effectively manages the ID card scheme. Also many welcome the appointment of a National Identity Scheme Commissioner as a means to provide an oversight for instances where disclosure of information contained on the Register to law enforcement agencies is granted. It was a common suggestion, however, that the role of the Commissioner be extended to oversee wider aspects of the scheme, such as maintenance and operation of the Register. It was also suggested that the Commissioner report direct to Parliament, rather than the Prime Minister, in order to maintain independence.

## 5 Gypsy and Traveller groups

The Gypsy Council commented that they could see more difficulties than advantages of an identity card.

There was a concern that the identity card would change the relationship between the citizen and the state and the data held by the scheme would not be sufficiently safeguarded. The provision of data to law enforcement agencies also was a matter of concern.

The Gypsy Council (GC) voiced their concern that minorities would suffer as a result of an identity cards scheme. Friends, Families and Travellers (FFT) added that if foreign nationals were required to hold ID cards first, this is exacerbated further.

The GC commented that the identity card will not help gypsy and traveller families since it is not an entitlement card. The GC was also concerned that if vulnerable families were not included in the scheme for some time, they would be prevented from receiving their entitlements. The FFT voiced concerns that this would lead to a “two tier” society.

The GC raised concerns that since the ID card would not record ethnicity, it risks dismissing the needs of Gypsy and Traveller families. There was an associated concern that it would make it difficult to audit discrimination.

Proving identity in the first place was an issue.

There were doubts about the effectiveness of the scheme in tackling its stated aims. The GC questioned whether the money could be better spent elsewhere.

FFT commented that the range of information on one single database was a matter for concern.

Cost was an issue which was seen to impact those on low incomes.

The GC asked what would happen if an ID card is lost. There were also issues about the updating of information and how the possibility of updating address might cause particular problems for those from Gypsy and Traveller families.

The GC commented that information provided on identity cards should be clear. There were other specific issues with biometrics and the need to be culturally sensitive.

The FFT also made general comments that the information that may be held on the Register is too broad.

## 6 Health organisations

### British Medical Association

The British Medical Association (BMA) is a voluntary, professional association that represents all doctors from all branches of medicine across the UK. The BMA restricted their consultation comments to the impact of an identity cards scheme on health care providers and those seeking access to health care. Their main points were in the following areas:

#### The identity cards scheme

The BMA fully supported the Government's intention to tackle inappropriate use of NHS resources. The BMA recognised that where an ID cards system provides a straightforward and un-bureaucratic method of assessing eligibility for free NHS care, it would prove beneficial for GPs. The BMA believe that an identity cards scheme could make checks of the eligibility of individuals easier and relieve some pressure on health care staff and managers. The BMA also agreed that the scheme could also be useful for individuals whose entitlement to free services is thought to be uncertain.

The BMA did however express concerns around the potential cost of implementing such a project compared with the resources saved. The BMA welcomed any further work on determining the level of misuse of NHS services.

#### Impact on socially excluded groups

One of the key concerns of the BMA was the effects of an identity card scheme on socially excluded groups. In their view, the need to register for and own an identity card in order to access public services could act as a deterrent for those people who are already among the least likely to access those services. There are also issues of public health when determining eligibility, which the BMA welcomed consultation on.

Related to this, the BMA believes it is important to separate "health tourists" and failed asylum seekers as there is a clear difference from "health tourists" who come to the UK with the sole purposes of receiving treatment which they would have to pay for in their country of origin.

The BMA therefore commented that doctors should have flexibility in deciding whether to treat those who would not be eligible for free health care or are not able to pay for it. The BMA would also welcome the encouragement by the Government of foreign visitors to take out health insurance before arrival to the UK.

More generally, in order to correctly assess eligibility for free health services, the BMA would like the clarification of the terms "emergency" and "immediately necessary" care or treatment to make the decision making process for doctors clearer and in the interests of cost-effectiveness.

## **Enforcement**

The BMA had concerns that doctors would be required to determine access to health services, which would potentially conflict with a doctor's duty to promote the well being of his patients.

## **Patient Confidentiality**

The BMA raised issues of patient confidentiality if the scheme is linked with accessing health services. They do not believe an identity card system is the best way of providing important health care information such as blood types, allergies and special needs. Apart from issues of confidentiality, it might be difficult to verify the information is up to date and accurate.

The BMA also expressed concerns about the recording of an audit trail of card use. They believe that provision of this information could be a breach of patient confidentiality, enabling a pattern of health services used and the inferential information about health conditions to be acquired.

## **Other health organisations**

The Royal College of Nursing (RCN) commented that it did not support any conditionality in respect of accessing public services. In particular they were concerned that nurses or other health care professions would have to act as "gatekeepers". They raised further concerns around the impact on those groups who are already disenfranchised from service delivery.

The Royal Pharmaceutical Society (RPS) raised the issue that if additional checks on patients' entitlement to free NHS prescriptions were made, this would require further consultation with discretion needed for certain circumstances e.g. urgent prescriptions.

However, the RCN did see some benefits for those individuals whose rights are abused by virtue of their nationality or immigration status. It welcomed the different levels of payments and raised whether nurses should be given a reduced fee card also.

The RCN commented that devolution might have an impact on the use of the ID cards and they argued for equity in approach.

RCN and the RPS raised the issue of confidentiality and sought assurance that the ID cards register and the electronic patient records remain separate. RPS were also concerned about the voluntary information held on the card. RCN wanted confirmation that the audit trail would not include details about the type of service being accessed.

RPS urged the inclusion of older people and care home residences in the scheme in order to help those people assert their entitlements. They also agreed that identity cards are likely to benefit ethnic minority citizens, *“removing suspicion about their nationality and immigration status and enabling them to assert their rights to use services they are entitled to”*.

## 7 Information Commissioner

The Information Commissioner's major concerns focused on:

### **Statutory purposes**

The Information Commissioner argues that there needs to be “*maximum clarity about the purposes of any ID cards system*” so that a judgement can be made as to whether current proposals are proportionate to those objectives. He argues that the Bill should be clear about what the “pressing needs” are for the identity cards scheme and the purposes should be limited to dealing with those needs.

### **Personal Information and lack of time limits for retention of personal data**

The Information Commissioner is concerned about the extent of the personal information that could be recorded on the National Identity Register and cannot see the relevance of some information to identity verification (e.g. previous residences). He is also concerned that information could be stored indefinitely.

He argues that there is no specific detail of the extent of information that may be held on an ID card and as there is no non-identity card version of designated documents proposed, an individual will not be able to limit the information given to e.g. a service provider.

He has concerns about the National Identity Registration Number which he says will be a significant piece of information as it will allow the linking of records. He states that any number should be a new one (not e.g. the National Insurance Number).

### **Administrative and Technical Requirements**

The Information Commissioner agrees that it is impractical to go into detail on the minutiae of the issuing process for cards in the draft Bill but is concerned that issues such as governance and the high level issuing process are not addressed at all. He feels that there is a lack of information regarding identity enrolment, maintenance, verification and card manufacturing, and without these, he says it is difficult to see how the scheme will work and therefore, how the scheme may impact on individuals.

He is concerned that the technical arrangements for the reading of information stored on a chip have not been specified. He states that “*the requirement to have information recorded on a contact chip or encrypted if a contactless one is used should be clearly set out*”.

## **Disclosure**

The Information Commissioner is concerned by those who will have *“access to the Register details showing previous access by others”*. He argues that rather than being organisation-specific as at present, disclosure arrangements should be based on the severity of the matter being investigated.

He is also concerned that clause 14 (4) appears to remove any right (under the Data Protection Act (DPA)) for an individual to be able to view access to their record by others. He argues that it is possible to rely on current exemptions (national security/organised crime) in the DPA. We agree that this probably is the case and will be looking more closely at the need for this clause in the run up to preparing substantive legislation.

## **Governance and general oversight**

The Information Commissioner feels strongly that there should be independent oversight of the Register/enrolment process and does not believe this is achieved by the proposal in the consultation accompanying the draft Bill and proposes an independent body reporting to Parliament annually and having a role to educate the public on the proper operation of the scheme.

Oversight of the disclosure regime (i.e. the appointment of a National Identity Scheme Commissioner (NISC)) was welcomed but criticised as too limited. The Information Commissioner would like to see a power for the NISC to alert an individual if he discovers misuse and for the NISC to report to Parliament (rather than the Prime Minister). He would also like a power included for an individual to appeal a decision of the Secretary of State in relation to the National Identity Register. He also takes the opportunity to argue that his (the Information Commissioner's) role should be strengthened by providing him with the same level of audit and inspection powers as those held by his European counterparts.

## **“Voluntary”**

The Information Commissioner is concerned that there will be no non-identity card version of a passport or driving licence under current proposals and states that this means that *“inclusion on the Register will in effect be compulsory for a substantial part of the UK population”*. He is also concerned that the Bill contains provision for details to be entered on the Register irrespective of an application for a card. He is concerned that links might be made to the Citizen Information Project database or the children's database (proposed in the Children Bill) and particulars kept on the National Identity Register.

## **Safeguards**

The Information Commissioner argues that whilst there is a clause (19) prohibiting the production of an ID card as a condition for service delivery prior to compulsion, there is no similar restriction in

relation to checks on the National Identity Register. He believes it is not sufficient to rely on the need for an individual to consent as this could be manipulated. He states that enforced subject access (where an individual is required to use their access rights to produce information of their bona fides for the benefit of others) is a danger unless a specific safeguard is put in place. He also states that important safeguards in the Bill will disappear when compulsion is introduced and believes that consideration should be given to the use of primary legislation to make the scheme compulsory.

### **Privacy Impact Assessment**

In his response to the consultation the Information Commissioner informs us of his intention to explore the possibility of commissioning an independent privacy impact assessment.



## 8 IT Organisations represented by Intellect

The Government has had significant contact with the IT industry during the consultation period. One of the main contacts was Intellect which represents 1000 companies in the Information Technology, Telecommunications and Electronics industries.

We summarise below the response from Intellect, noting that many of their members have been involved in similar card schemes across the world.

Intellect, on behalf of the companies which it represents, is confident that the IT industry has the capacity to meet the technological challenges set out in the Government's proposals. It has welcomed the opportunity to engage constructively with the Government and is keen to see this dialogue maintained.

This is an extremely significant project which should not be undertaken in isolation. It is crucial that the Identity Cards Programme be driven in line with other initiatives such as e-Government. Intellect is happy with what it calls the *"evolutionary nature of the proposals"*.

Intellect recognises that public acceptance is crucial to the success of the scheme which *"depends both on widespread acceptance and uptake of its benefits and extensive publicity of its benefits"*. It highlights the importance of ensuring the security of personal data on which depend both the integrity of the programme and the benefits which it can bring. The integrity of personal data in turn depends on the underlying resilience and physical security of the infrastructure hardware.

Intellect agrees with the proposal to create a new National Identity Number and believes that using the Register as a gateway to other Government databases would be a pragmatic approach. Such an approach would *"offer the potential to provide privacy safeguards surrounding the use and sharing of personal data and reduce the scale and risk of the project"*.

Intellect stresses the importance of common open standards. *"It is our view that the best path for Government...is to develop a specification and technical framework that suppliers can deliver against. Open published standards and interoperability are the most important criteria"*.

However, there are still some issues on which further information is needed, for example, arrangements for the manufacture, issuing and delivery of cards, and the re-issuing of lost, damaged and worn-out cards.

On the issue of governance, Intellect would support the establishment of an entirely new agency whose responsibilities would not be *"blurred with those of other agencies with different and potentially competing priorities"*, and which would be responsible for the programme on behalf of the Government.

## 9 Legal bodies

### The Law Society

The Law Society's major concerns focused on:

#### The use of secondary legislation

The Law Society believes that the use of secondary legislation is excessive.

They believe as much information as possible should be included on the face of the Bill. However, if delegated legislation is to be used, they support the use of the "super-affirmative" procedures.

#### Registration

The Law Society believes that there is ambiguity and the potential for confusion with the definition of 'registrable facts' as set out in Clause 1(4) and information recorded on the Register which can be amended by regulation. Furthermore, they argue the definition of registrable facts includes unnecessary information "*that could potentially lead to an administrative overload*" (paragraph 4.4); they cite Clause 1 (4)(c) of including past residences as an example of superfluous information.

There are concerns of discrimination by creating an "*additional class of people who do not have an identity card*". This is predicted to be the case if lack of an identity card results in "denial of services".

There are also concerns about compulsory cards, which could damage community relations.

The Law Society agrees there should be an audit trail, but has reservations because this will provide "*an enormous amount of very privacy sensitive and valuable information about a person's activities and their interaction with public services*" (paragraph 4.9). Also, the audit trail should only be accessed by the individual, the administrators of the Register for audit purposes and anonymously, for statistical purposes, the Information Commissioner.

There are reservations about the need to include the data on the Register of individuals who have unsuccessfully applied for an identity card. It remains unclear whether or not individuals who fail to register would be entered onto the Register without their consent if their details were known.

#### Costs

The Law Society have concerns on whether the costs of pursuing individuals (those who refuse "out of principle" to register for an ID card, and will therefore incur a £2,500 fine) will be part of the running costs of the scheme. Also, they have suggested that enforcing the requirement of an

individual to provide information through civil court proceedings would also be costly (Clause 11(5)), and would like clarification on the funding.

### **Disclosure**

The Law Society supports restrictions to the information that may be disclosed, but believe that individuals themselves should have the opportunity to access all information held about them on the Register.

There are concerns on the disclosure of specific information held on the Register without the consent of the individual. They believe the terms as defined in Clause 20 to be too broad.

The Society believes that compliance with the Data Protection Act is essential to the running of the identity cards scheme. In particular, they have concerns in regards to the length of time the data on the Register would be kept, and whether the Register would be technically secure. Clear information for users about how their data will be used, processed and transferred is needed to ensure the appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against its accidental loss.

### **Regulatory Impact Assessment**

The Law Society believes the draft Bill warrants a Regulatory Impact Assessment.

### **Public Support & Debate**

The Law Society has expressed concerns about the Government's claims about public support. They would like greater public debate on all the proposals of the identity cards scheme, especially initial and maintenance costs of the scheme, compulsion and practical issues relating to biometrics.

### **Privacy**

The Law Society draws attention to concerns raised that the proposals would breach the European Convention on Human Rights. They would like the Government to detail the relationship between an identity card scheme and national security, public safety and the economic interests of the country, in accordance with Article 8 of the ECHR.

The Law Society would support the undertaking of a Privacy Impact Assessment of the draft Bill.

### **Human Rights**

The Law Society has expressed concerns that the introduction of identity cards could have a disproportionate affect on minority ethnic groups, those with complex personal information, and those whose information changes frequently.

## **Identity Fraud, Illegal Working and Illegal Immigration**

The Law Society believes that the scheme may be successful in reducing the incidence of individuals with multiple identities, and biometrics will make forgery more difficult, however they believe the introduction of identity cards would not significantly reduce the incidence of identity fraud, those who work or employ illegally, nor illegal immigrants.

## **Crime and Terrorism**

The Law Society does not believe the identity card scheme will significantly help combat crime and terrorism.

## **Practical Difficulties**

The Law Society believes including biometric information and an updateable chip on the identity cards requires massive administrative support to ensure its effective operation. The information needs to be recorded and updated quickly and accurately. Therefore there is a need to clarify what is held on the face and within the card under Clause 8(2).

The Law Society supports the creation of a National Identity Scheme Commissioner, however they believe the Commissioner should be given statutory power *“to investigate and audit the whole system including the issue and use of identity cards, and disclosure of information”*.

## **Conclusion**

The Law Society has serious concerns about the draft Bill. They believe that its drafting provides the Government with unnecessary and undesirable wide powers to record, retain, and disseminate personal data.

It is the Law Society's view that the Government has not yet made the case that an identity card scheme will be a successful and sensible investment.

## **Justice**

The view of Justice, an independent all-party law reform and human rights organisation, is that the draft Bill is over-ambitious, and they would urge caution as to how the Government proceeds with the proposals.

More specifically they acknowledge that most people now carry many different forms of identity issued by the state and by the private sector, but doubt the practicality and appropriateness of the identity cards scheme.

They see the National Identity Register as a major invasion of individual privacy and raise many concerns about practical matters, including:

- The enormity of the logistical undertaking;
- The level of unreliability of the most sophisticated current biometric checking procedures;
- Public acceptability of the cost of biometric cards;
- The cost to Government;
- The intrusiveness of the registration process;
- The practical effect of the introduction of identity cards in relation to ethnic minorities;
- The magnitude of the implications of a mandatory card;
- ID cards seem unlikely to meet many of the aims for which they are being introduced.

The consequence of these factors may be that public support for identity cards is highly volatile.

Justice is concerned that the nature of the draft legislation, i.e. which means that accountability for the details is too distant, and that *“Parliament needs to ratify such proposals only after the most intense scrutiny.”*

Justice supports the appointment of a Commissioner to police the use of the Register, but believe that the powers proposed in the draft Bill are too limited.

## **Scottish Legal Action Group**

The Scottish Legal Action Group voiced their concerns that a national identity cards scheme would have a disproportionate impact on the disadvantaged, including the requirement to update information held. It opposed the principle of the scheme and did not accept that it would solve any of the problems it sought to. The group also stated that they did not believe there would be any benefit until the scheme was compulsory.

The group were of the view that in fact an identity card would encourage forged cards whilst ethnic and other minority groups would be most affected.

The issue of secondary legislation was also raised. The group did not consider this to be sufficient scrutiny to extending the information that could be held on the Register. There were also concerns around the holding of voluntary information and the potential for this to be made a requirement.

The group also voiced concerns around the holding of information of people who have not applied for a card and the absence of a provision to be able to confirm the accuracy of the Register.

Disclosure was also raised as it was a concern that the powers are too wide and without sufficient limitation. It was argued that each provision should be specified on the face of the Bill.

The group took the view that the content of the report of the Commissioner should not be subject to a Prime Ministerial veto.

There were also comments about those individuals whose cards has been stolen or accidentally damaged being penalised for failing to notify before they were aware of this being the case.

## **The Law Reform Committee of the Bar Council**

The Committee's views are summed up as *"...the Government must set out its justification for the introduction of identity cards more fully and be able to demonstrate that the proposed legislation is backed by strong popular support"*.

The Committee believes that the introduction of identity cards and the Register would *"mean a significant erosion of our civil liberties and involve a shift in the relationship between the state and the individual."*

On the Government's aim of combating terrorism the Committee believes that terrorist acts can be committed both by those legally registered and foreign nationals in the country for less than 3 months; the proposals would therefore be ineffective. The compulsory carrying of a card might have more effect, but this would be undesirable for other reasons. The same considerations would apply in the case of organised crime.

Similarly, on combating illegal immigration, it is difficult to see how the scheme could be effective without regular high-profile identity checks. The card in itself is unlikely to reduce the numbers of illegal immigrants or illegal workers. The Government has not given any comparative analysis of states with and without identity cards schemes to show that such schemes have a measurable effect upon levels of illegal immigration.

The Committee does not feel that the Government has made a convincing case for the use of identity cards in combating identity fraud or money laundering. Again, there has been no comparative analysis.

It is conceded that identity cards could have an effect in countering benefit fraud, but of course not all benefit fraud is identity-related.

The Committee commented at length on the draft Bill. Their main points were:

- The proposed “registrable facts” are wider than are needed to establish identity;
- The criteria for being registered are open-ended and the scheme is not really voluntary;
- The scheme cannot be voluntary if it is linked to applying for other documents like passports;
- The clauses relating to compulsion could be discriminatory in that they could be applied to some groups before others;
- Clause 10(4) would have the effect of allowing information on criminal offences to be recorded (if for example someone’s passport were withdrawn as a condition of bail);
- The provisions allowing the Secretary of State to require information from third parties would be onerous and the Secretary of State is under no obligation to remedy inaccuracies;
- Clause 19, together with clause 6, could have the effect of creating a two-tier system where some individuals are under compulsion and some are not;
- The test for the provision of information to be applied in clause 20 is too imprecise – an exhaustive list of purposes would be preferable;
- Clause 23 allows virtually unlimited provision of information from the Register;
- Clause 24 should not be used to give a short cut to the prosecuting authorities (who may not be willing to attempt to access information by means other than the Register);
- The Commissioner should report to Parliament and should be given the necessary powers from the start;
- The powers to charge fees are likely to be discriminatory;
- The proposed civil penalties would impact disproportionately on vulnerable groups, and matters of such importance should be dealt with in primary legislation;
- It is at least arguable that the offence in clause 31 of tampering with the Register should have a defence of “reasonable excuse”.

The Committee raised other concerns about identity cards. These include civil liberties, with the Register holding unprecedented amounts of information, and the potential discriminatory effects on

ethnic minorities. There is also a concern that function creep could occur by stealth in, for example, the way law enforcement agencies utilise the National Identity Register. There are significant logistical problems, for example the requirement to register change of address (on average 40% of people in London change address every year). Other concerns relate to the reliability of the biometric technology and the potential to acquire a false identity particularly in the case of individuals coming from abroad and registering for the first time. The Register could also be vulnerable to attack from hackers or misuse by someone with authorised access. The costs of the project would be huge, and the Committee fears that, because these costs will be borne by individuals, those least able to afford the costs would be the most likely to incur them.

## **The Editors of Data Protection and Privacy Practice**

The Editors of Data Protection and Privacy Practice were of the view that the database would contain sensitive personal data. It commented on the examples of registering with a GP and the access records that would be created as a result, or a photograph which reveals medical problems, both of which should be categorised as sensitive personal data.

The Editors also responded to the Home Affairs Select Committee inquiry into identity cards and asked for its comments to them to be included as comments on the Identity Cards Bill. In this response, Data Protection and Privacy Practice Editors, expressed the view that the contents of the National Identity Register are not related to identity or entitlement and is more concerned with linking Government databases together and serving the needs of the law enforcement agencies.

The Editors voiced their concern about the audit trails being accessed by law enforcement agencies and criticised the lack of privacy protection. They believed that public support was in the absence of an informed public debate on the nature of the National Identity Register.

It was also commented that the secondary legislation powers which might impact upon privacy were not subject to effective scrutiny.



## 10 Liberty

Liberty, the civil liberties and human rights organisation raised their concerns regarding the proposed scheme. Their main issues are detailed below.

### **Use of Secondary Legislation**

Liberty has expressed concerns about the use of secondary legislation, claiming that its use is excessive. In particular they have concerns about the use of the affirmative resolution procedure, which allows for debate on proposed regulations resulting in their approval or rejection but not their amendment. They would like greater use of the super-affirmative resolution procedure, as in Clause 7, which sets out the procedure to be followed for Clause 6 (the power of the Secretary of State to require registration). This would not only allow for the debate on proposed regulations, but also their amendment.

### **Compulsion**

Liberty has expressed concerns about the possibility of registration being made compulsory. In particular, they cite Clause 5(2), which requires an application for entry onto the Register for anyone who applies for any one of the “designated documents”. Together with Clause 4, where the Secretary of State can determine by regulation which documents are included as “designated”, the impact could create an *“extensive list to ensure compulsion”*. Furthermore, they believe that this could suggest that *“many of those who do not intend to apply for a card while it is still in the ‘voluntary’ stage will find it anything but voluntary”*.

Liberty has expressed concerns about the power of the Secretary of State to require registration onto the Register of some groups in incremental stages, as suggested by Clause 6. They believe Clause 6 creates a “twin track system” where registration is either a requirement, or it is voluntary. They believe those required to register will permanently suffer a “far harsher regime” and would not be eligible to benefit from the safeguards as set out in Clause 15 (free public services cannot be conditional upon evidence of registration) and Clause 19 (the bar on required production of identity cards). Liberty also believe that there is scope for an *“eventual extension of compulsion... to all categories of people... This means that the groups who benefit from the safeguards set out in Clauses 15 and 19 and who avoid the harsh effects of Clause 9 [the renewal of ID cards for those compulsorily registered] will be ever-dwindling, and possibly eventually non-existent”*.

Liberty would like the Bill to make mandatory the auditing of information on the Register to ensure entries on the Register are, and remain, accurate. They believe Clauses 11-13, though they relate to maintaining the accuracy of the Register, focuses on the obligation on individuals to notify the changes of relevant information.

## Cost

Liberty has expressed concerns about the potential cost of the identity card to those who change their information frequently. They highlight the impact of Clause 37 (b), where there is provision for a fee to be paid for any modification to an entry on the Register, on Clause 12, where there is an obligation for all those on the Register report any change of circumstance affecting an entry on the Register.

Liberty has expressed concerns on the penalties imposed for failure to notify the Secretary of State about lost, stolen or damaged identity cards. In particular, they are concerned that someone who has their identity card stolen could themselves be criminalised for not reporting the fact. Also, they would like clarification about the time period available to report lost, stolen or damaged identity cards, for they feel that some people would like to ensure that they have actually 'lost' their card before reporting it, particularly given the financial implications of getting a new card.

## National Identity Scheme Commissioner

Liberty supports the appointment of a National Identity Scheme Commissioner, however they would like his responsibilities increased to overseeing the operation of the registration and identification scheme as a whole, and he should report to Parliament rather than to the Prime Minister, thus ensuring total independence.

## Human Rights

Liberty has highlighted Clause 6 suggesting it could raise "race relations issues". They believe non-EU nationals will be compelled to register before British and EU nationals, and those having to "police" the Register will need to *"ask those who look foreign... particular[ly]... those who are not white"*. They believe this is discriminatory and would be open to challenge under the Human Rights Act 1998.

Liberty has fears that the penalties stated in Clause 6 might be considered criminal rather than civil. They highlight the European Court of Human Rights jurisprudence, which has established that *"for Article 6 [of the Human Rights Act (1998)] to be held applicable, it suffices that the offence in question is by nature to be regarded as 'criminal' from the point of view of the Convention, or that the offence made the person liable to a sanction, which, by its nature and degree of severity, belongs in general to the 'criminal' sphere"*. Liberty would like the Government to reconsider the "harsh" penalty system for those compelled under Clause 6.

Liberty has expressed concerns on the possible inclusion of Police National Computer numbers and National DNA database numbers under Clause 1 (4)(g). They also question the reasoning of including past residential status (as under Clause 1 (4) (f)) wondering how such information could be regarded as limited to "identifying information".

### **Policing the Register**

Liberty has expressed concerns about the obligations and duties placed upon employees working in public services. Liberty believe they will *“be policing the identity register”*, and could face *“potential legal action against their employer if they make an incorrect judgement about a requirement to produce a card”*.

## 11 Local Government

Responses were received from the Local Government Association (LGA) as well as from several individual Councils.

The Local Government Association summarised its key points as follows:

- The proposed Bill is an enabling measure and much of the detailed application will be set out in Regulations later. There is no mention of local authorities on the face of the Bill and it is difficult to comment on the precise implications for local authorities, either in terms of likely costs or benefits;
- Councils are major public service providers for the whole population, maintain extensive databases of people, including council tax payers and the electoral roll and are the first point of contact for many disadvantaged and vulnerable groups in society. By the end of 2005 it is estimated that many councils in England will have a contact management or customer relationship management system and the use of local authority smartcards is likely to grow;
- LGA remain concerned about the potential for increased costs, lack of coordination and duplication with other Government initiatives which involve local authorities in using and maintaining data about individuals – including proposals for maintaining databases of children in the Children Bill and the proposals for an online electoral register in the current ODPM consultation;
- LGA are not at all convinced, even though they support in principle the idea of a population register, that the proposals do put sufficient safeguards in place to protect personal data privacy, given the anxiety expressed by the Information Commissioner about the proposals, the lack of clarity as to the purpose of the data collection and the lack of rights of access of individuals to data held about them;
- LGA are concerned about the effective move to compulsion, even in the early stage, for those who apply for or renew a passport or driving licence;
- Although the draft Bill would not automatically require the production of a card for any service and Parliament would have to approve revised regulations for each service, it could in future be compulsory to have an identity card for voting or access to housing or council tax benefit or to adult or children's social services. LGA would expect detailed consultation with local government before such requirements were introduced;

- The draft Bill does not appear to make any provision for people with unstable lives or take account of the practicality of placing requirements including change of address notification (with penalties for failure to notify) on vulnerable or disadvantaged groups, many of whom have significant dealings with local authorities as their first point of contact with public services. LGA also have concerns about the potential impact of the proposals on community cohesion;
- The practical and resource implications of any requirement to be placed on local councils to provide information from their databases to verify personal information for applicants on the National Identity Register need to be fully addressed. It will be vital that the systems and transfer of data should be compatible and secure and build on the work already underway in local government, for example for naming and addressing standards;
- Similarly the introduction of local authority smartcards represents considerable investment by local councils and it will be important that compatible card reader technology is developed so that councils do not need different card readers for local smartcards and national identity cards;
- Local authorities may be well placed to assist in some of the functions listed for the issuing of cards, for example through the Registration Service or other local offices;
- LGA would like to see a properly resourced cost benefit analysis to address in detail what impact these proposals would have on local authorities and the services they provide to the public.

Some additional points were also raised by individual Councils. One Authority, the City of Wakefield Metropolitan District Council, was supportive of the proposals, believing that in view of US and EU regulations on biometrics in passports *“it would be remiss of the British government not to utilise this new biometric technology to introduce more secure personal identifiers”*. They agreed with the Government that demonstrating a person's right to be in the UK should also help to promote community cohesion. They also recommend a consistency of approach across the public sector to maintain confidence in the system, and believe that it will be important to undertake and publish regular regulatory impact assessments.

Hinckley and Bosworth Borough Council felt that the scheme should be compulsory, or *“the object will be defeated”*.

Basingstoke Borough Council opposed the proposals on the grounds that the Government had failed to make a justifiable case for introducing identity cards and that the proposals lacked detail.

Sefton Metropolitan Borough Council believed that, to avoid misuse and fraud, cards should be issued to all citizens, including those under 16 years of age.

## 12 Other

### Welsh language

The Welsh Language Board focused on the need for cards as well as the associated documents and administrative procedures to be available in a bilingual format in Wales.

They also commented that many people in Wales describe themselves as Welsh rather than British and use the Welsh flag in preference to the Union Jack and asked that this be considered in the scheme.

### Electoral issues

The Association of Electoral Administrators raised issues of how the Electoral Register and the identity cards scheme were in synergy and stated its willingness to consider these issues with the Home Office.

### Proof of age

The National Parliamentary Committee of the Licensed Victuallers Associations and the Guild of Master Victuallers voiced their support for the introduction of a national identity card. They pointed to the different proof of age schemes and the confusion to retailers. They supported an identity card, available to young people. Both organisations were of the view that the card should eventually be compulsory and designed so that licensees and staff can easily identify the cardholder and know their age.

The Union of Shop, Distributive and Allied Workers supported the use of an ID card in the context of age-related purchases.

### Women

The National Council of Women of Great Britain were in favour of the introduction of a compulsory national identity card.

### Older people

The Civil Service Pensioners' Alliance expressed concern that the scheme might disadvantage some older people, particular the disabled, frail and infirm. They pointed out that many older people would not be able to attend personally for registration, may have difficulties advising of changes in personal details or remembering the PIN numbers. CSPA also raised the issue of charging, arguing that all people of state pension age should be provided with a free identity card.

## 13 Police organisations

Responses were received from the Association of Chief Police Officers, the Association of Chief Police Officers in Scotland, the Police Federation, the Scottish Police Federation, the Association of Scottish Police Superintendents and the Police Superintendents Association of England and Wales.

These organisations were supportive of the introduction of identity cards. Their views can be summarised as follows:

- *“National Identity cards would be a protection to the law-abiding citizen against fraud, theft...and the many other crimes committed by people pretending to be someone they are not [and] would make the job of the police easier.”*
- The organisations took the view that the full benefits of identity cards would only come about with compulsion, but that, in the words of the Police Federation *“this is not to say that we would be opposed to a lesser implementation.”* There was also some support for making it compulsory to carry cards.
- All the organisations who commented on regulating the provision of information from the National Identity Register were agreed that it should be *“controlled, monitored and fully auditable”* (ACPO) and not open to *“any general access or inspection”* (Association of Scottish Police Superintendents). The Police Superintendents Association of England and Wales, however, warned against *“further bureaucracy for the police”*.
- There was support for a single identity card and for biometric identifiers. The Association of Chief Police Officers in Scotland supported iris recognition as having no relevance to crime scene investigation and being more *“privacy-friendly”*.
- Some specific applications were mentioned. For example, the Association of Scottish Police Superintendents called identity cards *“a speedy means of enabling police to identify people and reduce the time spent in detention when identities were being confirmed.”* Other issues were the use of cards in driver identification, stop and search (where identity cards would enable identity to be established beyond doubt and save time) and the use of identity cards in age-related purchases.
- The Police Federation was *“confident that lessons had been learned from systems abroad, and that this, “coupled with technological advances, should ensure any UK-wide identity card system is both reliable and robust”*. The Police Federation also commented on the use of identity cards in the context of safeguarding national security. Although identity cards would not be a panacea,

they “*would...be part of a broader solution...placing an additional hurdle in the path of terrorists*” and would “*facilitate the build up of essential intelligence on terrorist suspects [and other] individuals with criminal intent.*” They believed that the costs, which they acknowledged would be substantial, at least initially, would be outweighed by the merits of the scheme.

- The police view as a whole can be summed up in the words of the Police Federation “*...introducing identity cards is in the best public interest and should be embraced, not feared.*”



## 14 Race organisations and refugee organisations

### Commission for Racial Equality

The CRE commented that the introduction of a national compulsory identity card would not be racially discriminatory since cards would be issued to all residents in the UK and any requirements to produce the card as proof of identity would apply equally to all cardholders. However, it commented that it is widely perceived as a source of discrimination and particularly in the operation of the scheme.

They welcomed the Home Office commitment to a thorough race impact assessment of the identity cards scheme and stated their expectation that the Government will publish a full race impact assessment of the proposed scheme as well as an assessment of the biometric enrolment pilot.

It felt that the Government were still to convince all communities that:

- the identity cards scheme is a proportionate and cost-effective response to public policy problems and can be delivered;
- the identity cards scheme would not be a source of racial discrimination or hinder the promotion of good race relations;
- the legislation provides for adequate safeguards from abuse.

On the benefits of the scheme:

- The CRE asked what research exists to link identity cards with the prevention of terrorism;
- Whilst welcoming co-ordinated efforts to disrupt people-trafficking and illegal working in unsafe conditions, the CRE commented that there is no clear evidence that ID cards solve the problems associated with the employment of illegal workers. It mentions other options for tackling illegal working.

The CRE voiced their concerns that the Government consider how to ensure that the proposed scheme does not lead to discrimination. It commented that as part of this, systems in place to update information should not slow down access to the labour market for affected groups.

The impact on those who have been living and working illegally in the UK for many years was also raised. The CRE raised a concern that this would entrench an underclass, undermining community cohesion.

Independent oversight of the whole scheme, not just the provision of information without consent, was recommended by the CRE. The CRE also commented that the identity cards scheme should be monitored for its impact on race relations and racial disparities.

The CRE raised 4 areas where an identity cards scheme has the potential for discrimination which it felt were not adequately protected against in the legislation:

- Police stops and searches
- Service provision and employment
- Disclosure without consent
- Gypsies and Travellers

### **Police stops and searches/Services provision and employment**

The CRE have concerns in the light of statistics on stop and search in this country and of ID cards in other European countries, that they impact disproportionately on ethnic minority communities. Whilst the CRE noted the Government's statement that there will be no new powers for the police and the protections in Clause 19, they remain concerned that Clause 19 protections are not applicable after compulsion.

The CRE are similarly concerned that black and ethnic minority individuals are more likely to be asked to produce an identity card to prove identity or entitlement to services. The CRE contend that in the non-compulsory stage, particular racial groups might feel under pressure to obtain a card.

It recommends that protections under Clause 19(2)(c) remain after compulsion, a code of practice is issued on using identity cards and the public are appropriately informed.

The CRE also voiced concerns regarding the provision of information even with the consent of the individual. They commented that the information should only be that which is relevant to comply with statutory obligations.

### **Disclosure without consent**

The CRE commented that the power of the Secretary of State to provide information without the consent of the individual is very wide. It is concerned that increasing racial or religious profiling provides the opportunity to target particular groups or categories of persons, and this may lead to Muslims being over-represented.

As part of the monitoring, the Commissioner plays a useful role but also the CRE recommends limiting the functions for which information may be provided.

The CRE also expressed disappointment that Clause 14(4) prevents subject access rights to the audit trail.

### **Gypsies and Travellers**

The CRE commented that the requirement to register an address will have an adverse impact on Gypsies and Travellers, particularly when a fee may be required and a fine enforced if the duty is not met.

### **Other race organisations and refugee organisations**

In common with the CRE, many organisations questioned whether the ID card would have the benefits that are attributed to it, including in tackling terrorism, illegal working and immigration. They expressed concerns that it was not clear how the scheme will achieve its stated objectives.

However, it was a view held that giving foreign nationals a proof of identity would help in day to day life. The Citizens Advice Bureau saw that a universal mechanism of identification would be *“a welcome step forward in improving access to services.”*

Organisations did comment that the requirement to register if it applied to foreign nationals first, with accompanying penalties for failure to comply, would create heavy burdens on individuals.

Organisations expressed repeated concern that Black and Minority Ethnic (BME) groups were more likely to be asked to produce an identity card.

Organisations also raised the issue of how non-UK born individuals would be able to prove their identity when applying for an identity card. The Confederation of Indian Organisations suggested that all undocumented migrants should benefit from an amnesty in order to prevent the exploitation of people without ID cards and encourage people to register. After this point, they argued there should be stricter enforcement of the law.

The Confederation of Indian Organisations questioned why recording place of birth was necessary. Others commented that immigration status should not be on the face of the card.

The Refugee Council voiced their opinion that asylum seekers should continue to be able to use the Asylum Registration Card. It was felt that asylum seekers may be excluded from services to which they are entitled if the identity cards scheme becomes increasingly widespread.

Various organisations also commented that the Bill should be amended to protect those who use false documentation in order to effect entry into the country to seek asylum.

There was concern that individuals may be entered on to the Register without their knowledge and that there was no obligation on the Secretary of State to record correct information.

The Immigration Law Practitioners Association raised concerns that it would be legal to impose such requirements on EU citizens. They also questioned the definition of “residential status” and why only addresses in the UK could be registered.

Organisations also commented that ID cards with limited validity, in line with the duration of a person’s permitted stay in the UK, could lead to discrimination.

The issue of costs to individuals was raised.

The Immigration Advisory Service voiced concerns regarding the extent to which information may be required to validate identity and the subsequent breadth of organisations to which information may be provided.

## 15 Rural organisations

The Countryside Agency (CA) responded raising the issue of access to services and the need to rural proof any decisions on using the identity cards scheme.

CA also welcomed the ability to require less information from older members of the community, the proposal to provide free cards for 16 years olds as the rate of child poverty is higher in remote rural areas and the pilot of mobile biometric enrolment units. However, CA asked for clarification of what is meant by “a local or regional centre” where enrolment may take place.

There were also comments on the need to register principle residence along with other addresses, the CA pointed to groups of workers whose work requires them to be itinerant, and who might therefore be adversely affected by this provision.

Correspondence from the public echoed the view that the needs of those living in rural areas will have to be considered when designing the identity cards scheme.

## 16 Trade Unions

### Public and Commercial Services Union

The Public and Commercial Services Union (PCS) does not believe that the Government has made the case for the introduction of a national identity card. They consider that it should be seen in the context of the lack of a written constitution in the UK. It would be *“...a tool that will irrevocably change the relationship between the citizen and the state to the detriment of UK citizens.”*

Other concerns include the evidence that current levels of biometric technology are still unreliable and the potential effect on vulnerable groups, both in the enrolment process and in the operation of the scheme. They believe that the proposals would discriminate against foreign nationals and people who are visibly from an ethnic minority.

PCS does not support the incremental approach proposed by the Government because *“the time span alone actually undermines the Government’s arguments [that there is] a pressing need.”*

PCS’s comments on the draft Bill include their view that decisions like altering the age of those entitled to be entered on the Register and extending the information to be added to the Register should be the decision of Parliament and not solely the Secretary of State. Other provisions, such as the requirement to notify change of address and the civil penalty for failure to notify, would have a disproportionate effect on vulnerable people.

### The Union of Shop, Distributive and Allied Workers

The Union of Shop, Distributive and Allied Workers made two main points on behalf of its members. The first one relates to the information they would like to see on the card. This should include date of birth in the context of age-related purchases and practical information such as a person’s blood group, gender and allergies. They believe that this information could be vital in cases of accident or other emergency. The second point was the likely cost of the card. Union members are low-paid and would find the costs onerous.

## 17 Groups representing trans people

The Beaumont Trust and Press for Change (PFC) were neutral on the identity cards scheme but wanted to ensure that trans people would be no worse off because of the scheme. Although PFC did think that ID cards might help some trans people by enabling them to prove their identity.

### **Disclosure**

The Beaumont Trust and PFC felt that the provisions in legislation protecting transexual people's previous name(s) and gender from being made public would need to be replicated for the identity cards scheme. PFC raised the issue of a specific restriction on the provision of this information.

### **Proposals for a National Identity Register**

They both raised concern that those transsexual individuals who do not yet qualify for a Gender Recognition Certificate may not be able to change their names and gender. They questioned whether the individual could be issued with an ID card in their social role in these circumstances and have the same confidentiality safeguards. PFC asked whether biometrics would reveal a trans history.

### **Issue of ID cards**

With regard to what should be on the face of the card, Beaumont Trust asked that gender should not be included as means of identification as they believe this would embarrass both early stage transsexuals and transvestites. PFC commented that the flexibility of identity is necessary for those living dual-gendered lives and recommended that the Bill should either explicitly allow the issue of multiple identity cards or not record gender on the face of the card.

## 18 Transport and travel organisations

The responses to the consultation were broadly in favour of the identity cards scheme.

The benefits of an identity card that is valid for travel were widely mentioned although different organisations also commented that costs and enrolment processes should not deter consumers from travelling. The comparison with other European countries which already have an ID card was made. Some organisations commented that standards should be compatible across the EU.

ABTA, the Federation of Tour Operators (FTO), the Chamber of Shipping and the Charter Airline Group of the UK (CAG UK) commented that with the requirements for advance passenger information, an ID card would be helpful if the data stored in the chip could contain the information required for these security checks. FTO commented that the Bill should allow this information to be provided to the appropriate parties.

The Chamber of Shipping stressed that they would prefer the flexibility to make it a requirement to produce an ID card as a condition of carriage before it is compulsory to Register. CAG UK similarly supported the mandatory use of ID cards as a primary means of identification when travelling on domestic flights and for staff entering the restricted zones of UK airports.

Accreditation of organisations was also raised. One organisation commented that this would have to include airlines, handling agents (including those based outside the UK) as well as tour operators. There were also concerns about the potential costs.

It was also commented that the offence for failure to notify changes of address were lower than those of driving licences. Organisations argued that maintaining accurate information was crucial and so the offences should reflect this.



## 19 Vulnerable groups

Respondents commented on the need to consider the needs of vulnerable groups such as:

- sensory impaired people
- those with learning difficulties
- those with certain medical conditions
- those with mental health problems
- people with mobility problems

Changing Faces raised concerns about the impact biometric identifiers will have on people with disfigurements. They fear that as many people with disfigurement undergo constant medical attention, the inclusion of biometric identifiers will result in these people having to continuously apply for a new, updated card (or at least update biometric information to be held on the card).

The RNID and RNIB both expressed concerns that the convenient enrolment centres possess sufficient technology to allow *“them [people suffering from sensory impairment] to interact with enrolment, verification, helpline and other relevant services in the same way that other citizens... can”*. The British Computer Society (BCS) Disability Group raised more general concerns about the issue of how people with disabilities will be able to participate in the enrolment for and use of the identity cards scheme. Organisations pointed to the need for processes to allow exceptions in these circumstances.

There were also concerns over the ergonomics of the enrolment and verification process which organisations commented should be considered.

Rethink expressed concerns over the possibility that people with mental illness may in some circumstances find it difficult to participate in an identity cards scheme. This may be as a result of living a chaotic life, not wishing to be identified, losing belongings, being vulnerable and relying on income from benefits. A particular concern is that individuals may be turned away from the public services they need and may have an additional financial burden.

Changing Faces expressed concerns about the cost on individuals who have a disfigurement and undergo constant medical attention. They are concerned that those people would have to continuously apply for a new card, and bear the cost of the new applications. They would like the Government to allow those receiving means-tested benefits to be exempt from paying for their card.

Organisations also raised the issue of disability awareness training both for those involved in the enrolment process and for those people and organisations who would be verifying identity. It was also commented that the Government's information campaign should be fully accessible to people with disabilities.

BCS requested that an impact assessment be done regarding the Disability Discrimination Act.

# Part C

## **SUMMARY OF FINDINGS FROM EXTERNAL EVENTS AND RESEARCH**

In order to get a more rounded picture of views, during the consultation, officials and Ministers gave several presentations at events arranged by organisations, including to Intellect (the IT industry's Trade Association), the Public Sector Fraud conference and to the Social Market Foundation. There were also more public events such as to the Confederation of Indian Organisations, the Federation of Irish Societies conference and at events organised by British Telecom. Numerous meetings were also attended by officials to explain the details of the consultation and card scheme, where organisations had taken up our offer. Alongside this work, we also undertook qualitative research based around focus groups and polling on identity cards throughout the UK.

### **BT Consultation Event**

British Telecom (BT) ran two consultation events in conjunction with the Home Office to help inform the legislative consultation. The first, which took place on 5 July 2004, was a general industry consultation event focusing mainly on the key issues facing the Government and to provide a forum for debate between public and private sector organisations, particularly those from the financial sector.

The second event was held on 15 July 2004 and focused on the social inclusion and diversity aspects of the proposed scheme. Representatives for this event came from a range of minority, ethnic and special needs groups. Home Office Minister Des Browne gave an overview of Government thinking on the proposed scheme and took questions from the audience.

While the events had delegates from a wide range of backgrounds, there were some common themes, which are summarised below.

### **Perceived benefits**

Delegates generally supported the Government's stated aims for the proposed identity cards scheme, i.e. to reduce identity fraud, improve immigration control, reduce illegal working, counter-terrorism and organised crime, and provide easy access to public services. However, they were less clear exactly how these benefits would be achieved through the proposed scheme and wanted more explanation on the benefits case.

### **Awareness of the Government's proposals**

There was a low awareness amongst delegates of the Government's proposals for the scheme and how it would work. For many the event was the first time that they had considered the proposals in detail. Representatives of the financial services industry were keen that the dialogue with Government should continue as there were potential mutual benefits. Similarly, a number of groups involved in the diversity and social inclusion event were keen that dialogue continues so that their needs can be addressed within the proposed scheme as it is implemented.

### **Cost**

Most delegates felt that the cost of the card would be an issue for many people, including the elderly, unemployed and low paid. The potential cost of the card was linked to an inability to see what benefit the individual would get, as there was a perception that the proposed ID cards did not offer any additional personal value over and above the existing driving licence and passport.

### **Compulsion**

There was a view that the timeframe for compulsion was too slow and that the benefits would only start to be delivered when the scheme was compulsory. Delegates felt that if the Government wanted to introduce the scheme it should move to compulsion as soon as possible.

### **Security**

Most delegates were concerned about the security and integrity of the system. These concerns included the extent to which those who were, or were not, authorised could get access to the database; the potential for "hacking" into the system; the extent to which cards might be amenable to forgery or copying; and the security of personal information. There were also concerns about the robustness of the technology.

Common to all the groups represented at the social inclusion and diversity event was the need to assure citizens that the scheme would be tightly monitored to protect minority groups from any kind of discrimination.

**Biometrics and enrolment**

Most delegates had limited understanding of biometric technologies and their benefits and risks. A number of delegates therefore had both concerns and misconceptions about the safety, accuracy and reliability of biometrics at the point of capture and when stored on the National Identity Register. The majority of delegates felt that the enrolment process needed to be flexible in order to accommodate the individual needs of the applicant, e.g. an individual who spoke English as a second language, people with disabilities, the elderly and those living in rural areas. Concerns were also raised about the enrolment of individuals who might not have any official documentation, e.g. no bank account, no fixed address or some other missing document.

# Chapter 1

## QUALITATIVE RESEARCH

Focus group research took place in June 2004. Cragg Ross Dawson was commissioned to conduct the qualitative research on our behalf. 18 group discussions were conducted with members of the public in the UK including people from Black and Minority Ethnic (BME) communities. The sample included a range in terms of age, social class, region, locality and gender.

### Summary of findings from focus groups

There was widespread awareness (primarily from media coverage) that the Government is considering the introduction of ID cards and the majority believed that their introduction is almost inevitable. However, there was a large degree of misunderstanding about the details of the scheme, with most respondents expecting the cards to constitute either a very basic proof of identity or a system for holding vast amounts of personal information.

The majority approved of the principle of ID cards, or were at least accepting of it. ID cards were seen as a sensible system which worked well abroad, and which could plausibly have an impact on a number of the “social ills” currently facing the UK.

Those who opposed the scheme in principle tended to occupy one of two positions. Some were suspicious of the government’s motives and feared for civil liberties and anonymity. Others were sceptical about the system’s efficacy. More generally, these respondents tended to believe that the government was too soft on the causes of social problems, and that ID cards would not achieve anything unless this attitude were changed.

Demographic variations in these attitudes were not clear-cut among this sample, and few patterns emerged.

### Responses to the basic concept of the proposal

Most accepted 16 as a sensible age at which to start the scheme.

In principle, the combination of a card, chip and register also met with approval from the majority, who could see that a modern system would need some kind of electronic support. Feelings about how the three elements would function in practice, however, varied widely.

Anxieties about how the system would work in practice tended to focus on the register because of its unknown capacity and potential for future expansion, and the fear that individuals would lose control of any personal information stored on it. These fears were rarely specific, and seemed to be at least partly the result of feelings about computer security in general, but they were strongly felt by many respondents.

The use of a chip was less controversial, largely because it was familiar from bank and credit cards, and because it was seen as more knowable and controllable than a remote register. Both the chip and register became more acceptable to many when they realised that the cards would not need to be scanned every time they were used.

Most respondents had expected ID cards to be entirely new documents, and were surprised to discover that the intention was to incorporate them into existing documents.

Preferences between an ID card incorporating a passport or a driving licence were varied, with a small majority favouring the latter. Some respondents would prefer to have a plain ID card, even if they owned a passport or driving licence, as they wanted to keep the documents separate.

## **The issue of compulsion**

It was widely agreed that ID cards would need to be made compulsory for everyone, as the scheme's ability to impinge on criminal elements depended on the creation of a "herd immunity" in which people were penalised for non-participation. But the enforcement and policing of this system were expected to be very difficult by a number of respondents, especially when they learned that the cards would not be compulsory to carry. This was an important factor in their scepticism about the proposal as a whole.

Reactions to the issues of compulsion to own and compulsion to carry revealed a fundamental dichotomy in many respondents' attitudes to ID cards. Although prepared to participate in a scheme to create the necessary universal ownership, they concluded that the drawbacks to themselves as individuals might well outweigh the indirect benefits they enjoyed.

## **The timing of the ID card scheme**

Many respondents initially felt that ID cards should be introduced as soon as possible, as the problems they were expected to address were current. When they realised what the scheme would involve, many respondents lengthened their expectations of practical timescales.

The intention to stagger the introduction of cards after 2008 was a little more controversial. Some took a positive view, and realised that it would be impossible to issue everyone with a card at the

same time. Others grumbled that the system would be unfair as some would have to have one before others. Where the staggered process was accepted, there was strong support for stating the date by which cards would become compulsory for everyone.

## **The information on the cards and register**

The amount and type of information that the cards might hold was a vital determinant of respondents' views about the scheme as a whole, and lack of understanding about what would be stored on the register often fostered suspicion about the scheme and could reduce support for it.

The information to be displayed on the face of the card was expected to be basic, and the proposed details were largely accepted. The question of whether the holder's address should be shown on the face was more contentious.

Opinions about how much information should be held on the register varied widely. Those least supportive of the scheme felt it should be no more than a back-up of what was displayed on the card, to be accessed if the card were lost. The majority thought that some medical details would be acceptable and useful.

Views on what would be an acceptable level of information depended greatly on who would have access to it. Many would not accept providing more than basic details if they could not be convinced that inappropriate people would be barred; those who were reassured on this point were often happy to disclose more.

The lack of an overt statement during the discussions about the range and use of information to be provided was a stumbling block to many respondents.

## **Biometric information**

Initial responses to the use of biometrics depended largely on familiarity with the concept. Those who had heard that they might be required on ID cards and/or passports, or that they were already used in the US, were generally comfortable with the idea and accepted the need for them. For the minority with concerns, the concept became more acceptable as it became more familiar and better understood.

The benefits of using biometrics were largely undisputed – almost all knew that fingerprints and iris patterns are unique, and accepted that their use would probably make ID cards more difficult to forge or misuse.



## **The application process**

Respondents' initial expectations about the application process were fairly consistent, and involved the completion of a long form which would be sent off by post accompanied by an official document such as a passport. When informed of the use of biometrics, respondents also expected they would have to make a visit in person to record this information.

When fully aware of what the proposed cards would involve, most respondents imagined that applying for one would be a major undertaking. Concerns about security informed their preferences between the three application methods suggested – post, phone and online.

The Home Office video demonstrating the application and biometric procedure met with widespread approval and fitted with the expectations of most respondents. The process of recording biometrics did not look arduous or dangerous, but satisfyingly hi-tech.

Respondents' suggestions for suitable locations for providing biometrics included police stations, town halls, schools and mobile units. Estimates of how far they would be prepared to travel to do so varied from the equivalent of the nearest polling station to within the same/nearest city or town.

## **Using ID cards**

Many respondents' expectations of when cards would be used were informed by the belief that the scheme was for the benefit of the Government rather than the individual. Checks by the police to establish eligibility to be in the country, or identity in the event of a crime or during stop and search operations, were commonly mentioned. Medical personnel were also expected to use them, particularly in an emergency.

Those who advocated the storage of a greater amount of information could imagine more uses for the cards, such as bank transactions, proof of age in licensed premises and allowing entry to workplaces. Those most suspicious of the scheme imagined that the cards would need to be used frequently in the public and commercial sectors, and that this would allow the government to build up a detailed picture of people's activities.

## **Provenance of ID cards**

Almost all respondents expected an identity cards scheme to be introduced and run by a visibly defined part of the Government. They felt that no other organisation had, or should have, access to the type of information necessary, or could guarantee the scheme's existence in the long term.

## Costs

Most assumed that the scheme would be Government-funded, and strongly opposed paying for the cards themselves. Details about the changes to passport costs caused much surprise, as few were aware of the move to biometrics, and the rise to £73 was thought very significant.

On first sight, the cost of the combined passport and ID card caused most indignation: the absolute cost was seen as very high, as was the increase over the current cost of a passport. Rather than pay directly, most respondents said they would prefer the scheme to be funded through general taxation, which was seen as less regressive and noticeable, as well as an incentive for the Government to maximise the scheme's efficiency.

## Considered views of ID cards

After the discussions, respondents who had initially been in favour of ID cards were generally a little less enthusiastic in their support, although they still believed that the scheme should go ahead. The scheme as proposed was more complex than many had expected because it involved a family of cards, more information than anticipated and a different type of information (i.e. biometrics).

# Chapter 2

## QUANTITATIVE RESEARCH

Quantitative research was commissioned during the consultation period to establish attitudes towards identity cards amongst the UK general public, as well as amongst a representative sample of selected Black and Minority Ethnic (BME) respondents (Chinese, Indian, Black and Pakistani/Bangladeshi). For the general public survey, questions were placed on Omnibus studies and for BME respondents the survey was conducted on an ad hoc basis. Similar studies were conducted in 2002 and 2003.

The questions asked and the management summary for the UK general public are set out below, followed by the results of the minority ethnic polling. Some of the tables below include results from both the general public and BME surveys for comparison purposes.

### General Polling

#### Introduction

Questions were placed on a Research Surveys of Great Britain Omnibus Survey. Interviews were conducted amongst a representative sample of adults aged 16+ years in Great Britain (GB) in July 2004. In addition, the same questions were also placed on the Millward Brown UMS Omnibus study conducted in Northern Ireland (NI). Interviews were conducted amongst a representative sample of adults aged 16+ years in July 2004. Corrective weighting was applied to ensure the data was representative.

**Questions Asked**

**Q.1** As you may already know, the Government will be introducing national identity cards. Identity cards are likely to be coming in a few years time, so what type of information do you think should appear on them?

01: Full name

02: Date of birth

03: Gender

04: Address

05: Photo

06: Nationality

07: Personal reference number

08: Other (please specify)

(DK)

**Q.2** Have you heard of the term 'biometric information'?

01: Yes

02: No

(DK)

**Q.3** A biometric is a unique personal physical characteristic such as a fingerprint or iris pattern. To what extent do you think having biometric details on your identity card will be effective at...

...stopping other people stealing your identity and using your card

...making it easier to prove your identity (e.g. by not having to remember a PIN number)

01: Very effective

02: Fairly effective

03: Not very effective

04: Not at all effective

(DK)

**Q.4** To what extent are you in favour of or against providing the following biometric details...?

...Fingerprint (collected by pressing your fingers against a glass reader – no ink is involved)

...Digital photograph of your face (like going into a photo booth)

...Digital photograph of your iris (like going into a photo booth)

01: Very much in favour

02: In favour

03: Against

04: Very much against

(DK)

**Q.5** In which of the following situations do you personally think it will be useful to have an identity card to prove who you are?

01: Opening a bank account

02: Hiring a car

03: Travelling within Europe

04: Registering with a GP

05: Collecting a registered parcel

06: Applying for benefits

07: Applying for a student loan

08: Proving your age when purchasing goods (e.g. lottery ticket)

09: Other (please specify)

(N) (DK)

**Q.6** There are various ways that you will be able to get an identity card - it could be issued as a card when you renew your passport, it could be incorporated into the card version of your driving licence, or it could be issued as a separate document. Which of these would you prefer?

01: Issued when passport renewed

02: Incorporated into driving licence

03: Issued as a separate document

(N) (DK)

Half the sample was asked Q7a and the other half asked Q7b.

**Q.7a** A 10 year passport currently costs £42. If a combined passport ID card lasted for the same time, approximately how much would you be prepared to pay for it?

£ (amount)

(N) (DK)

**Q.7b** A 10 year passport currently costs £42. If a combined passport ID card lasted for the same time, would you be prepared to pay the same as this, more than this or less than this?

01: The same

02: More than

03: Less than

(N) (DK)

**Q.8** How confident are you that the Government will be able to successfully introduce a national identity card scheme?

01: Very confident

02: Fairly confident

03: Not very confident

04: Not at all confident

(DK)

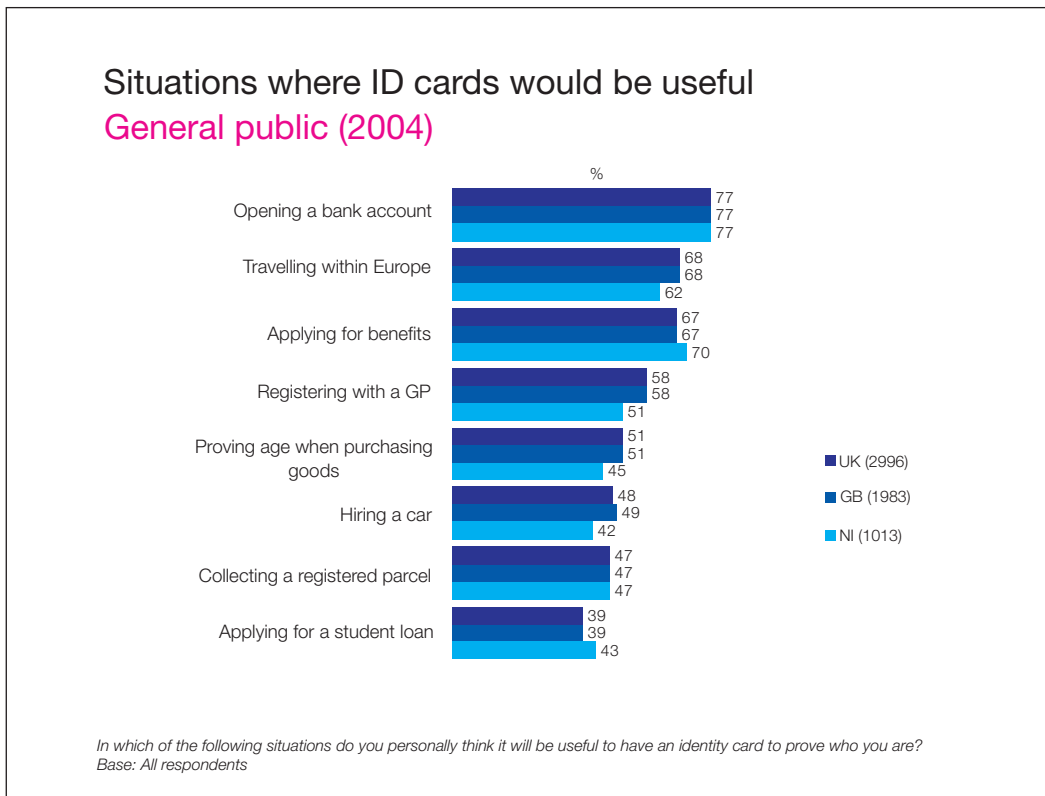
## Key Findings from Polling

- ID Cards were generally perceived as being useful in a variety of situations, the most cited occasions being “opening a bank account”, “travelling within Europe” and “applying for benefits”.
- Awareness of the term “biometric information” was low.
- The majority of respondents were in favour of providing all three types of biometric (fingerprints, iris and facial image).
- The majority of respondents believed that biometric information would be effective in preventing identity theft and in making it easier to prove identity.

**Perceived usefulness of ID cards**

Overall, ID cards were generally perceived as being potentially useful in a variety of situations, particularly “opening a bank account”, “travelling within Europe” and “applying for benefits”. GB respondents were significantly more likely to perceive that ID cards would be useful for travelling, GP registration, proof of age and car hire than NI respondents.

On a general level, the extreme age groups (16-24’s and 65+’s) were less likely to mention most of the situations, with the exception of proof of age and student loans amongst the younger respondents. The higher social grades were also more likely to perceive them as being potentially useful than the lower ones, with the exception of applying for benefits.

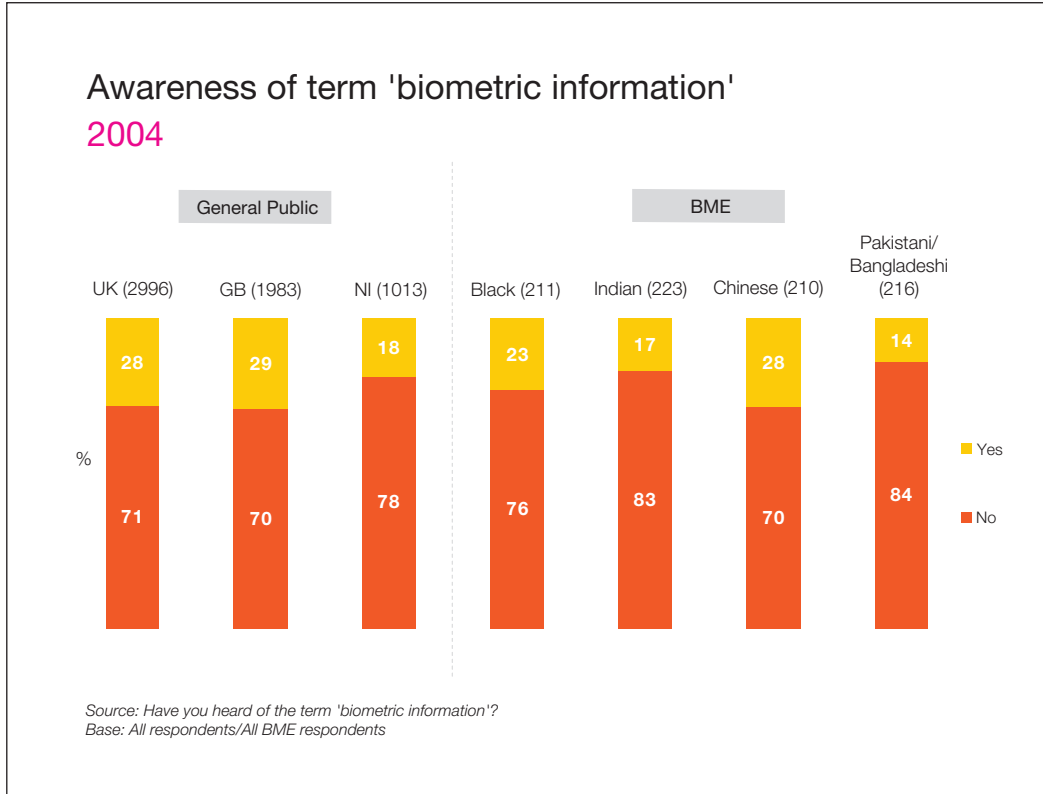


**Information contained on ID cards**

Respondents were in favour of ID cards reflecting a variety of types of information, with the highest mentions for name, photo, date of birth and nationality. Mentions were lower for gender, address and personal reference number. Respondents in NI tended towards lower levels of mentions than those in GB, particularly for nationality, gender and a personal reference number.

Awareness of the term “biometric information” was low - at least 70% amongst each sample had not heard of the term before. Awareness was particularly low amongst the NI sample (78%). Across all samples claimed awareness was higher amongst males, 35+ year olds and the higher social grades.

The table below shows respondents' awareness of the term "biometric information" across both the General Public and BME samples.

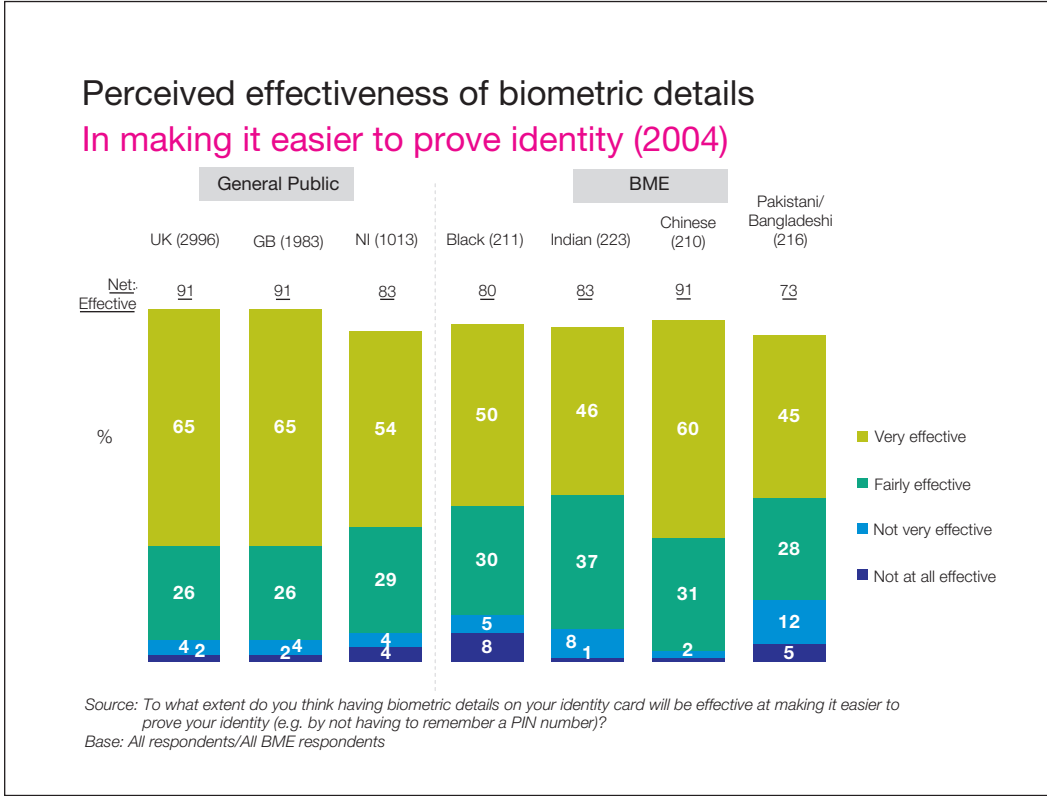


Despite the low levels of knowledge regarding biometric information, the majority of UK respondents were in favour of providing all three of the types of biometric details (fingerprints, a facial digital photograph, and an iris digital photograph) – at least 75% in each case. Favourability was slightly lower amongst the BME samples, but still high with at least two thirds favourably disposed towards providing each type.

In excess of 80% of the general public believed that biometric information would be effective in preventing identity theft and in making it easier to prove identity.

The table below shows the extent to which respondents across the General Public and BME samples believed biometric information would be effective in making it easier to prove their identity.





**Cost perceptions**

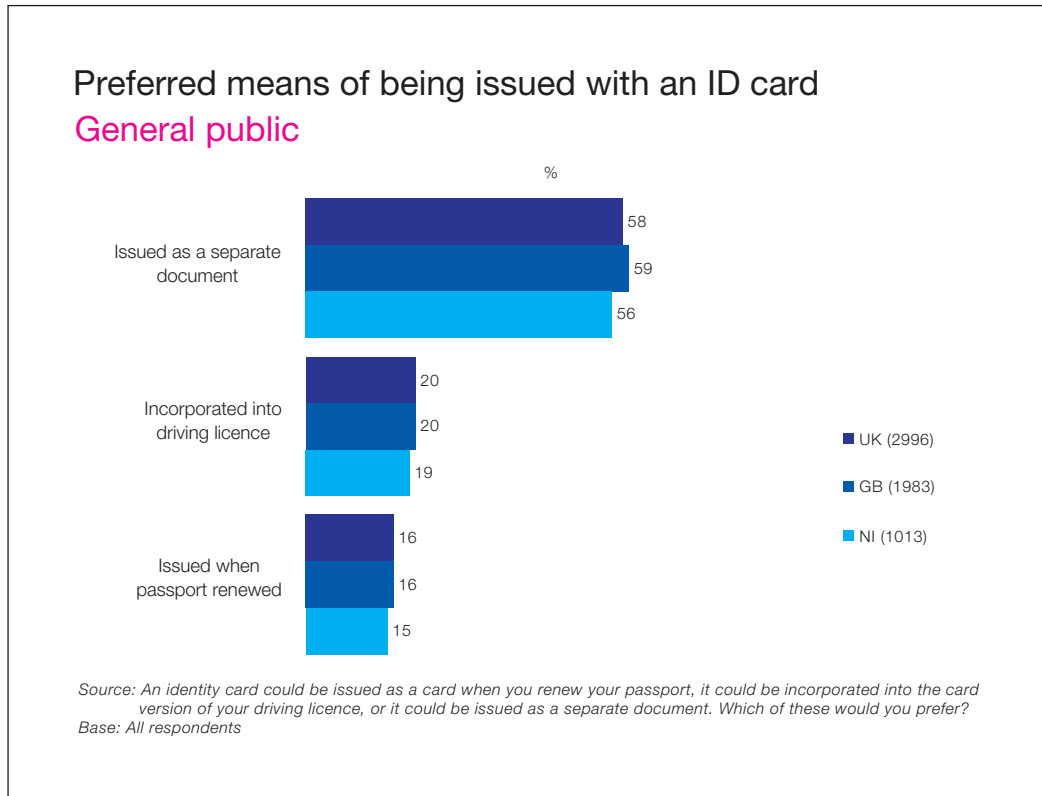
Half the sample was asked how much they would be prepared to pay for an identity card if, like a £42 passport, it lasted for 10 years. The highest level of mentions was for nothing to be paid (around 30% to 40% of responses), with mean scores of between £17 and £27.

The other half of respondents were asked if they would be prepared to pay the same, more than or less than £42. Just under half of these respondents in GB (49%) were prepared to pay £42, although this figure was lower amongst the NI sample (38%).

Due to the different responses for each of the cost questions, it is difficult to arrive at any conclusion regarding the amount that people would be prepared to pay for an ID card. The second version of the question prompted respondents to choose from options of more than, the same or less than £42 and the majority chose £42 or less. The spontaneous questions indicate that respondents would prefer to pay on average between £20 and £30.

**Introducing ID cards**

The majority of respondents in each sample showed a preference for ID cards to be “issued as a separate document” (mentioned by in excess of 50% of each sample). The least popular means was “issued when passport renewed” amongst the general public.



In terms of confidence in the Government to successfully introduce a national ID cards scheme, the GB sample was polarised with just under half either feeling confident or not confident. Despite higher general levels of scepticism amongst the NI sample, they were actually significantly more confident than the GB sample (58% compared to 49%).

## Black and Minority Ethnic groups (BMEs) Polling

### Introduction

Research was carried out between July and August 2004 to establish attitudes towards identity cards amongst Black and Minority Ethnic Groups (BMEs) in the UK. Interviewing was conducted amongst a sample of respondents aged 16+ years from each of the following minority ethnic groups:

- Black
- Chinese
- Indian
- Pakistani/Bangladeshi

## Questions Asked

The same questions were asked as the Great Britain and Northern Ireland questions with some additional questions as below:

**Q.1** We're going to be talking about identity cards, which the Government will be introducing in a few years' time. To what extent are you in favour of or against the introduction of identity cards in the UK?

01: Very much in favour

02: In favour

03: Against

04: Very much against

(DK)

**Q.2** Why are you in favour of identity cards?

**Q.3** Why are you not in favour of identity cards?

**Q.4** Which of the following, if any, would make you more favourable towards the introduction of identity cards?

01: If it made it more difficult for illegal immigrants to get work in the UK

02: If it helped to reduce fraud

03: If it put people off trying to enter the country illegally

04: If it made it easier for citizens to access public and financial services

05: If it helped protect your identity from fraud (i.e. stopped someone pretending to be you)

06: If it helped to confirm your lawful residence in the UK

(DK) (N)

**Q.5** How concerned, if at all, would you personally feel about the following if identity cards were introduced?

1. The Government holding too much information about you
2. Being singled out to prove your identity more often on the grounds of your ethnicity
3. That your card could be copied/forged
4. Having to produce a card to access free public services (e.g. going to the doctors)
5. That people from black and minority ethnic groups might be asked to produce a card more frequently than white people.

01: Not at all concerned  
 02: Not very concerned  
 03: Fairly concerned  
 04: Very concerned  
 (DK)

**Q.6** It is intended that under the identity cards scheme people won't have to carry a card at all times and there won't be any changes to police powers. How concerned are you about how the police will use the identity cards scheme in practice?

01: Not at all concerned  
 02: Not very concerned  
 03: Fairly concerned  
 04: Very concerned  
 (DK)

**Q.7** Why are you concerned?

**Q.8a** There are no plans to record ethnicity on identity cards. Do you think that ethnicity should be recorded on the card?

01: Yes  
 02: No  
 (DK)

**Q.8b** Why do you say this?

**Q.9** How confident are you that the application process for identity cards will meet the needs of individuals from different groups and communities, such as language and cultural differences?

01: Not at all confident  
 02: Not very confident  
 03: Fairly confident  
 04: Very confident  
 (DK)

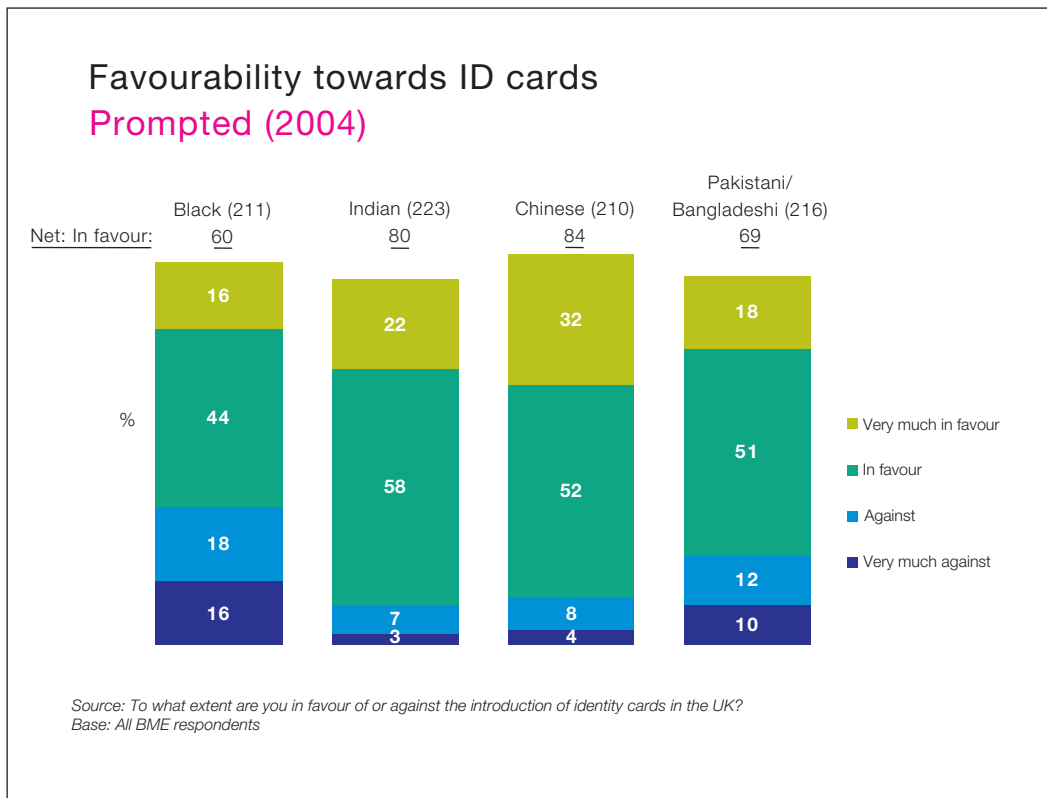
## Key Findings from Polling

- The majority of respondents were in favour of the proposal to introduce identity cards. The main reasons for being in favour focused on general benefits, – largely the provision of identification, and helping to tackle crime.

- The most frequently mentioned category of concern was in relation to the practical issue of copying/ forging a card.
- The level of concern about how police will use the ID cards scheme in practice was highest amongst Black respondents and the main reason given for concern related to abuse of the system and discrimination.
- More than half of respondents felt that ethnicity should not be shown on ID cards.

**Favourability towards and concerns about ID cards**

In 2004 the majority of all four ethnic populations were in favour of the proposal to introduce ID cards in the UK, with the Chinese respondents being the most favourable (84%) and the Black respondents the least (60%). Favourability towards ID cards increased since the study was last conducted in 2003 – significantly so amongst Chinese respondents.

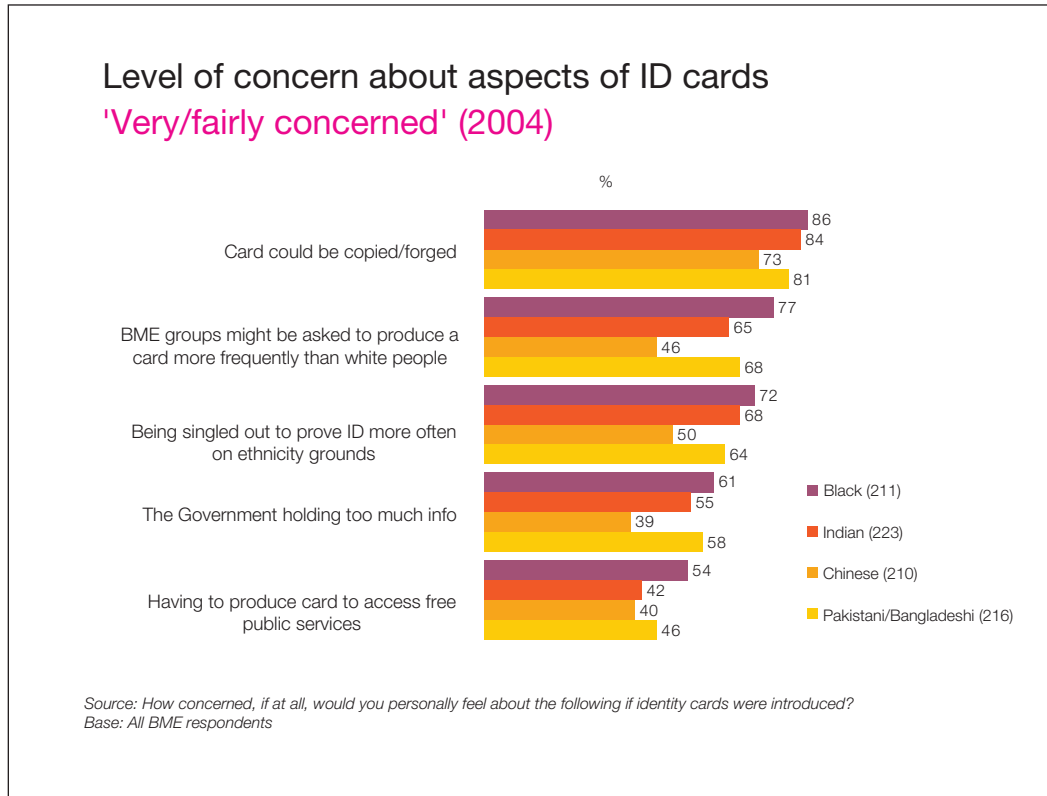


The main reasons for being in favour of ID cards focused on general benefits, largely provision of identification, followed by preventing and combating crime. Favourably disposed Black and Pakistani/Bangladeshi respondents were significantly less likely than last year to mention that tackling crime was a reason for feeling positive and more likely to mention the benefits of identification.

Concerns about privacy, rights and liberty were the main concerns amongst those not in favour of ID cards. This was far more of an issue for Black respondents this year, as the main concern last year was not actually needing them.

Combating and preventing fraud were the most likely areas where favourability towards ID cards could be improved and Indian and Chinese respondents were the most open to the various advantages (preventing illegal entry into the country, confirming lawful residence, easier access of public services and discouraging illegal immigrants from working in the country), with both groups having shown significantly higher levels of mentions for these aspects since last year. Black and Pakistani/Bangladeshi respondents were generally more resistant to potentially increasing their favourability based on the benefits of ID cards.

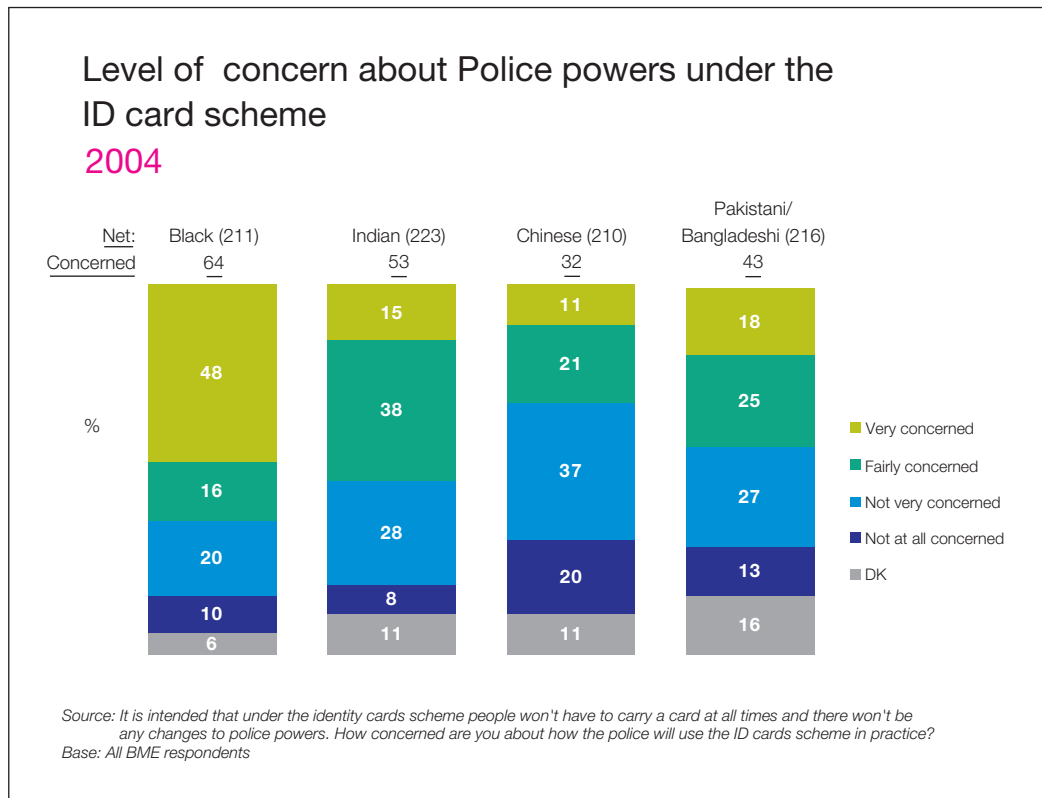
At least 40% (and up to 86%) of each sample expressed concerns about various aspects of ID cards, with fraud being the highest (mentioned by at least 7 in 10 respondents in each sample). This was followed by issues relating to ethnic discrimination – BME groups being asked to produce an ID card more frequently than white respondents (mentioned by 77% of Black respondents) and being singled out on ethnic grounds (mentioned by 72% of Black respondents). Overall, Black respondents exhibited the highest levels of concern and Chinese the least. Generally, 16-34 year olds were more likely to be concerned than those aged 35+ years. Since last year, Black respondents were significantly less likely to be concerned about the amount of information held by the Government and Indian respondents showed significantly higher levels of concern regarding ethnic discrimination and forgery.



The level of concern about how police will use the Identity cards scheme in practice (when there would be no change in their powers) was particularly high amongst Black respondents (64%) compared to Indian respondents (53%). Pakistani/ Bangladeshi respondents were less worried (at just over 4 in 10) and Chinese respondents showed the least concern at just under a third.

Those concerned about police powers were also significantly more worried about being singled out to prove their identity and being asked to produce their ID cards more frequently than white people.

The main reasons for concern about police powers focused on abuse and discrimination, which was a particular issue for Black respondents. Chinese respondents showed the least concern about this.



### Perceived usefulness of ID cards

Amongst the BME sample, the hierarchy of response was slightly different compared to the general public sample, although the levels of mentions were broadly similar on average.

Pakistani/Bangladeshi respondents were least likely to mention each of the situations compared to the other BME groups, with Black respondents also generally showing less conviction. The Indian and Chinese respondents were generally more likely to believe that ID cards would have a variety of benefits.

### Information contained on ID cards

Compared to the general public sample the level and hierarchy of mentions were similar for BME respondents, with the exception of lower mentions for nationality, address and personal reference number. Chinese respondents gave the highest mentions for each type of information to be included on ID cards than the other ethnic groups, particularly Black respondents.

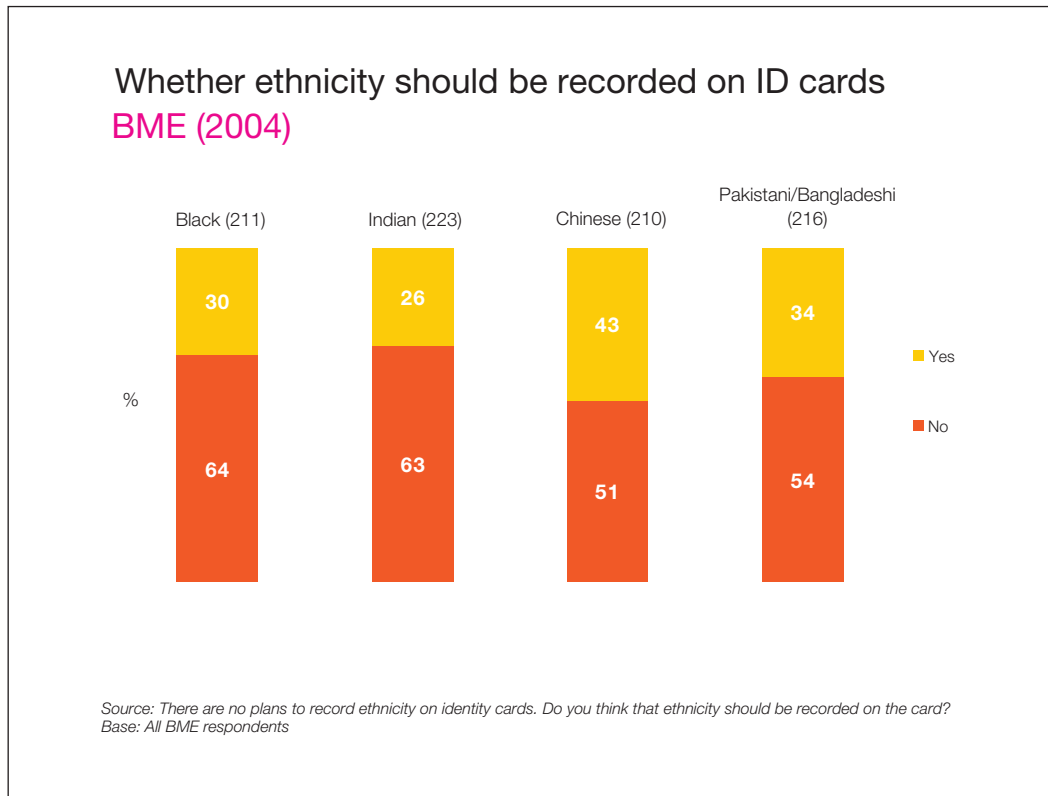
Awareness of the term “biometric information” was low – at least 70% amongst each sample had not heard of the term before. Awareness was particularly low amongst the Indian and Pakistani/Bangladeshi samples. Across all samples claimed awareness was higher amongst males, 35+ year olds and the higher social grades.



Despite the low levels of knowledge regarding biometric information, at least two thirds were favourably disposed towards providing each type (fingerprints, a facial digital photograph, and an iris digital photograph).

Chinese respondents were generally more supportive of biometric information compared to the other ethnic groups. Amongst the BME groups resistance was highest amongst the Black and Pakistani/Bangladeshi samples.

On the whole, the majority of BME respondents felt that ethnicity should not be shown on ID cards, with negative responses ranging from 51% amongst the Chinese sample to 64% amongst the Black sample. Black and Pakistani/Bangladeshi respondents who felt that ethnicity should not be recorded were significantly more likely to be concerned about police powers than those who felt it should be reflected.



The main spontaneous reasons given for recording ethnicity were to provide easier identification (mentioned by 25% to 35% of respondents in favour of recording ethnicity in each sample). Reasons for not including ethnicity were largely because it was deemed to be unnecessary (mentioned by around half of respondents not in favour of ethnicity being reflected), followed by concerns about abuse and discrimination (mentioned by 15% to 27% of respondents), the latter being of particular concern to Black respondents.

### **Cost perceptions**

Half the sample was asked how much they would be prepared to pay for an identity card if, like a £42 passport, it lasted for 10 years. The highest level of mentions was for nothing to be paid (around 30% to 40% of responses), with mean scores of between £17 and £27 (highest amongst the Pakistani/Bangladeshi samples and lowest amongst the Chinese sample).

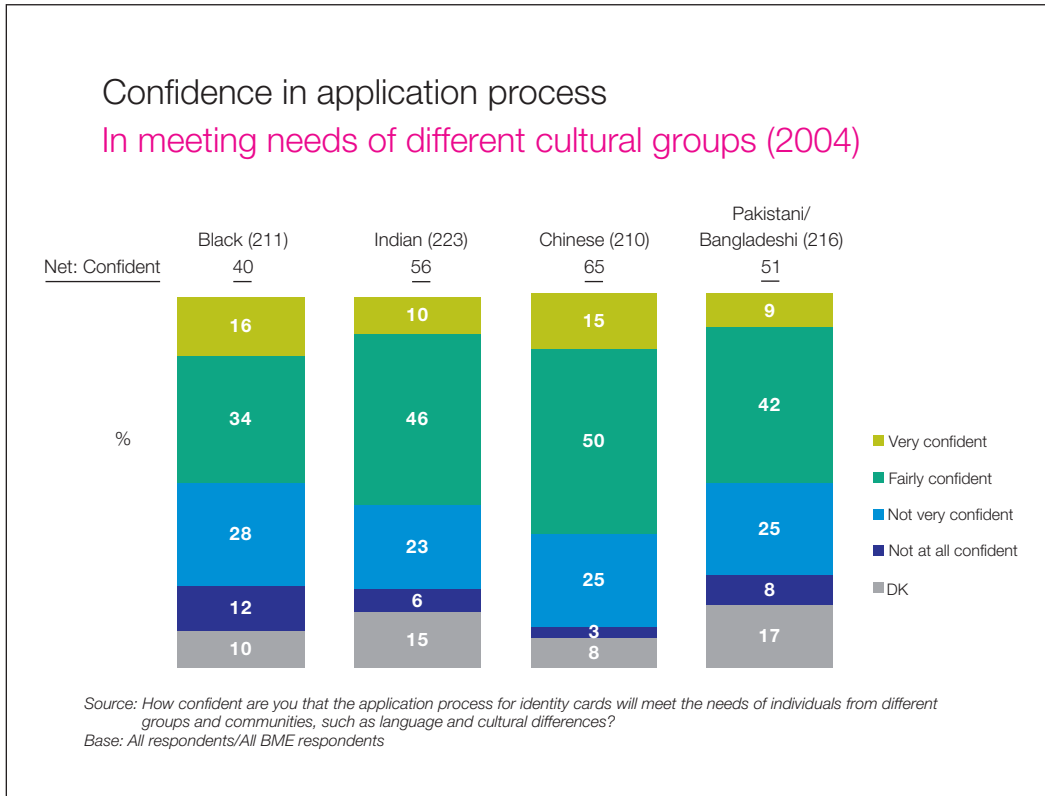
The other half of respondents were asked if they would be prepared to pay the same, more than or less than £42. BME respondents tended towards paying less than £42.

As with the GB and NI samples, due to the different responses for each of the cost questions, it is difficult to arrive at any conclusion regarding the amount that people from BME groups would be prepared to pay for an ID card.

### **Introducing ID cards**

The majority of respondents in each sample showed a preference for ID cards to be “issued as a separate document” (mentioned by in excess of 50% of each sample). The least popular means was “incorporated into driving licence”.

Chinese respondents showed the greatest confidence (65%) in the application process meeting the needs of different cultural groups, whilst the Pakistani/Bangladeshi sample was the least confident (51%).



In terms of confidence in the Government to introduce successfully a national ID card scheme, BME respondents were by and large more confident than the GB and NI samples. Despite general cynicism amongst the Pakistani/Bangladeshi sample, they were the most confident (64%). The Indian sample was the least convinced with 53% claiming to be confident.

# Annex 1

## HANDLING OF RESPONSES RECEIVED

In order to ensure compliance with the Cabinet Office Code of Practice on Written Consultation, we are obliged to make public the responses to the consultation. However, consideration also has to be given to respect for the privacy of individuals.

The vast majority of the stakeholder and other organisations who responded have no objection to their responses being made public. The summaries of responses for each stakeholder group therefore list these organisations and attributes specific quotations to them.

Many members of the public specifically referred to all or some of the consultation points contained in the paper. However, in the majority of cases no direct reference has been made to the consultation document. A lot of responses have clearly been generated as a result of media publicity.

It cannot therefore be presumed that all respondents were aware that their names might be published and it would have been necessary to seek their explicit permission to do so.

All views, whether from stakeholder groups, other groups and organisations, or member of the public, have been considered and discussed. The omission of a complete published list of names does not contravene the Code of Practice, so long as all these views have been taken into account.

In this light, it has been decided not to publish names of members of the general public and to keep anonymous the quotations extracted from individual responses.

# Annex 2

## LIST OF THE ORGANISATIONS WHO TOOK PART IN THE CONSULTATION EXERCISE

Association for Payment Clearing Services (APACS)  
Association of British Travel Agents Ltd  
Association of Chief Police Officers  
Association of Chief Police Officers in Scotland  
Association of Electoral Administration  
Association of Scottish Police Superintendents  
Association of British Insurers  
Basingstoke & Deane Borough Council  
British Bankers' Association (BBA)  
British Computer Society  
British Computer Society Disability Group  
British Medical Association  
British Psychological Society  
British Standards Institute (BSI)  
British Telecommunications plc (BT)  
Changing Faces  
Children's Charities Coalition on Internet Safety  
CIFAS, the UK's Fraud Prevention Service  
Citizens Advice (The National Association of Citizens Advice Bureaux)  
City of Wakefield Metropolitan District Council  
Civil Service Pensioners' Alliance  
Commission for Racial Equality (CRE)  
Confederation of British Industry (CBI)  
Confederation of Indian Organisations (UK)  
CSC Computer Sciences Ltd  
Cubic Transportation Systems Limited  
Data and Network Security Council  
Data Protection and Privacy Practice  
Devon County Council  
Electronic Data Systems Ltd (EDS)  
Energis

Euston Trust  
Evangelical Alliance  
Exeter City Council  
Experian  
Falkirk Council  
Federation of Tour Operators  
Finance & Leasing Association (FLA)  
Financial Services Authority  
Friends, Families & Travellers  
Global Switch  
Hampshire County Council  
High Commissioner of India  
Hinckley & Bosworth Borough Council  
IBM  
Immigration Advisory Service  
Immigration Law Practitioners' Association  
Information Commissioner  
Infoshare Ltd  
Institute for the Management of Information Systems (IMIS)  
Intellect (Information Technology Telecommunications and Electronics Association)  
Investment Management Association (IMA)  
Justice  
LaserCard Systems Corporation  
Law Reform Committee  
Learning and Skills Development Agency  
Liberty  
Local Government Association  
LogicaCMG  
London Borough of Sutton  
London Chamber of Commerce & Industry  
MULTOS  
National Association of Schoolmasters Union of Women Teachers (NASUWT)  
National Parliamentary Committee of The Licensed Victuallers Associations  
Newham Monitoring Project  
NO2ID  
Orkney Islands Council  
PAR Europe Ltd  
Police Federation of England and Wales  
Police Superintendents Association of England & Wales

Press for Change  
Professional Project Company Ltd  
Public and Commercial Services Union  
Qinetiq  
Reading Borough Council  
Refugee Council  
Rethink  
RNID  
RNIB  
Royal College of Nursing  
Royal Mail Group plc  
Royal Pharmaceutical Society of Great Britain (RPSGB)  
Scottish Legal Action Group  
Scottish Police Federation  
Sefton Metropolitan Borough Council  
Serco Solutions  
Small Business Council  
Stand  
Staple Inn Partnership Solicitors [on behalf of Monoco Ltd]  
Telecommunications UK Fraud Forum (TUFF)  
The Beaumont Trust  
The Chamber of Shipping Association for the British Shipping Industry  
The Charter Airline Group of the UK  
The Countryside Agency  
The Freedom Association  
The Guild of Master Victuallers  
The Gypsy Council  
The Institute of Data Privacy Practitioners  
The Institution of Electrical Engineers (IEE)  
The Law Society  
The Liberal Party  
The National Council of Women of Great Britain  
Tobacco Manufacturers Association  
tScheme Ltd  
UKCOSA  
Union of Shop, Distributive and Allied Workers (USDAW)  
United Nations High Commissioner for Refugees (UNHCR) Representative for the United Kingdom  
Welsh Language Board  
Xansa UK Ltd



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