DEFY-ID
A NETWORK FOR ACTIVE RESISTANCE

Guide to the Identity Cards Bill

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More than just Identity Cards

The Identity Cards Bill could alternatively be known as the National Identity Register Bill since it seems to be primarily concerned with the establishment of a national ID database rather than with the issuing of ID cards. Indeed, it will be possible for the government to create an entry for you in the National Identity Register without the issuing of an Identity Card and without your cooperation or knowledge.

David Blunkett recently wrote to a friend (a random unsolicited letter possibly based on her postcode) to ask her opinion on ID cards. .The letter, written in an illiberal BNP-esque tone, talked about ID cards as an aid to stopping terrorism, sex offenders, illegal immigrants, organised criminals, benefit cheats and prevent failed asylum seekers using services like the NHS. Crucially, it included the disingenuous information about ID cards that the government is going to be using to market them to the public.

"I want to reassure you" Blunkett offers "that the ID cards will not be used to build up a profile on innocent people or allow your private, personal information to be used without tight safeguards. The ID card will hold only very basic details, such as your name, address, date and place of birth and a finger print or the scan of your eye which securely establishes your unique identity. The ID card will hold just enough information to help us in the fight against crime and no more."

Hmmm. An examination of the bill shows that Blunkett is stretching a point. For example, it won't just include your full name, but all the names by which you have ever been known. Not just your address, but all the addresses you have ever lived at. Not just your finger print or iris scan, but a photo as well. Also, your National Insurance number, immigration number, passport number, driving licence number, and, the number of 'any designated document not covered by the above'. Plus if you want to change any information (for which they will charge you, or fine you if you don't change it) the old information also stays on the card.

The ability to check your identity against your entry in the National Identity Register will not just be available to the Immigration Service and the Police but also to "providers of public services and private sector organisations" (e.g. employers, banks, credit reference agencies, libraries, dentists, utilities companies, student loans company etc). The ID Card bill includes a power to require 'any person' to provide information which may be required to conduct background checks on people applying for ID cards. So in theory they could force anyone to give information about you. In practice this is likely to be credit reference agencies, inland revenue, and so on (though they make it clear that they won't expect this information for free). The Bill also states that if the info the government receives from this 'person' or organisation differs from their own records, they'll inform that organisation. So if, for example, you are running away from debts and tell the government your address, they can/will tell the credit reference agency who of course will tell the bailiffs.

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Not compulsory?!?!

The government believes that the ID card will be necessary to go about your daily life. One of the justifications they are using for ID cards is that they will make the lives of terrorists harder, and according to the Regulatory Impact Assessment (RIA) published alongside the bill, terrorists will need an ID card, "to stay in hotels, rent accommodation, hire cars, buy mobile phone, and generally carry out their activities" (p.13). This implies we'll all need ID cards for these purposes. The RIA also mentions that police can do a 'card not present' check. This means that the cops will be carrying the means of taking your biometric information - face, fingerprints or iris - and checking that against the database to establish your identity. No wonder the carrying of the card is not to be compulsory - it is not needed to access the information about you in the Register - only your iris or fingerprints. The Police are already planning to deploy mobile fingerprint readers. The RIA also acknowledges that the Register will be a national fingerprint database that the Police will use to identify suspects in unsolved cases where there are scene of crime fingerprints that have not been identified.
The RIA suggests that when the existing 'chip and pin' cardreaders, that have recently been introduced in Post Office and retailers across the UK, are upgraded in a few years time they could be made compatible with the ID cards.

You will not be required to use a card unless you wish to work, use the banking or health system, travel or receive benefits. As Mr Blunkett advised Parliament: "The issuing of a card does not force anyone to use it, although in terms of drivers or passport users, or if services - whether public or private - required some proof of identity before expenditure was laid out, without proof of identity and therefore entitlement to do it I doubt whether non-use of it would last very long."

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Forgot to change your address? - Criminal!!!

It is important to keep in mind that the card will be buttressed by a vast array of new state powers and criminal penalties. The Bill creates a score of new offences including

- refusal to obey an order to register = £2500
- failure to submit to fingerprinting and biometric scanning = £2500
- failure to provide information demanded by the government = £2500
- failure to attend an interview at a specified place and time = £2500
- failure to notify authorities about a lost, stolen, damaged or defective card = up to 51 weeks in prison and/or a fine
- failure to renew a card = £1000
- failure to attend subsequent fingerprinting and biometric scanning when demanded = £1000
- failure to provide subsequent information when demanded = £1000
- failure to attend subsequent interview at specified place and time when demanded = £1000
- failure to notify authorities of any change in personal circumstances (including change of address) = £1000
- providing false information = up to 2 years and/or a fine

To add insult to injury, many of the offences set out in the Bill are civil penalties meaning it's unlikely you'll get legal aid to help your defence.

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Limitless spying opportunities

The Bill sets out a number of purposes for the Card and the Register. Some are more open-ended than others. For example, the card scheme will allow "the provision of a secure and reliable method for registrable facts about such individuals to be ascertained or verified wherever that is necessary in the public interest."

"Public Interest" has a number of dimensions. The Bill defines it as being "in the interests of national security", "for the purposes of the prevention or detection of crime", "for the purposes of the enforcement of immigration controls", "for the purposes of the enforcement of prohibitions on unauthorised working or employment" and "for the purpose of securing the efficient and effective provision of public services."

On the face of it, this definition would imply that the card and the register would be necessary to seek employment, to gain access to health and other services, and that it would be used by police and immigration officers in the course of their functions. However the words "for the purposes of the prevention or detection of crime" could be connected to financial control and money laundering regulations to provide a means by which the ID system can be used for an almost limitless range of purposes. The could include operating a bank account, using professional services such as a solicitor or accountant, applying for a permit or license, internal travel, buying property, stocks or shares, applying for credit or using large amounts of cash.

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Data Sharing and the National Identity Register

The Regulatory Impact Assessment says: "as Government services update their systems over time they could cross-reference their personal numbering schemes with the NIRN. This would allow ... citizens to quote just one number in their dealings with different parts of Government". In other words your NIRN will be used to link all of the data in all of the government databases, e.g. NHS medical records. What is more, private companies are also likely to ask for this number which meaning the information that anyone holds on you will all be referenced with the one number, making it very easy to access and link up.

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How much will it cost me to be controlled and spied upon?

The government estimated in 2002 that the scheme would cost somewhere in the order of £3.1 billion. When in 2004 the Home Affairs Committee asked the Home Secretary to clarify the exact amount he refused, citing commercial secrecy. By the time the final Bill was published in November 2004 the government acknowledged that the cost of the scheme over ten years would be £5.5 billion. We will pay for this scheme out of our own pockets. An "enhanced" passport, which includes entry on the national register, will cost around £85. An ID card without a passport will cost between £35 and £40. There will be a charge for the renewal or replacement of cards.

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Links to the Bill and other official documents

You can download and read the Bill and Home Office reports here:

Identity Cards Bill
http://www.publications.parliament.uk/pa/cm200405/cmbills/008/2005008.pdf
Explanatory notes to the bill
http://www.publications.parliament.uk/pa/cm200405/cmbills/008/en/05008x--.htm
Regulatory Impact Assessment
http://www.homeoffice.gov.uk/docs3/ria_251104.pdf
Race Impact Assessment
http://www.homeoffice.gov.uk/docs3/reia_241104.pdf

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