



IDENTITY CARDS BILL RACE EQUALITY IMPACT ASSESSMENT

EXECUTIVE SUMMARY

1. The identity cards scheme itself is non-discriminatory as it is intended to cover everyone in the United Kingdom for longer than a specified period (3 months). The legislation and the administration of the scheme is bound by the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. Therefore, the scheme must have due regard to the elimination unlawful racial discrimination, the promotion of equal opportunities and good relations between people from different racial groups.
2. The identity cards scheme will be an inclusive scheme, designed to cover everyone who has the right to be in the United Kingdom. It will show that everyone belongs to our society whether they were born here, have chosen to make their home here or are just staying for a while to study or work. It will help people prove their identity to access services such as free health treatment or benefits and give everyone confidence that legal migration will not result in increased fraudulent use of hard-pressed public services. If our communities have confidence in our immigration controls, they will be more welcoming of new arrivals, helping to promote a more cohesive society.
3. The Identity Cards Bill, for which this Impact Assessment has been prepared, is an enabling measure, setting out the legal framework for the identity cards scheme. It does not set out the detail of how the scheme will work in practice. It is too early in the development of the scheme for decisions to have been made on this.
4. The Bill therefore strikes a balance between setting a clear legislative framework for the scheme (eg limiting the type of information which may be recorded) and avoiding constraining the design of the scheme (eg by setting out the precise details of application forms in primary legislation).
5. Parliament will continue to have oversight of these arrangements by debating regulations which will set out these details as the scheme develops.
6. The Bill sets out a “super-affirmative” process. This means that before there can be any move towards compulsion:
 - (1) the Government must publish a report setting out its case for the move to compulsion;
 - (2) the report must include a proposition on how compulsion would work;
 - (3) the report must be laid before Parliament for debate and vote in both Houses. Both Houses may amend the proposition;

(4) the Government then lays for 60 days an order for compulsion via affirmative resolution. The order must be consistent with the motion agreed by Parliament;

(5) there would be a debate and vote in both Houses.

7. The Government must go back to (1) if process fails at any point. However, the Government does not need to go back to (1) if it subsequently proposes to relax compulsion in some way, for example not to require individuals over a certain age to renew cards. Any move towards compulsion will require the publication of a full Race Equality Impact Assessment.

8. We have ensured and will continue to ensure our compliance with the requirements of the Race Relations (Amendment) Act 2000 with regard to how and who we consult on the legislation and design of the identity cards scheme and in the completion of impact assessments, monitoring and training.

9. We have taken the advice of relevant sections within the Home Office as well as outside consultation, involving CRE as well as a number of other race organisations and individuals in the community, members of the public, focus group and minority ethnic polling. This liaison will be an on-going process as the identity cards programme develops.

10. The Government has changed the draft Bill in specific areas following race and refugee organisations' response to the consultation:

- The Government is proposing to extend the remit of the National Identity Scheme Commissioner to cover oversight of the whole scheme, not just of issues relating to provision of information from the Register.
- Clause 14 covers provision of information with the consent of the registered individual (the person whose details are registered on the National Identity Register) Clause 14(4) of the draft Bill excluded the information held in Schedule 1, paragraph 9 (the access records of the entry to the Register) being provided even with consent. We are amending Clause 14(4) to remove this bar on providing information contained in the access records of the Register to registered individuals. We are also seeking to make clear on the face of the Bill that information provided with consent is that which is necessary for identity verification.
- Clause 19 covers prohibition on requirements to produce identity cards. We are not proposing to amend Clause 19 so that it applies post-compulsion. However, we are extending Clause 19 so that neither production of an ID card nor a check being required under Clause 14, would be lawful before it is compulsory for that individual to register.
- The Government has amended the Bill to ensure that the false documents offence in the Bill does not include those who knowingly use false documentation to enter the UK to apply for asylum here, which is lawful under Article 31 of the 1951 Convention Relating to the Status of Refugees.

11. We now intend to take our liaison to the next stage. The purpose of current research is to understand how people with special issues of any sort will impact on

the application and enrolment process and how this may require us to alter / adapt the process. The research is designed to :-

- identify the particular needs of groups in the application, enrolment and verification process for identity cards, especially with groups that have not, so far, been fully consulted;
- discuss and test ways of meeting those needs and over-coming potential barriers (many of which have already been identified).

12. We are conducting qualitative research. The research will not be statistically significant but will provide us with indicative answers. Whilst we aim to be inclusive we have also had to be selective and choose case studies.

13. We are also conducting a combination of focus groups, stakeholder consultation and in-depth interviews to cover a broad spectrum of people with special issues. Outcomes will be fed into the development and design of the cards scheme as they emerge.

BACKGROUND

1. In November 2003 the Government announced its decision to build a base for a compulsory national identity cards scheme, as a key part of a comprehensive strategy helping to deliver the following outcomes:

- less illegal migration and illegal working; and better community relations as a result;
- an enhancement to the UK's capability to counter terrorism and serious and organised crime;
- reduced identity fraud;
- speedier, more convenient access to public services and services to consumers more widely.

Regulatory Impact Assessment

2. A Regulatory Impact Assessment is being published alongside the Bill, which sets out and explains:

- **aims and objectives** of the identity cards scheme and the context for introducing it;
- **how a cards scheme will help deliver the above outcomes;**
- **other complementary initiatives**, designed to achieve the same outcomes.

This information is not, therefore, being reiterated in this document.

Summary of Findings

3. The Home Secretary published proposals for legislation on identity cards in April 2004. The legislation was the subject of a consultation exercise and a summary of the findings was published on 27 October 2004, alongside the Government's response to the Home Affairs Select Committee report.

4. The Summary of Findings document summarises the responses to the consultation on the draft Bill and the qualitative and quantitative research conducted. This includes a summary of race equality responses and research. Those sections are also summarised in this document for ease of reference. The full findings from qualitative and quantitative research are also to be made available on our website:- <http://www.identitycards.gov.uk>.

Initial Screening

5. This assessment has been produced in accordance with obligations for developing new policy under the:

- general duty to eliminate unlawful discrimination; and promote equality of opportunity, and good relations between persons of different racial groups which is set out in section 71(1) of the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000;
- specific duties in particular to assess and consult on the likely impact of its proposed policies on the promotion of race equality; to publish the results of such assessments and consultation; and to monitor policies for any adverse impact on the promotion of race equality which are set out in secondary legislation under the amended Race Relations Act;
- the Home Office Race Equality Scheme (in which the Home Office has set out how it intends to comply with the general and specific duties);
- Commission for Racial Equality (CRE) statutory code of practice, and non-statutory CRE guidance.

6. A Partial Race Equality Impact Assessment was published alongside the draft legislation on identity cards in April 2004 (CM 6178) and is attached at Annex 1 for reference. This Race Equality Impact Assessment has been prepared for publication alongside the identity cards Bill and takes into account further research conducted.

7. The real concerns expressed in all our consultation thus far relate to how the police and service providers will use the scheme in practice. There were fears that the police will interpret the legislation around identity cards in a way that will discriminate against minority ethnic groups, with a strongly held view that the police will stop a disproportionately high number of black and Asian people and demand sight of the identity card even though the Bill provides no such powers.

8. There were concerns that requiring the production of a card to access services increases the risk of potential discrimination. People from black and minority ethnic groups might be asked to provide the card as proof of identity more frequently than white people which in some cases might lead to people being denied access to services to which they are entitled if they cannot produce their card.

9. There were concerns that the cards will be used detrimentally due to institutional racism existing in public and private service authorities, particularly where there was a reliance on discretion.

10. The education and training of police officers and public service administrators will be an important part of the implementation and development of the scheme. It is

also intended to establish an accreditation scheme so that only those private sector organisations that have been approved (including banks, building societies or airlines) would be able to make checks on the National Identity Register on the validity of cards or the registered details. Accreditation could be removed if a particular business attempted to misuse the service.

11. However, it must be emphasised that further Race Equality Impact Assessments will need to be made and published throughout the design of the scheme, as decisions are made and will also be required in the event of a move to compulsion.

Assessment of Impact

12. The policies and functions of the Identity Cards Programme have an overall **high impact** rating as a national identity cards scheme will have a high impact on society as a whole, including BME communities.

13. However, the identity cards scheme itself is non-discriminatory as it is intended to cover everyone in the United Kingdom for longer than a specified period (3 months). The draft legislation and the administration of the scheme is bound by the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. Therefore, the scheme must have due regard to the elimination of unlawful racial discrimination, the promotion of equal opportunities and good relations between people from different racial groups.

14. The identity cards scheme will be an inclusive scheme, designed to cover everyone who has the right to be in the United Kingdom. It will show that everyone belongs to our society whether they were born here, have chosen to make their home here or are just staying for a while to study or work. It will help people prove their identity to access services such as free health treatment or benefits and give everyone confidence that legal migration will not result in increased fraudulent use of hard-pressed public services. If our communities have confidence in our immigration controls, they will be more welcoming of new arrivals, helping to promote a more cohesive society.

15. We have ensured and will continue to ensure our compliance with the requirements of the Race Relations (Amendment) Act 2000 with regard to how and who we consult on the legislation and design of the identity cards scheme and in the completion of impact assessments, monitoring and training.

16. We have taken the advice of relevant sections within the Home Office as well as outside consultation, involving CRE as well as a number of other race organisations and individuals in the community, members of the public, focus group and minority ethnic polling. This liaison will be an on-going process as the identity cards programme develops.

17. Our desired objectives for this liaison are:-

- to aid the Identity Cards Programme Team in recognising and responding to diversity issues and thereby aid in the successful delivery of the Programme, in particular to help ensure that the Programme reflects the needs and concerns of minority ethnic communities and that the Identity Cards scheme helps people assert their rights to reside in the country;

- to provide an effective liaison role between the Identity Cards Programme Team and the organisation(s) and/or communities;
- to provide advice to the Identity Cards Programme Team on organisation(s) and/or communities and the impact of emerging policies;

18. The main issues which were identified for consideration are:

- (i) the use of the card scheme by the Police;
- (ii) how the general administration of the scheme will need to take account of the specific needs of black and minority ethnic groups;
- (iii) use of the scheme in relation to public services and employment.

Each of these issues were set out in the Partial Race Equality Impact Assessment (Annex 1).

19. The findings from the consultation exercises and from research have shown that the real concerns of the minority ethnic population relate to fears about how the scheme will work in practice and potential discrimination in how the legislation will be interpreted by the police and service providers.

20. The education and training of the police and public service administrators will be an important part of the implementation and development of the scheme. It is intended to establish an accreditation scheme covering those private sector organisations who would be able to use the verification service. Accreditation could be removed if a particular business attempted to misuse the service.

21. The introduction of identity cards will provide a means of reinforcing awareness of the scope of police powers both to officers and the general public.

22. The "Recommendations" section below sets out how the comments made during consultation are being addressed, including changes to the draft legislation. It also explains that the identity cards Bill, for which this Impact Assessment has been prepared, is an enabling measure, setting out the legal framework for the identity cards scheme. Detailed provisions will be set out in Regulations later. These will include specification of how an application for an identity card should be made and the information that must be produced to support an application.

23. When Regulations are laid the Government will consult where appropriate. This will include thorough consultation where regulations may affect minority ethnic communities or people with any sort of special needs. Specific Race Equality Impact Assessments will be produced and published.

METHODOLOGY

Considering the Evidence

24. We drew on the results of qualitative and quantitative research in preparing the Partial Impact Assessment. This research during the initial consultation exercise showed that the concerns of members of the black and minority ethnic groups largely mirrored those of the white population eg whether the scheme would hold personal information securely. Concerns over the potential discriminatory effects of the scheme were secondary.

25. This polling and focus group work has been repeated for the consultation on the draft legislation and the findings are summarised below under “Results of Formal Consultation”. Findings from the current research and responses to the consultation on the draft legislation (also published in the Summary of Findings document) have been used as the base for developing the Special Needs research that is currently being undertaken.

26. As a next step to the consultation phase, a Research Workstream has been established in the Identity Cards Programme Team, which is incorporating Special Issues research, to cover all people who, for a variety of reasons, may find it hard to participate in the scheme. We are therefore conducting further research, as set out below.

27. We have been conducting ongoing consultations with individuals from organisations representing race, disability and “hard to reach” groups. However, this consultation has focussed on their general attitudes towards identity cards rather than the specific needs / requirements of the group to which they belong in order for the scheme to work best for them.

28. Moreover, the extent of the consultation has varied considerably by group – for example whilst Black and Minority Ethnic groups (BMEs) have been well represented, there has been little discussion so far with Faith groups. A round of consultation with the Faith groups is planned for winter 2004/ 05.

Current Research

29. We now intend to take our liaison to the next stage. The purpose of the current research is to understand how people with special issues of any sort will impact on the application and enrolment process and how this may require us to alter / adapt the process. The research is designed to :-

- identify the particular needs of groups in the application, enrolment and verification process for identity cards, especially with groups that have not, so far, been fully consulted;
- discuss and test ways of meeting those needs and over-coming potential barriers (many of which have already been identified).

30. The first part of the research explores the needs of, and potential barriers facing, special issues groups. Based on research conducted to date, these are focusing on:

- Individuals’ fear of issues not being fully understood when enrolling and verifying among ethnic minorities:-

- at enrolment centres;
 - especially by the police;
 - and when accessing employment.
- Difficulties administering the scheme for example, how will digital image accommodate the needs of Muslim women and Sikh men? How will severely disabled people visit enrolment centres?
 - Difficulties throughout the verification process for example, fear of delays in gaining access to vital services, fear about being singled out.

31. The second part of the research is looking at possible ways of meeting these needs and over-coming potential barriers in order to identify solutions. For example, how could the enrolment centres be designed to cater for the needs of people for whom English is not a first language. We will also be looking wider than race issues for example at hearing impairment, with sign language, text phone facilities being used.

Scope of the Research

32. There are a number of groups of individuals that can be classified as having 'Special Issues'. In essence, these are different race and faith groups and physically and mentally disabled groups. In addition, there are a number of other groups who may have specific requirements (for example, the Gypsy/Roma community, transgendered people and homeless people).

Research Methodology:

33. We are conducting qualitative research. The research will not be statistically significant but will provide us with indicative answers. Whilst we aim to be inclusive we have also had to be selective and choose case studies.

34. We are conducting a combination of focus groups, stakeholder consultation and in-depth interviews to cover a broad spectrum of people with special issues.

RESULTS OF FORMAL CONSULTATION

Key Findings of Research/ Consultation

35. Quantitative and qualitative research was carried out during the consultation period on the draft Bill. The results of both are summarised in the Summary of Findings documents (CM 6019 and CM 6358) and full versions will be made available on our website in due course (<http://www.identitycards.gov.uk>).

36. The BME research findings are summarised below. The questions asked are at **Annex 2** and charts providing a fuller breakdown of findings are at **Annex 3**. A brief summary of the qualitative work is also given below, which extracts the views of minority ethnic communities where these are distinguishable from other groups.

37. The specific views of race groups received during the consultation have also been extracted from the Summary of Findings document and are shown below.

38. Alongside the responses to organisations and individuals, during the consultation officials attended meetings to explain the details of the consultation and card scheme, where organisations had taken up our offer. Both officials and Ministers gave several presentations at events arranged by organisations. This included organisations representing race, disability and hard to reach groups.

39. Official meetings included one held with Press for Change, a group representing transgendered people. Public events included a set of three presentations given to the Confederation of Indian Organisations in London and Leicester, the findings from which are summarised below, and an event attended by the Minister of State with responsibility for identity cards and which was sponsored by a commercial organisation. This event focused on the social inclusion and diversity aspects of the identity cards scheme and had wide attendance, including representation from The Gypsy Council, Friends and Families of Travellers, Shelter, Crisis and Changing Faces, among many others.

Quantitative Research

40. The Home Office commissioned TNS Consumer, via COI Communications, to conduct research amongst the UK general public, as well as amongst a representative sample of selected Black and Minority Ethnic respondents. For the general public survey, questions were placed on an Omnibus study and for BME respondents the survey was conducted on an ad hoc basis.

41. Similar studies were conducted in 2002 and 2003. In December 2002 several questions were placed on the RSGB Omnibus survey and these questions were again placed on another Omnibus survey in February 2003 when respondents in NI were also interviewed. In March 2003 an ad hoc survey amongst BME respondents was conducted, based on the same questions, plus a few additional ones.

42. For this BME survey, interviewing was conducted amongst a sample of respondents from BME groups aged 16 plus years:-

- Black,¹
- Indian,
- Chinese
- Pakistani/Bangladeshi

43. For the ad hoc BME survey, sample points were selected within areas where there were large numbers of minority ethnic groups in order to ensure a broad geographical spread. Interviewers began interviewing within each sample point and were allocated a quota depending on the balance of minority ethnic groups in that area. Interviewers were permitted to choose addresses outside the immediate area to fulfil their quota. A total of c.800 interviews were conducted (c.200 in each BME group).

44. The Omnibus surveys were based on a representative sample of adults (c.2000 in GB and c. 1000 in NI) who were selected on a random location basis.

¹ For the purposes of this research, the term 'Black' refers to both Black Caribbean and Black African respondents.

45. Fieldwork was conducted between 21 July and 10 August 2004, in England, Scotland and Wales. Approximately a third of the way through the field work period (on 29 July) there was a leak to the press that a report to be issued the following day would contain severe criticism of the ID cards scheme by MPs. Concern was expressed regarding the impact of this press coverage and the results have been analysed by taking into account attitudes and perceptions prior to and post 29 July.

46. All interviews were conducted in-home, face-to-face using Computer Assisted Personal Interviewing (CAPI). Corrective weighting was applied to ensure the data was representative. All results given are weighted figures.

47. For the purposes of comparability, the following summary of findings includes the GB and NI findings.

Summary of Findings

48. 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 sample being the most favourable (84%) and the Black sample 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 focussed 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 that some respondents saw no need for identity cards.
- 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 people mentioning these aspects since last year. In general, black and Pakistani/Bangladeshi respondents did not tend to become more in favour of identity cards when the benefits were put to them.
- 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 ID 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 focussed on abuse and discrimination, which was a particular issue for Black respondents. Chinese respondents showed the least concern about this.
- The press coverage in late July seems to have had a positive effect regarding several issues relating to ID cards. Black respondents interviewed after 29 July were more likely to feel favourable about ID cards if they helped prevent illegal entry into the country and improved access to services. In addition they were significantly less likely to be concerned about ethnic discrimination, accessing services and Police powers. There was also the suggestion of a positive effect amongst the Chinese sample – significantly more of those interviewed after 29 July mentioned protection from fraud in terms of a benefit that would improve favourability and significantly fewer expressed concern for the amount of information held by the Government and being singled out on ethnic grounds.

49. 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 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 more financially well-off social groups were also more likely to perceive them as being potentially useful than the less well-off ones, with the exception of helping them to apply for benefits.
- Amongst the BME sample, the hierarchy of response was slightly different compared to the general public sample, although the number of times situations were mentioned was 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 samples were

generally more likely to believe that ID cards would have a variety of benefits.

50. 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. The number of mentions was lower for gender, address and personal reference number. Respondents in NI tended towards lower levels for the number of mentions than those in GB, particularly for nationality, gender and a personal reference number.
- Compared to the general public sample the level and hierarchy of mentions were similar for BME respondents, with the exception of lower number of mentions for nationality, address and personal reference number. Chinese respondents gave the highest number of 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. It was also low for the NI sample. 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, 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 GB and Chinese samples were generally more supportive of biometric information compared to the NI and ethnic minority samples. 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 cards², 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

² It is not Government policy to show ethnicity on the face of the card or to record it on the National Identity Register. The question was asked following comments by Trevor Phillips; Chair of the CRE who commented during evidence to the Home Affairs Committee that ethnicity would need to be recorded in order to ensure effective monitoring.

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.

51. Cost perceptions

- A significant proportion of the first sample thought there should be no charge for identity cards.
- Half of the second sample equated the cost of an identity card to that of a passport.

52. 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 and '*incorporated into driving licence*' amongst the BME groups.
- 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%). Perceived confidence amongst both the Black and Indian samples declined post the press activity on 29 July. Within the Black sample the proportion of respondents who were not confident was significantly higher after the press coverage on 29 July (46%) than before it (30%) and in the Indian sample significantly fewer were confident pre (66%) to post (45%).
- In terms of confidence in the Government to successfully introduce a national ID card 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%).
- In contrast to the general public sample, BME respondents were by and large more confident. Despite general cynicism amongst the Pakistani/Bangladeshi sample, they were the most confident (64%). The Indian sample were the least convinced with 53% claiming to be confident.

Qualitative Research

Research Sample

53. The Home Office commissioned Cragg Ross Dawson, via COI Communications, to conduct qualitative research to examine current public perceptions of identity cards. 18 group discussions were conducted with members of the public in the UK. The sample included a range in terms of age, social class, region, locality and men and women and included 4 groups made up of people from minority ethnic communities:

- Pakistani Muslim (male) 16-20 North

- Hindu or Sikh (female) 31-45 London/ SE
- African- Caribbean (mixed sex) 21-30 London/ SE
- African- Caribbean (mixed sex) 46-60 Midlands

The qualitative research was not dedicated to minority ethnic communities, so did not cover a wider range of groups.

Findings Summary

54. Respondents from minority ethnic communities did not differ substantially from the mainstream groups in most respects. As a group, their evidence was too varied to generalise. In general, demographic variations in attitudes were not clear-cut among the sample, and few patterns emerged.

55. However, the two Asian groups were among the most positive in the sample, the younger African- Caribbean group was one of the most strongly opposed, and the older African- Caribbean group was fairly accepting.

56. Across all 18 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.

57. 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.

58. 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 was changed.

59. One issue was specific to the four groups from the minority ethnic communities. This was the effects of identity cards on police attitudes to minority ethnic communities. The same issue came up in earlier research. Views were mixed, but on balance the feeling was that ID cards could be of benefit to people from minority ethnic communities if they were regarded by the authorities as a plausible and foolproof means of proving identity.

60. With regard to information displayed on the card itself, nationality was an issue for a small minority of Asian respondents who had concerns about discrimination towards people with non-British nationality or who were born outside the UK.

Responses from Organisations

61. The following represents a factual summary of comments made and views expressed, as extracted from the Summary of Findings document. The Government's view on the accuracy and validity of the content of each comments is not addressed within this document.

Commission for Racial Equality

62. 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 on the operation of the scheme.

63. 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 or hinder the promotion of good race relations;
- the legislation provides for adequate safeguards from abuse.

64. 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.

65. The CRE voiced concerns that the Government need to 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.

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

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

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

- Police stops and searches
- Service provision and employment
- Provision of Information without consent
- Gypsies and travellers

Police stops and searches/Services provision and employment

69. The CRE had 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 of the

draft Bill, they remained concerned that Clause 19 protections were not applicable after compulsion.

70. Clause 19 covers prohibition on requirements to produce identity cards. We are not proposing to amend Clause 19 so that it applies post-compulsion (paragraph 114 below refers). However, we are extending Clause 19 so that neither production of an ID card nor a check being required under Clause 14 would be lawful before it is compulsory for that individual to register. (Clause 14 covers provision of information with the consent of the registered individual).

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

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

73. 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.

Provision of information without consent

74. The CRE commented that the power of the Secretary of State to provide information without the consent of the individual is very wide. It was 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.

75. As part of the monitoring, it was agreed that the Information Commissioner would play a useful role but the CRE recommended limiting the functions for which information may be provided.³

76. The CRE also expressed disappointment that Clause 14(4) prevented subject access rights to the audit trail⁴.

Gypsies and Travellers

77. 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

³ Clause 20 provides the power to provide specified information held on the Register to specified persons for specified purposes without the consent of the registered person. Subsection (1) provides a power for this provision so long as it is authorised in this clause and Clause 24 (rules for using information without individual's consent) is complied with.

⁴ Clause 14 covers provision of information with the consent of the registered person. Subsection (4) of the draft Bill excluded the information held within Schedule 1, paragraph 9 (the access records of the entry to the Register) being provided even with consent under this clause. See paragraph 114 for amendments to Clause 14(4).

78. 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.

79. However, there was the view 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.*”

80. There were comments 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.

81. It expressed concern that minority ethnic groups were more likely to be asked to produce an identity card.

82. The issue of how non-UK born individuals would be able to prove their identity when applying for an identity card was also raised. 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.

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

84. 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.

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

86. 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.

87. 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.

88. 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.

89. 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.

90. Liberty highlighted Clause 6 of the draft Bill (power to require registration on the National Identity Register), suggesting it could raise “race relations issues”. They believed non-EU nationals would be compelled to register before British and EU nationals, and those having to “police” the Register would need to ask people who look foreign, particularly those who are not white for evidence of registering. They believed this was discriminatory and would be open to challenge under the Human Rights Act 1998.

91. The Freedom Association argued that there would be an enhancement of powers of arrest under the Police and Criminal Evidence (PACE) Act since individuals whose identity could not be “readily” ascertained would be more likely to face arrest if an identity cards scheme were in place. The concern here appears to be the fear that police will interpret PACE to mean that an identity card would be the only way of readily ascertaining identity.

Gypsy and Traveller Groups

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

93. 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.

94. The 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.

95. 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.

96. 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.

97. 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 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.

98. 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.

99. 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.

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

Home Affairs Committee

101. The Home Affairs Select Committee published its report on identity cards on 30 July 2004, including its pre-legislative scrutiny of the Bill.

102. The Committee concluded that an identity cards scheme could make a significant contribution to achieving the aims set out by the Government, particularly tackling crime and terrorism. In principle, an identity cards scheme could also play a useful role in improving the co-ordination of and the citizen's access to public services, although the Government has not yet put forward clear proposals to do so. HAC believes that the Government has made a convincing case for proceeding with the introduction of identity cards.

103. During the course of its enquiries the HAC called a number of organisations to give evidence, including the CRE.

104. The HAC concluded that the effect of identity cards on minorities such as the elderly, socially excluded and ethnic minorities was of utmost importance. It feared that such groups might be adversely affected, most particularly ethnic minorities. It was felt that they would be asked more frequently by police and officialdom generally to produce the identity card. This would have an adverse effect on community and race relations.

105. The HAC agreed with the recommendations of the CRE that the identity cards Bill should be accompanied by a full Race Equality Impact Assessment, with a further Assessment at the time of the move to compulsion.

106. The full report of the HAC is published separately (Fourth report from the Home Affairs Committee 2003-04 HC130) and the Government response has now also been published (Cm 6359).

RECOMMENDATIONS

107. Many of the comments made during the consultation are addressed in the Regulatory Impact Assessment or are being addressed during the next round of consultation and research, as set out above.

108. It is important to emphasise that the Identity Cards Bill, for which this Impact Assessment has been prepared, is an enabling measure, setting out the legal framework for the identity cards scheme. It does not set out the detail of how the scheme will work in practice. It is too early in the development of the scheme for decisions to have been made on this. As with any project of this size and complexity there is a great deal of development work to be done before it is possible to finalise all the operational details.

109. The Bill therefore strikes a balance between setting a clear legislative framework for the scheme (eg limiting the type of information which may be recorded) and avoiding constraining the design of the scheme (eg by setting out the precise details of application forms in primary legislation). Parliament will continue to have oversight of these arrangements by debating regulations which will set out these details as the scheme develops.

110. Regulations on the detail of the scheme will be set out later. The findings of research with special issues groups will be published and will be taken into account

in these Regulations. Moreover, before any Regulations are laid the Government will consult where appropriate. This will include thorough consultation where regulations may affect minority ethnic communities or people with any sort of special issues. Specific Race Equality Impact Assessments will be produced and published.

111. No date has yet been set for a decision on a move to compulsion for identity cards. There are a number of factors which the Government will need to consider before recommending a move to compulsion to Parliament. These are explained in *Identity Cards: The Next Steps* (CM 6020).

112. The Bill sets out a “super-affirmative” process. This means that before there can be any move towards compulsion:

- a. the Government must publish a report setting out its case for the move to compulsion;
- b. the report must include a proposition on how compulsion would work;
- c. the report must be laid before Parliament for debate and vote in both Houses. Both Houses may amend the proposition;
- d. the Government then lays for 60 days an order for compulsion via affirmative resolution. The order must be consistent with the motion agreed by Parliament;
- e. there would be a debate and vote in both Houses.

113. The Government must go back to (1) if process fails at any point. However, the Government does not need to go back to (1) if it subsequently proposes to relax compulsion in some way, for example not to require individuals over a certain age to renew cards. Any move towards compulsion will require the publication of a full Race Equality Impact Assessment.

114. The Government has changed the draft Bill in specific areas following race and refugee organisations’ response to the consultation:

115. CRE’s Concerns on Provision of Information Without Consent- (paras 64-66 above).

- Clause 14 covers provision of information with the consent of the registered individual (the person whose details are registered on the National Identity Register). Clause 14(4) of the draft Bill excluded the information held in Schedule 1, paragraph 9 (the access records of the entry to the Register) being provided even with consent. We are amending Clause 14(4) to remove this bar on providing information contained in the access records of the Register to registered individuals.
- We are also seeking to make clear on the face of the Bill that information provided with consent is that which is necessary for the verification service. This is so that we make it clear that Clause 14 is a power for the benefit of the people registered, to enable them to use the identity verification service to confirm their identity in the easiest way possible.

116. CRE’s Concerns on Police Stops & Searches/ Services Provision and Employment (paras 60-63 above).

- Clause 19 covers prohibition on requirements to produce identity cards. We are not proposing to amend Clause 19 so that it applies post-compulsion as the purpose of a compulsory scheme is for everyone to be registered onto the scheme, so providing the most acceptable proof of identity. However, we are extending Clause 19 so that neither production of an ID card nor a check being required under Clause 14, would be lawful before it is compulsory for that individual to register. It is not the intention for it to become compulsory to carry the identity card, pre or post compulsion. Clause 15 (3) specifically excludes the possibility of the carrying of cards being made compulsory.

117. Various Organisations' Concerns on the Protection of Asylum Seekers Entering the UK using False Documents (para 75 above).

- The Government has amended the Bill to ensure that the false documents offence in the Bill does not include those who knowingly use false documentation to enter the UK to apply for asylum here, which is lawful under Article 31 of the 1951 Convention Relating to the Status of Refugees.

118. CRE's Recommendation for Independent Oversight of the Whole Scheme (para 58 above refers).

- The Government is also proposing to extend the remit of the National Identity Scheme Commissioner to cover oversight of the whole scheme, not just of issues relating to provision of information from the Register. The only exception is for the Intelligence and Security Agencies for whom existing oversight arrangements will apply.

119. Ongoing consultation and research plans are set out above. Outcomes will be fed into the development and design of the cards scheme as they emerge.

MONITORING AND REVIEW

120. The identity Cards Programme is subject to continuing external review by the Office for Government Commerce (OGC) Gateway process. The next Gateway review of the Programme is scheduled for early 2005. The legislation requires additional Parliamentary debate and approval for key decisions about the scheme over and above the passing of the Bill. Examples are:

- decisions on which documents will be linked to the issuing of ID cards, e.g. present plans are based on passports and residence permits but others could be added such as driving licences;
- approval for each individual public service to require identity checks and the nature of those checks;
- any move to set a date by which it would be compulsory to register with the scheme.

121. This is therefore a long term project, which will be subject to regular review at each stage so there will be plenty of time for further discussions with minority ethnic

groups, groups representing people with disabilities, gypsy and traveller organisations and all people who may find it hard to participate in the scheme.

122. As the scheme is being designed to cover everyone in the United Kingdom, the monitoring of the views of minority ethnic groups throughout the implementation of the scheme and beyond would continue to be done as it has to date. Specific arrangements for monitoring the effects on minority ethnic groups will be decided as the design of the scheme develops. It is too early in the design of the scheme to set out here any specific monitoring arrangements.

123. As set out above, the Government has decided to extend the remit of the National Identity Scheme Commissioner (NISC) which is set out in clauses 24-26 of the substantive Bill. The NISC will now oversee the general operation of the scheme and the use of information without consent by organisations other than the Intelligence and Security Agencies (ISAs). The ISAs use of the scheme falls within the remit of the Intelligence Services Commissioner.

124. As set out above, further Race Equality Impact Assessments will be produced and published as key developments are made.

Annexes

- Annex 1 Partial Race Equality Impact Assessment
- Annex 2 BME Quantitative Research -Questionnaire
- Annex 3 BME Quantitative Research-Summary Charts

**IDENTITY CARDS PROGRAMME
29 NOVEMBER 2004**

Partial Race Equality Impact Assessment

1. This assessment has been produced in accordance with obligations for developing new policy under the:

- general duty to eliminate unlawful discrimination; and promote equality of opportunity, and good relations between persons of different racial groups which is set out in section 71(1) of the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000;
- specific duties in particular to assess and consult on the likely impact of its proposed policies on the promotion of race equality; to publish the results of such assessments and consultation; and to monitor policies for any adverse impact on the promotion of race equality which are set out in secondary legislation under the amended Race Relations Act;
- the Home Office Race Equality Scheme (in which the Home Office has set out how it intends to comply with the general and specific duties);
- Commission for Racial Equality (CRE) statutory code of practice, and non-statutory CRE guidance.

General principles of the scheme

2. The draft legislation and the administration of the scheme is bound by the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. Therefore, the scheme must have due regard to the elimination unlawful racial discrimination, the promotion of equal opportunities and good relations between people from different racial groups.

3. The identity cards scheme will be an inclusive scheme, designed to cover everyone who has the right to be in the United Kingdom. It will show that everyone belongs to our society whether they were born here, have chosen to make their home here or are just staying for a while to study or work. It will help people prove their identity to access services such as free health treatment or benefits and give everyone confidence that legal migration will not result in increased fraudulent use of hard-pressed public services. If our communities have confidence in our immigration controls, they will be more welcoming of new arrivals, helping to promote a more cohesive society.

4. The identity cards scheme itself is non-discriminatory as it is intended to cover everyone in the United Kingdom for longer than a specified period (3 months). The scheme will not, in general, require people to obtain a specific, additional document as it will be designed to make use of existing documents that will be designated as identity cards. Most members of the identity cards “family” will be enhanced versions of existing identity documents which are very widely held familiar documents that are already used as proof of identity.

Issues Identified for Impact Assessment

5. In preparing issues to be taken into account, we have taken the views of some members of the Race Equality Advisory Panel and other interested groups/ individuals, including the CRE, via two workshops, as well as views expressed by the

general public and other organisations during the course of the consultation period and in the intervening period.

6. We have also drawn on the results of focus group work and polling of black and minority ethnic groups, as summarised in **Identity Cards- A Summary of Findings from the Consultation Exercise on Entitlement Cards and Identity Fraud**". (CM 6019) This is very much a partial impact assessment intended to identify issues which need to be studied in more depth during the 12- week consultation period on the draft Bill. The main issues which need to be considered in the race equality impact assessment are:

- the use of the card scheme by the Police;
- how the general administration of the scheme will need to take account of the specific needs of black and minority ethnic groups;
- use of the scheme in relation to public services and employment.

It should be noted that in the research during the consultation exercise, the concerns of members of the black and minority ethnic groups largely mirrored those of the white population eg whether the scheme would hold personal information securely. Concerns over the potential discriminatory effects of the scheme were secondary.

Police use of the scheme

7. The draft Bill makes no changes to police powers and there is a specific prohibition on introducing regulations which would require a card to be carried at all times. The police generally have no powers to require a person to provide them with information about their identity. Police already have the power to stop and search members of the public under a number of pieces of legislation. Under section 25 of the Police and Criminal Evidence Act 1984, a constable may arrest a person on suspicion of committing an offence, which would not normally be subject to powers of arrest, if the identity of the person cannot be readily ascertained or there are reasonable grounds for doubting whether the name and address provided by the person are genuine. There are equivalent powers in Northern Ireland and similar powers in Scotland under the Article 27 of the Police and Criminal Evidence Act (Northern Ireland) Order 1989 and the Criminal Justice (Scotland) Act 1980 respectively.

8. The draft Bill specifies the information which may be recorded on the National Identity Register. It does not allow for the recording of ethnicity. The Register will hold individuals' confirmed identity information securely and an audit of checks made of the Register whether via an ID card or otherwise will be held on the database to comply with the Data Protection Act. Disclosure of the details of a person's entry on the register and audit log records will not be possible without his or her consent other than as authorised under specific provisions in the draft Bill. There will be strict controls and independent oversight of these arrangements.

9. The draft Bill also provides for oversight of the practical operation of the procedures for disclosing personal information from the National Identity Register (see 2.38).

10. However, the real concerns expressed in consultation thus far relate to how the police will use the scheme in practice. There were fears that the police will interpret

the legislation around identity cards in a way that will discriminate against minority ethnic groups, with a strongly held view that the police will stop a disproportionately high number of Black and Asian people and demand sight of the identity card even though the draft Bill provides no such powers.

11. The Government's aim is to ensure that officers have the confidence to use their powers effectively to tackle crime, whilst promoting confidence in the use of the powers amongst all members of the community, and keeping the bureaucratic burden to a minimum. The introduction of identity cards will provide a means of reinforcing awareness of the scope of police powers both to officers and the general public.

Administration of the Scheme

12. The application process will need to take account of the different languages spoken in the United Kingdom and must be equally accessible to all applicants. It is very important that applying for a card is easy and sensitive to the needs of all groups within the United Kingdom.

13. The information to be specified in the draft Bill includes the name, address, date and place of birth and nationality of those registered as well as such biometric data as may be prescribed. In the case of third country nationals, details of any limitations on the right to remain in the United Kingdom and any limitations on the right to work will be included. A head and shoulders photograph will be included on the face of the card. This has raised the issue of religious head coverings, particularly for Muslim women and Sikh men.

14. Nationality will be included. As stated above, ethnicity will not be recorded on the Register or on the face of the card. There was a concern that the place of birth appearing on the face of the card could lead to discrimination but this information is already required on passports and driving licences.

15. The level of information to be held on the National Identity Register and on the face of the card will not be significantly more than that recorded now for the issue of passports. Regulations around the requirements for the type of photograph will be in line with those currently in place for passport and driving licence photographs. Sikhs are permitted to have photographs whilst wearing the Turban for inclusion in British passports and that is also the case for photo driving licenses. The UKPS exercises its discretion and respect religious sensitivities as far as possible. However the overriding rule (set by international standards) is that the applicant's photo should show a full face and that all features should be clearly distinguishable.

16. At some DVLA offices, Muslim women are offered a facility to go to a private office and reveal their face to a female member of staff so that their face can be matched against their photograph. The operation of the identity cards scheme will include guidance along these lines to ensure discretion and sensitivity.

Access to Services and Employment

17. The Race Relations (Amendment) Act 2000 extended the scope of the Race Relations Act 1976 to cover the way public authorities carry out all their functions. It has a wide definition encompassing a person or organisation carrying out functions of a public nature including functions or services carried out by private or voluntary organisations under a service level agreement. The Secretary of State and the designated documents authorities involved in running the scheme will therefore be

bound by the amended Act. Similarly providers of public services who might use the scheme for identity checks are already bound by the amended Act. There is therefore no need for the draft Bill to make explicit provision for compliance with the Act.

18. The Bill would not automatically require the production of a card for any service and there will be no link between the compulsion to register on the National Identity Register and a compulsion to produce the card to access any particular services.

19. There is no requirement on employers to check an identity card in the draft Bill (see paragraph 2 above). In any case, many employers already see it as best practice to check and record forms of identification when employing someone to ensure that they comply with existing legislation.

20. There were concerns that requiring the production of a card to access services increases the risk of potential discrimination. People from black and minority ethnic groups might be asked to provide the card as proof of identity more frequently than white people which in some cases might lead to people being denied access to services to which they are entitled if they cannot produce their card.

21. There were concerns that the cards will be used detrimentally due to institutional racism existing in public and private service authorities, particularly where there was a reliance on discretion. A view expressed was that, in this context, a compulsory scheme would be less discriminatory as everyone would be able to produce a card.

22. The Government accepts that a compulsory scheme would be less discriminatory but there are other factors which need to be satisfied before the scheme could be made compulsory. The draft Bill provides for a 'super affirmative' process before compulsion could be introduced.

23. As with police forces, the education and training of public service administrators will be an important part of the implementation and development of the scheme. It is intended to establish an accreditation scheme so that only those private sector organisations that have been approved (including banks, building societies or airlines) would be able to make checks on the National Identity Register on the validity of cards or the registered details. Accreditation could be removed if a particular business attempted to misuse the service.

BME Quantitative Research- Questionnaire

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 ID 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? What else?

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? PROBE: Are there any other reasons?

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)

Q.10 As we have discussed, the Government will be introducing national identity cards. Identity cards are likely to be coming in in a few years time, so what type of information do you think should appear on them? PROBE: What other information should be included?

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.11 Have you heard of the term 'biometric information'?

01: Yes
02: No
(DK)

Q.12 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.13 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.14 In which of the following situations do you personally think it will be useful to have an identity card to prove who you are? PROBE: Are there any other situations where you think it will be useful?

- 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.15 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)

Q.16a 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?

- Record exact amount in £ (3 digits)
- (Nothing)
- (DK)

Q.16b 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

(Nothing)

(DK)

Q.17 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)

BME Quantitative Research-Summary Charts

Chart 1

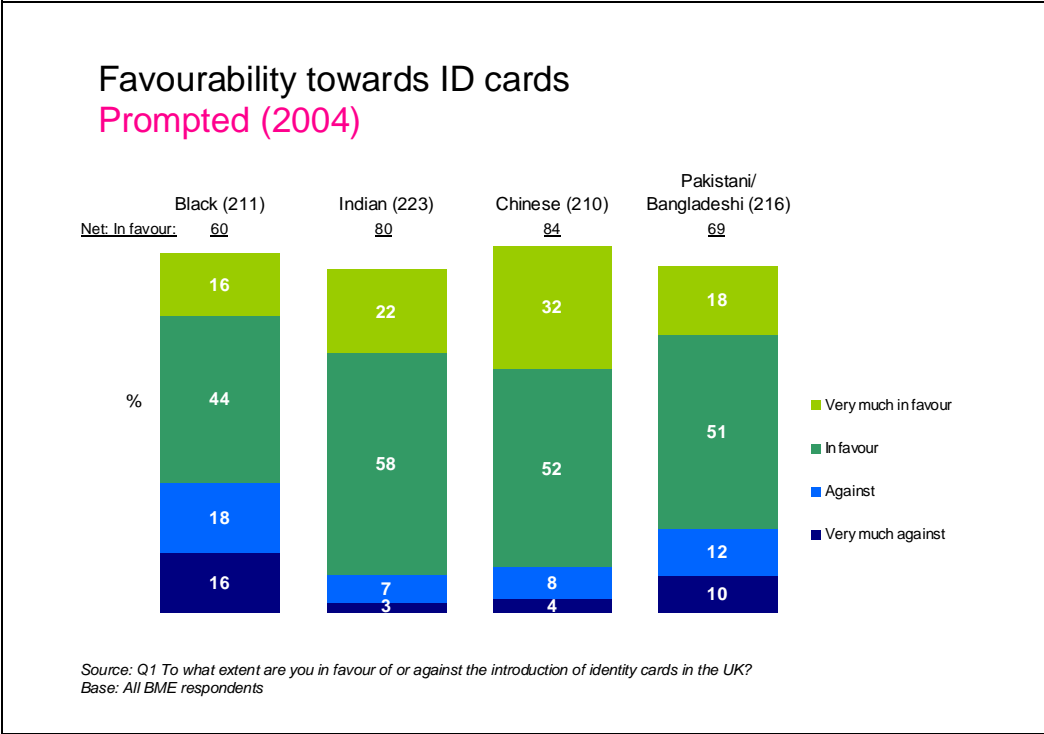


Chart 2

Spontaneous reasons for being in favour of ID cards 2004

	Black (128) %	Indian (181) %	Chinese (173) %	Pakistani/ Bangladeshi (143) %
Net: General benefits	55	46	55	44
To prove who are/to identify self	16	14	14	15
To tell who a person is/if they are genuine	15	8	4	8
Easy/useful means of identification	14	11	15	9
Make life easier/solve problems	5	2	4	3
Keep control/track of people	4	4	9	4
Wouldn't have to carry other forms of ID	3	5	7	2
To help prove age	1	3	5	2
Net: Helping to tackle crime	27	34	26	27
To help stop fraud	10	15	9	9
To help combat crime/enforce law and order	10	10	3	9
To stop illegal immigrants	6	11	13	12
Net: Safety reasons	7	10	12	15
For safety / security	5	10	11	15
Net: Other reasons	25	18	26	16
Seen them work in other countries	7	2	11	-
No problem if you are genuine/nothing to hide	6	1	2	-
Good idea	5	11	9	8
Don't see any harm/problem in carrying one	4	1	2	6
Convenient	2	-	5	1

Source: Q.2 Why are you in favour of identity cards?
Base: BME respondents very much in favour/in favour of ID cards

Chart 3

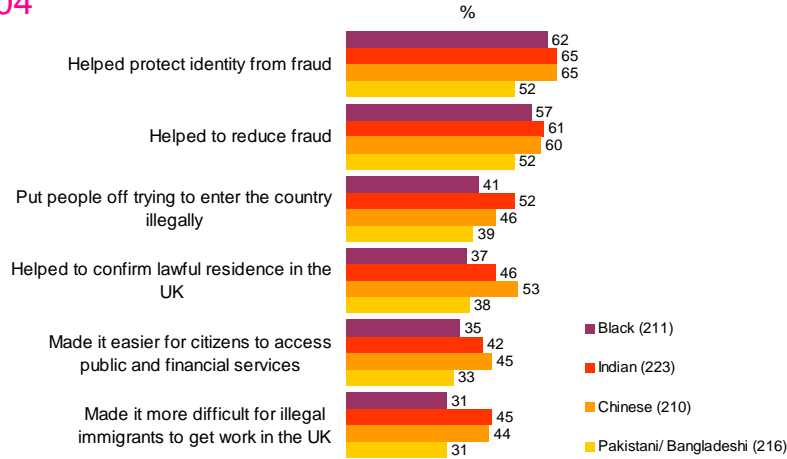
Spontaneous reasons for not being in favour of ID cards 2004

	Black (69) %	Pakistani/ Bangladeshi (53) %
Net: Privacy/rights/liberty	60	44
Discriminatory	18	10
Giving out too much info/personal details	15	13
Invasion of privacy	12	17
Too much Government control	9	6
Invasion of civil liberties/rights	6	1
Too much like a Police state	-	5
Net: Practicalities	18	37
Already have enough cards	8	15
Could be lost/stolen and used fraudulently	8	1
Too much trouble/hassle	1	7
Waste of time	1	6
Net: Other mentions	32	20
Don't need it/no need for it	11	8
Don't want to have to carry it everywhere	10	8

Source: Q.3 Why are you not in favour of identity cards?
Base: BME respondents very much against/against ID cards

Chart 4

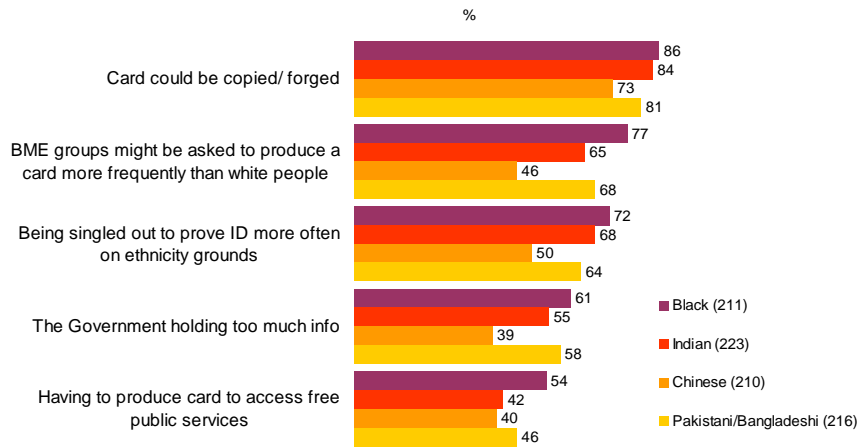
Aspects which would improve favourability towards ID cards
2004



Source: Q.4 Which of the following, if any, would make you more favourable towards the introduction of identity cards?
 Base: All BME respondents

Chart 5

Level of concern about aspects of ID cards
'Very/fairly concerned' (2004)

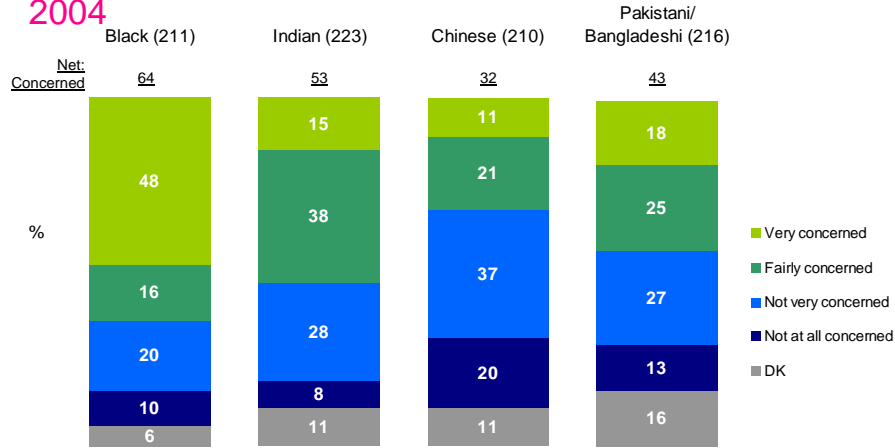


Source: Q.5 How concerned, if at all, would you personally feel about the following if identity cards were introduced?
 Base: All BME respondents

Chart 6

Level of concern about Police powers under the ID card scheme

2004

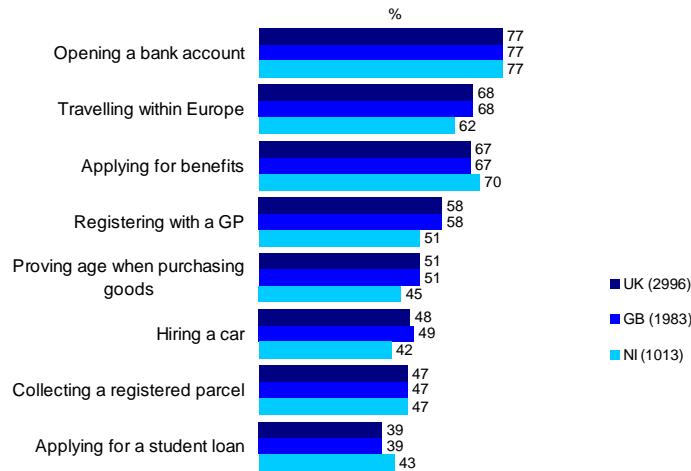


Source: Q.6 It is intended that under the identity cards scheme people won't have to carry a card at all times and there won't be any changes to police powers. How concerned are you about how the police will use the ID cards scheme in practice?
Base: All BME respondents

Chart 7

Situations where ID cards would be useful

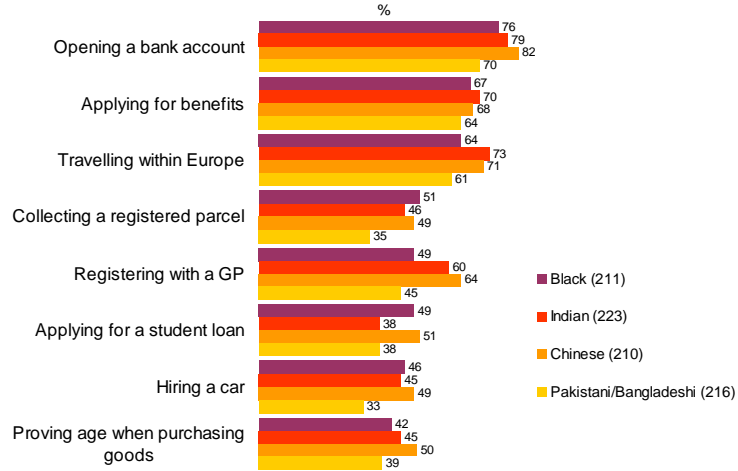
General public (2004)



Q.14 In which of the following situations do you personally think it will be useful to have an identity card to prove who you are?
Base: All respondents

Chart 8

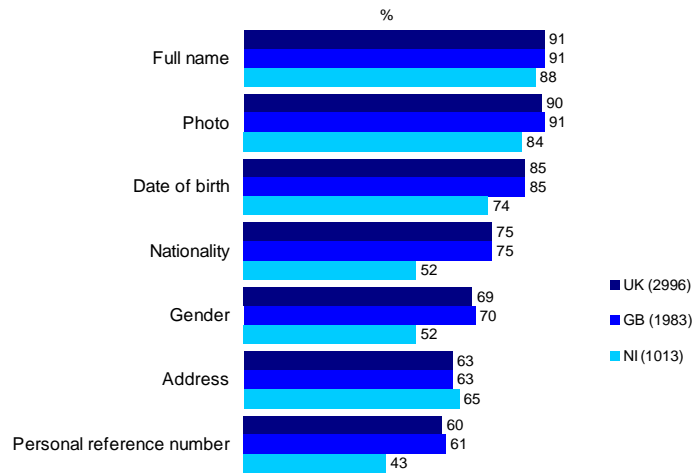
Situations where ID cards would be useful
BME (2004)



Q.14 In which of the following situations do you personally think it will be useful to have an identity card to prove who you are?
 Base: All BME respondents

Chart 9

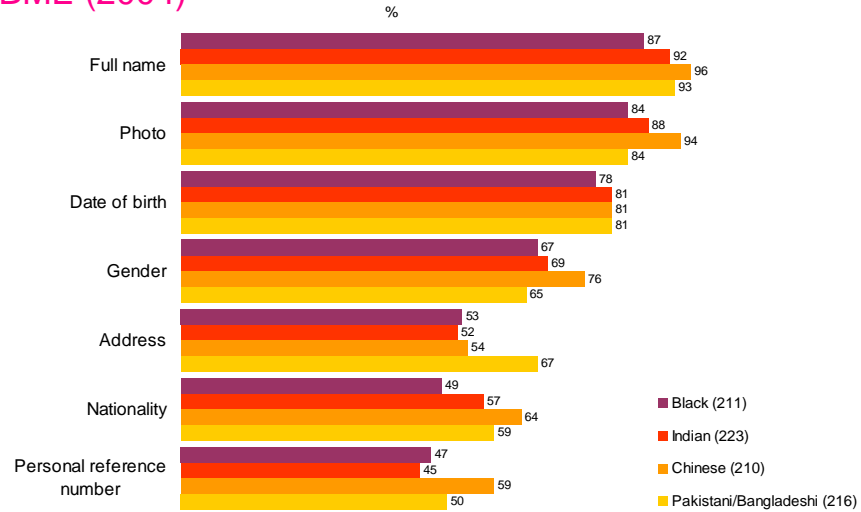
Perceptions of types of info to be included on ID cards
General public (2004)



Source: Q.10 What type of information do you think should appear on ID cards?
 Base: All respondents

Chart 10

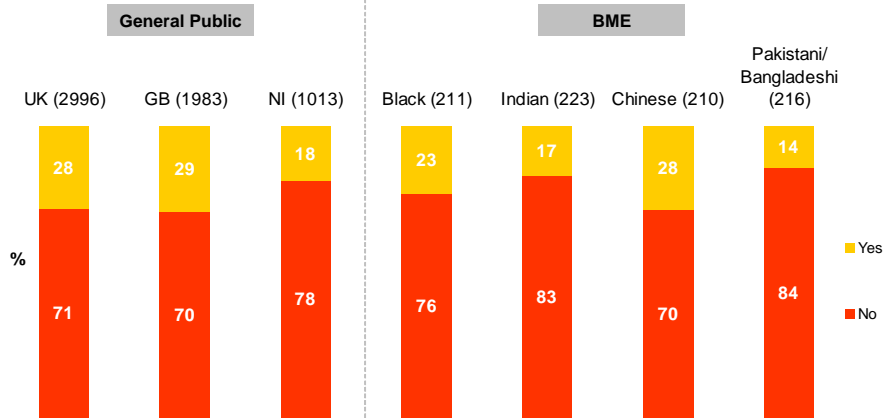
Perceptions of types of info to be included on ID cards
BME (2004)



Source: Q.10 What type of information do you think should appear on ID cards?
 Base: All BME respondents

Chart 11

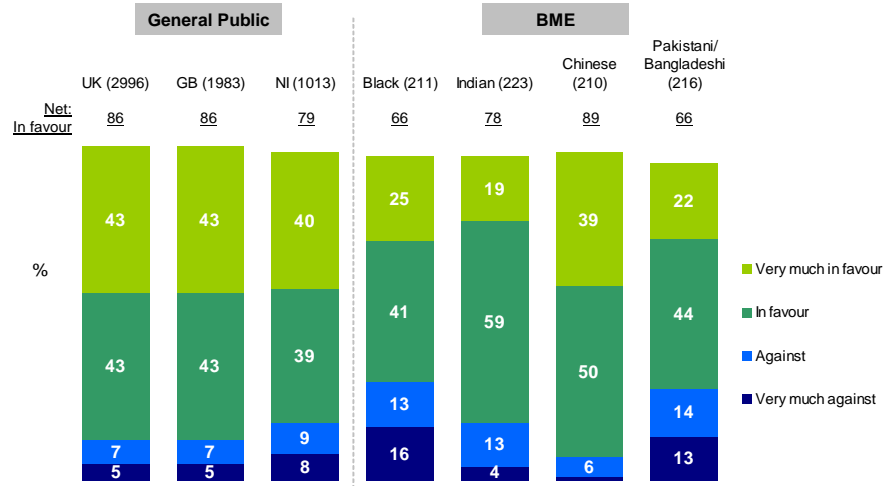
Awareness of term 'biometric information'
2004



Source: Q.11 Have you heard of the term 'biometric information'?
 Base: All respondents / All BME respondents

Chart 12

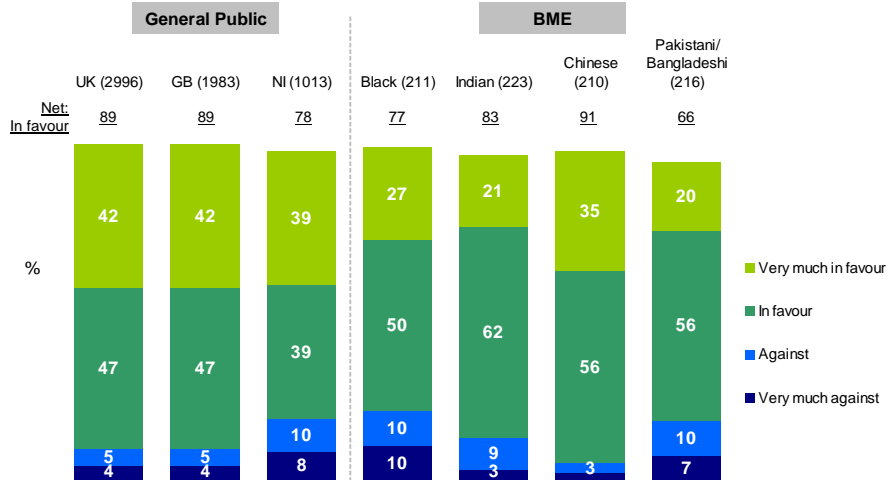
Favourability towards providing biometric details Fingerprints (2004)



Source: Q.13 To what extent are you in favour of or against providing fingerprints?
Base: All respondents / All BME respondents

Chart 13

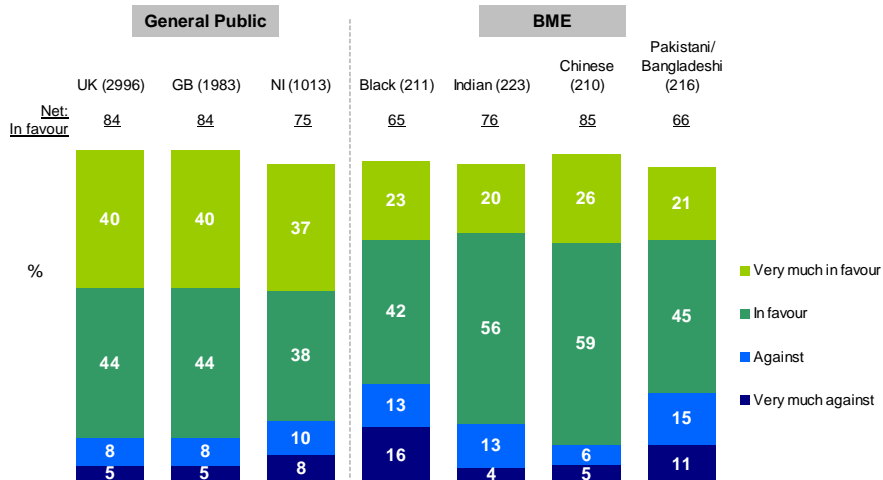
Favourability towards providing biometric details Digital photograph of face (2004)



Source: Q.13 To what extent are you in favour of or against providing a digital photograph of your face?
Base: All respondents / All BME respondents

Chart 14

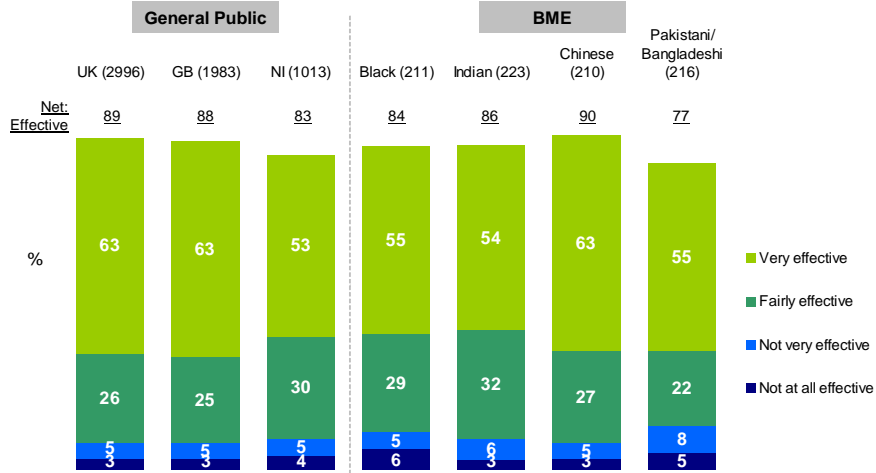
Favourability towards providing biometric details Digital photograph of iris (2004)



Source: Q.13 To what extent are you in favour of or against providing a digital photograph of your iris?
Base: All respondents / All BME respondents

Chart 15

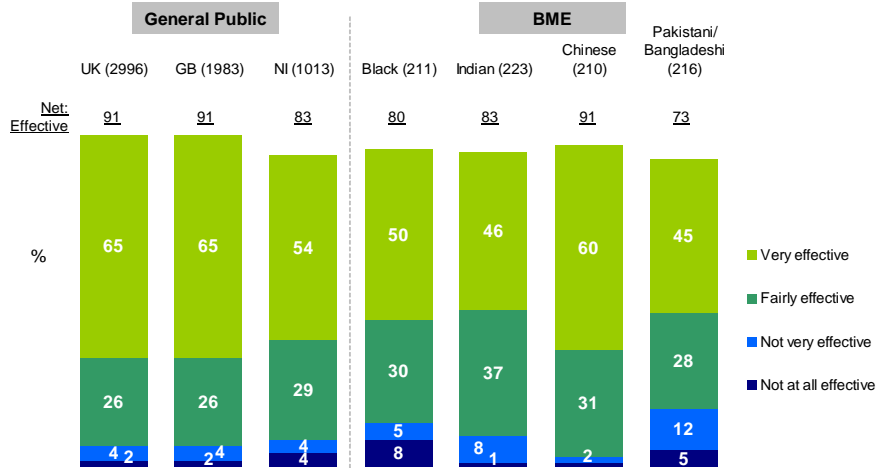
Perceived effectiveness of biometric details In preventing identity theft and use of ID cards (2004)



Source: Q.12 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?
Base: All respondents / All BME respondents

Chart 16

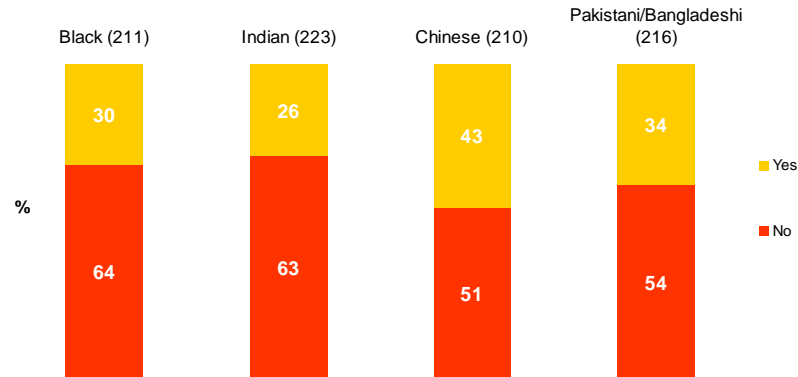
Perceived effectiveness of biometric details In making it easier to prove identity (2004)



Source: Q.12 To what extent do you think having biometric details on your identity card will be effective at making it easier to prove your identity (e.g. by not having to remember a PIN number)?
Base: All respondents / All BME respondents

Chart 17

Whether ethnicity should be recorded on ID cards BME (2004)



Source: Q.8a There are no plans to record ethnicity on identity cards. Do you think that ethnicity should be recorded on the card?
Base: All BME respondents

Chart 18

Reasons for recording ethnicity on ID cards BME (2004)

	Black (65) %	Indian (60) %	Chinese (85) %	Pakistani/ Bangladeshi (73) %
Net: Easier identification	30	35	31	25
Helps identify a person/people	17	17	16	9
Helps identify different ethnic groups	13	20	15	16
Other Mentions:				
It's your nationality/homeland	15	12	14	10
Help prevent fraud/crime	14	4	9	12
Help prove who you are	13	10	14	8
ID cards should record everything	6	8	7	5
If you are a British citizen that should be enough	2	-	6	2
Doesn't really matter/irrelevant	4	2	3	10
To be fair to all/equality	2	-	3	5

Source: Q. 8b Why do you say this?
Base: BME respondents who think ethnicity should be recorded on ID cards

Chart 19

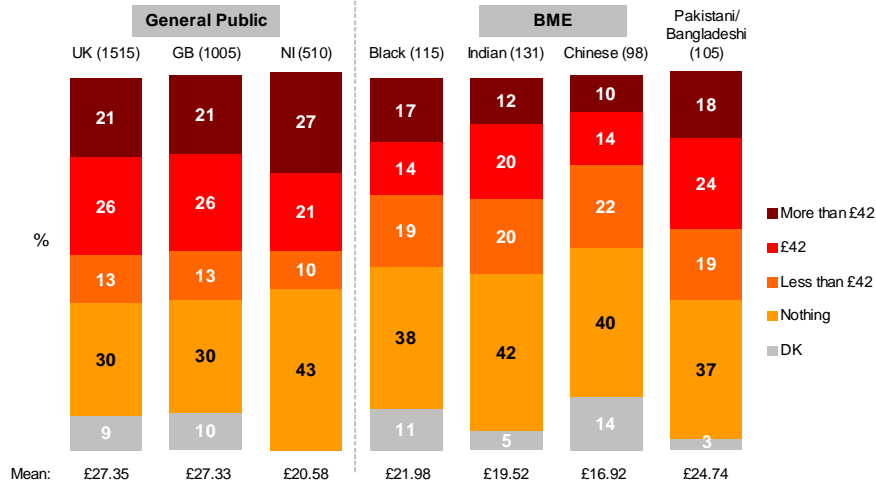
Reasons for not recording ethnicity on ID cards BME (2004)

	Black (133) %	Indian (141) %	Chinese (113) %	Pakistani/ Bangladeshi (120) %
Net: Unnecessary to record ethnicity	48	51	43	48
Not necessary/not needed	32	36	29	32
Doesn't matter/irrelevant/unimportant	15	12	16	12
Net: Abuse/discrimination	27	19	15	25
To avoid racial discrimination/segregation	26	19	14	22
Other mentions:				
If British citizen that should be enough	8	8	17	12
So that it can be fair/equal for all	7	12	13	4
Already has enough info i.e. name/photo	5	3	9	6

Source: Q. 8b Why do you say this?
Base: BME respondents who think ethnicity should not be recorded on ID cards

Chart 20

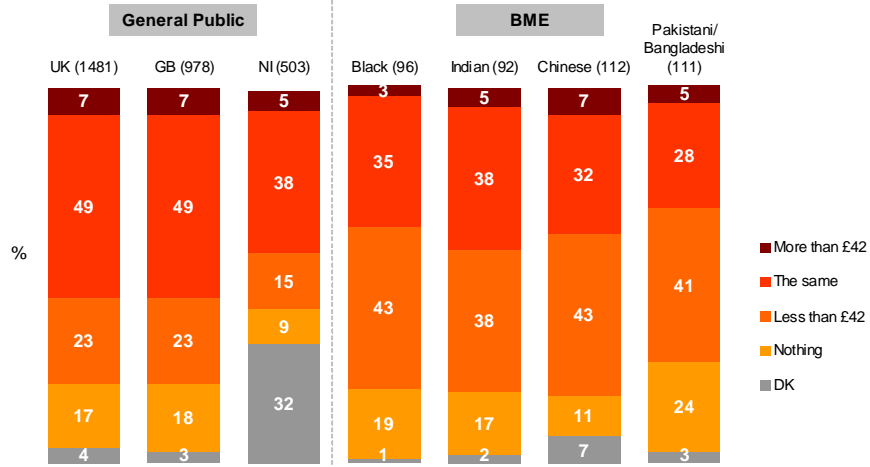
Actual amount prepared to pay for combined passport ID card Based on 10 year passport costing £42 (2004)



Source: Q. 16a 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?
Base: All respondents / All BME respondents (c. half of sample)

Chart 21

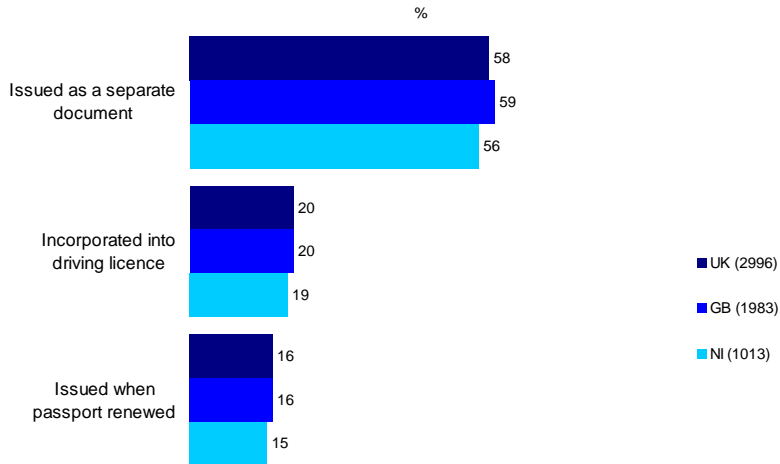
**Estimated amount prepared to pay for combined passport ID card
Based on 10 year passport costing £42 (2004)**



Source: Q.16b 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?
Base: All respondents / All BME respondents

Chart 22

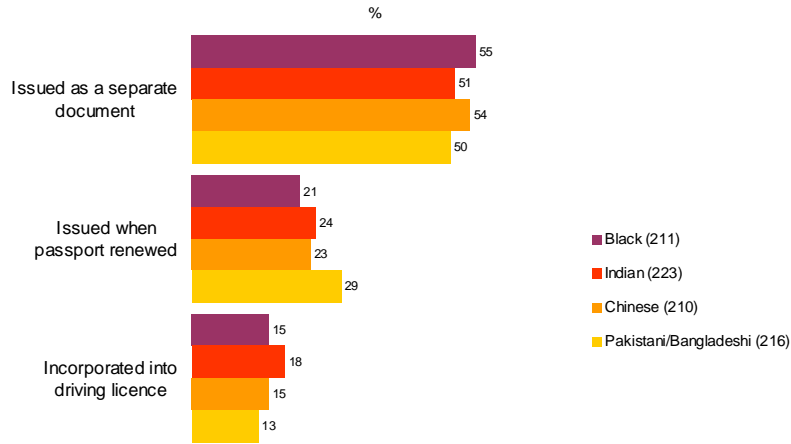
**Preferred means of being issued with an ID card
General public**



Source: Q.15 An Identity card 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?
Base: All respondents

Chart 23

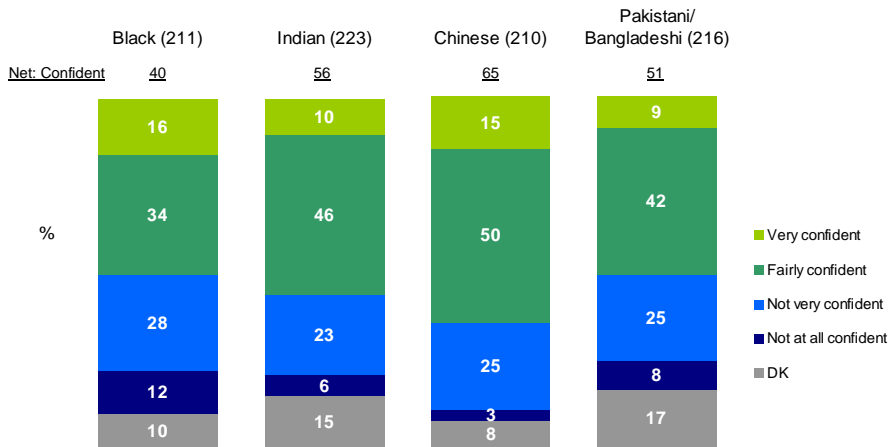
Preferred means of being issued with an ID card BME



Source: Q.15 An Identity card 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?
Base: All BME respondents

Chart 24

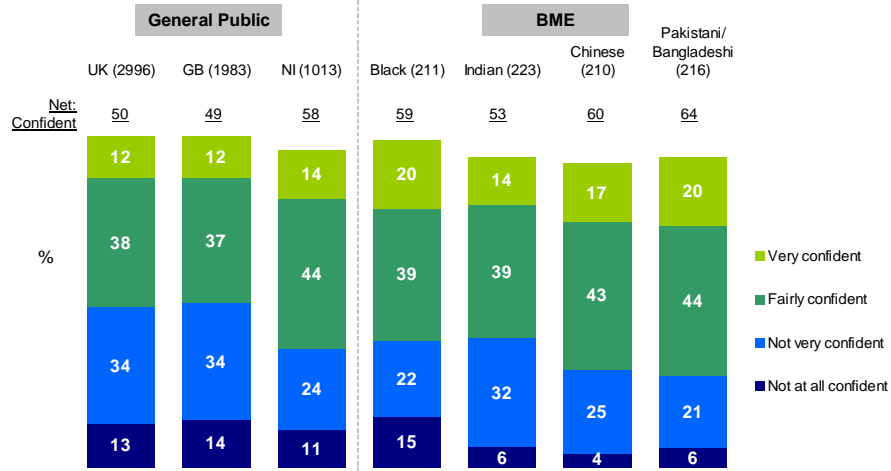
Confidence in application process In meeting needs of different cultural groups (2004)



Source: 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?
Base: All respondents / All BME respondents

Chart 25

Confidence in Government To successfully introduce a national ID card scheme



Source: Q.17 How confident are you that the Government will be able to successfully introduce a national Identity Card scheme?
Base: All respondents / All BME respondents