



**Summary report of the EURIM Personal Identity Subgroup meeting, 26 April 2005,
1000 – 1200 at IBM, 76/78 Upper Ground, South Bank, Westminster**

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SUMMARY OF MAIN POINTS

1. The purpose of the first meeting of the ID Cards Bill subgroup was to define aims and plan forward actions, following a mandate from the EURIM Council decision of 1 February 2005.
2. It is highly likely that a new ID Cards Bill will be introduced in the next Parliament, and a major aim will be to prepare briefing material for the new intake of MPs. The same issues are likely to arise and it would be helpful to put together a checklist of issues for the new Bill, the expected accompanying impact assessment exercise and public debate.
3. The remit of the subgroup is to identify and prioritise:
 - what the current and proposed legislation actually allows,
 - the current state of implementation plans,
 - the issues under debate and where to find the views of those active on them,
 - any issues that have arisen which are not already being well covered elsewhere,
 - possible actions that may extend the functionality of ID cards while enhancing security.

The role of the subgroup is to identify the issues, pose the questions and point out the trade-offs.

4. The major question around the new Bill will be whether identity is framed solely in the context of Home Office requirements, or whether it will embrace relationships with the finance sector, mixed economy and central Government. There appears to be **a clear choice between a public sector identity management infrastructure, and the currently proposed HO route.**
5. **Rather than using a single card for multiple identities, one approach would be to ask about the operational requirements of an infrastructure, together with process interoperability, transparency and interconnectivity,** for authenticating multiple identities in a similar way to Government Gateway.
6. Much of the work done by Home Office has been on physical identity; little appears to have been done on identity management. **It would be useful to separate the HO proposals from the overall issues of public sector management of identities, some of which may be addressed in the legislation. We should ask who has an interest in unique identities, as opposed to authorisation, and suggest possible answers.**
7. It is important to be as precise as possible about the scope and limits of any secondary legislation envisaged in the Bill. MPs early in scrutiny process will want to look at what the Bill will allow, even if the details will be fixed in secondary legislation, because the type of secondary legislation chosen will determine whether or not it must be debated before voting takes place, and therefore whether it can be amended during scrutiny.
8. **The first task for the subgroup is to compile a list of references** to help in drawing up a coherent paper that will pose the questions that need to be asked. HO personnel involved in drafting the new Bill can then be alerted to the kinds of questions they may face from MPs, so that they can take these into account during the drafting process.

1. Introduction

1.1 The purpose of the meeting was to define aims and plan forward actions. This was the first meeting of the ID Cards Bill subgroup, which had been set up following from EURIM Council decision of 1 February 2005 with a mandate to meet before the General Election.

1.2 As expected, the ID Cards Bill was withdrawn in the run-up to the election, but it is highly likely that a new Bill will be introduced in the next Parliament. The same issues are likely to arise and it will be helpful to put together a checklist of issues for the new Bill, the expected accompanying impact assessment exercise and public debate. At the meeting of the Personal Identity Group on 21 April, it was agreed that the subgroup should identify what had and had not been decided in the text of the Bill, what had been decided as a planning or implementation issue, and should comment on relevant issues that did not appear in the Bill.

1.3 A major aim will be to prepare briefing material for the new intake of MPs after the General Election. The remit of the subgroup should identify and prioritise:

- what the current and proposed legislation actually allows,
- the current state of implementation plans,
- the issues under debate and where to find the views of those active on them,
- any issues that have arisen which are not already being well covered elsewhere,
- possible actions that may extend the functionality of ID cards while enhancing security.

1.4 It is hoped that there will be the opportunity to gain future sight of any secondary legislation; there may also be standards proposed in the Bill or in secondary legislation, and codes of practice.

1.5 The objective of the subgroup therefore is to deal with the tools for the analysis, rather than the analysis itself, i.e. it is more about the questions that should be asked, than the answers. The logical next step is to determine the vital question: should we be talking about ID cards, or personal identity?

2. Discussion of issues and establishment of checklist

2.1 It was agreed that we should be talking about personal identity: the ID card is just the physical symbol of the heart of the system, which is the proposed national identity register.

2.2 Different interpretations have been placed on the ID card depending on the context – e.g. the war against terrorism, the fight against crime, or a token used by all citizens. It might be useful therefore at the outset to identify the different agendas that will be brought together in the debate over the proposed Bill, including those opposed to and in favour of an integrated project. What is the common objective, and what lies outside of it? The previous debate had been muddled between what was proposed and what the legislation actually said.

2.3 However, the Government's policy outcomes and objectives have been consistent since the original draft legislation. These are:

- to tackle illegal immigration,
- to reduce ID theft and fraud,
- to disrupt terrorism and organised crime, and
- to provide a secure means of identification for entitlement.

The link between these four policy outcomes and an identity card system is the issue – will those outcomes be achieved through the implementation of an identity scheme? The role of the subgroup is to point up the issues, pose the questions and point out the trade-offs.

2.4 A significant issue is whether the identity infrastructure proposed by the Home Office can be used or expanded for more general purposes. In this context, it would be helpful if HO defined exactly what it planned to do. It would also be more appropriate to talk about 'an' identity card where an identity is used for transactions with Government, recognising that a citizen will have other, equally valid, identities used for other purposes.

2.5 At the FST event on ID management on 23 February, Katherine Courtney, representing the Minister, dealt with identity in the context of security alone. Ian Watmore referred to the question of whether there would be a single identity for dealing with Government, or whether the current plethora of identities would converge, perhaps to four or five in the fields of security, health care, benefits and tax, and financial or other services.

2.6 The major question around the new Bill will be whether identity is framed solely in the context of Home Office requirements (bearing in mind that it has been announced that, if necessary, all passport applications can be changed to carry fingerprints, with the data on chips embedded in passports, under the Royal Prerogative), or whether it would embrace relationships with the finance sector, mixed economy and central Government. There is **a clear choice between a public sector identity management infrastructure, and the Home Office route. Is a public sector identity management infrastructure the same, different or connected to a private sector identity management infrastructure? Do we need decisions on this issue? It was agreed that we do.**

2.7 Having a single identity for dealings with Government would be beneficial in the event of an individual suffering a road accident, so that the correct medical records can be accessed after they had been identified through a driving licence. Multiple identities could cause delay and confusion. Research showed that while a small proportion of the population was against having their identities brought together, another small group were strongly in favour but the majority were interested in service delivery rather than the issue of identity. At the moment, everyone dealing with Government has multiple identities, and we should use the opportunity of the proposed introduction of ID cards to link the current plethora of databases.

2.8 Multiple identities are simply a tool for authentication and authorisation. Multiple addresses give multiple identities. Government Gateway uses a single means of authentication for multiple identities, so that **rather than using a single card for multiple identities, we should be asking about the operational requirements of an infrastructure and process interoperability, transparency and interconnectivity.**

2.9 A scheme with a single means of identity verification can be represented in different ways, in relationships with different service providers. Earlier work by the EURIM Personal Identity Group when chaired by Colin Hebden had produced some useful definitions in this area, intended for an intended Cabinet Office consultation on citizens' and business' dealings with Government which however did not materialise. **Members are asked for their comments in order to ascertain if this document, circulated as an attachment with this report, remains a comprehensive set of identity definitions, and how those identities can be used.**

2.10 There was some conjecture about eGU wanting convergence of identity over a long timescale; reducing the number of identities for public sector transactions to 4 within 10 years would be considered a major success. The Bill deals with a number of individual identities, not the number of different relationships an individual has with Government departments; how far could the use of a single identity with the Home Office be expanded? This may be limited by the NIR being tied to the ID card, so that the card was not readily adapted to representing other relationships. The ID card could act as a physical token, as evidence of a relationship between the citizen and Home Office, but it may be possible for it to carry an anonymous key that might be used as an authentication token or an identity management tool, although so far HO had rejected the latter possibility.

2.11 The Government Digital Strategy Unit had issued a statement that it intended to open up debate with the finance sector about how the ID card might be used for financial sector purposes, indicating an expansion of card use. [\(The Prime Minister's Strategy Unit document 'Connecting the UK: the digital strategy' states: 'Subject to Parliamentary approval, the Home Office will ensure that ID cards are developed in such a way that they add value to the whole range of digital transactions'\)](#).

2.12 An example was given from Hong Kong of promoting the use of secure online services through the issue of free 'e-cert' certificates at identity card enrolment centres. Hong Kong residents who have obtained their smart ID card can apply in person at designated post offices for the one-year-free e-Cert to be embedded into their smart ID card instantly. The e-Cert is a digital certificate that authenticates the identities of subscribers and provides a secure and trusted environment for the implementation of electronic transactions. The Hong Kong Government is replacing all its existing Identity Cards with the new Smart ID Card in phases from August 2003 to 2007 for Hong Kong residents; take-up is strong.

2.13 Progress between a EURIM member and Royal Mail on this issue has been inhibited by the absence of a universal, multi-application global identifier. There is a public perception that if somebody uses your identity, it enables them to access your relationships - this point had not been grasped by many MPs. Once your identity is used by an imposter to make changes to established relationships, it is very difficult for the real person to regain their identity. The NIR number is not a suitable key for identifying all aspects of a relationship because it is imposed, and because of the data connected to the number. We need a definition of the limits of the relationships. An ID number on its own acts only

as an index that can be used by anyone to access any database, subject to any controls that are in place and effective.

2.14 Identity can be related to a biometric, and reference numbers could be put against the biometric identity. However, this raises questions about whether the identity is really related to the biometric, or to the way in which a person is authorised to use an application. An additional problem is that many of the proposed biometrics can and often do change over time.

2.15 What are the consequences of choosing an open infrastructure for ID cards applied to the economy and public and private sector, and what benefits and risks are associated with making choices when faced with those consequences? What exactly is intended by the legislation? This might be a security application as opposed to security implementation(s) within an open access system. We need to know what is being proposed so that we can identify the issues, and the choices that have to be made where incompatibilities exist. APACS has already raised a series of questions about financial identities that Government had not considered.

2.16 Much of the work done by Home Office has been on physical identity; little appears to have been done on identity management. But physical identity needs to be linked to something to be useful. Posing such a question might stimulate a useful outcome in the absence of an identity management policy. Having enabled a set of options in the legislation, but having selected only a subset, it is unclear whether HO have looked at all the implications of what they are enabling.

2.17 So far the debate in Parliament appears to have focused on how identity might be misused, rather than on personal identity itself. **We should ask who has an interest in unique identities, as opposed to trustworthy authorisation processes, and suggest possible answers.**

2.18 If the Bill is re-introduced as before, one of the issues we have to address is its scope: can we encourage Government to identify within the Bill the definitive scope of the wider area – e.g. local government, the financial services sector – so that the different pressures likely to be exerted by interested parties can be identified. This is likely to trigger usage debates.

2.19 The debate within the subgroup had been based so far on HO ownership of the ID Cards Bill, but there is a relationship with Treasury, in respect of economies and efficiency in public services. A statement last autumn indicated that the ID card database would be used as a population register in the long term – the brief of the Citizen Information Project. Many of the benefits depend on the degree of coverage, and the scope therefore does extend to the wider public sector.

2.20 CIP would submit their proposals on the scope of CIP with respect to ID cards to ministers in June. Perhaps the current proposals for the CIP could be juxtaposed against the Bill after this date? **It would be useful to separate the HO proposals from the overall issues of public sector management of identities, some of which may be addressed in the legislation. Another issue is where the legislation fits within the overall strategy,** given that it is unclear who owns the overall strategy.

2.21 HO claims that a national ID cards scheme will provide a 'gold standard' for reliably proving identity, maintaining that outside of high-risk areas like the financial sector, there is no need for people to use a gold standard for identity. Most people carry the lowest value token necessary for everyday requirements to avoid having them stolen or lost.

2.22 The integration of identities and tokens should be related to the way in which low-value identities might be used to fraudulently acquire higher value identities, the interoperability of identities and the linkages between them, repudiation etc. All these issues apply in an overall identity management framework, whether public, private or mixed, and if the scope of ID cards is widened, these issues and associated trade-offs have to be examined. A wide scope would lead to lowest common denominator standards and levels of authentication etc., whereas limited scope e.g. high-risk financial services, would require a gold standard. Therefore we need either an hierarchical or an all-embracing system. It may be that the market will embrace the gold standard much more readily than people might imagine, e.g. for checking the identity of a person using a card (not for accessing the NIR) on repeated occasions. This would require the gold standard to be easy to use, or for quality attributes at different levels to be available within the framework.

2.23 Transparent trust relationships exist in many virtual organisations, largely driven by the financial services sector through a multiplicity of agents, using processes to enable identity to be seen to have

been established against particular credentials. Transparency in the system thus allows people to identify commercial risk. However, citizens' requirements have not been considered in this context.

2.26 Another issue is the legal requirement (e.g. for anti money laundering purposes) to store and pass on information that is often never actually used. A question for any Briefing for MPs would be, whether there actually are plans (and budgets) to introduce processes that are capable of using the data that businesses and others are required to store or report?

2.27 Many businesses use risk management processes. If use of the gold standard reduced risk, would it be preferred? The number of business processes in Government that need a gold standard verification of address is not that high, and probably does not justify the effort required to maintain it. The ID card may therefore have a level of address verification that is relatively low but provides a starting point for verification e.g. in assessing entitlement to benefit. The interpretation of what the gold standard is depends on the application - in which it is used.

2.28 Establishing identity through an individual's historical background (and fixing it using a biometric) is the first step in enabling a process of establishing a gold standard. The issue relates to the processes used, and how they were documented and recorded - this is what UKPS is trying to do. While ID cards are targeted at people without a strong biographical footprint, it is useless looking for illegal immigrants, criminals etc. and those people who are outside the scheme, until legitimate population has been accounted for! There is a threshold of acceptance for establishing identity, below which people will be rejected.

2.29 Concern was expressed that the debate appeared to be jumping from enabling legislation to application and usage. However, the purpose is to generate potential questions for MPs to ask in order to guide them when they vote. While the debate had focused on secondary legislation, the purpose of the Bill was to provide primary enabling legislation. The terms of the Bill had been clearly laid out with respect to the NIR, an enrolment process; the remaining provisions concerned penalties and the use of information by services.

2.30 However, it was pointed out that MPs early in scrutiny process will want to look at what the Bill will allow, even if the details will be fixed in secondary legislation, because the type of secondary legislation chosen will determine whether or not it must be debated before voting takes place, and therefore whether it can be amended during scrutiny. If re-introduced, the Bill can be debated thoroughly without pressure of a timetable. EURIM Council was concerned with what agendas were being merged in the compromise proposal of the ID Cards Bill, the compatibility of the agendas and whether or not the proposed legislation is implementable.

2.31 It is important to be as precise as possible about the scope and limits of any secondary legislation envisaged in the Bill. There may be significant differences between the old and new Bills, and an important question then would be, given that UKPS want to use the gold standard, what relationship will the gold standard have to the new Bill?

2.32 There is a possibility that a number of EU personal identity initiatives may be embedded in directives before ID cards are rolled out; we should therefore again pose the question as to how the ID card proposals will relate to these – but not seek to give answers, as that will be for others. The security and standards programmes of ICAO and the US will require the adoption by the UK of an ID card by 'stealth', if not by UK legislation, and over which UK would then have little control. The options were to do nothing, and get biometric chip passports, or try to retain some control with a national system.

2.33 The ID card link with passports and driving licence may not happen; so would the ID Card be free-standing? **The issue was not about the card, but the NIR.** The Government's main aim should be to identify the vast bulk of the population that is entitled to live in the UK; other aims should be subordinate.

2.34 It was agreed that members present would send in references by email to DW (davywright2@ntlworld.com) to help in drawing up a coherent paper that puts the questions we need to ask into a digestible format. Members of the group not present are also invited to send in comments to DW, who will collate them and pass on to the subgroup Chair. Ian Stewart would want material and information assembled for MPs at this stage, not a polished draft. The draft could be completed once Parliament reconvened. A list of references of what we consider good material would be useful for the

House of Commons Library research teams. Another aspect would be to list any significant issues that are not covered in the material HoCL has already produced

2.35 It was suggested that we use the EDS paper to see if the points made needed updating, and to help structure the draft paper when appropriate. We should be assembling the material for MPs in early June; Ian Stewart will be looking at this in late June. **The first task for the subgroup then is to compile the references.** We need to ensure that HO personnel involved in drafting the new Bill are aware of the kinds of questions they may face from MPs, so that they can take these into account during drafting process.

2.36 There was some concern that the Bill might be re-introduced in the first week of June, and might then soon be transferred to Standing Committee. We should therefore aim to have material ready to reach MPs by the end of May. A straw man and list of references would need to be assembled by the end of next week. It was agreed that we should try to have the material ready by this time, but others would find it extremely surprising if the Bill followed the timescale predicted. House business would delay the start of proceedings proper (e.g. the election of a Speaker), and any changes to the Bill would also involve delay.

2.37 **It was agreed however that the safest course was to have the material ready by the end of May** – the ID Cards Bill may well be the first item on the Parliamentary agenda in the new term, assuming no change of Government. **The subgroup should in any case have ready a briefing for MPs before the Summer Recess.** A key issue for EURIM will be to discuss the accuracy of the assembled material with the Bill team and officials, and to ensure that they can respond with considered and credible answers.

2.38 Volunteers will categorise references and develop a straw man to add structure to the questions the subgroup will pose.

3. Date of next meeting

3.1 The date of the next meeting of the subgroup will be decided in the light of developments; communication will be maintained by email.

[Appendix – 2001 Hebden Discussion Paper](#)