



Home Office

Border & Immigration Agency

INTRODUCING COMPULSORY IDENTITY CARDS FOR FOREIGN NATIONALS

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FOREWORD



In December 2006 we launched the Borders, Immigration and Identity Action Plan. This set out how we plan to use identity technology to screen and manage foreign nationals who would like to come to and stay in the UK. It set out a new architecture for border security combining:

- fingerprint visas and passenger screening before authorising travel to the UK;
- tougher checks at the UK border; and
- compulsory identity cards for foreign nationals staying in the UK, in time enabling secure identity checks to be carried out by a range of public agencies and employers.

In October Royal Assent for the UK Borders Act 2007 provided the authority for the Government to begin issuing identity cards to foreign nationals. Today we are publishing our plans to do so.

Over time we will replace old-fashioned 20th century paper documents currently issued to foreign nationals for identity purposes. Our plans will make it easier for employers and sponsors to check entitlement to work and study. Immigration and law enforcement officers will find it easier to verify someone's identity and detect abuse. Identity cards will benefit foreign nationals here legally who need to produce evidence of their identity and entitlement to private and public sector service providers. The card will provide reassurance and identity protection to the many here legally who contribute to the prosperity of the UK, while helping prevent abuse of those privileges.

The UK is now leading the world in the successful delivery of this technology. Our first line of defence against illegal immigration at the offshore border (fingerprint visas) is now in place. We have now issued over 1 million fingerprint visas. So far more than 11,000 individuals have been matched to those who have been fingerprinted in the UK in connection with previous asylum applications or other immigration matters using this new technology.

Our programme for identity cards for foreign nationals will begin in 2008. It will start with a pilot to pressure-test the technology. Cards will be issued by day 330 this year. Numbers will rapidly increase thereafter. To ensure we get the most benefit early on, our rollout plan will prioritise:

- **reducing risk** by tackling higher-risk categories, such as students and people applying for leave to remain for marriage, and by phasing out old-style, insecure documents; and
- **maximising efficiency** as people come back to us to extend their stay or transfer entitlement stamps to new documents.



Under our current assumptions our aims are to increase volumes as follows:

By the end of 2009/10	10% of foreign nationals issued with identity card
By the end of 2010/11	30% of foreign nationals issued with identity card
By the end of 2011/12	60% of foreign nationals issued with identity card
By the end of 2014/15	90% of foreign nationals issued with identity card

Under these plans 100% of successful applicants coming to or staying in the UK will have a card within three years of the start of the roll out.

We will continue to welcome newcomers who come here to work hard and play by the rules and enrich our country culturally and economically.

We will continue to refine these plans in liaison with stakeholders in the education sector and elsewhere. Parliament will be asked to approve the regulations required for each stage of the implementation.

Liam Byrne MP

Minister of State for Borders and Immigration Parliamentary Under Secretary of State for Identity

SECTION 1: WHY ARE WE MAKING CHANGES?

1.1 In July 2006, as part of the reforms of the Border and Immigration Agency initiated by the former Home Secretary, John Reid, we set the objective of toughening our border security. Over the last 18 months we have systematically begun putting in place five key components of a new integrated border security architecture for the UK. This architecture is designed to create a triple ring of defences against illegal immigration – overseas, at the border and in the UK. Figure 1 shows how these five key components fit together.

1.2 In the last year we have tested the components of this architecture with great success:

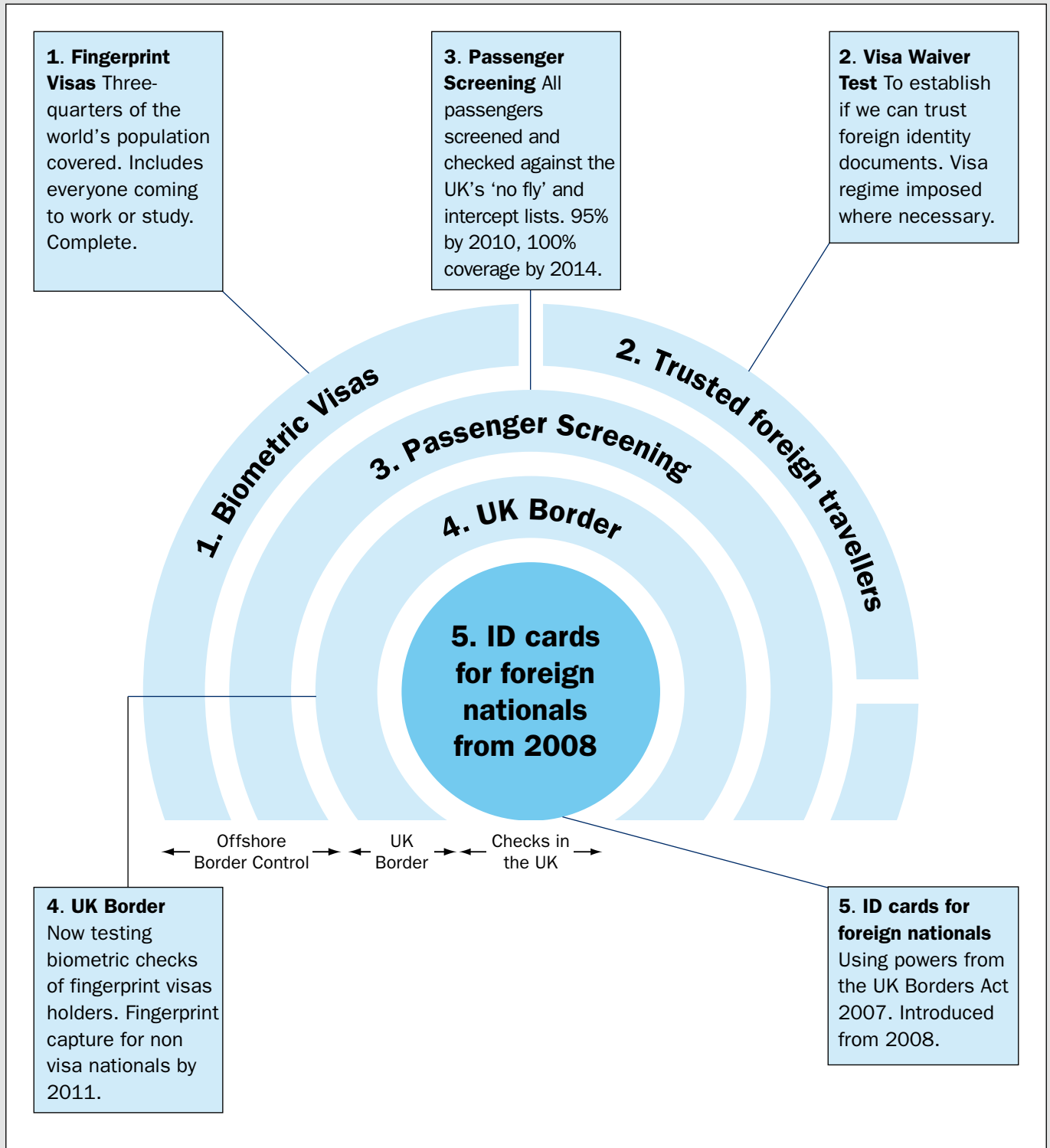
- Our **fingerprint visa programme** is making a real impact overseas. We have completed the programme which now covers three-quarters of the world's population and operates in 135 countries. More than one million fingerprint scans have been completed to date. So far more than 11,000 individuals have been matched to those who have been fingerprinted in the UK in connection with previous asylum applications or other immigration matters. The results of fingerscan matches are communicated to visa officers at our diplomatic missions overseas in minutes to inform their decision-making.
- We are undertaking a **Visa Waiver Test** to decide which countries we need to issue visitor visas to and which we don't. Countries will be assessed against a basket of criteria, including immigration, criminality and terrorism threats, and economic impact. We will maintain or impose new visa regimes on countries whose nationals pose significant risks to the UK. No decisions have been taken yet as to any changes in regimes.
- The **e-Borders** system will screen all passengers against immigration, customs and police watch lists before they travel to and from the UK. Successful trials of the new system have already led to the arrest of more than 1,400 people and more than 17,000 people of concern being checked by immigration, customs or the police.
- At the UK border we are creating a single **UK Border Agency**. Bringing border resources together will improve security while legitimate travel and trade are welcomed and facilitated. Implementation of the Agency began in November 2007. We will soon have a detailed implementation plan and initiate an agreed action plan to provide frontline officers with shared information, skills and powers.

1.3 Compulsory identity cards for foreign (non-European Economic Area) nationals under the biometric registration provisions of the UK Borders Act 2007 are the final component of this strategy¹. At the heart of this strategy is a simple ambition to use new biometric technology to lock down the identity of an individual with confidence. Using the powers in the Act we can fix a migrant in a single identity. By checking fingerprints against our centrally held records we can find out if we have seen that person before with a different identity and/or nationality (perhaps as a failed asylum seeker who has now returned to the UK and is passing themselves off as a student from a different country).

1.4 Crucially, these identity cards will allow checks on an individual's identity and right to be here to be conducted more widely within the UK. Just as passports and old-style vignettes are checked by border control staff, identity cards for foreign nationals are designed to allow businesses, colleges and public agencies to conduct secure checks quickly and reliably. This will help to deny the privileges of the UK to those here illegally – and help businesses and colleges fulfil their licence obligations as sponsors for migrants coming to the UK.

¹ Known in legislation as *biometric immigration documents*

Figure 1 THE UK'S INTEGRATED BORDER SECURITY ARCHITECTURE: 5 KEY COMPONENTS



SECTION 2: HOW IS THE SYSTEM CHANGING?

2.1 Identity cards for foreign nationals will replace the existing stickers and other insecure UK immigration status documents which have been subject to fraud in the past. The stand-alone card will have a chip which holds a digitised photograph and fingerprints, alongside biographical information (for example name and date and place of birth).

2.2 The card will also show details of the holder's immigration status and entitlements in the UK, for example what kind of leave they hold and whether they can work. This new information will help public agencies, employers and educational institutions more easily understand the migrant's entitlements. The database will hold a record of the migrant's biometrics so they can be checked in depth where necessary.

2.3 Over time there will be a number of ways of authenticating and verifying identity, depending on the importance of the check:

- **visual check:** checking whether the photograph on the front of the card is that of the person presenting it;
- **card authentication:** checking whether the card is genuine and unaltered, using information held on the card;
- **verification online or over the telephone:** if a migrant wants to prove their identity to someone online or over the telephone, they can do so by supplying their card details and possibly some 'shared secret' information, such as banking services already use; and
- **biometric check:** if a still higher level of proof is needed, applicants can be asked to provide a fingerprint to be checked against those given when they enrolled for the card.

2.4 An identity card will be issued only after the migrant has registered their fingerprints with the Border and Immigration Agency. This will allow us to be sure of the identity and entitlements of everyone who is here under the Points Based System for managed migration. Employers and others licensed by the Border and Immigration Agency to sponsor migrants under the Points Based System will



have a duty to keep a copy of a sponsored migrant's identity card and to make the copy available to Border and Immigration Agency officials on request. The identity card will show clearly the conditions and entitlements of the migrant. This will enable sponsors considering sponsoring a migrant already in the UK to know whether or not the person concerned is permitted to take up the employment or studies they are seeking.

- **Border Control:** we will strengthen biometric and other checks at the border to lower the risk of unauthorised entry to the UK.
- **Enforcement staff:** biometric ID will help us detect those people who are in the country illegally or who are abusing the system through identity fraud. Increasingly, immigration officials and other enforcement agencies are undertaking biometric checks to verify a person's immigration status and right to work.
- **Employers and educational establishments:** initially employers and educational establishments will undertake a visual check of these secure documents or use our telephone checking service if they are worried about the authenticity of the document. As technology develops employers will have wider checks at their disposal.
- **Other government departments and agencies:** the powers we have taken in the UK Borders Act 2007 provide the potential across public services to ensure that a foreign national seeking to access a service has a secure identity document which confirms their identity and entitlement. As we phase out old-style documents from the system, other government departments will be able to crack down hard on the type of abuses we have seen in the past.



2.5 The UK Borders Act 2007 enables the Border and Immigration Agency to make identity cards compulsory for those foreign nationals in the UK who are subject to immigration control. Over time this will include those currently issued with a residence permit or who are here in the UK on a visa or who have indefinite leave to stay here.

2.6 The power to record biometrics and issue identity cards will be introduced on a rolling basis from 2008. Our roll-out strategy is guided by two principles: risk and efficiency. We plan to designate these cards under the Identity Cards Act 2006 at the earliest time possible, once the National Identity Register has been set up.

2.7 The application process for leave to remain in the UK will be changed to require migrants to have their biometrics recorded and checked (as we already do overseas). When applying in a relevant immigration category, the migrant will need to have their fingerprints recorded and checked and their photograph taken. We are considering how best to issue identity cards to those foreign nationals who have entered the UK on a visa.

2.8 Foreign nationals will not be required to carry their identity card at all times but they are likely to find it useful to produce the card as a means of identification for work, study or travel. The Border and Immigration Agency will be able to require the production of the document in the course of an immigration procedure.

SECTION 3: THE ROLL-OUT STRATEGY

3.1 Our roll-out starts in 2008 when we will pressure-test our enrolment processes and technology. We will then move on to issue the first identity cards for foreign nationals by day 330 of 2008. Volumes will rise quickly year on year.

3.2 We have reviewed several options for roll-out, including by geography, nationality, application type, or a mixture of these. A geographic roll-out would allow displacement and has therefore been discounted – those seeking to abuse the system would simply apply from another address. Roll-out by nationality has also been discounted.

3.3 Our roll-out strategy targets risk and maximises efficiency. It prioritises different groups of foreign nationals on the basis of immigration application type. The majority of those granted leave to enter or stay in the UK comply with the leave conditions. But a very small minority abuse the privileges we have granted to them. We have undertaken research and analysed migration statistics, internal information and intelligence reports to understand which types of application appear to be most targeted by those who seek to abuse the system:

- Who commits criminal activity while in receipt of leave to remain?
- Who gains leave fraudulently?
- Whose identity is used for leave applications without their knowledge?
- Who breaches their leave conditions?
- What kind of documents are potential routes to abuse?

3.4 The following immigration application categories will be prioritised in the roll-out strategy:

- students;
- discretionary leave;
- marriage, civil and common law partnerships;
- children of parents already settled in the UK; and
- work permits.

3.5 Implementation by immigration category will be simple for migrants to understand. Since each immigration category has its own application form, we will make it clear on the form whether biometrics are required, without the need for supplementary rules.

3.6 We also need to consider how quickly we roll-out cards to different groups. The objective is to ensure that foreign nationals in the UK have biometric identity cards as soon as possible, while also ensuring an efficient and manageable rollout. The order in which we bring different groups into the scheme will determine the growth in the overall number of foreign nationals with cards. Possible options for roll-out include:

- bringing all student categories into the scheme first and other categories later over an extended timescale;
- bringing in a mixture of high-risk categories first and others later over an extended timescale;
- bringing in a combination of student categories and other high-risk groups and completing the scheme in a shorter timescale.

3.7 Our working assumption is that, from when we start roll-out in 2008, we will require:

- **all those applying for leave to enter or remain, to have a card within three years; and**
- **90% of foreign nationals will have an identity card by 2014/15.**

3.8 We will undertake further analysis to test our assumptions and refine costs and impacts in developing our plans. Our current preferred roll-out strategy is shown below. This focuses on students and other high-risk categories first, but also delivers a rapid increase in card volumes overall. It will be reviewed as the roll-out progresses, and this order may change. In particular, it may change in the light of our discussions with the Commission for Equality and Human Rights across the UK, as well as of the lessons learned in the pilot and the early years of implementation.

3.9 Under these plans the majority of foreign national applicants from higher-risk categories will

have been issued with an identity card by the end of 2010/11. Under current plans those here on short-term visas are excluded from the programme.

3.10 We will continue to refine these plans in liaison with stakeholders in the education sector and elsewhere. Parliament will be asked to approve the regulations required for each stage of the implementation.

Stage 1	From mid 2008	Test enrolment processes.
Stage 2	From late 2008	Start to issue cards to students extending or varying their leave. This is a high risk category, and the majority will not have had their fingerprints checked before.
Stage 3	From April 2009	<p>Continue to ramp up levels of identity cards for students (including those coming on visas), linking this to the roll-out of Tier 4 of the Points Based System.</p> <p>Extend to other migrants in high-risk categories who are applying to extend or vary their leave. This is likely to include Marriage and Common Law and Civil Partnership categories, those granted discretionary leave and those updating their 'no time limit' stamps or transferring existing leave conditions into a new passport. This gives us the opportunity to include fingerprint checks as part of the normal application process for these high risk categories, and start to phase out old, insecure documents.</p>
Stage 4	From April 2010	<p>Continue to ramp up levels of identity cards for students.</p> <p>Extend cards to other higher-risk categories for those extending their stay (for example Work Permits and those applying as a child of a foreign national parent already settled in the UK). This will complete all high-risk categories extending their stay in the UK.</p> <p>Start to issue cards to other groups of foreign nationals entering the UK on visas.</p>
Stage 5	From April 2011	Complete coverage for all new applicants - those applying for leave to enter or leave to remain,(this includes those applying for indefinite leave or settlement in the UK).
Stage 6	From 2012/13 onwards	Start to issue identity cards to those foreign nationals already settled in the UK.

SECTION 4: ENFORCING COMPLIANCE & MAKING LIFE EASIER

4.1 The introduction of identity cards for foreign nationals will make it easier for us to enforce compliance with our immigration laws. It will make it possible for other organisations as well as the Border and Immigration Agency to conduct checks, simply and accurately.

4.2 Those here illegally will find it increasingly difficult to access work, benefits and other privileges of UK life. Those here legally will find that identity cards make their life easier and allow them to prove their identity with much more certainty. Employers and other sponsors will be able to check someone's identity and entitlements more easily and securely.

4.3 Identity cards for foreign nationals will support the operation of the Points Based System for managed migration. This requires colleges, employers and others who benefit from migration to sponsor skilled or temporary migrants coming to the UK. They will need a licence to do so. To earn and retain a licence they must fulfil certain duties. These include informing the Border and Immigration Agency if migrants do not turn up for their job or course, or if they are absent without permission for a significant period. They will also have to keep proper records of the migrants they have sponsored, including their contact details and, in time, a copy of their identity card, and supply those to us on request. Where we consider that a sponsor has not complied with their duties, we will be able to downgrade or withdraw their licence, impose a civil penalty on them (if they employ an illegal worker), or pursue a criminal prosecution. Our approach will depend on the circumstances of each case.

4.4 As the roll-out progresses, the Border and Immigration Agency will be working with other government departments, employers and others to maximise the use of identity cards for foreign

nationals as a means of regulating access to employment and services. We will make a start on this during 2008, by establishing pilot projects linked to the early stages of the roll-out programme.

4.5 We will be looking to develop pilot projects in the following areas:

- enabling foreign students to enrol their biometrics on site at, or at designated locations close to, colleges and universities;
- improving the checks to the obligations on colleges and other educational establishments to fulfil. Colleges will have to take and retain a copy of documentation identifying the students they enrol, and report any failure to produce such documentation to the Border and Immigration Agency. The identity card for foreign nationals will provide educational establishments with a straightforward and reliable mechanism for meeting these requirements.
- through joint ventures with employers, working with key sectors to help employers make the right kind of checks to ensure that those they employ have the right to work in the UK;
- considering with the Department for Work and Pensions and Jobcentre Plus how best to use identity cards for foreign nationals to check the entitlement of those applying for a National Insurance Number and for social security benefits; and
- working with the Security Industry Authority to strengthen the security of its licensing system.

4.6 We will provide more information about these projects as plans are agreed.

SECTION 5: MAKING IT HAPPEN

5.1 For our programme to be successful we will need to work with a range of partners across government and the private sector. Across government we are working closely with the Identity and Passport Service (IPS) to incorporate identity cards for foreign nationals into the wider National Identity Scheme. The Border and Immigration Agency and IPS are taking a consistent approach to maximise the benefits of the scheme.

5.2 The Border and Immigration Agency is working closely with the Driver and Vehicle Licensing Agency (DVLA) on card production. DVLA already produce over 7 million card-based driving licences a year. By re-using and building on this technology and by using existing government facilities we will be able to generate a value for money service and make the most of synergies between the two agencies.

5.3 We will be working with commercial partners to develop other aspects of the work needed to deliver identity cards for foreign nationals. Their expertise will be crucial to our success.

5.4 The final timetable for delivery of identity cards for foreign nationals within the wider Border and Immigration Agency activity will be determined by our total resources: central funding, efficiency savings and income from charging. It will also take into account commercial and technical feasibility.

5.5 Our approach is to improve existing technology – such as our current identity management IT systems and casework databases. We will also charge for most identity cards and their maintenance. We are currently examining options for this in the longer term. We will ensure that we are charging a fair and economic rate for these services that reflects the true cost to the taxpayer while recognising the economic benefits that migration brings.

