**Considerations for Persons with Disabilities Regarding the NIDS Bill 2020**

The Jamaica Council for Persons with Disabilities (JCPD) which is the agency under the Ministry of Labour & Social Security, with the responsibility for the implementation policies and programmes of the Government for persons with disabilities (PWDs) having provided an initial response, takes this opportunity to present a final response.

 The JCPD stands in favour of a National Identification System (NIDS) and believe the benefits far outweigh the challenges/limitations particularly for the development of the disability sector.

Having reviewed the document, the following are matters for consideration in regard to persons with disabilities:

1. Should there be any indication of disability for a person with a disability holding a National Identification Card? The issue was considered divisive by persons with disabilities who believe that an indication of one’s disability may increase discrimination. However, over the past year some groups have acknowledged that the advantages of having an indication of their disability on the Card outweighs the disadvantages. Having this indication or their named disability on the Card will enable many of them to have a national identification for the first time, facilitate greater accessibility of service, assist in instances in which, based on the disability the individual may be unable to properly represent himself, for example in the instances of legal matters or national security.
2. **PART III which refers to the National Identification Databases and the Civil Registration Databases**

Section 9 subsection 2 – it would be important to consider that the JCPD will maintain a Confidential Register under Section 13(2) of The Disabilities Act 2014 Such a Register can be utilized as a verification of the identity for the community of persons with disabilities.

* 1. Subsection (6) – in particular, if there will be a cost to the alteration of identity information, there needs to be consideration of PWDs who are unable to represent themselves but can be represented by someone else – the Disabilities Act specifies the Caregiver.
1. Section 10 subsection (2) – ‘the prescribed manner’ to inform individuals should be in an **accessibl**e format to ensure that persons with varying disabilities can have access to the information being provided.
	1. Subsection (4) – it is noted that special consideration is made for children, those in care and persons with mental disorder, however; persons with disabilities as defined in the Disabilities Act is not considered. It is recommended that there be partnership with the JCPD to facilitate PWDs who are unable to represent themselves and have no recognized support system or PWDs who do not have any formal means of identification.
	2. It is also recommended that when someone with a disability shows up for enrolment if the person is not registered with the JCPD that the individual be referred to the JCPD for registration or that the Registration Authority provides data on persons with disabilities to the JCPD.
	3. Subsection (7) – in regard to the provision of false information, consideration is being made for PWDs (particularly persons with varying Intellectual Disabilities) who may be easily influenced and may give false information. It is recommended that reference be made to the JCPD as the authority to verify the disability.
2. Section 11 subsection (1) (b) regarding identity information, consider PWDs who do not have fingerprints.
	1. (c) – consider the JCPD Registration number as one of the possible applicable reference numbers
3. Section 12 subsection (2) regarding verification of identity information, consider the JCPD ID/Disability Certificate for persons who may have one (when the Disabilities Act comes into effect)
4. Section 16 subsection (7) regarding the National Identification Card that consideration to be given to PWDs who are unable to write or do not have the necessary support system.

Subsection (8) – in regard to lost, stolen, mutilated, destroyed or damaged cards consider a lesser fine for such PWD who may be in breach.

1. Section 25 subsection (2) regarding requests for information or for authentication and verification services, consideration to waive such a fee is being made on behalf of PWDs needing support – the Disabilities Act, 2014 defines the named Caregiver.

Subsection (7) – consideration needs to be given to ensure that the information is provided in an accessible format and the JCPD can be referred to in instances where the client is unable to pay.

**PART V-Appeals and Oversight**

1. Section 26 subsection (2) – consider the Caregiver to make the appeal in instances where the PWD is unable to do so by himself.