**Review of the National Identification System- Challenges/Concerns**

Dear Hon. Minister Delroy Chuck,

Please find below some questions that have surfaced in my mind having perused the National Identification System Act currently under review by the Joint Select Committee commissioned by Parliament, for which you serve as chairperson. While a single National Identification Card maybe deemed useful, the question of the data required by this proposed Act to formulate same, remains part of my challenge in addition to the “guarantee” proffered re the safeguarding of my most intimate details when collected. I also struggle and at times find offensive the continuous use of language that the NIDS will give me an identity. The natural creative order as ordained by God ensured that this is so, that all men were uniquely created even those born twins. Why the need for the Government of Jamaica to capture same and “hold” in a database, it cannot provide 100 percent safe keeping of, remains an area of concern for me. It begs the questions, why? To what end? For what purpose does the Government of Jamaica(GoJ) truly want this data?

**Some specific questions for which I seek some clarity include:**

1. If the NIDS is truly voluntary, as it is being currently marketed, why does **SECTION 3(b)** not read “to provide for the voluntary enrolment of citizens of and individuals who are ordinarily resident in Jamaica in the National Identification Databases?” The term **“voluntary**” and I stand corrected is almost nonexistent in the Act save for **SECTION 10(2a).**
2. In **SECTION 4(b)** is this suggesting that the Authority can outsource/subcontract the data gathering processes for these “Databases?” Should the answer be yes, how can the GoJ continue to assure the people of this beloved country that “all” will be done to safeguard the privacy of their data acquired, especially the biometric details?
3. **In SECTION 5(9)** to whom is this referring- a citizen who refuses enrolment or an employee at the Authority? In light of my seeking clarity along these lines, please explain **SECTION 31(2)** which reads “no suit or other proceedings maybe brought or instituted personally against any officer of the Authority in respect of any lawful act done, or omission made, in good faith in the course of administering this Act”.
4. **Re SECTION 6(1f)** “give directions to the Chief Executive Officer in respect of the management of the Authority.” Is this the role of Boards in principle? Do Boards Micro manage the entities for which they have oversight responsibilities? In light of what is written, is this why the chairperson is appointed by the Prime Minister and not elected by fellow Board members at their first convened meeting?

Continuing on the matter of the Board of Management, as I reviewed **SCHEDULE PART II**, I asked why not increase its composition to 16 including the chairperson so he/she never acts as tie breaker as 15 will remain for all matters re voting. Further, as it relates to Balance of Power, and if this system is not truly being crafted as a tool of the GoJ- regardless of the ruling Political Party, why is there not more bi-partisan representation reflected in the composition of the Board? Civil Jamaica, in particular the Church is not definitively listed among the representatives. Also, currently Information fall under the Ministry of Education and a representative from that ministry is not named. We have various stakeholder groups such as PSOJ, Jamaica Coalition for a Healthy Society, Jamaica Cause and our Union for whom little or no opportunity is provided re representation.

Another area of concern as it relates to oversight and transparency, why doesn’t the National Inspectorate report directly to Parliament and not via the Minister as in the case of the Auditor General?

1. As it relates to **SCHEDULE PART III- Section (2),** if the expenses of the Authority including the remuneration of its employees shall be paid out of the funds of the Authority, I logically deduce that this “promotional exercise of a free NIDS Card” has an expiry date. What is the timeline for same? This will therefore, in the foreseeable future translate to become another stream of income for the GoJ in keeping with existing functions of the Registrar General Department. Interestingly though, we do not currently pay to obtain a Taxpayers Registration Number.

**General**

1. What is the planned timeline for phasing out the current forms of National I.D- i.e Passport, Voter's I.D, D.L given the NIDS will be in circulation though not mandatory but will be encouraged by essential service providers to be the ID of choice to facilitate transactions?
2. Where will these varying databases be stored in the virtual space?
3. Who are the International partners with whom the Government of Jamaica is legally allowed to share data from the NIDS without the individual citizen's permission based on Int'l Treaties signed?
4. From which International partner/Lending Agency has the GoJ sourced funding to implement the NIDS?
5. If the IMF has repeatedly over the years expressed that our Public Service Wage Bill is too high and the number of Public Sector workers needs reducing, where will the GoJ source the Human Resource needed to:
6. Input sensitive data in the various databases to be established? What level of training will these individuals be exposed to? Ethics/confidentiality etc? Will these be HOPE workers?
7. Supervise the established databases to "ensure" privacy of information shared is retained or safeguarded?
8. Will the GoJ be redeploying existing Public Servants to work in said areas?
9. What will be their minimum level of training/qualification?
10. Why isn’t the NIRA being formulated to operate as an Executive Agency of Government and this Act mandates it to answer directly to the PAAC of Parliament?
11. Why can't our existing TRN transition to be our NIN? Why the insistence of a New Number?
12. At some point humans interface with the data being inputted in the Systems/databases. Further, it is humans who write the algorithims that instructs the software. Question:
13. If duplication, manipulation of existing GoJ issued documents remains a perennial challenge and it is from said pool of individuals you will be drafting to resource this "new" oversight Agency- NIRA, how will the operations of the NIDS be any different? And more importantly, how will the GoJ "ensure" protection of these highly sensitive data if countries more "advanced technologically” and more wealthy than us have not been able to efficiently safe guard their citizens information/privacy? Should we really be embarking on this mass initiative when as a country our corruption index remains so high?

**Closing**

These are my few observations/ questions/concerns for now as a concern citizen of this country who desires to see our original mandate as country fulfilled “so that Jamaica may, under God, to increase in beauty, fellowship and prosperity, and play her part in advancing the welfare of the whole human race.”

I thank you in advance for providing some clarity on same.

Regards,

L. Harrison.