SUMBMISSION
BY
HAMISH KILLIP
TO
THE DEPARTMENT OF HOME AFFAIRS

Consultation, in principle, on the introduction of greater identification verification measures at harbours, 23rd December 2015.
Consultation, in Principle, on The Introduction of Greater Identification Verification Measures at Harbours

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1. Here is my response to the consultation document issued on 23rd December 2016, in which I express my own views and do not represent any organization or other entity. I have no objection to the further distribution or publication of this submission.

INTRODUCTION

2. The consultation’s avowed purpose is to canvas public opinion on the introduction of greater identification verification measures at harbours. In order to do this the context needs to be understood. Questions such as: “What is the threat to the security of the Isle of Man?”, “How should the threat be countered?”, “What measures are possible, appropriate and acceptable in terms of personal freedom?”. Once this framework is established it should be possible to see how the subject of greater identification verification fits into any scheme devised to maintain the Island’s security and in particular whether the specific measures listed in the Consultation Document meet the requirement and are appropriate and proportionate, i.e. whether the benefit outweighs any costs and increased regulation of individuals’ freedom and rights.

3. In the discussion section below I have attempted to frame the right questions and provide some answers.

4. My starting point was an examination of how I, if so minded, would attempt to get myself or my accomplices on to the Island with a significant quantity of Class A drugs and off the Island with any financial or material gains; and do this on a regular basis with the minimum chance of detection and thus penalty. For what it is worth, the best way I could think up involved bribing the pilot of a helicopter that regularly commutes between a private landing zone in Ireland or the UK and a private house on the Island. The pilot’s task would be to pick up and deliver packages to dead letterboxes; one on the Island, the other near the landing zone elsewhere. The aircraft owner is unlikely to discover what is going on. There does not appear to be any direct supervision of such air operations. A similar process is possible with private yachts and small fishing vessels, but there is a far greater risk of discovery from fishery protection vessels and prying eyes at some of the Island’s less frequented harbours. Meanwhile those behind this criminal activity could travel on and off the Island using say, a genuine UK driving licence gained fraudulently in someone else’s name. I used this fictional and highly speculative example as a test when considering the measures proposed in the Consultation Document.
CONCLUSIONS AND RECOMMENDATIONS

5. Having read the consultation paper, carried out some research of my own and given the matter some thought, I conclude that:

6. There should be a procedure for verifying the identity (ID) of passengers at harbours in the Isle of Man.

7. This procedure should be introduced carefully,
   - making sure that staff are well-trained,
   - that any equipment involved is trialled and shown to function effectively.
   - The introduction should be well publicised with a detailed explanation and justification.

8. I believe that the process should only be used sparingly; as a type of reserve power. It should be activated:
   - when threat levels justify extra vigilance;
   - randomly for periods of a day or two to act as a deterrent and to maintain staff expertise.

9. I believe that the measures, when invoked, should apply to all movements of people to and from the Island, not just those on scheduled flights, ferries and cruise liners. This includes, in order of the threat they pose:
   - Helicopter movements from private property.
   - Aircraft movements, other than from Ronaldsway.
   - Small vessels using minor harbours.
   - Crew and passengers of private aircraft and those using the Jet Terminal at Ronaldsway.
   - Crew and passengers of non-ferry vessels using major harbours.

10. The only acceptable ID documents are those which are machine-readable and can be checked by a verified instantly accessible database. This rules out many of the ID documents listed in the Consultation Document. At present the only ID document that comfortably meets this requirement is a passport.

11. The use of any ID document that is susceptible to forgery, or is not capable of real-time verification, is not only ineffective but represents a security threat in itself. It provides a false sense of security. If border checks can be evaded using such ID documents, it is a positive enticement for criminals and others to make use of the freedom of travel provided.

12. If the level of threat is deemed so severe that ID checks become essential, then consideration should be given to the introduction of a Manx ID Card: machine-readable, complete with biometric data and verifiable through the same database as that used for passports. Though I do not support or advocate such a...
step, it is a logical next step were the security situation to deteriorate. Such a card would also provide:

- Provide a means of ID for those who do not possess a passport
- ID when voting would eliminate personation
- Shown when collecting prescriptions
- Proof of age
- Prevention of benefit fraud
- Entitlement to disability benefits
- Could provide details of any medical condition that may require special emergency treatment, e.g. rare blood group, epilepsy etc.
- When accessing medical services, ensure speedy consultation of patient records

CONSULTATION QUESTIONS

13. In response to the specific questions posed at Para 9 of the consultation Documents:

a. In answer to the question about Section 2: I believe that ID checks at all Isle of Man points of entry and departure and at corresponding destinations may be necessary. I believe that this should be a reserve power, introduced when threat levels justify it and randomly from time to time as a deterrent measure.

b. I consider that the measures outlined in Section 3 of the consultation paper, though proportionate where they are proposed, are disproportionate with regard to their application. In order to be effective and thus justify the expense, inconvenience and resources required, the measures must apply to all means of travel to and from the Island, not just the specific routes mentioned.

c. I believe there is insufficient information available to make a meaningful assessment of the impact of the measures proposed, as discussed in Section 7. The introduction of ever more draconian regulations in connection with scheduled passenger flights has not stemmed the growth in numbers. Providing any measures taken are well explained with a clear justification beforehand, and that the staff involved are properly trained and equipped, then there is a reasonable probability that the majority of the travelling public will accept the changes, even though they will no doubt grumble. Careful pre-planning and monitoring of performance after introduction should permit the systems to be adjusted and bedded in, so that they are an appropriate response to the threat and become accepted as a matter of course by the public.

d. It appears to me that the concerns referred to in Section 8 of the Consultation Paper that the introduction of these measures may have a negative impact on the Island’s businesses is unlikely. Though there may be some negative aspects, these may well be outweighed by the positive benefits of an Island, seen to be more secure and better
protected. These latter qualities of life on the Isle of Man also influence those deciding whether to use the Island as a place to do business.

e. Above, I have already mentioned the additional measures I believe should be introduced to protect the Island and its residents from the dangers outlined in this consultation document?

f. The consultation document has not changed my mind but it has given me the opportunity to vent my opinions. Thank you.

DETAILED DISCUSSION

14. Using a series of questions, here is an examination of the issues raised in the Consultation Document.

15. **What Should Worry Us?** Any attempt to monitor movements through points of entry comes at a price. What categories of traveller make it worth spending tax?

- **People**

  - **Suspected Criminals etc.** – anyone who is sought by police or is otherwise a fugitive from justice, e.g. skipped bail, escaped prisoners etc. Also this include criminals moving property they have stolen.

  - **Individuals Subject to Banning Orders** – some individuals are subject to banning orders, prohibiting them from our shores, other are covered by UK football banning orders.

  - **Known Terrorists** – there are ‘watch lists’ of persons considered by the security services to pose a threat. This is for the Island’s benefit, that of surrounding jurisdictions and the world as a whole.

  - **Human Traffickers** – though this sounds dramatic, it includes the increasing instance of a parent removing children without legal authority.

  - **Smugglers** – anyone who intends evading the payment of duty, importing or exporting illicit drugs, moving stolen or laundered money, dealing in illegal weapons.

16. **Can We Identify These People?** It depends ….

**Yes.** Where a known individual has been reported to the authorities and has, at some time, been formally identified, it is a simple matter of circulating the details. If a robust system exists at the port, then it should be possible to detect such people. Convicted criminals including smugglers, escapees and known terrorists should fall into this group.
Probably. There may sufficient information concerning suspected criminals and those reported to have abducted children can be placed in this category.

No. Anyone smuggling who has never been intercepted, suspected criminals for whom there is an inadequate description and anyone who has convincing forged identity documents.

17. How Do People Come and Go from the Island? The consultation paper mentions several possibilities, but focusses on only one; I believe it is essential to survey the whole problem.

- **By Sea**
  - **Scheduled Passenger Services** – almost all make use of the Douglas Sea Terminal, with very occasional use of other harbours.
  - **Cruise Liners** – too large to dock in any of the Island’s harbours, these craft depend on a flotilla of lighters and tenders to ferry passengers back and forth to the Island’s harbours.
  - **Commercial Vessels** – this category covers a wide range of ships. There are coasters based in Ramsey, bulk fuel vessels docking in Douglas, bulk carriers, gas-rig support vessels, tugs, and many others. Although most use the Island’s principal harbours, such as Douglas, Ramsey and Peel, they may be occasionally seen elsewhere.
  - **Fishing Vessels** – the waters round the Island are constantly occupied by fishing vessels ranging from vast modern factory-style ships down to tiny boats. A few land their catches on the Island or put in for shelter, maintenance or resupply. They use several of the Island’s harbours and quays.
  - **Training and Pleasure Craft** – mostly in summer months, the Island is visited by a large number of diverse craft. There are tall ships, training crews by in the art of sailing, private yachts, motor cruisers and smaller craft. In addition, the Island has its own compliment of private vessels that come and go throughout the year. These vessels can be seen at every place around our coast which can accommodate them.
**By Air**

- **Scheduled Passengers Services** – the vast majority of air-passengers pass through the main terminal at Ronaldsway.

- **General Aviation Passengers** – The private jet terminal at Ronaldsway handles a small, but significant number of passengers.

- **Private Aircraft** – There are large numbers of movements by private aircraft, including helicopters, through Ronaldsway which are handled separately from the two categories above, I believe. Additionally, and more importantly, there are other runways and air-strips in use on the Island, e.g. Andreas.

- **Private Helicopters** – Unlike fixed-wing aircraft, helicopters are not restricted to recognised and approved landing grounds. Helicopters are used for regular commuting trips from the Isle of Man.

18. **Are These Movements Monitored?** It depends....

**Yes.** All scheduled passenger services and cruise liner visits appear to be supervised in one way or another by government officials. In the case of Airlines and Cruise Lines, passenger manifests are prepared and filed. These are based on an identity check at some point in the process.

**Probably.** It is not at clear to what extent other movements of passengers and crew are monitored. I presume, and certainly hope, that those passing through Ronaldsway’s Jet Terminal or arriving in their own light aircraft or helicopter are required to submit to the same measures applied to passengers using scheduled flights.

**Not Sure.** To what extent the movements of light aircraft using landing grounds other than Ronaldsway are monitored is unclear. It appears that the system relies on pilots to use official points of entry. Whether any effort is made to check who is using such airstrips and from whence they came I do not know. The same logic applies to vessels arriving at ports other than Douglas. It appears to depend on captains sticking to the rules. Whether harbour masters and what remains of the coast guard keep an eye on vessel movements in this regard is difficult to ascertain.

**Definitely Not.** The movements of most concern involve helicopters. Given that rotary-wing aircraft may land almost anywhere, monitoring such aircraft presents real difficulties. Leaving and returning on a daily basis from the grounds of a private house without any mandated requirement to file flight plans, means that the ferrying of people and goods to
and from the Island, is limited only by the range of the aircraft. This is compounded by the likely use of a similarly private landing pad at the destination. This appears to be an identity-free zone.

19. **How Do We Identify People?** The answer is an ‘acceptable document’. The problem is determining what makes an identity document acceptable. It is essential to decide this point bearing in mind several factors:

- The overwhelming majority of people travel on valid ID documents, detailing their true name and details.
- There are significant numbers of passengers who may not possess, or present without, acceptable ID documents.
- A very small number of people resent identifying themselves as a matter of principle, and are not criminals, terrorists or any other category that would justify denying them passage.
- Anyone who is determined to avoid being identified may go to great lengths to obtain forged documents, and may use disguise as part of the deception. The greater the criminal or terrorist enterprise the more money an effort will be expended to ensure their unmolested, undetected movement.
- Advances in software, the universal availability of high-quality printers, laminators and other printing paraphernalia makes forgery affordable and accessible to anyone with a motive to utter a forgery.
- The best defence against forgery is the ability to check identity against a verifiable database, e.g. the process used when a machine-readable passport is interrogated electronically and checked against an entry in a central remote database; better still if this includes biometric data which provides for unique matching.
- Any ID document which is susceptible to forgery, transfer or misuse, is doubly dangerous. First, it provides a false and wholly misleading sense of security. This may lead to complacency and a reduced level of vigilance. Second, paradoxically, it may provide the user with a guaranteed means of getting on and off the Island without fear of detection and thus lead to an increase in illegal activity, rather than a reduction.
20. Proposed ‘Acceptable’ ID Documents – But Are They? The Consultation Document lists 14 types of documents suitable for the purposes of verifying the identity of the person travelling. Assessed against the factors above I believe that most of them are wholly unsuitable. I have placed some fanciful examples of these documents throughout this submission.

a. **Valid passport** – the ‘gold standard’ ID document, particularly if of the current ‘bio-metric’ type. The document is machine-readable, and if a suitable terminal is installed, can be checked instantly against a secure central verified database. Even the use of a passport which has expired within the previous two-years would meet the requirement.

b. **Valid Photographic EU or Swiss National Identity Card.** These documents are machine-readable, hard to forge and recorded centrally, though it is unclear whether it is possible to have instant access through a terminal to interrogate all of the national databases. However, are operators able to recognize the validity of all the different types of these cards?

c. **Valid Photographic Driving Licence (Full or Provisional).** The nature of photographic driving licences is variable. The EU has a fairly hard to forge standard, but elsewhere it is pot-luck. Most are not machine readable; many are issued without proper ID checks. Failures to carry out satisfactory ID checks when drivers are being tested have led to the issue of UK licences with false names.

d. **Valid Armed Forces Identity Card.** The magnetic stripe is not always readable; it is unlikely that access would be granted a central database.

e. **Valid Police Warrant Card/Badge.** Not machine readable? Is there any national police database listing all warrant holders?

f. **Valid Airport Employees Security Identity Pass.** Is there an up-to-date accessible database?

g. **Valid Isle of Man Proof of Age Card.** Not machine readable. No central database available for instant checking?

h. **Valid Government Issued Identity Card.** Probably machine readable. Is there an up-to-date accessible database?

i. **Valid Photographic Firearm Certificate.** Susceptible to forgery. Not machine readable.

j. **Valid Bus Pass Issued by IoM Government or UK Council.** Not machine readable.

k. **Citizencard (UK Photo ID and Proof of Age Card).**

l. **SMART Card.** No detail.

8- Susceptible to forgery, no database.
m. **Electoral Identity Card.** I am not aware what these are?

n. **Disabled Badge.** Machine readable?