



OFFICE OF THE BIOMETRICS  
AND SURVEILLANCE  
CAMERA COMMISSIONER

Michael Lawrence  
Marketing Director. Dahua Technology Ltd  
*By e-mail*

11 April 2022

Dear Michael

### **Human rights and ethical considerations in public space surveillance partnership**

Thank you for contacting my office with a request to meet to discuss the Secure by Default scheme.

One of my statutory functions is to promote the statutory Surveillance Camera Code which aims to achieve accountable, proportionate and transparent use of surveillance cameras in public space. My remit extends to all relevant authorities - essentially the police and local authorities - both of which have significant shared responsibilities for upholding human rights, promoting equality and acting ethically in the discharge of their respective public duties. A key part of my role is to provide guidance on matters covered by the Surveillance Camera Code, one element of which is the Secure by Default scheme introduced by my predecessor.

The use of public space surveillance by the police and local authorities is already one of the most sensitive and contentious aspects of human rights, privacy and data protection. Developments in biometric surveillance technology mean that the ability of organisations and individuals to interfere with the privacy of others is more pervasive and less conspicuous than ever, with some surveillance capabilities even being included in the Wassenaar Arrangement for limiting export of weapons and dual-use technology.

Against this backdrop the direct role played by biometric surveillance technology in facilitating the systematic human rights atrocities as revealed by the House of Commons Foreign Affairs Committee in July 2021<sup>1</sup> (in which your company is named) is a significant cause of concern among local authorities and police forces covered by the Surveillance Camera Code of Practice and the citizens whom they serve. In December last year the Uighur Tribunal<sup>2</sup> heard evidence from a number of sources and found<sup>3</sup> that the Chinese State had committed genocide against Uighur Muslims in the Northwest Region of China known as Xinjiang, starkly increasing public awareness of both the human rights and ethical issues and of the role played by companies designing and supplying that technology. The availability of what some see as newly-intrusive technology such as Live Facial Recognition, Artificial Intelligence and Machine Learning/Automated Decision-Making has generated numerous requests for my office to provide specific guidance in respect of the ethical and human rights considerations when procuring and deploying such surveillance

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<sup>1</sup> [committees.parliament.uk/publications/6624/documents/71430/default/](https://committees.parliament.uk/publications/6624/documents/71430/default/)

<sup>2</sup> [uyghurtribunal.com/wp-content/uploads/2022/01/Uyghur-Tribunal-Judgment-9th-Dec-21.pdf](https://uyghurtribunal.com/wp-content/uploads/2022/01/Uyghur-Tribunal-Judgment-9th-Dec-21.pdf)

<sup>3</sup> Para 190

capabilities and many relevant authorities are reviewing their surveillance partnerships and the extent of their human rights and ethical obligations.

When speaking at the Security Event at the NEC, Birmingham earlier last week, I was emphatic in my view that partnerships between relevant authorities and the private sector are critical to the lawful, proportionate and accountable use of biometric surveillance technology in England & Wales. As the legitimate role of that technology continues to grow - both in scale and importance – the need to establish strong, ethical partnerships that reflect the values of our communities, our workforce and our businesses will grow with it. The human rights obligations arising in procurement and partnering form part of the ‘golden thread’ identified in the UK government’s guide to implementing the UN Guiding Principles on Business and Human Rights which also includes democratic freedoms, good governance and transparency.

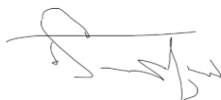
If we are to have a meaningful meeting around the Secure by Default scheme as you have requested it will be important for me to understand how you are addressing the Committee’s concerns (and those of the Tribunal) and what steps you are taking actively to promote human rights and ethics such that all relevant authorities can have confidence that any partnerships with your company can, in the words of HM Chief Inspector of Constabulary, Fire and Rescue Services, be “soundly and enduringly based on trust and common interest<sup>4</sup>”.

In light of these fundamental issues, I would be very grateful if you could confirm your company’s recognition of the government’s findings: that there is compelling evidence of widespread and systematic human rights violations occurring in Xinjiang, including the extra-judicial detention of over a million Uighur Muslims and other minorities in “political re-education camps” since 2017; systematic restrictions on Uighur culture and the practice of Islam; extensive and invasive surveillance targeting minorities and credible evidence of forced labour both within and beyond Xinjiang, and of the forced suppression of births<sup>5</sup>. I would also be grateful if you could confirm the extent of your company’s involvement in those camps and the surveillance activity that supports their operation.

In the interests of transparency, I will be placing a copy of this letter (and your response) on my website. Once these questions have been addressed, I will be happy to arrange a meeting with you to discuss Secure by Default and any other relevant matters.

I look forward to receiving your response.

Yours sincerely,



**Professor Fraser Sampson**  
**Biometrics and Surveillance Camera Commissioner**

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<sup>4</sup> Annual Assessment of Policing in England and Wales 2021, p60.

<sup>5</sup> as set out in the Government’s response to the Committee’s Report, published 1 November 2021.