



OFFICE OF THE BIOMETRICS
AND SURVEILLANCE
CAMERA COMMISSIONER

Martin Hewitt QPM
Chair of National Police Chiefs' Council

22nd March 2022

Dear Martin

Re: Surveillance-Enabled Human Rights Atrocities

I hope this finds you well and that the recent NPCC CCTV conference in Bristol was well received. For my part I found it interesting and practically focused and I am grateful for the invitation to address the venue.

I am writing to follow on from the event and record formally my concerns around the human rights and ethical considerations in the procurement and deployment of surveillance technology. I have previously written to ministers about the ethical and security considerations to be taken into account in light of the evidence that has emerged about some state-sponsored surveillance companies. As I set out in my presentation in Bristol, I have highlighted the obvious and unavoidable ethical considerations arising from the [findings of the Foreign Affairs Committee in July 2021](#) and the subsequent judgment of the [Uyghur Tribunal in December last year](#) with the treatment of Uyghur Muslims in Xinjiang, China.

I am not alone in my belief that there are very specific ethical and human rights considerations involved in the *police* partnering with surveillance technology companies associated with these atrocities. In terms of the purely ethical considerations around procurement from such companies using money from policing I am unable to see how any decision to do so would get past the National Decision-Making Model centred as it is around ethics. However, while most in policing need no explanation as to why it would, for example, be abhorrent to expect officers and staff to wear body worn devices supplied by the same state-sponsored companies using those devices to facilitate the rape, torture and killing of detainees as found to have taken place by the Tribunal, and why it would go against everything in our traditional policing values, some still argue that the absence of a 'barred list' from government means it is acceptable to do so. To me this not only abdicates ethical leadership; it also risks significantly damaging the public trust and confidence which the police in the UK still enjoy.

In his final report as HM Chief Inspector of Constabulary Fire and Rescue Services (HMCIC) Sir Tom Winsor says this:

“Those who knowingly and deliberately create or tolerate the conditions in which crimes are committed and victims are isolated from protection and justice should be given the most potent grounds to fear the criminal law, operated and applied vigorously by the law enforcement institutions of the state.”

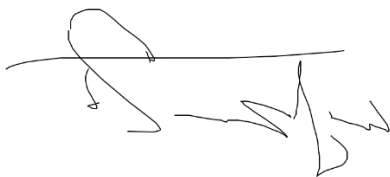
I would invite everyone from such a law enforcement institution to agree with that statement which is grounded in the professional values of our police service, a police service that is still one of the most admired, respected and emulated in the world; I would also invite them to decide whether the proven treatment of Uyghur Muslim detainees meets this description.

Looking ahead, HMCIC says “What is needed is a material intensification of a partnership with the private sector that is soundly and enduringly based on trust and common interest.” Nowhere is that truer than in the context of biometric surveillance.

As we know, the use of surveillance by the police is already one of the most sensitive and contentious aspects of policing by consent at the moment and I believe that strong clear leadership is needed if we are to take our communities, partners and workforce with us. To that end I plan to draft some guidance on the specific human rights and ethical considerations in this area and will be working with partners on it in the coming weeks and have written to Jenny Gilmer, the NPCC Lead for CCTV welcoming any input. I am also meeting with Jim Colwell this week and will discuss these issues with him in the context of body-worn devices.

Please note that in the interest of transparency, this letter will be published on our website.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fraser Sampson', written over a horizontal line.

Professor Fraser Sampson
Biometrics and Surveillance Camera Commissioner