

## Note of meeting between Hikvision and Scottish Biometrics Commissioner

24 February 2023, Edinburgh

1400 hrs to 1520 hrs

### In attendance:

Jeffrey He, Vice President, Global Public Affairs, Hikvision (meeting host)  
Justin Hollis, Marketing Lead, Hikvision United Kingdom, and Ireland  
Matthew Ballard, Executive Vice President and Managing Director BCW Global, Washington  
Matthew Sutton, Associate Director, BCW Global, London  
Dr Brian Plastow, Scottish Biometrics Commissioner (invited guest)

### Purpose

The meeting in central Edinburgh, followed the receipt of a letter dated 30 January 2023, from Mr Jeffrey He, Vice President, Global Public Affairs, [Hikvision](#), requesting a meeting with the Commissioner in Scotland. In that letter (published with this contemporaneous meeting note), Hikvision sought to discuss the role its technologies play in a public safety context in Scotland. The invite letter acknowledged the significant interest in the future of Hikvision operations in Scotland, against the context of decisions by Scottish Government to phase out Hikvision and other companies' products across its estate.

Also in attendance were the above representatives from [BCW Global](#) who are engaged by Hikvision as a strategic communications partner.

### Points of Discussion

#### Company profile

Hikvision firstly gave a summary of their business operating model both globally and in the U.K. and in Scotland. This included a summary overview of the company profile, and corporate governance structures. Hikvision is a core developer and manufacturer of audio and video encoding, camera manufacture and associated data processing and storage solutions. It has more than 42,000 employees worldwide, more than 20,000 of which are engineers working in research and development. The company has an extensive global marketing network serving various sectors including public security, transportation, retail, education, healthcare and financial institutions.

Hikvision then highlighted its approach to increase transparency in its operations, governance, and social responsibility. In the U.K. this include the adoption of standards on behalf of itself and its group companies to support the UK Modern Slavery Act 2015.

Hikvision stated that it takes these responsibilities seriously and is committed to working with the Scottish and U.K. Governments to further this programme.

### Scottish Biometrics Commissioner (SBC)

The Commissioner provided a brief overview of his role in Scotland as an independent officeholder appointed by the Scottish Parliament. The Commissioner explained that his functions in Scotland extend solely to biometric data used for policing and criminal justice purposes and solely by Police Scotland, the Scottish Police Authority, and the Police Investigations and Review Commissioner. None of the biometric databases in Scotland used by these bodies to process DNA, fingerprints, or facial images are provided by or linked to technologies provided by Hikvision or other China based companies. However, the Commissioner explained that it had been reported publicly that Police Scotland own a small number of non-networked Hikvision cameras, and that there were also several local authorities in Scotland using Hikvision cameras that fed public space surveillance images into at least one Police Scotland control room.

The Commissioner also explained that unlike England and Wales, Scotland does not have a public space surveillance camera commissioner and that the functions of the SBC do not extend to public space surveillance systems operated by local authorities. Accordingly, there is no independent oversight of such matters in Scotland, except in relation to compliance with U.K. data protection laws by the U.K. Information Commissioner (ICO). However, the Commissioner explained that any image acquired through local authority public space surveillance and subsequently used by Police Scotland, would fall within the scope of the Commissioner's functions in Scotland and the statutory Code of Practice. The Commissioner also advised that the necessary assurances had been received from Police Scotland around data security.

The Commissioner also highlighted that in evidence and written submissions to the Scottish Parliament, he had previously highlighted the absence of a coherent national strategy for public space surveillance in Scotland, and had highlighted opportunities to improve independent oversight, governance, and accountability.

### **Geopolitical tensions, Cyber Security and Human Rights**

Although the meeting was primarily about Scotland, a brief discussion then took place on the cyber-security and human-rights considerations that had emerged within the wider context of on-going geopolitical tensions. Human rights considerations had seen Hikvision cameras removed by the EU Parliament in April 2021 due to “the unacceptable risk that Hikvision operations in internment facilities in Xinjiang, China were contributing to serious human rights abuses.”

In July 2021, the UK Foreign Affairs Committee had published a report on the UK's responsibility to act on atrocities in Xinjiang. The report concluded that ‘Hikvision provide the primary camera technology used in the internment camps.’ Then in November 2022, the U.K. Government instructed that Hikvision cameras could no longer be installed in UKG

sensitive or core sites because of “current and possible security risks.” In December 2022, the Scottish Government also announced that it would be phasing Hikvision cameras out of government buildings in Scotland. However, it was also noted that there was no general ban imposed on Hikvision in the USA, Europe, the U.K., or Scotland.

The Commissioner explained that as an officeholder supported by the Scottish Parliament he does not have access to intelligence or information beyond that which has been placed in the public domain. Against that context, he asked Hikvision if they would like to comment on the allegations of involvement by the company in human rights atrocities in Xinjiang.

Hikvision responded that it was a matter of public record that Hikvision had won five large government contracts in Xinjiang, China. At the time of tender, the specification was to build five ‘education facilities’ in Xinjiang province and Hikvision had secured the contracts as a commercial enterprise under public private partnership models. The contracts involved construction and included the provision of surveillance cameras as part of the build. However, Hikvision disputes that the precise future intended purpose of these facilities were known to them at the time of tender, and refutes any ongoing involvement in the running or monitoring of these government facilities. However, they acknowledge the sensitivities of being a part state-owned manufacturer and supplier. It is also acknowledged that many U.K. based companies, including some in Scotland hold significant shareholdings in Hikvision.<sup>1</sup>

Hikvision also point to having commissioned [Pierre-Richard Prosper](#), a former US State Department Ambassador for War Crimes, to investigate its Xinjiang human rights compliance, specifically at the five facilities referenced. The Prosper report had concluded that it did not find that Hikvision entered into the five projects in Xinjiang with the intent to knowingly engage in human rights abuses or find that Hikvision knowingly or intentionally committed human rights abuses itself or that it acted in wilful disregard. Hikvision accept that some might not accept these findings on the basis that the research was funded by them. However, they point to the credentials of Mr Prosper as an internationally respected war crimes investigator.

On the question of cyber-security, Hikvision explained that there appeared to be a lack of due process as the reasons behind the decisions on government facilities had not been given, and that it had not yet had the opportunity to meet with UK or Scottish Ministers to learn what evidence there was to support the decisions or to defend their position. It was for this reason that they were receiving the assistance of BCW Global as a strategic communications partner. They would welcome the opportunity to meet with Ministers and other key stakeholders in Scotland.

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<sup>1</sup> Abridn, formerly Standard Life Aberdeen Plc, Edinburgh based investment company was reported as holding more than a one million dollar shareholding in Hikvision. Article in The Times, British funds ‘are used to enable China’s human rights abuses’ 15 July 2019.

The Commissioner then asked Hikvision whether any action had been taken against them by the UK Information Commissioner (ICO) with regard to any data protection breaches, acknowledging that these are reserved matters for Westminster. Hikvision confirmed that they are a manufacturer and supplier in the UK, rather than an operator of surveillance cameras, and accordingly no such issues or concerns had been raised with them by the ICO.

### **Scottish Parliament Motion S6M-07832**

The Commissioner highlighted during the meeting that there had been a [debate](#) in the Scottish Parliament the previous day on Chinese State Surveillance and included within the motion was a reference to Hikvision.

The Commissioner informed Hikvision that the Scottish Government Minister for Community Safety Elena Whitham MSP had spoken to the motion highlighting that national security and data protection are reserved matter for Westminster.

The Minister had highlighted the [Scottish Government's China policy](#) which supports the economic, cultural, educational, and social relationships with the people of China in keeping with the values of Scotland. The Minister was clear that she expects businesses and institutions in Scotland to continue engagement with China and to understand and manage the risks associated with international partnerships.

### **Code of Practice**

The Commissioner took the opportunity to highlight and present a copy of the statutory [Code of Practice](#) on biometric data and technologies which was approved by the Scottish Parliament and Scottish Ministers and took legal effect in Scotland on 16 November 2023.

### **Conclusion**

Hikvision thanked the Commissioner for agreeing to the meeting to discuss their operations in Scotland and the meeting concluded.