



The Rt Hon Lord Carloway  
Lord President

Parliament House  
Edinburgh, EH1 1RQ

20 January 2022

Dr Brian Plastow  
Scottish Biometrics Commissioner  
Bridgeside House  
99 McDonald Road  
Edinburgh EH7 4NL

*Dear Dr Plastow,*

**Scottish Biometrics Commissioner Act 2020 – Draft Code of Practice**

Further to your letter of 1 October 2021 and subsequent email of 31 December 2021, I am grateful for the additional time given to consider to the draft code of practice.

The draft code sets out a useful and practical guide for those engaged in the use of biometric data for criminal justice and policing purposes. It sets out a principled approach which focuses on lawfulness, necessity and proportionality whilst also emphasising human rights issues and is underpinned by the relevant parts of the GDPR and the Data Protection Act 2018. In my view, the 12 Guiding Principles and Ethical Considerations provide an appropriate summary and guide to the approach to be taken to the processing of biometric data.

*Yours sincerely*

A handwritten signature in blue ink, consisting of stylized initials and a long horizontal stroke.