

## Crown Office Chambers Barrister Privacy Notice

This privacy notice contains information about the information collected, stored and otherwise processed about you and the reasons for the processing. It also tells you who I share this information with, and how to contact me in the event you need further information.

Acting as a barrister, I collect, use and am responsible for personal information (data) about you. When I do this I am the 'controller' of this information for the purposes of the GDPR and the Data Protection Act 2018.

If you need to contact me about your data or the processing carried out you can use the contact details at the end of this document.

### What do I do with your information?

When carrying out the provision of legal services I may collect some or all of the following personal information that you provide:

#### General personal information

- a. personal details
- b. family details
- c. lifestyle and social circumstances
- d. goods and services
- e. financial details
- f. education, training and employment details
- g. other personal data relevant to instructions to provide legal services, including data specific to the instructions in question.

#### Special category information

- h. physical or mental health details
- i. racial or ethnic origin
- j. political opinions
- k. religious, philosophical or other beliefs
- l. trade union membership
- m. sex life or sexual orientation
- n. genetic data
- o. biometric data for the purpose of uniquely identifying a natural person
- p. criminal proceedings, outcomes and sentences, and related security measures

I refer to the information in items (a) to (g) as "General personal information" and to the information in items (h) to (p) as "Special category information" (being information considered to be particularly sensitive, including information about health and convictions or offences).

I may also collect all of the above information if acting in a judicial capacity or when asked to provide a reference.

## Information collected from other sources.

The personal information I obtain may include information which has been obtained from:

- lay clients
- experts and other witnesses
- other legal professionals
- prosecution authorities
- courts and tribunals
- trainee barristers
- family and associates of the person whose personal information I am processing
- in the event of complaints, the Head of Chambers, other members of Chambers who deal with complaints, the Bar Standards Board, and the Legal Ombudsman
- other regulatory authorities
- current, past or prospective employers
- education and examining bodies
- business associates, professional advisers and trade bodies, e.g. the Bar Council
- the intended recipient, where you have asked me to provide a reference.

## How I use your personal information: Purposes

I may use your personal information for the following purposes:

- i. to provide legal services to my clients, including the provision of legal advice and representation in courts, tribunals, arbitrations, and mediations
- ii. to keep accounting records and carry out office administration
- iii. to take or defend legal or regulatory proceedings or to exercise a lien
- iv. to respond to potential complaints or make complaints
- v. to check for potential conflicts of interest in relation to future potential cases
- vi. to promote and market my services to you
- vii. to carry out anti-money laundering and terrorist financing checks
- viii. to train other barristers and when providing work-shadowing opportunities
- ix. to respond to requests for references
- x. when procuring goods and services
- xi. to publish legal judgments and decisions of courts and tribunals
- xii. as required or permitted by law
- xiii. where necessary for the administration of justice

## Whether information has to be provided by you, and why.

If I have been instructed by you or on your behalf on a case, or if you have asked for a reference, your personal information has to be provided to enable me to provide you with advice or representation or the reference, to enable me to comply with my professional obligations, and to keep accounting records.

## The legal basis for processing your personal information.

In respect of General personal information:

- If you have consented to the processing of your personal information, then I may process your information for the purposes set out above to the extent to which you have consented.
- If you are a client, processing is necessary for the performance of a contract for legal services or in order to take steps at your request prior to entering into a contract.
- I rely on my legitimate interest and/or the legitimate interests of a third party in carrying out the processing for the purposes set out above.
- In certain circumstances processing may be necessary in order that I can comply with a legal obligation to which I am subject (including carrying out anti-money laundering or terrorist financing checks), or for the administration of justice.
- The processing is necessary to publish judgments or other decisions of courts or tribunals.

In relation to Special category information:

- I am entitled by law to process the information where the processing is necessary for legal proceedings, legal advice, or otherwise for establishing, exercising or defending legal rights.
- I rely on your explicit consent for any processing for the purposes set out above.

## Sharing your data.

If you are a client, some of the information you provide will be protected by legal professional privilege unless and until the information becomes public in the course of any proceedings or otherwise. As a barrister I have an obligation to keep your information confidential, except where it otherwise becomes public or is disclosed as part of the case or proceedings.

It may be necessary to share all or part of your information with any of the following:

- My Chambers acting as my data processors
- other legal professionals
- experts and other witnesses
- prosecution authorities
- courts and tribunals
- trainee barristers
- lay clients
- family and associates of the person whose personal information I am processing
- in the event of a complaint, the Head of Chambers, other members of Chambers who deal with complaints, the Bar Standards Board, the Legal Ombudsman
- other regulatory authorities
- current, past or prospective employers
- education and examining bodies
- business associates, professional advisers and trade bodies, e.g. the Bar Council
- the intended recipient, where you have asked me to provide a reference.

I may be required to provide your information to regulators, such as the Bar Standards Board, the Financial Conduct Authority or the Information Commissioner's Office. In the case of the Information Commissioner's Office, there is a risk that your information may lawfully be disclosed by them for the purpose of any other civil or criminal proceedings, without my consent or yours, which includes privileged information.

I may also be required to disclose your information to the police or intelligence services, where required or permitted by law.

## Transfer of your information outside the European Economic Area (EEA).

If you reside outside the EEA or the legal services, or the role for which you require a reference, involve persons or organisations or courts and tribunals outside the EEA, it may be necessary to transfer some of your data to that country outside of the EEA for that purpose.

If your information has to be transferred outside the EEA, then it may not have the same protections and you may not have the same rights as you would have within the EEA.

In providing legal services I may communicate with you and other persons by email or other electronic means and your information may be held electronically. Accordingly, your information may be transferred to or held on servers and computers located outside the EEA when this is necessary for:

- (1) the establishment, exercise or defence of legal claims;
- (2) the performance of any contract between you and me or the implementation of pre-contractual measures taken at your request;
- (3) the making or performance of a contract made between me and another person in your interests;

or you have explicitly consented after having been informed of the possible risks.

If I publish a judgment or other decision of a Court or Tribunal containing your information then this will be published to the world.

## How long will I store your personal data?

I will retain your personal data for the length of time required for the specific purpose or purposes for which it was collected. However, I will take into account:

- legal obligations under applicable law to retain data for a certain period of time
- any statute of limitations under applicable law
- any potential or ongoing complaint
- the minimum information needed to make checks for conflict of interest
- the minimum information needed to manage outstanding financial matters.

## Consent.

As explained above, I am relying on your explicit consent to process your Special category information (items (h) to (p) above). You provided this consent when you agreed that I would provide legal services or you asked me to provide a reference.

You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity I have carried out prior to you withdrawing your consent. However, where I also rely on other bases for processing your information, you may not be able to prevent processing of your data. For example, if you have asked me to work for you and I have spent time on your case, you may owe me money which I will be entitled to claim.

If there is an issue with the processing of your information, please contact my chambers using the contact details at the end of this document.

## Your Rights.

As a barrister, much of the information which I hold is subject to legal professional privilege or a duty of confidentiality. In such cases your rights may be restricted by law. Where such restrictions do not apply you have a number of rights that you can exercise in certain circumstances. These are free of charge. In summary, you may have the right to:

- Ask for access to your personal information and other supplementary information;
- Ask for correction of mistakes in your data or to complete missing information I hold on you;
- Ask for your personal information to be erased, in certain circumstances;
- Receive a copy of the personal information you have provided to me or have this information sent to a third party. Where appropriate this will be provided to you in a machine readable format e.g. a Word file;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict my processing of your personal information in certain circumstances.

More information about your rights under the GDPR is available from the Information Commissioner's Office (ICO).

If you want to exercise any of these rights, please:

- Use the contact details at the end of this document;
- provide a contact address so that you can be contacted to request further information to verify your identity;
- Provide proof of your identity and address;
- State the right or rights that you wish to exercise.

I will respond to you within one month from when I receive your request.

## How to make a complaint.

The GDPR also gives you the right to lodge a complaint with the Information Commissioner's Office if you are in the UK, or with the supervisory authority of the Member State where you work, normally live or where the alleged infringement of data protection laws occurred. The Information Commissioner's Office can be contacted at <http://ico.org.uk/concerns/>.

## Future Processing.

I do not intend to process your personal information except for the reasons stated within this privacy notice. If this changes, this privacy notice will be amended, an updated version will be published on the Crown Office Chambers website [www.crownofficechambers.com](http://www.crownofficechambers.com)

## Contact Details.

If you have any questions about this privacy notice or the information I hold about you, please contact me at [clerks@crownoofficechambers.com](mailto:clerks@crownoofficechambers.com) or at Crown Office Chambers, 2, Crown Office Row, London EC4Y 7HJ. Please give my name in any communications.

May 2018