

Privacy Notice – Data Protection Act 2018

Thank you for choosing to instruct me in your case. I will need to collect and hold your personal information in order to represent you. I will take all possible steps to protect your personal information. I am determined to do nothing that would infringe your rights or undermine your trust. This Privacy Notice describes the information I collect about you, how it is used and shared, and your rights regarding it.

Data Controller

I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that I hold and process as a barrister. My registered address is Field Court Chambers, 5 Field Court, Gray's Inn, London, WC1R 5EF and my registration number is Z2819932.

Data Collection

All the information that I hold about you is provided to or gathered by in the course of your case and/or proceedings. Your solicitor and/or I will tell you why we need the information and how we will use it. Further information as to the type of information I may collect, how I may use and share it and the sources from which I may obtain it are set out below.

Lawful Basis for processing your information

The Data Protection Act 2018 requires all organisations that process personal data to have a Lawful Basis for doing so. The Lawful Bases identified are:

- Consent of the data subject
- Performance of a contract with the data subject or to take steps to enter into a contract
- Compliance with a legal obligation

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- To protect the vital interests of a data subject or another person
 - Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
 - Legitimate interests of my own, or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.
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Information I may collect:

I do not use automated decision-making in the processing of your personal data.

I may collect some or all of the following personal information that you or third parties (such as other legal representatives, witnesses, families and friends, regulators, public records, courts and tribunals) provide:

- a. Personal details such as name, email, phone number, address, bank details and date of birth.
- b. Location details and Device IP address.
- c. Financial information.
- d. Family details.
- e. Lifestyle and social circumstances.
- f. Racial or ethnic origin.
- g. Political opinions.
- h. Religious or philosophical beliefs.
- i. Trade union membership.
- j. Sex life or sexual orientation.
- k. Genetic data.
- l. Biometric data.
- m. Medical Records including details of any physical or mental health details.
- n. Criminal Records.
- i. Other personal data relevant to instructions to provide legal services.

I may use your information to:

- i. Provide legal advice and representation in courts, tribunals, arbitrations and mediation.
- ii. To keep accounting records and carry out office administration.
- iii. To take or defend legal or regulatory proceedings or exercise a lien.
- iv. Investigate and respond to potential complaints or make complaints.
- v. To check for conflicts of interests.
- vi. To promote and market my services.
- vii. To carry out anti-money laundering and terrorist financing checks.
- viii. Assist in training pupils and mini-pupils.
- ix. To respond to requests for references.
- x. Communicate with you about news, updates and events.
- xi. To publish legal judgments and decisions of courts and tribunals.
- xii. Investigate or address legal proceedings relating to your use of my services/products, or as otherwise allowed by applicable law.
- xiii. As required or permitted by law.

I rely on the following Lawful Bases upon which I process your personal data:

- If you have consented to the processing of your personal data then I may process your personal data for the purposes set out above to the extent you have consented for me to do so.
- If you are client, it is necessary for me to process your data for the purposes of performing the contract for legal services or taking steps to enter into such a contract.
- In relation to categories of particularly sensitive information (set out in (f)-(n) above), I rely on your consent for any of the processing for the purposes set out in purposes (ii), (iv), (vi), (viii) and (ix) above. I need your consent to carry out processing for these purposes. However, if I do not have your consent for (iv) and (ix) (responding to complaints and providing a reference) I will be unable to take on your case or provide a reference. This is because I need to be able to retain all the material about your case until

there is no prospect of a complaint and to provide an informed and complete reference.

- In relation to categories of particularly sensitive information (set out in (f)-(n) above), I am entitled by law to process this information where the processing is necessary for legal proceedings, legal advice or otherwise establishing, exercising or defending legal rights.
- In relation to information which is not within categories (f)-(n) above, I rely upon legitimate interest and/or the legitimate interests of a third party in carrying out the processing for the purposes set out above.
- Processing may be necessary in order so that I can comply with a legal obligation which I am subject to (including carrying out anti-money laundering or terrorist financing checks).
- The processing is necessary to publish judgments or other decisions of courts or tribunals.

I may share your personal data with:

If you are a client, some information you provide will be protected by legal professional privilege unless and until the information becomes public in the course of legal 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 your information with the following:

- Instructing solicitors.
- Opposing Counsel, for the purposes of resolving the case.
- Other legal professionals.
- Pupil or mini pupil under my training.
- Data processes such as my Chambers staff, IT support staff, email and accounting providers, data storage providers and my accountants/book-keeper.
- Experts and other witnesses.
- Prosecution authorities.

- Courts and tribunals.
- Staff in Chambers.
- Lay clients.
- Family and associates of the person whose personal information I am processing.
- Education and examining bodies.
- In the event of a complaint, my Head of Chambers, other members of chambers who deal with complaints, the Bar Standards Board and the Legal Ombudsman.
- My legal advisors in the event of a dispute, complaint or other legal matter.
- Other regulatory authorities.
- Current, past or prospective employers.
- Business associates, professional advisers and trade bodies (e.g. Bar Council).
- The intended recipient where you have asked me to provide a reference.
- The general public in relation to the publication of legal judgments or decisions of courts and tribunals.

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 be lawfully disclosed by them for the purpose of any other civil or criminal proceedings, without my consent or yours, which includes privileged information.

Sources of information

The personal information I obtain may include information from:

- Instructing solicitors.
- Opposing Counsel, for the purposes of resolving the case.
- Other legal professionals.
- Pupil or mini pupil under my training
- Data processes such as my Chambers staff, IT support staff, email and accounting providers, data storage providers and my accountants/book-keeper.
- Experts and other witnesses.
- Prosecution authorities.
- Courts and tribunals.

- Staff in Chambers.
- Education and examining bodies.
- Lay clients.
- Family and associates of the person whose personal information I am processing.
- In the event of a complaint, my Head of Chambers, other members of chambers who deal with complaints, the Bar Standards Board and the Legal Ombudsman.
- My legal advisors in the event of a dispute, complaint or other legal matter.
- Other regulatory authorities.
- Current, past or prospective employers.
- Business associates, professional advisers and trade bodies (e.g. Bar Council).
- The intended recipient where you have asked me to provide a reference.
- Public sources such as press, public registers and law reports.

Transfers to third countries and international organisations

Adequacy regulations confirm that a particular third country (or specified territory or sector in a third country) or international organisation has an adequate data protection regime. The adequacy regulations cover EEA states and some other countries.

This privacy notice is of general application and as such it is not possible to state whether it will be necessary to transfer your information out of UK. However, if you reside outside of the UK or your case or the role for which you require a reference involves persons or organisations or courts and tribunals outside of the UK then it may be necessary to transfer some of your data to that country for that purpose. If you are in a country outside the UK or if the instructions you provide come from outside the UK then it is inevitable that information will be transferred to those countries. If this applies to you and you wish additional precautions to be taken in respect of your information please indicate this when providing initial instructions.

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

I will not otherwise transfer personal information outside the UK except as necessary for providing legal services or for any legal proceedings.

If you would like any further information please use the contact details at the end of this document.

How long will I store your personal data?

I will normally store all your information:

- until at least 1 year after the expiry of any relevant limitation period (which will usually be 6 years, but may be 12 years, or longer where the case includes information relating to a minor), from the date of the last item of work carried out, the date of the last payment received or the date on which all outstanding payments are written off, whichever is the latest. This is because it may be needed for potential legal proceedings. At this point any further retention will be reviewed and the data will be marked for deletion or marked for retention for a further period. The latter retention period is likely to occur only where the information is needed for legal proceedings, regulatory matters or active complaints. Deletion will be carried out (without further notice to you) as soon as reasonably practicable after the data is marked for deletion.
- I will store some of your information which I need to carry out conflict checks for the rest of my career. However, this is likely to be limited to your name and contact details and the name of the case. This will not include any information within categories (f) to (n) above.
- Information related to anti-money laundering checks will be retained until five years after the completion of the transaction or the end of the business relationship, whichever is the later.
- Names and contact details held for marketing purposes will be stored indefinitely or until I or my clerks become aware or are informed that the individual has ceased to be a potential client.

Your

Rights

The Data Protection Act 2018 gives you specific rights around your personal data. For example, you have to be informed about the information I hold and what I use it for,

you can ask for a copy of the personal information I hold about you, you can ask us to correct any inaccuracies with the personal data I hold, you can ask us to stop sending you direct mail, or emails, or in some circumstances ask us to stop processing your details. Finally, if I do something irregular or improper with your personal data you can seek compensation for any distress you are caused or loss you have incurred. You can find out more information from the ICO's website http://ico.org.uk/for_the_public/personal_information and this is the organisation that you can complain to if you are unhappy with how I dealt with you.

Accessing and Correcting Your Information

You may request access to, correction of, or a copy of your information by contacting the clerks at email address clerks@fieldcourt.co.uk. Alternatively, you can telephone 020 7405 6114.