

DAP Privacy Notice – Public Access Cases

This notice tells you how we process personal information in public access cases. Processing includes collecting, storing and using the information. 'We' means the barristers, clerks and staff at the 'Barristers Direct', Chambers of Timothy Raggatt QC, 4 King's Bench Walk, Temple, London DC4Y 7DL ('Chambers').

The types of personal information we process

Personal information (also known as personal data) means any information relating to an identified or identifiable natural person. The types of personal information we process include:

- information about our clients (such as name, date of birth, contact details and financial information such as bank account or payment card details)
- information used to provide our services (such as information provided by our clients or others which enables us to advise and represent our clients)
- marketing information (such as email addresses used for marketing and advertising purposes)

In some cases in order to provide our services it may be necessary for us to process 'special category' data. This includes information relating to criminal convictions or offences, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, genetic or biometric data, sex life or sexual orientation.

Why we collect personal information and how it is used

We collect and use personal information in order to:

- provide our services to our clients;
- decide if we will accept instructions from a potential client;
- comply with our regulatory and legal obligations;
- manage and market our Chambers.

The lawful basis on which we process personal information

We may only process personal information if we have a lawful basis for doing so. That will be one or more of the following:

- In order to carry out our clients' instructions or to provide our services to our clients;
- In order to comply with our regulatory or legal obligations;
- Where it is necessary for our legitimate interests (or those of a third party such as one of our clients) and the interests and fundamental rights of the individual whose personal information we are using do not override those interests;

- Because we have the consent of the person to whom the information relates. Consent may be withdrawn at any time. However, consent may not be the only basis on which we are lawfully processing the information;
- In respect of 'special category' data, either because we have consent to do so or because it is necessary to do so in connection with legal proceedings, obtaining legal advice or establishing, exercising or defending legal rights.

Confidentiality and retention of personal information.

We maintain the confidentiality and security of personal information in accordance with our regulatory and legal obligations. Barristers have a duty under their Code of Conduct to keep information provided to them by their clients confidential. That duty is subject to exceptions where disclosure is required or permitted by law, where the client gives informed consent to the disclosure or where the information is or has become public knowledge.

We have policies and procedures to protect the personal information we hold from:

- Unauthorised access;
- Improper use or disclosure;
- Unlawful destruction or accidental loss.

We will retain personal information for at least seven years or until one year after the expiry of the relevant limitation period, whichever is the longer. (NB: the limitation period in most cases is six years but it may be longer, for example if the case relates to children). This is to comply with barristers' regulatory obligations and in case the information is needed for legal proceedings or in relation to complaints. After this time the information will be deleted unless:

- there is a good reason to retain it for a longer period. This might be the case if there are potential or actual legal proceedings, regulatory enquiries or complaints;
- it is required for conflict checks, in which case it will be retained until the barrister ceases to practise. However this information will normally be limited to basic information like names and contact details;
- It is held for marketing purposes. Again this will normally be limited to basic information like names and contact details, and it will be retained indefinitely or until we become aware that the individual has ceased to be a potential client.

Sharing personal information with others

It may be necessary to share personal information with others for the following reasons:

- In order to provide our services. This may include sharing information with other parties to a case and their representatives, witnesses including expert witnesses, courts, tribunals, arbitrators and mediators.

- Where the person whose information we hold asks us to share it with someone else or consents to us doing so. This may include the family, other professionals or associates of our clients.
- For the purpose of managing Chambers, training and marketing. This may include sharing information with our clerks and other Chambers' staff and trainee barristers.
- When we outsource support services. This may include email providers, data storage providers, couriers, litigation assistants and translators.
- Where we are required to do so for regulatory or legal reasons. This may include providing information to regulatory authorities such as the Bar Standards Board, Ombudsmen, the Information Commissioner's Office ('ICO') and law enforcement agencies. It may also include providing information to third parties such as legal advisers or insurers in the event of a dispute.

Any third party to whom we transfer personal information is obliged to treat it in accordance with the law and that usually means they are under the same or similar obligations as we are.

It is not normally necessary for us to transfer data outside the European Economic Area ('EEA') or to a country that has not had an adequacy decision by the European Commission. However if that was necessary, for example because a client or a party was located outside the EEA or we are using cloud storage based outside the EEA, we will take steps to ensure that any such transfer outside the EEA to a third country is in compliance with UK/EEA privacy laws.

Your rights

Under the General Data Protection Regulation ('GDPR') you may have the right to:

- ask for access to your personal information (known as a 'data subject access request');
- ask for a correction if the personal information we hold on you is inaccurate or incomplete;
- ask for your personal information to be deleted or removed;
- object to us using your personal information for direct marketing;
- object to or restrict us from processing your personal information.

Please note, however, that many of these rights only arise in certain situations. They may not apply in the circumstances of your case. For more information about your rights see the guidance on [Individual Rights Under the GDPR](#) on the ICO's website.

If you wish to exercise any of these rights contact us using the details below. We may need to verify your identity before we can comply with the request.

Enquiries, complaints and contact details

If you have a query or complaint you can contact us by letter or email to:

Senior Clerk
Chambers of Timothy Raggatt QC
4 King's Bench Walk
London, EC4Y 7DL

clerks@4kbw.co.uk

You may also lodge a complaint with the ICO at ico.org.uk/concerns/