

Privacy Policy

PRIVACY POLICY OF:

Gareth Jacques

St. Mary's Chambers Ltd, 32a Stoney Street, Lace Market, Nottingham, NG1 1LL

Z1275249 renewable on 26 March 2024

Policy became operational on: 1 January 2020

Last review date: 9 August 2023

Next review date: 9 August 2024

In order to provide legal advice and representation, I need to collect and hold personal information. This may be your personal data or information relating to other parties involved in the matter. I will take all possible steps to protect personal information. I will ensure that I do not do anything that may 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 St. Mary's Chambers, 32a Stoney Street, Lace Market, Nottingham, NG1 1LL and my ICO registration number is Z1275249. If you need to contact me about your data or this privacy notice, you can reach me at clerks@stmarysfamily.co.uk

Data collection

The vast majority of the information that I hold about you is provided to, or gathered by, me 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. In addition to the information, you may provide to me or your solicitor, I also obtain information from other sources as follows:

- *Information that is available publicly in registers, searches or in the media*
- *Other legal professionals including solicitors and barristers and their associates, trainees and staff*
- *Chambers staff*
- *Expert witnesses*
- *Prosecution bodies*
- *Regulatory, public or administrative bodies*
- *Court staff & officials*
- *Clients*
- *References*

What data do I process about you?

I collect and process both personal data and special categories of personal data as defined in the UK GDPR. This may include:

- Name
- Email address

- Phone number
- Address
- Payment or bank details
- Date of birth
- Next of kin details
- Details pertaining to education and employment
- Information on your background & current circumstances
- Financial information

Where relevant, I may also need to process special category personal data that reveals your:

- Racial or ethnic origin
- Political opinions
- Religious and philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data for the purpose of uniquely identifying a natural person
- Data concerning health
- Sex life and sexual orientation

On occasion, I may also process personal data relating to criminal convictions and offences.

My lawful basis for processing your information

In order that I can provide legal services and representation for you, I must process your personal data. The UK General Data Protection Regulation (the UK GDPR) requires that where I process personal data, I must have a lawful basis for doing so. The lawful bases identified in the UK GDPR that I seek to rely upon are as follows:

- **Consent of the data subject** – where this required, I will ensure that I have your specific consent for processing your data for the specified purposes. You will also have the right to withdraw your consent at any time. Where you do so this will not affect the legality of data processing which had taken place prior to your withdrawal of consent.
- **Performance of a contract with the data subject, or to take steps to enter into a contract.**
- **Compliance with a legal obligation** – to comply with various regulatory and professional obligations, e.g. filing tax returns with HMRC.
- **The legitimate interests of my business or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.**

Examples of legitimate interests include but are not limited to:

- Provision of legal services and advice.
- For purposes of practice management, accounting and debt recovery;
- For completion of professional regulatory requirements.
- Processing for direct marketing purposes, or to prevent fraud.
- Reporting threats to public security.
- Such other purposes as set out below.

Special category processing

The UK GDPR specifies that where I process special category data, I must rely upon certain exemptions in order to do so lawfully. The following exemptions are applicable in my practice

1. I have your explicit consent to do so; or
2. It is necessary for the exercise or defence of legal claims or judicial acts.

Criminal data processing

On occasion, I process data relating to criminal offences where it is necessary for:

- The purpose of, or in connection with, any legal proceedings;
- The purpose of obtaining legal advice; or
- The purposes of establishing, exercising or defending legal rights
- Where I have your explicit consent to do so.

I use your information to:

- Provide legal advice and representation;
- Assist in training pupils and mini pupils;
- Investigate and address your concerns;
- Communicate with you about news, updates and events;
- Investigate or address legal proceedings relating to your use of my services, or as otherwise allowed by applicable law;
- Make statutory returns as required by [x];
- Assist in any tendering or panel membership applications;
- Assist in any other applications for the purpose of professional development or career progression;
- Communicate legal updates and judgments to other legal professionals;
- For marketing purposes.
- For the management and administration of my practice
- To recover debt
- To manage complaints with regulators
- Communications with regulators
- Where relevant to conduct anti money laundering, terrorist financing or conflict of interest checks

In the course of processing your information to provide legal services to you, I may share your personal data with:

- Instructing solicitors;
- Legal representatives for other parties involved in your case;
- A barrister, pupil or mini pupil, under my training;
- Opposing legal representatives, for the purpose of resolving your cases;
- The management and staff of St. Mary's Chambers Ltd who provide administrative services;
- My regulator or legal advisors in the event of a dispute or other legal matter arising;

- Law enforcement officials, government authorities, or other third parties to meet any legal obligations;
- Legal directories for the purpose of professional development;
- Any relevant panel or tendering committee, for the purpose of professional development;
- Accountants and banking officials;
- Courts, arbitrators or adjudicators in the ordinary course of proceedings;
- Regulators or arbitrators, where complaints or disputes arise;
- Any other party where I ask you for consent, and you consent, to the sharing.
- I may also be required to disclose your information to the Police or intelligence services where required by law or pursuant to a court order.

Transfers to third countries and international organisations

I may transfer personal information to legal representatives in third countries where those legal representatives have been instructed on the same matter as, or on a matter connect with, the matter on which I am instructed by you. The safeguards that apply are the legal and professional obligations of those legal representatives and any relevant contractual terms in the agreement by which you have instructed such legal representatives.

I am satisfied that any such transferred data is fully protected and safe guarded as required by the UK General Data Protection Regulation.

Retention of personal information

I retain your personal data while you remain a client unless you ask me to delete it. My Retention and Disposal Policy (copy available on request) details how long I hold data for and how I dispose of it when it no longer needs to be held. I will delete or anonymise your personal information at your request unless:

- There is an unresolved issue, such as a claim or dispute;
- I am legally required to; or
- There are overriding legitimate business interests to do so.

I will typically retain case files for a period of 6 years following the conclusion of a case/matter or receipt of final payment, whichever is the latest. This reflects the period required by the Bar Mutual Indemnity Fund relating to potential limitation periods.

Where various pleadings and documents have been drafted, they may be retained for learning purposes and legal research. Where this is the case, I will anonymise the personal information / redact information which may identify an individual/risk assess the continued retention of the documents.

Your rights

The UK GDPR gives you specific rights in terms of 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 me to correct any inaccuracies with the personal data I hold, and you can ask me to stop sending you direct mail, or emails, or in some circumstances ask me 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 more information from the ICO's website: http://ico.org.uk/for_the_public/personal_information. The ICO is the organisation that you can complain to if you are unhappy with how I have dealt with your query.

Accessing and correcting your information

You may request access to, correction of, or a copy of your information by contacting me at: DPO@stmarysfamily.co.uk

Marketing opt-outs

You may opt out of receiving emails and other messages from my practice by following the instructions in those messages.

Updates

I will occasionally update this Privacy Notice. When I make significant changes, I will notify you of these by email. I will also publish the updated notice on St. Mary's Chambers website