



St John's Chambers Privacy Notice

1. About this Notice

This Notice is provided to you on behalf of the individual Barristers who practise from St John's Chambers ("Barristers"). This Notice is also provided on behalf of St John's Chambers ("Chambers"), which carries out various functions in relation to Barristers and Chambers, as explained below.

This Notice explains how Barristers and Chambers process personal data – that is to say, the various ways in which they obtain, hold, use and disclose personal data. In some contexts, the Data Controller will be an individual Barrister. In other contexts, the Data Controller will be Chambers. This Notice covers both situations.

This Notice also explains what your rights are in relation to any personal data about you that is processed by Barristers or Chambers.

Relevant Law

The way in which Barristers and Chambers process personal data is governed by data protection law, which includes the General Data Protection Regulation 2016 ("GDPR") and the Data Protection Act 2018 ("DPA 2018").

Explanation of terms used in this Notice

The following terms are defined by the GDPR and DPA 2018. A short explanation is given below (though it is not intended to substitute for the definitions set out in the legislation).

By **personal data**, we mean information relating to an identified or identifiable person.

By **special category personal data** we mean:

- Personal data that reveals any of the following about an individual: racial or ethnic origin; political opinions; religious or philosophical beliefs; or trade union membership.
- Personal data that consists of: genetic data; biometric data used for the purpose of identifying an individual; data concerning health; or data concerning an individual's sex life or sexual orientation

By **criminal offence** data we mean data about whether an individual has committed or has been convicted of a criminal offence.

By a **Data Controller** we mean the person or body which determines the purposes and means of the processing of personal data.

Professional Clients are solicitors or other professionals who instruct a Barrister on behalf of another person.

Lay Clients are individuals on whose behalf a Barrister is instructed by a solicitor or other professional. As used in this Notice, the term also includes individuals who instruct a Barrister on a direct access basis (i.e. without using a solicitor or another professional to instruct the Barrister on their behalf).

2. Summary:

<p>Whose personal data do we deal with?</p>	<p>Chambers and its Barristers handle the personal data of a wide variety of individuals including:</p> <ul style="list-style-type: none"> • Actual and potential clients • Other individuals involved in the legal disputes and requests for legal advice; • Individuals who may be concerned in the provision of services to Chambers and its Barristers, in Barristers other professional activities, or in the administration and running of Chambers.
<p>What do we use personal data for?</p>	<p>Chambers and its Barristers use personal data:</p> <ul style="list-style-type: none"> • In the provision of legal services • In the administration and running of Chambers • In our related professional activities
<p>Who do we send personal data to?</p>	<p>We send personal data to third parties in the normal course of providing legal services. For example, to courts, tribunals, mediators, adjudicators and opposing solicitors and barristers in litigation.</p>
<p>Individuals right to object to processing</p>	<p>Chambers and Barristers process Personal Data in the pursuit of legitimate interests.</p> <p>Individuals have a right to object to processing in pursuit of legitimate interests. Individuals can exercise this right as set out below.</p>
<p>What other data protection rights do individuals have?</p>	<p>The GDPR and DPA provides various rights for individuals whose Personal Data are processed by Chambers or Barristers. Those rights include (depending on the circumstances):</p> <ul style="list-style-type: none"> • Your right of access - You have the right to ask us for copies of your personal information. • Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. • Your right to erasure - You have the right to ask us

	<p>to erase your personal information in certain circumstances.</p> <ul style="list-style-type: none"> • Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances. • Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances. • Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances. <p>You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.</p> <p>Please contact us at officemanager@stjohnschambers.co.uk, 0117 923 4717 and St John's Chambers, 101 Victoria Street, Bristol BS1 6PU if you wish to make a request.</p>
Transfers outside the EU	<p>Chambers and Barristers may occasionally share your personal data with Dropbox who are currently hosted in Germany. Otherwise, Chambers and Barristers do not generally transfer personal data outside the UK. This may occasionally be required, for example when providing services to clients outside the UK.</p> <p>If we ever transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it either by using countries that have been deemed to provide an adequate level of protection for personal data, or we contractually require such service providers to give personal data the same protection as it has in the UK.</p>

3. The type/categories of personal information Barristers and Chambers collect:

In the majority of cases, Barristers are instructed by Professional Clients to provide legal services on behalf of the Professional Clients own client. A Barrister may also receive instructions to provide legal services directly to a Lay Client (known as direct access or public access). Most of the personal information processed is provided to Chambers who then passes the information to the Barristers. The personal information is received by Chambers:

- Indirectly by Professional Clients – this typically occurs when instructing solicitors provide the relevant personal information in relation to a case to Chambers clerks who then provide the information to the instructed Barrister.

- Directly by Lay Clients who have instructed the Barrister directly.

This personal data is typically received when the Professional or Lay Client engages with the Barrister to provide the legal services. Additional information may be requested by the Barrister or be provided by the Professional or Lay Client during the ongoing conduct of the matter.

A Barrister will typically be provided with information by their client for the purposes of providing legal services to that client. That information is likely to include Personal Data which may include, but is not limited to:

- The Lay Client, or where the client is a corporate entity, individuals who are employed by or otherwise act on behalf of the corporate entity.
- The Barristers Professional Client, or individuals who represent the Professional Client
- Witnesses or other individuals concerned in the request for legal advice or the relevant dispute or matter
- Any opposing parties in the relevant matter (or their representatives)
- Barristers, solicitors and other professional representatives including expert witnesses acting for any opposing party
- Mediators, adjudicators and members of the judiciary who have been or are likely to be involved in the relevant matter.

In some circumstances, the information provided will include Special Category Personal Data. For example:

- Barristers who practice personal injury, clinical negligence, inquest or Court of Protection law will typically receive information as to the health of their Lay Client or others involved in a case or request for legal advice.
- Barristers who practice in employment law or in public law may receive such information in respect of their Lay Client or others in relation to discrimination claims or claims to which an individual's health may be relevant.
- Barristers who practice family law and children law may receive such information relating to their Lay Client or information from another person who has included their personal data in a court form which they have completed. Personal data may also be obtained from other sources throughout the course of the proceedings, for example from professional organisations such as a Local Authority, a school, Cafcass, Cafcass Cymru or another party to the proceedings.

Chambers and Barristers will receive Personal Data in relation to the Lay Client or Professional Clients regarding payment for the Barristers legal services such as credit card details, or bank account information.

4. Other information collected by Chambers or Barristers

Barristers and Chambers may also collect Personal Data for purposes other than the provision of legal services in relation to:

- Professional interest groups, legal education, or similar
- Accountants and financial advisers
- Potential clients identified to a Barrister
- Activities incidental to the provision of legal services such as mediators, charitable support, social governors, teachers, mentors. Each Barrister will collect Personal Data in relation to individuals with whom they have contact during the course of that activity.

5. Information collected by Chambers

Chambers employs staff members (including barristers' clerks) to assist Barristers in conducting their practices, and to deal with the administration of St John's Chambers. This includes Personal Data:

- From individuals who apply to Chambers for membership, for employment as a member of staff, for pupillage, or for short term work experience
- From individuals who supply or offer to supply services to Chambers either long term (courier & postal services, cleaners, IT support, library services, premises maintenance, office supplies, typing services) or ad hoc (catering or events).
- That is processed for billing purposes and for marketing purposes. In relation to marketing data, Chambers will not send marketing emails except where permitted under the Privacy and Electronic Communications Regulations 2003 or any successor legislation.

The information collected by Chambers will typically include contact details, and where applicable, professional information such as employment details.

For applicants – please see our [Fair Processing Notice for applicants and pupils](#)

The basis on which Chambers processes such personal data is as follows.

- The processing of staff data and data relating to contract workers is necessary for the performance of employment or other contracts to which Chambers and the relevant data subjects are parties.
- The processing of special category personal data in connection with employment is conducted on the basis that the processing is for employment purposes, or for occupational health purposes. Please see our [Fair Processing Notice for Employees](#) for further information.
- Data relating mini-pupils and pupils is processed on the basis of the legitimate interest of St John's Chambers, Barristers, and Chambers, in the recruitment and training of new barristers and of potential new members of St John's Chambers.
- Marketing data is processed on the basis of the legitimate interests of St John's Chambers, Barrister and Chambers in marketing the services of Barristers practising at St John's Chambers. The processing of personal data for direct marketing by email is carried out on the basis of consent.

6. Who is the data controller?

The structure of Chambers means that in some instances the individual Barristers will be the Data Controller and in some circumstances Chambers will be the Data Controller.

Chambers is the Data Controller:

Chambers is the Data Controller for electronic personal data held by staff members (e.g. in the staff member's email accounts and on their work devices) for the purposes of helping Barristers run their practices.

Chambers is also the Data Controller in respect of any electronic personal data processed in connection with any unallocated case (i.e. a case that has been sent to St John's Chambers but has not been allocated to a particular Barrister).

Chambers is the Data Controller in respect of any hard copy files which fall within the scope of the GDPR and which relate to a case which is unallocated.

Chambers is the Data Controller for data that is processed for the purposes of administering St John's Chambers.

Chambers is the Data Controller in respect of all data relating to staff employed by Chambers, contract workers who provide services to St John's Chambers (e.g. cleaners and plumbers), and mini-pupils and pupils at St John's Chambers

Barristers are the Data Controller

Where Personal Data is collected directly by the Barrister then the Barrister will be the Data Controller. In this situation, Chambers will assist the Barrister in the ways described above and this will involve the processing of personal data as a Processor on behalf of the Barrister.

7. The lawfulness of processing Personal Data

The legal basis upon which Chambers processes personal data for the above purposes is as follows:

- Where a professional or lay client has given consent to the processing of their personal data by a Chambers, then the processing of that personal data by Chambers is based on consent.
- As is necessary in pursuit of Chambers' legitimate interests in:
 - The pursuit of its core business and incidental services as described above;
 - Bringing or responding to civil claims in connection with its core business and incidental activities;
 - Maintaining records for the purposes of complying with accounting rules;
 - Engaging in direct marketing activities in order to promote the services provided by Barristers.
- Where Chambers processes special category personal data or criminal conviction data, this is on the basis that the processing that is necessary for the establishment, exercise or defence of legal claims. This would cover circumstances where the personal data was processed in connection with

litigation, for the purpose of providing legal advice or defending claims arising out of a Barristers legal services.

The legal basis upon which Barristers process personal data as Data Controllers is as follows:

- Where a professional or lay client has given consent to the processing of their personal data by a Barrister, then the processing of that personal data by the Barrister is based on consent.
- As is necessary in pursuit of the Barrister's legitimate interests as follows:
 - Providing legal services;
 - Complying with the applicable law and regulatory requirements (including but not limited to the Barrister's obligations under the BSB Handbook and any other requirements imposed by the Bar Standards Board etc);
 - Managing the Barrister's practice and professional commitments;
 - Marketing the Barristers professional services;
 - Carrying out the Barrister's other professional and incidental activities as referred to above;
 - Bringing or responding to claims arising out of the Barrister's activities and meeting the requirements of the Barrister's professional indemnity insurance;
 - Complying with accounting rules.
- Where a Barrister processes special category personal data this is on the basis that the processing is necessary for the establishment, exercise or defence of legal claims. This would cover the processing of personal data both in connection with litigation and for the purpose of providing legal advice.
- Where a Barrister processes criminal records data, Barristers (and Chambers acting as a Processor on behalf of the Barristers instructions) will process such information in connection with the relevant legal proceedings, the provision of the requested legal advice, or otherwise for the purposes of establishing, exercising or defending legal rights.

8. The recipients to whom we transfer personal data

Chambers and its Members transfer Personal Data to a broad range of recipients.

Recipients within Chambers

Where a Barrister is the Data Controller in respect of particular personal data, they will provide that data to Chambers for the purposes of obtaining its assistance as data processor on behalf of the Barrister. The Barrister may also transfer that data:

- to other Barristers, for example:
 - where two or more Barristers are instructed by the same client to provide legal services in relation to the same proceedings or request for advice; or
 - where two or more Barristers are instructed as opposing barristers in the same proceedings; or

- to pupils or individuals undertaking “mini-pupillage” or other work experience within Chambers.

Where Chambers is the Data Controller in respect of particular Personal Data, it may provide that data to one or more Barristers for the purposes of obtaining their assistance as Data Processors on behalf of Chambers.

Providers of IT and related services

Barristers and Chambers transfer personal data to third parties which provide IT facilities and related services as Data Processors on behalf of Chambers and its Barristers. This includes providers of email processing and storage services, storage and backup of other electronic files, network and internet services, telephony services, and confidential waste and IT equipment destruction services.

Other recipients

Chambers and its Barristers transmit personal data to other entities and individuals involved in legal proceedings. This may include:

- courts, tribunals, arbitrators and mediators;
- Barristers’ lay and professional clients;
- witnesses and other professionals such as expert witnesses; and
- opposing parties, opposing solicitors and opposing barristers and their chambers.

Chambers and its Barristers may also transmit Personal Data to recipients outside the context of legal proceedings. This may include:

- other barristers or organisations which represent the interests of or organise events or training for barristers;
- regulatory authorities (such as the Bar Standards Board), Ombudsmen and other authorities exercising legal powers;
- current, past or prospective employers or professional contacts of Chambers’ staff, Barristers or pupils or prospective staff, members or pupils, in connection with applications for employment or pupillage or membership of Chambers, or in connection with applications by Barristers for judicial appointments;
- entities involved in the selection of barristers as panel counsel or Queen’s Counsel;
- Chambers’ or Barristers’ professional advisers, for example when seeking legal, financial, accountancy or management consultancy advice;
- third party providers of listings or directories of barristers;
- third party providers of assistance to individual Barristers, for example legal assistants or researchers or typists;
- third party providers of services to Chambers or to Barristers, such as restaurants, venue operators or events management companies; and/or
- third parties involved in journalistic or publicity-raising activities, such as events organisers or legal publishers.

9. The duration of our processing of personal data

The periods for which we retain personal data are set out in our Data Retention and Disposal Policy.

10. Your rights

Under the GDPR and DPA 2018, you have various rights in connection with any personal data about you that is processed by a Barrister or by Chambers as Data Controller.

The right to be informed of processing activities, under Articles 13 and 14 of the GDPR:

- the right of access to the individual's personal data which is being processed, under Article 15;
- the right to have inaccurate personal data rectified, and incomplete data completed, under Article 16;
- the right to have personal data erased, under Article 17;
- the right to have processing activities restricted, under Article 18;
- the right to data portability, under Article 20;
- the right to withdraw consent, where processing is based on consent, under Article 7(3);
- the right not to be subject to decisions based on automated processing which produce legal or other similarly significant effects, under Article 22; and
- the right to complain to a supervisory authority, under Article 77.

All of these rights are set out in detail in the GDPR and DPA 2018, which explain the conditions for the exercise of these rights, and any limitations. Various exemptions may apply, including in relation to data that is protected by legal professional privilege.

If you wish to exercise any of these rights, please make it clear whether you are seeking to exercise your rights against one or more Barristers (and if so, please identify them) and/or against Chambers.

11. Impact of legal privilege

Individuals rights under the GDPR may be limited where their personal data is contained in information which is subject to legal privilege.

Information transmitted to a Barrister for the provision of legal services will, as a general rule, be subject to legal privilege. Where this is the case, Chambers and the Barrister may be required not to comply with individual rights under the GDPR.

If legal privilege prevents Chambers or a Barrister from complying with a request from an individual to exercise their rights, then this will be explained in the response provided by Chambers or the Barrister.

12. Consequences of failing to provide data

If you are a client of one or more Barristers, and you do not provide information to them, or if you withdraw any consent for the processing of personal data by them or Chambers, or require them or Chambers to cease processing your data or to erase your data, then the effect may be that: the Barrister(s) in question are unable to provide legal services to you; or the Barristers in question are unable to provide all of the legal services that you have asked for.

13. Right to lodge a complaint

You have the right to lodge a complaint to the Information Commissioner about the processing of your data by a Barrister or Chambers.

The contact details are:

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Website: <https://ico.org.uk>

14. Contact details

The Data Controller for your personal data may be an individual Barrister practising at St John's Chambers, or may be St John' Chambers. This Notice explains above which will be the Data Controller in relation to specific personal data.

Barristers, and Chambers, can be contacted at: The Office Manager, St John's Chambers, 101 Victoria Street, Bristol, BS1 6PU

Website: www.stjohnschambers.co.uk/

Telephone : 0117 923 4700

Where appropriate, personal data may also be processed to the extent that we are required to do so by law; or in connection with any legal proceedings or prospective legal proceedings, including in order to establish, exercise or defend our legal rights.

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