



## Barristers' Privacy Notice in relation to Client Services

### Application of this Notice to Clients and others

This Notice applies to those whose personal information is processed in the course of providing services to clients including advisory, investigation and litigation services. Categories of individuals include:

- Clients and prospective clients;
- Third party professional contacts such as solicitors, judges, arbitrators, mediators, expert witnesses.
- Other individuals whose personal information is processed for the purposes of providing services including opponents in litigation, subjects of investigation and witnesses.

These categories of individuals are referred to as "data subjects" in this notice.

### Data Controllers

The Data Controller in this policy (the "Controller") is the barrister who has been instructed, or who it is proposed may be instructed, who receives instructions ("Instructions") for those purposes ("Carrying Out Instructions") containing personal information. In the normal course of a barrister's practice, the barrister and not Littleton Chambers is the Controller under data protection legislation.

### What information does the Controller collect?

All information provided to the Controller in connection with Carrying Out Instructions is collected by the Controller, whether provided by the client, the client's solicitor or other advisors, other parties to litigation or others related to the subject matter of the Instructions.

The Controller may, depending on the scope of the Instructions, collect and process a range of personal information including:

- Name, address and contact details, including email addresses and telephone numbers, dates of birth, gender;
- The terms and conditions of Instructions;
- Details of qualifications, skills, experience and employment or self-employment history, including start and end
- Dates;
- Details of bank accounts, national insurance numbers, tax codes, VAT records and professional advisers;
- Information about marital status, next of kin, and dependants;
- Information about nationality and entitlement to work in the UK;
- Information about criminal offences and records;
- Details of actions and activities relevant to the Instructions;
- Information generated by monitoring devices including door access control mechanisms, closed circuit television
- and other security systems;
- Telephone, email, instant messages, internet access details and records;
- Information about medical or health conditions, including whether or not you have a disability for which the
- Controller needs to make reasonable adjustments;
- Feedback from solicitors and clients, or other parties present during the Controller's activities as a barrister; and
- Photographs and video if related to the Instructions.

The Controller may collect this information in a variety of ways. For example, data might be collected and obtained from information provided at the start of or during Carrying Out Instructions; from passports or other identity documents for the purpose of for example anti-money laundering regulations; from court hearings and discussions with other parties to litigation; from correspondence; through interviews or other meetings; investigations; and regulatory or law enforcement bodies.

Data will be stored in a range of different places, including in the Controllers' management systems and in other IT systems (including the Controller's email system). Data will also be stored on the management systems of Littleton Chambers.

## **Why does the Controller process personal data?**

The Controller needs to process data in order to carry out Instructions and to ensure that the Controller's practice is managed competently and efficiently having regard to the obligations of the Controller to the client, the court, other parties to litigation, under the Bar Standard Board's Code of Conduct, and to satisfy any other regulatory or legal requirement.

The legal bases for this processing are as follows:

- the performance of the contract with the client to provide legal services;
- compliance with legal obligations (such as anti-money laundering searches and conflict checks);
- the legitimate interests of the Controller and other third parties which are not overridden by the rights of the Data Subject which allows the Controller to Carry Out Instructions and fulfil other professional obligations that arise including:
  - maintain accurate and up-to-date records and contact details;
  - operate and keep a record of any complaints or related processes;
  - training of pupils and mini-pupils;
  - ensure effective general and business administration;
  - respond to and defend against legal claims.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out reasonable adjustment obligations. These categories of information and information such as ethnic origin, sexual orientation, religion or belief and trade union membership may also be processed where necessary for the Carrying Out of Instructions.

## **Who has access to data?**

Information collected during or otherwise arising from the Carrying Out of Instructions may be shared:

- with clients and prospective clients; third party professional contacts such as solicitors, judges, arbitrators, mediators, expert witnesses; and other individuals including opponents in litigation, subjects of investigation and witnesses.
- internally with clerks, pupils and mini pupils;
- internally with senior Chambers management and marketing on a limited basis for specific purposes;

Third-party IT service providers may have access to the data if it is necessary in the performance of providing IT storage, infrastructure or services to the Controller.

The Controller also shares limited information with third parties who process data on its behalf, including IT service and business administration service providers, and in connection with bank transfers and accountancy requirements.

## **Transfer of data outside the EEA**

The Controller will not transfer your data to countries outside the European Economic Area (EEA), unless:

- you have explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers, in advance;
- the transfer is necessary for the performance of a contract between the data subject and the Controller or the implementation of pre-contractual measures taken at the their request;
- the transfer is necessary for the conclusion or performance of a contract concluded in the data subject's interest between the Controller and another natural or legal person;
- the transfer is necessary for the establishment, exercise or defence of legal claims;
- the transfer is necessary for the Controllers compelling legitimate interests.

The circumstances in which a barrister as data controller may transfer personal data outside the EEA are as follows:

- The client or individuals working with the client are located outside the EEA;
- Parties to litigation or proposed litigation, or individuals working with them, are located outside the EEA; and
- The barrister themselves undertakes work whilst located outside the EEA.

## **How does the Controller protect data?**

The Controller takes the security of personal data seriously. The Controller and Littleton Chambers have internal policies and controls in place to try to ensure that personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by the employees of Littleton Chambers in the performance of their duties.

Where the Controller engages third parties to process personal data on its behalf, it does so on the basis of written instructions, under a duty of confidentiality and under obligations to implement appropriate technical and organisational measures to ensure the security of data.

#### **For how long does the Controller keep data?**

Personal data will be retained for as short a period as possible and the retention period may vary depending on the type of personal data involved and the purposes of processing. It will also take into account our need to meet any legal, statutory and regulatory obligations. In all cases the need to use your personal information will be reassessed on a regular basis and information which can be destroyed because it is no longer required will be disposed of effectively and securely.

#### **Data subject's rights**

Data subjects have a number of rights, all of which are defined in scope and subject to specific legal exemptions. In summary, they may request to:

- access and obtain a copy of their data;
- change incorrect or incomplete data;
- delete or stop processing personal data in appropriate circumstances, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of personal data where the Controller is relying on its legitimate interests as the legal ground for processing.

To exercise any of these rights, the data subject should please contact Felicity Schneider, Administration Director, email: [fschneider@Littletonchambers.com](mailto:fschneider@Littletonchambers.com) or DDI: 020 77978624.

If a data subject believes that the Controller has not complied with their data protection rights, they can complain to the Information Commissioner's Office (ICO). The ICO's website is: [www.ico.org.uk](http://www.ico.org.uk).

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