



**ORIEL CHAMBERS' AND ORIEL CHAMBERS' BARRISTERS' PRIVACY NOTICE :  
GENERAL DATA PROTECTION REGULATION ("GDPR")**

**Please read the following information carefully. This privacy notice contains information about the data/information collected, stored and otherwise processed about you and the reasons for that collection, storage and processing. It also tells you who Oriel Chambers and the barristers in Oriel Chambers share this information with, about the security mechanisms Oriel Chambers and the barristers in Oriel Chambers have put in place to protect your information and how to contact Oriel Chambers and the barristers in Oriel Chambers in the event that you need further information.**

**STATEMENT OF COMMITMENT**

Oriel Chambers and the barristers in Oriel Chambers are committed to protecting and respecting the privacy of clients, barristers, members of staff and others whose personal data/information they may control or process.

**WHO ARE WE?**

Oriel Chambers is a Chambers of barristers ("Counsel") in independent practice.

This privacy notice applies to Oriel Chambers as an entity.

The names of all barristers who are Members of Oriel Chambers to whom this privacy notice applies when they are acting in that capacity can be found at:

<http://www.orielchambers.co.uk/barristers>

or can be provided on request to Oriel Chambers using the contact details under the heading **"HOW TO CONTACT US"**.

The names of all barristers who are door tenants of Oriel Chambers to whom this privacy notice applies when they are acting in that capacity can be found at:

<http://www.orielchambers.co.uk/barristers>

or can be provided on request to Oriel Chambers using the contact details under the heading **“HOW TO CONTACT US”**.

The names of all pupil barristers in Oriel Chambers in their second six months of pupillage or beyond to whom this privacy notice applies when they are acting in that capacity can be provided on request to Oriel Chambers using the contact details under the heading **“HOW TO CONTACT US”**.

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“Chambers” is the name given to the group of offices from which barristers in independent practice work and to the barristers working from those premises when referred to collectively. Barristers are specialist legal advisers and court room advocates. They are independent, objective and trained to advise clients on the strengths and weaknesses of their case.

Each barrister who is a Member of Oriel Chambers and who works in that capacity is self-employed. Barristers who are Members of Oriel Chambers and practise from Chambers are also referred to as “tenants”. This privacy notice applies to any barrister who is a Member (or “tenant”) of Oriel Chambers when acting in that capacity.

A ‘door tenant’ is a barrister who is affiliated with Chambers but is not a Member of Oriel Chambers. This privacy notice applies to any door tenant of Oriel Chambers when acting in that capacity.

Oriel Chambers provides professional training to barristers who are known as “pupil barristers” when in the course of this training (“pupillage”). Pupillage is divided into two parts:

1. the non-practising six months during which pupils shadow, and work with, their approved pupil supervisor, and
2. the second (or subsequent) practising six months when pupils, with their approved pupil supervisor's permission, can undertake to supply legal services and exercise rights of audience.

In all following sections of this privacy notice the term “barrister” is used to refer to any Member of Oriel Chambers, any door tenant of Oriel Chambers and any pupil in their second (or subsequent) practising six months of pupillage in Oriel Chambers.

Oriel Chambers employs staff including Chambers' Director, Chambers' Manager, barristers', accounts and fees clerks, receptionists and typists, all of whom are essential to the management and administration of Oriel Chambers and the provision of legal services to you.

Oriel Chambers engages in contracts with third parties as required where necessary for the management and administration of Chambers and the provision of legal services to you. These third parties are independent contractors. They may process data/information on behalf of Oriel Chambers or individual barristers.

[End of Read more](#)

## **WHO ARE THE DATA CONTROLLERS FOR DATA WE RECEIVE?**

A data *controller* is a natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

A data *processor* is a natural or legal person, public authority, agency or other body which processes personal data on behalf of a data controller.

Oriel Chambers and barristers in Oriel Chambers collect and use personal data/information about you. When they do this they are responsible for that data/information and are the 'controller' of this data/information for the purposes of the GDPR and the Data Protection Act 2018.

The Head of Oriel Chambers is the data controller for Oriel Chambers as an entity.

The data controller for the management and administration of Oriel Chambers is Chambers' Director, Sarah Cavanagh.

Every barrister in Oriel Chambers is a data controller in respect of the data he or she controls, whether acting in that capacity or, in certain circumstances, when acting both in that capacity and on behalf of Oriel Chambers, for example, as a Chair of an Oriel Chambers' committee.

Barristers in Oriel Chambers may, in addition, act as data processors where they carry out processing on behalf of Oriel Chambers.

The names of all barristers other than second six (or subsequent) month pupil barristers in Oriel Chambers to whom this privacy notice applies when they are acting in that capacity and as data controllers can be found at:

<http://www.orielchambers.co.uk/barristers>

or can be provided on request to Oriel Chambers using the contact details under the heading **“HOW TO CONTACT US”**.

The names of all pupil barristers in Oriel Chambers in their second six months of pupillage or beyond to whom this privacy notice applies when they are acting in that capacity and as data controllers can be provided on request to Oriel Chambers using the contact details under the heading **“HOW TO CONTACT US”**.

## **REGISTRATION WITH THE INFORMATION COMMISSIONER’S OFFICE**

All data controllers in Oriel Chambers are registered with the Information Commissioner’s Office.

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The Head of Oriel Chambers registers with the Information Commissioner’s Office as the data controller for Chambers as an entity.

Chambers’ Director registers with the Information Commissioner’s Office as a data controller.

Every barrister who is a Member of Oriel Chambers registers with the Information Commissioner’s Office as a data controller.

Every pupil barrister in Oriel Chambers in their second six months of pupillage registers with the Information Commissioner’s Office as a data controller.

[End of Read more](#)

## **PERSONAL DATA/INFORMATION THAT WE PROCESS**

[Information processed](#)

Oriel Chambers and barristers in Oriel Chambers process many different categories and types of data/information, including special categories of personal data and personal data relating to criminal convictions, offences and related security measures.

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Oriel Chambers and barristers in Oriel Chambers process some or all of the following personal data/information that you or others provide:

- a) personal details, for example, names and dates of birth
- b) family details
- c) lifestyle and social circumstances
- d) goods and services
- e) financial details/data/information
- f) education, training and employment details, including personnel and human resources data/information
- g) physical or mental health details, whether contained in accident reports and records, medical records, occupational health, personnel records or human resources records, medical reports or received in any other form;
- h) racial or ethnic origin
- i) political opinions
- j) religious, philosophical or other beliefs
- k) trade union membership
- l) sex life (which we take to include data/information relating to non-consensual sex in order to apply the protections of this privacy notice to data/information relating to, for example, a sexual assault, as well as data/information relating to a consensual sex life) or sexual orientation
- m) genetic data/information
- n) biometric data/information for the purpose of uniquely identifying a natural person
- o) criminal convictions data, data/information about offences and data/information about related security measures including but not limited to data/information relating to the investigation and detection of crime, criminal proceedings and the outcomes of such proceedings including convictions, sentences, probation and sentence

management and data/information relating to the whereabouts and protection of victims of crime

- p) data/information relating to character, including bad character but not amounting to criminal convictions data;
- q) other personal data/information contained in or relevant to instructions to provide legal services and to the provision of legal services, including but not limited to information specific to the instructions in question and personal data/information relating to both clients and third parties, including but not limited to other parties to claims/matters, interested persons/parties, witnesses and experts
- r) telephone and fax numbers
- s) addresses, including home, employment, DX, email and other addresses
- t) other contact details
- u) video interviews and evidence, including body worn camera, CCTV and other recording device content
- v) media and social media content
- w) insurance details
- x) individuals' claims histories
- y) pupillage applications, interview records and reports, correspondence concerning pupillage and personal data of candidates and pupils
- z) tenancy and door tenancy applications, interview records and reports, correspondence concerning tenancy and door tenancy and personal data of candidates, tenants and door tenants
- aa) correspondence and other material concerning claims/disputes/complaints

[End of Read more](#)

[Information collected from and/or provided by other sources.](#)

The same categories of information may be obtained from and/or provided by third parties or other sources.

[Read more](#)

The same categories of information may be obtained from and/or provided by third parties or other sources, such as:

- Members of Chambers, door tenants and pupils and former Members of Chambers, door tenants and pupils
- Oriel Chambers' clerks and staff
- data processors, such as Oriel Chambers' IT support, email, website and data storage providers
- solicitors, barristers or other persons instructing your appointed barrister and/or acting on your behalf
- solicitors, barristers or other persons acting on behalf of others
- pupil barristers
- other legal professionals and departments
- other non-legal professionals
- lay and professional clients of Members of Chambers
- experts
- witnesses
- members of the public
- current, past or prospective employers
- education and examining bodies
- business associates, professional advisers and professional/trade bodies, e.g. the Bar Council
- the intended recipient, where you have asked for a reference
- family, friends and other associates of the person whose data/information is being processed

- courts and tribunals
- court and tribunal bundles
- arbitrators
- arbitration bundles
- mediators
- mediation bundles
- public bodies
- public records and registers
- other public sources
- the general public in relation to the publication of legal judgments and decisions of courts, tribunals and arbitrators
- government departments and agencies
- police, prosecution, security, intelligence, custodial and sentence management authorities/bodies/personnel
- regulators/regulatory authorities
- insurers
- investigative agents or personnel, for example, claims investigators and Council fraud investigators
- suppliers of goods and services
- those operating the Crown Court Digital Case System or other court digital case systems, digital platforms or interfaces
- other parties to or interested persons in the claim or matter in which you are involved
- referees and assessors
- applications



- law/case reports
- in the event of any complaint, whether concerning Oriel Chambers or your appointed barrister or otherwise, the Head of Chambers, other members of Oriel Chambers who deal with complaints, staff members of Oriel Chambers who deal with complaints such as Chambers' Director, the Bar Standards Board and the Legal Ombudsman

[End of Read more](#)

## **THE PURPOSES FOR WHICH WE PROCESS DATA : WHAT WE DO WITH YOUR PERSONAL INFORMATION**

### **Purposes**

Oriel Chambers and barristers in Oriel Chambers may use your personal data/information for a variety of purposes.

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Oriel Chambers and barristers in Oriel Chambers may use your personal data/information for a variety of purposes which may include the following:

- i. the provision of legal services to clients, including but not limited to the provision of legal advice in writing, in electronic form and verbally, legal drafting, the preparation of court, tribunal, mediation, negotiation and arbitration documents and representation in courts, tribunals, arbitrations, negotiations and mediations and any other professional role and function of a barrister
- ii. compliance with court, tribunal and arbitration directions and disclosure obligations
- iii. the carrying out of Oriel Chambers'/office management and administration, including the management of contracts with third parties
- iv. the carrying out of barristers' practice management and administration
- v. checking for potential conflicts of interest in relation to any case including future potential cases
- vi. the recruitment, training, professional development and monitoring of barristers, including but not limited to tenants and pupils

- vii. the recruitment, training and monitoring of staff
- viii. the assessment and processing of applications for tenancy, pupillage, mini-pupillage and work-shadowing opportunities
- ix. the provision of mini-pupillages and work shadowing opportunities
- x. responding to requests for references
- xi. compliance with accounting, tax and related obligations including but not limited to instructing accountants to enable the proper preparation and retention of accounting records, accounts, tax returns, profit and loss accounts, balance sheets and related documentation
- xii. compliance with equality and diversity and other regulatory requirements including but not limited to those set out in the Bar Standards Handbook on Equality and Diversity and identifying or keeping under review the existence or absence of equality of opportunity or treatment between members of staff, barristers and mini-pupils with a view to enabling such equality to be promoted or maintained
- xiii. the performance or exercising of obligations or rights which are imposed or conferred by law on Oriel Chambers or barristers in Oriel Chambers or you in connection with employment, social security or social protection
- xiv. compliance with any legal obligation to which Oriel Chambers or barristers in Oriel Chambers are subject (including, where applicable, carrying out anti-money laundering or terrorist financing checks)
- xv. the prevention or detection of unlawful acts where it is in the substantial public interest and the processing must be carried out without consent so as not to prejudice those purposes
- xvi. the procurement of goods and services
- xvii. the management of matters relating to employment, including payroll and pensions
- xviii. the promotion and marketing of the services of Oriel Chambers and barristers in Oriel Chambers
- xix. the handling of potential or extant claims/disputes/complaints or the making/pursuing claims/complaints

- xx. the fulfilment of public duties such as part time judicial roles
- xxi. the taking or defending of legal or regulatory proceedings or the exercising of a lien
- xxii. the publication/dissemination of judgments and other decisions of courts, tribunals and arbitrators
- xxiii. other purposes required or permitted by law

[End of Read more](#)

### Storage

Your personal data/information may be stored by Oriel Chambers and barristers and second six-month pupils in Oriel Chambers in a variety of ways and forms reflecting the necessary methods of working of barristers and barristers' Chambers, including Oriel Chambers.

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Your personal data/information may be stored in any of the following ways and forms reflecting the necessary methods of working of barristers and barristers' Chambers, including Oriel Chambers:

- on Oriel Chambers' server and desktop computers
- on Oriel Chambers' mobile/portable devices, for example, dictaphones, mobile telephones and laptops
- on Oriel Chambers' answerphones/voicemail/fax facilities and devices
- on Oriel Chambers' photocopying and scanning facilities and devices
- on barristers' servers and desktop computers
- on barristers' mobile/portable devices for example, dictaphones, mobile telephones and laptops
- on barristers' answerphones/voicemail/fax facilities and devices
- on barristers' photocopying and scanning facilities and devices
- on third party servers where it is necessary to do so, for example, for Oriel Chambers' diary system and to host Oriel Chambers' website

- in email systems, whether Oriel Chambers' email system, the Criminal Justice Secure Email system or judicial email systems
- on data storage devices such as computer disc, USB sticks and external hard drives;
- in hard copy documentary format such as Counsels' notebooks, day books, case files, advices, statements of case, notes of fact, conference/consultation notes
- at either of Oriel Chambers' addresses
- at other professional addresses, such as barristers' chambers or solicitors' offices, for example during the period of any mediation, arbitration, conference, consultation or negotiation at such premises
- at any court or tribunal or place of mediation or arbitration, including in a courtroom or other hearing room, conference room or advocates' room during the period of proceedings at that court, tribunal, mediation or arbitration
- at private addresses and third party accommodation as required, including when a barrister is in transit due to working away from Chambers and/or is working from private accommodation
- in carrying cases or briefcases or similar for transport
- on private or third party transport, including aeroplanes, trains, cars and other vehicles when a barrister is in transit due to working away from Chambers and/or due to working from private accommodation
- on court and tribunal digital case systems, digital platforms or interfaces (although this will usually be in the control of the court/tribunal or court/tribunal appointed data controllers/processors)
- in "cloud" storage
- with third party postal and delivery services during the period of any delivery or postage, including the DX Delivery Service, Royal Mail and other postal and delivery services as used from time to time

[End of Read more](#)

## MARKETING AND PROMOTION

The personal information collected for marketing purposes consists of:

- names, contact details and names of organisations
- the nature of your interest in Oriel Chambers' and/or barristers' marketing
- your attendance at Oriel Chambers events
- personal data/information relating to claims and proceedings.

This will be processed so that, if you have opted in to receiving marketing material through Oriel Chambers' Lex10 system or otherwise you can be provided with information about Oriel Chambers, the barristers, mediators and arbitrators in Oriel Chambers and other material and information and invited to events.

You may decline to opt in to receiving marketing material.

If you no longer wish to receive such invitations, material or information and/or if you wish to unsubscribe from any marketing emails or other forms of marketing that you have signed up for you can do so by contacting Chambers using the contact details under the heading **“HOW TO CONTACT US”** or through Oriel Chambers' Lex10 system if available. It may take 28 days for this to become effective.

**You have the right to object to the use of your personal data for direct marketing purposes, including profiling relating to such direct marketing.**

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Where personal data are processed for direct marketing purposes, you, as the data subject have the right to object at any time to the processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.

Where you as the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

[End of Read more](#)

## **WHETHER INFORMATION HAS TO BE PROVIDED BY YOU AND WHY**

If you wish to instruct any barrister in Oriel Chambers your personal information has to be provided to enable Oriel Chambers to identify a barrister to represent you and to enable any barrister in Oriel Chambers concerned to determine whether they can act on your behalf and the basis on which they will do so, to comply with their professional obligations and for the further purposes set out above as applicable.

If you wish to instruct any barrister in Oriel Chambers on a 'Public Access' basis the personal information which you have to provide for those purposes includes the information requested in the Public Access Enquiry Form which is to be found here:

[http://www.orielchambers.co.uk/Public\\_Access](http://www.orielchambers.co.uk/Public_Access)

If Oriel Chambers or any barrister in Oriel Chambers has been instructed by you or on your behalf in a case your personal information has to be provided to enable Oriel Chambers and any barrister in Oriel Chambers to provide you with advice and/or representation and to enable the barrister(s) concerned to comply with their professional obligations, to keep accounting records and for the further purposes set out above as applicable.

If you apply to Oriel Chambers or to any barrister in Oriel Chambers for a tenancy, door tenancy, pupillage, mini-pupillage or other position or are seeking a reference from Oriel Chambers or from any barrister in Oriel Chambers your personal information has to be provided to Oriel Chambers and/or to that barrister, so that your application can be properly assessed or a reference can be provided and, where applicable, to enable Chambers to comply with its regulatory obligations.

If you are offering or providing Oriel Chambers or any barrister in Oriel Chambers with goods or services your personal data/information may be processed in relation to such offers or contracts.

## **THE LEGAL BASIS OR LEGAL BASES FOR PROCESSING YOUR PERSONAL INFORMATION**

Oriel Chambers and barristers in Oriel Chambers process your personal information on the following legal bases:

- If you have given clear consent to the processing of your personal information, then Oriel Chambers and barristers in Oriel Chambers may process your information for the

specific purposes set out above to the extent to which you have consented to Oriel Chambers and/or barristers in Oriel Chambers so doing.

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If you are a client then that consent may be given by reason of your instructing another legal professional, such as a solicitor, to instruct a barrister in Oriel Chambers to advise or to represent you in relation to a matter or claim, as well as by giving consent directly or indirectly in other forms, whether by a statement or by a clear affirmative action.

If you are not a client then consent may be given, for example, by providing disclosure in the course of court proceedings, as well as by giving consent directly or indirectly in other forms, whether by a statement or by a clear affirmative action.

[End of Read more](#)

- If you are a client, processing is necessary for the performance of a contract for legal services (where such a contract exists) or in order to take steps at your request prior to entering into a contract (where you have made such a request);
- Processing is necessary for compliance with a legal obligation (not including contractual obligations) to which Oriel Chambers and/or any barrister in Oriel Chambers is subject.

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This would include, for example:

- compliance with any legal obligation which barristers have to their clients other than under contract and which they have to any court or tribunal whether in the course of representing their clients or otherwise;
- compliance with any statutory obligation to which Oriel Chambers and barristers are subject (including, where applicable, carrying out anti-money laundering or terrorist financing checks).

[End of Read more](#)

- Processing is necessary in order to protect the vital interests of you as the data subject or of another natural person;

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An example of protecting vital interests would be where a barrister holds medical records for the purposes of a claim but it is necessary to pass information from them to an emergency clinician for the purposes of protecting life.

A further example of protecting vital interests would be where a barrister holds personal data for the purpose of pursuing court proceedings to protect the life of an individual.

[End of Read more](#)

- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, the task or function having a clear basis in law.

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An example of a task carried out in the public interest would be where a barrister is instructed in the course of an application to the court to protect data/information from disclosure on the grounds of public interest immunity.

A further example of a task carried out in the public interest would be where a barrister is instructed as a prosecutor by a public prosecution authority.

An example of the exercise of official authority would be where a barrister is appointed by a court to act in a particular capacity, such as Counsel to an inquest or as an examiner of the court.

[End of Read more](#)

- Processing is necessary for the purposes of the legitimate interests pursued by Oriel Chambers and barristers in Oriel Chambers or by you or a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of you as the data subject which require protection of personal data, in particular where the data subject is a child.

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This does not apply to processing carried out by public authorities in the performance of their tasks and thus will not apply if and to the extent that a barrister is acting as a public authority in the performance of its tasks.

Oriel Chambers and barristers in Oriel Chambers rely upon their legitimate interests and those of you and/or third parties in carrying out the processing for the Purposes set out above under the heading **“THE PURPOSES FOR WHICH WE PROCESS DATA”**.

[End of Read more](#)

- In relation to data/information in categories (g) to (n) above (these being categories which are considered to include particularly sensitive information) when any one or more of the following applies:
  - a) if you have given explicit consent to the processing of that personal data for one or more specified purposes, then Oriel Chambers and barristers in Oriel Chambers may process your information for the specific purposes set out above to the extent to which you have consented to Oriel Chambers and/or barristers in Oriel Chambers so doing, except where Union or Member State law provide that the prohibition referred to in paragraph 1 of Article 9 of the GDPR may not be lifted by you as the data subject;
  - b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of Oriel Chambers and/or a barrister in Oriel Chambers as the data controller or of you as the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of you as the data subject;
  - c) processing is necessary to protect your vital interests or those of another natural person where you as the data subject are physically or legally incapable of giving consent;
  - d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former

members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;

- e) processing relates to personal data which is manifestly made public by you, for example, in the course of public court or tribunal proceedings or hearings or if you publish the information through the press/media/social media/literature;
- f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of you as the data subject;
- h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3 of Article 9 of the GDPR;
- i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of you as the data subject, in particular professional secrecy;
- j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of you as the data subject.

- Processing of personal data/information in category (o) above (this being a category which is considered to include particularly sensitive information), shall be carried out only under the control of official authority or when the processing is authorised by Union or Member State law providing for appropriate safeguards for the rights and freedoms of data subjects.

### Read more

Oriel Chambers and barristers in Oriel Chambers are entitled by law to process information in categories (g) to (o) where the processing is necessary for legal proceedings, legal advice, or otherwise for the establishment, exercise or defence of legal rights or in complying with any lawful requirement of a court when acting in its judicial capacity, subject to compliance with statute, such as the Rehabilitation of Offenders Act 1974, where applicable.

Under Article 6(4) of the GDPR, where the processing for a purpose other than that for which the personal data have been collected is not based on the data subject's consent or on a Union or Member State law which constitutes a necessary and proportionate measure in a democratic society to safeguard the objectives referred to in Article 23(1), the controller shall, in order to ascertain whether processing for another purpose is compatible with the purpose for which the personal data are initially collected, take into account, inter alia:

- a) any link between the purposes for which the personal data have been collected and the purposes of the intended further processing
- b) the context in which the personal data have been collected, in particular regarding the relationship between data subjects and the controller
- c) the nature of the personal data, in particular whether special categories of personal data are processed, pursuant to Article 9, or whether personal data related to criminal convictions and offences are processed, pursuant to Article 10 of the GDPR
- d) the possible consequences of the intended further processing for data subjects
- e) the existence of appropriate safeguards, which may include encryption or pseudonymisation.

### End of Read more

## CONSENT

For the purposes of the GDPR “consent” of the data subject means any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Where point (a) of Article 6(1) of the GDPR applies, in relation to the offer of information society services directly to a child, the processing of the personal data of a child shall be lawful where the child is at least 16 years old. Where the child is below the age of 16 years, such processing shall be lawful only if and to the extent that consent is given or authorised by the holder of parental responsibility over the child.

Oriel Chambers and barristers in Oriel Chambers rely on your explicit consent, where given, to process your personal data/information in categories (g) to (o) above.

In addition to other circumstances in which consent may be given, you provide consent, including such explicit consent, when Oriel Chambers and/or a barrister in Oriel Chambers is instructed to act on your behalf or when you ask Oriel Chambers and/or a barrister in Oriel Chambers to provide a reference.

**You have the right to withdraw your consent at any time, but this will not affect the lawfulness of any processing activity carried out prior to you withdrawing your consent.**

However, where Oriel Chambers and/or a barrister in Oriel Chambers also relies on other bases for processing your information, you may not be able to prevent processing of your personal data/information.

If there is an issue with the processing of your information, please use the contact details under the heading “**HOW TO CONTACT US**”.

## WHO WILL WE SHARE YOUR PERSONAL INFORMATION WITH?

If you are a client, some of the information you provide will be protected by legal professional privilege unless and until the information becomes public in the course of any proceedings or otherwise or is otherwise required by law to be disclosed. Barristers have an obligation to keep your information confidential, except where it otherwise becomes public or is disclosed as part of the case or proceedings or is otherwise required by law to be disclosed.

It may be necessary for Oriel Chambers and/or barristers in Oriel Chambers to share your personal data/information with others.

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It may be necessary for Oriel Chambers and/or barristers in Oriel Chambers to share your personal data/information with any of the following:

- data/information processors, such as Oriel Chambers' clerks, fees clerks, accounts clerks, typists, IT support staff and other staff, external IT providers and IT support including software providers and support, email providers and support, website providers and support and data/information storage providers and support and external typists
- other legal professionals, including but not limited to:
  - barristers in Oriel Chambers or in other Chambers to whom a case is returned in the event that the barrister initially instructed is unable or unavailable to have conduct of the work required
  - solicitors, barristers or other persons instructing your appointed barrister and/or acting on your behalf
  - solicitors, barristers or other persons acting on behalf of others, where appropriate, for example, in accordance with court directions or disclosure obligations
- pupil barristers
- mini-pupils
- other legal professionals and departments
- other non-legal professionals

- lay and professional clients of Members of Chambers
- other parties to or interested persons in the claim or matter in which you are involved
- experts
- witnesses including, for example, witnesses for you and witnesses for an opposing party
- members of the public
- family, friends and other associates of you or of any other person whose personal data/information is being processed
- current, past or prospective employers or employees
- education bodies
- examining bodies
- public bodies
- police, prosecution, security, intelligence, custodial and sentence management authorities/bodies/personnel
- regulators/regulatory authorities
- insurers
- investigative agents or personnel, for example, claims investigators and Council fraud investigators
- claims handling/management companies or similar involved in a case/claim
- prosecution authorities
- other statutory authorities
- government departments and agencies
- courts and tribunals
- arbitrators

- mediators
- court and tribunal staff, such as court clerks/associates and court ushers
- other third persons in order to transmit data for professional purposes
- Chambers' accountants or individual barristers' accountants
- those from whom or through whom the data/information has been received
- those operating the Crown Court Digital Case System or other court digital case systems, digital platforms or interfaces, Oriel Chambers' clerks, case opponents, witnesses,
- in the event of any complaint, whether concerning Oriel Chambers or your appointed barrister or otherwise, the Head of Chambers, other members of Oriel Chambers who deal with complaints, staff members of Oriel Chambers who deal with complaints such as Chambers' Director, the Bar Standards Board and the Legal Ombudsman
- other regulatory authorities
- business associates, professional advisers and professional/trade bodies, e.g. the Bar Council
- the intended recipient, where you have asked Oriel Chambers or a barrister in Oriel Chambers to provide a reference
- the general public in relation to the publication of legal judgments and decisions of courts, tribunals and arbitrators
- in the case of recruitment of barristers to or from other chambers, your current, past and prospective Chambers
- referees and assessors
- suppliers of goods and services

Oriel Chambers and barristers and pupil barristers in Oriel Chambers 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 data/information, including privileged information, may lawfully be disclosed by them for the purpose of any other civil or criminal proceedings, without Oriel Chambers' or your appointed barrister's consent or your consent,

Oriel Chambers and barristers and pupil barristers in Oriel Chambers may also be required by law to disclose your information to the police or intelligence services.

[End of Read more](#)

## **TRANSFER OF YOUR DATA/INFORMATION OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)**

In certain circumstances your personal data/information may be transferred outside the European Economic Area (EEA).

[Read more](#)

Pursuant to Article 46(1) of the GDPR, in the absence of a decision pursuant to Article 45(3) of the GDPR, a controller or processor may transfer personal data to a third country or an international organisation only if the controller or processor has provided appropriate safeguards, and on condition that enforceable data subject rights and effective legal remedies for data subjects are available.

Pursuant to Article 49(1) of the GDPR and subject to the further provisions of Article 49 of the GDPR, in the absence of an adequacy decision pursuant to Article 45(3) of the GDPR, or of appropriate safeguards pursuant to Article 46 of the GDPR, including binding corporate rules, a transfer or a set of transfers of personal data to a third country or an international organisation shall take place only on one of the following conditions:

- the data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards
- 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 data subject's request
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person



- the transfer is necessary for important reasons of public interest
- the transfer is necessary for the establishment, exercise or defence of legal claims
- the transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent
- the transfer is made from a register which according to Union or Member State law is intended to provide information to the public and which is open to consultation either by the public in general or by any person who can demonstrate a legitimate interest, but only to the extent that the conditions laid down by Union or Member State law for consultation are fulfilled in the particular case.

This privacy notice is of general application and as such it is not possible to state whether it will be necessary to transfer your data/information out of the EEA in any particular case or for a reference.

However, if you reside outside the EEA or your case or the role for which you require a reference involves persons or organisations or courts or tribunals outside the EEA then it may be necessary to transfer some of your information to that country outside of the EEA for that purpose.

If you are in a country outside the EEA or if the instructions you provide come from outside the EEA 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.

Some countries and organisations outside the EEA have been assessed by the European Commission and their information protection laws and procedures found to show adequate protection. Most do not. If your information has to be transferred outside the EEA, then it may not have the same protections and you may not have the same rights as you would within the EEA.

Oriel Chambers and barristers in Oriel Chambers may transfer your personal information to the following which are located outside the European Economic Area (EEA):

- cloud information storage services based in the USA who have agreed to comply with the EU-U.S. Privacy Shield, in order to enable me to store your information and/or backup copies of your information so that Chambers may access your information when

they need to. The USA does not have the same information protection laws as the EU but the EU-U.S. Privacy Shield has been recognised by the European Commission as providing adequate protection. To obtain further details of that protection see [https://ec.europa.eu/info/law/law-topic/information-protection/information-transfers-outside-eu/eu-us-privacy-shield\\_en](https://ec.europa.eu/info/law/law-topic/information-protection/information-transfers-outside-eu/eu-us-privacy-shield_en).

- cloud information storage services based in Switzerland, in order to enable me to store your information and/or backup copies of your information so that Chambers may access your information when it needs to. Switzerland does not have the same information protection laws as the EU but has been recognised by the European Commission as providing adequate protection; see [https://ec.europa.eu/info/law/law-topic/information-protection/information-transfers-outside-eu/adequacy-protection-personal-information-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/information-protection/information-transfers-outside-eu/adequacy-protection-personal-information-non-eu-countries_en).

If Oriel Chambers or barristers in Oriel Chambers decide to publish a judgment or other decision of a court or tribunal containing your data/information then that data/information may be published to the world.

Oriel Chambers or barristers in Oriel Chambers will not otherwise transfer personal information outside the EEA except as necessary for the conduct of any legal proceedings.

If you would like any further information please use the contact details under the heading **“HOW TO CONTACT US”**.

[End of Read more](#)

## **FOR HOW LONG WILL WE STORE YOUR PERSONAL INFORMATION?**

Oriel Chambers and barristers in Oriel Chambers will keep your personal data/information in a form which permits identification of you as a data subject for no longer than is necessary for the purposes for which the personal data/information is processed

[Read more](#)

Oriel Chambers and barristers in Oriel Chambers may store your personal data/information as follows.

- a) Personal data/information may be stored during the currency of your case/claim and for as long as Oriel Chambers or the barrister in Oriel Chambers continues to be instructed or will potentially be instructed.

- b) If longer than the period in a) above, personal data/information may be stored until at least the prescribed time for any appeal or judicial review (or equivalent) has expired.
- c) Where required for identified related or other legal proceedings, personal data/information may be stored until the conclusion of those proceedings and the prescribed time limit for any appeal or judicial review (or equivalent) in those proceedings has expired.
- d) If longer than the period in b) or c) above, as applicable, personal data/information may be stored for the period required for billing of professional fees and to address any issue pertaining to the payment of fees.
- e) In any event, personal data/information may be stored for so long as is required by any statutory, professional conduct or regulatory authority, such as the Bar Standards Board or HM Revenue and Customs, to ensure compliance with any professional, statutory or regulatory requirement.
- f) Personal data/information contained in a complaint is stored for 6 years for the purposes of addressing any such complaint and any related proceedings or longer if provided for by this section of this privacy notice.
- g) In any event, personal data/information received in the course of a Public Access enquiry to Chambers and in the course of a barrister acting on a Public Access basis will be retained for a period of seven years from the date of enquiry or instruction in accordance with the requirements of The Bar Standards Board, which may be found here:

<https://www.barstandardsboard.org.uk/uploads/assets/6cc15510-8da5-4620-ae99720af7be9464/Public-Access-Guidance-for-Barristers.pdf>

[The Bar Standards Board Handbook Public Access Guidance for Barristers page 29 paragraph 72 or as may otherwise be published / appear from time to time]

- h) In any event, personal data/information may be stored 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, for example, where the case includes information relating to a minor), from the date of the last item of work carried out, or from the date of the last payment received or from 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 and/or to secure the payment of professional fees and/or for the handling of any complaint and/or for regulatory matters. 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. Deletion will be carried out as soon as reasonably practicable after the data is marked for deletion.

- i) 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.
- j) Where held in a documentary form which cannot reasonably be separated from personal data/information held in the same location, such as a Counsel's notebook, personal data/information may be stored to the latest point in time at which the material within that location is stored in accordance with this section of this privacy notice
- k) Personal data/information may be stored for such longer period as may be required where there is some other professional reason for retaining it, for example, in the case of a particularly important matter which may be resurrected or for professional indemnity reasons
- l) Personal data/information may be stored for such period as you or any professional representative on your behalf may request and may be agreed, for example, in the event of damages having been awarded to you on a provisional damages basis requiring the retention of a case file.
- m) Personal data/information may be stored for the remainder of an individual barrister's career to in order to enable conflict checks to be carried out. This is likely to be limited to your name and contact details, the name of the case, the name and organisation details of any legal or other representative who instructed the barrister concerned. This will not include any information within categories (g) to (o) above.
- n) Personal data/information may be stored for the remainder of an individual barrister's career to enable or to facilitate practice monitoring and practice/professional development including applications for professional, including judicial, appointments;
- o) Equality and diversity data may be retained indefinitely in pseudonymised or anonymised form for the purpose of research and statistics and complying with regulatory obligations in relation to the reporting of equality and diversity data.
- p) Names and contact details held for marketing purposes may be stored indefinitely or until Oriel Chambers or the barrister in Oriel Chambers concerned or their clerks become aware or are informed that you have ceased to be a potential client or when you inform Oriel Chambers or the barrister in Oriel Chambers concerned or their clerks that you

have ceased to be a potential client or do not wish to receive marketing, whichever is the sooner.

- q) Personal data/information pertaining to suppliers to Oriel Chambers or any barrister in Oriel Chambers may be stored indefinitely in order to secure/arrange/source/research the availability, provision and/or cost of goods and services required by Oriel Chambers or by any barrister in Oriel Chambers, to enter into, maintain and manage any contracts with suppliers, to handle any complaint, legal proceedings or regulatory matters pertaining to such suppliers and/or to ensure the proper management and administration of Oriel Chambers and the proper management and administration of the practice of and compliance with the professional and regulatory obligations of any barrister in Oriel Chambers.
- r) Personal data/information held in relation to tenancy applications will be stored up to the point in time at which an appointment has been made or at which a decision is made that no appointment is to be made.
- s) Personal data/information held in relation to pupillage or mini-pupillage applications will be stored for up to 1 year or during the period of any related pupillage if longer.

Oriel Chambers or barristers in Oriel Chambers:

- a) may return your personal data/information to the Oriel Chambers' or your appointed barrister's source, whether the solicitor instructing your barrister or other source; or
- b) may delete or destroy your personal data/information whether by deletion of any personal data/information held in electronic form or the wiping and/or destruction of the device on which the personal data/information is held or by shredding or other form of secure confidential waste destruction

at any time within those periods, for example, at the conclusion of a case.

Personal data/information contained in Oriel Chambers' 'clerks@' email boxes may be deleted permanently after a period of 1 year in accordance with Oriel Chambers' internal email retention policy as varied from time to time. This does not mean, of itself, that the same personal data/information will not be stored elsewhere pursuant to the above provisions.

[End of Read more](#)

## YOUR RIGHTS

Under the GDPR and Data Protection Act 2018, you have a number of rights that you can exercise in certain circumstances. These are free of charge unless any request is manifestly unfounded or excessive.

In summary, you may have the right to:

- Have made available to you, so far as specified:
  - the identity and the contact details of the data controller;
  - the purposes for which the data controller processes personal data;
  - the existence of your rights as a data subject to request from the data controller - (i) access to personal data (ii) rectification of personal data and (iii) erasure of personal data or the restriction of its processing;
  - the existence of the right to lodge a complaint with the Commissioner and the contact details of the Commissioner.
- Ask for access to your personal data/information and other supplementary information
- Ask for the correction of mistakes in your personal data/information or to complete missing information Oriel Chambers and/or barristers in Oriel Chambers hold on you
- Ask for your personal information to be erased, in certain circumstances
- Ask for the restriction of the processing of your personal information in certain circumstances
- Receive a copy of the personal information you have provided to Oriel Chambers and/or to barristers in Oriel Chambers or have this information sent to a third party. This will be provided to you or the third party in a structured, commonly used and machine-readable format, e.g. a Word file or pdf
- Object at any time to the processing of your personal information for direct marketing
- Object in certain other situations to the continued processing of your personal information

- Request not to be the subject to automated decision-making which produces legal effects that concern you or affects you in a significant way.

### Read more

Amongst other rights as a data subject you have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6(1) of the GDPR (public interest/official authority and legitimate interests respectively), including profiling based on those provisions. In that event the data controller shall no longer process the personal data unless the data controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of you as the data subject or for the establishment, exercise or defence of legal claims.

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioners Office on individual rights under the GDPR at:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you want to exercise any of these rights:

- please use the contact details provided in this document under the heading **“HOW TO CONTACT US”**
- Oriel Chambers and/or any barrister in Oriel Chambers may need to ask you to provide other information so that you can be identified
- please provide a contact address so that you can be contacted to request further information to verify your identity
- please provide proof of your identity and address
- state the right or rights that you wish to exercise.

Oriel Chambers or the barrister in Oriel Chambers concerned will respond to you within 28 days from when they receive your request unless your request is manifestly unfounded or excessive. This period is extendable where necessary and you will be informed of any extension and of the reasons for it.

### End of Read more

## HOW TO MAKE A COMPLAINT RELATING TO AN ALLEGED INFRINGEMENT OF DATA PROTECTION LAWS

The GDPR also gives you the right to lodge a complaint with the Information Commissioners' Office if you are in the UK, or with the supervisory authority of the Member State where you work, normally live or where the alleged infringement of data protection laws occurred. The Information Commissioner's Office can be contacted at

<http://ico.org.uk/concerns/>

## AUTOMATED DECISION MAKING

Oriel Chambers and barristers in Oriel Chambers do not use automated decision-making at this time.

[Read more](#)

Oriel Chambers and barristers in Oriel Chambers do not use automated decision making at this time.

In the event that this should change this privacy notice will be amended to:

- explain where it is used;
- explain or to provide a link to an explanation of the logic behind the automated decision making;
- identify the significance and envisaged consequences of these decisions;

You have the right to object to the use of your personal information for automated decision making, please see 'your rights'.

[End of Read more](#)

## FUTURE PROCESSING

Oriel Chambers including the barristers and pupils in Oriel Chambers do not intend to process your personal information except for the reasons stated within this privacy notice. If this changes, this privacy notice will be amended and placed on Oriel Chambers' website at:

<http://www.orielchambers.co.uk/chamber-policies>



and/or

<http://www.orielchambers.co.uk/privacy-policy> .

## HOW TO CONTACT US

If you have any questions about this privacy notice or the data/information Oriel Chambers or any barrister holds about you, please contact Oriel Chambers using any of the contact details below.

You can also find our contact details at <http://www.orielchambers.co.uk/contact>

You can contact us by DX, post, email, telephone or fax.

[Read more](#)

Oriel Chambers has an address in Liverpool and an address in Preston.

The data controllers identified below may operate from either or both addresses.

The address of Oriel Chambers in Liverpool is:

**Oriel Chambers**

**14 Water Street**

**L2 8TD**

**DX 14106 Liverpool**

The telephone number of Oriel Chambers in Liverpool is:

**0151 236 7191 / 4321**

The fax number of Oriel Chambers in Liverpool is:

**0151 227 5909 / 236 3332**

The address of Oriel Chambers in Preston is:

**The Light Building**

**99 Walker Street**

**PR1 2QT**

**DX 710053 Preston 10**

The telephone number of Oriel Chambers in Preston is:

**01772 254 764**

The fax number of Oriel Chambers in Liverpool is:

**01772 554 910**

End of Read more

## **HOW TO CONTACT INDIVIDUAL DATA CONTROLLERS**

You can contact individual data controllers by DX, post, email, telephone or fax using the contact details under the heading **“HOW TO CONTACT US”**.

The best way to contact an individual data controller is as follows:

- i) if you wish to contact the Head of Oriel Chambers, email Chambers’ Director at:

[Sarah.Cavanagh@orielchambers.co.uk](mailto:Sarah.Cavanagh@orielchambers.co.uk)

and ask for your email to be forwarded to the Head of Chambers (although this should be done automatically);

- ii) if you wish to contact Chambers’ Director, email:

[Sarah.Cavanagh@orielchambers.co.uk](mailto:Sarah.Cavanagh@orielchambers.co.uk)

- iii) if you wish to contact an individual barrister, email Chambers’ clerks at:

[clerks@orielchambers.co.uk](mailto:clerks@orielchambers.co.uk)

and ask for your email to be forwarded to the individual barrister concerned (although this should be done automatically).

## **CHANGES TO THIS PRIVACY NOTICE**

This privacy notice was published on 25<sup>th</sup> May 2018 and last updated on [date to be inserted in the event of any update].

Oriel Chambers and the barristers in Oriel Chambers continually review their privacy practices and may change this privacy notice from time to time. When they do, the amended privacy notice will be placed on Oriel Chambers' website at:

<http://www.orielchambers.co.uk/chamber-policies>

and/or

<http://www.orielchambers.co.uk/privacy-policy> .

### **DATA PROTECTION IMPACT ASSESSMENT AND DATA PROTECTION OFFICER**

A Data Protection Impact Assessment is not considered to be required for Oriel Chambers or for the barristers in Oriel Chambers having regard to the criteria and examples given in Article 35 of the GDPR.

A Data Protection Officer has not been appointed for Oriel Chambers or the barristers in Oriel Chambers having regard to the criteria given in Article 37 of the GDPR and any matters concerning data protection will be addressed as set out above.