

Privacy Notice for Angus O'Brien

I will need to collect and hold your personal information in order to represent you. This Privacy Notice describes the information I collect about you, how it is used and shared, and your rights regarding it.

Data Controller

I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that I hold and process as a barrister. My registered address is 1 Essex Court, Temple, London EC4Y 9AR and my registration number is ZA337591.

Data Collection

All of the information that I hold about you is provided to or gathered by me in the course of my work as a barrister, or connected activities. Your solicitor and/or I will tell you why we need the information and how we will use it.

My legal basis for processing your information

The General Data Protection Regulation (GDPR) requires all organisations that process personal data to have a legal basis for doing so. The legal bases identified in the GDPR, and which provide my legal bases for processing your personal data, are:

- Consent of the individual concerned;
- Performance of a contract with the individual concerned or to take steps to enter into a contract with them;
- Compliance with a legal obligation;
- To protect the vital interests of the individual concerned or another person;
- Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; and
- My own legitimate interests, or those of someone else, unless such interests are overridden by the interests, rights or freedoms of the individual concerned.

The legitimate interests for which I process personal data are to supply legal services including advising and acting on behalf of my clients.

I use personal data to:

- Provide legal advice and representation;
- Assist in training pupils and mini-pupils;
- Investigate and address complaints of my clients and others;
- Communicate with you about news, updates and events;
- Comply with my legal and regulatory obligations; and
- Make statutory returns as required by HMRC.

I do not use automated decision-making in the processing of your personal data.

I collect and process both personal data and sensitive personal data as defined in the GDPR. This may include any category of data which may be provided to me by my clients or instructing solicitors, including physical or mental health details; racial or ethnic origin; political opinion; religious or other belief; trade union membership; sexual life; and civil and criminal allegations, proceedings and outcomes.

I may share your personal data with:

- Instructing solicitors and other Counsel instructed on a case;
- The court or any arbitrator, mediator or expert adjudicator;
- Pupils or mini pupils, under my training;
- Opposing Counsel and opposition solicitors, for the purposes of conducting or resolving a case;
- Factual and expert witnesses, for the purposes of conducting or resolving a case;
- My Chambers management and staff who provide administrative services;
- My regulator or legal advisors in the event of a dispute or other legal matter;
- Law enforcement officials, government authorities, or other third parties to meet my legal obligations; and
- Any other party where I ask the individual concerned and that individual consents to the sharing.

Transfers to third countries and international organisations

The GDPR imposes restrictions on the transfer of personal data outside the European Union (EEA), to third countries or international organisations.

These restrictions are in place to ensure that the level of protection of individuals afforded by the GDPR is not undermined.

Transfers may be made where the Commission has decided that a third country, a territory or one or more specific sectors in the third country, or an international organisation ensures an adequate level of protection.

The GDPR provides derogations from the general prohibition on transfers of personal data outside the EU for certain specific situations.

I will only transfer an individual's personal data outside the European Economic Area if:

- It is one of the countries which the European Commission has decided provides an adequate level of protections – presently, Andorra, Argentina, Canada (commercial organisations), Faroe Islands, Guernsey, Israel, Isle of Man, Jersey, New Zealand, Switzerland, Uruguay and the US (limited to the “Privacy Shield” framework);
- It is made with the individual's informed consent;
- It is necessary for the performance of a contract between me and the individual or for pre-contractual steps taken at the individual's request;
- It is necessary for the performance of a contract made in the interests of the individual between me and another person;
- It is necessary for important reasons of public interest; or
- It is necessary for the establishment, pursuit or defence of legal claims.

Retention of personal data

I will retain your personal data for so long as it relates to an active case. Thereafter, I will retain personal data for inactive cases for so long as is necessary for the purposes of:

- Ensuring that if an inactive case becomes active once again, I am able to assist my client;
- Ensuring that I can rapidly verify the identity of those involved in earlier cases so as to ensure that there is no conflict or breach of confidence when I take on a new case;

- Defending myself against any allegations of negligence or professional misconduct; and/or
- Complying with my legal and regulatory obligations.

I will delete or anonymise personal data at the request of the individual concerned unless:

- There is an unresolved issue, such as claim or dispute;
- I am legally or professionally required to retain it; or
- There are overriding legitimate business interests, including but not limited to fraud prevention.

Individuals' rights

The General Data Protection Regulation gives individuals specific rights concerning their personal data. Individuals can find out more from the ICO's website [http://ico.org.uk/for the public/personal information](http://ico.org.uk/for-the-public/personal-information) and this is the organisation that you can complain to if they are unhappy with how I dealt with them.

Accessing and correcting your information

You may request access to, correction of, or a copy of your information by contacting me at clerks@oeclaw.co.uk and/or 1 Essex Court, Temple, London EC4Y 9AR.

Marketing Opt-Outs

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

Cookies

Cookies are small text files that are stored on your browser or device by websites, apps, online media, and advertisements. The Chambers website use cookies to:

- Validate users
- Remember user preferences and settings
- Improve the user experience
- Determine frequency of accessing our content
- Measure the effectiveness of advertising campaigns; and

- Analyse site visits and trends.

I will occasionally update my Privacy Notice. When I make significant changes, I will publish the updated Notice on my website profile page.