Privacy Notice for James Spigelman QC

I am an arbitrator and have been appointed to act as such in an arbitration to which you or your client is a party. I will need to collect and hold your personal information in order to determine the dispute. I will take all possible steps to protect your personal information. I am determined to do nothing that would infringe your rights or undermine your trust. This Privacy Notice describes the information I collect about you, how it is used and shared, and your rights regarding it.

Data Controller

I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that I hold and process as a barrister. My registered address is One Essex Court, Temple, London EC4Y 9AR and my registration number is ZA437991.

Data Collection

All of the information that I hold about you is provided to or gathered by me in the course of the proceedings. Your lawyer and/or I will tell you why I need the information and how I will use it.

My Lawful Basis for processing your information

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

- Consent of the data subject
- Performance of a contract with the data subject or to take steps to enter into a contract
- Compliance with a legal obligation
- To protect the vital interests of a data subject or another person
- Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- The legitimate interests of myself, or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

The legitimate interests for which I process personal data are as follows:

- Determining disputes referred to me as an arbitrator
- Avoiding conflicts of interest in relation to disputes referred, or that may be referred, to me
- Where the data subject is a client or in the service of the controller;
- Processing necessary to ensure network and information security, including preventing unauthorised access;
- Processing for direct marketing purposes, or to prevent fraud; and
- Reporting possible criminal acts or threats to public security.

I use your information to:

- For the purposes of determining the dispute that has been referred to me as an arbitrator
- Communicate with you about news, updates and events
- Investigate or address legal proceedings relating to your use of my services/products, or as otherwise allowed by applicable law
- 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 special categories of personal data as defined in the GDPR. This includes:

Client data

- Name;
- Email;
- Phone number;
- Address;
- Payment or bank details;
- Date of birth;
- Location details;
- Device IP address;
- Financial information;

I may share your personal data with:

- My co-arbitrators and the tribunal secretary (if any)
- The appointing/administering arbitral institution (if any)

- A court, should the arbitration result in legal proceedings to which I am a party, or in which I am a witness
- My Chambers management and staff who provide administrative and clerical 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
- Any other party where I ask you and you consent 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. A transfer, or set of transfers, may be made where the transfer is:

- made with the individual's informed consent;
- necessary for the performance of a contract between the individual and the organisation or for pre-contractual steps taken at the individual's request;
- necessary for the performance of a contract made in the interests of the individual between the controller and another person;
- necessary for important reasons of public interest;
- necessary for the establishment, exercise or defence of legal claims;
- necessary to protect the vital interests of the data subject or other persons, where the data subject is physically or legally incapable of giving consent; or
- made from a register which under UK or EU law is intended to provide information to the public (and which is open to consultation by either the public in general or those able to show a legitimate interest in inspecting the register).

The first three derogations are not available for the activities of public authorities in the exercise of their public powers.

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

- There is an unresolved issue, such as claim or dispute;
- I am legally prevented from doing so; or
- There are overriding legitimate business interests, including but not limited to fraud prevention and protecting customers' safety and security.

Your Rights

The General Data Protection Regulation gives you specific rights around your personal data. For example, you have to be informed about the information I hold and what I use it for, you can ask for a copy of the personal information I hold about you, you can ask us to correct any inaccuracies with the personal data I hold, you can ask us to stop sending you direct mail, or emails, or in some circumstances ask us to stop processing your details. Finally, if I do something irregular or improper with your personal data you can seek compensation for any distress you are caused or loss you have incurred. You can find out more information from the ICO's website http://ico.org.uk/for_the_public/personal_information and this is the organisation that you can complain to if you are unhappy with how I dealt with you.

Accessing and Correcting Your Information

You may request access to, correction of, or a copy of your information by contacting me at teamd@oeclaw.co.uk and/or One 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 uses 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 notify you of these through email. I will also publish the updated Notice on my website profile page.