

Privacy Notice for Laurence Emmett

This is the Privacy Notice of Laurence Emmett, a practising barrister. I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that I hold and process in relation to my practice. My registered address is One Essex Court, Temple, London EC4Y 9AR and my registration number is Z9231659.

In order to provide legal advice and representation it is necessary to collect and hold personal information about instructing solicitors, clients and the officers and representatives of clients. In doing so, I take all reasonable steps to protect information that has been collected and held and to avoid infringing the rights and trust of those who have provided it.

This Privacy Notice describes the personal information I collect and how it is used and shared.

Data Collection

All of the information that I hold is provided to or gathered by me in order to provide legal advice and representation to my clients.

If you are a client or the officer or representative of a client, my instructing solicitor and/or I will tell you why it is necessary for you to provide the information and how it will be used.

Our 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 the control and processing of personal information about clients and their representatives are:

- Consent of the data subject
- Performance of a contract with the data subject or to take steps to enter into a contract (if the client is an individual)
- Compliance with a legal obligation (i.e. to provide legal advice and representation in accordance with my instructions, any contract that is entered into, and my professional obligations)
- Performance of a task carried out in the public interest or in the exercise of official authority

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- The legitimate interests of the client, solicitors instructing me and myself. (who seeks legal advice and representation), solicitors instructing me (who have a legitimate interest in advising and representing the client and being paid to do so) and myself (who have an interest in advising and representing the client and being paid to do so).
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The legitimate interests for which I process personal data are:

- the interests of the client in obtaining legal advice and representation;
- the interests of solicitors instructing me, who have a legitimate interest in providing legal services to the client and in being paid to do so;
- my own interests in providing legal advice and representation to the client and in being paid to do so; and
- my own interests and those of my Chambers and its other members in staying in touch with solicitors and clients.

I use personal information to:

- Provide legal advice and representation
- Assist in training pupils and mini-pupils
- Investigate and address your concerns
- 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 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;
- Criminal Records

I may share personal data with:

- Instructing solicitors
- The court or any arbitrator, mediator or expert adjudicator
- Pupil or mini pupil, under my training
- Opposing Counsel, for the purposes of resolving the 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 our 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).

I retain personal data of an individual for as long as the individual remains a client (or for as long as the company of which the individual is an officer or representative remains a client) unless the client asks me to delete it. I will delete or anonymise information of an individual at the request of the client unless:

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

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.

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 <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/> 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 lemmett@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 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 notify you of these through email. I will also publish the updated Notice on my website profile page.