Privacy Notice

PRIVACY POLICY OF: James Tucker

Queen Square Chambers, 56 Queen Square, Bristol BS1 4PR

ICO REGISTRATION NUMBER Z9060277

Effective from: 1 January 2020

Privacy Policy

In order to provide legal advice and representation, I need to collect and hold personal information. This may be your personal data or information relating to other parties involved in the matter. I will take all possible steps to protect personal information. I will ensure that I do not do anything that may 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 Queen Square Chambers, 56 Queen Square, Bristol BS1 4PR and my ICO registration number is Z9060277. If you need to contact me about your data or this privacy notice, you can reach me at crime@qsc.law.

Data collection

The vast majority of the information that I hold about you is provided to or gathered by me in the course of your case. Your solicitor or I can tell you why we need the information and how we will use it. On occasion I may also obtain information that is available publicly.

What data do I process about you?

I collect and process both personal data and special categories of personal data as defined in the GDPR. This may include:

- Name
- Email address
- Phone number
- Address

- Payment or bank details
- Date of birth
- Next of kin details
- Details pertaining to education and employment
- Information on your background & current circumstances
- Financial information.

Where relevant, I may also need to process special category personal data that reveals your:

- Racial or ethnic origin
- Political opinions
- Religious and philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data for the purpose of uniquely identifying a natural person
- Data concerning health
- Sex life and sexual orientation.

I will also process personal data relating to criminal convictions and offences.

My lawful basis for processing your information

The General Data Protection Regulation (the GDPR) requires all organisations that process personal data to have a lawful basis for doing so. The lawful bases identified in the GDPR that I seek to rely upon are as follows:

- Consent of the data subject – where this required, I will ensure that I have your specific consent for processing your data.
- Performance of a contract with the data subject or to take steps to enter into a contract.
- Compliance with a legal obligation – to comply with various regulatory and professional obligations, e.g. filing tax returns with HMRC.
- The legitimate interests of my business or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Examples of legitimate interests include:

- Where the data subject is a client or in the service of the controller;
- Provision of legal services and advice;
- Processing is necessary to ensure network and information security, including preventing unauthorised access;
- For purposes of practice management, accounting and debt recovery;
- For completion of professional regulatory requirements;
- Processing for direct marketing purposes, or to prevent fraud; and
- Reporting threats to public security.

Special category processing

I process special category data when:

1. I have your explicit consent to do so; or
2. It is necessary for the exercise or defence of legal claims or judicial acts.

Criminal data processing

I process data relating to criminal offences where it is necessary for:

- The purpose of, or in connection with, any legal proceedings;
- The purpose of obtaining legal advice; or
- The purposes of establishing, exercising or defending legal rights.

I use your 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, or as otherwise allowed by applicable law;
- Make statutory returns as required by [x];
- Assist in any tendering or panel membership applications;
- Assist in any other applications for the purpose of professional development or career progression;
- Communicate legal updates and judgments to other legal professionals;
- For marketing purposes.

I may share your personal data with:

- Instructing solicitors or other lawyers involved in your case;
- A 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 any legal obligations;
- Legal directories, for the purpose of professional development;
- Any relevant panel or tendering committee, for the purpose of professional development;
- Accountants and banking officials;
- Regulators or arbitrators, where complaints or disputes arise;
- Any other party where I ask you for consent, and you consent, to the sharing.

Transfers to third countries and international organisations

I transfer personal data to the following third countries or international organisations using the identified safeguards because of judicial order.

1. International law enforcement agencies and foreign governments.

I am satisfied that such transferred data is fully protected and safeguarded as required by the General Data Protection Regulation.

I retain your personal data while you remain the subject of instructions from a solicitor or as a direct client unless you ask me to delete it and I am lawfully allowed 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 a claim or dispute;
- I am legally required to; or
- There are overriding legitimate business interests to do so.

Your rights

The GDPR gives you specific rights in terms of 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 me to correct any inaccuracies with the personal data I hold, and you can ask me to stop sending you direct mail, or emails, or in some circumstances ask me 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 have dealt with your query.

Accessing and correcting your information

You may request access to, correction of, or a copy of your information by contacting me at crime@qsc.law.

Marketing opt-outs

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

I will occasionally update my privacy notice. When I make significant changes, I will publish the updated notice on chambers' website profile.