# UK GDPR Privacy Policy

## PRIVACY POLICY OF:

**Daniel Hobbs**

**5 ESSEX CHAMBERS**

**10A SOUTH SQUARE, GRAY'S INN, LONDON, WC1R 5JJ**

**ICO REGISTRATION NUMBER: ZA176741**

**DATE OF POLICY: 01/11/2023**

## 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, Dan Hobbs, am a member of 5 Essex Chambers. 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 10a South Square, Gray's Inn, London, WC1R 5JJ and my ICO registration number is **ZA176741**. If you need to contact me about your data or this privacy notice, you can reach me at [clerks@5essex.co.uk](mailto:clerks@5essex.co.uk) (for the attention of Dan Hobbs).

## Data collection

The vast majority of the personal data that I hold is provided to, or gathered by, me in the course of cases and/or proceedings. I also obtain information from other sources as follows:

- Information that is available publicly in registers, searches or in the media

- Other legal professionals including solicitors and barristers and their associates, trainees and staff
- Chambers staff and contractors
- Expert witnesses
- Prosecution and policing bodies
- Regulatory, public or administrative bodies
- Court staff & officials
- Judges
- Clients
- Candidates for staff positions, pupillage, tenancy, internships
- References

**What data do I process about you?**

Depending on the type of work, I collect and process both personal data and special categories of personal data as defined in the UK 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.

On occasion, I may also process personal data relating to criminal convictions and offences.

**My lawful basis for processing your information**

In order that I can provide legal services and representation, I must process personal data. The UK General Data Protection Regulation (the UK GDPR) requires that where I process personal data, I must have a lawful basis for doing so. The lawful bases identified in the UK GDPR that I seek to rely upon are as follows:

- **Consent of the data subject** – where this is required, I will ensure that I have your specific consent for processing your data for the specified purposes. You will also have the right to withdraw your consent at any time. Where you do so this will not affect the legality of data processing which had taken place prior to your withdrawal of consent.
- **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 but are not limited to:

- Provision of legal services and advice.
- For purposes of practice management, accounting and debt recovery.
- For completion of professional regulatory requirements.
- Processing for direct marketing purposes,
- Processing to prevent fraud.
- Reporting threats to public security.
- Such other purposes as set out below.

**Special category processing**

The UK GDPR specifies that where I process special category data, I must rely upon certain exemptions in order to do so lawfully. The following exemptions are applicable in my practice:

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**

On occasion, 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; or
- Where I have your explicit consent to do so.

**Purposes:**
**I may use your personal information for the following purposes:**

- Provide legal advice and representation;
- Assist in training pupils, mini pupils, interns and others on work experience
- Giving talks or providing mentoring advice to aspiring lawyers;
- 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 where required;
- 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 and the public;
- For marketing purposes including online and social media;
- For the management and administration of my practice;
- To recover debt;
- To manage complaints with regulators;
- Communications with regulators;
- Where relevant to conduct anti money laundering, terrorist financing or conflict of interest checks;
- For professional directory submissions;
- For recruitment purposes;
- Chambers' governance.

**In the course of processing your information to provide legal services to you, I may share your personal data with:**

- Instructing solicitors or other lawyers involved in your case;
- Opposing counsel, for the purposes of resolving or conducting the case;
- Court Officials, including the Judiciary;
- Opposing lay clients;
- Expert witnesses and other witnesses;
- A pupil or mini pupil, intern or others on work experience under my training/supervision;
- My chambers' management and staff who provide administrative, clerking or marketing services for my practice;
- Regulators, arbitrators or legal advisors in the event of a dispute, complaint or other legal matter;

- Head of Chambers or complaints committee within my chambers, in the event of a complaint;
- 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;
- Other members of Chambers/staff for the purposes of recruitment selection and decision-making.
- Any other party where I ask you for consent, and you consent, to the sharing.
- I may also be required to disclose your information to the Police or Intelligence services where required by law or pursuant to a court order.

**Transfers to third countries and international organisations**

I do not transfer any personal data to third countries or international organisations. My practice is based in the UK however I may access your data whilst working abroad. If you are based in the UK and transfer data to me outside of the UK, I will only process that data in accordance with this Privacy Policy, the UK GDPR and Data Protection Act 2018.

**I retain your personal data** while you remain a client 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 a claim or dispute;
- I am legally required to; or
- There are overriding legitimate business interests to do so.

I will typically retain all documents and case files for a period of 15 years following the conclusion of a case/matter or receipt of final payment, whichever is the latest. This reflects recent guidance on data retention issued by the Bar Council having regard to potential limitation periods.

Where various pleadings and documents have been drafted, they may be retained for learning purposes and legal research. Where this is the case, I will anonymise the personal information/redact information which may identify an individual/risk assess the continued retention of the documents.

**Your rights**

The UK GDPR gives you specific rights in terms of your personal data. For example, you have the right of access to 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 you believe that I have done something irregular or improper with your personal data, you can complain to the ICO if you are unhappy with how I have processed your information or dealt with your query.

You can find out more information from the ICO's website:

http://ico.org.uk/for_the_public/personal_information

**Accessing and correcting your information**

You may request access to, correction of, or a copy of your information by contacting me at clerks@5essex.co.uk (for the attention of **Dan Hobbs**).

**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 notify you of these by publishing the updated notice on my chambers' website profile.