



# People's rights through justice

## Privacy Notice for Ben McCormack

I am a barrister (a barrister is a type of lawyer who gives specialist legal advice, who drafts important legal documents, and who represents people in court) and a member of Garden Court North Chambers (a chambers is a group of self-employed barristers who work collectively with other like-minded individuals in order to share administration costs and expertise). If you choose to instruct me to represent you, I will need to collect and hold your personal information in order to do so. I will take all possible steps to protect your personal information. 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 Garden Court North Chambers, Third Floor, Blackfriars House, Parsonage, Manchester, M3 2JA and my registration number is Z939960X.

### Data Collection

The vast majority of the information that I hold about you is provided to or gathered by your solicitor and/or me in the course of your case and/or proceedings. Your solicitor and/or I will tell you why we need the information and how we will use it. However, I may also collect information:

- Directly from a third party such as enforcement bodies, those with responsibilities for prosecuting criminal offences and, where appropriate, the person or body bringing a claim against you;
- From publicly accessible sources, eg, social media or Companies House; and
- From a third party with your consent, such as:
  - Consultants and other professionals engaged in relation to your matter;
  - Your employer, trade union or professional body;
  - Doctors, medical and occupational health professionals; and
  - *Insurance companies.*

### 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 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; and
- The legitimate interests of ourselves, 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;
- Transmission within a group of undertakings for internal administrative purposes;
- 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 can only use your personal data if I have a lawful and proper reason for doing so.

The lawful basis is that the processing is necessary in relation to a contract which you have entered into with me (either directly or through an intermediary such as your solicitor), or because you have asked for something to be done so you can enter into a contract with me.

If am instructed to act in a case where you are not my client, the legal basis is that the processing is necessary for administering justice, or for exercising statutory, governmental, or other public functions.

In relation to the legal basis for promotional communications, the processing is in accordance with the “legitimate interests” condition.

## Use of your information

I use your information to:

- Provide legal advice and representation;



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- Conduct checks to identify you and verify your identity;
- Assist in training pupils and mini-pupils;
- Investigate and address your concerns; and
- Investigate or address legal proceedings relating to your use of my services/products, or as otherwise allowed by applicable law.

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:

- Name;
- Email;
- Phone number;
- Address;
- Payment or bank details;
- Date of birth;
- Financial information;
- Medical Records;
- Criminal Records;
- Information to enable me to check and verify your identity, eg, your passport details;
- Your National Insurance and tax details;
- Details of your social media presence;
- Details of your spouse/partner and dependents or other family members;
- Your employment status and details, including salary and benefits, as well as records;
- Your nationality and immigration status and information from related documents;
- Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs; and



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- Your trade union membership.

I will only collect personal data that is relevant to the service I am performing for you, or that is incidental to that service. This personal data may be required to enable me to provide my service to you. If you do not provide personal data I ask for, it may delay or prevent me from providing services to you.

### Sharing of your data

I may share your personal data with:

- Instructing solicitors;
- Pupils or mini-pupils, under my training;
- Opposing counsel, for the purposes of resolving the case;
- Garden Court North Chambers' staff and contractors, who provide me with administrative services;
- My regulator or legal advisors in the event of a dispute or other legal matter; and
- Law enforcement officials, government authorities, or other third parties to meet our legal obligations.

### Transfers to third countries and international organisations

To deliver services to you, I may need to share your personal data outside the European Economic Area (EEA) with my services providers (such as Dropbox). In such circumstances, I will enter into model contractual clauses as adopted by the European Commission or rely on alternative legal bases such as the Privacy Shield, where applicable, or binding corporate rules where my partners or service providers have adopted such internal policies approved by European data protection authorities.

I am satisfied that such transferred data is fully protected and safeguarded as required by the GDPR.

### Data retention

I retain your personal data while you remain a client and usually for six years thereafter. 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 required to; or



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- There are overriding legitimate business interests, including but not limited to fraud prevention and protecting customers' safety and security.

### Your Rights

The GDPR 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](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 in writing at Garden Court North Chambers, Third Floor, Blackfriars House, Parsonage, Manchester, M3 2JA, by email at [gcn@gcnchambers.co.uk](mailto:gcn@gcnchambers.co.uk) or by telephone on 0161 817 6377.

### Marketing Opt-Outs

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

### Cookies

Garden Court North Chambers' website uses cookies. A cookie consists of information sent by a web application to a web browser and stored by the browser. The information is then sent back to the web application each time the browser requests a page from the server. This enables the web application to identify and track the web browser so that it can respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences. We also use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to visitors' needs. We only use this information for statistical analysis purposes. Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. However, this may prevent you from taking full advantage of the website.

### Links to other websites

Garden Court North Chambers' website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such



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sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

### **Updates to Privacy Notice**

I will occasionally update my Privacy Notice. When I make significant changes, I will notify you of these through either mail or email. I will also publish the updated Notice on my website profile.