

Privacy Notice for Howard Smith

Thank you for choosing to instruct me in your case. I will need to collect and hold your personal information in order to represent you. 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 information that I hold and process as a barrister. My registered address is Radcliffe Chambers 11 New Square Lincoln's Inn London WC2A 3QB and my registration number is Z4735886.

Data collection

The vast majority of if not all the information that I hold about you is provided to or gathered by me in the course of your case and/or proceedings. This information will not be used by me other than for the purposes set out below.

Our lawful basis for processing your personal information

The General Data Protection Regulation (GDPR) requires all organisations that process personal information 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.
- 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.
- Reporting possible criminal acts or threats to public security.

My primary lawful bases for processing your information are consent and performance of the contract by which I am instructed to provide legal services, but other lawful bases may become relevant. For example, in the event of a professional negligence claim, I will have a legitimate interest in proving information to my insurer.

I use your information to:

- Provide legal advice and representation and other legal services.
- Assist in training pupils and mini-pupils.
- Investigate and address your concerns.
- Communicate with you about news, legal developments 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 such as are required by the ICO or HMRC.

- Comply with my professional or legal obligations.
- Obtain legal or other professional advice about my obligations.

I do not use automated decision-making in the processing of your personal information. I collect and process both personal information and special categories of personal information as defined in the GDPR. This includes:

Client personal information

- Name
- Email
- Phone number
- Address
- Payment or bank details
- Date of birth
- Location details
- Device IP address
- Financial information
- Medical Records
- Criminal Records
- Social and biographical information

I may share your personal information with:

- Instructing solicitors.
- Legal representatives for other parties for the purpose of enabling communication (such as providing your name when stating on whose behalf I am instructed).
- Radcliffe 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.
- The courts, arbitrator or adjudicator in the ordinary course of proceedings.
- Any other party where I ask you and you consent to the sharing.

And with the following (subject to any instructions you give to the contrary):

- Pupil or mini pupil, under my training.
- Counsel in Chambers, where they have been instructed by you or for the purposes of proof reading or obtaining a second opinion on an informal basis.
- Legal representatives for other parties, for the purposes of resolving the case.
- Mediator during the course of a mediation.

Transfers to third countries and international organisations

I may transfer personal information to legal representatives in third countries where those legal representatives have been instructed on the same matter as or on a matter connected with your instructions to me. The safeguards which apply are the legal and professional obligations of those legal representatives and any relevant contractual terms in the agreement by which you have instructed such legal representatives.

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

Retention of personal information

I retain your personal information, as specified in my Retention and Disposal Policy (copy available on request) which details how long I hold personal information for and how I dispose of it when it no longer needs to be held. I will delete or anonymise your personal information at your request 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.

Your rights

The General Data Protection Regulation gives you specific rights around your personal information. For example, you have to be informed about the personal 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 information I hold, 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 information 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 personal information

You may request access to, correction of, or a copy of your personal information by contacting me at fquint@radcliffechambers.com.

Marketing opt-outs

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

Cookies

Radcliffe Chambers' website uses cookies. These are small text files that are placed on your computer or mobile device when you visit a website. Radcliffe Chambers' website uses both "session cookies" and "persistent cookies". Session cookies allow you to move from page to page which Radcliffe Chambers' website and any information you enter to be remembered. This type of cookie is deleted when you close your browser or after a short time. Persistent cookies all Radcliffe Chambers' website to remember your preferences and settings when you visit the website in the future. Persistent cookies expire after a prescribed period of time. Radcliffe Chambers may use Google Analytics to provide them with information about the use of Radcliffe Chambers' website, including:

- Remember user preferences and settings.
- Determine frequency of accessing our content and length of any visit.
- The requesting computer's IP address and any domain name associated with it.
- Measure the effectiveness of advertising campaigns.
- Analyse site visits and trends.

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.