

PRIVACY NOTICE

1. What this privacy notice tells you

This privacy notice contains important information on how, why, and on what legal basis I collect, store, use or otherwise process your personal data (whether you are a solicitor, another authorised person who can instruct me, or a “lay client” – i.e., the person on behalf of whom I am instructed). It also explains your rights in relation to that personal data, and how to contact me or the supervisory authorities in the event you have a complaint.

Please read it carefully, and do not hesitate to let me know if anything set out in this privacy notice is unclear.

Cornerstone Barristers’ privacy policy, which is separate from but complementary to this privacy notice depending on the circumstances, can be accessed [here](#).

2. Details about me and the applicable law

I collect, use and am responsible for otherwise processing certain personal data about you in the process of conducting my legal practice and providing legal services to you.

When I do so, I am the controller of that personal data. As a data controller, I am subject to the duties on data controllers set out in the UK General Data Protection Regulation (UK GDPR) and, to the extent it is applicable, the Data Protection Act 2018 (DPA 2018). By law, I must always ensure that my processing is generally lawful, fair and transparent, and that it complies with all the other principles and requirements of the UK GDPR.

I am registered with the Information Commissioner’s Office (ICO) as a data controller. My registration number is ZA236983.

3. Key terms

I will start by explaining some key terms used in this notice:

I, me, mine, my	John Fitzsimons (barrister)
Personal data	Any information relating to an identified or identifiable individual. For more information about what constitutes personal data, please see Article 4 UK GDPR.
Special category personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership Genetic and biometric data (when processed to uniquely identify an individual)

	Data concerning health, sex life or sexual orientation For more information about the requirements associated with processing special category personal data please see Article 9 UK GDPR.
Data subject(s)	The individual(s) to whom the personal data relates, e.g. my solicitors or other authorised instructors, my lay clients or third parties.
Chambers	Cornerstone Barristers
Legal services	Principally, but not limited to: <ul style="list-style-type: none"> - providing legal advice, - drafting pleadings, letters, contract and/or leases, settlement offers or any other documents, - representation in court and in the context of alternative dispute resolution.

4. Whose personal data do I process?

I process personal data of my lay and professional clients, potential clients, individuals who feature in the matter in respect of which I am asked to provide legal services, witnesses and experts, opponents, other barristers with whom I am working, court staff and members of the judiciary and others who may be ancillary to actual or potential proceedings. Any references to “you” or “your” below should be taken as a reference to any of the above natural persons.

5. Personal data I collect about you

The personal data I collect about you depends on the legal instructions I have accepted, or am asked to consider. Generally, I will process the following personal data about you:

- your name
- date of birth
- contact information, including your email address and telephone number
- official identification details (particularly in the context of direct access work)
- financial details, including your billing information
- where applicable, other personal data including your private or work address, education and/or employment details, personal data about any relevant family members, and data relating to criminal convictions and offences or related security measures and/or civil judgments

I may also collect special category data about you, as defined in the Key Terms table above.

6. How your personal data is collected and otherwise processed

I mainly collect your personal data directly from you, principally by email, or, if you are a lay client instructing me via a solicitor, I will mainly collect your personal data from the solicitor. However, I also collect this personal data indirectly via Chambers' clerks, who are often your first point of contact, and who will send me documents containing personal data for the purposes of providing you with a fee estimate for my legal services, or for the provision of legal services.

Depending on each individual case, I will also obtain your personal data from third parties in the process of offering legal services to you. This could, for example, include collecting such data from or through legal professionals, courts and tribunals, public bodies such as local authorities and regulatory bodies, relevant experts, members of the public, and witnesses.

Likewise, I may share your personal data with others, including, but not limited to, other data controllers or data processors including Chamber's administrative staff, interpreters, my professional indemnity insurers, the Bar Standards Board or the Legal Ombudsman, courts and tribunals, other parties to a dispute or potential dispute and their legal advisors, solicitors and barristers, witnesses, and barristers, pupils, mini-pupils, secondees (or similar) in Chambers.

7. The purposes for which I process your personal data

The main purpose behind the processing of your personal data is for me to provide you with professional legal services as a barrister. This is subject to me having a lawful basis for doing so, which is further explained at 8 below.

However, I may also, where I have a lawful basis for doing so, use your personal data for other purposes, including:

- a. to check for conflicts of interest
- b. to carry out office administration
- c. to comply with accounting requirements, e.g. processing of VAT
- d. to take or defend legal or regulatory proceedings
- e. to respond to potential complaints or make complaints
- f. to train other lawyers, pupils, mini-pupils and secondees or when providing any kind of work-shadowing opportunities
- g. to publish professional articles or other form of analysis in legal journals, books, Chambers' website, or other websites
- h. to respond to requests for references

Please be assured that I do not use automated decision-making in the processing of your personal data, and that I will never sell any personal data to a third party. Furthermore, all of the above purposes are also carried out subject to my duties of client confidentiality.

8. The basis on which I process your personal data

Under data protection law, I am only allowed to process your personal data if I have a lawful basis for doing so.

I rely on the following to process (which includes both collecting and sharing) your personal data :

- a. you have given clear consent for me to process the relevant personal data for a specific purpose.
- b. processing of the relevant personal data is necessary for the performance of a contract for legal services with you or in order to take specific steps prior to entering into such contract.
- c. processing of the relevant personal data is necessary for me to comply with a legal obligation, for example, anti-money laundering regulations.
- d. processing of the relevant personal data is necessary to protect a vital interest.
- e. processing of the relevant personal data is necessary for the purpose of my legitimate interests or the legitimate interests of a third party, unless such interests are overridden by your interests or fundamental rights and freedoms.

There is no hierarchy in the order of this list, and which lawful basis applies depends on individual circumstances. Sometimes more than one lawful basis will apply. Should you wish to learn more about the basis for the processing of your personal data for a particular purpose, please contact me through Chambers.

In order to process special category data lawfully, I must identify both a lawful basis from the list above and a separate condition for processing under Article 9 UK GDPR. Where I process special category personal data or criminal conviction data, this will normally be on the basis of one or more of:

- explicit consent;
- reasons of substantial public interest,
- for the purpose of, or in connection with legal proceedings (including prospective legal proceedings)
- for the purpose of obtaining legal advice
- for the purposes of establishing, exercising or defending legal claims.

9. How your personal data is held

I store your personal data in electronic form in a secure Chambers IT system, which consists of secure local servers protected by antivirus software, encryption and an enterprise level firewall. Access to the system locally is via a cabled connection and only with network level authentication. Access to the system remotely is via a secure, network authenticated VPN.

Personal data is also stored on my personal computer, which is secured by password with whole disk encryption. I also have antivirus software protection and I access my Chambers email via two factor authentication. If any personal data is processed on mobile phones, those are password protected too.

Any personal data that I hold in hard copy in a relevant filing system is stored securely, either in Chambers or in my home.

10. For how long will your personal data be retained?

I will not keep your personal data for longer than I need it for the purpose for which it is used subject to any applicable legal and/or regulatory requirements.

Normally, I will store personal data for 7 years from the date on which I last carried out work on your case, unless your case remains outstanding at the end of that period.

In some cases, I may retain your personal data for longer than 7 years where it is held together with your personal data relating to other cases in respect of which the standard retention period has not expired and it is not reasonable or proportionate to separate the personal data relating to each case.

I will retain a very limited amount of personal data beyond the standard retention period for the purposes of conflict checks throughout my career.

11. Your rights

Unless exemptions apply, you have the following rights, which can be exercised free of charge:

Informed	The right to be informed about the collection and use of your personal data
Access	The right to be provided with a copy of your personal data
Rectification	The right to require me to correct any mistakes in your personal data
Erasure (also known as the right to be forgotten)	The right to require me to delete your personal data in certain situations
Restriction of processing	The right to require me to restrict processing of your personal data in certain circumstances

Data portability	The right to receive the personal data you provided to me, in a structured, commonly used and machine-readable format and/or transmit that personal data to a third party in certain situations
To object	The right to object: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to my continued processing of your personal data, eg processing carried out for the purpose of my legitimate interests unless there are compelling legitimate grounds for the processing to continue or the processing is required for the establishment, exercise or defence of legal claims
Not to be subject to automated individual decision making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning your personal data or similarly significantly affects you.
The right to withdraw consent	If you have provided me with consent to use your personal data you have a right to withdraw that consent easily at any time. Withdrawal of consent will not affect the lawfulness of my use of your personal data in reliance on that consent before it was withdrawn and I may continue to process your personal data if I have another lawful basis for doing so.

If you would like to exercise any of the above rights, please email the leader of my clerking team dhughes@cornerstonebarristers.com in the first instance, who will forward your enquiry to me, call (020 7242 4986 or 0333 240 0591) or write to me in Chambers at John Fitzsimons, 2-3 Gray's Inn Square, London WC1R 5JH, telling me what right you want to exercise and the information to which your request relates.

Please note that the rights listed above are subject to certain limitations and exemptions that exist within the UK GDPR and DPA 2018. Further information about the above rights is available on the ICO's website at www.ico.org.uk

12. Complaints

If you've had a problem accessing your personal data, or have a concern or complaint about the way I am processing your personal data, you have a right to complain to the Information

Commissioner, at www.ico.org.uk or via telephone: 0303 123 1113. However, I hope that if you have a concern or a complaint about the way I handle your personal data, you will contact me in the first instance via the contact details set out in section 11 above, so that I have an opportunity to resolve it.

13. Changes to this privacy notice

This privacy notice was published on 15 July 2022.

I may change this privacy notice from time to time to keep it up to date in light of any changes to data protection legislation or for other reasons. When I do, I will highlight this in the signature to my emails and/or my Chambers online profile and/or within this privacy notice.