

James Culverwell – Privacy Statement

Who am I?

I am a self-employed barrister at 2, King's Bench Walk. I accept instructions from firms of solicitors, government bodies (such as the Crown Prosecution Service and the Home Office), and occasionally from individuals under the Direct Access scheme.

The clerking team of 2, King's Bench Walk will handle most instructions in my name for the purposes of the General Data Protection Regulations (GDPR).

If you have any questions about how your personal data is handled please do not hesitate to contact me through the clerks: familyandcivilclerks@2kbw.com or criminalclerks@2kbw.com.

How the law protects you

Your privacy is protected by law. This page is intended to set out how this works. The law says that I can use your personal information only if I have a proper reason to do so. On occasion this will include sharing it with other barristers both inside and outside of Chambers. In order to do so I must have one or more of the following reasons:

- i. To fulfil a contract I have with you;
- ii. When it is my legal duty;
- iii. When it is in my legitimate interest; or
- iv. When you consent to it.

In the course of any business with me it is likely that I will receive personal data such as your name and contact details. It is also likely that I will receive some or all of the following information about you (known as 'special data'):

- i. information on racial/ethnic background;
- ii. sexual orientation;
- iii. religious beliefs;
- iv. health data; and
- v. criminal records (both convictions and allegations).

By instructing me it is necessary that you consent to me processing the personal data you provide me.

How I use your personal information

As a barrister I will use personal data provided to represent you in the case I have been instructed in. This can include the preparation of a case, drafting of an advice, and representing you at any court hearings, including at a trial.

What sort of data will I handle

My practice is predominantly in Property Law and Personal Injury, with a small amount of crime and immigration work.

The sort of material I will frequently receive includes:

- Witness Statements;
- Expert reports (for example, medical reports, engineering reports, drugs analyses);
- Exhibits (for example scene photographs, injury photographs);
- Medical records;
- Property deeds and land register entries;
- Details of the previous convictions of individuals; and
- Discs of CCTV, audio recordings, police interviews and phone downloads.

Who your information will be shared with

When I am instructed, my clerks are my data processors. They will take receipt of any digital material I am sent and store it securely on our online management system. I will be able to access this data. Physical data (for example papers or discs) will also be received by the clerks and will be locked in Chambers. On occasion I will have to take this home to work on, but the material will remain locked away.

There may be occasions where data (as part of a case I am instructed in) will have to be shared with other members of 2, King's Bench Walk or other Chambers if I am unable to cover a particular hearing. This will only be done with the consent of the person or body who has instructed me.

If you choose not to give personal information

You can choose not to give me personal information. This may prevent me from fulfilling my contract with you or doing what I am professionally obliged to do. It may mean that I have to withdraw from representing you.

You can withdraw your consent to me handling your personal data at any time. The best way to do this is through contacting my clerks.

How to get a copy of your personal data

You can get a copy of all the personal information I hold on you by contacting my clerks.

Document Retention

At the conclusion of a case, any hardcopy papers that I have been provided by the person or body who instructs me will be returned to that person or body within 6 months. If documents have been sent to me electronically, the files will be securely deleted within 6 months. I am professionally obliged to keep documents I generate in the course of any case for a minimum of seven years. If I have been instructed on a direct access basis, I am also required to keep a copy of documents, or a list of the documents, provided to me with the instructions for seven years. After this point, all hardcopy documents will be securely shredded and any electronic data will be securely deleted.

This privacy statement is updated regularly. It was last updated on 18th May 2018.