

Leigh Hart Privacy Policy

Policy Details:

Name: Leigh Hart

Address: 2 King's Bench Walk, London, EC4Y 7DE

ICO Registration Number: ZB142189

Policy renewal date: 25/07/2024

Data Controller

I am a self-employed barrister and member of 2 King's Bench Walk chambers. I accept instructions from the Crown Prosecution Service, firms of solicitors, and from Government bodies.

I am registered with the ICO (Information Commissioner's Office) as a Data Controller for the personal data that I hold and process as a barrister. My registration details are above and should you need to contact me about personal data, the email address to contact is: crime@2kbw.com.

The type of personal information I collect.

The information that I either gather or it is provided to me, is during my profession and through 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.
- Information provided to me from other legal professionals including solicitors at firms, government bodies, or the Crown Prosecution Service. This includes information from any member of staff there, including but not limited to solicitors, their associates, paralegals, administrators, and trainees.
- Chambers staff
- Expert witnesses
- Court staff and officials
- Regulatory, public, or administrative bodies.
- Clients

- References

The type of information and data that I gather and/or collect, is both personal data and that defined by UK GDPR as special categories of data, including:

- Name
- Date of birth
- Address
- Telephone number and other contact details
- Email addresses
- Account details/payment details/financial information
- Family details and next of kin
- Background data or information relating to past/present circumstances.
- Information relating to employment and education.
- Previous convictions or details of interactions with the police concerning reports, involvement, or allegations.

Special categories of personal data are as follows:

- 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.

How and Why I have it.

I am provided with and gather personal information and the data listed above so that I can provide legal services and representation to those that instruct me to do so. I must possess this information so that I can competently carry out my job and respective role in the justice system. The UK General Data Protection (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 apply for me are as follows:

- Consent of the data subject. Where this is required, I will ensure that I obtained specific consent for processing said data for the specified purposes. The data subject will also have the right to withdraw consent at any time. Where this occurs, it will not affect the legality of the data processing which had taken place prior to the withdrawal of consent.
- Performance of a contract with the data subject, or to take steps to enter a contract.
- Compliance with a legal obligation, to comply with regulatory and professional obligations.
- 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 (this is a non-exhaustive list):

- Providing legal services and advice.
- Accountancy and practice/business management.
- Completion and adhering to professional regulatory requirements.
- Processing for direct marketing purposes, or 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:

- I have the data subject's explicit consent to do so.
- It is necessary for the exercise or defence of legal claims or judicial acts.

Criminal data processing

I process data relating to criminal offences where I have the subject data's explicit consent to do so, or 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.

Purpose

I use personal information for the following purposes:

- Providing legal advice and representation
- Assisting in training pupils and students
- Investigating and addressing your concerns
- Communicating with you about news, updates and events
- Investigating or addressing legal proceedings relating to your use of my services, or as otherwise allowed by applicable law
- Assisting in any tendering or panel membership applications
- Assisting in any other applications for the purposes of professional development or career progression
- Communicating legal updates and judgments to other legal professionals
- Marketing purposes
- The management and administration of my practice
- Managing complaints with regulators, and communications with regulators
- Where applicable to conduct anti money laundering, terrorist financing, or conflict of interest checks.

Data Sharing

During the provision of legal services, there may be occasion where I must share the data that I possess. I may share personal data with:

- Instructing solicitors and/or other legal professionals
- Pupils and/or mini pupils I am training
- Court Officials and Personnel
- Judiciary
- Chamber's staff and/or management
- Expert witnesses and/or lay clients/witnesses for the purpose of resolving the case, narrowing the issues, or otherwise providing legal services to those who instruct me.
- My regulatory and/or Legal Advisors
- Head of Chambers of the complaints Committee within Chambers, in the event of a complaint.

- Law enforcement officials, government bodies and/or other third parties to provide legal services as required.
- Accountants and/or members of administrative staff/banking officials.
- Police or intelligence services where I am required to do so by law or pursuant to a court order.
- Any other party where consent is obtained from the data subject and that data subject consents to the sharing of their data.

Data is not transferred to third countries or international organisations.

How long do I retain and store data?

I am required to retain data for the duration of the case while it is active, unless the data subject requests that data be retained and/or deleted. I will delete or anonymise data unless:

- I am legally required to disclose/anonymise it.
- There is an issue, claim or dispute that requires me to disclose/anonymise it.
- There are overriding legitimate business interests that require me to disclose/anonymise it.

Case files are typically retained for a period of 6 years and no case files to date have been deleted, unless for the reasons stated above, they have been deleted. Further documents may be retained for longer for learning purposes and/or legal research or development.

Your rights

The UK GDPR gives specific rights to the data subject in terms of personal data. You have the right to access the information I hold and what I use it for. You can also ask for a copy of the personal information I hold about you. You are also able to ask me to correct/amend any personal information I hold about you and can ask me to stop processing your details, subject to the above policy. The correct method to do this is to contact me via crime@2kbw.com.

If I do something improper with your personal data then you are able to complain about me to the ICO if you are unhappy with how I have processed the information I have about you.

You may, in some circumstances, be able to seek compensation for any distress you are caused, or loss you have suffered.

You can find out more about how to complain on the ICO's website.

This privacy notice may be occasionally updated. The most up to date notice is published online on the 2 King's Bench Walk website.

Last updated: 26th October 2023.

How we store your personal information

Your information is securely stored.

We keep [type of personal information] for [time period]. We will then dispose your information by [explain how you will delete their data].

Tell people how or where you keep their personal information, how long you intend to keep it for and then how you intend to securely destroy or dispose of it. You need to do this for every type of information you hold.

Your data protection rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at [\[insert email address, phone number and or postal address\]](#) if you wish to make a request.

Tell people about their data protection rights. Their rights will differ depending on your lawful basis for processing, so once you know this then you can select the relevant sections from the text in the template below to include in your Privacy Notice. The [lawful basis](#) page of our Guide to the GDPR has a useful table that shows the varying rights that apply depending on the lawful basis.

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at **[Insert your organisation's contact details for data protection queries]**.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

Tell people how to make a complaint to you here. Include the ICO's address.