

PERSONAL PRIVACY STATEMENT

LES SMITH

Who am I

I am a self-employed barrister at 2 King's Bench Walk. Certified and regulated by Bar Council and the internal policy of 2 Kings Bench Chambers. I receive instructions from firms of solicitors, government bodies (such as local authorities and the Home Office and public prosecuting authorities), and may receive instructions from individuals under the Direct Access scheme, again regulate by the Bar Council.

2 King's Bench Walk, has a team of clerks, who 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 clerking team at 2 Kings Bench Walk.

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) or others necessary to fulfil my contractual, legal, legitimate professional reason, or following your consent. In short, 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 to
- iii. When it is in my legitimate interest
- iv. When you consent to it

During any business with me it is likely that I will receive what is known as 'special data' on you. This includes information on racial/ethnic background, sexual orientation, religious beliefs, health data and 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 exercise my professional duties in order to represent you in the case I have been instructed in. This can include the preparation of a case, drafting of an advice, drafting of documents necessary to represent you, and representing you at a hearing.

What sort of data will I handle

My practice is predominantly within family law, civil and criminal law. The sort of material I will frequently receive includes:

- - Witness Statements
- - Exhibits (incl. photographs, short video clips, text messages, voicemail recordings, expert and forensic reports)
- - Details of the previous convictions, cautions or warnings ordered by the court or issued by the investigating authority, concerning individuals
- - Disks or digital download of CCTV, police interviews, phone downloads
- - Medical records
- - Social Services records
- - Medical reports
- - Reports from Social Services & CAFCASS
- - Other public records, material to the performance of my professional duty

Who your information will be shared with

If instructed my clerks are my data processors. They will take receipt of most material I am sent and store it securely on Lex. Digital or hard copy material provided to me stored on a double authenticator lock, if digital and if hard copy, transported and locked in safe store, within a locked office.

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 instructing body.

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 stage. 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

On the conclusion of a case, I will return papers, or digital information, I have been provided by instructing bodies to those who have instructed me.

All data, sent to me digitally is in the first instance are stored upon a double identity authenticator locked system, upon digital device, and within 7 days transferred to encrypted separate hard drive, which is stored within locked structure within a locked office and then the hard drive is commercially deleted, under licence.

Data contained within paper documents, or similar, are retained in secure locked structure within locked office, and commercially destroyed under licence, with evidence of certificate of destruction.

I am professionally obliged to retain documents I generate in the course of a case for a minimum of seven years.

This privacy statement is updated regularly. It was last updated on 18 October 2023.