

MARION SMULLEN

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 process.

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.

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 to
- iii. When it is in my legitimate interest
- iv. When you consent to it

In the course of 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 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 a trial.

What sort of data will I handle

My practice is predominantly criminal focussed with a small amount of immigration work

The sort of material I will frequently receive includes:

- Witness Statements
- Exhibits (for example scene photographs, phone downloads, forensic reports)
- Details of the previous convictions of individuals
- Disks of CCTV, police interviews, phone downloads

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. I will be able to access this data. Physical data (for example papers or disks) 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 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 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

On the conclusion of a case, I will return papers I have been provided by instructing bodies to those who have instructed me. I am professionally obliged to retain documents I generate in the course of a case for a minimum of seven years. After this point I will dispose of them; papers will be securely shredded, and electronic data will be securely wiped.

This privacy statement is updated regularly. It was last updated on 20 October 2023.