

4 NEW SQUARE

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Data Privacy Notice

Data Controller

1. I am a member of 4 New Square. I am registered with the Information Commissioner's Officer (ICO) as a Data Controller for the personal data that I hold and process as a barrister. My registered address is 4 New Square, Lincoln's Inn, London WC2A 3RJ and my ICO registration number appears on my 4 New Square online profile.
2. If you have a query about your data or this notice, please contact us in writing – see the details at paragraph 10 below.

Data Collection

3. In order to provide legal services, I may collect and process your personal data which may include the types of personal data listed below. I collect and process this data in order to advise and represent clients and/or to consider and respond to instructions. Whether you are a lay client or a professional client, and in respect of both actual or potential clients, I may process your personal data. In addition, if you are an individual connected to matters arising from those instructions, and/or employees, agents, legal advisers and representatives of any such person, I may also collect and process your data.
4. All data subjects whose personal data I collect for the purposes of providing professional legal services, is in line with the requirements of the UK GDPR, the Data Protection Act 2018 and other data protection legislation.

What types of personal data do I collect and process?

5. The data I may collect and process in the provision of legal services as explained above, may include names, contact details, addresses, financial and employment details and other biographical information, as well as special category data such as racial or ethnic origins, political opinions or religious or philosophical beliefs, trade union membership, genetic or biometric data and details concerning health, sex life or sexual orientation. It may also include data relating to criminal allegations, proceedings or convictions.

My lawful basis for processing your data

6. In order to provide the legal services in accordance with my instructions, I must process your personal data. The UK GDPR requires that where I process personal data, I must have a lawful basis to do so. The lawful bases which I may rely on are identified by the UK GDPR and listed below. I may rely on any and multiple of these lawful bases in respect of the collection of your personal data.
7. The lawful bases are as follows:
 - a) Your consent.

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- b) The performance of a contract to which you are a party in order to take steps at your request prior to entering into a contract.
 - c) Compliance with our legal obligations.
 - d) The legitimate interests of my business or a third party, except where such interests are overridden by the interests, rights, freedoms of the data subject. Examples of legitimate interests include but are not limited to:
 - i. Professional legal services and advice;
 - ii. For the purposes of practice management, accounting and debt recovery;
 - iii. For completing of professional regulatory requirements;
 - iv. Processing for direct marketing purposes, or to prevent fraud;
 - v. Reporting threats to public security.
8. Special category data is processed on the basis of:
- a) Your explicit consent to the processing of those personal data for one or more specified reasons;
 - b) It being in the public domain (i.e. manifestly made public by the data subject);
 - c) Necessity for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
9. Personal data relating to criminal convictions is processed on the basis of:
- a) Your consent;
 - b) It being in the public domain (i.e. manifestly made public by the data subject);
 - c) Necessity for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings);
 - d) Necessity for the purpose of obtaining legal advice, or for the purposes of establishing, exercising or defending legal rights;
 - e) Necessity when a court or tribunal is acting in its judicial capacity.

Consent and opting out

10. You may withdraw consent and/or ask me to stop the processing of your personal data at any time by emailing gdpr@4newsquare.com or by writing to:

Lizzy Stewart
4 New Square
Lincoln's Inn
London, WC2A 3RJ

Sharing of your personal data

11. In the course of providing legal services, I may share your personal data with the following:

- a) my instructing solicitors;
- b) pupils or mini pupils, under my training or supervision;
- c) legal advisers acting for other parties involved in a case;
- d) Chambers staff who provide administrative services;
- e) third party suppliers of services for my practice, including technology suppliers providing software support;
- f) my accountant;
- g) regulatory or governmental authorities;
- h) legal advisors in the event of a dispute or other legal matter;
- i) Court officials and staff;
- j) other third parties to meet my legal obligations;
- k) any other party where I ask you and you consent to the sharing.

12. In addition, I may use artificial intelligence (AI) technologies with legal tasks such as analysing data, document review and administrative tasks. Any AI application used complies with relevant data protection laws and regulations. I may also be a member of a team and, in that capacity, I may be provided with and/or asked to work upon materials that have in whole or in part been produced by other team members using AI technologies.

13. Whenever data is shared by me, all reasonable precautions will be taken to ensure the security of the data, including through binding agreements relating to the lawful processing of personal data.

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14. In respect of the arrangements concerning the sharing of personal data between me and 4 New Square Ltd, please see [here](#).

Transfers to a third country

15. Our data is stored in the UK, only. In some cases, it may be necessary to transfer personal data to a third country: for example, in connection with international litigation or arbitration or if you are based outside of the UK. Where I transfer your personal information outside the EU, I will take reasonable steps to ensure that it is adequately protected.
16. Transfers may be made where the European Commission has made an adequacy decision in respect of that particular country (an adequacy decision means the personal data protection of a particular country has been deemed equivalent to the UK). In the event there is no adequacy decision and no appropriate safeguards can be put in place in accordance with Articles 46 and 47 UK GDPR, personal data will be transferred on the basis of the following exceptions:
- a) Your explicit consent to the proposed transfer;
 - b) Necessity for the conclusion or performance of a contract concluded in the interest of you the data subject;
 - c) Necessity for the establishment, exercise or defence of legal claims;
 - d) the transfer is necessary for important reasons of public interest;
 - e) The transfer is necessary to protect your vital interests or of other persons, where you are physically or legally incapable of giving consent.
17. Reasonable efforts will be made to ensure that the transferred personal data will be protected following the transfer.

Retention period

18. I have a legitimate interest in retaining personal data obtained and processed in connection with my professional and legal services and in the event of possible third party claims. I will typically retain case files for a period of 16 years following the conclusion of a case/matter which will ordinarily be taken as the date of my last active involvement in the matter. This reflects the period required by the Bar Mutual Fund relating to potential limitation periods.
19. Taking into account the period of time for which a case may be in progress, I intend to retain personal data for a period of 20 years starting from the relevant practitioner's first involvement in a case.
20. This general policy is subject to the overriding need to ensure that personal data, in the particular circumstances of any given matter, is: (i) not retained for longer

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than is necessary; and (ii) is not destroyed when it is still necessary to continue processing it. It is also subject to any particular issues as may pertain, from a limitation perspective, to the given matter.

Your rights as a data subject

21. At any point while I am in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access - you have the right to request a copy of the personal data that I hold about you and other information, including the following:
 - (a) the purposes of the processing;
 - (b) the categories of personal data concerned;
 - (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
 - (d) the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
 - (e) the existence of the right to request from me, the data controller rectification or erasure of personal data or restriction of processing of personal data concerning you, the data subject or to object to such processing;
 - (f) the right to lodge a complaint with a supervisory authority;
 - (g) where the personal data are not collected from you, the data subject, any available information as to their source;
 - (h) the existence of automated decision-making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- Right of rectification - you have a right to correct data that I hold about you that is inaccurate or incomplete.
- Right to be forgotten - in certain circumstances you can ask for the data I hold about you to be erased from our records.
- Right to restriction of processing - where certain conditions apply you may have a right to restrict my processing.

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- Right of portability - you have the right to have the data I hold about you transferred to another organisation.
- Right to object - you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling - you also have the right to object to the legal effects of automated processing or profiling.
- Right to review: in the event that I refuse your request under rights of access, I will provide you with a reason as to why. You have the right to complain as outlined below.

22. You may exercise any of these rights at any time either by emailing us at gdpr@4newsquare.com or by writing to the CEO and Senior Clerk, Lizzy Stewart at:

4 New Square
Lincoln's Inn
London, WC2A 3RJ

These rights may be subject to adaptations or restrictions, for example where:

- (a) Personal data consists of information which is confidential and/or legally privileged.
- (b) Personal data consists of or contains information relating to another individual who can be identified from the information, and there is neither consent nor would it be reasonable to disclose the information without the consent of the other individual.
- (c) Disclosure is required by law, under an enactment, rule or order of a court or tribunal.
- (d) Disclosure is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings).
- (e) Disclosure is necessary for the purpose of obtaining legal advice.
- (f) Disclosure is otherwise necessary for the purposes of establishing, exercising or defending legal rights.

Personal data collected in connection with legal services will be exempt from the transparency requirements where it is subject to legal professional privilege by virtue of paragraphs 18 and 19 of Schedule 2 to the Data Protection Act 2018.

Complaints

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23. In the event that you wish to make a complaint about how your personal data is being processed please contact us in the first instance by emailing or writing to the CEO and Senior Clerk, Lizzy Stewart at:

l.stewart@4newsquare.com

4 New Square
Lincoln's Inn
London, WC2A 3RJ

24. In addition, you have the right to lodge a complaint directly with the supervisory authority namely, the Information Commissioner's Office (ICO).

25. Please follow the link below for details of how to make a complaint with the ICO.

[Make a complaint about how an organisation has used your personal information | ICO](#)

26. You can contact the ICO by telephone on 0303 123 111