

RICHARD BEATY
Barrister

PRIVACY NOTICE

(Last revised on 1st November 2024)

Introduction

1. I am a self-employed barrister in private professional practice at the bar of England and Wales. I provide independent legal advice to my clients from my professional address, which is located at 4-5, Gray's Inn Square, Gray's Inn, London WC1R 5AH.
2. I am a data controller for the purposes of carrying on my professional practice and I am registered with the Information Commissioners Office ('the ICO') under registration reference ZA151564. The ICO is the United Kingdom's independent regulatory authority in relation to data protection and information rights.
3. In the conduct of my professional practice it is necessary for me to process personal data in order for me to perform my job as a barrister, which includes providing legal services to both my professional and to my lay clients. As a result, I process personal data in both electronic and in paper form. For the avoidance of doubt, I may process personal data, which may include special category data and/or Criminal conviction and offence data (collectively described in this Privacy Notice as 'personal data').
4. Special category data includes personal data that relates to or reveals information about an individual's racial or ethnic origin; political opinions or affiliations; religious or philosophical beliefs or trade union affiliations; genetic or biometric data; data concerning health, sex life or sexual orientation.
5. Criminal offence conviction and offence data includes information about offenders or suspected offenders in the context of criminal activity, allegations, investigations and proceedings.
6. This Privacy Notice is published in accordance with the requirements of the UK GDPR and the Data Protection Act 2018 and provides information about the way that I collect, use and retain (collectively 'process') the personal data that I receive.
7. If you have any questions about this Privacy Notice or require any further information, you can contact me at clerks@4-5.co.uk or at my professional address in chambers (above), or by telephone on 0207 404 5252. The ICO also provides a helpline and complaints service and can be contacted at: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or at www.ico.org.uk or by telephone on 0303 123 1113.

Processing of Personal Data

8. To provide my legal services to my clients ('my professional instructions'), I may process the personal data that I receive in both electronic, (which may include video and audio recordings) and in paper form.
9. As a result of my professional instructions, I may process personal data about (but without limitation):
 - 9.1. My professional and my lay clients;
 - 9.2. Witnesses of fact;
 - 9.3. Expert witnesses;
 - 9.4. Information relating to other parties and, where applicable, their advisors and other identifiable individuals involved with (or who are ancillary to) the case I am retained to act upon, or who are otherwise referred to in the instructions sent to me or who may be identifiable in or from my papers;
 - 9.5. Court, Tribunal or Regulatory staff and holders of judicial office.

10. My lawful basis for processing personal data is as follows:

In relation to the Instructions I receive:

- 10.1. In relation to the instructions that I receive from my professional and/or my lay clients (including where applicable direct access instructions), I may process personal data based on any or all of the following lawful conditions:
 - 10.1.1. I have the explicit and freely given consent from my professional and/or my lay clients for the purpose of the formation, performance and termination of my professional retainer; and/or,
 - 10.1.2. The processing is necessary for the performance of a contract to which my professional and/or my lay clients are a party; and/or,
 - 10.1.3. The processing is necessary for compliance with a legal obligation to which I am subject; and,
 - 10.1.4. In relation to the processing of any special category personal data, I have the explicit consent of my professional and/or my lay clients and/or it is necessary for me to process the special category personal data for the purpose of the establishment, exercise or defence of legal claims;
 - 10.1.5. In relation to any personal data I may process which relates to criminal convictions and offences, my processing is lawful on the basis of Sch. 1 (Part 2 and Part 3) of the Data Protection Act 2018, in particular (but without limitation) that the processing is

necessary for the administration of justice and/or for the purposes of, or in connection with, legal proceedings or prospective legal proceedings;

- 10.1.6. The processing is necessary for the purposes of my own legitimate interests in my capacity as the data controller.

In relation to the administration of my practice:

- 10.2. I process personal data as necessary for me properly administer my professional practice and in order to comply with my legal, regulatory and professional obligations. These obligations may include the legal duties I owe to the court, the legal duties I owe pursuant to statute and the common law; the regulatory duties I owe to the Bar Standards Board, the Bar Council, the Legal Ombudsman, the ICO, and other regulatory bodies and/or government agencies; the professional duties I owe to the Bar Mutual and the obligations I owe to the Head of Chambers at 4-5, Gray's Inn Square, Gray's Inn, London WC1R 5AH.

In relation to direct and solicited marketing:

- 10.3. I may process personal data in pursuit of my legitimate interests in the efficient administration and effective business development of my practice, which may include, subject to the Information Rights (below), processing for the purposes of direct marketing.

Sharing your Personal Data

11. As a barrister I must keep my client's information confidential; however, there are some circumstances when I may, or I am required by law, to share and/or disclose information about you. I may be required, or it may become necessary, to share or disclose your information to:

- 11.1. The courts (including the holders of judicial officers) tribunals and coroners);
- 11.2. Public regulators;
- 11.3. Government agencies, including the police and national security agencies;
- 11.4. Other legal professionals involved in your case;
- 11.5. Experts and witnesses;
- 11.6. My clerks, chambers' administrative staff, IT and data storage processors.

Keeping your Personal Data

12. I may keep your personal data for any and/or all of the following reasons:
- 12.1. For legal and regulatory purposes (including anti-money laundering);
 - 12.2. For future conflict of interest checks and due diligence;
 - 12.3. For accounting and tax purposes;
 - 12.4. For my professional indemnity insurance purposes;
 - 12.5. For marketing purposes.
13. I will normally retain your personal data for a period equal to the relevant statutory limitation period. In the case of marketing the information will be retained for the duration of my professional practice subject to periodic review and to your Information Rights.

Transferring your Personal Data outside the United Kingdom

14. Unless I have explicit consent, or it is necessary for:
- 14.1. The purposes of the formation, performance or termination of my professional instructions; or,
 - 14.2. The transfer is necessary for the establishment exercise or defence of legal claims;
- then subject to sub-paragraph 12.2 (below), I will not transfer your personal data outside the United Kingdom.
15. If it is necessary for the purposes of utilising data storage, back-up cloud and IT services, I may transfer your personal data to organisations based in countries outside the United Kingdom *but* only where such countries have standards of data protection law equivalency to that of the United Kingdom and/or which have been granted an adequacy decision by the UK government pursuant Art.45(2) UK GDPR and s.17A and s.17B of the Data Protection Act 2018, and/or have adequate safeguards within the meaning of Art. 46 UK GDPR.

Your Information Rights

16. The UK GDPR and the Data Protection Act provide individuals with various Information Rights. This means that individuals have the right to ask me to provide copies of their personally identifiable information that I process about them. Individual information rights are not absolute and are subject to certain exemptions and so it is not always lawful for me to comply with an information (data subject access) request; for example, where the rules of legal professional privilege apply.
17. Individuals have the right to ask me for:
- 17.1. Copies of information regarding the processing of their own personal data;

- 17.2. Rectification of any inaccuracies contained in the personal data;
 - 17.3. Erasure of your personal data in some circumstances;
 - 17.4. Restriction as to the use of your personal data;
 - 17.5. Information about data transfers outside the United Kingdom.
18. Individuals have the absolute right to object to direct marketing.
19. Details about information rights can be found on the ICO webpage at www.ico.org.uk/for-the-public.
20. Please note that if you wish to exercise any of these rights, I must be satisfied as to your identity, and I am required to follow the procedural requirements of the UK GDPR and the Data Protection Act 2018. Please use the contact details that I have provided within this Privacy Notice to make your request and please also provide me with your own contact information.
21. Please note that this Privacy Notice is reviewed regularly and, where necessary, it will be amended to reflect any changing requirements in Data Protection law. Any amendments I make to this Privacy Notice will be updated and is accessible via my chambers' profile page.

RICHARD BEATY
4-5 GRAY'S INN SQUARE
GRAY'S INN
LONDON WC1R 5AH

1st November 2024