

## Privacy Notice

### 1. About this notice

- 1.1. This notice is to give you information about how I use information about you in a professional context.
- 1.2. You may have been provided with a link to this notice through my interactions with you, or by a solicitor who has instructed me.

### 2. About me

- 2.1. I am Ella Davis, you can contact me at:
  - 2.1.1. [clerks@dekachambers.com](mailto:clerks@dekachambers.com)
  - 2.1.2. 020 7092 2900
  - 2.1.3. Deka Chambers, 5 Norwich Street, London, EC4A 1DR
- 2.2. I am registered with the Information Commissioner's Office as a data controller, and with the Bar Standards Board as a practising barrister.

### 3. Information relating to a case

- 3.1. Much of the work I do involves personal injury, road traffic accidents, employer's and occupier's liability, professional (including clinical) negligence, contractual claims and claims involving the police. I act for both defendants and claimants. This means I will receive a significant volume of personal data about people I represent, other parties to the case, witnesses, and other individuals whose information is relevant to the case.
- 3.2. In particular, if you are involved in a case I act in, depending on the nature of the case and your involvement, I am likely to receive:
  - 3.2.1. Basic information about you such as your name, address, occupation and age;
  - 3.2.2. Your description of the events of the claim and other information you have provided in relation to the claim, such as your relationship to with any other party and your activities relating to the claim (whether in your witness statement or otherwise);
  - 3.2.3. Information about you which other people involved in a claim provide (whether in their witness statement or otherwise) which may include their descriptions of you and your activities;
  - 3.2.4. Information about your criminal record, if this is relevant to the claim you are involved in; and
  - 3.2.5. Your medical records, any relevant medical reports that have been commissioned about you, and other information about your medical status and history (if you are making a claim for personal injury).
- 3.3. I will generally receive this information from my chambers or the solicitors who instruct me. I may also receive information from
  - other legal professionals
  - experts and other witnesses
  - courts and tribunals
  - lay clients
  - family and associates of you, lay clients, or witnesses
- 3.4. I review and analyse this information in order to provide opinions and court pleadings, and to represent my client in court or in negotiations.
- 3.5. I share this information with the solicitors who have instructed me, and as part of a hearing (in particular, with the court and any opposing advocates).
- 3.6. I use this information as part of any case as necessary for my legitimate interests in complying with my professional obligations and representing my clients, and for my clients' legitimate interests in establishing, bringing or defending legal claims.

3.7. I also retain this information for up to 7 years after the end of the case and may use it as necessary for my legitimate interests in ensuring that I can properly defend any claim against me in relation to my professional involvement in a case. There may be cases, for example where the claim involves a minor or other protected party, where it is necessary for me to retain this information for longer or even indefinitely, on the basis that there is a longer period in which claims may be brought against me in relation to my involvement.

#### **4. Professional Information**

4.1. If you work for a firm which instructs me, or another company or entity which I have a professional relationship with, or I otherwise deal with you in a professional context, I may hold your contact information, professional information, opinions you have expressed or which have been expressed about you, and other information about my dealings with you. This information may be provided directly by you, or provided by your organisation or an organisation which has referred you to me. I use this information as necessary for my legitimate interests in managing my relationship with you and your organisation.

4.2. I retain this information until my clerks, or you or your organisation confirm that my professional relationship with you or your organisation has ended, unless it is in relation to a case in which case I may need to keep it for longer as set out above.

#### **5. Applications**

5.1. If you apply for a position at my chambers, I may be passed your application by chambers. I use this information, as well as any other information you provide, to evaluate your application. I may share this information, as well as my evaluation of your application, with chambers as necessary in relation to your application. I use this information as necessary for my legitimate interests in assessing and considering your application. I keep this information for up to 12 months after the end of the application process to ensure I can properly deal with any queries or claims which arise out of that process.

5.2. If I provide any mentoring, evaluation or other assistance in relation to your application or professional development, I use this at your request for my legitimate interests in providing the assistance you have requested. I keep the information you have provided me for up to 14 months following any assistance I have provided to ensure I can properly deal with any queries or claims which arise out of it.

#### **6. Sharing your information**

6.1. It may be necessary to share your information with the following:

- data processors, such as my chambers staff, IT support staff, email providers and data storage providers
- other legal professionals
- experts and other witnesses
- courts and tribunals
- lay clients
- in the event of complaints, the Head of Chambers, other members of Chambers who deal with complaints, the Bar Standards Board, and the Legal Ombudsman
- other regulatory authorities
- business associates, professional advisers and trade bodies, e.g. the Bar Council

6.2. I share information with chambers, as necessary for them to carry out administration services for me, their privacy policy is available [here](#). I also store case information on servers and systems supplied by chambers.

6.3. I may share information with pupils (trainee barristers) in chambers. They may attend court with me or I may give them a set of my papers so that they can practise their drafting skills. This

is done on the basis that it is necessary for my legitimate interests in developing and encouraging potential junior members of the legal profession, and for their legitimate interests in gaining relevant legal experience. Pupils are subject to regulation by the Bar Standards Board and formal confidentiality obligations imposed by chambers.

- 6.4. Chambers also operates a work experience programme in which students or aspiring lawyers can follow barristers and observe their cases. As part of this, participants will attend court with me and I will share relevant case information with them for them to read and discuss with me so that they can better understand what is involved in being a barrister. This is done on the basis that it is necessary for my interests in developing and encouraging potential junior members of the legal profession, and for their legitimate interests in gaining relevant legal experience. Only paper documents are shared with participants. The documents remain in chambers or at court, and the participants do not take copies. Anyone taking part in work experience is also subject to formal confidentiality obligations.
- 6.5. I may also be required to provide your information to regulators, such as the Bar Standards Board, the Financial Conduct Authority or the Information Commissioner's Office.
- 6.6. As part of submissions for legal directories, I may share information about cases I have acted in with those directories (this is done through my chambers). This information is anonymised if the case has not been heard in open court. I may also provide the names of instructing solicitors and other advocates involved in the case as part of these submissions, including as referees to be contacted by legal directories. To the extent I provide any personal data about individuals relating to a case to a legal directory, this is done as necessary for my legitimate interests in participating in legal directories and providing them with accurate details of my practice.

## **7. Data Security**

- 7.1. Your information is held on servers and systems provided by my chambers. They use firewalls and antivirus software to ensure that your information is held securely.
- 7.2. Any of my own devices on which your information may temporarily be stored are encrypted and password protected. Any paper copies of your information are either kept with me or stored securely.

## **8. Your rights**

- 8.1. Data protection law gives you the right to:
  - 8.1.1. Be informed about how I use your personal information and about your rights. This is why I have provided the information in this Privacy Notice. If you need any more information about how I use your personal information, please contact me.
  - 8.1.2. Request access to your personal information (known as a "data subject access request"). This enables you to receive a copy of the personal information I hold about you and to check that I am lawfully processing it. Please note that some information will be exempt from this right (in particular when it is subject to legal professional privilege), and I will have to respect other people's privacy if their information is linked with yours.
  - 8.1.3. Request correction of your personal information.
  - 8.1.4. Request erasure of your personal information. However, this is not a universal right, and I may need to retain your personal data to comply with my legal obligations or for the establishment, exercise or defence of legal claims.
  - 8.1.5. Object to processing of your personal information. However, I may have an overriding legitimate interest which overrides this objection, particularly in relation to legal claims.
  - 8.1.6. Request the restriction of processing of your personal information. However, I may still need to use your information for the establishment, exercise or defence of legal claims.
  - 8.1.7. Request the transfer of your personal information to another party where you provided it to me and I am using it based on your consent, or to carry out a contract with you, and

we process it using automated means. This is unlikely to apply to the majority of my activities.

- 8.1.8. Withdraw consent. In the limited circumstances when I am relying on your consent (as opposed to the other bases set out above) to use your information, you have the right to withdraw your consent for that use at any time.
- 8.1.9. Lodge a complaint. If you think that I am using your information in a way which breaches data protection law, you have the right to lodge a complaint with your national data protection supervisory authority (if you are in the UK, this will be the ICO).
- 8.2. If you want to exercise any of your rights under data protection law, please contact me using the information set out above.
- 8.3. More information about your rights can be obtained from the Information Commissioner's Office (ICO) at [www.ico.org.uk](http://www.ico.org.uk).
- 8.4. I may need to request specific information from you to help me understand the nature of your request, to confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is to ensure that your information is kept secure.
- 8.5. Please consider your request responsibly before submitting it. I will respond to your request as soon as I can. Generally, this will be within one month from when I receive your request but, if the request is going to take longer to deal with, I will let you know.