

KATE COOK

Date of last revision: 04 January 2022

INTRODUCTION

In order to provide legal services to my clients, including advice and representation services, I need to collect and hold personal data. This includes my client's personal data and personal data about others who feature in the matter on which I am instructed. This Privacy Notice describes the personal information I collect, how it is used and shared, and your rights regarding it.

DATA CONTROLLER

For the purposes of data protection law, I am a Data Controller. I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that I hold and process as a barrister. My registered address is Matrix Chambers Griffin Building, Grays Inn, London WC1R 5LN and my registration number is Z7637103.

If you would like to contact me about this notice, including if you wish to receive further information about any aspect of it, you can contact me at the address above or via my Practice Team: PracticeTeamX@matrixlaw.co.uk.

DATA COLLECTION

In the course of my business, which is the provision of legal services, I process personal data of different types. This may include personal contact details, financial details, business details, family details, education, training or employment data or other personal data. I may also process sensitive classes of personal data which may include information relating to health, racial or ethnic origin, political opinions, philosophical beliefs or other sensitive personal data.

The vast majority of the personal data that I collect is provided to me by and on behalf of my clients for the purposes of enabling me to provide legal services to them. Other information may be obtained by me from sources accessible to the public, including subscription services.

I process personal data about my lay and professional clients, potential clients, and individuals who feature in the matter in respect of which I am asked to provide legal services, witnesses and experts, opponents, other barristers with whom I am working, court staff and members of the judiciary and others ancillary to actual or potential proceedings.

LAWFUL PROCESSING

The General Data Protection Regulation (GDPR) requires all organisations that process personal data to have a Lawful Basis for doing so. The Lawful Bases identified in the GDPR are:

- Consent of the data subject
- Performance of a contract with the data subject or to take steps to enter into a contract

- Compliance with a legal obligation
- To protect the vital interests of a data subject or another person
- Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- The legitimate interests of ourselves, or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Examples of legitimate interests include:

- Where the data subject is a client or in the service of the controller;
- Transmission within a group of undertakings for internal administrative purposes;
- Processing necessary to ensure network and information security, including preventing unauthorised access;
- Processing for direct marketing purposes, or to prevent fraud; and
- Reporting possible criminal acts or threats to public security.

My lawful reasons for processing data are (please note that more than one basis may apply at any time):

- **Contractual necessity**
I will process personal data on the basis that it is necessary to enable me to fulfil my contractual duties to you or to take steps to enter into a contract with you;
- **Legitimate interests**
I process your personal data for my legitimate business purposes which include the following:
 - To provide legal advice and representation to you as my client;
 - Where you are not my client to provide legal services, including advice and representation services, to the client from whom, or on whose behalf, I have collected your personal data;
 - To carry out billing and administration services in relation to those services, including fee collection services carried out by Matrix staff;
 - To assist in training trainee barristers and work experience students;
 - To deal with complaints or concerns including any legal or regulatory action;
 - To ensure my network and systems are secure;
 - To assess and improve my services;
 - For accounting or banking purposes;
 - For marketing purposes. Please note that I will not share information from which you can be identified for marketing purposes unless you have consented or it is already lawfully in the public domain. You can remove yourself from the Matrix mailing list at any time by clicking the 'unsubscribe' button at the bottom of our emails.
- **Compliance with law**
I process your personal data to enable me to comply with applicable laws. This includes:
 - To make statutory returns to HMRC for VAT and income tax purposes.
 - To comply with my professional and regulatory obligations.
- **Performance of a task carried out in the public interest, namely processing necessary for the administration of justice.**
- **Consent**
I may process data with your consent. Where this is my lawful reason for processing, I will ensure that you have consent to the processing for each specific purpose for which I will process your data. Where the

processing includes special category data, I will ensure that I have obtained your explicit consent to the processing in question. You may withdraw your consent at any time and without giving any reason.

In relation to special category personal data, my processing is necessary:

- For the establishment, exercise or defence of legal claims;
- For reasons of substantial public interest.

In relation to offence/ convictions personal data, my processing is necessary:

- For the purpose of or in connection with legal proceedings, including prospective legal proceedings;
- For the purpose of obtaining legal advice;
- For the purposes of establishing, exercising or defending legal rights.

DO I SHARE YOUR PERSONAL DATA?

For the purposes set out in this notice and subject always to my professional obligations of confidentiality and the legal professional privilege of my clients, I may provide your personal data to the following recipients:

- Instructing solicitors;
- Other barristers, legal representatives or experts;
- Matrix trainees including work experience students;
- Matrix management and administration staff;
- Matrix's IT providers;
- Opposing legal representatives;
- My regulator or legal advisors in the event of a dispute or other legal matter;
- Judges and court staff;
- Law enforcement officials, government authorities, or other third parties to meet my legal obligations;
- Any other party, where I ask you and you consent to the sharing.

I do not use automated decision-making in the processing of your personal data.

TRANSFERS OUTSIDE THE UNITED KINGDOM

I may transfer your personal data to a location (for example a secure server) outside the United Kingdom if I consider it necessary or desirable for the purposes set out in this notice. This could happen for example if I am instructed to act in a case by, or involving, lawyers in the EU or outside the United Kingdom and the EU.

In such cases, to safeguard your privacy rights, transfers will be made to recipients to which a European Commission 'adequacy decision' applies (this is a decision from the European Commission confirming that adequate safeguards are in place in that location for the protection of personal data) or will be carried out under strict contractual clauses that have been approved by the European Commission as providing appropriate safeguards for international personal data transfers, and/or any transfers of personal information will be carried out with appropriate safeguards to ensure the safety and security of your information. Any transfers of your personal data to and within the EU will itself be subject to the General Data Protection Regulations (EU) 2016/679 ("GDPR").

HOW LONG WILL YOUR PERSONAL DATA BE KEPT FOR?

I will not keep your personal data in a form that identifies you for longer than is necessary for the purposes set in this notice or as required by applicable law. Unless the specific circumstances require me to keep it, I will delete, destroy or anonymise your information around 7 years after the end of the matter in which it featured. This will normally be around 7 years after the end of the case, or 7 years after the date of the last payment, or the date of writing off of fees.

HOW DO I KEEP YOUR PERSONAL DATA SECURE?

I have security measures in place designed to ensure appropriate security for your personal data, including against unauthorized or unlawful processing and against accidental loss, destruction or damage.

Only authorized Matrix staff, trainees and third parties processing data on my behalf have access to your personal data, and then only to the data necessary for the purposes for which they have been given access.

Measures have been taken to ensure that all persons who have access to your personal data process it in accordance with the law, adhere to the Matrix Privacy Notice and to the strict confidentiality rules that apply to material protected by legal professional privilege.

Matrix has contractual safeguards in place with its third party data processor (such as our IT systems and software providers) to ensure that your personal data is processed only as instructed by Matrix.

YOUR INFORMATION RIGHTS

You have the following rights under data protection law:

- The right to be informed about the collection and use of your personal data;
- Right of access to your personal data and the right to request a copy of the information I hold about you and supplementary details about that information—you will be asked to provide proof of identity and residential address, and you may be asked to provide further details to assist me in the provision of such information;
- The right to have inaccurate personal data that I process about you rectified;
- The right of erasure. In certain circumstances you have the right to have personal data that I process about you, blocked, erased or destroyed;
- The right to object or to restrict:
 - The processing of personal data concerning you for direct marketing;
 - Continued processing of your personal data;
 - The right of portability of your data in certain circumstances

Please note that these rights are subject to certain limitations that exist in law. In particular, a number of rights are not exercisable in relation to personal data:

- That consists of information to which a claim of legal professional privilege could be maintained in legal proceedings;
- Where disclosure of the data:

- Is necessary for the purpose of or in connection with legal proceedings (including prospective legal proceedings);
- Is necessary for the purpose of obtaining legal advice; or
- Is otherwise necessary for the purpose of establishing, exercising or defending legal rights;
- To the extent that the exercise of those rights would prevent me from making the disclosure.

ACCESSING AND CORRECTING YOUR INFORMATION

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However I may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively I may refuse to comply with your request in these circumstances.

MARKETING OPT-OUTS

You may opt out of receiving emails and other messages from my Chambers by following the instructions in those messages.

COOKIES

Cookies are small text files that are stored on your browser or device by websites, apps, online media, and advertisements. The Matrix website use cookies. For more information on which cookies it uses and how it uses them, please see the cookies notice: <https://www.matrixlaw.co.uk/terms-and-conditions/>.

CHANGES TO THIS PRIVACY NOTICE

I will occasionally update my Privacy Notice. When I make significant changes, I will notify clients of this via email. I will also publish the updated Notice on my website profile and announce that changes have been made.

WHAT SHOULD YOU DO IF YOU HAVE A COMPLAINT

I hope that you will be satisfied with the way in which I process and use your personal data. Should you find it necessary you have a right to raise a concern with, or make a complaint to the information regulator: the Information Commissioner's office: <https://ico.org.uk/>.

However, I hope that if you have a concern or complaint about the way in which I process your personal data, you will in the first instance contact me via my practice team at PracticeTeamX@matrixlaw.co.uk so that I have an opportunity to resolve it.

END OF PRIVACY NOTICE