

Privacy Policy

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INTRODUCTION

In order to provide legal services, advice and representation, I need to collect and hold personal information. This may be your personal data or information relating to other parties involved or who

may feature in the matter. I will take all possible steps to protect personal information. I will ensure that I do not do anything that may infringe your rights or undermine your trust. This privacy notice describes, amongst other things:

- Who I am.
- What personal data I collect and store about you, and how I collect it.
- Why I collect personal data and what I do with it.
- How I retain your information and keep it secure.
- Your rights and how to exercise them.
- How to contact me.

WHO AM I?

For the purposes of data protection law, I am a Data Controller. I am registered with the Information Commissioner's Office (ICO), the UK's supervisory authority for data protection matters, for the personal data that I hold and process as a barrister. My registered address is Chambers of Jonathan Laidlaw KC, 2 Hare Court, Temple, London EC4Y 7BH.

My registration number is Z4631370

PRACTICE AREAS

In the course of my business, I provide legal services in the following practice areas:

- Professional Discipline
- Inquests

WHAT INFORMATION DO I PROCESS FROM OR ABOUT YOU?

In the course of my business, which is the provision of legal services, I process personal data of many different types. This will include information about events in your life which are relevant to the litigation in which I am instructed and will or may include:

- Personal details, including contact details.
- Family details
- Information on lifestyle and social circumstances
- Financial details
- Education, training and employment details
- Business details

I also process “special category”, or sensitive classes of personal data. This may include information as to:

- Physical and/or mental health
- Racial or ethnic origin
- Political opinions
- Religious beliefs
- Philosophical beliefs
- Trade union membership
- Sex life
- Sexual orientation
- Genetic and biometric data

I also process personal data relating to criminal records, arrests, charges, convictions and offences.

HOW DO I COLLECT PERSONAL DATA?

The vast majority of the information that I hold about you is provided to, or gathered by, me in the course of your case and/or proceedings. Your solicitor and/or I will tell you why we need the information and how we will use it. In addition to the information, you may provide to me or your solicitor, I also obtain information from other sources as follows:

- Information that is available publicly in registers, searches or in the media.
- Other legal professionals including solicitors and barristers and their associates, trainees and staff.
- Chambers staff.
- Expert witnesses.
- Prosecution bodies.
- Regulatory, public or administrative bodies.
- Court staff & officials.
- Clients.
- References.

WHOSE PERSONAL DATA DO I PROCESS?

Depending on the type of work, I collect and process personal data about my lay and professional clients,

potential clients, about 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.

This may include:

- Name
- Email address
- Phone number
- Address
- Payment or bank details
- Date of birth
- Next of kin details
- Details pertaining to education and employment.
- Information on your background & current circumstances
- Financial information.

Where relevant, I may also need to process special category personal data that reveals your:

- Racial or ethnic origin
- Political opinions
- Religious and philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data for the purpose of uniquely identifying a natural person.
- Data concerning health.
- Sex life and sexual orientation.

On occasion, I may also process personal data relating to criminal convictions and offences.

LAWFUL BASIS FOR PROCESSING YOUR INFORMATION

In order that I can provide legal services and representation for you, I must process your personal data. The UK General Data Protection Regulation (the UK GDPR) requires that where I process personal data, I must have a lawful basis for doing so. The lawful bases identified in the UK GDPR that I seek to rely upon are as below but please note that more than one may apply at any given time.

I will use your personal data only for the purposes for which it was provided to me, unless I fairly consider that I need it for another reason that is compatible with the original purpose and my professional obligations to my client do not prevent me from such use.

CONTRACTIAL NECESSITY

I will process your 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, but are not limited, to the following:

- To provide legal services including advice and representation services 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.
- Processing for direct marketing purposes, or to prevent fraud.
- Reporting threats to public security.
- To carry out billing and administration services in relation to those services, including fee collection services carried out by 2 Hare Court staff.
- To deal with complaints or concerns, including any legal or regulatory action.
- To provide training to trainee barristers and work experience students.
- To ensure my network and systems are secure.
- To assess and improve my services.
- For accounting purposes.
- For 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.

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.
- For completion of professional regulatory requirements.

PERFORMANCE OF A TASK CARRIED OUT IN THE PUBLIC INTEREST

Such as processing necessary for the administration of justice.

CONSENT

I may process your personal data with your consent. Where this is my lawful reason for processing, I will ensure that you have consented 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.

SPECIAL CATEGORY PERSONAL DATA

In relation to offence/convictions personal data and data concerning health, including personal medical records, 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.

CRIMINAL DATA PROCESSING

On occasion, I process data relating to criminal offences where it is necessary for:

- The purpose of, or in connection with, any legal proceedings.
- The purpose of obtaining legal advice, or
- The purposes of establishing, exercising or defending legal rights
- Where I have explicit consent to do so.

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 with whom I am working.
- Opposing lay clients.
- 2 Hare Court's Head of Chambers and/or the Complaints Committee.

- 2 Hare Court trainees (including work experience students).
- 2 Hare Court management and administration staff.
- 2 Hare Court's IT providers.
- My regulator and/or legal advisors in the event of a dispute or other legal matter.
- Opposing legal representatives.
- Judges and Court Staff.
- Law enforcement officials, government authorities, or other third parties to meet my legal obligations.
- Legal directories for the purposes of professional development.
- Any relevant panel or tendering committee, for the purpose of professional development.
- Regulators or arbitrators, where complaints or disputes arise.
- My accountant.
- My bank.
- Any other party where I ask you and you consent to the sharing.
- I may also be required to disclose your information to the Police or Intelligence Services where required by law or pursuant to a Court order.

HOW LONG WILL YOUR PERSONAL DATA BE KEPT FOR?

I retain your personal data while you remain a client unless you ask me to delete it. My Retention and Disposal Policy (copy available on request) details how long I hold data for and how I dispose of it when it no longer needs to be held. I will delete or anonymise your information at your request unless:

- There is an unresolved issue, such as a claim or dispute;
- I am legally required to; or
- There are overriding legitimate business interests to do so.

I will typically retain case files for a period of 15 years following the conclusion of a case/matter or receipt of final payment, whichever is the latest. This reflects the period required by the Bar Mutual Indemnity Fund relating to potential limitation periods.

Where various pleadings and documents have been drafted, they may be retained for learning purposes and legal research. Where this is the case, I will anonymise the personal information/redact information which may identify an individual/risk assess the continued retention of the documents.

DO I TRANSFER PERSONAL DATA OUTSIDE THE UNITED KINGDOM?

I may transfer your personal information/data to location (for example, to a secure server or cloud provider) outside the United Kingdom, if I consider it necessary or desirable for the purposes set out in this notice (including but not limited to, for example, if I am instructed to act on a case by, or involving, lawyers in the European Union ('EU') or lawyers outside of the UK and EU.

In such cases, to safeguard your privacy rights, transfers will be made to recipients which a European Commission 'adequacy decision' applies (this is a decision from the European Commission confirming that adequate safeguards are in place at that location for the protection of personal data), or will be carried out under standard contractual clauses that have been approved by the European Commission as providing appropriate safeguards to ensure the safety and security of your information.

HOW DO I KEEP YOUR PERSONAL DATA SECURE?

I and 2 Hare Court have security measures in place designed to ensure appropriate security for your personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

Only authorised 2 Hare Court staff, trainees and/or 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 (in so far as is reasonably practical) that all persons who have access to your personal data process it in accordance with the law, adhere to 2 Hare Court's Privacy Notice and to the strict confidentiality rules that apply to material protected by legal professional privilege.

2 Hare Court has contractual safeguards in place with its third-party data processors (such as its IT systems and software providers) to ensure that your personal data is processed as is instructed by 2 Hare Court.

ARTIFICIAL INTELLIGENCE (AI)

At the present time I do not use any AI-based software or solutions which would involve inputting or sharing any of your personal data. Should this change, this policy will be updated accordingly.

YOUR RIGHTS

The UK GDPR gives you specific rights in terms of your personal data.

For example, you have the right of access to the information I hold and what I use it for, you can ask for a copy of the personal information I hold about you.

You can ask me to correct any inaccuracies with the personal data I hold, and you can ask me to stop sending you direct mail or emails or, in some circumstances, ask me to stop processing your details.

You will not have to pay a fee to access your personal data (or to exercise any of your other UK GDPR 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 those circumstances.

Finally, if I do something irregular or improper with your personal data, you can complain to the ICO if you are unhappy with how I have processed your information or dealt with your query. You may also seek compensation for any distress you are caused or loss you have incurred.

You can find out more information from the ICO's website:

<https://ico.org.uk/for-the-public/>

This policy will be updated from time to time and that will be available on request.