



**Michael Goodwin KC**

**Red Lion Chambers**

**18 RED LION COURT,**

**LONDON**

**&**

**THORNWOOD HOUSE,**

**CHELMSFORD**

**PRIVACY NOTICE FOR LAY AND  
PROFESSIONAL CLIENTS**

Please read the following information carefully. This privacy notice contains information about the information collected, stored and processed about you and the reasons for obtaining and processing it. It also tells you who we share this information with, what we do to make sure your information is protected, your rights in respect of your information, and how to contact Michael Goodwin KC or his Chambers in the event you need further information or have a complaint.

## Who we are

Michael Goodwin KC provides legal services according to instructions received from professional clients such as a solicitor (“the professional client”) and/or lay clients (“the client”). Michael Goodwin KC collects and uses personal information about you so that he can provide legal services to you. This means that he is a “data ‘controller” along with any instructed Barrister, Mediator or Arbitrator of this information for the purposes of the General Data Protection Regulation (“GDPR”) and other applicable Data Protection Act 2018. Michael Goodwin CC operates from Red Lion Chambers (“Chambers”).

If you have any queries or need to contact someone about your information or the processing carried out, you can use the contact details at the end of this document.

## What personal information is collected?

The information you provide to your barrister or which is collected by him, or by Chambers, will inevitably include some personal information. The GDPR says that personal data is information about:

- a. personal details
- b. family details
- c. lifestyle and social circumstances
- d. goods and services
- e. financial details
- f. education, training and employment details
- g. physical or mental health details
- h. racial or ethnic origin
- i. political opinions
- j. religious, philosophical or other beliefs
- k. trade union membership
- l. sex life or sexual orientation
- m. genetic information
- n. biometric information for the purpose of uniquely identifying a natural person
- o. criminal proceedings, outcomes and sentences, or related security measures
- p. other personal information relevant to instructions to provide legal services, including information specific to the instructions in question.

## Sources of information

Personal information will normally come from you (or the professional client). However, sometimes it may come from other parties concerned in the matter in which your barrister is instructed. Such other parties may be other solicitors or legal professionals, experts, including medical and health care workers, witnesses or potential witnesses, friends or family members, police, prosecution and investigatory, regulatory or local authorities, courts and tribunals, or public sources such as the press, the internet, public registers and law reports. If there are complaints, it may come from Michael Goodwin KC, the Head of Chambers, other members of Chambers who deal with complaints, the Bar Standards Board, and/or the Legal Ombudsman.

## **Why and how is your personal information used?**

Your barrister, and/or Chambers, will use your personal information as permitted by the data protection legislation and this Privacy Notice

- to provide the legal services requested, and/or
- to discharge professional and/or contractual obligations towards the professional and lay client and/or
- to fulfil regulatory requirements and/or
- to respond to and defend against complaints and/or
- as otherwise required by law such as complying with orders or directions of courts, or investigations by Legal Services Ombudsman, the Bar Standards Board, the Information Commissioner's Office, or any other statutory regulators.
- For professional clients, for the purposes of promoting and marketing our services or arranging and organising our events, where relevant.

Michael Goodwin KC will process and use information for his legitimate interests such as maintaining his professional diary, checking for potential conflicts of interest, defending against complaints, legal proceedings, fee disputes or recovery, and complying with his professional obligations as required by the Bar Standards Board. He may also process your information by providing secure digital or other storage and computing facilities to his Chambers.

## **The legal basis for processing your personal information**

Michael Goodwin KC and Chambers will use the information where it is necessary for legal proceedings, providing legal advice or otherwise necessary for the establishment, exercise or defence of legal rights. The legal basis for the use or processing of the information is that it is necessary:

- to perform the legal services requested by the professional client and /or client, and/or
- to establish, exercise or defend legal claims or proceedings for or against the client including advising in respect of such of such matters or potential matters and/or
- as regards retention for the establishment, exercise or defence of legal claims, to permit your barrister and Chambers to defend themselves in respect of potential complaints or legal proceedings;
- to comply with legal and professional obligations such as complying with court directions or investigations by statutory regulators such as the Legal Services Ombudsman, the Bar Standards Board, or the Information Commissioner's Office, and/or
- to meet your barrister's or Chambers' legitimate interests such as checking for conflicts of interest, use in defending against complaints or potential complaints, legal proceedings, fee disputes or recovery, and/or for complying with our professional obligations as required by the Bar Standards Board.

## **Who might share your personal information?**

Your personal information will be kept securely and treated confidentially. It will not be shared with others except where it is necessary to provide legal services in accordance with your

instructions and/or professional obligations and legal requirements. For those purposes, personal information might be shared with

- you and the professional client;
- other persons instructed by the professional client (or if you are a Direct Access client, instructed by the client or your barrister), including other barristers, legal professionals, and experts;
- if instructed and authorised to do so, witnesses and potential witnesses;
- if instructed to do so, representatives of other parties to proceedings, police or regulatory or investigatory authorities;
- Chambers information processors, such as IT support staff, email providers, information storage providers for the purpose of storing your information securely e.g. on secure computer systems;
- Chambers' staff for the purpose of securely receiving and communicating information on behalf of your barrister;
- in the event of complaints, the Head of Chambers, members of Chambers who deal with complaints, the Bar Standards Board and the Legal Ombudsman;
- as required by law before and during legal proceedings or as required by order or direction of a court.

### **Sensitive Personal Data**

Michael Goodwin KC 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. In the case of the Information Commissioner's Office, there is a risk that your information may lawfully be disclosed by them for the purpose of civil or criminal proceedings, without Chambers' consent or your consent, which includes privileged information.

Michael Goodwin KC may also be required to disclose your information to the police or intelligence services, if required and permitted by law.

### **Transfer of your information outside the European Economic Area (EEA)**

Michael Goodwin KC does not normally transfer material outside the EEA. However, it would not be right to state that it never happens. This section deals with that possibility.

Transfer of information to countries outside the EEA is inevitable if you reside outside the EEA, or if your case involves persons or organisations or courts and tribunals in a country outside the EEA, or if the instructions you provide come from outside the EEA. If this applies to you and you wish additional precautions to be taken in respect of your information please indicate this when providing initial instructions.

Some countries and organisations outside the EEA have been assessed by the European Commission and their information protection laws and procedures have been found to show adequate protection. The list can be found [here](#). Most do not. If your information has to be transferred outside the EEA, then it may not have the same protections and you may not have the same rights as you would within the EEA.

### **Cloud Storage of encrypted data**

Michael uses Microsoft Cloud for the storage of encrypted data and to enable barristers to store your information and/or backup copies of your information so that it may be accessed when needed. Microsoft is a US company. US companies and their subsidiaries, including

foreign subsidiaries, are subject to US laws. Microsoft has agreed to comply with the EU-US Privacy Shield. However, the US does not have the same information protection laws as the EU but the EU-US Privacy Shield has been recognised by the European Commission as providing adequate protection. Moreover, Chambers understands that Microsoft Cloud is also used and/or to be used by some UK legal entities and Government Departments. To obtain further details of that protection see <https://www.privacyshield.gov/Program-Overview>.

If you would like any further information, please use the contact details at the end of this document.

### **How long will your personal information be stored?**

Michael Goodwin KC will store your information while proceedings relating to the case are current or outstanding. When all proceedings and related matters have been resolved, no personal information will be retained for longer than is reasonably necessary or for reasons incompatible with data protection legislation including the GDPR and the requirements of regulatory bodies such as the Bar Council and the Bar Standards Board.

The professional client should retain copies of the material sent to your barrister, so most of that material will be returned to the professional client, or deleted or securely destroyed according to their instructions. Notes and working papers and any other material will be retained for 7 years (the retention period) from the date the end of the case (e.g. when the proceedings have ended and any applicable rights of appeal have been exhausted, or in the case of advisory work, no further advice is required).

That period may be renewed (i.e. start afresh) where any enquiry, issue or complaint is made within the retention period (e.g. by you, or the Court of Appeal, or the Criminal Cases Review Commission or any regulatory authority).

At the end of the retention period, your barrister will decide whether the information should be retained for a further period (e.g. because future enquiries, issues or complaints are anticipated). Any decision to hold information beyond the retention period shall be reviewed annually.

Information not required to be retained shall be disposed of securely.

Some personal data will be retained for longer than the retention period where it is stored, for example, together with notes on other cases in which the retention period has not expired and it is not reasonable or proportionate to separate the personal information relating to one case from another. It is likely that your name, the professional client's name and contact information which appears in your barrister's professional appointments diary and fee records will be stored indefinitely as those records are required for conflict checking and tax or revenue purposes.

### **Data Security**

Michael Goodwin KC takes the security of personal information seriously and he and his Chambers have the appropriate measures, safeguards and policies in place to make sure that data is kept secure and is only accessed by those people who have a legitimate need to access it and are authorised to do so. Appropriate and reasonable steps are in place to reduce the risk of unauthorised access (either through accidental disclosure, theft or otherwise) and in line with our policies and our obligations under the relevant data protection legislation, including the GDPR.

## Your Rights

Under the GDPR, you have a number of rights that you can exercise subject to the conditions and restrictions set out in the GDPR and the Data Protection Act 2018. These rights can be exercised free of charge. In summary, you may have the right to:

- Ask for access to your personal information and other supplementary information;
- Ask for correction of mistakes in your information or to complete missing information Michael Goodwin QC or his Chambers holds on you;
- Ask for your personal information to be erased, in certain circumstances;
- Receive a copy of the personal information you have provided or have it sent to a third party. This will be provided to you or the third party in a structured, commonly used and machine-readable format, e.g. a Word file;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict the processing of your personal information in certain circumstances.

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioners Office on [Individual's rights under the GDPR](#).

If you want to exercise any of these rights, please:

- Use the contact details at the end of this document;
- Michael Goodwin KC or his Chambers may need to ask you to provide other information so that you can be identified;
- Please provide a contact address so that you can be contacted to request further information to verify your identity;
- Provide proof of your identity and address;
- State the right or rights that you wish to exercise.

Michael Goodwin KC will respond to you within one month from when he receives your request.

## How and where to make a complaint?

We hope that we can resolve any issues or complaints if they arise. If you have a complaint about your personal data or this Privacy Notice, please email us at

mg@michaelgoodwinqc.com or at [GDPR@18rlc.co.uk](mailto:GDPR@18rlc.co.uk) or write to the Practice Director at the address provided below.

If you are not satisfied with the result of any complaint you make to us, the GDPR also gives you the right to lodge a complaint with the Information Commissioners' Office if you are in the UK, or with the supervisory authority of the Member State where you work, normally live or where the alleged infringement of information protection laws occurred. The Information Commissioner's Office can be contacted at <http://ico.org.uk/concerns/> or can be written to at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## **Future Processing**

Michael Goodwin QC does not intend to process your personal information except for the reasons stated within this privacy notice. If this changes, this privacy notice will be amended.

## **Changes to this privacy notice**

This privacy notice was published on 19 September 2022.

Michael Goodwin KC continually reviews his privacy practices and may change this policy from time to time. When it does an amended privacy notice will be placed on the website: [www.michaelgoodwinkc.com](http://www.michaelgoodwinkc.com).

## **Contact Details**

If you have any questions about this privacy notice or the information Michael Goodwin KC holds about you, please contact

Michael Goodwin KC on E: [mg@michaelgoodwinkc.com](mailto:mg@michaelgoodwinkc.com)

or

Chambers using the contact details below.

The best way to contact Chambers is to write to the Practice Director or email him at [GDPR@18rlc.co.uk](mailto:GDPR@18rlc.co.uk) or contact him by telephone on **020 750 6000**.

*Reviewed 3 March 2023*