

PRIVACY POLICY OF:

ABHIJIT DESAI

21 College Hill, London EC4R 2RP

Privacy Policy

1. In order to provide legal advice and representation, I need to collect and hold personal information. This may be your personal data, or information relating to other parties involved 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 the data that I may collect about you, and why. I also set out how it is used and shared, and your rights regarding it.

Data controller

2. I, Abhijit Desai, am a member of 6KBW College Hill. 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.
3. As a "data controller" I am responsible for how your personal data is stored and processed.
4. If you need to contact me about your data or this privacy notice, you can reach me at abhijit.desai@6kbw.com.

Who will provide personal data about you?

5. All 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. It is likely that most of the data I hold about you will therefore have been provided directly by you.
6. 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

What personal information might I collect about you?

7. Depending on the type of work I am undertaking for you, I collect and process both personal data and special categories of personal data as defined in the UK GDPR. This may include:

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

8. 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.

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

What is the legal basis for collecting this information?

10. In order that I can provide legal services and representation for you, I must process your personal data.
11. Please note that the choice of how much personally identifiable information you disclose to me is at your discretion. It is never mandatory for you to answer any question. However, by not providing certain information or answering questions, this may limit the legal services which I am able to provide you with.
12. 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 follows:

Performance of a contract with the data subject, or to take steps to enter into a contract.

The legitimate interests of my business or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Consent of the data subject – where this is required, I will ensure I have your specific consent for processing your data for the specified purposes. You will also have the right to withdrawn your consent at any time. Where you do so this will not affect the legality of data processing which had taken place prior to your withdrawal of consent.

13. Examples of legitimate interests include but are not limited to:

- Provision of legal services and advice.
- For purposes of practice management, accounting and debt recovery;
- For completion of professional regulatory requirements.
- Processing for direct marketing purposes, or to prevent fraud.
- Reporting threats to public security.

Special category processing

14. The UK GDPR specifies that where I process special category data, I must rely upon certain exemptions in order to do so lawfully. The following exemptions are applicable in my practice
 - I have your explicit consent to do so; or
 - It is necessary for the exercise or defence of legal claims or judicial acts.

Criminal data processing

15. 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 your explicit consent to do so.

Why do I need to collect this information?

16. I use your personal information for the following purposes:

- Provide legal advice and representation;
- Investigate and address your concerns;
- Communicate with you about news, updates and events;
- Investigate or address legal proceedings relating to your use of my services, or as otherwise allowed by applicable law;
- Assist in any tendering or panel membership applications;
- Assist in any other applications for the purpose of professional development or career progression;
- Communicate legal updates and judgments to other legal professionals;
- For marketing purposes.
- For the management and administration of my practice
- To recover debt
- To manage complaints with regulators
- Communications with regulators
- Where relevant to conduct anti money laundering, terrorist financing or conflict of interest checks

Who might I share your personal data with?

17. I have professional relationships with a number of third parties with whom I will routinely share your personal information with. The third parties include other barristers and solicitors who are instructed on the case, court officials, and the judiciary. It may also include opposing lay clients, expert witnesses, and chambers management and staff. This data sharing enables me to provide legal services.

18. In the event of a dispute, complaint or other legal matters, I may share your personal data with my regulator, legal advisors, head of chambers or complaints committee.
19. I will share personal information with law enforcement agencies if required by applicable law.
20. I will not share your personal information with any other third parties without your consent, unless required by law to do so.

Transfers to third countries and international organisations

21. I do not transfer any personal data to third countries or international organisations.

How will your personal data be stored and for how long?

22. All hardcopy files are stored securely in locked cabinets when not being used. All electronic data is held on password protected devices with access only possible by myself and occasionally by the clerking team for administrative purposes.
23. Once your matter has concluded, your data will be securely stored for a minimum of seven years in accordance with the Bar Council Regulations. Thereafter, your personal data will either be securely destroyed or, upon review, further retained. If retained for over the minimum retention period, you will be informed of the reasons why by email.

Future Processing

24. I do not intend to process your personal information for any reason other than those stated within this Privacy Notice. If this changes, you will be informed by email.

Your rights

25. Under the GDPR, you have a number of important rights that you can exercise free of charge. In summary, these rights are:
 - Transparency over how we use your personal data and fair processing of your information;
 - Access to your personal information and other supplementary information;
 - Require us to correct any mistakes or complete missing information we hold on you;
 - Require us to erase your personal information in certain circumstances;

- Receive a copy of the personal information you have provided to us or have this information sent to a third party, this will be provided to you or the third party in a structured, commonly used and machine readable format;
- Object at any time to the processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict our processing of your personal information in certain circumstances; and
- Request not to be subject to automated decision making which produce legal effects that concern you or affect you in a significantly similar way.

26. If you require further information about your rights under the GDPR please see the Guidance from the Information Commissioner's Office on Individual's rights under the GDPR.

27. If you want to exercise any of these rights, please write to the Data Protection Managers, stating which rights you wish to exercise either by email (datamanagers@6kbw.com) or by post (Data Protection Managers, 6KBW College Hill, London EC4R 2RP).

28. You will receive a response within one month upon receipt of your request.

How to make a data protection complaint

29. I hope that you are satisfied with how your data is collected, processed and stored. However, if you do have an issue or wish to make a complaint, the Data Protection Managers will seek to resolve these. Please email datamanagers@6kbw.com if you do have any concerns.

30. The GDPR also gives you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where the alleged infringement of data protection laws occurred. The UK supervisory authority is the Information Commissioner's Office who can be contacted at <https://ico.org.uk/concerns/>.

Marketing opt-outs

31. You may opt out of receiving emails and other messages from my practice by emailing unsubscribe@6kbw.com.

Changes to this Privacy Notice

32. **I will occasionally update my privacy notice.** When I make significant changes, I will notify you of these through email. I will also publish the updated notice on chambers' website profile.