

PRIVACY POLICY

We respect our clients' privacy and are committed to protecting their personal information and we ask that they read this Privacy Statement carefully as it explains what we do with our clients' personal data, how we collect and process it, and why we are using it.

WHO WE ARE

Bond Joseph Criminal Defence Solicitors and Advocates process personal information about its client. We are a "controller" of our client's personal information.

In doing so, we abide by the relevant data protection laws including the Data Protection Act 2018 and the General Data Protection Regulations (GDPR).

We only collect clients' personal information so that we can provide our services as agreed (to represent the clients in criminal proceedings or to give legal advice), and for other related purposes including updating and improving client records, analysis for internal and statutory purposes and compliance with the law and regulations.

CONTROLLER CONTACT DETAILS

Clients' personal information is held by Bond Joseph Solicitors of 65 Burgate, Canterbury, CT1 2HJ. Any questions in relation to this Privacy Statement should be sent to this address, or alternatively to enquiries@bondjoseph.co.uk, for the attention of Ian Bond.

THE INFORMATION WE COLLECT

Personal information includes any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about the clients as follows:

1. Identity Information: first name, maiden name, last name, previously held names, marital status, title, date of birth and gender.
2. Contact Information: billing address, delivery address, email address, telephone numbers and prisoner number.
3. Identification details: Identification numbers issued by government bodies or agencies, including National Insurance number.
4. Financial Information: bank account, payment card details, mortgage details, income or other financial information.
5. Contractual data: Details about the services we provide to the clients and how they use our services, or details about any potential conflicts of interest;
6. Transaction Information: details about payments and about services purchased from us.
7. Special categories of personal data: medical records, criminal convictions, ethnic origins, political, religious and philosophical beliefs and sexual orientation.

We will only ask clients to provide special categories of personal data if this is essential in order for us to advise them or assist with their case. If we ask for this information, we will explain why we require it and how we intend to use it. Clients' consent will be necessary and they will be able to withdraw their consent at any time. However, if they withdraw their consent, this may affect our ability to assist them. If they fail to provide certain personal information when asked, we may not be able to perform the contract we have entered into with them, or we may be prevented from complying with our legal obligations.

We also process aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from clients' personal data but is not considered personal data as this data does not directly or indirectly reveal clients' identity. However, if we combine or connect aggregated data with clients' personal data so that it can directly or indirectly identify them, we treat the combined data as personal data which will be used in accordance with this Privacy Statement.

OUR SOURCES OF PERSONAL DATA

We obtain personal information about our clients from a number of sources, including:

- Our clients who volunteer the information about themselves;
- Clients' family members, friends, associates, employers, etc;
- Police by way of disclosure or accessing clients' custody record;
- The Crown Prosecution Service;
- HM Courts and Tribunals;
- HM Prisons and Probation Service;
- Other government bodies (including Local Authorities, the Environment Agency, the National Crime Agency, etc.) and their representatives;
- RSPCA and other prosecuting agencies.
- Organisations that refer work to us;
- Medical or financial institutions who provide clients' personal records.

It is important that the personal data we hold about our clients is accurate and current. Clients are asked to keep us informed if their personal data changes during their contract with us.

WHY DO WE NEED THIS INFORMATION AND HOW WILL WE USE IT

We may use clients' personal information for the following purposes:

- To provide legal services, including registering new clients (along with the necessary anti-money laundering checks), communicating with clients and sending them documents and updates about the progress of their case, filling out forms and documents as necessary for the case.
- To manage our relationship with the clients generally which includes notifying them about changes to our terms and conditions, asking them to leave a review or take a survey, developing and carrying out marketing activities and making suggestions about services that may be of interest to particular clients, studying how our clients use our services. Clients can ask us to stop sending them marketing messages at any time by contacting us.

- To run our business in an efficient way, including managing our financial position and business performance, planning, using internal systems and processes, managing communications and audit.
- To exercise our rights set out in agreements or contracts (including managing payments and charges, collecting and recovering money owed to us).
- To keep internal records.
- To detect, report, and seek to prevent financial crime against us;
- To obey laws and regulations that apply to us, including professional, financial, data protection and counter-terrorism provisions;
- To deal with complaints and professional negligence accusations;
- To provide information to agents or contractors so that they can assist us with providing our services, comply with our legal obligations, or run our business.

We are allowed to use personal information only if we have a proper reason to do so. We will only use clients' personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. When we have a business or commercial reason of our own to use clients' information, we will tell them what that is and why we are going to rely on it as the reason for using your data. Even then, it must not be used in a manner that is contrary to clients' interests.

Clients will need to note that we may process their personal data without their knowledge or consent where this is required or permitted by law. We may disclose clients' personal data to the Legal Aid Agency, the Solicitors Regulation Authority, the Legal Ombudsman, the National Crime Agency, our insurers, our accountants, medical and forensic organisations (for example where we require an expert report), and to other external organisations and firms who may provide services to us (for example, as an agent), and who are required to maintain confidentiality in relation to our files. We will share clients' personal information with law enforcement or other authorities only if required to do so by law. We will not share clients' personal details with any other third party unless necessary for clients' case or a transaction and with clients' consent (for example if we need to instruct a barrister or an expert).

In some circumstances we may anonymise clients' personal data so that they can no longer be identified from it, in which case we may use such information without further notice to the client.

HOW LONG CLIENTS' PERSONAL DATA WILL BE KEPT FOR

We will keep clients' personal data only for so long as is necessary and for the purpose for which it was originally collected. In particular, for so long as there is any possibility that a client's case will have to be re-opened or appealed, or where we are required to keep clients' personal data for legal or regulatory reasons. As a general rule, we store client files for 6 years. We will however consider an application for erasure if received prior to the expiry of the 6 years period, and deal with such applications on the case by case basis.

KEEPING CLIENTS' INFORMATION SAFE AND SECURE

We have appropriate security systems and measures in place to prevent personal data from being lost, stolen, misused or accessed in an unauthorised way. We only allow access to clients' personal information to those who have a genuine business need to have it. Those

having access to clients' information are also subject to a duty of confidentiality and will process the data only in an authorised and approved manner. We also have procedures in place to deal with any suspected data security breach. We will notify the client affected and any applicable regulator of a suspected data security breach where we are legally required to do so.

While we will use all reasonable efforts to keep clients' personal information safe. We appreciate that the use of post or emails and the internet may not be entirely secure and for this reason we cannot guarantee the security of any personal information transferred from clients or to clients via the internet.

CLIENTS' RIGHTS

The clients have the following rights under data protection laws in relation to their personal data.

1. Clients have a right to request access to their personal information (known as a "data subject access request"), which enables them to receive a copy of the personal data we hold about them and to check how we are processing it.
2. Clients have a right to request correction of the personal data that we hold about them, which enables them to have any incomplete or inaccurate data we hold about them corrected, though we may need to verify the accuracy of the new data they provide to us.
3. Clients have a right to request erasure of their personal data, which enables them to ask us to delete or remove personal data where there is no good reason for us continuing to process it. Clients also have the right to ask us to delete or remove their personal data where they have successfully exercised their right to object to processing (see below), where we may have processed their information unlawfully or where we are required to erase their personal data to comply with the law. It must however be noted that we may not always be able to comply with clients' requests of erasure for specific legal reasons which will be notified to them, if applicable, at the time of their request.
4. Clients have a right to object to processing of their personal data where we are relying on a legitimate interest (or those of a third party) and there is something about clients' particular situation which makes them want to object to processing on this ground as they feel it impacts on their fundamental rights and freedoms. Clients also have the right to object where we are processing their personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process clients' information which override their rights and freedoms.
5. Clients have a right to request restriction of processing of their personal data, which enables them to ask us to suspend the processing of their personal data in the following scenarios: (a) if they want us to establish the data's accuracy; (b) where our use of the data is unlawful but they do not want us to erase it; (c) where they need us to hold the data even if we no longer require it as they need it to establish, exercise or defend legal claims; or (d) they have objected to our use of their data but we need to verify whether we have overriding legitimate grounds to use it.

6. Clients have a right to request the transfer of their personal data to them or to a third party. We will provide to them, or a third party they have chosen, their personal data in a structured, commonly used, machine-readable format. It must however be noted that this right only applies to automated information which they initially provided consent for us to use or where we used the information to perform a contract with them.

7. Clients have a right to withdraw consent at any time where we are relying on consent to process their personal data. However, this will not affect the lawfulness of any processing carried out before the withdrawal of consent. If the clients withdraw their consent, we may not be able to provide certain services to them. We will advise them if this is the case at the time they withdraw their consent.

If the clients wish to exercise any of the rights set out above, they are asked to contact us (our contact details are provided above at “Controller Contact Details” section) and let us have enough information to identify them (their name, date of birth and address), let us have proof of their identity and address (a copy of their passport, driving licence and a recent utility bill or bank statement), and let us know the information to which their request relates, including any reference number if they have this.

We may need to request specific information from them to help us confirm their identity and ensure their right to access their personal data (or to exercise any of their other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact the requesting client to ask for further information in relation to their request to speed up our response.

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

We hope that we can resolve any query or concern the clients raise about our use of their information.

They also have a right to lodge a complaint with the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113. Complaints can be made at any time, but we would appreciate the chance to deal with the clients' concerns before they approach the Information Commissioner so they are asked to contact us in the first instance.