



Privacy Notice – Loretta Malintoppi

About this Notice

This privacy notice concerns the personal information I process about you and the reasons and legal basis for the processing. It also tells you who I share this personal information with, the security put in place to protect your data and how to contact me in the event you need further information.

Who Am I?

I am a member of 39 Essex Chambers. I process and am responsible for personal information about you. When I do this I am the 'controller' of this information for the purposes of the UK GDPR, the UK Data Protection Act 2018, and (if relevant) the Singapore Personal Data Protection Act ("PDPA").

If you need to contact me about your data or the processing carried out you can use the contact details at the end of this document.

What do I do with your personal information?

Personal information collected from you

When providing legal services or undertaking the other functions set out below, I collect personal information you provide which may include any or all of the following categories of personal data and special categories of personal data:

Personal Data: ("Personal Data")

- personal details
- financial details
- family details
- lifestyle and social circumstances
- goods and services
- education, training and employment details
- data relating to criminal convictions and offences or related security measures
- other personal data relevant to my provision of legal services, including data specific to the instructions or appointment in question

Special Categories of Personal Data: ("Special Categories of Personal Data")

- data concerning health
- data revealing racial or ethnic origin
- data revealing political opinions
- data revealing religious or philosophical beliefs
- data revealing trade union membership

- data concerning sex life or sexual orientation
- genetic data
- biometric data for the purpose of uniquely identifying a natural person

I may collect your personal information by various means including:

- you transact with me, contact me or request that I contact you through various communication channels, for example, through emails, meetings and telephone calls
- you enter into agreements with me
- you request to be included in my Chambers e-mail or mailing list
- you attend events or functions organised by Chambers
- you authorise my Chambers to obtain your Personal Data from a third party
- you provide your Personal Data to me or my Chambers for any other reason.

Personal information collected from others

I may also obtain personal information, including in the categories listed above, from third parties, such as other legal professionals, experts, members of the public, your family and friends, witnesses, courts, adjudicators, arbitrators, expert determiners, mediators and other forms of dispute resolution service provider, tribunals, investigators, government departments, regulators, public records and registers.

How do I use your personal information?

I may process your personal information for the following purposes (“Purposes”):

- to provide professional services as a barrister, including the provision of legal advice and representation in courts, adjudications, arbitrations, expert determinations, mediations, tribunals and other forms of dispute resolution procedure
- to provide professional services as an adjudicator, arbitrator, expert determiner, judge, mediator and provider of other forms of dispute resolution services
- to provide professional services as a member of a disciplinary tribunal or investigation panel
- to check for conflicts of interest in relation to any of the professional services referred to above
- to carry out anti-money laundering and terrorist financing checks
- to obtain and administer professional indemnity insurance
- to promote and market any of the professional services referred to above
- to carry out office administration and keep accounting records
- to take or defend legal or regulatory proceedings or to exercise a lien
- to respond to potential complaints or to make complaints
- to train other barristers, pupils, mini-pupils and secondees and when providing work-shadowing opportunities
- to respond to requests for references
- when procuring goods and services

- to publish legal articles and books
- to publish legal judgments and decisions of courts and tribunals, awards and decisions in adjudications, arbitrations, expert determinations and other forms of dispute resolution procedure, disciplinary tribunals and investigations
- as required or permitted by law.

Whether personal information has to be provided by you, and why

If I have been instructed by you or on your behalf to provide professional services as a barrister or I have been appointed to provide professional services as an adjudicator, arbitrator, expert determiner, mediator or other provider of dispute resolution services, member of a disciplinary or investigation panel, your personal information has to be provided, to enable me to provide those professional services, and to enable me to comply with my professional obligations and to keep accounting records.

The legal basis for processing your personal information

I rely on the following as the lawful bases on which I process your personal information:

In relation to Personal Data:

- If you are an actual or prospective client, processing is necessary for the performance of a contract for legal services or in order to take steps at your request prior to entering into a contract.
- Processing is necessary for the purpose of my legitimate interests and/or the legitimate interests of a third party in carrying out the processing for the Purposes and my legitimate interests assessment. Processing is necessary for compliance with a legal obligation to which I am subject.
- If you have given your consent to the processing of your personal data, I may also process that information for the Purposes to the extent of your consent. You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity I have carried out before the withdrawal of your consent.

In relation to Special Categories of Personal Data:

- Processing is necessary for the establishment, exercise or defence of legal claims or court proceedings.
- If you have given your explicit consent to the processing of such personal data, I may process that information for the Purposes to the extent of your consent. You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity I have carried out before the withdrawal of your consent.

Who will I share your personal information with?

If you are a client, some of the personal information you provide will be protected by legal professional privilege unless and until that information becomes public in the course of any proceedings or otherwise. As a barrister I have an obligation to keep your personal information confidential, except where it otherwise becomes public or is disclosed as part of the case or proceedings.

However, it may be necessary to share your personal information with entities that I am affiliated with ("Affiliated Parties"). They are:

- **39 Essex (Services) Limited:** an entity that manages the administrative, operational and support functions of 39 Essex Chambers and is an incorporated company (No. 7385894) with

a registered office at 81 Chancery Lane, London WC2A 1DD. It is registered with the Information Commissioner's Office (Z2531653).

- **39 Essex Chambers (International) Pte. Ltd.:** an entity that manages the administrative, operational and support functions for barristers and arbitrator members in Asia and is a company registered in Singapore (UEN 201300862H) with its registered office at 28 Maxwell Road, #04-03 & #04-04, Maxwell Chambers Suites, Singapore 069120.
- **39 Essex Chambers LLP:** a governance and holding entity and a limited liability partnership registered in England and Wales (0C360005) with its registered office at 81 Chancery Lane, London WC2A 1DD. It is registered with the Information Commissioner's Office (Z2531636).
- If you are a client, some of the personal information you provide will be protected by legal professional

I also share personal data with my service company Draycott Law Pte. Ltd., Maxwell Chambers Suites, 28 Maxwell Road #04-03 & #04-04, Singapore 069120, in so far as it is necessary to do so, so that it can send out my professional invoices and collect fees which are due. I am its director and sole employee. Draycott Law Pte. Ltd. is a data controller in respect of that information, but you may still contact me using the details set out above if you have any questions concerning its processing. Draycott Law Pte. Ltd. will keep your personal data for the same length of time as I will, and may be legally required to disclose it to regulators. If you do not pay my invoices, I or Draycott Law Pte. Ltd. might disclose information about your identity, assets and amounts owed to a third-party recovery agency.

It may also be necessary to share your personal information with the following third parties ("Third Parties"):

- data processors, email service providers, and data storage service providers
- other legal professionals
- lay and professional clients
- courts, tribunals and arbitral institutions
- members of an alternative dispute resolution panel including adjudicators, arbitrators, expert determiners, co-mediators, and arbitration panel secretaries
- members of a disciplinary tribunal or investigation panel
- witnesses and expert witnesses (including prospective witnesses and expert witnesses)
- interpreters and transcribers
- the general public in relation to the publication of legal judgments and decisions of courts and tribunals
- the parties and legal advisors and appointing or supervising institutions in relation to adjudications, arbitrations, expert determinations, and other forms of dispute resolution procedure, disciplinary and investigation proceedings
- trainee barristers including pupils and mini-pupils, and secondees
- my professional indemnity insurers
- family and associates of the person whose personal information I am processing
- in the event of complaints, the Heads of 39 Essex Chambers, other members of 39 Essex

Chambers who deal with complaints, the UK's Bar Standards Board, the UK's Legal Ombudsman, Singapore's Legal Services Regulatory Authority, and the Law Society of Singapore

- prosecution authorities
- other regulatory authorities, including the UK's Bar Standards Board, the UK's Financial Conduct Authority, Singapore's Legal Services Regulatory Authority, and the Law Society of Singapore
- the UK's Information Commissioner's Office and Singapore's Personal Data Protection Commission
- the police or intelligence services, where I am required or permitted by law to do so
- current, past or prospective employers
- education and examining bodies
- business associates, professional advisers and trade bodies, e.g. the Bar Council and Legal Directories
- the intended recipient, where you have asked me to provide a reference
- the intended recipient as required or permitted by law

Sources of information

The personal information I obtain may include information from:

- Affiliated Parties
- data processors, email service providers, and data storage service providers
- other legal professionals
- lay and professional clients
- courts, tribunals and arbitral institutions
- members of an alternative dispute resolution panel including adjudicators, arbitrators, expert determiners, co-mediators and independent investigators and arbitration panel secretaries
- members of a disciplinary tribunal or investigation panel
- witnesses and expert witnesses (including prospective witnesses and expert witnesses)
- interpreters and transcribers
- trainee barristers including pupils and mini-pupils, and secondees
- family and associates of the person whose personal information I am processing
- in the event of complaints, the Heads of 39 Essex Chambers, other members of 39 Essex Chambers who deal with complaints, the Bar Standards Board, and the Legal Ombudsman
- prosecution authorities
- other regulatory authorities, including the Bar Standards Board and Financial Conduct Authority
- current, past or prospective employers
- education and examining bodies

- business associates, professional advisers and trade bodies, e.g., the Bar Council and Legal Directories
- the intended recipient, where you have asked me to provide a reference
- the general public in relation to the publication of legal judgments and decisions of courts and tribunals
- public sources, such as the press, public registers and law reports.

Transfer of your personal information outside the UK and European Economic Area (EEA)

This privacy notice is of general application and as such it is not possible to state whether it will be necessary to transfer your personal information out of the UK and EEA in any particular case or for any particular Purpose. Such transfers include transfers to cloud data storage providers situated outside the EEA.

If you are in a country outside the UK and EEA or if the instructions you provide come from outside the UK and EEA, it is inevitable that your personal information will be transferred to that country or those countries.

If you reside outside the UK and EEA or my professional services involve persons, organisations, courts, arbitral institutions, adjudicators, arbitrators, expert determiners, mediators, investigations, tribunals and other forms of dispute resolution entity outside the UK and EEA, it may be necessary to transfer your personal information to that country or those countries outside of the UK and EEA for that purpose.

If either of these cases apply to you and you wish additional precautions to be taken in respect of your personal information, please indicate this when providing instructions.

Where the UK Government or the European Commission has decided that a country or part of a country outside the UK or EEA, or listed entities in such a country, ensures an adequate level of protection for personal information, I am entitled to transfer personal information to that country or to that entity in accordance with the relevant adequacy decisions. The list of European Commission adequacy decisions can be found [here](#); information on UK adequacy decisions can be found on the ICO [website](#).

In the absence of an adequacy decision by the UK Government or the European Commission, I will transfer your personal information outside the UK or EEA where there are adequate safeguards in place in respect of such transfers.

In the absence of an adequacy decision or adequate safeguards, I will only transfer your personal information outside the UK and EEA where the transfer is necessary for the establishment, exercise or defence of legal claims or you have given your explicit consent to the proposed transfer after having been informed of the possible risk of such transfer. You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity I have carried out before the withdrawal of your consent.

Data security

I store your data in electronic form in a secure IT system protected by up-to-date security including firewall, secure access and anti-virus protection. The data is stored by 39 Essex Chambers on its own servers or on servers operated by highly reputable IT system providers with database centres in the UK.

The computer hardware I use, including desktop and laptops, is whole disc encrypted and, in the event of loss, data on iPads and iPhones is deleted remotely by the IT department. When replaced, the hard disc of computer equipment I use is securely destroyed.

When email data is to be permanently deleted this is done by instruction to an email archive facility.

When informed that a matter is closed or instructions are terminated for any other reason, hard copy papers are returned to my Instructing Solicitors or confidentially destroyed.

39 Essex Chambers regularly reviews its information policy, including data security.

How long will I store your personal data?

I will normally store:

- Your personal information until at least 1 year after the expiry of any relevant limitation period (which will usually be 15 years as recommended by my insurers), from the date of the last item of work carried out, the date of the last payment received or the date on which all outstanding payments are written off (whichever is the latest). This is because it may be needed for potential legal proceedings or subject to a complaint. At this point any further retention will be reviewed and the data will be marked for deletion or marked for retention for a further period. The latter retention period is likely to occur only where the personal information is needed for legal proceedings, regulatory matters or active complaints. Deletion will be carried out (without further notice to you) as soon as reasonably practicable after the data is marked for deletion.
- Your personal Information related to anti-money laundering checks for five years after the completion of the transaction or the end of the professional relationship, whichever is the later.
- That part of your personal information I need to carry out conflict checks for the rest of my career. This is likely to be limited to your name and contact details and the name of the case. This will not include any Special Categories of Personal Data.
- That part of your personal information relating to marketing purposes for an indefinite period of time or until I or my clerks become aware or are informed that you ceased to be a potential client. This is likely to be limited to your name and contact details.

Your Rights

Under the UK GDPR, you have a number of rights you may exercise in certain circumstances. The exercise of these rights is free of charge.

In summary, you may have the right to:

- Access to your personal information and other supplementary information
- Correction of errors or omissions in your personal information
- Erasure of some or all of your personal information in certain circumstances
- A copy of the personal information you have provided to me sent to you or to a third party in a commonly used and machine readable format
- 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 my processing of your personal information in certain circumstances.

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

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

- Use the contact details at the end of this document. I may need to ask you to provide other information so that you can be identified
- Provide a postal address so I may contact you to request further information to verify your identity
- Provide proof of your identity
- State the right or rights you wish to exercise.

I will respond to you within one month from receipt of your request.

Marketing Emails

If you wish to unsubscribe from any marketing emails you have signed up for, you can do so by emailing marketing@39essex.com (subject line 'unsubscribe'). It may take up to one week for this to become effective.

How to make a complaint?

The UK GDPR gives you the right to file 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 data protection laws occurred. The Information Commissioner's Office can be contacted at <http://ico.org.uk/concerns/>.

Future Processing

I do 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 and placed on my website page.

Singapore

1. General

- 1.1. The terms set out in this Section shall apply to you if you are a resident in Singapore where the Personal Data Protection Act 2012 ("PDPA") applies.
- 1.2. The Privacy Notice - Members (the "Privacy Notice") as set out above shall continue to apply to you, save as may be supplemented, amended or modified by the terms set out in this Section. If there is any conflict between the terms set out in the Privacy Notice and those in this Section, the terms set out in this Section shall prevail.
- 1.3. In this Section, unless the subject or context otherwise requires:
 - 1.3.1. the term "Singapore Privacy Notice" shall refer to the Privacy Notice as supplemented and/or modified by this Section.
 - 1.3.2. the term "process" in the Privacy Notice shall be read as "collect, use, disclose and/or process" in the context of the PDPA, and the term "processing" shall be construed

accordingly.

2. How I Collect Personal Information

- 2.1. In certain circumstances, you may also provide me with personal information of persons other than yourself (such as your family members and next-of-kin). If you do so, you represent and warrant that you have brought the Singapore Privacy Notice to his/her attention, informed him/her of the purposes for which I am collecting his/her personal information and that he/she has consented to your disclosure of his/her personal information to me for those purposes and accepts the Singapore Privacy Notice. You agree to indemnify and hold me harmless from and against any and all claims by such individuals relating to my collection, use and/or disclosure of such personal information in accordance with the terms of this Singapore Privacy Notice.

3. What I Do with Your Personal Information

- 3.1. I collect, use and/or disclose your personal information for purposes connected or relevant to the services which I provide you, and to manage your relationship with me. Such purposes include those listed in the section "How do I use your personal information" of the Privacy Notice. If your personal information is to be used and/or disclosed for new purposes that are not disclosed therein, I shall:
 - 3.1.1. obtain your consent where required under applicable law; or
 - 3.1.2. proceed to use and/or disclose your personal information, without your knowledge or consent, where this is required or permitted by law.

4. Disclosure Of Your Personal Information

- 4.1. When disclosing personal information to Affiliated Parties and Third Parties, I will (where appropriate and permissible) enter into contracts with these parties to protect your personal information in a manner that is consistent with all applicable laws and/or ensure that they only process your personal information in accordance with my instructions.

5. Transfer Of Personal Information Outside Of Singapore

- 5.1. I may transfer your personal information to different jurisdictions outside of Singapore in connection with the Purposes described in "How do I use your personal information" of the Privacy Notice, and other purposes that may arise from time to time provided that the requirements set out in paragraph 3.1. of this Section are satisfied. The transfer may take place from Singapore where the data is collected to:
 - 5.1.1. the United Kingdom; and/or
 - 5.1.2. any other jurisdiction where necessary in order to fulfil the aforementioned purposes.
- 5.2. Where I transfer your personal information outside of Singapore, I will ensure that your personal information is protected in accordance with this Singapore Privacy Notice and applicable laws regardless of the jurisdictions they are transferred to, but in any event to a level that is no less stringent than the applicable Singapore standard (the country from which the personal information is transferred from).

6. Your Rights

6.1. Under the PDPA, you may:

6.1.1. Ask me if I hold your personal information and, if I do, you can request access to your personal information. This enables you to receive a copy of and information on the personal information I hold about you. In addition, you may also request for information about the ways in which your personal information may have been used or disclosed by me within a year from the date of request.

6.1.2. Request that any incomplete or inaccurate personal information that I hold about you is corrected.

6.1.3. Withdraw consent for my collection, use and/or disclosure of your personal information. However, please note that the withdrawal of consent may result in us not being able to fulfil the purposes for which your personal information is provided to us. Therefore, we reserve the right to withdraw or cease the fulfilment of such purposes upon your withdrawal of consent. Upon receipt of your request to withdraw your consent, the consequences of withdrawal may be communicated to you. Upon your agreement to the same, your request for withdrawal will be processed by us.

6.1.4. Request the transfer of certain of your personal information to another party under certain conditions.

6.2. If you wish to exercise any of your rights, you may submit a written request to the Chief Executive (Asia) of 39 Essex Chambers (see "Contact details" section of the Privacy Notice). I may also require that you submit certain forms or provide certain information to process your request. Where permitted by the PDPA, I may also charge you a fee to process your request.

6.3 I may be permitted under the PDPA to refuse a request, for example, I may refuse (a) a request for access where the personal information is subject to legal privilege; or (b) a correction request if the data involves opinion data kept solely for an evaluative purpose.

Changes to this privacy notice

This privacy notice was first published on 23 May 2018 and last updated on 4 August 2023.

I continually review my privacy practices and may change this policy from time to time. When I do it will be placed on my website page.

Contact Details

If you have any questions about this privacy notice or the personal information I hold about you, please contact the 39 Essex Chambers' Chief Operating Officer using the contact details below.

United Kingdom:

Celia Grace
Chief Operating Officer
39 Essex Chambers
81 Chancery Lane London WC2A 1DD

Email: celia.grace@39essex.com

Phone: +44 (0)20 7832 1111

Singapore:

Abhinav Bhushan

Chief Executive Asia

39 Essex Chambers

28 Maxwell Road

#04-03 & #04-04

Maxwell Chambers Suites

Singapore 069120

Email: Abhinav.Bhushan@39essex.com

Phone: +65 6320 9272