

NO COMMENT PRIVACY POLICY

This Privacy Policy sets out how we, No Comment Legal Services Ltd, collect, store and use information about you when you use or interact with our website www.nocomment.law and where we otherwise obtain or collect information about you.

SUMMARY

This section summarises how we obtain, store and use information about you. It is intended to provide a very general overview only. It is not complete in and of itself and it must be read in conjunction with the corresponding full sections of this Privacy Policy.

Data controller: Matthew Fresco

This Privacy Policy is effective from 25th May 2018.

We have three users of our services:

1. Accredited Police Station Representatives (Reps)
2. Criminal Law Firms and their employees Solicitors (Firms)
3. Defendants interviewed under caution (Defendants)

Please note that Members of the Public do not use our services. We do no marketing to the public.

We collect or obtain information about you when you provide it to us by contacting us by text or email or phone or via our web site.

Our website does not use cookies.

INFORMATION COLLECTED AND STORED (REPS):

1. Name
2. Firm Name
3. Agency Name
4. Mobile No of Instructing Firm
5. Email Address
6. Rate
7. Mileage Rate
8. Address
9. Signature
10. Instruction Date
11. Instruction Travel, Wait and Attendance Times
12. Instruction Disbursements
13. Date Paid

INFORMATION COLLECTED AND STORED (FIRMS):

1. Name
2. Primary Contact
3. DX Address

4. Postal Address
5. Website
6. Instructing Solicitor Names
7. Instructing Solicitor Telephone Numbers
8. Instructing Solicitor Email Addresses
9. Rate
10. DSCC Website Username and Password
11. Preferences and Special Instructions
12. Notes
13. Username and Password
14. Instructions
15. Date Paid

INFORMATION COLLECTED AND STORED (DEFENDANTS):

1. Name
2. Instructing Firm
3. Date and Time of Instruction
4. Source
5. DSCC ref
6. Date of Birth
7. Address
8. Telephone Number
9. Email
10. Benefits or Income
11. NI No
12. Partner's Name
13. Partner's Email Address
14. Partner's Income
15. Venue
16. Custody Record Number
17. Offence
18. OIC name
19. OIC Telephone Number
20. OIC Email Address
21. Time of Arrest
22. Time of Arrival
23. Reason for Arrest
24. Reason for Detention
25. Complainant Name
26. Co-defendant Name
27. Disclosure
28. Instructions
29. Advice
30. Interview Notes
31. Disposal
32. Bail Conditions
33. Compliance Information
34. Signature
35. All the information captured on Legal Aid forms.

HOW WE USE YOUR INFORMATION:

for administrative and business purposes (particularly to contact you and process orders you place with us), to improve our business, products and website, to fulfil our contractual obligations, to advertise our goods and services, to analyse your use of our website, and in connection with our legal rights and obligations.

DISCLOSURE TO THIRD PARTIES:

only to the extent necessary to run our business, to our service providers, to fulfil any contracts we enter into with you, where required by law or to enforce our legal rights.

DO WE SELL YOUR INFORMATION?

(other than in the course of a business sale or purchase or similar event): No.

HOW LONG WE KEEP YOUR INFORMATION:

for no longer than necessary, taking into account any legal obligations we have (e.g. to maintain records for tax purposes), any other legal basis we have for using your information (e.g. your consent, performance of a contract with you or our legitimate interests as a business). For specific retention periods in relation to certain information which we collect from you, please see the main section below entitled How long we retain your information.

HOW WE SECURE YOUR INFORMATION:

using appropriate technical and organisational measures such as storing your information on secure servers, encrypting transfers of data to or from our servers using Secure Sockets Layer (SSL) technology, only granting access to your information where necessary.

USE OF COOKIES AND SIMILAR TECHNOLOGIES:

we do not use cookies or similar information-gathering technologies

TRANSFERS OUTSIDE THE EUROPEAN ECONOMIC AREA:

None. Although we do use Google Analytics which may use servers in the USA. We know the data is anonymous and Google are signed up the GDPR.

USE OF AUTOMATED DECISION MAKING AND PROFILING:

we do not use automated decision making and/or profiling.

YOUR RIGHTS IN RELATION TO YOUR INFORMATION

1. to access your information and to receive information about its use
2. to have your information corrected and/or completed
3. to have your information deleted
4. to restrict the use of your information
5. to receive your information in a portable format
6. to object to the use of your information

7. to withdraw your consent to the use of your information
8. to complain to a supervisory authority

SENSITIVE PERSONAL INFORMATION:

In relation to Reps and Firms we do not knowingly or intentionally collect what is commonly referred to as 'sensitive personal information'. Please do not submit sensitive personal information about you to us. For more information, please see the main section below entitled Sensitive Personal Information.

In relation to Defendants we do collect sensitive personal information. We are an agency representing defendants who are interviewed by the police under caution at police stations throughout England & Wales. We are instructed by firms who practice criminal law under the terms of the General Criminal Contract. Our reps attend on defendants at police stations. The firms, our reps and No Comment are all supervised by the Law Society and the Legal Aid Agency as well as the Solicitors Regulation Authority.

As a matter of course we take instructions from defendants so that they can be given legal advice. The data collected in relation to defendants is legally privileged. It is collected as it is necessary for the establishment, exercise and defence of legal claims.

OUR DETAILS

The data controller in respect of our website and business is No Comment Legal Services Ltd. (of Registered Address of 3 Rockleigh Hertford, Hertfordshire SG14 1LS.

You can contact the data controller by writing to us or via our website or by email to privacy@NoComment.Law

If you have any questions about this Privacy Policy, please contact the data controller.

INFORMATION WE COLLECT WHEN YOU VISIT OUR WEBSITE

We collect and use information from website visitors in accordance with this section and the section entitled Disclosure and additional uses of your information.

WEB SERVER LOG INFORMATION

We use shared hosting servers provided by TsoHost (formerly VidaHost) to host our website. Our website server automatically logs the IP address you use to access our website as well as other information about your visit such as the pages accessed, the date and time of the request, the source of your access to our website (e.g. the website or URL (link) which referred you to our website), and your browser version and operating system.

Our server is located in the United Kingdom.

USE OF WEBSITE SERVER LOG INFORMATION FOR IT SECURITY PURPOSES

Our server collects and stores server logs to ensure network and IT security and so that the server and website remain uncompromised. This includes analysing log files to help identify and prevent unauthorised access to our network, the distribution of malicious code,

denial of services attacks and other cyber attacks, by detecting unusual or suspicious activity.

It is worth noting that this is done by the hosting server and is not under the control of No Comment. It is an automated function which is part of the hosting package.

The legal basis for processing data on the server is our compliance with a legal obligation to which we are subject (Article 6(1)(c) of the General Data Protection Regulation). We have a legal obligation to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk of our processing of information about individuals. Recording access to our website using server log files is such a measure.

The legal basis for this processing is our legitimate interest (Article 6(1)(f) of the General Data Protection Regulation). We have a legitimate interest in using your information for the purposes of ensuring network and information security. Use of website server log information to analyse website use and improve our website. We use the information collected by our website server logs to analyse how our website users interact with our website and its features. For example, we analyse the number of visits and unique visitors we receive, the time and date of the visit, the location of the visit and the operating system and browser used.

We use the information gathered from the analysis of this information to improve our website. For example, we use the information gathered to change the information, content and structure of our website and individual pages based according to what users are engaging most with and the duration of time spent on particular pages on our website.

The legal basis for this processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). Legitimate interest: improving our website for our website users and getting to know our website users' preferences so our website can better meet their needs and desires. Cookies and similar technologies Cookies are data files which are sent from a website to a browser to record information about users for various purposes.

We do not use cookies on our website.

EMAIL:

When you send an email to the email address displayed on our website we collect your email address and any other information you provide in that email (such as your name, telephone number and the information contained in any signature block in your email). Our legal basis for this processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). Our legitimate interest is responding to enquiries and messages we receive and keeping records of correspondence.

The second legal basis for processing is that it is necessary to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the General Data Protection Regulation). Where your message relates to us providing you with goods or services or taking steps at your request prior to providing you with our goods and services (for example, providing you with information about such goods and services), we will process your information in order to do so).

TRANSFER AND STORAGE OF YOUR INFORMATION:

We do not use a third party email provider to store emails you send us.

Emails you send us will be stored on our server and copies are on our office machines and mobile phones.

CONTACT FORM

When you contact us using our contact form, we collect company name, contact name, phone number, email address as well as details of your enquiry. If you do not provide the mandatory information required by our contact form, you will not be able to submit the contact form and we will not receive your enquiry.

The legal basis for processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is responding to enquiries and messages we receive and keeping records of correspondence. The legal basis for this processing is it is necessary to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason why this is necessary is to perform a contract: where your message relates to us providing you with goods or services or taking steps at your request prior to providing you with our goods and services (for example, providing you with information about such goods and services), we will process your information in order to do so).

TRANSFER AND STORAGE OF YOUR INFORMATION

Messages you send us via our contact form are not stored outside the European Economic Area. They are held on our email provider's servers

PHONES

When you contact us by phone, we collect your phone number and any information provide to us during your conversation with us. We do not record phone calls. The legal basis for processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is responding to enquiries and messages we receive and keeping records of correspondence. The legal basis for processing: is that it is necessary to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason why this is necessary is to perform a contract where your message relates to us providing you with goods or services or taking steps at your request prior to providing you with our goods and services (for example, providing you with information about such goods and services), we will process your information in order to do so).

POST

If you contact us by post, we will collect any information you provide to us in any postal communications you send us. The legal basis for processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is responding to enquiries and messages we receive and keeping records of correspondence. The legal basis for processing is necessity to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason why is necessity to perform a contract: where your message relates to us providing you with goods or services or taking steps at your request prior to providing you with our goods and services (for example, providing you with

information about such goods and services), we will process your information in order to do so).

WEBSITE

We collect and use information from individuals who interact with particular features of our website in accordance with this section and the section entitled Disclosure and additional uses of your information.

REGISTERING ON OUR WEBSITE

Generally we register instructions, reps and firms on our website. But firms and reps can amend that data at any time. They can view it at any time. They can amend it at any time. Defendants have no access whatsoever to our website. The public have no access to our website.

When you are registered and create an account on our website, we collect the information detailed in the Summary above. The legal basis for processing is necessity to perform a contract or to take steps at your request prior to entering into a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract. Creating an account on our website is necessary to allow you to access the goods and services you have purchased from us. In relation to the transfer and storage of your information the registration form on our website will be stored within the European Economic Area on our servers in the United Kingdom.

Your information is not knowingly transferred outside the European Economic Area.

INSTRUCTION INFORMATION

We collect and use information from firms who instruct us. Instructions come by telephone, sms text message and our website. This is done in accordance with the Disclosure and additional uses of your information section of this policy.

When Firms instruct us we collect the name of the instructing solicitor, email address, payment address, company name and telephone number. We also collect the name of the defendant along with the offence, venue and details of the officer dealing. We also collect the custody reference number, DSCC reference and any other information that is provided.

If you do not provide this information, you will not be able to purchase goods or services from us or enter into a contract with us. The legal basis for processing is the necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract. We need the information collected by our to establish who the contract is with and to contact you to fulfil our obligations under the contract, including sending you receipts and order confirmations.

PAYMENTS

No payments are made online via our website. We are paid by the Firms. Firms pay by bank transfer and by cheque. Reps are paid by us by bank transfer only.

TRANSFER AND STORAGE OF YOUR INFORMATION

Our bank is Natwest which is located in the UK. No information knowingly leaves the UK or EU.

Our bank has the name of each rep we have at any time paid. The bank also have the date and value of any payments. The bank also stores account numbers and sort codes. Other information is held by the bank including references and banking information.

Our bank has the name of each firm that has paid us. The bank also has the date and value of any payments. The bank also stores account numbers and sort codes. Other information is held by the bank including references and banking information.

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil your contractual obligation to pay for the goods or services you have ordered from us.

MARKETING COMMUNICATIONS

We do not send you marketing communications. We reserve the right to do so. The legal basis for such processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). This legitimate interests is direct marketing and advertising our products and services. In relation to the transfer and storage of your information we do not use a third party service to administer our mailing list. Information is not stored outside the European Economic Area. Information is held on our servers in the United Kingdom.

WEB BEACONS

We do not use technologies such as web beacons (small graphic files) in the emails we send to allow us to assess the level of engagement our emails receive by measuring information such as the delivery rates, open rates and click through rates time and date which our emails achieve. We will only use web beacons in our emails if you have consented to us doing so.

INFORMATION COLLECTED OR OBTAINED FROM THIRD PARTIES

This section sets out how we obtain or collect information about you from third parties. Information received from third parties. Generally, we do not receive information about you from third parties.

The legal basis for processing is a necessity to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: where a third party has passed on information about you to us (such as your name and email address) in order for us to provide services to you, we will process your information in order to take steps at your request to enter into a contract with you and perform a contract with you (as the case may be). The Legal basis for processing is consent (Article 6(1)(a) of the General Data Protection Regulation) where you have asked that a third party to share information about you with us and the purpose of sharing that information is not related to the performance of a contract or services by us to you, we will process your information on the basis of your consent, which you give by asking the third party in question to pass on your information to us.

The legal basis for this processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interests is where a third party has shared information about you with us and you have not consented to the sharing of that information, we will have a legitimate interest in processing that information in certain circumstances. For example, we would have a legitimate interest in processing your information to perform our obligations under a sub-contract with the third party, where the third party has the main contract with you. Our legitimate interest is the performance of our obligations under our sub-contract.

Similarly, third parties may pass on information about you to us if you have infringed or potentially infringed any of our legal rights. In this case, we will have a legitimate interest in processing that information to investigate and pursue any such potential infringement.

If we receive information about you from a third party in error and/or we do not have a legal basis for processing that information, we will delete your information.

In certain circumstances (for example, to verify the information we hold about you or obtain missing information we require to provide you with a service) we will obtain information about you from certain publicly accessible sources, both EU and non-EU, such as Companies House, online customer databases, business directories, media publications, social media, and websites (including your own website if you have one). In certain circumstances will also obtain information about you from private sources, both EU and non-EU.

The legal basis for this processing is necessity to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: where you have entered into a contract or requested that we enter into a contract with you, in certain circumstances, we will obtain information about you from public sources in order to enable us to understand your business and provide services to you or services to a sufficient standard.

For example, we would obtain and/or verify your email address from your website or from a directory where you ask us to send you information by email but we do not possess the information or we need to confirm that we have recorded your email address correctly. The legal basis for this processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). Legitimate interests: in certain circumstances, we will have a legitimate interest in obtaining information about you from public and private sources. For example, if you have infringed or we suspect that you have infringed any of our legal rights, we will have a legitimate interest in obtaining and processing information about you from such sources in order to investigate and pursue any suspected or potential infringement.

OUR USE OF AUTOMATED DECISION-MAKING AND PROFILING

We do not use automated decision making and profiling on our website. We reserve the right to do so. We do not consider that this has any legal effect on you or similarly significantly affects you.

You have the right to object to our use of automated decision making and profiling described in this section. If you do not want us to process your actual IP address (usually the IP address assigned to you by your Internet Service Provider) when you visit our website, you can use a Virtual Private Network (VPN) or a free service such as Tor.

PROFILING

Profiling is any form of automated processing of your information to evaluate personal aspects about you, in particular to analyse or predict things like your performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

USE OF PROFILING FOR WEB ANALYTICS

Our web analytics service, Google Analytics and our server host, TsoHost both collect information such as your location (based on your IP address) and your behaviour when you access our website (such as the pages you visit and what you click on). We do not use cookies.

By automatically analysing and categorising information such as the location (based on IP address) as well as the behaviour and devices of visitors to our website we are able to gain a better understanding of what our website visitors want (in terms of the content of our website and our products), how to improve our website and how to advertise and market our services to them.

We do not advertise or allow third party adverts on our website.

We have a legitimate interest to do this for analysing the level of engagement and effectiveness of our website.

DISCLOSURE AND ADDITIONAL USES OF YOUR INFORMATION

This section sets out the circumstances in which will disclose information about you to third parties and any additional purposes for which we use your information.

We disclose your information to other third parties in specific circumstances, as set out below. Providing information to third parties such as Google to collect information through our use of Google Analytics on our website. Google uses this information, including IP addresses and information from cookies, for a number of purposes, such as improving its Google Analytics service.

Information is shared with Google on an aggregated and anonymised basis. To find out more about what information Google collects, how it uses this information and how to control the information sent to Google, please see the following page: <https://www.google.com/policies/privacy/partners>

The legal basis for this processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is meeting our contractual obligations to Google under our Google Analytics Terms of Service (<https://www.google.com/analytics/terms/us.html>).

You can opt out of Google Analytics by installing the browser plugins:
<https://tools.google.com/dlpage/gaoptout>

In relation to the transfer and storage of your information we believe that information collected by Google Analytics may be stored outside the European Economic Area on Google's servers in the United States of America. For further information about the

safeguards used when your information is transferred outside the European Economic Area, see the section of this privacy policy below entitled Transfers of your information outside the European Economic Area. For that reason we have suspended Google Analytics at the time of writing.

Sharing your information with third parties, which are either related to or associated with the running of our business, where it is necessary for us to do so. These third parties include our accountants, advisors, and insurers . Further information on each of these third parties is set out below.

The legal basis for this processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is running and managing our business efficiently.

ACCOUNTANTS

We share information with our accountants and book-keepers for tax purposes. For example, we share invoices we issue and receive with our accountants for the purpose of completing tax returns and our end of year accounts.

Our accountants is Alex Green based at
119 Blenheim Square
North Weald
Epping
Essex CM16 6FQ

ADVISORS

Occasionally, we obtain advice from advisors, such as financial advisors, lawyers and public relations professional. We will share your information with these third parties only where it is necessary to enable these third parties to be able to provide us with the relevant advice.

We have no such advisors at present but reserve the right to do so. Our advisors are located in England.

INSURERS

We will share your information with our insurers where it is necessary to do so, for example in relation to a claim or potential claim we receive or make or under our general disclosure obligations under our insurance contract with them.

Our insurers are located in England.

DISCLOSURE AND USE OF YOUR INFORMATION FOR LEGAL REASONS

We have a general duty to indicate possible criminal acts or threats to public security to a competent authority. If we suspect that criminal or potential criminal conduct has been occurred, we will in certain circumstances need to contact an appropriate authority, such as the police. This could be the case, for instance, if we suspect that we fraud or a cyber crime has been committed or if we receive threats or malicious communications towards us or third parties.

We will generally only need to process your information for this purpose if you were involved or affected by such an incident in some way. The legal basis for processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interests is preventing crime or suspected criminal activity (such as fraud). In connection with the enforcement or potential enforcement of our legal rights. We will use your information in connection with the enforcement or potential enforcement of our legal rights, including, for example, sharing information with debt collection agencies if you do not pay amounts owed to us when you are contractually obliged to do so.

Our legal rights may be contractual (where we have entered into a contract with you) or non-contractual (such as legal rights that we have under copyright law or tort law). Legal basis for processing: our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is enforcing our legal rights and taking steps to enforce our legal rights.

In connection with a legal or potential legal dispute or proceedings we may need to use your information if we are involved in a dispute with you or a third party for example, either to resolve the dispute or as part of any mediation, arbitration or court resolution or similar process. The legal basis for such processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is resolving disputes and potential disputes.

For ongoing compliance with laws, regulations and other legal requirements we will use and process your information in order to comply with legal obligations to which we are subject. For example, we may need to disclose your information pursuant to a court order or subpoena if we receive one or to the National Crime Agency in connection with suspected or potential money laundering matters. Legal basis for processing: compliance with a legal obligation (Article 6(1)(c) of the General Data Protection Regulation). The legal obligation is a legal obligation to disclose information which are part of the laws of England and Wales or if they have been integrated into the United Kingdom's legal framework (for example in the form of an international agreement which the United Kingdom has signed).

The legal basis for this processing is our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation). The legitimate interest is where the legal obligations are part of the laws of another country and have not been integrated into the United Kingdom's legal framework, we have a legitimate interest in complying with these obligations.

MISC OTHER DATA SHARING

Google Analytics

We are not using this service at the moment but we have used it in the past. We stopped when GDPR came into force. We to use it and will do so again. We use Analytics to collect anonymised data from our website only so that we can monitor traffic. That allows us to keep our website safe and improve the site.

We think some of that anonymous data may leave the UK and be processed in the USA. Google are a voluntary signatory to GDPR. Our useage is under review because we are not sure if the exports outside the UK are what we really want. It is not currently used at all.

TsoHost

TsoHost is a hosting company. They host our website. They have servers based in England. We use their services so that Firms and Reps can access our service. No members of the public have access to our website. Defendants do not have any access either. Our websites are secure and private.

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil our contractual obligations to offer the goods or services ordered from us.

Other Analytics

Our servers are shared, and we share the configuration with Tsohost. There is some automated analytics on the servers. We do use these services. We use our server analytics to collect data from our website only so that we can monitor traffic. That allows us to keep our website safe and improve the site. No data leaves the UK but it does include IP addresses and tracks website visitors. The services we have installed are:

- Awstats
- Vistor Logs
- Error Logs
- Bandwidth Logs
- Raw Access Logs
- AnalogStats
- Webalizer
- Webalizer FTP
- CPU & Concurrent Connection Usage Logs

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil our contractual obligation to offer the goods or services ordered from us.

LetsEncrypt

To ensure that data transferred via our website is safe we have an SSL certificate. Its an automated, and open certificate authority (CA), run for the public's benefit. It is a service provided by the Internet Security Research Group (ISRG). They give us the digital certificates we need in order to enable HTTPS (SSL/TLS) for websites.

We do this for a more secure and privacy-respecting website. It is automatic software running on our web server. It interacts with Let's Encrypt to painlessly obtain a certificate It is a platform for advancing TLS security best practices, both on the CA side and by helping us properly secure our servers. It is transparent as our certificates are publicly recorded and available for anyone to inspect.

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil our contractual obligation to provide the goods or services ordered from us.

Natwest Bank

Our bank has no information about Defendants. It does have account details for the Reps we pay and the Firms who pay us.

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil the contractual obligation to make and receive payments for the goods or services ordered from us.

Our Reps

We instruct reps to act for Defendants. They have data so that they can provide legal advice. They do not store or keep that data for any longer than it is necessary to provide that legal advice. Once they are finished at the police station they write a report and send it to us. They do not keep copies. They only see data relating to clients they are instructed to represent. They have no access to any other data whatsoever.

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil the contractual obligation to provide the services ordered from us.

Firms

Firms instruct us to act for their clients. The Firms are data controllers. They only see data relating to clients they instruct us to represent. They have no access to any other data whatsoever. A full list of the firms we deal with is commercially sensitive but available to any relevant authority upon request.

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil your contractual obligation to provide the goods or services they order from us.

Royal Mail

We do very little on paper. Some firms and reps write to us. We post invoices to the Firms. The data on an invoice is very limited. The Royal Mail does not read our post but they do transport it. The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil our contractual obligation to report to Firms and Reps by letter from time to time.

O2 Mobile & EE Mobile

Two companies handle our voice calls and or sms texts. We use mobile phones. We use them to accept instructions and to instruct reps. Texts are destroyed as soon as they are no longer of use in the performance of an instruction. We do not believe O2 or EE see any personal data.

The legal basis for this processing is a necessity to perform a contract (Article 6(1)(b) of the General Data Protection Regulation). The reason is necessity to perform a contract: to fulfil our contractual obligation to provide the services ordered from us by Firms. We need to communicate with Reps and Firms.

HOW LONG WE RETAIN YOUR INFORMATION

This section sets out how long we retain your information. We have set out specific retention periods where possible. Where that has not been possible, we have set out the criteria we use to determine the retention period.

RETENTION PERIODS

We retain information on our server logs for up to 1 year.

When you place an order for goods and services, we retain that information for six years following the end of the financial year in which you placed your order, in accordance with our legal obligation to keep records for tax purposes.

Correspondence and enquiries: when you make an enquiry or correspond with us for any reason, whether by email or via our contact form or by phone, we will retain your information for as long as it takes to respond to and resolve your enquiry, and for 6 further months, after which point we will delete your information.

The criteria for determining retention periods: In any other circumstances, we will retain your information for no longer than necessary, taking into account the following:

1. The purpose and use of your information both now and in the future (such as whether it is necessary to continue to store that information in order to continue to perform our obligations under a contract with you or to contact you in the future)
2. Whether we have any legal obligation to continue to process your information (such as any record-keeping obligations imposed by relevant law or regulation)
3. Whether we have any legal basis to continue to process your information (such as your consent);
4. How valuable your information is (both now and in the future);
5. Any relevant agreed industry practices on how long information should be retained;
6. The levels of risk, cost and liability involved with us continuing to hold the information;
7. How hard it is to ensure that the information can be kept up to date and accurate
8. Any relevant surrounding circumstances (such as the nature and status of our relationship with you).

HOW WE SECURE YOUR INFORMATION

We take appropriate technical and organisational measures to secure your information and to protect it against unauthorised or unlawful use and accidental loss or destruction, including:

1. Only sharing and providing access to your information to the minimum extent necessary, subject to confidentiality restrictions where appropriate, and on an anonymised basis wherever possible;
2. Using secure servers to store your information;
3. Verifying the identity of any individual who requests access to information prior to granting them access to information;
4. Using Secure Sockets Layer (SSL/TLS) software to encrypt any information you submit to us via any forms on our website

TRANSMISSION OF INFORMATION TO US BY EMAIL

Transmission of information over the internet is not entirely secure, and if you submit any information to us over the internet (whether by email, via our website or any other means), you do so entirely at your own risk.

We cannot be responsible for any costs, expenses, loss of profits, harm to reputation, damages, liabilities or any other form of loss or damage suffered by you as a result of your decision to transmit information to us by such means.

TRANSFERS OF OUTSIDE THE EUROPEAN ECONOMIC AREA

Your information will be transferred and stored outside the European Economic Area (EEA) in the circumstances set out below. We will also transfer your information outside the EEA or to an international organisation in order to comply with legal obligations to which we are subject (compliance with a court order, for example). Where we are required to do so, we will ensure appropriate safeguards and protections are in place.

Google Analytics

Information collected by Google Analytics (your IP address and actions you take in relation to our website) is transferred outside the EEA and stored on Google's servers. You can access Google's privacy policy here: <https://www.google.com/policies/privacy/>

Google may well store information in the United States of America. This country is not subject to an adequacy decision by the European Commission. Safeguards are in place. Google has self-certified its compliance with the EU-U.S.

YOUR RIGHTS IN RELATION TO YOUR INFORMATION

Subject to certain limitations on certain rights, you have rights in relation to your information, which you can exercise by writing to us at:

No Comment Legal Services Ltd
3 Rockleigh
Hertford
Hertfordshire SG13 1LS

or by sending an email to privacy@NoComment.Law

You have the following rights:

1. to request access to your information and information related to our use and processing of your information;
2. to request the correction or deletion of your information;
3. to request that we restrict our use of your information;
4. to receive information which you have provided to us in a structured, commonly used and machine-readable format (e.g. a CSV file) and the right to have that information transferred to another data controller (including a third party data controller);
5. to object to the processing of your information for certain purposes (for further information, see the section below entitled Your right to object to the processing of your information for certain purposes); and
6. to withdraw your consent to our use of your information at any time where we rely on your consent to use or process that information. Please note that if you withdraw your consent, this will not affect the lawfulness of our use and processing of your information on the basis of your consent before the point in time when you withdraw your consent.
7. the right not to be subject to a decision based solely on automated processing, including profiling which produces legal effects concerning you or similarly significantly affects you
8. In accordance with Article 77 of the General Data Protection Regulation, you also have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or of an alleged infringement of the General Data Protection Regulation. For the purposes of the UK, the supervisory authority is the Information Commissioner's Office (ICO), the contact details of which are available here: <https://ico.org.uk/global/contact-us/>

The above rights are provided in summary form only and certain limitations apply to many of these rights. For further information about your rights in relation to your information, including any limitations which apply, please visit the following pages on the ICO's website:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>;

and

<https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>

You can also find out further information about your rights, as well as information on any limitations which apply to those rights, by reading the underlying legislation contained in Articles 12 to 22 and 34 of the General Data Protection Regulation, which is available here:

http://ec.europa.eu/justice/data-protection/reform/files/regulation_oj_en.pdf

VERIFYING YOUR IDENTITY

Where you request access to your information, we are required by law to use all reasonable measures to verify your identity before doing so. These measures are designed to protect your information and to reduce the risk of identity fraud, identity theft or general unauthorised access to your information.

Where we possess appropriate information about you on file, we will attempt to verify your identity using that information. If it is not possible to identify you from such information, or if we have insufficient information about you, we may require original or certified copies of certain documentation in order to be able to verify your identity before we are able to provide you with access to your information. We will be able to confirm the precise information we require to verify your identity in your specific circumstances if and when you make such a request.

Your right to object to the processing of your information for certain purposes. You have the following rights in relation to your information, which you may exercise in the same way as you may exercise by writing to:

No Comment Legal Services Ltd
3 Rockleigh
Hertford
Hertfordshire SG13 1LS

or by sending an email to privacy@NoComment.Law

You have the right to:

1. to object to us using or processing your information where we use or process it in order to carry out a task in the public interest or for our legitimate interests, including 'profiling' (i.e. analysing or predicting your behaviour based on your information) based on any of these purposes; and

2. to object to us using or processing your information for direct marketing purposes (including any profiling we engage in that is related to such direct marketing). You may also exercise your right to object to us using or processing your information for direct marketing purposes by:

1. clicking the unsubscribe link contained at the bottom of any marketing email we send to you and following the instructions which appear in your browser following your clicking on that link;

2. sending an email to privacy@NoComment.Law, asking that we stop sending you marketing communications or by including the words "OPT OUT".

PERSONAL INFORMATION

Sensitive personal information is information about an individual that reveals their racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic information, biometric information for the purpose of uniquely identifying an individual, information concerning health or information concerning a natural person's sex life or sexual orientation. We do not knowingly or intentionally collect sensitive personal information from Firms or Reps, and they must not submit sensitive personal information to us.

We do collect sensitive personal information for defendants. We are required to do so by the Legal Aid Agency. The Legal Aid forms contain questions about ethnic origin. In criminal cases especially those covered by the Sexual Offences Act 2013 information about a persons sexual orientation and sexual habits are common place. We also act for Trade Union members and will therefore ask about membership.

The legal basis for processing defendant sensitive data is our compliance with a legal obligation to which we are subject (Article 6(1)(c) of the General Data Protection Regulation). We have a legal obligation to complete Legal Aid applications. Appropriate technical and organisational measures are in place to ensure a level of security appropriate to the risk of our processing of information about individuals.

The legal basis for processing defendant sensitive data is also our legitimate interest (Article 6(1)(f) of the General Data Protection Regulation). We have a legitimate interest in using defendant information for the purposes of providing legal advice to the defendant. We collect the information and pass it to the Firm. We do not use it. We do not analyse it. We do not use it for any purpose at all. The Firm use it to apply for funding.

The legal basis for processing or processing defendant sensitive data is also as it is necessary to perform a contract for the Defendant and the Firm and the Rep or to take steps at the request of the Firm, Rep or Defendant to enter into a contract (Article 6(1)(b) of the General Data Protection Regulation). Where the data relates to us providing you with goods or services or taking steps at your request prior to providing you with our goods and services (for example, providing you with information about such goods and services), we will process your information in order to do so).

If, however, you inadvertently or intentionally transmit sensitive personal information to us, you will be considered to have explicitly consented to us processing that sensitive personal information under Article 9(2)(a) of the General Data Protection Regulation. We will use and process your sensitive personal information for the purposes of deleting it.

CHANGES TO OUR PRIVACY POLICY

We update and amend our Privacy Policy from time to time. Where we make minor changes to our Privacy Policy, we will update our Privacy Policy with a new effective date stated at the beginning of it. Our processing of your information will be governed by the practices set out in that new version of the Privacy Policy from its effective date onwards.

Where we make major changes to our Privacy Policy or intend to use your information for a new purpose or a different purpose than the purposes for which we originally collected it, we will notify you by email (where possible) or by posting a notice on our website.

We will provide you with the information about the change in question and the purpose and any other relevant information before we use your information for that new purpose. Wherever required, we will obtain your prior consent before using your information for a purpose that is different from the purposes for which we originally collected it.

CHILDREN

Because we care about the safety and privacy of children online, we comply with the Children's Online Privacy Protection Act of 1998 (COPPA). COPPA and its accompanying

regulations protect the privacy of children using the internet. We do not knowingly contact or collect information from persons under the age of 18. The website is not intended to solicit information of any kind from persons under the age of 18.

It is possible that we could receive information pertaining to persons under the age of 18 by the fraud or deception of a third party. If we are notified of this, as soon as we verify the information, we will, where required by law to do so, immediately obtain the appropriate parental consent to use that information or, if we are unable to obtain such parental consent, we will delete the information from our servers. If you would like to notify us of our receipt of information about persons under the age of 18, please do so by sending an email to privacy@NoComment.Law

CALIFORNIA DO NOT TRACK DISCLOSURES

“Do Not Track” is a privacy preference that users can set in their web browsers. When a user turns on a Do Not Track signal in their browser, the browser sends a message to websites requesting that they do not track the user. For information about Do Not Track, please visit www.allaboutdnt.org.

To opt out of Google Analytics please use the following links:

<https://www.fullstory.com/optout/>

<https://tools.google.com/dlpage/gaoptout>