

Privacy Notice

Data Controller Name: Department of Justice (Northern Ireland Courts and Tribunals Service)

Address: Laganside House, 23-27 Oxford Street, Belfast, BT1 3LA

Data Protection Officer Contact Details

Telephone: 02890 378617

Email: DataProtectionOfficer@justice-ni.x.gsi.gov.uk

Why are you processing my personal information?

Northern Ireland Courts and Tribunals Service process personal data that is necessary for the purposes of:

- providing administrative support for Northern Ireland's courts and tribunals;
- supporting an independent Judiciary;
- providing advice to the Minister of Justice (the Minister) on matters relating to the operation of the courts and tribunals;
- enforcing civil court judgments through the Enforcement of Judgments Office (EJO);
- managing funds held in court on behalf of minors and patients;
- providing high quality courthouses and tribunal hearing centres; and
- acting as the Central Authority for the registration of judgments under certain international conventions
- providing administrative support to the Parole Commissioners for Northern Ireland

Legal Basis for Processing

Personal data is primarily processed in NICTS as it is **necessary** for the performance of a public task (administration of justice) or to comply with legislation underpinning our functions which **includes yet is not limited to the following:**

- Justice Act (Northern Ireland) 2015
- International Treaties on Reciprocal Enforcement of Maintenance Orders

- COUNCIL REGULATION (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- The Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance
- The Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations
- Council Regulation (EC) No 4/2009
- The Hague Convention on the Civil Aspects of International Child Abduction and Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children
- Brussels II Regulation (EC) No 2201/2003, also called Brussels IIA or II bis is a European Union
- Regulation on conflict of law issues in family law between member states; in particular those related to divorce, child custody and international child abduction
- The Judgments Enforcement (NI) Order 1981
- The Judgment Enforcement Rules (NI) 1981
- Health and Safety at Work Act 1978
- Health and Personal Social Services (Quality, Improvements and Regulation) (NI) Order 2003
- Care Tribunal Regulations (NI) 2005
- Charities Act (NI) 2008
- Rates (NI) Order 1977
- Rates (Amendment) (NI) Order 2006
- High Hedges Act (NI) 2011
- Lands Tribunal and Compensation Act (NI) 1964
- Land Acquisition and Compensation (NI) Order 1973
- Land Compensation (NI) Order 1982
- Business Tenancies (NI) Order 1996
- Leasehold (Enlargement and Extension) Act (NI) 1971
- Planning Blight (Compensation) (NI) Order 1981
- Property (NI) Order 1978

- Mental Health (NI) Order 1986
- The Education and Libraries (NI) Order 1986
- The Disability Discrimination Act 1995
- The Education (NI) Order 1996
- Special Educational Needs and Disability (NI) Order 2005
- Criminal Injuries Compensation (NI) Order 2002
- Social Security Administration (NI) Act 1992
- Pensions Appeal Tribunals Act 1943
- The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006
- The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005
- The Armed Forces and Reserve Forces (Compensation Scheme) Order 2011
- Traffic Management (NI) Order 2005
- The Bus Lanes (Belfast City Centre) Order (NI) 2012
- Rules of the Court of Judicature 1980
- Bankruptcy - Insolvency Rules 1991
- Judicature (NI) Act 1978
- Matrimonial Causes (NI) Order 1978
- Family Proceedings Rules (NI) 1996
- Supreme Court Rules (NI) 1980
- Enduring Powers of Attorney (NI) Order 1987
- Adoption (NI) Order 1987
- Children (NI) Order 1995
- Family Homes & Domestic Violence (NI) Order 1998
- Family Law Act 1986
- Humans Right Act 1998
- Child Abduction and Custody Act 1985
- Proceeds of Crime Act 2002

- Insolvency Rules 1991
- Council Regulation (EC) 1206/2001
- Council Regulation (EC) 1393/2007
- Bills of Sales Act 1878
- Criminal Appeal Act 1968
- Coroners Act (NI) 1959
- Coroners (Practice and Procedure) Rules (NI) 1963
- County Court (NI) Order 1980
- Magistrates Court (NI) Order 1981
- Sexual Offences Act 2003
- Licensing (NI) Order 1996
- Registration of Clubs (NI) Order 1996
- Betting Gaming Lotteries and Amusements (NI) Order 1985
- Domestic Proceedings (NI) Order 1980
- The Criminal Justice (NI) Order 2008
- The Life Sentences (NI) Order 2001
- The Juries (NI) Order 1996
- Justice Act (Northern Ireland) 2016
- Enforcement of Fines and Other Penalties Regulations (NI) 2018

What categories of personal data are you processing?

We process personal data relating to:

- Defendants
- Victims
- Witnesses
- Children
- Patients

- Employees
- Customers and clients
- Legal Profession
- Suppliers and services providers
- Advisers, consultants and other professional experts
- Complainants and enquirers
- Employers
- Applicants
- Executors/Administrators
- Caveators
- Petitioners
- Respondents
- Third parties
- Notice parties
- Non-notice parties
- Guardians
- Controllers
- Parents
- Complainants
- Licensee
- Committee members and officers of clubs
- Bookmaker
- Jurors
- Debtors

We also process the following special category data:

- Physical or mental health details
- Racial or ethnic origin
- Religious or other beliefs of a similar nature
- Trade union membership
- Sex life; or sexual orientation

Court Cases – Criminal, Civil, Family, Parole Commissioners and Tribunals

Criminal, civil, family and tribunal cases invariably involve a substantial amount of personal data in respect of accused persons, alleged victims, witnesses and any other persons involved in any case. This could include information about allegations of criminal conduct, juror details (including information from the electoral register), medical histories, occupations, benefit entitlements, social habits, property disputes, compensation claims, financial affairs, family matters: potentially any aspect of life could be referenced in a court hearing.

Processing of civil, family and tribunal case information is “necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller” in terms of Article 6(e) of the GDPR. It is in the public interest that an accurate official record is maintained of case proceedings allowing people to establish and defend their rights and as a public record.

Processing of criminal court case information for a law enforcement process is not regulated by the GDPR. The regime followed is a separate EU Directive in respect of data protection in law enforcement cases. The Department of Justice processes personal data in criminal cases for “law enforcement purposes”: the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security. To the extent that any processing of criminal court case information is not Law Enforcement processing it is considered “necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller” in terms of Article 6(e) of the GDPR.

Where do you get my personal data from?

- Parties to court cases and their legal representatives
- Next of Kin
- General Visitors
- Public Prosecution Service

- Police Service for Northern Ireland
- Probation Board for Northern Ireland
- Electoral Office
- Other Northern Ireland and UK Government Departments
- Northern Ireland Statistics and Research Agency
- Health Trusts
- Creditors
- Debtors
- Suppliers and services providers
- Employers
- Financial Institutions
- Causeway
- NIPS

Do you share my personal data with anyone else?

- Parties to court cases
- General Visitors
- Public Prosecution Service
- Police Service for Northern Ireland
- Probation Board for Northern Ireland
- Other Northern Ireland and UK Government Departments
- Health Trusts
- Creditors
- Debtors
- Suppliers and services providers
- Northern Ireland Statistics and Research Agency
- Registrars
- Judicial Office holders and Lay Magistrates

- Employers
- Financial Institutions
- Causeway
- NIPS

Personal data is only shared when it is necessary

1. “for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller” in terms of Article 6(e) of the GDPR

or

2. “for compliance with a legal obligation to which the controller is subject ” under Article 6(c) of the GDPR

Do you transfer my personal data to other countries?

In some cases: this will typically be where there is a request for mutual legal assistance from another country as set out in an international treaty or European Investigation Order, or in our role as a Central Authority for the registration of judgments under certain international conventions. Any transfers made will be in full compliance with all aspects of data protection law.

How long do you keep my personal data?

Please find link below to our retention and disposal schedules: <https://www.justice-ni.gov.uk/sites/default/files/publications/doj/retention-and-disposal-schedule-final-signed-copy.pdf>

What rights do I have?

- You have the right to obtain confirmation that your data is being processed, and access to your personal data
- You are entitled to have personal data rectified if it is inaccurate or incomplete
- You have a right to have personal data erased and to prevent processing, in specific circumstances
- You have the right to ‘block’ or suppress processing of personal data, in specific circumstances
- You have the right to data portability, in specific circumstances
- You have the right to object to the processing, in specific circumstances
- You have rights in relation to automated decision making and profiling

For more information about your rights under GDPR, please see link below:

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

How do I complain if I am not happy?

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact Department Data Protection Officer at:

If you are still not happy, you have the right to lodge a complaint with the Information

Commissioner's Office (ICO):

Information Commissioner's Office

Wycliffe House Water Lane Wilmslow Cheshire

SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk <https://ico.org.uk/global/contact-us/>