

## 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.gov.uk

#### 1. Why are you processing my personal information?

The Northern Ireland Courts and Tribunals Service (NICTS) 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 on matters relating to the operation of the courts and tribunals;
- enforcing civil court judgments through the Enforcement of Judgments Office;
- collect and enforce outstanding financial penalties imposed by criminal courts through the Fine Collection and Enforcement Service;
- managing funds held in court on behalf of minors and patients;
- providing high quality courthouses and tribunal hearing centres;
- acting as the Central Authority for the registration of judgments under certain international conventions; and
- providing administrative support to the Parole Commissioners for Northern Ireland.

#### 2. Legal Basis for Processing

Personal data is primarily processed in NICTS for the performance of a public task (administration of justice) which is set out in law. NICTS is also obliged to process information when required to do so by other legal obligations, enactments or common law reasons and also for research and statistical purposes, including the production of official statistics.

#### ***Special Category Data***

The processing of ***special categories*** of personal data, which includes data concerning a person's health, are prohibited unless specific further conditions can be met. These further relevant conditions upon which we rely are set out below:

#### **Article 9(2)(g)**

"The processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject".

**Law Enforcement Purposes**

Processing of criminal court case information for a law enforcement process is not regulated by the General Data Protection Regulation (GDPR) but rather Part 3 of the Data Protection Act 2018. The Department of Justice processes personal data in criminal court 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.

**3. What categories of personal data are you processing?**

NICTS holds personal data relating to a diverse range of individuals including defendants, victims, witnesses, children, patients and complainants in connection with our functions as well as details of others who work for or with the Agency. 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, 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. NICTS may process both personal information and special category information relating to or consisting of the following:

- Personal details such as name, date of birth, address and biographical details
- Family, lifestyle and social circumstances
- Criminal proceedings, outcomes and sentences
- Family, Civil Proceedings and Tribunals
- Religious or other beliefs of a similar nature
- Physical or mental health
- Financial details
- Goods or services provided
- Sound and visual images
- Trade union or staff association membership
- Licenses or permits held
- Sexual life/Sexual orientation

**Formats:** Information is held electronically and in hard copy. Electronic records include information stored on a computer and Close Circuit Television (CCTV), while hard copy records include paper records.

#### **4. Whose personal data do we handle and where do we obtain it from?**

NICTS may process personal data relating to a diverse range of individuals (data subjects); this data can come from a broad range of sources, these are noted below:

##### **Data Subjects**

- Case parties including defendants, victims and witnesses
- Children
- Patients
- Employers
- Employees
- Customers and clients
- Legal profession
- Suppliers and services providers
- Advisers, consultants and other professional experts
- Complainants and enquirers
- Applicants
- Executors/Administrators
- Caveators
- Petitioners
- Respondents
- Notice parties
- Non-notice parties
- Guardians
- Controllers
- Parents
- Licensee
- Committee members and officers of clubs
- Bookmakers
- Jurors
- CCTV

##### **Data Sources**

- Parties to court cases and their legal representatives
- Next of Kin
- General Visitors
- Public Prosecution Service
- Police Service of Northern Ireland
- Probation Board for Northern Ireland
- Electoral Office
- Other Northern Ireland Government Departments
- Northern Ireland Statistics and Research Agency
- Health Trusts
- Creditors
- Debtors
- Banks / Building Societies

- Credit Reference Agencies
- Suppliers and services providers
- Driving license holders for the purpose of endorsement (Fixed Penalty Office)

**5. Do you share my personal data with anyone else?**

In order to carry out the purposes described at point 1 above, NICTS may disclose personal data to a range of recipients. This will include, but not be limited to, disclosures to those listed as “data sources” in section 4 including case parties, the Judiciary, legal representatives, partners in criminal justice, law enforcement agencies and to bodies or individuals working on our behalf such as contractors. Disclosures of personal data will be made routinely or on a case-by-case basis, ensuring that any sharing is lawful and proportionate, and with necessary controls in place.

NICTS will also disclose personal data to other bodies or individuals when required to do so under legislation, by any rule of law including the common law principle of open justice or a court order. NICTS may also disclose personal data on a discretionary basis including where it is necessary for the purpose of legal proceedings or for reasons of substantial public interest. All disclosures of personal data are considered in line with legislation and/or information sharing agreements that govern the sharing.

**6. 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.

**7. 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>

**8. Monitoring**

NICTS utilises CCTV within premises for the security and protection of the estate, staff and public health and safety and the prevention or detection of crime and apprehension and prosecution of offenders.

**9. 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](#)

### **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:

**Telephone:** 02890 378617

**Email:** [DataProtectionOfficer@justice-ni.x.gsi.gov.uk](mailto:DataProtectionOfficer@justice-ni.x.gsi.gov.uk)

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](mailto:casework@ico.org.uk)

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