



## Information barriers

These guidelines are to give clients a clear understanding of how members and staff of Twenty Essex maintain confidentiality in circumstances where several members of Twenty Essex are instructed on different sides of the same matter.

### 1. Barristers on different sides of the same case

- 1.1 In circumstances where more than one barrister is instructed by different parties on the same matter, both they and the Practice Management Team (PM Team) will take all reasonable steps to ensure proper management of client confidentiality. When it becomes known that two or more barristers are instructed on behalf of different parties in the same case the following procedures takes place.
- 1.2 The PM Team will create an information barrier as soon as practicably possible by assigning, where possible, two members of the PM Team to each known party in chambers. Where appropriate this will include whoever has taken the enquiry for continuity purposes.
- 1.3 In circumstances where opposing parties do not want the fact that they have instructed counsel to be known by anyone other than their advisors, each barrister will ensure that their Practice Manager is aware of this fact and will inform them if the position changes.
- 1.4 Information barriers are put in place to ensure confidential information is not inadvertently disclosed. Subject to paragraph 1.3, the PM Team will let the barrister instructed know who from the team they should communicate with in relation to that case.
- 1.5 The PM Team will also consider if it is necessary to communicate this to the client, the decision being based on whether it is common knowledge that the other parties have instructed counsel. If it is, the PM Team will inform the client whom communications relating to the case should be directed / addressed to. This includes email correspondence, the delivery of hard copy documents, electronic documents and encrypted USB sticks and flash drives. The client will be informed not to use any general email addresses.
- 1.6 When it is known, a record of the barrister, Practice Manager and party they represent is recorded on our electronic case management system. This helps to ensure telephone calls and correspondence is directed to the correct person.
- 1.7 Hard copy documents received relating to the case are taken directly to the barrister's room and stored only in their room.
- 1.8 Discussions on the case are made in private including telephone calls between the PM Team and the barrister's instructing solicitors or client. Conversations between the PM Team and barrister will be made in the barrister's room or in private.
- 1.9 Secure electronic diaries are maintained via the case management system. The barristers only have access to their own diaries.
- 1.10 Barristers on opposing sides in a matter do not to discuss the case unless they are instructed to do so by their client.



## 2. Arbitrators and barristers on the same case

- 2.1 It is common that both an arbitrator and barrister(s) members of Twenty Essex are appointed / instructed on the same matter. In these circumstances there are additional safeguards in place to ensure that confidentiality is maintained.
- 2.2 The arbitrators have an entirely separate and independent PM Team meaning that the same Team will never support both the barrister and arbitrator in the same case.
- 2.3 There are separate email addresses and telephone numbers for arbitrator and barrister enquiries.
- 2.4 All communications relating to a case will only be handled by the relevant barrister or arbitrator Practice Management Team.
- 2.5 The two teams are situated in different buildings and do not communicate about their cases.