

## STEVENSONS LLP PRIVACY POLICY

Stevensons LLP recognizes the importance of privacy and the sensitivity of personal information. As lawyers we have a professional obligation to keep confidential all information we receive within a lawyer-client relationship. We are committed to protecting any personal information we hold even where we do not have such a relationship, such as where you are simply a member of a class or proposed class in a class action. This Privacy Policy outlines how we manage your personal information and safeguard your privacy.

### **Your Privacy Rights**

From January 1, 2004, all businesses engaged in commercial activities must comply with the *Personal Information Protection and Electronic Documents Act*, <http://laws.justice.gc.ca/en/showtdm/cs/P-8.6> and the Canadian Standards Association Model Code for the Protection of Personal Information, which it incorporates. These obligations extend to lawyers and law firms, including Stevensons LLP. The Act gives you rights concerning the privacy of your personal information.

In addition, our obligations as legal professionals are governed, in part, by the Rules of Professional Conduct that govern all members of the Law Society of Upper Canada. These rules require us, in part, to hold in strict confidence all information concerning the business and affairs of our clients acquired in the course of the professional relationship and we are not permitted to divulge any such information unless we have received express or implied consent from the client or are required by law to do so. These obligations apply not only to lawyers but to all professionals, employees, contractors and agents who provide services related to the delivery of our legal services.

Stevensons LLP is responsible for the personal information we collect and hold. To ensure this accountability, we have developed this policy, and trained our lawyers and support staff about our policies and practices.

### **Why Does Stevensons LLP Need Personal Information?**

Stevensons LLP provides legal services to a wide range of clients. In doing so, it collects information either to determine whether Stevensons LLP will enter into a professional relationship with a person or organization or in the course of a professional relationship. We will limit the information we collect to what we need for specific purposes and will only use it for those purposes. Whenever possible, we will endeavour to collect information from the individual concerned rather than relying on third parties.

If we did not collect and use your personal information, we could not provide you with legal services.

### **What personal information do we collect?**

Personal information is any information that identifies you, or by which your identity could be deduced. Personal Information includes, for example, names, home addresses, phone numbers, financial information, medical information and employment information.

### **How do we collect your personal information?**

We collect information only by lawful and fair means, and not in an unreasonably intrusive way. Wherever possible we collect your personal information directly from you, both at the start of a retainer and in the course of our representation.

Sometimes we may obtain information about you from other sources, for example:

- your insurance company;
- your real estate agent in a property transaction;
- from a government agency or registry;
- your employer, if we are acting for you, at its request;
- your accountant.

### **Consent**

In most cases, we shall ask you to specifically consent, if we collect, use, or disclose your personal information. Normally, we ask for your consent in writing, but in some circumstances, we may accept your oral consent. Sometimes, your consent may be implied through your conduct with us.

### **Use of Your Information**

We use your personal information to provide legal advice and services to you, to administer our client (time and billing databases) and to include you in any direct mailings from our firm.

Stevensons LLP may disclose your personal information to organizations that perform services on behalf of our firm. Personal information will only be provided to such organizations if they agree to use such information solely for the purposes of providing services to Stevensons LLP and under the instructions of Stevensons LLP.

## **Disclosure of your Personal Information**

Stevensons LLP does not disclose your personal information to any third party to enable them to market their products and services. For example, we do not provide our client mailing lists to other law firms.

Under certain circumstances, Stevensons LLP will disclose your personal information:

- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- when you have consented to the disclosure;
- when the legal services we are providing to you requires us give your information to third parties (for example a lender in a real estate mortgage transaction) your consent will be implied, unless you tell us otherwise;
- where it is necessary to establish or collect fees;
- if we engage a third party to provide administrative services to us (like computer back-up services or archival file storage) and the third party is bound by our privacy policy;
- if we engage expert witnesses on your behalf;
- if we retain other law firms at your request, and on your behalf;
- if the information is Publicly Available Personal Information, as it is defined under the *Personal Information Protection and Electronic Documents Act*.

## **Updating Your Information**

Since we use your personal information to provide legal services to you, it is important that the information be accurate and up-to-date.

If during the course of the retainer, any of your information changes, please inform us so that we can make any necessary changes.

## **Is My Personal Information Secure?**

Stevensons LLP takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your information are:

- premises security;
- restricted file access to personal information;
- deploying technological safeguards like security software and firewalls to prevent hacking or unauthorized computer access;
- internal password and security policies.

Our suppliers, agents and service providers, as part of their contracts with Stevensons LLP, are bound to maintain your confidentiality and may not use the information for any unauthorized purpose.

### **Retention**

Stevensons LLP keeps personal information only as long as it is required for the reasons it was collected. The length of time we retain information varies, depending on the product or service and the nature of the information. This period may extend beyond the end of a person's relationship with us but only as long as necessary for us to have sufficient information to respond to any issues that may arise at a later date. At all times, Stevensons LLP protects your privacy by making every reasonable effort to keep your personal information in secure locations.

Currently, Stevensons LLP holds personal information at our office and at one offsite storage facility.

Stevensons LLP endeavours to maintain adequate physical, procedural and technical security with respect to its office and information storage facility so as to prevent any loss, misuse, unauthorized access, disclosure, or modification of personal information. It is sometimes necessary to transport personal information to other locations such as courts, tribunals or meetings. Our lawyers and staff are careful to keep your personal information secure if and when it must leave our office or storage facility.

In terms of communicating personal information to Stevensons LLP, you should note there is no method of transmitting or storing data that is completely secure. Mail, telephone calls, faxes and transmissions over the internet are all susceptible to possible loss, mis-routing, interception and misuse of the information being communicated or transmitted.

Stevensons LLP attempts to strike a reasonable balance between security and convenience. In communicating with clients and others, Stevensons LLP often requests the right to use a method of communication that is less secure than some of its less convenient alternatives. An example of this is email.

## **Access to Your Personal Information**

You may ask for access to any personal information we hold about you.

Summary information is available on request. More detailed requests which require archive or other retrieval costs may be subject to our normal professional and disbursement fees.

## **Correcting Errors**

If Stevensons LLP holds information about you and you can establish that it is not accurate, complete and up-to-date, Stevensons LLP will take reasonable steps to correct it.

## **Can I be denied access to my Personal Information?**

Your rights to access your personal information are not absolute. We may deny access when:

- it is required or authorized by law (for example, when a record containing personal information about you is protected by solicitor-client privilege);
- to do so would reveal confidential commercial information, and the personal information cannot be severed from the record;
- to do so could reasonably be expected to threaten the life or security of another individual, and the personal information cannot be severed from the record; or
- the information was generated in the course of a formal dispute resolution process.

If we deny your request for access to, or refuse a request to correct information, we shall explain why. Stevensons LLP does not use your Social Insurance Number as a way of identifying or organizing the information we hold upon you.

## **Can I request anonymity**

Whenever it is legal and practicable, we may offer the opportunity to deal with general inquiries without providing your name (for example, by accessing general information on our website).

The *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*

(<http://laws.justice.gc.ca/en/showtdm/cs/P-24.501>) requires us to confirm the identity of all new clients. It may also require us disclose information to FINTRAC in relation to certain large cash transactions.

### **Communicating with Us**

You should be aware that e-mail is not a 100% secure medium, and you should be aware of this when contacting us to send personal or confidential information.

### **Changes to this Privacy Policy**

Since Stevensons LLP regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time.

### **Requests for Access**

If you have any questions, or wish to access your personal information, please write to Colin Stevenson at:

Stevensons LLP  
144 Front Street West  
Suite 400  
Toronto, Ontario  
M5J 2L7

416-599-7900  
416-599-7910 (fax)  
[cstevenson@stevensonlaw.net](mailto:cstevenson@stevensonlaw.net)

If you are not satisfied with our response, the Privacy Commissioner of Canada can be reached at:

112 Kent Street  
Ottawa Ontario  
K1A 1H3  
1.800.282.1376

### **Stevensons LLP and Related Websites**

The only personal information Stevensons LLP collects on its website or sites such as [www.classproceedings.ca](http://www.classproceedings.ca) is the information voluntarily supplied by you if you contact us through our website. This information typically is restricted to your name and email address. We do not employ any electronic means to automatically collect personally identifiable information from any visitor or user of our website or from their computers. We may use your personal information collected through our website to respond to your inquiries, contact you or provide you with emails or brochures that we believe will interest you or as otherwise permitted or required by law.

## **Employment Inquiries**

If you apply to Stevensons LLP for a job, we need to consider your personal information, as part of our review process. We sometimes retain information from candidates after a decision has been made, unless you ask us not to retain the information. If we offer you a job, which you accept, the information will be retained in accordance with our privacy procedures for employee records.