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IAN WHITEHURST

DATA PROTECTION - CV

Year of Call: 1994

Contact

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Education

University of Hull, LLB (Hons) (1993)

Appointments

Disclosure Counsel for Serious Fraud Office (SFO)
Level 4 Prosecutor (Crown Prosecution Service)
Specialist Rape Panel (Crown Prosecution Service)
Licensed Advocate Isle of Man (2012)



RECOMMENDATIONS

"A very good performer. He is fearless and defendants love him. He will get stuck in but knows when not to lock horns with witnesses. A very good tactician."

Chambers UK Bar Guide [2017]

"Highly experienced in serious organised crime cases."

Legal 500 [2016] - Crime - Tier 1

PRACTICE

Ian Whitehurst practices in criminal and regulatory law with a specific emphasis on data protection and cyber crime. He has written several articles on data protection and the new digital age and has delivered lectures and video briefings on the subject as well as commenting in the media on recent developments.

He is instructed on a regular basis to advise and represent a wide range of clients (individuals, directors, companies) in relation to criminal and civil investigations by the industry regulator (the ICO); advisory and compliance issues and the developing area of civil litigation.

Furthermore, he has a developing practice in the field of data breach claims for individuals and companies whom have had their personal and sensitive data breached by third parties.

Outlined below is a brief summary of his ongoing and recent case load:

- Advised a major financial institution and its in-house legal team in relation to civil enforcement proceedings brought against them by the ICO in relation to purchasing data from a third party without the requisite consent
- Instructed to advise and represent a claimant in mediation proceedings in an ongoing data protection dispute with a national broadcaster
- Instructed to advise on the use and admissibility of telematic data by a major insurance company in relation to personal injury litigation
- Instructed to advise a claimant in a case against her local authority employer for breaching her personal data and which adversely affected her employment rights
- Successfully advised a Human Resources company in avoiding a criminal prosecution by the ICO in relation to allegedly purchasing confidential information from an employee of an existing client
- Instructed to advise a claimant in relation to a data breach by a government department (DWP) which adversely affected a disabled person's employment status
- Advising a gambling organisation based in Malta on purchasing third party data and compliance with the GDPR
- Instructed to advise a claimant in relation to two ongoing cases against a government department (MOD) for breach of his personal data related to ongoing civil litigation
- Instructed to advise a barrister in relation to a data protection breach affecting the loss of sensitive personal data of clients
- Instructed to advise a family in relation to a claim against a school academy for breaching sensitive data of a child
- Advising on a potential data breach by a firm of stockbrokers which adversely affected the estate of a deceased client

Outlined below is a list of Ian's recent publications in this area of law:

- Investigatory Powers Act – will the new oversight regime be effective?
- Data Privacy & Brexit – deal breaker or opportunity to reboot?
- Augmented Reality & The Law
- Enforcement of Corporate Crime: stronger sentencing of people convicted of stealing personal data & the forthcoming general data protection regulation