

B E T W E E N:

The Good Law Project Limited

Claimant

- and -

Reform UK Party Limited

Defendant

DEFENCE

1. As to paragraph 1 of the Particulars of Claim:

(1) the Defendant admits and avers that the Claimant is a private company limited by guarantee without share capital registered in England and Wales with the company number 10556197;

(2) the nature of the Claimant's business is recorded at Companies House as "Activities of patent and copyright agents; other legal activities not elsewhere classified";

(3) the Claimant's *Director's Report for the Year Ended 31 January 2024* records as the Claimant's principal activity as that "of using the law to address significant issues of disadvantage, discrimination and wrongdoing";

(4) the "Good Law Practice Limited", is a private limited company registered in England and Wales with company number 13849662 that is wholly-owned by the Claimant;

(5) the Claimant's *Financial Statements for the Year Ended 31 January 2024* filed at Companies House records that the Claimant's holding in Good Law Practice Limited "represents an investment which enables the provision of legal services to those whose objectives Good Law Project supports, who would not otherwise be able to access them. It supports the continuing development of its subsidiary on that basis;

(6) the Claimant's *Financial Statements for the Year Ended 31 January 2024* filed at Companies House make no provision for, and do not contemplate, exercising the rights of data subjects to receive compensation on their behalfs;

(7) the Claimant does not meet the first condition in Article 80 of the United Kingdom General Data Protection Regulations ((EU) 2016/679) ("**the UK GDPR**"), as set out in section 187(3) of the *Data Protection Act 2018* ("**the DPA**"), in that:

(a) its Articles of Association (a copy of which are appended hereto as Appendix A) do not require it, after payment of

outgoings, to apply the whole of its income and any capital it expends for charitable or public purposes; and

(b) its Articles of Association do not prohibit it from directly or indirectly distributing amongst its member any part of its assets (otherwise than for charitable or public purposes); and

(8) the Claimant does not meet the second condition in Article 80 of the UK GDPR, as set out in section 187(4) of the DPA, in that the Claimant is not active in the field of data subjects' rights and freedoms with regard to the protection of their personal data.

2. By reason of the facts and matters alleged in paragraph 1 above, the Claimant:

(1) is not a "representative body" within the meaning of s 187(5) of the DPA; and

(2) does not have the right to exercise on behalf of any data subjects (as defined in s 3(5) of the DPA) their entitlement to an effective judicial remedy under Article 79 of the UK GDPR or to compensation under Article 82 of the UK GDPR.

The Defendant will apply at the first convenient opportunity to strike out the Claim, and it pleads to the remainder of the Particulars of Claim without prejudice to the above.

3. As to paragraph 2 of the Particulars of Claim:

(1) the Claimant has not supplied the Defendant with the addresses of the persons listed in the Appendix to the Particulars of Claim, nor identified the electoral register on which each of those persons appear.

(2) in the premises the Defendant is unable to admit or deny whether each of those persons is resident in the United Kingdom or is a registered voter; and

(3) the Claimant is put to proof that each of the persons listed in the Appendix to the Particulars of Claim:

(a) is resident in the United Kingdom, and

(b) is registered to vote in an electorate in the United Kingdom.

4. The Defendant admits paragraph 3 of the Particulars of Claim, and avers that:

(1) the Defendant is an organisation included in the register maintained under section 23 of the *Political Parties, Elections and Referendums Act 2000*;

(2) the Defendant processes personal data revealing political opinions;

(3) in so far as the Defendant processes personal data revealing political opinions:

(a) that processing is necessary for the purposes of the Defendant's political activities (including campaigning, fund-raising, political surveys and case-work); and

(b) that processing is not likely to cause substantial damage or substantial distress to any data subject; and

(4) in processing personal data, the Defendant has at all times had an appropriate policy in place within the meaning of paragraph 39 of Schedule 1 to the DPA, which policy the Defendant has retained, has reviewed and updated from time to time as appropriate, and has made available to the Information

Commissioner.

5. By reason of the facts and matters alleged in paragraph 4 above, at all material times:
 - (1) the Defendant met the condition in paragraph 22(1) of Schedule 1 to the DPA;
 - (2) the Defendant had an appropriate policy document in place within the meaning of paragraph 39 of Schedule 1 to the DPA;
 - (3) the Defendant satisfied all the additional safeguards in Part 4 of Schedule 1 to the DPA; and
 - (4) by reason of s 10(3) of the DPA, thereby met the requirement in point (g) of Article 9(2) of the UK GDPR, with the effect that Article 9(1) of the UK GDPR was disapplied to the Defendant's processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership.

6. As to paragraph 4 of the Particulars of Claim:
 - (1) the Defendant repeats paragraphs 1 and 2 above;
 - (2) the Claimant has not provided the Defendant with a copy of the authority by which each person listed in the Appendix to the Particulars of Claim mandated the Claimant to exercise on his or her behalf:
 - (a) the right referred to in Article 79 of the UK GDPR;and
 - (b) the right to receive compensation referred to in Article 82 of the UK GDPR;
 - (3) in the premises, the Defendant is unable to admit or deny which, if any, of the persons listed in the Appendix to the Particulars of Claim has mandated the Claimant to exercise on his or her behalf:
 - (a) the right referred to in Article 79 of the UK GDPR;and
 - (b) the right to receive compensation referred to in Article 82 of the UK GDPR,and the Claimant is put to proof of the same.

7. As to paragraph 5 of the Particulars of Claim:
 - (1) the Defendant repeats paragraphs 1 and 2 above;
 - (2) the Defendant accordingly denies each and every allegation in paragraph 5 of the Particulars of Claim.

8. As to paragraph 6 of the Particulars of Claim:
 - (1) between 5 June 2024 and 4 July 2024 the Defendant received an email purporting to be from each of the persons listed in the Appendix to the Particulars of Claim ("**the Individuals**"), a specimen of which is appended hereto as Appendix B, ("**the Emails**");
 - (2) each of the Emails:
 - (a) relying on Articles 18 and 21 of the UK GDPR, objected to the Defendant's processing of the Individual's personal data and requested that the Defendant cease processing that

Individual's personal data and "delete, to the full extent possible" all that Individual's personal data held by the Defendant ("**Art 18/21 Request**");

(b) gave notice to the Defendant under paragraph 22(3)(a) of Schedule 1 to the DPA requiring the Defendant not to process personal data in respect of which that Individual was the data subject ("**para 22(3)(a) Notice**"); and

(c) requested that the Defendant provide the Individual with a copy of all the Individual's personal data processed by the Defendant ("**Art 15 Request**").

9. In giving notice to the Defendant under paragraph 22(3)(a) of Schedule 1 to the DPA requiring the Defendant not to process personal data in respect of which that Individual was the data subject:
 - (a) none of the Emails gave the Defendant a reasonable period in which to stop processing that personal data;
 - (b) accordingly none of the Emails satisfied paragraph 22(3)(b) of Schedule 1 to the DPA;
 - (c) accordingly, each para 22(3)(a) Notice was ineffective; and
 - (d) accordingly paragraph 22(3) of Schedule 1 to the DPA did not cause the condition in paragraph 22(1) of Schedule 1 to the DPA to be not met.
10. Save as hereinbefore expressly admitted, the Defendant denies every allegation in paragraph 6 of the Particulars of Claim.
11. As to paragraph 7 of the Particulars of Claim:
 - (1) the Defendant denies every allegation in that paragraph;
 - (2) the Defendant was not, at the time of receipt of each Email, processing personal data of the Individual that sent the Email; and
 - (3) the Defendant properly responded to each of the Emails, and a specimen response is attached as Appendix C.
12. As to paragraph 8 of the Particulars of Claim:
 - (1) at all material times the Defendant has not been processing, and is not now processing, special category data of any of the Individuals;
 - (2) in any event, the Defendant repeats paragraphs 5 and 9 above, such that the Article 9(1) proscription against processing special category data alleged by the Claimant is inapplicable;
 - (3) further, any processing of an Individual's personal data, were it taking place, would be lawful under Article 6(1)(f) of the UK GDPR, being processing necessary for the purposes of legitimate interests pursued by the Defendant, namely political activities within the meaning of paragraph 22(4) of Schedule 1 to the DPA;
 - (4) further or in the alternative to (3), to the extent that personal data processed by the Defendant comprised information contained in any of the documents listed at regulation 102(1) of *The Representation of the People (England*

and Wales) Regulations 2001 and that processing was:

- (a) for electoral purposes; or
- (b) for the purpose of complying with the controls on donations under Part IV of or, as the case may be, Schedule 11 to, the *Political Parties, Elections and Referendums Act 2000*,

that processing, being of personal data that the Defendant was entitled by regulation 106 of *The Representation of the People (England and Wales) Regulations 2001* to make use, was lawful under Art 6(1)(c) of the UK GDPR; and

(5) save as hereinbefore pleaded to, the Defendant denies every allegation in paragraph 8 of the Particulars of Claim.

13. As to paragraph 9 of the Particulars of Claim:

(1) the Defendant denies that it has failed to answer, or that it has delayed answering, any of the Emails

(2) the Defendant denies that any of the Individuals is entitled to an order under section 167 of the DPA;

(3) the Defendant denies that any of the Individuals is entitled to compensation under section 168 of the DPA;

(4) the Defendant denies that the Claimant is a representative body within the meaning of section 187(5) of the DPA; and

(5) accordingly, the Defendant denies that the Claimant is entitled to seek such an order under section 167 of the DPA or compensation under section 168 of the DPA on behalf of any of the Individuals.

14. As to paragraphs 10-12 of the Particulars of Claim, the Defendant does not admit that the Claimant has fairly, accurately, or comprehensively set out the relevant legal framework.

15. As to paragraph 13 of the Particulars of Claim:

(1) the Defendant admits that it is a controller within the meaning of Article 4(7) of the UK GDPR and section 3(6) of the DPA; and

(2) denies that either the UK GDPR or the DPA employs the term “data controller.”

As to the allegation in paragraph 13 of the Particulars of Claim that each of the persons listed in the Appendix to the Particulars of Claim (ie “the Individuals”) is a data subject within the meaning of Article 4(1) of the UK GDPR and section 3(5) of the DPA, the Defendant repeats paragraph 6 above.

16. The Defendant admits that it is obliged to comply with the provisions of the UK GDPR as supplemented by the DPA as regards its processing of the personal data of data subject, but otherwise does not admit any of the allegations in the second sentence of paragraph 13 of the Particulars of Claim.

17. As to paragraph 14 of the Particulars of Claim:

- (1) the Defendant repeats paragraph 8 above;

(2) the Defendant admits that the Appendix to the Particulars of Claim sets out the date on which each of the Individuals made his or her Art 15 Request.

18. As to paragraph 15 of the Particulars of Claim:

(1) the Defendant admits that it did not answer the Art 15 Request within one month of receiving that request and admits that it did not extend the time required for its response;

(2) the Defendant did answer each Art 15 Request within a matter of months from the date of its receipt;

(3) taking more than one month to respond to a request under Art 15 is not actionable once a controller has responded to that request; and

(4) save as expressly admitted, the Defendant denies every allegation in paragraph 15 of the Particulars of Claim.

19. As to paragraphs 16-18 of the Particulars of Claim:

(1) the Defendant admits that on 8 October 2024 the Claimant wrote a letter to the Defendant, a specimen copy of which is appended hereto as Appendix D;

(2) the Defendant did not respond to the aforesaid letter; and

(3) save as expressly admitted, the Defendant denies every allegation in paragraphs 16-18 of the Particulars of Claim.

20. As to paragraphs 19-21 of the Particulars of Claim:

(1) the Defendant admits and avers that it sent the alleged emails, a specimen copy of which is appended hereto as Appendix C;

(2) each of the emails duly responded to the Art 15 Requests;

(3) save as expressly admitted or is apparent from the face of the emails, a specimen copy of which is appended hereto as Appendix C, the Defendant denies every allegation in paragraphs 19-21 of the Particulars of Claim.

21. As to paragraphs 22-23 of the Particulars of Claim:

(1) the Defendant denies that, in responding to the Art 15 Request, it did not undertake the necessary steps to identify the personal data that it had or was processing of which an Individual was the data subject;

(2) the Defendant denies that it has failed to comply with its obligations under Articles 12 and 15 of the UK GDPR;

(3) denies that its responses to any of the Art 15 Requests was incorrect, and avers that each of them was correct; and

(4) save as expressly admitted, the Defendant denies every allegation in paragraphs 22-23 of the Particulars of Claim.

22. As to paragraph 24 of the Particulars of Claim, the Defendant admits that on 3 December 2024 the Claimant wrote to the Defendant, but otherwise denies the allegation.

23. As to paragraph 25 of the Particulars of Claim:
- (1) the Defendant admits that it has not responded to the Claimant's letter of 3 December 2024; and
 - (2) the Defendant denies that it was obliged to respond to the Claimant's letter of 3 December 2024.
24. The Defendant denies paragraph 26, and repeats the above allegations.
25. As regards paragraphs 27-32 of the Particulars of Claim:
- (1) the Defendant repeats paragraphs 8, 9, 12, 13, 20 and 21 above;
 - (2) in so far as the Emails included a para 22(3)(a) Notice, by reason of the facts and matters alleged in paragraph 9 above, that notice was ineffective;
 - (3) in so far as the Emails included an Art 18/21 Request:
 - (a) by reason of the facts and matters alleged in paragraphs 11(2) and 12(2) above (ie that the Defendant was not processing personal data concerning an Individual at the time that the Defendant received that Individual's Email), that Individual had no right to object under Article 21(1) of the UK GDPR;
 - (b) in any event, even if the Defendant had been processing personal data concerning an Individual at the time that the Defendant received that Individual's Email, the Defendant would have had compelling legitimate grounds for that processing that overrode the interests, rights and freedoms of that Individual, namely the democratic right to undertake political activities as defined in paragraph 22(4) of Schedule 1 to the DPA; and
 - (c) in any event, none of paragraphs (a)-(d) of Article 18(1) of the UK GDPR applied; and
 - (4) in the premises, the Defendant has not "failed to comply" with any of its obligations under Article 18 or 21 of the UK GDPR as regards any of the Individuals.
26. As regards paragraph 33 of the Particulars of Claim:
- (1) the Defendant denies that any of the Individuals has suffered any ascertainable, non de minimis, damage as a result of the alleged delay and "deficient nature" of the Defendant's response to:
 - (a) the Art 15 Requests;
 - (b) the Art 18/21 Requests; or
 - (c) the para 22(3)(a) Notices;
 - (2) the Defendant denies that "concern, worry, uncertainty" are compensable under Article 82 of the UK GDPR and section 168 of the DPA; and
 - (3) the Defendant is put to strict proof in respect of each Individual that that Individual has suffered distress as a result of any infringement by the Defendant of the UK GDPR.
27. For the reasons aforesaid, the Defendant denies that the Claimant is entitled to any of the

relief claimed in prayers (1), (2), (3) or (4) of the Particulars of Claim.

28. The Defendant avers that, even if this claim had any merit, it is a claim that had to be brought in the County Court, and not the High Court. In the event that the claim is not struck out, the Defendant will apply for the claim to be transferred to the County Court and for the Claimant to pay the costs of the same.

PHILIP COPPEL KC

STATEMENT OF TRUTH

The Defendant believes that the facts contained in this Defence are true. The Defendant understands that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a Statement of Truth without an honest belief in its truth.

I am duly authorised by the Defendant to sign this Statement of Truth

Dated: 13 May 2025

Signed: 

Full name (BLOCK CAPITALS): RICHARD TICE

Position: Director

Filed and served by:

Griffin Law















Solicitors for the Defendant