

Filed on behalf of the Defendant / Applicant
Name of Witness: Dominic David Edward Burgess
No. of Statement: 1
Exhibit: "DDEB1"
Date: 30 June 2025

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

CLAIM NO. KB-2025-001120

B E T W E E N:

The Good Law Project Ltd

Claimant / Respondent

AND

Reform (UK) Party Limited

Defendant / Applicant

**WITNESS STATEMENT OF
DOMINIC DAVID EDWARD BURGESS**

I, DOMINIC DAVID EDWARD BURGESS, of Griffin Law Limited, 60 Churchill Square, Kings Hill, West Malling, Kent, ME19 4YU, will say as follows:

Introduction:

1. I am a solicitor in the firm Griffin Law Limited ("**Griffin Law**").
2. Griffin Law acts for the Defendant, Reform (UK) Party Limited. The Defendant is the legal entity which operates the political party of the same name and is registered in the Electoral Commission's register of political parties for the United Kingdom (Electoral Commission ID: PP7931).

3. I am one of the fee earners with day-to-day conduct of this matter on behalf of the Defendant, subject to the overall supervision of the directors of Griffin Law. I am duly authorised to make this statement on behalf of the Defendant.
4. Save as otherwise stated, the matters set out in this witness statement are within my own personal knowledge and are true. Where the matters stated are not within my personal knowledge, they are true to the best of my information and belief, and the source of the information and belief is stated.
5. In this witness statement I refer to the exhibit marked 'DDEB1'. Unless otherwise stated, references to page numbers in this witness statement are to DDEB1.
6. In summary, both the Claim Form and the Particulars of Claim should be struck out (alternatively summary judgment should be given to the Defendant) for the following reasons, each of which is sufficient in itself:
 - (1) The Claimant does not meet the first condition in Article 80 of the UK GDPR, as set out in section 187(3) of the *Data Protection Act 2018* (“**the DPA**”) because its Articles of Association [2 – 20] 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, further, its Articles of Association do not prohibit it from directly or indirectly distributing amongst its members any part of its assets (otherwise than for charitable or public purposes), and, as such, the Claimant is not a “representative body” within the meaning of s 187(5) of the DPA. As such, the Claimant 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, and this claim should be struck out.
 - (2) 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, and, as such, the Claimant is not a “representative body” within the meaning of s 187(5) of the DPA. As such, the Claimant 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, and this claim should be struck out.

- (3) By reason of the Defendant being an organisation included in the register maintained under section 23 of the *Political Parties, Elections and Referendums Act 2000*, in so far as the Defendant processed personal data revealing political opinions, that processing was necessary for the purposes of the Defendant's political activities (including campaigning, fund-raising, political surveys and case-work) and processing was not likely to cause substantial damage or substantial distress to any data subject, and, since the Defendant 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, reviewed and updated from time to time as appropriate, and made available to the Information Commissioner, the Defendant met and meets the condition in paragraph 22(1) of Schedule 1 to the DPA, satisfied and satisfies all the additional safeguards in Part 4 of Schedule 1 to the DPA, and thereby met and continues to meet the requirement in point (g) of Article 9(2) of the UK GDPR. As such, the prohibition in 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, and the Claimant's allegations in paragraphs 27-32 of the Particulars of Claim (unlawful processing of special category data) will necessarily fail, and so should be struck out as disclosing no reasonable grounds.
- (4) In so far as a data subject 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: (a) none of the emails received by the Defendant purporting to be from each of the persons listed in the Appendix to the Particulars of Claim ("the Individuals") ("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. As such, the Claimant's allegations in paragraphs 13-26 will necessarily fail to make

good the Claimant's allegation that the Defendant failed to comply with the DSARs (as defined by the Claimant), and so should be struck out as disclosing no reasonable grounds.

- (5) In any event, the Defendant answered all the Emails and the Art 15 Requests. As such, the Claimant's allegations in paragraphs 13-26 will necessarily fail to make good the Claimant's allegation that the Defendant failed to comply with the DSARs (as defined by the Claimant), and so should be struck out as disclosing no reasonable grounds.
- (6) At the time of receipt of each Email, the Defendant was not processing personal data of the Individual that sent the Email, and as such none of the Individual would be entitled to compensation or other relief under the UK GDPR or the DPA (even if the Claimant were entitled to claim it on an Individual's behalf, which it is not). As such, the Claimant will necessarily fail to make good the Claimant's allegation that the Defendant failed to comply with the DSARs (as defined by the Claimant) or engaged in unlawful processing of special category data, and so should be struck out as disclosing no reasonable grounds.
- (7) Any processing of an Individual's personal data, had it taken place, would have been 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. As such, the Claimant's allegations in paragraphs 27-32 of the Particulars of Claim (unlawful processing of special category data) will necessarily fail, and so should be struck out as disclosing no reasonable grounds.
- (8) Any processing of an Individual's personal data, had it taken place, would have been lawful under Article 6(1)(c) of the UK GDPR, since it was processing of information contained in 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. As such, the Claimant's allegations in paragraphs 27-32 of the Particulars of Claim (unlawful processing of special category data) will necessarily fail, and so should be struck out as disclosing no reasonable grounds.

Parties

7. The Claimant is the Good Law Project Ltd. The Claimant is bringing the Claim on behalf of individuals who made data subject access requests between 5 June and 4 July 2024 (“**the DSARs**”) to the Defendant (“**the Data Subjects**”).
8. The Claimant claims in their particulars of claim that it is:
“...active in the field of protection of data subjects’ rights and is required by its articles of association (the “Articles”) to apply all of its income and property solely towards the promotion of its objectives, which include upholding democracy and promoting compliance with the law, including the law of data protection, by public and private actors. The Claimant is also prohibited under the Articles from distributing amongst its members any part of its assets (otherwise than for charitable or public purposes). It therefore satisfies the conditions in Sections 187(3) and 187(4) of the Data Protection Act 2018 (the “DPA”), thus allowing it to represent data subjects under Article 80(1) of the UK GDPR.”
9. However, I have not found any evidence that the Claimant is active in the field of data protection. Rather, the Claimant is active in activist environmental and social lawfare against groups, companies, and individuals that they disagree with; most notably, groups that are deemed centre, or right of the centre, of the political compass / spectrum. This is the first case concerning data protection that the Claimant has issued in any court. Nor am I aware of the Claimant having played any role on non-litigation data protection matters, such as making representations to the Information Commissioner on policy matters or draft guidance from the Commissioner, or to Parliamentary Committees.
10. The Data Subjects are a group of private individuals who made the DSARs between 5 June 2024 and 4 July 2024. They claim to have suffered non-material damage, including, but not limited to concern, worry, uncertainty, and distress. They have not, however, substantiated the same.

Background and Pre-Action

11. Between 5 June and 4 July 2025, the Data Subjects, presumably with the help of the Claimant, sent identical DSARs to the Defendant by email. An example of a DSAR is exhibited to this statement at [47].
12. On 8 October 2024, the Claimant sent a purported letter before action to the Defendant which can be found at Appendix D to the Defence. Although the letter asserted that it was compliant with the Pre-Action Protocol for Media and Communications Claims (“**the Protocol**”), it was not in fact Protocol compliant.
13. Shortly thereafter, notwithstanding the non-compliance with the Protocol, a representative of the Defendant replied to the purported DSARs, confirming that no such data was held, and any that was held was permitted via statute. An example of the response is appended to the Defence (Appendix C), but for completeness, I have exhibited the other emails responding to the purported DSARs [48 - 52].
14. On 3 December 2024, the Claimant again wrote to the Defendant (“**the Follow up Letter**”) [53 - 57], pointing out that the Defendant had not complied with the Protocol for not responding to the Claimant’s alleged letter before action. This was ultimately redundant, because the alleged letter before action was not itself compliant.
15. Moreover, the Follow up Letter expressed concern that the Defendant’s response was deficient.
16. The Defendant did not respond to the Follow up Letter because again, the Follow up Letter was not compliant with the Protocol, and its contents did not in fact necessitate a response.
17. The Claim was then issued on 28 March 2025.

Statements of Case

18. The Particulars of Claim alleged three claims / causes of action:

- 18.1. Delayed responses to the Data Subjects' purported DSARs;
- 18.2. A suspicion that the Defendant did not carry out a sufficient search for data relating to the Data Subjects; and
- 18.3. A suspected breach of unlawfully processing special category data without consent.
19. £30,000.00 in respect of non-material damages is claimed, at an average (mean) of around £588.24 per Data Subject. However, no particulars have been provided to give any clue as to how this figure has been calculated. Absent those particulars, the amount claimed is fanciful for non-material damage. Specifically, the Particulars do not particularise the harm or sorts of harm that are alleged to have resulted (to the extent any harm / damage caused, which is denied) has passed the *de minimis* threshold.
20. The Claim, for the most part, relates to late responses to the purported DSARs and what data the Defendant allegedly processed. However, the Claim fails at the outset because the DSARs were not compliant with UK GDPR or the DPA.
21. I am instructed that at the time of the DSARs, the Defendant only processed data compiled from the Electoral Roll, which is allowed, by statute (as detailed above and below). The Defendant, therefore, knew exactly what data it held in connection with any private individual at the time of the DSARs.
22. At paragraph 23 of the Particulars of Claim, the Claimant inferred and alleges – incorrectly – that the Defendant held special category data on the Data Subjects. However, at the time of the purported DSARs the Defendant had not yet processed any special category data on any Individual. This specific issue is therefore entirely speculative and doomed to fail.
23. Ultimately, the Defendant has responded in full to all of the Data Subjects' purported DSARs accurately as if they were duly made (which they were not). The Defendant's position is that it does not hold or has not processed any special category data on any Individual, and is confident that, in respect that it held and processed data relating to any Individual, it was allowed to process that data by way of enactment / statute. The entire claim, therefore, is without merit.

24. The Defendant's Defence was filed and served on 14 May 2025.

The Application

25. I make this witness statement in support of the Defendant's application for strike out / summary judgment of the Claim (the "**Application**"). For the reasons set out below, the Defendant asks the Court to make an order:

25.1. Striking out the Claim Form and Particulars of Claim in their entirety as they fail to disclose any reasonable grounds for the bringing of a claim (pursuant to rule 3.4(2)(a)(i) of the Civil Procedure Rules (the "**CPR**")) and/or is an abuse of process (CPR r3.4(2)(b)); and/or

25.2. Granting the Defendant summary judgment against the Claimant because the Claimant has no real prospect of succeeding in its claim (CPR r24.2(a)(i)) and there is no other compelling reason for this Claim to be disposed of at trial (CPR r24.2(b)); and

25.3. Ordering the Claimant to pay the Defendant's costs of the Application and of the proceedings.

(1) & (2) Conditions in Article 80 of the UK GDPR, as set out in section 187(3) and 187(4) of the DPA are not met:

26. Paragraph 1.2 of Practice Direction ("**PD**") 3A of the CPR identifies examples of claims which the court may strike out:

"1.2 The following are examples of cases where the court may conclude that particulars of claim (whether contained in a claim form or filed separately) fall within rule 3.4(2)(a):

(1) those which set out no facts indicating what the claim is about, for example 'Money owed £5000',

(2) those which are incoherent and make no sense,

(3) those which contain a coherent set of facts but those facts, even if true, do not disclose any legally recognisable claim against the defendant."

27. In this Claim, the Particulars of Claim contain a set of allegations that, even if proven, do not disclose any legally recognisable claim against the Defendant.
28. But the shortcomings in the Claim Form and Particulars of Claim go further than that. There is no discernable cause of action against the Defendant as a matter of law; the Particulars of Claim are embarrassing for lack of particularity, and the third allegation / claim is completely speculative without any substantiation.
29. Moreover, as a preliminary point, the Particulars of Claim do not provide sufficient evidence to suggest that the Claimant has standing for bringing the Claim, or the basis on which it brings the Claim. It is obvious that the Claimant is not entitled to take carriage of these proceedings as a representative body.

First Condition:

30. Section 187(3) of the DPA states the following:

“The first condition is that the body or organisation, by virtue of its constitution or an enactment—

- (a) is required (after payment of outgoings) to apply the whole of its income and any capital it expends for charitable or public purposes,*
- (b) is prohibited from directly or indirectly distributing amongst its members any part of its assets (otherwise than for charitable or public purposes), and*
- (c) has objectives which are in the public interest.”*

31. As has been detailed in paragraph 6(1) above, the Claimant’s Articles of Association (Appendix A of the Defence) do not:

- 31.1. require it, after payment of outgoings, to apply the whole of its income and any capital it expends for charitable or public purposes;

- 31.2. prohibit it from directly or indirectly distributing amongst its member any part of its assets (otherwise than for charitable or public purposes).

32. Therefore, it cannot be deemed a not-for-profit organisation or charity. *Ergo*, it fails to meet the first condition of Article 80 in the UK GDPR, pursuant to section 187(3) of the DPA.
33. The Claimant does not, therefore, have any standing to bring this claim as it is not a representative body authorised to issue the claim on behalf of the Data Subjects. Therefore, pursuant to CPR r 3.4(2)(a), the Claim should be struck out as there are no reasonable grounds for the Claimant to bring to claim.

Second Condition:

34. Section 187(4) of the DPA states:

“The second condition is that the body or organisation is active in the field of protection of data subjects’ rights and freedoms with regard to the protection of their personal data.”

35. This is the first data protection claim the Claimant has issued in any court, globally. The Claimant is as described in paragraph 9 above. Nowhere in the Claimant’s Articles of Association is there any reference to its alleged interest in data protection rights. It is merely a tool for political lawfare.
36. In its latest disclosed accounts on Companies House [29 - 46], its principal activities were defined as: *“...using the law to address significant issues of disadvantage, discrimination, unfairness and wrongdoing.”*
37. Even if the court deemed the first condition of Article 80 of the UK GDPR had been met (which is denied for the reasons set out above), it cannot conclude that the Claimant is concerned with data protection, or active in the field of data protection, with any degree of certainty.
38. *“... [S]ignificant issues of ...wrongdoing”* is too vague to determine that the Claimant is active in the field of data protection, as is required under section 187(4) of the DPA / Article 80 of the UK GDPR.
39. On that basis, the Claimant cannot be deemed a *“representative body”* within the meaning of section 187(5) of the DPA and therefore does not have the standing, pursuant to Article 80 of the UK GDPR, to bring this Claim.

40. The Claim should therefore be struck out for pursuant to CPR r.3.4(2)(a), as the Claimant has no reasonable grounds to bring the Claim.
- (3) The Defendant is an organisation maintained under section 23 of the Political Parties, Elections and Referendums Act 2000**
41. Paragraph 2 of this witness statement is repeated.
42. By virtue of being an organisation maintained under section 23 of the *Political Parties, Elections and Referendums Act 2000*, the Defendant is allowed to process data belonging to the Data Subjects, unless it causes substantial harm pursuant to paragraph 22(2) of Schedule 1 of the DPA.
43. The Claimant has only pleaded non-material damages and has not set out how each Data Subject suffered substantial harm.
44. Moreover, the processing of said data was not likely to cause damage to the Individuals / Data Subjects, and the processing of any data was necessary to Defendant for its political activities.
45. As to the Claimant's speculative claim that the Defendant was processing special category data (within the meaning of Article 9(1) of the UK GDPR) (which is denied), the Defendant would have had the right to process such data on the basis that the Defendant satisfied the requirements of Article (9)(2)(g), being:
- “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”.*
46. For completeness, the Defendant's policy document in relation to the processing of personal data, that was compliant with Part 4 of Schedule 1 to the DPA, is exhibited [21 - 28].
47. On that basis, the Claim should be struck out for showing no reasonable grounds pursuant to CPR r. 3.4(2)(a) as it is doomed to fail.

(4) Notices / DSARs not compliant with Paragraph 22(3) of Schedule 1 to the DPA

48. A copy of the purported DSARs are appended to the Defence at Appendix B. I exhibit a further purported DSAR in any event [47].
49. The purported DSAR was underneath a cease and desist notice.
50. The Data Subjects wrote:

“...This is a data subject access request made pursuant to Article 15 of the UK GDPR. Please provide a copy of all my personal data processed by you.

My details for the purposes of identifying me and handling my data subject access request are:

Full Name: [name of data subject]

Address: [address of data subject]

Email address: [email address of data subject]

Please respond to the above requests as soon as possible and in any event within one month of receipt.

... [Emphasis added]

51. The reality is that the Claimant worked with hundreds, if not thousands, of the Individuals to make these DSARs. The Claimant knew how many DSARs the Defendant received between June and July 2024. It makes reference to it at paragraph 12 of the Follow up Letter: “[the Claimant] *understand[s] that [the Defendant] received approximately 1,800 [D]SARs in June and July 2024...*”.
52. How else could the Claimant become aware of such information, had they not strategically gathered the Individuals who either wanted to make a quick sum of money, or are politically motivated to cause harm to the Defendant on account of the Defendant being an opposing political party to their preferred political party.

53. The Claimant campaigned to gather over 13,000 Individuals to make the DSARs in the run up to the General Election on 4 July 2025, according to their own press release [62 - 64].
54. The requested period to respond was therefore not reasonable, and therefore no such breach had occurred. The Claim should therefore be struck out on the basis that there are no reasonable grounds pursuant to CPR r.3.4(2)(a).
55. Moreover, it should be struck out because it is vexatious pursuant to CPR r.3.4(2)(b). This would also deter other political parties / groups from attacking other political parties by inundating them with DSARs in the thousands.

(5) The Defendant has responded to the purported DSARs

56. Moreover, even if the court finds that the purported DSARs were compliant with UK GDPR and the DPA (i.e. reasonable notice was given), mere infringement - which is how a late response to the purported DSARs will be determined, and which has been rectified by the Defendant's responses - does not entitle the Data Subjects to claim damages.
57. The Claim therefore should be struck out as there are no reasonable grounds to bring the claim, pursuant to CPR r.3.4(2)(a).
58. Alternatively, the Claim has no real prospects of success, and summary judgment should be granted pursuant to CPR r.24.2(a)(i).

(6) The Defendant is not processing any data.

59. Save as to what has been admitted by the Defendant in the DSAR Response and the Defence, the Defendant did not process any other data other than as it has stated previously. Therefore, no unlawful processing of data has occurred or could occur, nor could there be any damage for any alleged delay in responding to the DSARs.
60. Furthermore, mere suspicion of a breach of the UK GDPR or the DPA (namely that the Defendant allegedly breached Article 12(3) of the UK GDPR at paragraphs 27, 31, and 32 of the Particulars of Claim) is not sufficient to base a Claim for damages. It is entirely speculative and doomed to fail.

61. The Claim should therefore be struck out for disclosing no reasonable grounds of success pursuant to CPR r.3.4(2)(a), and / or summary judgment should be granted in favour of the Defendant pursuant to CPR r 24.2(a)(i).

(7) & (8) if the Defendant processed any data, it would be lawful in any event

62. Notwithstanding the paragraphs under heading (6) above, the Claim would fail on the basis that the Defendant has the right to process personal data belonging to the Individuals / Data Subjects in any event.

Article 6(1)(f)

63. Article 6(1)(f) of the UK GDPR states as follows:

“1.Processing shall be lawful only if and to the extent that at least one of the following applies:

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.”

64. The Defendant’s legitimate interest is as prescribed by paragraph 22(4) of Schedule 1 to the DPA, which reads as follows:

“In this paragraph, “political activities” include campaigning, fund-raising, political surveys and case-work.”

65. The Claim should therefore be struck out as it discloses no reasonable grounds of success pursuant to CPR r.3.4(2)(a), and / or summary judgment should be granted in favour of the Defendant pursuant to CPR r 24.2(a)(i).

Article 6(1)(c)

66. Article 6(1)(c) of the UK GDPR states as follows:

“1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(c) processing is necessary for compliance with a legal obligation to which the controller is subject”.

67. Therefore, if any of the Data Subjects’ personal data were processed, the Defendant had to, and it was lawful to process any data, pursuant to Section 102 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.

68. The lawful purposes of processing the data, provided by the electoral register granted to the Defendant as a registered political party within the meaning of section 160(1) of the *Political Parties, Elections and Referendums Act 2000*, are listed at Regulation 106(4)(a):

“(4) Those purposes are—

(a) in the case of a party falling within paragraph (1)(a) or (b),

(i) electoral purposes, and

(ii) 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”.

69. The Claim should therefore be struck out as it discloses no reasonable grounds of success pursuant to CPR r.3.4(2)(a), and / or summary judgment should be granted in favour of the Defendant pursuant to CPR r 24.2(a)(i).

CPR r3.4(2)(b) – that the statement of case is an abuse of the court’s process or is otherwise likely to obstruct the just disposal of the proceedings

70. Paragraph 1.3 of PD 3A confirms that “*a claim may fall within rule 3.4(2)(b) where it is vexatious, scurrilous or **obviously ill-founded**... [emphasis added].”*
71. Further to the above, the Claimant is pursuing a claim, purportedly for breach of data protection rights, without having set out a basis for any alleged damage caused.
72. Moreover, the third claim / allegation is purely speculative. I refer the court to paragraphs 27, 31 and 32 of the Particulars of Claim. The Claimant has alleged that the Defendant may be processing special category data, without evidence, and in paragraph 33 of the Particulars of Claim, stated that the damage is partly based on the “*...concern, worry, uncertainty and distress caused to [the] Data Subjects by the protracted delay in, and deficient nature of, the DSAR Responses and the Defendant’s confirmations as to whether it processes highly sensitive special category data*”.
73. Accordingly, the Claim is obviously ill-founded, is incapable of proof and is incurably bad. In addition, when combined with the aggressive approach of the Claimant in commencing the Claim and failing to follow the Protocol, it is an abuse of court process. It would be a significant waste of the court’s resources if the Claim were allowed to proceed and would result in significant further costs for the parties.
74. Immediately after the Claim was issued, the Claimant published the exhibited press release [58 - 61].
75. In particular, the Claimant has described the proceedings as a case “*...about how Farage and his party are not above the law. **It’s a case about how political parties gather data to target you with divisive messages based on what they think you want to hear**. And it’s a case about your right to tell any political party that if they hold any data on you they must delete it now – no ifs, no buts [emphasis added].”*

76. The language used is incendiary, and reckless. The Defendant avers that the Claim is politically motivated and is a waste of the Court's time and valuable resources. For reference, paragraph 11 of the Claimant's latest accounts state: "*The company achieves its aims through strategic litigation...*". It could not be more obvious that this Claim is vexatious and should therefore be struck out pursuant to CPR r. 3.4(2)(b).

Summary Judgment: CPR r24.2(a)(i) – That the Claimant has no real prospect of succeeding on the claim or issue

77. Further, the Defendant also seeks summary judgment on the Claimant's claim because the Claimant has no real prospect of succeeding in the proceedings.

78. As stated above and in the Defence, the Claim fails to set out (and I believe does not have) any cause of action which would allow the Claimant to bring a Claim against the Defendant on behalf of the Data Subjects.

CPR r24.2(b) – there is no other compelling reason why the case or issue should be disposed of at trial

79. Further to the above, there is no other compelling reason why the case should be disposed of by way of a full trial. The Claim has been an ill-conceived scattergun from its inception, using the court process for political ends, with defects in the Claim Form and Particulars of Claim that are incurable. The Court should not countenance this sort of thing. It should award summary judgment against the Claim, and the Particulars of Claim

CPR r.24.5(1)(f): respondent's right to rely on evidence opposing the application for summary judgment.

80. We draw the Claimant's specific attention to its right to produce evidence in opposition to the Defendant's application for summary judgment.

Costs

81. In the event that the court is minded to grant the Application, the Defendant respectfully requests that given the deficiencies in the Claim and the failure to

comply with the Protocol, the court awards the Defendant costs of the Application on an indemnity basis.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand 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.

Signature 

Name: **DOMINIC DAVID EDWARD BURGESS**

Date: **30** June 2025