

**CITY OF LONDON LAW SOCIETY DATA LAW COMMITTEE  
(THE "COMMITTEE")**

<b>Date:</b>	05/02/2025 (9.30am-11.00am)
<b>Location:</b>	The offices of RPC LLP at Tower Bridge House, St Katharine's Way, London
<b>Present:</b>	<p>Jon Bartley, RPC ("<b>Chair</b>")</p> <p>Rebecca Cousin, Slaughter and May</p> <p>Luke Dixon, Freeths LLP</p> <p>Miriam Everett, Herbert Smith Freehills</p> <p>Ross McKean, DLA Piper LLP</p> <p>Kevin Hart, City of London Law Society</p> <p>Emma Burnett, CMS (attending online)</p> <p>Cynthia O'Donoghue, Reed Smith LLP (attending online)</p> <p>Tom Brooks (Senior Associate from DACB, substituting for Rhiannon Webster, Ashurst LLP)</p> <p>Eve-Christie Vermynck, King &amp; Spalding LLP</p> <p>Giles Pratt, Freshfields Bruckhaus Deringer</p> <p>Jade Kowalski, DAC Beachcroft</p> <p>Kate Brimsted, Shoosmiths LLP</p> <p>Jonathan McDonald, Osborne Clarke</p>
<b>In attendance:</b>	<p>Amy Blackburn, RPC (Senior Associate representative from RPC) (joined at 10am)</p> <p>Preetkiran Dhoot, RPC, as guest minute taker</p>

### 1. Welcome

The Chair welcomed all those in attendance at the meeting of the Committee including guest Senior Associate Representative, Amy Blackburn, from RPC who attended as observer.

### 2. Apologies

Oliver Yaros (Mayer Brown International LLP), Barry Fishley (Weil), and Johnny Kirsop (Pinsent Masons LLP) sent apologies ahead of the meeting.

### 3. Previous minutes

It was agreed that the minutes from the last meeting on 28 November 2024 were a fair and accurate representation of the meeting.

#### **4. Issues discussed**

##### *General*

The Committee was advised of a meeting was held between all the chairs of the specialist City of London Law Society ("CLLS") committees on 15 December. Colin Passmore, Chair of the CLLS, reported on the following topics:

- A meeting with the Chancellor at the Labour Party Conference.
- A meeting with the Minister of State to offer assistance to the government, which was well received. The new Minister of State is in place.
- City UK had put forward the English law paper intended for use by ambassadors. The Chair will circulate the paper to the Committee.
- Roll On Friday's survey suggested that law firms were paying lip service to mental health issues in the legal profession but that firms were improving. The Committee agreed to include this as an agenda item to be discussed later this year.

The Committee also discussed:

- An Associate Dean from The City Law School, expressed interest in joining some of the committees and feed in content to degree courses. The Committee noted that he might be able to join the Committee or a training committee later this year.
- A partner with a data protection practice focussed on the public sector had requested to join the Committee. The Chair agreed to consider and revert on the overlap of the partner's practice area with the Committee's remit.
- There is a push for the Livery Company to work more closely with the CLLS, including joining a Livery Company event in October.
- Dorothy Livingstone, former Chair of the Financial Law Committee, passed away last November and a tribute was given during her memorial service. The members of the Committee expressed their condolences.

##### *SRA Consultation on financial penalties*

The Committee noted that the SRA was reviewing its consultation on financial penalties again and that there will be a further consultation. The Committee noted that conduct of lawyers will be a large issue this year and the Committee asked for thoughts on how to deal with a potential increase in complaints.

##### *In house lawyers*

The Committee noted that the Professional Rules and Regulation Committee are looking to make a group for in-house lawyers. Other committees have integrated in-house lawyers without issue. The Committee noted that the lack of representation despite in house lawyers making up 25% of the profession across England and Wales. In relation to eligibility, in-house lawyers would have to be predominantly based in London, or their work would need to be based in London. Only one in-house lawyer would be allowed per organisation, and they should be required to have a sufficient level of involvement with data protection.

The Committee noted the benefits of a cross-sector perspective in discussions by including in-house lawyers. It was noted that, on the other hand, an in-house lawyer may have a particular bias related to his/her organisation or sector, whereas the Committee is intended to represent a wide range of views. No members of the Committee objected and it was agreed that there would be a follow up email on how to approach this.

### *Restructuring*

The Committee was informed that a company limited by guarantee was being set up for the CLLS to conduct its activities. All Committee membership will be reset to year 0 and tenures would start to run again.

### *Ransomware*

The Committee discussed its views on the consultation issued by the Government: "Ransomware: proposals to increase incident reporting and reduce payments to criminals". It was suggested that anonymous quotes and statistics could be collected from clients in response to the call for evidence in the consultation. The Committee were aware that some clients were particularly keen to respond, such as insurers.

The Committee also suggested obtaining informed comments from the 5 Eyes jurisdictions, including whether the incentive of banning paying ransoms by law works against threat actors. Tom Brooks reported that he was looking into Australia, where there is a mandatory reporting requirement and a prospect of a ban on paying ransoms. There is already an Australian payment prevention regime and exemptions for small companies.

The Committee also discussed the procedure in the UK for reporting ransom payments to the ICO. The Committee agreed to consider leveraging its client networks to obtain evidence, particularly across different jurisdictions.

### *Artificial Intelligence*

The Committee discussed the AI Management Essential (AIME) tool consultation. The output would be circulated with the Committee. The Committee also discussed liaising with the IP Committee on the Copyright and AI consultation. The Committee noted that in general it has historically had to list all of its members when responding to consultations on behalf of the CLLS. A link to the Committee's website is now provided alongside consultations but it must be remembered the people listed on the website change from time to time. Committee to discuss best way to ensure proper transparency in consultation responses at the next meeting.

The Committee discussed the ICO's guidance on Generative AI, which largely aligned with its consultation, although proposing a statutory code for AI. The Committee further noted that the ICO wanted organisations to improve transparency on AI. The Committee discussed recent enforcement action by data protection authorities and transfers of data to the US, including the uncertainties around the future of the EU-US framework and the UK Data Bridge.

## **6. Upcoming meetings**

The Committee agreed that the next meeting will be held on 15th May.