



## **KATE BRIMSTED**

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London**

**Partner and UK Lead – Data Privacy and Security**

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## **BIOGRAPHY**

Kate Brimsted is the UK Data Privacy and Security Lead and advises clients on all aspects of law associated with “data” in particular the UK GDPR and EU GDPR. Cyber security and personal data breaches are also part of her practice.

Over some 20 years in the field, Kate has built a reputation as a “go to” person for strategic and pragmatic data privacy advice on complex projects and issues in a range of sectors including technology, financial services, manufacturing and energy. Her consistent aim is to focus on the issues that really matter for her clients and to work collaboratively with them to arrive at clear and practical solutions.

Kate is recognized as a Leading Individual for Data Protection & Information Law by Chambers UK and the Legal 500. She has also been named by Best Lawyers (UK) for Privacy and Data Protection Law, and by Best of the Best (Global). Who's Who Legal also named her as a Global Leader for Data Privacy.

## **PROFESSIONAL AFFILIATIONS**

- City of London Law Society, Data Committee
- Data Protection Consultation Board, Practical Law (Thomson Reuters)
- Society for Computers and Law
- International Association of Privacy Practitioners
- Editorial Board and Examination Board, Journal of Privacy and Data Protection

## **THE GROWTH OF CLASS ACTIONS: WHAT'S NEXT?**

We explore the rapidly changing legal landscape

## **ADMISSIONS**

- England and Wales

## **RELATED PRACTICE AREAS**

- Special Investigations
- M&A & Corporate Finance
- Infrastructure
- Energy & Natural Resources
- Healthcare & Life Sciences
- Data Privacy, Telecommunications & Collections
- General Data Protection Regulation
- Technology Transactions
- Software, Cloud Subscription & Systems Integration
- Digital Transformation & Emerging Technology
- Restructuring & Insolvency/Special Situations

- Crisis Management & Reputational Risk
- Real Estate Sector
- Marketing & Advertising
- Banking Sector
- Hotels and Hospitality
- Cryptocurrency & Digital Assets
- AdTech
- PropTech
- BCLP Data Breach Hotline
- Entertainment & Media
- Retail & Consumer Products
- Data Privacy & Security
- Fintech
- Corporate
- Finance
- Investigations
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Crypto and Digital Assets

## EXPERIENCE

Kate's experience includes advising:

- A global online retailer headquartered in the far east on its international personal data transfers compliance, employee vetting and counter party on-boarding processes, together with supporting documentation and regulatory filings;
- A worldwide relocation group on a year-long, global data protection assessment and remediation programme, encompassing a network in over 180 countries; and
- A broadcasting company on preparation for GDPR compliance, including customer consents, data record keeping, data retention, training and policy language.

## RESOURCES

## PUBLICATIONS

- Data Protection (6<sup>th</sup> edition), ed Carey, Oxford University Press
- Various journals, including PLC Magazine, ABA Litigation Journal, European Intellectual Property Review (EIPR), Computer Law and Security Review
- ["Industry welcomes long-awaited ICO biometric guidance"](#), *Global Data Review*

## RELATED INSIGHTS

Insights

Mar 08, 2024

### **What is FemTech and how can it meet the privacy needs of its users?**

In part one of our series "FemTech: how this growing industry can build trust, protect privacy and redress healthcare inequity... one app at a time", we take an introductory look at the industry, and offer some commercially-minded approaches to address users' privacy needs.

Insights

Feb 21, 2024

### **Lessons from the growth of FemTech and women's health**

BCLP's Healthcare & Life Sciences Practice Group recently partnered with EMIG Digital Health Group to co-host an in-person breakfast seminar and networking event focused on FemTech. Specialists from across the FemTech and wider digital health, pharma and life sciences sectors heard speakers from Flo Health, Apricity and Theramex, amongst others, discuss key themes and lessons learnt from the growth of FemTech. Chaired by Darren Spevick, Managing Director of Russell Strategy Partners, topics discussed included the ecosystem and market and how innovation, effective partnerships, high quality content, and a simple and tangible digital strategy can drive growth in the sector. Attendees also heard from members of BCLP's dedicated FemTech team about the current themes in, and the direction of travel for, UK and EU privacy and data protection and how robust compliance can help to fuel trust a...

Insights

Jan 18, 2024

### **Privacy Speaks: A clearer view?**

Clearview AI Inc's successful challenge to the ICO's £7.5 million fine focused on the limits of the UK GDPR's jurisdictional reach, succeeding on the grounds that Clearview's processing activities were outside the scope of the UK GDPR. At the time of writing, we await confirmation of whether the ICO will be allowed to appeal. In the meantime, the decisions have provided some interesting clarifications around the application of data protection law to publicly accessible images. This comes at a time when the ICO is consulting on the application of UK data protection law to generative AI (including obtaining training data) and the UK government has dropped plans for a broad exception to current UK copyright rules, which would have permitted text and data mining of copyright protected works for AI training purposes.

Insights

Dec 12, 2023

### **A GDPR for AI? Political agreement reached on the EU AI Act**

Insights

Dec 05, 2023

## **Watching employers watching their workers**

Insights

Nov 30, 2023

## **Data and Cybersecurity - European Union Legislation and Proposals**

The pace of new EU law continues unabated, with IoT, cyber security and digital services being key areas of activity. The BCLP Data Privacy & Security team is tracking EU law developments relevant to data and cyber security. In our tracker we (1) provide a snapshot, (2) explain who is impacted and (3) confirm the status and timeline for each of: the Digital Services Act, the Digital Markets Act, the Data Governance Act, the Data Act, the NIS2 Directive, the Cybersecurity Act and the Cybersecurity Resilience Act.

Insights

Nov 30, 2023

## **EDPB explains EU ePrivacy cookie rules apply to emerging online tracking tools**

On 14 November 2023, the European Data Protection Board (EDPB) adopted guidelines on the technical scope of Article 5(3) of the ePrivacy Directive (Directive 2002/58/EC, as amended) (ePD). This reflects the EDPB's intent to ensure that privacy laws keep pace with the rapidly evolving digital environment and helps fill a lacuna left by the stalled draft EU ePrivacy Regulation, intended to reform and update the ePD. The guidelines also anticipate an acceleration in new online tracking techniques being developed to address the withdrawal of support for third party cookies, which are at the core of the current AdTech ecosystem.

Insights

Nov 14, 2023

## **Understanding the Data Governance Act: key aspects and challenges**

A few weeks ago, on 24 September 2023, the Data Governance Act (Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance) ("DGA") came into force. The DGA aims to bolster the data economy by encouraging public sector bodies to share certain categories of protected data (e.g., personal data and commercially confidential data) and promote data altruism. We set out below an overview of the key aspects of the DGA.

News

Oct 19, 2023

## **Chambers UK Ranks BCLP in 41 practice areas and recognizes 74 lawyers**