

## **ORBIS BUSINESS INTELLIGENCE STATEMENT ON RECENT TRIAL JUDGEMENT, 8 JULY**

1. Justice Warby has today published his judgement in the case relating to the Data Protection Act against Orbis Business Intelligence which went to trial in March, brought by Petr Aven, Mikhail Fridman and German Khan in their personal capacity.
2. In relation to the plaintiffs 'allegations concerning Company Intelligence Report 112 of 14 September 2016, the judge has ruled that no breach of the DPA has been established in relation to 4 of the 5 propositions complained of. This was 'because Orbis has proved that this was third party information which it recorded accurately and took reasonable steps to verify'.
3. Regarding the fourth proposition complained of, relating to events which were reported to have occurred in the 1990s, the judge found that insufficient steps were taken by us to verify this information. On this single point, he awarded compensation to two of the plaintiffs. The third plaintiff, German Khan however received no compensation from this case. (Beyond this the judge declined to grant any wider remedy under the DPA 'on the grounds that this (was) not necessary or appropriate').
4. Importantly, the judge accepted that both the 'legal advice' and 'national security' exemptions of the DPA applied to our work and actions in this case and as a result, the data were processed lawfully. Plaintiff's counsel had tried to argue the contrary at trial.
5. Furthermore, the judge found that CIR 112 'records accurately what Mr Steele was told by the source' and held that Orbis BI was not responsible for the wider publication of this report. Nor did the judge accept that Orbis should be held responsible for damages caused by third party republication of CIR 112.
6. Orbis BI are grateful for Justice Warby's clear and detailed ruling in this case and will ensure that our company's data handling procedures incorporate his various findings going forward.