Ben Mitchell



Call: 2017 England & Wales Call: 2019 Ireland

E: Ben.Mitchell@11kbw.com
T: +44 (0)20 7632 8500

Ben specialises in public, commercial, EU, education, employment and information law.

He is ranked in the directories as a leading junior in Administrative and Public Law, Education Law, Data Protection and Employment Law. Peers and clients describe him as a “phenomenal counsel”, “serene under pressure” and “excellent with clients”.

Ben brings strong experience in strategic and high-profile litigation, particularly judicial reviews involving environmental, equality, commercial and education issues.

Ben is a member of both the Equality & Human Rights Commission and Attorney General’s Panels of Counsel, and with membership in the Law Library of Ireland, he has rights of audience in European Union Courts.

> ***Ben is a really brilliant opponent who operates way beyond his year of call. He is collaborative and very calm.***
>
> **CHAMBERS & PARTNERS**

Expertise

Data Protection, Information and Media Law

Ben has substantial experience across information law and is regularly instructed in domestic and EU law matters relating to data protection, access to information, and online service provider obligations.

Ben is co-author of *Data Protection, Privacy and Information Law: A Practical Guide* (December 2024, Law Society).

He often appears in the courts and tribunals for businesses, journalists, individuals and the Information Commissioner's Office (ICO) in matters relating to:

- Claims against data controllers for data breaches or subject access requests. Ben also regularly advises on tactical steps to minimise the costs and inconvenience to businesses and organisations caused by these claims.
- Challenges to fines under Monetary Penalty Notices under PECR and the DPA/GDPR.
- Appeals against Decision Notices under the Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR).
- Acting for a journalist in a series of successful appeals to the First-Tier Tribunal on access to politically sensitive information.
- Advising and acting for a politician on data protection matters, led by Robin Hopkins.
- Advising a national government on data protection matters relating to a high-profiled sanctioned individual.
- Acting for a large sports club dealing with a mass data breach, led by Anya Proops KC.
- Acting for a large national organisation dealing with a mass data breach, led by Anya Proops KC.

> ***Ben understands the client's needs and attitudes towards litigation. He is approachable and easy to work with.***
>
> CHAMBERS & PARTNERS

Pereira v Information Commissioner

[2023] UKUT 130 (AAC)

Acting for the Information Commissioner on the balance of interests applicable to the personal information exemption under s.40(2) FOIA

Walawalkar v Information Commissioner and Maritime and Coastguard Agency

[2025] UKUT 105 (AAC)

Acting for the Information Commissioner on the scope of the obligation to provide information in requested form, under s.11 FOIA.

Bickerdike v Information Commissioner and National Highways

Currently before the Upper Tribunal, acting for the Requester on the meaning of a "manifestly unreasonable" request under the EIR.

Achievements

Awards

Lord Mansfield Scholarship (Lincoln's Inn)

Lord Bowen Scholarship (Lincoln's Inn)

Hardwicke Entrance Exhibition (Lincoln's Inn)

Ussher PhD Fellowship (Trinity College Dublin)

Foley-Bejar Scholarship (Balliol College, Oxford)

Julian Prize for Second Place overall in LLB class (Trinity College Dublin)

Scholar of Trinity College Dublin

Entrance Exhibition (Trinity College Dublin)

Education

PhD in Law, Trinity College Dublin – focused on public interest education law

BCL, University of Oxford, Balliol College – Distinction

LLB, Trinity College Dublin – First Class