

Michael Whitbread

Of Counsel

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Overview

Michael Whitbread is a creative employment and data privacy lawyer who brings unique experience and an original perspective to bear on advising employers. He advises across issues as diverse as cross-border equal employment opportunity, data privacy strategy, and the emerging laws regulating the use of artificial intelligence in employment.

Michael brings a solid track record of delivering solutions to challenging advisory matters. He's handled strategies for managing employee privacy across radically different legislative frameworks. He has supported employers to prevent and address allegations of discrimination, across both highly protective and 'light-touch' regimes globally. Michael brings a particular talent and energy for advising employers facing new regimes where there is no established 'playbook', first with the introduction of the General Data Protection Regulation in 2018, the EU AI Act's enactment in 2024 and the looming Australian Privacy Act reforms.

Michael brings first-hand knowledge of the challenges and opportunities facing in-house teams. He most recently served as deputy to the General Counsel of an AI resume parsing and document comparison software company, headquartered in Australia. Latterly he served as global director of data protection, as group data protection officer, and in-house employment counsel at a British FTSE250 institutional and private client services provider, covering nearly 20 sovereign jurisdictions. Earlier he was regional head of data protection and employment law for an international bank, and an employment lawyer at an offshore 'Magic Circle' firm.

Before coming to the U.S., Michael served as chair of the Employment and Discrimination Tribunal in a British offshore territory during a landmark period of reform to local discrimination laws. He brings direct experience of running complex employee relations investigations through to a successful outcome for the client, having served as in-house employee relations specialist at a 'Magic Circle' law firm in London and a household-name insurance company in Sydney, Australia.

Michael frequently appears on conference panels to discuss AI ethics and the impact of AI on working life.

Professional and Community Affiliations

- Chair, Employment & Discrimination Tribunal, Guernsey, British Isles

- Certified Member CIPP/E, International Association of Privacy Professionals
- Member, Employment Lawyers' Association (UK)
- Member, New York City Bar Association
- Member, New York State Bar Association

Recognition

- Recipient, Workplace Relations Award, *Australian Human Resources*, 2015

Education

M.A., University of Sydney, Australia, 2012

B.A./LL.B., University of Newcastle (Australia), 2005, *With High Distinction*

Bar Admissions

New York

United Kingdom (England and Wales)

Australia

Publications & Press

Australian Government Releases Work Health and Safety (Sexual and Gender-based Harassment) Code of Practice 2025

Littler ASAP

April 16, 2025

Intentional Wage Theft Now Criminalized in New Zealand

Littler ASAP

April 9, 2025

Employment of Executives and Other High-Value Employees Set to Change in New Zealand

Littler ASAP

February 28, 2025

Australia: Do You Have Employees Working in Queensland? What You Need to Know About the New Sexual Harassment Prevention Plan Requirements Effective March 1, 2025

Littler ASAP

February 21, 2025

The Global Guide Quarterly (Quarter 4, 2024)

Littler Global Guide Quarterly

January 23, 2025

The Global Guide Quarterly (Quarter 3, 2024)

Littler Global Guide Quarterly

October 23, 2024

Important Changes for Businesses in Australia – What Employers Should Know

Littler ASAP

October 17, 2024

**Tribunal Procedure Committee Consultation on possible changes to the Employment Tribunal Rules:
Response from the Employment Lawyers Association**

20 June 2024

The End of Brexit Transition is Here. What's Next for Data Privacy

Inside, Corporate Counsel Section of the New York State Bar Association

Vol 39(1), 2021

Listening to the Winds of Change

Society of Trust Estate Practitioners (STEP) Journal

Issue 5, 2020

Events & Speaking Engagements

Ethical AI in Principle: Innovation Overtaking Human Privacy Rights?

PrivSec London & GRC Connect, London

2024

International Privacy Day 2024

Privacy Hub Africa, London

2024

The Future of Privacy: AI, Emerging Technologies and Beyond

RISK, London

2023

Books & Book Chapters

- Ellis v The States of Guernsey, acting by and through the Policy and Resources Committee, *Employment & Discrimination Tribunal*, Guernsey, 19 March 2024