

International Privacy and Data Protection Law

Module title			
International Privacy and Data Protection Law			
Module NFQ level (only if an NFQ level can be demonstrated)	Module number / reference	ECTS Value	Duration
Level 8 NFQ	LLBH - IPDPL	5 ECTS	One semester: 12 weeks.
Parent programme(s).		Stage of parent programme	Semester No.
Bachelor of Laws (Honours)		3	1 or 2
Bachelor of Laws (Honours) in Criminal Justice		3	1 or 2
Bachelor of Laws (Honours) in Commercial Law		3	1 or 2
Teaching and Learning modes	Proportion (% of Total Directed Learning)		
Classroom / Face to Face	19%		
Workplace			
Online			
Other (Identify)	81% (Independent Research and Learning)		
Entry requirements (statement of knowledge, skill and competence)			
Please see section 4.2 for full details of entry requirements.			
Maximum number of learners per instance of the module	Sixty (60)		
Average (over the duration of the module) of the contact hours per week	2		
Pre-requisite module title(s) (if any)	None		
Co-requisite module title(s) (if any)	No		
Is this a capstone module? (Yes or No)	No		
Module-specific physical resources and support required per centre (or instance of the module)			
Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle.			
Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module.			

Role e.g. Tutor, Mentor etc	Qualifications & experience required:	# of Staff with this profile (WTEs)
Lecturer	Lecturers expected to hold at least a level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.	0.25 WTE

Analysis of required learning effort		
*Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	24
Mentoring and small-group teaching	-	-
Other (specify)	-	-
Independent Learning		
Directed e-learning (hours)		-
Independent Learning (hours)		101
Other hours (specify)		-
Work-based learning hours of learning effort		-
Total Effort (hours)		125

Allocation of Marks					
	Continuous Assessment	Supervised Project	Proctored Practical Exam.	Proctored Written Exam	Total
Percentage Contribution	40			60	100%

6.4.1 Module aims and objectives

The Module covers a key area of specialized legal knowledge with significant importance for the operation of commercial and non-commercial organisations, both conventional and online, across the European Union. The Module aims to provide learners with a focused knowledge of privacy and data protection law with a particular emphasis on the General Data Protection Regulation and subsequent regulations and pieces of legislation. Learners are enabled to understand the

importance, scope and hierarchy of privacy and data protection requirements, including the concept of consent and the scope of the remedies and penalties for non-compliance. The Module builds upon this knowledge by enabling learners to understand, examine and apply the protective, administrative practices necessary to comply with the law. Finally, learners are enabled to apply their learning to address a wide range of practical issues and to offer solutions to hypothetical, factual scenarios.

6.4.2 Minimum intended module learning outcomes

On successful completion of this module, learners are able to:

- (i) Communicate a clear understanding of privacy and data protection laws and how they operate;
- (ii) Discuss and apply domestic and European law in relation to both privacy and data protection;
- (iii) Critique the rights afforded to the individual, including the scope and meaning of consent;
- (iv) Analyse the effects of the GDPR in relation to the handling of data, including the enforcement mechanisms and remedies available;
- (v) Investigate and evaluate the processes involved in data protection;
- (vi) Conduct effective and efficient research on issues related to Privacy and Data Protection Law; and
- (vii) Analyse factual problems in light of privacy and data protection law.

6.4.3 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

As a result of the General Data Protection Regulation 2016/679, Data Protection Act 2018 and privacy laws learners should become familiar with the legislation, principles and requirements relating to the area of privacy and data protection within Ireland. This module serves to directly underpin programme learning outcomes 1, 2, 4, 5, 6, 10.

6.4.4 Information provided to learners about the module

The learners will have in their possession their Faculty Handbooks from their previous year. The Faculty Handbook provides general information about the faculty, its staffing, resources, and operation. Detailed programme information is supplied through Moodle, including copies of the approved module descriptors from the accredited programme (detailing related teaching, learning and assessment) along with a programme timetable. Another copy will be provided to the learners upon their request.

During the first class of the Module, learners are given a detailed outline of the Module showing the schedule of delivery and the dates when assignments are released and due for submission.

Moodle is used to provide learners with ongoing access to module related information, from the handbooks and module outlines provided in advance of the module commencement, the lecture material and links to related resources provided on a scheduled basis in line with the module delivery.

6.4.5 Module content, organisation and structure

This module is delivered over 12 weeks with two hours of lecture for each of those weeks. The subject matter covered by the course is organised along the following headings:

Privacy

- What is privacy?
- Privacy and confidentiality
- History and context of privacy rights

Sources of Privacy Rights

- The inviolability of the Dwelling and Article 40.5.5 of the Constitution of Ireland 1937
- European Convention on Human Rights
- The European Union Charter of Fundamental Rights
- Privacy as a Common Law Right
- Statutory Rights to Privacy
 - *Limited Rights in specific pieces of legislation*
 - *Data Protection Acts 1988/2003*
 - *S10 Non-Fatal Offences against the Person Act 1997*
 - *S114 CRRA 2000*
 - *Mental Health Act 2001*
 - *Adoption Act 2008*
 - *Directive 2002/58/EC – Electronic Privacy Directive*
 - *Directive 2009/136/EC – Cookies Directive*
 - *Directive 2006/24/EC (Communications (Retention of Data) Act 2011)*
 - *Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993*
 - *Criminal Justice (Surveillance) Act 2009*
 - **Privacy Bill 2012**
 - [EU E-Privacy Regulation on the Respect for private life and the protection of personal data in electronic communications \(repealing Directive 2002/58/EC\)](#)
- Spam
- Value of Privacy Rights (Case Law)
- Penalties and Remedies for Breach of Privacy
 - *Criminal Law*
 - *Civil Law*

Data Protection

- Data Protection Legislation
 - Data Protection Act 1988
 - Data Protection Directive 1995 - Directive 95/46/EC
 - Data Protection (Amendment) Act 2003
 - General Data Protection Regulation [2016](#)
 - Data Protection Act [2018](#)
- General Data Protection Regulation
- Definitions under GDPR
 - Data Controller
 - Data Processor
 - Data Subject
 - Personal Data
 - Special Personal Data
 - Fairness and lawfulness
 - Purpose limitation
 - Proportionality
 - Accuracy, Storage limitation, Integrity, and confidentiality
 - Privacy by Design and Accountability (Responsibility of controllers and processors)
 - Data protection by design and by default
- Who is protected by GDPR?

- When does Data Protection Law Apply?
- Which activities are covered?
- Processing Personal Information
- Exclusions – Article 84 GDPR
- Principles of Data Protection
- Rights of Data Subjects
- The Data Protection Commission
- Offences/breaches under GDPR
- Data Transfer to Third Countries – Article 44-50
- Capturing consent as part of the GDPR
- The Right to be forgotten

6.4.6 Module teaching and learning (including formative assessment) strategy

The module uses participative lectures, which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and directed reading. Formative assessment is provided in the form of interactive exercises such as directed class discussion topics which reference current affairs pertaining to Privacy and Data Protection Law at the time of instruction. Formative assessment is also provided through tutorial-style discussions, group work and exercises. These focus on specific case law and problem-based learning requiring learners to analyse the law and apply it to both privacy and data protection disputes or issues.

Learners also engage in collaborative work in pairs or small groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the examination process, they engage in the answering of sample examination questions and correction of their own or peer's papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities where they draft their own exam questions in order to recap and consolidate a particular topic.

Learners undertaking the course via blended learning benefit from varied and additional options for engagement to compensate their reduced attendance of campus. These include webinars, screencasts (recorded lectures), discussion fora, and increased use of the College's VLE (Virtual Learning Environment), Moodle.

In addition to what has been stated, classroom assessment and benchmarking techniques are deployed to encourage learners to develop more agency in terms of their own learning including inclass presentations, group work, peer-review exercises and reflective practice. The variety of teaching, learning and assessment techniques reflect an enhanced emphasis on skills acquisition to deepen practical knowledge. Finally, the attention of learners is drawn to current industry practice and technology used in the specific area of law to add a further dimension to learning, tracking the actual practice of legal professionals.

6.4.7 Work-based learning and practice-placement

Privacy and Data Protection Law is a 5 ECTS credit module and does not require work-based learning and practice placement.

6.4.8 E-learning

Moodle, the College Virtual Learning Environment is used to disseminate notes, advice, and online resources to support the learners. E-learning activities include learner feedback, forums where learners contribute, formative quizzes and video links. The learners will also have access to a number of other online resources through the library such as access to databases and research tools (Westlaw.ie, Westlaw.uk, JustisOne (vLex) and Hein Online) as well as access to online copies of books published from Bloomsbury Online.

6.4.9 Module physical resource requirements

Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).

6.4.10 Reading lists and other information resources

Primary reading

- Keogh, L. (2019) Data Protection, A Guide to GDPR and Irish Data Protection Law, Dublin, Clarus Press
- Kelleher, D. and Murray, K. (2018) EU Data Protection Law, London: Bloomsbury Publishing
- Costello, R. (2023) Privacy Law in Ireland, Dublin, Bloomsbury Professional.
- Massey, S. (2017) The Ultimate GDPR Practitioner Guide: Demystifying Privacy & Data Protection, Fox Red Risk, United Kingdom
- Leenes, R. van Brakel, R. Gutwirth, S. De Hert, P. (2017) Data Protection and Privacy: The Internet of Bodies, Oxford: Bloomsbury Publishing
- Kelleher, D. (2015) Privacy and Data Protection Law in Ireland, Dublin: Bloomsbury Professional
- Murray, A. (2016) Information Technology Law, Oxford: Oxford University Press

Secondary reading

- Millard, C. (2013) Cloud Computing Law. Oxford: Oxford University Press.
- Voigt, P. von dem Bussche, A. The EU General Data Protection Regulation (GDPR)- A Practical Guide, London: Springer Publishing
- Foulsham, M. & Hitchen, B. (2017) GDPR: Guiding Your Business To Compliance: A practical guide to meeting GDPR regulations. London: Amazon
- Alsmadi, I., Burdwell, R., Aleroud, A., Wahbeh, A., Qudah, M., Al-Omari, A. (2018). Practical Information Security. United States: Springer Publishing.

e-Resources

- *Bloomsbury Professional Online*
- *JustisOne – Vlex*

- *Westlaw.ie*
- *Westlaw UK*
- *Heinonline*
- *Griffith College Library Website*

6.4.11 Specifications for module staffing requirements

Lecturers qualified to at least a Level 8 legal qualification (LLB (Honours), preferably with a professional legal qualification and a third level teaching qualification (e.g. Certificate in Education, Learning and Development offered by Griffith College). Learners also benefit from the support of the

Programme Director, Faculty Administrators, a dedicated Learning Technologist Office, the Learning Supports Office, at least one Learner Representative for each Stage, the Students' Union and a free (off campus) Counselling Service.

6.4.12 Module summative assessment strategy

The following table indicates the module's learning outcomes' alignment with the assessment used for the module:

No.	Description	MIMLOs	Weighting
1	Assignment (2,500 words)	i, ii, iii, iv, v, vi, vii	40%
2	Exams	i, ii, iii, iv, v, vi, vii	60%

Reassessment/Repeat assessment strategy: Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

- In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
- In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
- In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

6.4.13 Sample assessment materials

Please see sample assessment supplementary document.