IPI Academy

falconbury



Presented by
Falconbury

Data Protection and GDPR Case Law Update

1 December
+ 18 May 27, 17 November 27

Understand the latest UK GDPR case law and international data protection cases, and apply the lessons learned to strengthen compliance, practical data governance and reduce legal risk.

Format:
Live online

CPD:
1.5 hours for your records

Certificate of completion

Course overview

Data protection law continues to evolve rapidly, with court decisions and regulatory enforcement shaping how GDPR obligations apply in practice - making it essential to understand the latest cases and what they mean for your organisation.

Courts in the UK, EU and other common law jurisdictions are increasingly shaping how the UK GDPR and related privacy frameworks operate in practice, with significant implications for organisations that collect, use or manage personal data.

This focussed training course reviews the most important recent data law cases, analysing what the courts have said about data breaches, cybersecurity failures, damages for distress, jurisdiction and territorial scope, the definition of personal data, data subject rights, and platform liability. Drawing on both UK and international decisions, the course highlights emerging trends and areas of heightened enforcement and litigation risk.

Rather than a theoretical review, the training course translates complex judgments into clear, practical insights. Attendees will gain a structured understanding of how recent case law affects compliance obligations, risk exposure and decision-making, and what organisations should be doing differently in response to these developments.

Benefits of attending

By attending this training course, you will:

- **Gain** a clear, practical understanding of how key 2025 data protection cases are reshaping the interpretation of the UK GDPR and other privacy laws
- **Identify** emerging litigation and enforcement risks arising from recent judgments on data breaches, cybersecurity failures and breach notification obligations
- **Understand** when damages may be awarded for loss of privacy or distress, even without proof of financial loss or third-party access to data
- **Clarify** how courts are approaching jurisdiction, territorial scope and extra-territorial reach, particularly in cross-border and online data processing scenarios
- **Strengthen** your approach to subject access requests by understanding the latest judicial guidance on the definition of personal data and search obligations
- **Assess** evolving expectations around platform liability, controller and joint controller status, and responsibilities for third-party content
- **Translate** complex case law into actionable compliance, risk management and governance strategies relevant to day-to-day data handling.

Who should attend?

This training course is suitable for anyone who works with, manages, or is responsible for personal data, including:

- In-house lawyers
- Heads of legal and their teams
- Data Protection Officers (DPOs)
- Compliance and risk managers
- Contract and commercial managers
- Privacy professionals and information governance specialists
- HR, IT and operational professionals handling personal data
- Consultants and advisers in professional services firms

The content is also suitable for anyone with an interest in or being subject to the UK GDPR.

Programme

Data Breaches, Security Failures & Remedies

- Farley & Ors v Paymaster (1836) Limited (t/a Equiniti) [2025] EWCA Civ 1117 - UK GDPR data breach litigation; scope of "processing", no seriousness threshold for claims, and confirmation that proof of third-party access or distress is not required
- Australian Information Commissioner v Australian Clinical Labs Limited (No 2) [2025] FCA 1224 - Cybersecurity and breach notification obligations under Australian privacy law; inadequate security, delayed breach assessment and notification, and per-individual counting of contraventions
- Ministry of Defence v Global Media and Entertainment Limited [2025] EWHC 1806 (Admin) - Catastrophic government data breach; interaction between data protection, national security, open justice, freedom of expression, and super-injunctions.

Damages, Distress & Privacy as a Standalone Harm

- Insurance Corporation of British Columbia v Ari 2025 BCCA 131 — Statutory privacy torts; damages awarded for loss of privacy itself without proof of consequential loss, and the deterrent function of privacy damages
- Kurraba Group Pty Ltd & Smith v Williams [2025] NSWDC 396 — Australia's new statutory tort for serious invasion of privacy; misuse of private information and grant of the first interlocutory injunction under the regime.

Jurisdiction, Territorial Scope & Extraterritorial Reach

- Information Commissioner's Office v Clearview AI Inc [2025] UKUT 319 (AAC) — Territorial and material scope of UK GDPR; facial recognition, web-scraping, and a broad interpretation of "behavioural monitoring" under Article 3(2)(b) (enforcement action by the Information Commissioner's Office)
- Green v United Kingdom [2025] ECHR 91 — Article 8 ECHR privacy rights; limits of State responsibility for disclosures protected by parliamentary privilege and constitutional constraints on privacy protection.

Definition of Personal Data & Data Subject Rights

- Ashley v HMRC [2025] 4 WLR 29 — Subject access rights under UK GDPR Article 15; rejection of a "sufficient proximity" test, broad interpretation of "personal data", and requirement for organisation-wide searches
- EDPS v Single Resolution Board (SRB) C-413/23 P — EU GDPR concepts of anonymisation vs pseudonymisation; personal data status depends on whether the controller has realistic means of re-identification.

Platform Liability, Controllers & Joint Controllers

- X v Russmedia Digital SRL C-492/23 (2025) — Online platform liability under the GDPR; marketplace operators as controllers and joint controllers, with duties to prevent publication of advertisements containing sensitive personal data

Presenter



Mark Weston

Mark Weston has run his own law firm, Weston Legal, since 1 January 2024. He is also a consultant at Hill Dickinson LLP where he joined in February 2016 as a partner and Head of its Commercial, TMT & IP Practice. Before that, he was a partner and Head of the Commercial/IP/IT Team at Matthew Arnold & Baldwin LLP and before that, he spent several years at Baker & McKenzie in London and Chicago and has also previously been seconded to Hewlett Packard and other technology businesses. He changed role to become a consultant in Hill Dickinson's London office in January 2024.

Expertise: Mark's practice covers both non-contentious and contentious matters in all areas of commercial law, intellectual property law, information technology law, Internet, electronic commerce and on-line services law. He specialises in commercial and Tech issues. Mark is used as a 'trusted adviser' by many clients in all sorts of businesses and often acts as 'private practice in-house counsel' for many clients. He specialises in tech and internet businesses.

Clients: Just some of Mark's more well-known clients include Elstree Film Studios, RTL Group S.A., Sykes Cottages, Retailcorp Brands LLC, The Gulf Marketing Group, Moneynetint Limited and the BBC.

Some detail: Mark has extensive experience in advising clients on all manner of commercial matters (such as business planning and solutions, franchising, distribution, agency and marketing) through branding and intellectual property exploitation and licensing, to advice and documentation regarding hardware and software issues (such as development, licensing, maintenance and distribution, SaaS and cloud, Internet transactional solutioning, B2B, B2C and B2G electronic commerce, S-commerce and M-Commerce, social media, outsourcing, facilities management, procurement, IT policies, data protection (privacy), GDPR and freedom of information issues as well as artificial intelligence (AI)). He has a particular expertise in new digital business and revenue streams. He is also experienced in dealing with software disputes and IT litigation. The increasingly extensive media side of his practice relates primarily to publishing (both real world and digital content), to games and gaming platforms (and particularly transmedia technologies), advising companies about their advertising onscreen, online and in print and managing their public communications strategies generally (dealing with the CMA and ASA in the process) – and also a smattering of television, film and music exploitation. Recently he has been very active in AI advice.

More unusual:

Mark has previously spent several months on secondment to Hewlett Packard and he has also been seconded to assist in the legal problems arising in new technology companies such as Symbian. From 2000 to 2001, Mark was resident in the Chicago office of Baker & McKenzie advising US clients on European and UK aspects of IT and electronic commerce law and practice.

Mark is the author of the *Legal Practice Companion*, a parallel text book used at several law schools, the editor of the *IP and Media Law Companion* as well as the rest of the Companion series of books published by Bloomsbury Professional, Tottels, Cavendish Publishing and Oxford University Press. He has noted numerous reports for the *IT Law Reports* and is widely published in *Computing, Computers & Law, Computer Law & Security Report, IT Law Today, Intellectual Property World, Solicitors Journal* and many other journals both online and offline. Mark has also authored articles syndicated in the national and trade press and is regularly quoted in national newspapers and is heard on radio as an expert in his fields. Mark is the author of the *Business Names on the Internet* chapter in the *PLC Ecommerce Manual as* well as numerous other articles on various Commercial & IT law topics.

Mark lectures regularly on all Commercial, IP and IT law topics, including at the IBC IT 'Summer School' Programme in Cambridge, England; the Falconbury and MBL two-day and three-day Commercial Contracts seminars (run several times a year) and IT Contracts seminars (run three times a year) in London; and he has previously lectured at the Annual On-line & Internet Commerce Law Institute seminar in Chicago and tutored at University College London. He also runs a programme of bespoke training schemes on commercial law, IP law, IT law, AI law and data law as well as soft skills programmes such as negotiation skills and presentation skills.

Finally, you may have seen that Mark likes blogging and writing books, which are available at all good bookshops! He also appears regularly on BBC1 (usually providing advice on-screen to BBC Watchdog) and also on Sky News as a legal commentator, as well as trying to avoid the huge quantity of pink powder the TV make-up girls want to apply to his increasingly receding hairline.

Course dates

1 December	**Live online** 13:00-14:30 **UK (London)** (UTC+00) *Course code 16887*	GBP **124** EUR **175** USD **200**
18 May 27	**Live online** 14:30-16:00 **UK (London)** (UTC+01) *Course code 17309*	GBP **99** ~~124~~ EUR **140** ~~175~~ USD **161** ~~200~~ **Until 23 Mar**
17 November 27	**Live online** 14:30-16:00 **UK (London)** (UTC+00) *Course code 17535*	GBP **99** ~~124~~ EUR **140** ~~175~~ USD **161** ~~200~~ **Until 22 Sep**

How to book

Online:
ipi.academy/3386

Alternatively contact us to book, or if you have any queries:

Email:
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Discounts

- Booking more than one delegate on any one date qualifies for a **30% discount** on the second and subsequent places.
- Most events qualify for an **early booking discount** prior to 6 weeks before the course date. Be sure to check on our website, where the latest discounts will be shown.

Further information

Fee
The fee includes all meals and refreshments for the duration of the course (for venue-based courses) and a complete set of course materials (provided electronically). If you have any particular requirements, please advise customer services when booking.

Please note
IPI Academy (and our training partners) reserve the right to change the content and timing of the programme, the speakers, the date and venue due to reasons beyond their control. In the unlikely event that the course is cancelled, we will refund the registration fee and disclaim any further liability.

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IPI Academy

IPI Academy is a training initiative of Falconbury and Management Forum; leading providers of industry training for over 30 years, based in the UK.

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