

LA391-15 Data: Law and Governance

26/27

Department

School of Law

Level

Undergraduate Level 3

Module leader

Jessica Bell

Credit value

15

Module duration

9 weeks

Assessment

100% exam

Study location

University of Warwick main campus, Coventry

Description

Introductory description

This module provides a critical understanding of the evolving legal landscape for the regulation and governance of data.

We are in the midst of a digital revolution underpinned by data. The rapid pace of technological innovation, such as machine learning and big data analytics, continues to increase the scale of data being collected, stored, linked and analysed. Big data provides big opportunities for innovation, for profit, and for public benefit (for example, the use of data for public health purposes and the management of COVID-19). But, there is also big potential for societal harm including misuse of personal, sensitive data. Using contemporary examples from the national and international context, this module considers the data protection, human rights, confidentiality, and wider governance questions that arise when personal, often sensitive, information is used by the state, law enforcement agencies, corporations and business, healthcare professionals and researchers.

[Module web page](#)

Module aims

This module aims to provide a critical understanding of the evolving landscape for the regulation and governance of data. As a global reference point for data protection regulation, often used by

countries developing data protection frameworks, it will do this primarily in reference to the EU General Data Protection Regulation. But, as UK data protection law evolves as a result of leaving the EU, this module also considers examples of international data regimes and alternative approaches that are shaping global data governance arrangements.

Aims:

- o To enhance students' awareness of data law and governance.
- o To develop detailed understanding of key legal concepts and data protection principles, obligations of those responsible for data, rights of data subjects, and enforcement mechanisms.
- o To enhance students' knowledge of contemporary and evolving data protection, privacy and information governance issues, including: Big Data, widespread access to health data including genetic data, and cross-border data flows.
- o To develop the skills to think critically about the intersection between technology, law and policy, and foster an appreciation of the broader environment for data governance by engaging with topical case studies.
- o To enhance students' awareness of wider socio-legal debates, including data ownership and public attitudes to data sharing.
- o To develop students' capacity for critical thinking and independent learning.
- o To develop a range of transferable skills in problem-solving, team-working and written and oral communication.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

- **Introduction to Data Protection, Privacy and Confidentiality:**
The module opens with an introduction to the origins of data protection law, privacy, and the common law duty of confidentiality. The first week will provide an overview of the sources of law and key institutions, and situate the national legal framework in the European and international context.
- **Key Concepts and Debates:**
The second week will introduce foundational concepts of data law and governance such as personal data, sensitive data, anonymisation and de-identification. As an area of law that aims to strike a balance between effective data use on the one hand, and protection of individuals on the other, we will explore what it means to be a 'data subject', 'data processor' or 'data controller' and critique the strengths and weaknesses of individual-level data protection approaches.
- **Data Protection Principles:**
Building on these foundational concepts and debates, the focus of the next four weeks will be to critically analyse key provisions of the EU General Data Protection Regulation (GDPR), which is often used as a blueprint and is perceived to have set an international standard of data protection. In this week we will analyse the principles - approach that underpins the GDPR, including lawfulness, fairness and transparency, purpose limitation, data minimisation, accuracy, and accountability. We will critically analyse their interpretation by national and international courts, and explore their operation in different contexts.

- **Data Protection Obligations:**
The focus of this week is on the responsibilities of 'data controllers' and 'data processors'. We will analyse governance instruments such as privacy impact assessments and data processing agreements using contemporary examples, and evaluate the role of oversight bodies such as the European Data Protection Board and the national regulator the Information Commissioner's Office.
- **Data Protection Rights and Derogations:**
The focus of this week is on data subject's rights including rights to access personal data, the right to rectification, and the right to be forgotten. We will also analyse and critique the various derogations from these rights in context.
- **Cross-border Data Transfers and International Approaches:**
Exploring the extra-territorial scope of the GDPR, this week will analyse the GDPR's adequacy decision mechanism and the international countries that have equivalence under the GDPR, as well as those that do not. As UK data protection law evolves as a result of leaving the EU, we will consider the future of data protection law in the UK, and explore the implications of wider international agreements pertaining to data governance.
- **Health Data Governance:**
This final week will use the case study of health data to bring together all the topics covered and explore topical examples such as population health research and biobanking, international data sharing collaborations, public attitudes to health data use, and genetic exceptionalism.

Learning outcomes

By the end of the module, students should be able to:

- Understand and critically analyse the rules, concepts and principles of national and international data law and governance.
- Understand the history and evolution of the regulation and governance of data.
- Critically analyse and assess the effectiveness of the legal rules, principles, and concepts of the legal framework for data, and apply knowledge to factual situations and contemporary examples.
- Draw on a range of sources, including policy, academic literature, advisory opinions, and case law relating to data laws and practices, and evaluate the effectiveness of the existing instruments as well as arguments made by scholars and policy makers.
- Understand broader public policy, socio-legal, and theoretical dimensions of the regulation and governance of data.
- Demonstrate an ability to conduct independent, critical research on issues of data protection and information governance.
- Engage in debate, problem-solving and critical thinking about the contemporary challenges associated with the collection and processing of personal data, and be able to discuss sensitive questions in a constructive and coherent manner.
- Effectively work in groups, contributing effectively to group tasks and discussions.
- Demonstrate advanced written and oral presentational skills.

- Develop arguments in a coherent, logical and sophisticated manner.

Indicative reading list

[Reading lists can be found in Talis](#)

[Specific reading list for the module](#)

Research element

- To research, collate and evaluate primary and secondary materials on data law and governance;
- To retrieve legal documents, policy reports, regulatory guidelines, communications and court judgements from the internet.

International

A comparative approach to data regulation and governance will be adopted in this module.

Subject specific skills

- Understand the legal rules, concepts and principles of data protection law and governance, in the UK, EU and comparable international jurisdictions;
- Understand the history and evolution of the regulation and governance of data;
- Understand the broad scope of data protection law, its public policy dimensions and wider socio-legal issues;
- Apply knowledge to factual situations and contemporary examples at the intersection of law, technology and policy.

Transferable skills

- To develop arguments in a coherent, logical and sophisticated manner;
- To engage in problem-solving and innovative thinking about the present and future challenges that accompany the collection and processing of personal data and its interaction with human rights and public policy;
- To utilise electronic resources to gather information and retrieve legal documents, intergovernmental reports, communications, and court judgements;
- To have developed skills of research to critically analyse a broad range of sources including journal articles, regulatory guidelines, policy documents and soft-law sources;
- To have developed skills of legal analysis and oral presentation and to make presentations to audiences.

Study

Study time

Type	Required
Lectures	9 sessions of 2 hours (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	75 hours (50%)
Assessment	50 hours (33%)
Total	150 hours

Private study description

No private study requirements defined for this module.

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

Assessment group B

Assessment component	Weighting	Study time	Eligible for self-certification
LA391 Data: Law and Governance Exam	100%	50 hours	No

Students will be expected to answer 2 questions (one essay, one problem) from a choice of 4 questions, all based on module materials. A copy of the EU GDPR and other relevant statutes (e.g. Data (Use and Access) Act 2025) will be made available.

Reassessment component is the same

Feedback on assessment

Individual level feedback on each exam via Tabula.

There will be a formative exercise in Seminar 4 (Week 5). This will be an in-person, handwritten practice exam question (computer-based if reasonable adjustments in place, but must demonstrate working offline) that will not carry a % of the overall assessment.

To facilitate this change, seminars 2 and 3 (on topics GDPR principles I & II) will be combined (this was already under consideration for roll out of module in 2026/27 and going forwards). The relevant course material will have been covered in Week 2 and 3 so there will be plenty of time for questions and opportunities for clarification at a cohort and individual level. The formative will be marked in week 6 and 7 and individual feedback will be provided at the beginning of Week 8. There will be a general cohort level feedback session in Week 10 lecture and general written feedback will also be made available on the Moodle page.

Further advice will be provided by request during the convenor's office hours.

[Past exam papers for LA391](#)

Availability

Courses

This module is Optional for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
 - Year 3 of ML34 Law and Sociology (Qualifying Degree)
 - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- UIBA-MN34 Law and Business Four Year (Qualifying Degree)
 - Year 2 of MN34 Law and Business Studies Four Year (Qualifying Degree)
 - Year 3 of MN34 Law and Business Studies Four Year (Qualifying Degree)
 - Year 4 of MN34 Law and Business Studies Four Year (Qualifying Degree)
- ULAA-M300 Undergraduate Law
 - Year 2 of M300 Law
 - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
 - Year 2 of M105 Law (3 year) (Qualifying Degree)
 - Year 2 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M301 Undergraduate Law (4 Year)
 - Year 2 of M301 Law (4 year)
 - Year 3 of M301 Law (4 year)
 - Year 4 of M301 Law (4 year)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
 - Year 2 of M106 Law (4 year) (Qualifying Degree)
 - Year 3 of M106 Law (4 year) (Qualifying Degree)
 - Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M355 Undergraduate Law (European)
 - Year 2 of M355 Law (European) [4 year]
 - Year 4 of M355 Law (European) [4 year]

- ULAA-M107 Undergraduate Law (European) Qualifying Degree
 - Year 2 of M107 Law (European) (Qualifying Degree)
 - Year 4 of M107 Law (European) (Qualifying Degree)
- ULAA-M104 Undergraduate Law (Year Abroad)
 - Year 2 of M104 Law (Year Abroad)
 - Year 4 of M104 Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- UIBA-MN31 Undergraduate Law and Business Studies
 - Year 2 of MN31 Law and Business Studies (Three-Year)
 - Year 3 of MN31 Law and Business Studies (Three-Year)
- ULAA-ML33 Undergraduate Law and Sociology
 - Year 3 of ML33 Law and Sociology
 - Year 4 of ML33 Law and Sociology
- ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
 - Year 2 of M10A Law with French Law (Qualifying Degree)
 - Year 4 of M10A Law with French Law (Qualifying Degree)
- ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
 - Year 2 of M10C Law with German Law (Qualifying Degree)
 - Year 4 of M10C Law with German Law (Qualifying Degree)
- ULAA-M110 Undergraduate Law with Humanities (3 Year)
 - Year 2 of M110 Law with Humanities (3 year)
 - Year 3 of M110 Law with Humanities (3 year)
- ULAA-M111 Undergraduate Law with Humanities (3 Year) (Qualifying Degree)
 - Year 2 of M111 Law with Humanities (3 year) (Qualifying Degree)
 - Year 3 of M111 Law with Humanities (3 year) (Qualifying Degree)
- ULAA-M112 Undergraduate Law with Humanities (4 Year)
 - Year 2 of M112 Law with Humanities (4 year)
 - Year 3 of M112 Law with Humanities (4 year)
 - Year 4 of M112 Law with Humanities (4 year)
- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
 - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
 - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
 - Year 4 of M113 Law with Humanities (4 year) (Qualifying Degree)
- ULAA-M114 Undergraduate Law with Social Sciences (3 Year)
 - Year 2 of M114 Law with Social Sciences (3 year)
 - Year 3 of M114 Law with Social Sciences (3 year)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
- ULAA-M116 Undergraduate Law with Social Sciences (4 Year)

- Year 2 of M116 Law with Social Sciences (4 year)
- Year 3 of M116 Law with Social Sciences (4 year)
- Year 4 of M116 Law with Social Sciences (4 year)
- ULAA-M117 Undergraduate Law with Social Sciences (4 Year) (Qualifying Degree)
 - Year 2 of M117 Law with Social Sciences (4 year) (Qualifying Degree)
 - Year 3 of M117 Law with Social Sciences (4 year) (Qualifying Degree)
 - Year 4 of M117 Law with Social Sciences (4 year) (Qualifying Degree)
- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law