

Data Protection Ireland

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Headlines

- Latest GDPR / UK GDPR fines, p.18
- First mass action lawsuit in Ireland filed, p.19
- Data (Use and Access) Act now in force in the UK, p.20

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DPC making substantial use of supervision powers, latest Report shows

The Data Protection Commission has released its [2024 Annual Report](#) (‘the Report’), the first since Data Protection Commissioners, Dr Des Hogan and Dale Sunderland, took office in February 2024.

In the Report, the DPC champions an “open and communicative approach” to supporting compliance with the GDPR. The Report clearly shows that the DPC’s Supervision and Enforcement function is in frequent use, regularly engaging with controllers whose main establishment is in Ireland to miti-

gate potential data protection risks and harms to individuals. However, the DPC is clear that proactive engagement does not give “carte blanche or advance approval of plans to any organisation”.

According to Áine Quirke, Principal at Mason Hayes & Curran, “2024 was another busy year for the DPC and the activities on AI, children and specific sectors will be sure to keep the new Commissioners busy. It is clear the DPC will use supervision engagements to intervene and improve outcomes for data subjects

before data processing commences.

“When necessary, it can be quick to use its substantial investigation and enforcement powers including on-site visits and an application to the High Court to prohibit processing”.

The Report highlights that the DPC is placing significant focus on AI, biometrics, and health data security, reflecting enforcement priorities that are emerging across Europe.

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Biometric data use requires robust justification, DPC enforcement shows

The Data Protection Commission has [fined](#) the Department of Social Protection €550,000 over its use of facial matching technology in the ‘SAFE 2’ Public Services Card registration process.

The DPC’s inquiry, which began in July 2021, scrutinised the scale and legality of biometric data processing — namely, facial templates — collected from over 70% of the Irish population as a precondition for accessing welfare and other public services.

The DPC determined that the DSP breached several key provisions of the GDPR.

Specifically, it found infringements of Articles 5(1)(a), 6(1), and 9(1) due to the absence of a valid lawful basis for collecting and processing biometric data.

The DPC also found a violation of Article 5(1)(e) due to the ongoing retention of facial templates despite the lack of legal justification.

The DPC highlighted transparency shortcomings (Articles 13(1)(c) and 13(2)(a)), alongside deficiencies in the Data Protection Impact Assessment (‘DPIA’) under Articles 35(7)(b) and (c).

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