

Data Protection Ireland

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- White House unveils ambitious AI action plan; China makes its own plans, p.19
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Supreme Court judgment makes GDPR damages claims quicker/easier

The Irish Supreme Court has made a decision (in [Dillon v Irish Life](#) [2025] IESC 37) that effectively sweeps away a procedural barrier to GDPR distress claims, making it easier to bring them to court. As a result of the ruling, even short-lived or minor distress claims can be compensable.

Specifically, the Supreme Court has ruled that 'distress-only' GDPR claims do not constitute 'personal injury' actions under the Civil Liability Act 1961, and therefore require no Personal Injuries Resolution Board ('PIRB') authorisation. Until now, the authorisa-

tion has been needed.

The appeal came to the Supreme Court after the High Court and Circuit Court decided that a claim under Article 82 of the GDPR and Section 117 of the Data Protection Act 2018 — for distress, upset, and anxiety resulting from a personal data breach, when no psychiatric injury was alleged — was a personal injury claim within the meaning of the Civil Liability Act 1961. On that basis, the claim required prior authorisation from the PIRB under the Personal Injuries Assessment Board Act 2003.

The Supreme Court disagreed with both lower courts.

By removing the PIRB authorisation from the process, the decision should make GDPR actions faster and cheaper to resolve. This effect is compounded by the impact of section 77 of the Courts and Civil (Miscellaneous Provisions) Act 2023, which extended the District Court's jurisdiction to hear data protection actions since January 2024. The change means lower awards and litigation costs than when such

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DPC's adult safeguarding toolkit addresses harmful over-caution in data sharing

The Data Protection Commission has launched an [Adult Safeguarding Toolkit](#) as part of its regulatory priority to protect vulnerable groups, a focus set out in its Regulatory Strategy 2022–2027.

The toolkit reflects growing recognition that adults who may be at risk, such as those with cognitive impairments, those living in care settings, or people experiencing coercion or abuse, require special

consideration when their personal data are being handled.

A key driver for the launch was the pattern that emerged after the introduction of the GDPR, where many organisations, particularly in the health and social care sectors, became overly cautious about sharing data. This created what has been described as a "paralysis" in data sharing, where

information was withheld even when it was legally permissible and in the best interests of the individual.

In practice, this has had serious consequences — for example when residential care centres have not received essential information about new residents.

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