

COURSE OUTLINE		
TERM: Fall 2023	COURSE NO: LAW 375	
INSTRUCTOR:	COURSE TITLE: Data Protection & Cyber Security Law	
OFFICE: LOCAL: E-MAIL: @capilanou.ca	SECTION NO(S):	CREDITS: 3.0
OFFICE HOURS:		
COURSE WEBSITE:		

Capilano University acknowledges with respect the Liłwat7úl (Lil'wat), x^wməθk^wəyəm (Musqueam), shíshálh (Sechelt), Sḵw̓xwú7mesh (Squamish), and Səlílwətaʔ/Selilwitulh (Tsleil-Waututh) people on whose territories our campuses are located.

COURSE FORMAT

Three hours of class time, plus an additional hour delivered through on-line or other activities for a 15-week semester, which includes two weeks for final exams.

COURSE PREREQUISITES

LAW 101, LAW 110, LAW 210 and LAW 200 or LAW 300, OR 45 credits of 100-level or higher coursework

CALENDAR DESCRIPTION

This course focusses on the exploration of the critical privacy and cybersecurity risks faced by individuals and organizations in today's technologically dominated world. This course will appraise students with the legislative, policy and regulatory efforts to identify and deal with the true magnitude of cyber and privacy risks people face. Students will be appraised with strategies and use cases and compliance essentials to deal with these threats. Students will also closely examine the regulatory framework or lack thereof at all levels of government both domestically and internationally and the impact on human rights as well as social and international affairs.

REQUIRED TEXTS AND/OR RESOURCES

Allen Charles Raul, *The Privacy, Data Protection and Cybersecurity Law Review*, 6th ed, (London: The Law Business Research Ltd., 2019).

COURSE STUDENT LEARNING OUTCOMES

On successful completion of this course, students will be able to do the following:

1. Explain the issues and concerns underlying big data and privacy of the individual
2. Explain the privacy and data breach issues and risks faced by individuals and industries in the modern economy.

3. Identify the various privacy and data protection laws and regulations at a Federal, Provincial and global level.
4. Analyze, compare and contrast cases involving data and privacy breaches.
5. Conduct research into the laws applied to various scenarios in business sectors including employment, health, finance and telecommunications, among others.
6. Critique and engage in debate in the effectiveness of the various implemented levels of organizational data security from a legal perspective.

COURSE CONTENT

WEEK	CONTENT
1	INTRODUCTION Big Data in the new economy What is it? How is it harvested? How is it monetized? How is it used? Data Volumes and Uses (i.e. Data Mining)
2	UNDERSTANDING THE DATA PRIVACY IMPERATIVE <ul style="list-style-type: none"> • What is the risk of underregulated surveillance? • Does it matter that your information is not really anonymous? • Is your location data safely guarded? How is sensitive information transferred or leaked? Increasing Threat of Data Breaches and Loss
3	DATA REGULATIONS – CANADA FEDERAL <i>PIPEDA</i> Does Transfer of personal information require consent? <i>PIPEDA</i> Case Summary #2005-313, <i>PIPEDA</i> Case Summary #2008-393 OPC Processing Personal Data Across Borders Guidelines, January 2009 (OPC Cross Border Guideline) Interpretation and consultation guidelines
4	DATA REGULATIONS – CANADA FEDERAL Canada's Digital Charter – Introduction 10 Principles Implications for <i>Competition Act</i> , Canada's anti-spam legislation (<i>CASL</i>), <i>Telecommunications Act</i> , <i>Broadcasting Act</i> and <i>Radiocommunication Act</i> . Access Now

5	DATA REGULATIONS – BC <i>Personal Information Protection Act</i> <i>Freedom of Information and Protection of Privacy Act</i> <i>OPC Findings: #2019-001: Equifax</i>
6	DATA REGULATIONS – GLOBALLY <i>GDPR – Generally</i> <i>US Privacy Act</i> <i>The California Consumer Privacy Act</i> <i>Todd Murphy et al. v Walgreen</i>
7	MIDTERM EXAM
8	DATA RIGHTS AS HUMAN RIGHTS? <i>International Bill of Human Rights</i>
9	GDPR Compliance Essentials
10	DATA PROTECTION AND PRIVACY REQUIREMENTS – Employees Vicarious Liability <i>Ari v Insurance Corporation of British Columbia, 2015 BCCA 468</i> <i>WM Morrison Supermarkets Plc v Various Claimants, [2018] EWCA Civ 2339 (22 October 2018)</i>
11	DATA STRATEGY INTRODUCTION Defining Requirements for Data Privacy at Scale Fostering Collaboration among key Stakeholders Managing Different Regulations & Geographies
12	EXPLORING DATA PRIVACY USE CASES
13	KEY CONSIDERATIONS TO SUCCESSFUL IMPLEMENTATION OF A DATA PRIVACY SOLUTION
14-15	FINAL EXAM PERIOD: Final Exam

EVALUATION PROFILE

Midterm Exam	25 – 35%
Final Exam	25 – 35%
Written Assignment	25 – 30%
Participation in class discussions or group activities*	<u>0 – 10%</u>
TOTAL:	100%

***Participation**

Participation is allocated to the consistency, quality, and frequency of contributions to the online discussion forums. Consistency means actively contributing to discussions on a regular basis. Quality means demonstrating respect for peers and their contributions and participating in all activities with an open and inquisitive mind.

GRADING PROFILE

A+ = 90-100	B+ = 77-79	C+ = 67-69	D = 50-59
A = 85-89	B = 73-76	C = 63-66	F = 0-49
A- = 80-84	B- = 70-72	C- = 60-62	

Incomplete Grades

Grades of Incomplete "I" are assigned only in exceptional circumstances when a student requests extra time to complete their coursework. Such agreements are made only at the request of the student, who is responsible to determine from the instructor the outstanding requirements of the course.

Late Assignments

Assignments are due at the beginning of the class on the due date listed. If you anticipate handing in an assignment late, please consult with your instructor beforehand.

Missed Exams/Quizzes/Labs etc.

Make-up exams, quizzes and/or tests are given at the discretion of the instructor. They are generally given only in medical emergencies or severe personal crises. Some missed labs or other activities may not be able to be accommodated. Please consult with your instructor.

*** Accommodations can be made to honour community needs and traditional practices.

Attendance

Students are expected to attend all classes and associated activities.

English Usage

Students are expected to proofread all written work for any grammatical, spelling and stylistic errors. Instructors may deduct marks for incorrect grammar and spelling in written assignments.

Electronic Devices

Students may use electronic devices during class for note taking only.

On-line Communication

Outside of the classroom, instructors will (if necessary) communicate with students using either their official Capilano University email or eLearn; please check both regularly. Official communication between Capilano University and students is delivered to students' Capilano University email addresses only.

UNIVERSITY OPERATIONAL DETAILS

Tools for Success

Many services are available to support student success for Capilano University students. A central navigation point for all services can be found at: <https://www.capilanou.ca/student-services/>

Capilano University Security: download the [CapU Mobile Safety App](#)

Policy Statement (S2009-06)

Capilano University has policies on Academic Appeals (including appeal of final grade), Student Conduct, Academic Integrity, Academic Probation and other educational issues. These and other policies are available on the University website.

Academic Integrity (S2017-05)

Any instance of academic dishonesty or breach of the standards of academic integrity is serious and students will be held accountable for their actions, whether acting alone or in a group. See policy and procedures S2017-05 Academic Integrity for more information:

<https://www.capilanou.ca/about-capu/governance/policies/>

Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances, are prohibited and will be handled in accordance with the Student Academic Integrity Procedures.

Academic dishonesty is any act that breaches one or more of the principles of academic integrity. Acts of academic dishonesty may include but are not limited to the following types:

Cheating: Using or providing unauthorized aids, assistance or materials while preparing or completing assessments, or when completing practical work (in clinical, practicum, or lab settings), including but not limited to the following:

- Copying or attempting to copy the work of another during an assessment;
- Communicating work to another student during an examination;
- Using unauthorized aids, notes, or electronic devices or means during an examination;
- Unauthorized possession of an assessment or answer key; and/or,
- Submitting of a substantially similar assessment by two or more students, except in the case where such submission is specifically authorized by the instructor.

Fraud: Creation or use of falsified documents.

Misuse or misrepresentation of sources: Presenting source material in such a way as to distort its original purpose or implication(s); misattributing words, ideas, etc. to someone other than the original source; misrepresenting or manipulating research findings or data; and/or suppressing aspects of findings or data in order to present conclusions in a light other than the research, taken as a whole, would support.

Plagiarism: Presenting or submitting, as one's own work, the research, words, ideas, artistic imagery, arguments, calculations, illustrations, or diagrams of another person or persons without explicit or accurate citation or credit.

Self-Plagiarism: Submitting one's own work for credit in more than one course without the permission of the instructors, or re-submitting work, in whole or in part, for which credit has already been granted without permission of the instructors.

Prohibited Conduct: The following are examples of other conduct specifically prohibited:

- Taking unauthorized possession of the work of another student (for example, intercepting and removing such work from a photocopier or printer, or collecting the graded work of another student from a stack of papers);
- Falsifying one's own and/or other students' attendance in a course;
- Impersonating or allowing the impersonation of an individual;
- Modifying a graded assessment then submitting it for re-grading; or,
- Assisting or attempting to assist another person to commit any breach of academic integrity.

Sexual Violence and Misconduct

All Members of the University Community have the right to work, teach and study in an environment that is free from all forms of sexual violence and misconduct. Policy B401 defines sexual assault as follows:

Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent, including the threat of sexual contact without consent. Sexual assault can be committed by a stranger, someone known to the survivor or an intimate partner.

Safety and security at the University are a priority and any form of sexual violence and misconduct will not be tolerated or condoned. The University expects all Students and Members of the University Community to abide by all laws and University policies, including B.401 Sexual Violence and Misconduct Policy and B.401.1 Sexual Violence and Misconduct Procedure (found on Policy page <https://www.capilanou.ca/about-capu/governance/policies/>)

Emergencies: Students are expected to familiarise themselves with the emergency policies where appropriate and the emergency procedures posted on the wall of the classroom.