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# EU Personal Data Protection in Policy and Practice



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# Foreword

When we wrote *Privacy on the Ground* several years ago, we did so with the aim of painting a picture of how people charged with protecting privacy and personal data actually do their work and what kinds of regulation, as well as other internal and external forces, effectively shape their behaviour. We compared five countries and discovered that countries with more ambiguous legislation—Germany and the USA—had the strongest privacy management practices, despite very different cultural and legal environments. They embedded privacy into business and risk management practices and built privacy into products, not just into legal texts. The more rule-bound countries—like France and Spain—trended instead towards compliance processes, not embedded privacy practices. Comparing privacy and personal data protection in practice thus revealed best practices, provided guidance to policymakers, and offered important lessons for everyone concerned with privacy and personal data protection.

In many ways, *EU Personal Data Protection in Policy and Practice* is a continuation of our work, as it examines the practical implementation of privacy and data protection practices on the ground. While the countries analysed differ from those that we examined, the findings in this book confirm our previous results regarding the overlapping countries (the UK, Germany and France). Additionally, this book examines several additional countries in Europe such as Ireland, Sweden, Romania, Italy and the Netherlands, enriching our previous results with insights from more countries. Altogether, this provides an interesting cross section of countries from several regions in Europe with differing legal systems, economies and cultural backgrounds, resulting in different approaches towards privacy and personal data protection.

*EU Personal Data Protection in Policy and Practice* is based on a myriad of sources, including consultations with representatives from data protection authorities, civil society and academics that specialize in data protection. Not only are the legal bases for privacy and personal data protection examined in this book, but also the practical implementation of the laws, the enforcement by data protection authorities, the attitudes of the public in response to regulation and the effectiveness of the protection the legislators envisioned. While the approach is distinct from the

in-depth qualitative approach we chose, the combined methods used provide a comprehensive overview of data protection frameworks across the European Union.

This book provides an interesting snapshot of these privacy and personal data protection frameworks and their practical implementation under the EU Data Protection Directive (DPD), with references to the EU General Data Protection Regulation (GDPR), which entered into force in May 2018. As such, *EU Personal Data Protection in Policy and Practice* is a vital resource and an interesting point of comparison for further research and study into the development and implementation of data protection laws and regulations on the ground under the GDPR, especially in Europe, as well as further abroad.

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