

Data Protection in Practice and the Swedish Data Protection Forum

About practitioners assisting organisations and the Swedish Data Protection Forum

Today's practitioner

- Senior Legal Counsel - Data Law Center
- Vice-chairman - Swedish Data Protection Forum

Previously:

- Data Protection Officer – Luleå Municipality
- Associate - Wikström & Partners Advokatbyrå



Agenda

A
EU/Swedish
perspective

Today's
Challenges

A different
Narrative

The Solution

The State of the (European) Union

GDPR came into force 25 May 2018.
Almost 5 years ago.

- In practice not fully implemented – many organisations are in breach with GDPR.
- Many EU-nations implementation (including Sweden) probably not compliant with GDPR.
- Many organisations face severe financial penalties for violating GDPR regulations.
- Slow implementation have made activists enforce their rights.



The State of the (European) Union



On 25 May 2018, GDPR came into force, revolutionizing data privacy rights and protection within the European Union. Five years later:

- Many organisations have made great efforts to comply with GDPR regulations.
- Many professionals have been trained in Privacy to meet high demand.
- Activists have taken advantage of the regulations to enforce their rights.

A lot more to come in the EU

- The EU is drafting new legislation in a high phase
 - Update to E-Privacy Directive -> Regulation
 - AI Act
 - Data Act
 - NIS 2 (just implemented)
 - Digital Services Act
 - Digital Markets Act
 - Etc.



A 2 year cycle (Big GDPR-projects)

2015 Leak of
draft of
GDPR

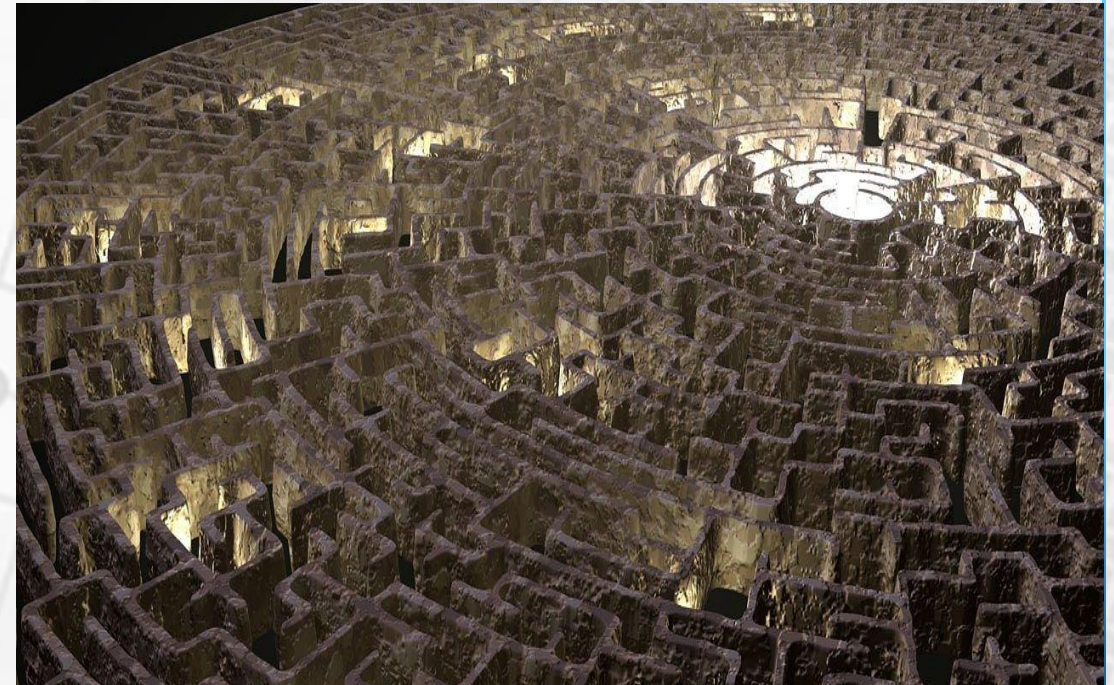
2020
Schrems II

2018
Introduction
of GDPR

2022 Various
(huge)
sanctions

Today's challenges

- Organizations don't know their data processing and it is painful to grasp.
 - Outdated processes
 - Belief more data is better (everyone wants Big data)
- Organisations don't know their obligations and sometimes pay lip-service.
- There is often a view that organizations have to sacrifice efficiency or privacy.
- Legacy systems may not be capable of complying with GDPR.
- Vendor-compliance in general poor.
- Lack of trained personnel.



This Practitioners view

- Surprisingly good compliance
- Best practice constantly evolving
- Regulators finding their voices
- Data Protection starting to be implemented in systems (not just separate routines)
- Tools are being created to solve Data Protection issues
- More and more organisations work with Data Protection continuously



How do we solve the following?

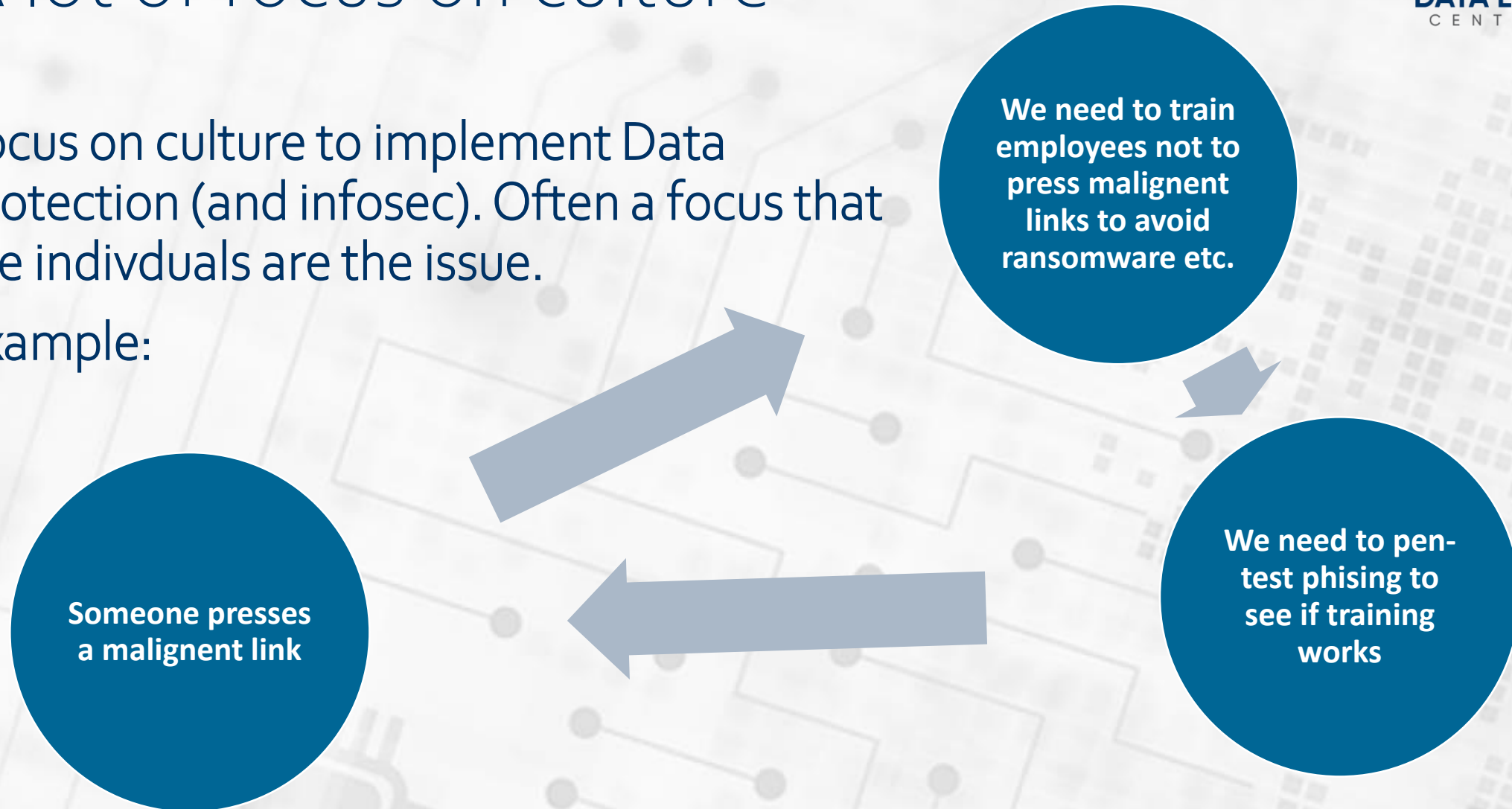
- Organisation don't know where their assets are
- Employees ignore policy "as no one follows them"
- The rules are to complex, so we need to cut some red tape
- "What is the harm, we do it anyway"
- Let's just accept the risk and move on



A lot of focus on culture

Focus on culture to implement Data Protection (and infosec). Often a focus that the individuals are the issue.

Example:



So, what if this was in relation to taxation?

Problem	Effect
Organisation don't know where their assets are	Illegal, Tax fraud
Employees ignore policy "as no one follows them"	Illegal, Corruption
The rules are to complex, so we need to cut some red tape	Illegal, Tax evasion
"What is the harm, we do it anyway"	Illegal, Tax fraud
Let's just accept the risk and move on	Illegal, Tax evasion

And lets look at Data Protection again

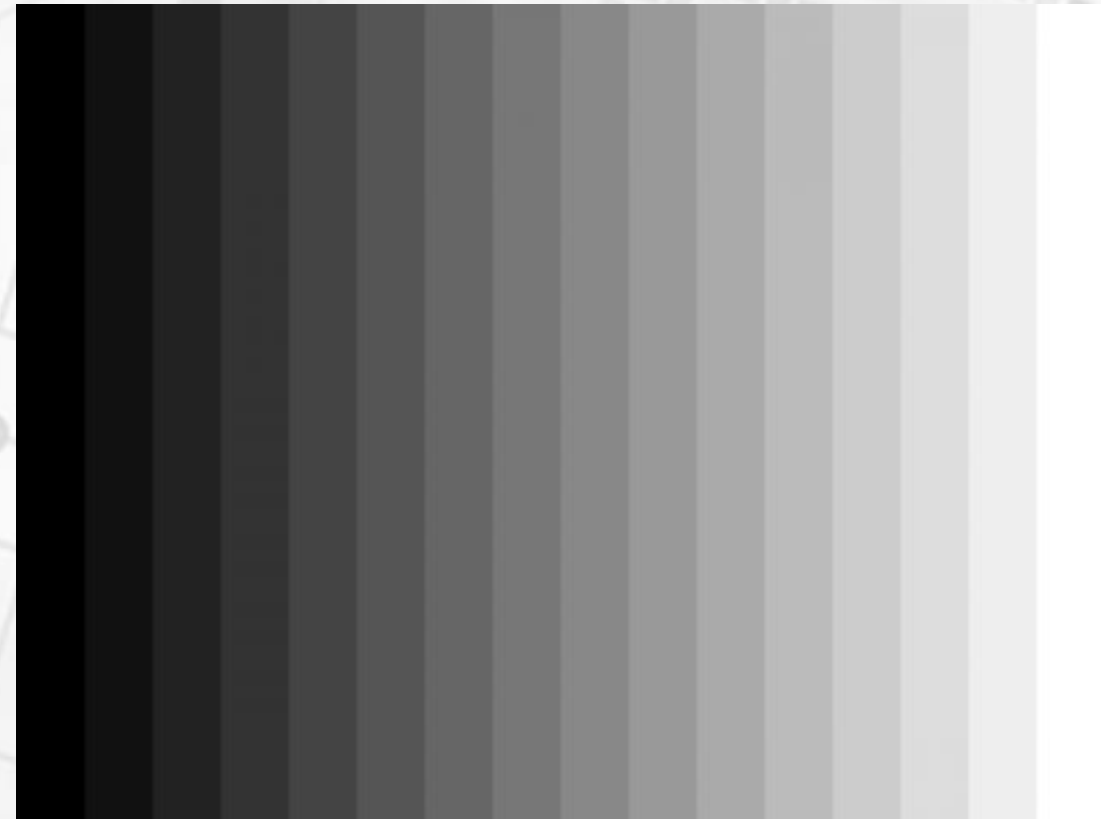
Problem	Effect
Organisation don't know where their assets are	Illegal, breach of core principle
Employees ignore policy "as no one follows them"	Illegal, breach of core principle
The rules are to complex, so we need to cut some red tape	Illegal, breach of core principle
"What is the harm, we do it anyway"	Illegal, breach of core principle
Let's just accept the risk and move on	Illegal, breach of core principle

Approaching non-compliance as a culture-issue

Culture statement	GDPR	Tax
“They need to understand why to follow the rules”	It is a human right – the right of privacy	It is for the state to fund itself and its services to the public
Someone suggests ignoring a rule	Don’t you see that it is in your own interest, what if it was your personal data?	Don’t you see it is in your interest to pay tax or your neighbour might skip paying as well?
Let’s accept the risk, what is the worst that can happen (to the organisation)	The processing of personal data banned. Some jurisdictions potentially jail.	Jail.

How does it affect practitioners – moral injury/fatigue

“Moral injury/fatigue is a cognitive dissonance. It’s when a person’s decisions conflict with their beliefs, ethos, or moral expectations. ”



The Swedish Data Protection Forum – a part of the solution



- Facilitates discussions, meetings and networking between data protection professionals
- Arranges the largest Privacy conference in the Nordics, Nordic Privacy Arena (in Stockholm)
- Responds to requests/consultations from government on national (Swedish) privacy bills etc.



Forum
för
Dataskydd

Swedish Data Protection Forum - Forum för Dataskydd

- A professional network for both data protection experts and others interested in data protection matters

- Non profit organisation
- Founded in 2012
- Board of 11 very qualified professionals
- Office at Grevgatan 34 in Stockholm
- Regional Forum entities
- Roughly 820 individual members
- Company membership



Swedish Data Protection Forum - Forum för Dataskydd

- A professional network for both data protection experts and others interested in data protection matters



We have regional entities in Stockholm, Gothenburg, Malmö, Luleå (North) and Sundsvall (Middle), with roughly 820 members in total.

We offer the following:

- Seminars
- DP Academy
- Knowledge sharing, debates, consultations, newsletters
- Nordic Privacy Arena 25 – 26 September 2023
- And much more!

Membership

- free entrance to interesting seminars,
- discounts on literature, courses, and conferences,
- newsletters, after work networking, webinars, etc.,
- and much more!

We also offer Company membership



Next event

Theme:

Data Protection and Information Security,

Time:

15 December, 9-10.30 (In Swedish)

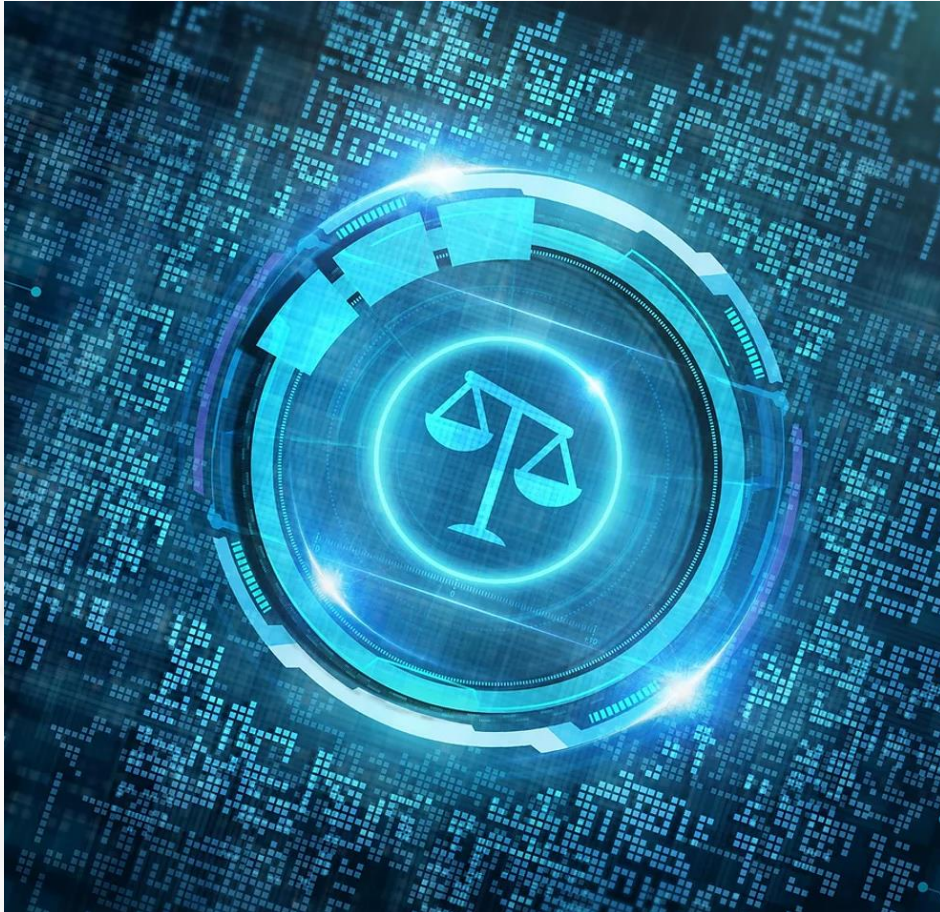
Place:

Digitally, Dpforum.live



Student membership free first year and 200 SEK after

Contact



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