



e-Zine #6

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MIRAD

MIRAD's main goal is to foster expanded collaboration in the field of disengagement and reintegration programmes between governmental bodies and trustworthy community organisations. As project partners worked together to attain this goal, they worked with experts and practitioners during the National Policy Roundtables to determine specific recommendations that could be made to implement EU Directive 2016/680. This Directive provides a comprehensive analysis of the Data Protection Law Enforcement Directive (LED), outlining the scope of its application and proposing essential measures to ensure compliance with data protection regulations. A draft of the Recommendations Paper was presented during the International Policy Roundtable to incorporate a practical outlook in it.



Recommendation Paper on EU Directive 2016/680

EU Directive 2016/680 Recommendation paper

The EU Directive 2016/680 provides a comprehensive analysis of the Data Protection Law Enforcement Directive (LED), outlining the scope of its application and proposing essential measures to ensure compliance with data protection regulations.

The overarching concerns over the protection of personal data in recent years provide significant guidance on how to best protect data subjects' rights and balance them with the legitimate public interests.

Based on LED and GDPR as *lex generalis*, the Recommendation paper outlines various actions that can be implemented at the national and regional levels to achieve full compliance with data protection requirements. These actions are detailed and discussed in the document.

Personal Data

Privacy Rights

**Public Security
Interests**

The Recommendation Paper towards the implementation of EU Directive 2016/680 provides a comprehensive analysis of the Directive, otherwise known as the Data Protection Law Enforcement Directive (LED). It promotes the compliant and effective processing of personal data, including data transfers (inter)nationally towards full respect of suspects, victims, witnesses, and other relevant parties' rights.

The Recommendation Paper primarily focuses on the action of prison and probation officers, judges, magistrates, and policy and decision-making actors. It also incorporated the perspectives received from NGOs/CSOs and researchers and academics.

Recommendation Paper Structure

- Section 1 – provides a comprehensive analysis of the scope of the application of Directive 2016/680.
- Section 2 – includes a practical overview of the most relevant data protection principles considering Directive 2016/680.
- Section 3 – explains competent authorities' obligations under LED.
- Section 4 – provides a holistic integration of the topic of data protection within the realm of MIRAD's action.
- Section 5 – comprises a summary of findings and a practical list of recommendations.
- Section 6 – offers practical schematic guidance on competent authorities' action, namely with regard to the respect for the right to access, right to information and controller obligations under LED and GDPR.

Practical Outlook from Field Experience

- Set up efficient feedback systems for professionals
- Resorting anonymity
- Establishment of ethical and handling codes
- Possibility to request judicial orders
- Creation of trust and multi-agency systems



The Recommendations Paper offers recommendations for policy makers and for competent authorities under LED. These recommendations, if adopted at the national and regional level, can insure full data protection compliance.

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