

ESI Survival Guide Interview with Jonathan Armstrong: Data Transfers Post Brexit

Date : March 12, 2021

Cordery's Jonathan Armstrong was a guest recently on the ESI Survival Guide hosted by Matthew Knouff. Matt is an attorney and eDiscovery professional living and working in New York City.

You can access this broadcast by following the link here: <https://esisurvivalguide.com/video/the-esi-five-with-jonathan-armstrong-of-cordery-uk/>

It's a wide-ranging discussion including on data transfer adequacy decisions, UK data protection, GDPR, tips and tactics for those transferring data and the Schrems litigation. They also discuss Facebook dating, privacy and antitrust, French drones and some slightly off-topic differences between the US & UK too.

This interview was filmed on 4 February 2021. It predates the EU draft adequacy decisions although Jonathan does predict them in this film. There is more information on the adequacy decisions at - [?Draft EU Adequacy Decisions issued for the UK | Cordery \(corderycompliance.com\)](#)

The running order and topics are as follows:

00:00? - ESI Survival Guide introduction & disclaimer

00:48? - Introduction to Jonathan Armstrong

03:45? - The UK-EU Trade & Cooperation Agreement & the politics of a UK adequacy decision

08:18? - What could have happened if a UK adequacy decision was not reached?

11:06? - What are the real differences between GDPR & "UK GDPR"?

16:15? - The process to achieve an adequacy designation from the European Commission

19:26? - How much solace does an adequacy decision give a UK corporation that transfers data?

21:47? - The "double hop" & the heightened stakes of the cross-border eDiscovery conundrum

26:47? - Binding Corporate Rules & Standard Contractual Clauses post Brexit & double due diligence

34:29? - Using Standard Contractual Clauses post Brexit in more depth

37:49? - Government surveillance, the "Data Wars" and the antitrust underpinnings of privacy

46:35? - ICO enforcement of data protection law compared to EU member state enforcement

51:19? - Appeals, reductions & the inconsistent nature of fines under the GDPR

56:01? - The state of co-regulatory models of privacy protection

58:38? - Jonathan's post-Brexit survival kit

1:03:53? - Our discussion of The Great British Baking Show and some parting trivia

1:06:21? - Outro

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