PRESENTER



Michael Wigley, Wigley and Company, Wellington

Michael has considerable experience over 15 years in advising on cybersecurity and privacy issues faced by companies, their directors, and the public sector.

The statements and conclusions contained in this paper are those of the author(s) only and not those of the New Zealand Law Society. This booklet has been prepared for the purpose of a Continuing Legal Education course. It is not intended to be a comprehensive statement of the law or practice, and should not be relied upon as such. If advice on the law is required, it should be sought on a formal, professional basis.

CONTENTS

PANAMA PAPERS 101 FOR EMPLOYMENT LAWYERS	1
THE PROBLEM FOR LAW FIRMS	1
About this Paper	1
PANAMA PAPERS – IT COULD HAPPEN TO YOU	2
INTERNATIONAL EXPERIENCE	
LAW FIRMS OFTEN HAVE WEAK CYBERSECURITY	3
WHAT THE BIG CORPORATES ARE DOING ABOUT THIS RISK WITH THEIR LAW FIRMS	3
TEAMWORK	
WHAT CYBERSECURITY FAILURE LED TO THE MOSSACK FONSECA BREACH?	4
LEGAL STANDARD OF CARE REQUIRED OF LAW FIRMS AS TO CYBERSECURITY	
WHAT IS REQUIRED FOR A "REASONABLE" STANDARD?	7
OUR CLIENTS HAVE LEGAL RESPONSIBILITY TOO AS TO THEIR INFORMATION HELD BY	
THEIR LAW FIRMS	7
TEAMWORK AND THINKING LIKE A PIRATE, NOT A NAVY CAPTAIN	
PLANNING FOR A CYBER BREACH	
THE COST OF INACTION AND THIRD-PARTY CYBERSECURITY RISK	
APPENDIX: WHAT FOOT AND MOUTH CAN TEACH US ABOUT CYBERSECURITY	
Overview	
The detail	
Why is Foot and Mouth relevant to cyber security?	
What standard of care must a company exercise to avoid negligence liability?	
What this means in practice	12