

BLG Cybersecurity and Cyber Risk Management Services



Cyber risk management is an increasingly important challenge for organizations of all sizes and kinds. Commentators have said that there are only two kinds of organizations – those that have been hacked and know it, and those that have been hacked and don't know it yet.

BLG has one of the most talented and experienced cybersecurity legal teams in Canada. BLG lawyers have extensive expertise and experience regarding cyber risk management and crisis management legal services, and a proven ability to successfully prosecute and defend complex cyber litigation (including class actions).

Cyber Risk Management Program

Effective cyber risk management should be based on a comprehensive cyber risk management program involving the identification, assessment and prioritization of cyber risks and the selection of suitable risk treatments for identified risks.

BLG can assist with the development and implementation of a cyber risk management program by providing advice regarding legal requirements and regulatory guidance, helping conduct audits and privileged assessments, advising regarding risk treatments, and drafting/reviewing program documents.

Incident Response Plans

Effective cyber risk management requires pre-determined, written incident response plans (including various protocols and guidelines) for the rapid, lawful and effective response to various kinds of cybersecurity incidents.

BLG can assist with the development of incident response plans by providing advice regarding legal requirements and regulatory guidance and drafting/reviewing incident response plans and related documents (including protocols and guidelines for communications, record keeping, evidence collection, risk assessments, notification/information sharing and post-incident review).

Test, Train and Exercise Program

Effective cyber risk management requires a testing, training and exercise ("TTX") program to help ensure that incident response plans are up-to-date and relevant personnel and information technology systems are in a state of readiness.

BLG can assist with the design and execution of a TTX program by providing advice regarding legal requirements and regulatory guidance, drafting/reviewing TTX program documents, participating in TTX program activities (e.g. table-top exercises) and providing privileged assessments and advice.

Practices/Procedures and Education/Training

Effective cyber risk management requires practices and procedures for the use of information technology systems and information and ongoing education and training of relevant personnel (including directors and senior management).

BLG can assist with cyber risk management practices/procedures and education/training by providing advice regarding legal requirements and regulatory guidance (including advice regarding privacy, hiring/engagement/on-boarding of personnel and monitoring/enforcing compliance), drafting/reviewing policies and procedures, assisting with education/training and providing advice regarding monitoring, verifying and enforcing compliance.

Business Partner Risk Management

Effective cyber risk management requires that cyber risks be addressed in contracts with business partners (e.g. vendors, suppliers, service providers and subcontractors), especially for business arrangements involving transfers of regulated information (e.g. personal information) to business partners, including in connection with the use of cloud services and other outsourcing arrangements.

BLG can assist with business partner risk management by providing advice regarding legal requirements and regulatory guidance, preparing due diligence checklists, drafting/reviewing standard form procurement documents and standard form contract schedules, drafting and negotiating contracts with business partners, drafting/reviewing internal policies and procedures and assisting with monitoring and verifying business partner compliance with contractual requirements.

Board and Senior Management Advice

Cyber risk management is a C-suite issue. Directors and officers are responsible for ensuring that their corporation/organization properly manages cyber risks and effectively responds to cyber incidents.

BLG can help educate and advise directors and senior management so that they are able to fulfil their legal duties and establish an appropriate due diligence and business judgment record.

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For more information, please see [blg.com/cybersecurity](https://www.blg.com/cybersecurity).

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