

# **Cyber Security, Privacy and Data Protection**

Capability profile and contact card

October 2024



**Thank you for the opportunity to provide an overview of our cyber security, privacy and data protection team and capability.**

**We value working closely with our clients in an area of increasing importance and risk in all sectors and all dimensions of business.**

NRF brings deep expertise in cyber security, privacy, data protection and emerging technology to support your goals. Our team specialises in tailored solutions that address evolving risks, ensuring that your business remains resilient and compliant in today's dynamic digital landscape.

From securing business assets and critical infrastructure to safeguarding privacy, confidentiality and privilege, we offer comprehensive services designed to protect your operations and build trust with your stakeholders.

**We look forward to collaborating with you to strengthen your incident response, security posture, data governance and empower your business to thrive in a rapidly changing digital environment.**



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# Our practice

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*Our cyber and data breach experts provide immediate support and **privileged legal advice** to our clients in times of crisis and uncertainty. This is because waiting for confirmation of a data breach or cyber incident is no longer defensible nor viable for any organisation in any sector.*

*All stages of **suspected and actual data breaches**, require legal assessment and support as well as risk management, response and recovery.*

*Our lawyers bring a unique blend of market-leading expertise, **experienced regulatory engagement** and deep knowledge of the cyber and digital assets sector, to ensure clients are fully supported.*

# Cyber Security, Privacy and Data Services

We support clients with full service and unrivalled cyber sector expertise

## GOVERN

We are a **trusted advisor** to boards on cyber security and data protection issues and 'on-call' during a breach. Advising on cyber security, technology and data protection director's duties, 'reasonable steps' and avoiding 'cyber-washing'.

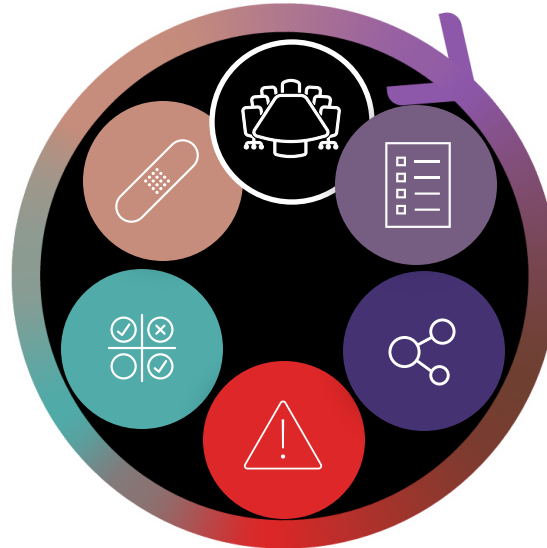
## RECOVER

We support clients with recovery and flow-on activities from a data breach including:

- responding to regulatory investigations
- class actions (customers, shareholders)
- litigation and disputes (IT and other suppliers)
- remediation and lessons learned

## ASSURANCE

- We provide incident response simulation and training ('tabletop' exercises)
- We provide legally privileged advice and oversight in Data Breach and Cyber Security Assessment activities including:
  - privacy impact assessments
  - support during cyber security maturity assessments
  - penetration and compromise assessments and red teaming
  - ransomware readiness assessments and disaster recovery tests



## PROTECT AND RESPOND

### Incident response and supply chain incident response

- 24/7 security breach response, governance and response management including privilege management
- Regulatory notification strategy and management
- C-Suite briefing and management
- Review of impacted systems and data
- Crisis communication support
- Business continuity, recovery and remediation advice

## PREPARATION

- **Security strategy** development and support
- **Incident Response Planning** including attracting and preserving privilege, ransom planning, disaster recovery and reporting planning, SOC integration
- **Regulatory mapping** identifying security regulatory obligations and update policies, processes, templates (SOCl, APRA, ASIC, OAIC, and global equivalents)
- **SOCl** critical Infrastructure regulatory compliance (annual CRIMP preparation)

## IMPLEMENTATION & SECTOR

- **Privacy Reform:** we advise on navigating privacy reform and interacting with international data protection regimes, through data governance, policy and procedure review and enterprise-wide training
- **Supply Chain:** we advise on strengthening procurement and Supply Chain Security SOP (templates, playbooks, clause banks, training)
- **Uplift:** we advise on data transfers between group companies, in shared services environments, as well as commercialisation and security strategy, policy and procedure uplift (working with CISO and CIO)
- **Cyber Transactions:** we provide specialist advice and negotiation support when procuring security technology and services, outsourcing technology, and security services
- **M&A:** we lead cyber M&A transactions with specialist sector knowledge including specialist, data and cyber risk and liability review of PE & VC portfolio companies



# Our expertise

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# Relevant experience: Cyber Security, Data Protection and Privacy

## Security

We have advised Commonwealth and State Government, multinational corporations, and ASX listed companies on security strategy, security legal obligations and compliance, security risk assessments, and analysis of organisational cyber maturity against regulatory and case-law standards.

We have advised Commonwealth Government agencies as they responded to adverse findings from the Australian National Audit Office on security issues across their organisations.

## Critical Infrastructure and SOCI

We supported critical infrastructure clients with their implementation of security controls to meet the requirements of the *Security of Critical Infrastructure Act 2018* (Cth) and associated regulations. This has included risk assessments, regulatory and compliance mapping, mitigation and control identification, uplift of internal processes and procedures, procurement documents, contract templates and guidance.

We have also worked closely with Chief Information Security Officer (CISO) and Chief Information Officer (CIO) teams to translate technical controls into commercial, legal, operational and technical requirements and documents, and to negotiate and engage specialist technical and security providers.

## Supply Chain and Procurement

We have supported clients with the development of Standard Operating Procedures for Security, creating organisation wide governance documents to manage the implementation of the security policy (including Cth Government Protective Security Policy Framework (PSPF), the Information Security Manual (ISM)), client specific security policies and ANAO and other industry regulator best practice recommendations around security. Our SOP includes a risk-based methodology for procurement of third-party products and services and through-life management of security issues.

We have developed clausebanks with options based on the security risk of the procurement and third party, security clause decision trees for common procurement types, template security SLAs, negotiation guidance and fall backs, with accompanying training for legal and procurement teams.

## Data governance, protection and Privacy

We support clients with all aspects of data governance, data protection and privacy advice. Our support to clients has included assessment of data holdings and data risk, development of data breach response plans, data retention policies and procedures, and privacy impact assessments.

We have assisted Commonwealth, State Governments, and national and multinational organisations to understand, protect and defend their data and personal information holdings, and to respond to data incidents including cyber-attacks.

## Incident Response

We have provided support to clients in relation to all types of security breaches, including data spills and major cybersecurity attacks. Our incident response experience includes executive level incident coaching and support, supporting regulatory reporting and compliance under the *Privacy Act 1988* (Cth), *Security of Critical Infrastructure Act 2018* (Cth), *Corporations Act 2001* (Cth), various prudential standards including CPS 234 and CPS 230, management of required notifications to impacted individuals and other entities, and flow on support for resulting investigations and claims.

## Cyber Maturity

We have supported multiple clients including Commonwealth Government agencies, government owned infrastructure (and System of National Significance – SONS) entities, ASX listed companies, national cloud providers and other organisations to uplift their security strategies and reconcile policies and procedures with ISO and other certifications. This has included uplifting procurement processes and policies, drafting commercial contract templates and procurement documents for cybersecurity, APRA, SOCI obligations.

We also trained executives, legal, procurement, contract management and business areas in developed materials and processes.

We provide a diverse range of cyber maturity support including security risk assessments, security policies, procedures and governance arrangements.



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