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# **Data and Cyber Crisis – how to manage a crisis and reduce loss**

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# Introduction cyber risks



# Most commonly reported types of economic crime from PwC



# The causes and consequences of cybercrime committed by insiders\* from PwC



\* A current or former employee, service provider, authorized user of internal systems, or contractor



# Personal Data Collection in **New Zealand**

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## **Who is collection data for you? Who is storing data for you?**

Phone enquiries – complaints and change of details

Council websites – cookies

Application forms – dog registration to a building application

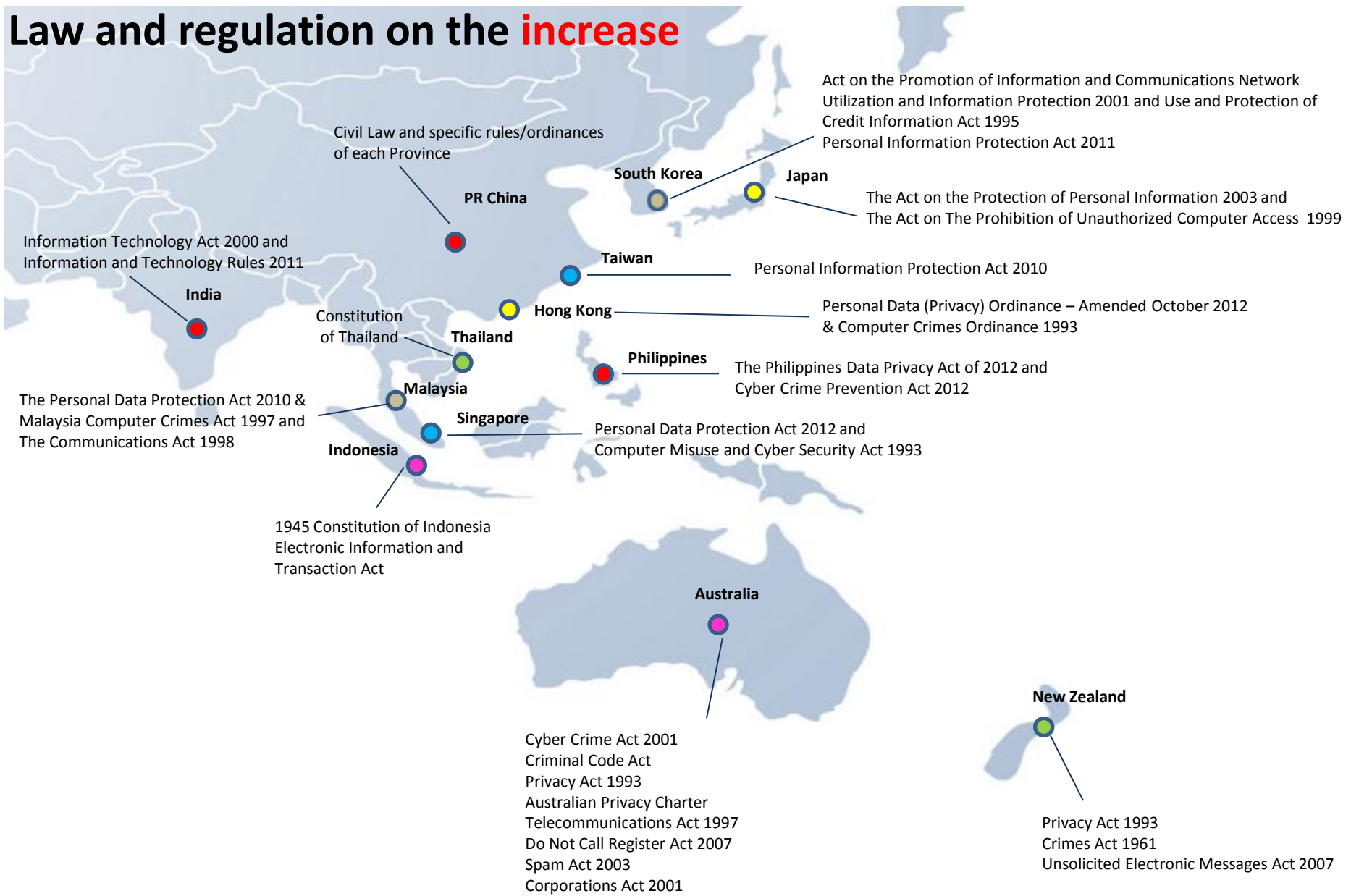
Elections forms


Surveys of land and reports

## **How valuable is your system?**

What criminals want – name, DOB, bank card number

# Law and regulation on the **increase**



A close-up photograph of a person's hand holding a dark pen, with their fingers resting on the pen. The person is wearing a white shirt. The background is a soft, out-of-focus grey. A white horizontal bar is positioned above the text.

# Connecting the Dots - recent cyber loss examples



## In the Media

The Fire Service says a "lapse of judgement" by two staff members caused it to lose \$52,000 in a scam last month

Finance boss at Te Wananga o Aotearoa falls for 'whaling' scam

Kiwi finance bosses have fallen for 'spoofed' emails from bosses, MPA believes

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## Claims examples

### Losing a memory stick

Client data

Employment related issues

### Denial of Access

Business interruption

Reputation loss

### Extortion

Payment

Forensic analysis



**Legal Obligations in the  
event of a cyber crime**

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# Data collection and privacy laws

## Now

12 privacy principles  
Damages up to \$200,000  
Costs awards  
Guidelines – recommend self reporting  
Self administration

Connect Smart – a government initiative including “the ORB”



## 2016

12 privacy principles  
Damages increased  
Court costs  
Compliance notice power  
Mandatory reporting  
'Naming and Shaming' register

Regulatory cyber body?

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## Internal vs External

### Harmful Digital Communications Act 2015

- New criminal offence for worst offenders: “causing harm by posting digital communication” (s22)
- Requires:
  - **Intention** to cause harm.
  - Also an **objective** test (“ordinary reasonable person in the position of the victim”).
  - Communication must have **actually** caused harm.
- Maximum penalties:
  - Individual: imprisonment for up to 2 years or \$50,000 fine.
  - Corporate: \$200,000 fine.

### Companies Act 1993

### Local Government Act 2002

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## Laws to use as a shield or a sword

### Unsolicited Electronic Messages Act 2007

### Crimes Act 1961

S 249 - Accessing computer system for dishonest purpose

S 250 - Damaging or interfering with computer system

S 251 - Making, selling, or distributing or possessing software for committing crime

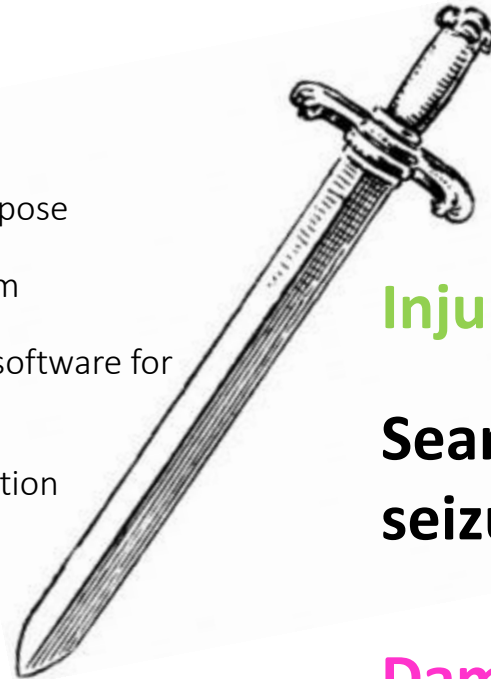
S252 - Accessing computer system without authorisation

### Privacy Act 1993

### Employment laws

### Payment Card Industry Data Security Standard

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Injunctions

Search and  
seizure orders

Damages

A close-up photograph of a man in a dark suit and a blue striped tie. He is holding a pen in his right hand and gesturing with his left hand. The background is blurred. A white horizontal bar is positioned above the text.

What **steps** can you take or do you take?

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## Mitigation Options

Your IT systems and equipment

Your IT department

**Contracts** with service providers / contractors

Contracts with employees

In-house procedures and manuals

**Insurance**

Paper - less





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# Mitigation Options

## Crisis team

- Public Relations
- Computer Forensics
- Data storage
- Lawyers and accountants

What do you have in place?

24 hours?

World wide?

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**Ask a question!**

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