



HERBERT SMITH FREEHILLS DEVELOPS IN-HOUSE DATA BREACH SOFTWARE

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Firm news

Herbert Smith Freehills has developed its own software to help clients respond to data leaks quickly and reduce the financial impact of a cyber-attack.

The new software, built and developed in-house by lawyers at the firm, automatically analyses the leaked data to help identify what types of personal data have been breached.

Under the new General Data Protection Regulation (GDPR) rules in Europe and other international regulatory regimes, when a client finds itself victim to a data breach they have to firstly assess the risk to the individuals to determine - not only whether they need to notify the relevant data privacy regulator of the attack - but also whether it is necessary to inform the individuals to whom the data relates (the data subjects). This requires an understanding of what data has been compromised and what a malicious actor could do with it.

Leaked data falls into two categories, either structured data (for example, a customer database that has a defined format) or unstructured data (for example, email accounts or documents on a document management system). The conventional approach by many firms faced with a data breach of unstructured data is to engage in a manual review of the content of the documents to identify the type of personal data that has been leaked, and who the data subjects are. This can be a long and costly process, especially where large volumes of data are implicated.

Herbert Smith Freehills' new software identifies personal data such as email addresses and credit card numbers, and assists in linking the information back to the data subject. It can also help to pinpoint documents that contain the most personal data and then to produce an automatic distribution list, so the client can notify the individuals - saving them time and money. The software can also give an indication of where the individuals are located, which can assist in understanding which international regulatory regimes will apply.

Andrew Moir, Head of Herbert Smith Freehills' Global Cyber Security Practice:

"We have been saving our clients costs with this tool. Often the need for manual review of the original unstructured data can be significantly reduced, or sometimes even eliminated completely".

For further information, please contact Andrew Moir, at andrew.moir@hsf.com or +44 20 7466 2773.

About Herbert Smith Freehills

Operating from 27 offices across Asia Pacific, EMEA and North America, Herbert Smith Freehills is at the heart of the new global business landscape providing premium quality, full-service legal advice. The firm provides many of the world's most important organisations with access to market-leading dispute resolution, projects and transactional legal advice, combined with expertise in a number of global industry sectors, including Banks, Consumer products, Energy, Financial buyers, Infrastructure & Transport, Mining, Pharmaceuticals & Healthcare, Real estate, TMT and Manufacturing & Industrials.

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