



Commissioner John McKenzie

Legal Services Commissioner for NSW

THE PROFESSION

9:45am-10:45am

Professional Competency in the Current Climate: Rules & Ethics

Part 1: Technological Competency: data and algorithm driven services, cyber risk and AI

Lawyers continue to adapt their ways of working to obtain the benefits of technological innovations and address new risks of dealing with digital data, breaches of client confidentiality, cyber threats and email-enabled fraud.

Lawyers increasingly rely upon legal tech applications, including e-discovery and document assembly tools, AI-based research and decision aids, online file sharing and storage, electronic deal rooms, e-signing, e-settlement and e-lodgement. Electronic communications are now standard business practice, but this has created new opportunities for fraudsters and hackers and increased risk for practitioners managing funds held in trust.

New capabilities bring unfamiliar risks and require new competencies to identify, mitigate and manage those risks, and some areas of legal work now involve a combination of legal and technological knowledge.

What are the core technological competencies that lawyers need to address existing and emerging technological risks? How do legal, professional and fiduciary duties and professional conduct regulation address requirements for these competencies and errors and data breaches that arise in the digital age?

In this session, our panel will use practical examples from everyday practice to illustrate how to identify and address these risks and develop and maintain business processes and technological competencies compatible with lawyers' professional obligations.

About Commissioner John McKenzie

The Office of the Legal Services Commissioner welcomed the appointment of John McKenzie as the new Legal Services Commissioner for NSW from 12 March 2015.

For the previous nine years, Mr McKenzie was the Chief Legal Officer of the Aboriginal Legal Service (NSW/ACT). He has also held senior positions at the Many Rivers Aboriginal Legal Service and Legal Aid NSW.

Mr McKenzie is a respected senior criminal lawyer with more than 36 years experience and has shown outstanding achievements in improving access to justice, particularly for Aboriginal people.

Mr McKenzie was a principal solicitor at the Royal Commission into Aboriginal Deaths in Custody between 1987 and 1991. In the years that followed, he remained committed to ensuring its recommendations were implemented.

Mr McKenzie has been re-appointed as Legal Services Commissioner for a period of five years from 28 February 2019. He was appointed a Member of the Order of Australia (AM) in 2020 for services to the law, the legal profession and the furtherance of social justice in indigenous communities.