



Simone Herbert-Lowe

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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 Simone Herbert-Lowe

Simone Herbert-Lowe is passionate about protecting Australians from cybercrime. She is the principal and founder of Law & Cyber, specialising in cyber education, cyber risk management, professional liability, and insurance. Since their launch in March 2020, Law & Cyber's practical and CPD-eligible online education programmes have been completed by over 3,000 Australian business professionals, providing relatable advice about email fraud and cyber events.

Simone is a thought leader in the area of professional responsibility and cyber risk having published numerous articles, including in the Law Society of NSW Journal, and she has provided expert opinion in legal proceedings on this topic. Her courses have been endorsed or distributed by PEXA, the Australian Institute of Conveyancers (NSW, WA and Victoria), ALPMA and Law CPD. Law & Cyber's online course Cyber Risk for Law Firms was recommended by the Legal Practitioners Liability Committee in Victoria for use by all its insured law firms. Prior to founding Law & Cyber Simone was Senior Claims Solicitor and Manager, Strategy & Innovation at Lawcover, where she handled around 2,000 professional indemnity notifications by law firms, managed the introduction of Lawcover's group cyber risk policy and sat on the company's internal cyber risk committee.