



# BTO Cyber**Protect** **Rapid** Response

“

**peerless** at **anticipating** and **managing risks.**”

- The Legal 500

[www.bto.co.uk](http://www.bto.co.uk)



## Rapid Response

**In this digital age, no business is immune to cyber risk. The financial and reputational impacts of cyber -crime, business interruption and privacy breaches can be significant.**

BTO's CyberProtect experts protect businesses from the impact of cyber fraud incidents, system failures, security and data breaches and related claims.

In the event of a cyber incident occurring, we offer a 'Rapid Response' service including expert advice on steps to protect the business, preserve data and manage the consequences of an incident.



# BTO CyberProtect

BTO advises on the legal aspects of a **cyberattack** or **data breach**, including internal investigations, advice on remedial action, regulatory investigations, criminal enforcement action and civil claims. Managing a cyber incident requires a multi-disciplinary response. We have established relationships with professional advisers including in relation to IT security, forensics and PR, so can manage the process for you.



## Prevent

Our prevention offering covers:

- **IT Security Audit**, in conjunction with IT security specialists, to identify vulnerabilities.
- **Recommendations** for strengthening systems and procedures against breaches.
- **Training** to ensure compliance with the UK GDPR, Data Protection Act 2018 and legal duties in relation to fraud.

## Manage

Our team supports you throughout a **cyber incident**, including:

- Guidance on the immediate steps in the event of an incident.
- Advice on which regulators will be involved, their powers and how to manage regulatory investigations.
- Advice on how best to deal with clients/customers, handle any media attention and minimise reputational damage.
- Leading on internal investigations to understand what happened and to identify required remedial action.

## Respond

We can advise on the consequences of a cyber incident. We provide strategic advice designed to protect reputation. BTO's solicitors regularly conduct cases in all the Scottish courts. We can represent your interests in respect of any relevant claims or enforcement action following a cyber incident. Our Financial Crime and Investigations experts have decades of experience in advising on fraud incidents, including cyber frauds.

Our team will:

- Provide guidance through any regulatory investigation and enforcement action to best protect your business.
- Investigate how a breach occurred and provide advice on how best to mitigate losses and seek recovery of lost or misappropriated data or funds.
- Advise on recovery strategies.
- Minimise your exposure to claims for data that has been compromised.
- Advise on measures to prevent a future recurrence.

# Recent Experience

- **Ransomware:** Advising clients on an urgent basis where their systems had been compromised, under particular reference to the effects of hacking or ransomware. Also advising on practical steps to be taken to minimise risk including preparing a breach response plan and penetration testing.
- **Phishing attacks:** Advising on how to avoid / what to do in the event of an attack.
- **Data breaches:** Liaising with the Information Commissioner's Office (ICO) in respect of complaints and investigations. Acting as the interface between our clients and the ICO in terms of assessing whether a breach is self-reportable, drafting the necessary reports and advising on whether the data subjects require to be informed.
- **Appeals** against ICO monetary penalty and enforcement notices (DPA, UK GDPR and PECR).
- **Compensation claims:** Unique experience in Scotland in relation to pursuing and defending compensation claims resulting from data breaches.
- Advising the private and public sectors on **SARs** and claims raised by data subjects.
- **FOISA requests:** Advising several public sector organisations in relation to complex and controversial Freedom of Information (Scotland) Act requests, supporting their governance procedures when an exemption applies. Also advising third party private organisations to provide comment when a request has been made for their information after it has been provided to a public sector body.
- **Fraud advice and representation:** Regularly acting in civil claims intimated following the perpetration of a payment instruction fraud. Our specialist Financial Crime team also regularly engage with Police Scotland's Economic Crime Unit in relation to the criminal aspects of cyber frauds.

**BTO's expertise and breadth of skills means that we are uniquely placed to respond to and advise on claims and investigations and offer ongoing compliance services.**

With unrivalled practical experience in Scotland our hands-on involvement at the "coal face" of data protection is second to none, making us one of the leading cyber teams in the Scottish, if not the UK, legal market.

## Key Contacts



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**Drive to achieve  
the best possible  
outcome.”**





# Rapid Response



**pragmatic** and **strategic.**"

very **strong commercial instincts.**"

**Deep technical knowledge**...communicated with **precision.**"

- BTO Clients



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