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# DISPUTE RESOLUTION ALERT

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### COVID-19

#### Working remotely: isn't there a risk?

Certainly, the panic around COVID-19 will have cyber criminals licking their lips as more and more employees work from outside their usual office environment.

## Working remotely: isn't there a risk?

Where you act unreasonably and third parties suffer a loss as a result, you will be exposed to claims for damages.

Certainly, the panic around COVID-19 will have cyber criminals licking their lips as more and more employees work from outside their usual office environment. Some IT environments are designed to cope with that kind of scenario, are very secure, with two-stage authentication including passwords that require change regularly, encryption and 24/7 monitoring. But that is not the norm. Where your service providers are handling your sensitive information, it is certainly prudent to check whether that information is secure both within that service provider's ordinary environment but particularly where people are accessing and processing your information remotely. With IT

structures facing unexpected pressure, your enquiries should also include the backup arrangements employed by the service provider.

Where you are the service provider, it is self-evident that you must comply with your contractual obligations. Moreover when handling electronic information (especially personal information) and communicating electronically, you must act reasonably. Allowing external access to your systems without sufficient security by employees working from home is probably not what a reasonable business person would do and that could create an opportunity for cyber criminals. Where you act unreasonably and third parties suffer a loss as a result, you will be exposed to claims for damages.



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20–22 April 2020

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Pieter Conradie ranked by CHAMBERS GLOBAL 2019 - 2020 as Senior Statespeople: Dispute Resolution.

Julian Jones ranked by CHAMBERS GLOBAL 2017 - 2020 in Band 3: Restructuring/Insolvency.

Tobie Jordaan ranked by CHAMBERS GLOBAL 2020 as an up and coming Restructuring/Insolvency lawyer.

Jonathan Witts-Hewinson ranked by CHAMBERS GLOBAL 2017 - 2020 in Band 2: Dispute Resolution.

Willie van Wyk ranked by CHAMBERS GLOBAL 2020 in Band 3: Insurance.



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### BBBEE STATUS: LEVEL ONE CONTRIBUTOR

Cliffe Dekker Hofmeyr is very pleased to have achieved a Level 1 BBBEE verification under the new BBBEE Codes of Good Practice. Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

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