

Bill C-11: Privacy, Personal Information & Data Protection

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Imran Ahmad

Partner

Norton Rose Fulbright Canada LLP

Imran Ahmad is the Canadian head of our technology and innovation industry group and the Canadian co-head of our data protection, privacy and cybersecurity practice. He is based in our Toronto and Montreal offices and is recognized as a leading cybersecurity lawyer by several legal directories.

Imran advises clients across all industries on a wide array of technology-related matters, including outsourcing, cloud computing, SaaS, strategic alliances, technology development, system procurement and implementation, technology licensing and transfer, distribution, open source software, and electronic commerce.

As part of his cybersecurity practice, Imran works very closely with clients to develop and implement practical strategies related to cyber threats and data breaches. He advises on legal risk assessments, compliance, due diligence and risk allocation advice, security, and data breach incident preparedness and response.

In addition, Imran often acts as “breach counsel” in the event of a cybersecurity incident, such as a data or privacy breach, and has extensive experience in managing complex security incidents and cross-border breaches. He also provides representation in the event of an investigation, an enforcement action or a litigation.

Imran is the author of Canada’s first legal incident preparation and response handbook titled *Cybersecurity in Canada: A Guide to Best Practices, Planning, and Management* (LexisNexis, August 2017).

In his privacy law practice, he advises clients on compliance with all Canadian federal and provincial privacy and data management laws. He has a particular focus on cross-border data transfer issues and enterprise-wide governance programs related to privacy and information governance. Imran is the former chair of the Privacy and Access to Information Section of the Ontario Bar Association.

Imran is an adjunct professor at the University of Toronto’s Faculty of Law, where he teaches cybersecurity and privacy law.

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Stephen Burns

Partner

Bennett Jones LLP

Partner and Co-Head of the Innovation, Technology and Branding Practice Group with Bennett Jones LLP, Stephen Burns' practice includes a focus on information law, including privacy, data governance, cybersecurity, seismic, social media, document retention and access to government information. Stephen regularly appears before Canada's various Information and Privacy Commissioners. Stephen is routinely recognized as one of the leading technology lawyers in Canada, including in *The Canadian Legal Lexpert Directory (Computer & IT Law, Intellectual Property, Technology Transactions, Energy and Infrastructure)*, *The Legal 500: Canada*, *Euromoney LMG Rising Stars*, *Intellectual Asset Management (IAM Patent 1000 & IAM Licensing 250)*, and *Best Lawyers in Canada*.



Noel Corriveau

Senior Counsel

INQ Law

Noel is senior counsel at INQ data law where his practice focuses mainly on providing legal and ethical advice on the application of emerging technologies. Prior to joining INQ, Noel has served as counsel at the Department of Justice Canada for over 10 years where he co-founded DOJ's Taskforce on AI. He also worked as Special Advisor to the CIO of Canada on AI policies and implementation. In this capacity he led the development of foundational public policy on artificial intelligence and was the principal architect of Canada's Algorithmic Impact Assessment Framework.



Ollie Dent

Partner

Kennedys Law LLP

Ollie is a Partner at global law firm, Kennedys. He co-leads the data breach response team and has played an integral role in developing the firm's global cyber practice. He has acted as breach coach for a wide variety of data breach incidents across all major sectors, including e-commerce companies, the leisure industry, professional service firms, healthcare entities and financial institutions.

Ollie also regularly advises a wide range of organisations on data privacy and security risks, and assists them with developing GDPR-compliant privacy policies and incident response plans. He also hosts a cyber podcast (Cyber Sounds) and is a regular speaker at cyber industry events.

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David Goodis

Partner

INQ Law

Former Assistant Commissioner, IPC Ontario

David is a partner at INQ Law, specializing in privacy and access. David is a graduate of Western University's law school, and was called to the bar in 1988. For over 30 years, David was a senior information and privacy lawyer with Ontario's Information and Privacy Commissioner. He held the roles of assistant commissioner, director of legal services and manager of adjudication with the IPC. He is an experienced litigator, and has appeared before the Divisional Court, the Ontario Court of Appeal, and the Supreme Court of Canada. David teaches administrative law and privacy law at the University of Toronto's Faculty of Law and Osgoode Hall Law School, and is the Past Chair of the Ontario Bar Association's Administrative Law Section. David also is an author of privacy law materials for the Law Society of Ontario's bar admission course.



Eloise Gratton

Partner and National Co-leader, Privacy and Data Protection Group

Borden Ladner Gervais LLP

Éloïse Gratton is a partner and National Co-Leader of the Privacy and Data Protection group at Borden Ladner Gervais LLP. She offers strategic advice to companies and their board of directors relating to best business practices relevant to the monetization of big data and the use of artificial intelligence, in addition to providing support in crisis management situations (e.g. security breaches, privacy commissioners' investigations, class actions). Éloïse's publications are consulted in Canada and abroad, used in law courses and cited in academic journals as well as in landmark privacy decisions by the Supreme Court of Canada. She authored *Internet and Wireless Privacy: A Legal Guide to Global Business Practices*, one of the first technology and privacy book in Canada (CCH, 2003). Her recent works include *Managing Privacy in a Connected World* (LexisNexis 2020), *Privacy in the Workplace*, 4th edition (LexisNexis, 2017), *Practical Guide to e-Commerce and Internet Law* (LexisNexis 2015) and *Understanding Personal Information: Managing Privacy Risks* (LexisNexis, 2013). She was recently honored by *Canadian Lawyer* magazine as a forward thinker in an article about the country's 25 most influential lawyers, as well as selected as one of Canada's Top 100 Most Influential Women by the Women's Executive Network (WXN) in the "CIBC Trailblazers & Trendsetters" category.

Kenzie Gregory

Senior Consultant, Privacy, Regulatory & Information Management

KPMG

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Nicole Henderson

Partner

Blake Cassels & Graydon LLP

Nicole Henderson is a Partner in the Litigation & Dispute Resolution group at Blake, Cassels & Graydon LLP.

Nicole litigates class actions and other complex disputes, including in the areas of cybersecurity, product liability, and competition. She also practises public law, including constitutional, administrative, regulatory and freedom of information matters.

In her cybersecurity practice, Nicole frequently advises organizations dealing with a data breach or information security incident. She also represents defendants in privacy class actions and regulatory investigations arising out of cybersecurity incidents.

Prior to joining Blakes, Nicole clerked at the Federal Court of Appeal.



Julie Himo

Partner

Norton Rose Fulbright LLP

Ms. Himo also advises clients daily on privacy matters arising from the collection, use and disclosure of personal data, privacy compliance programs, security breaches, cross-border discovery and investigations, cross-border data flow requirements, behavioural advertising, as well as compliance with Canada's anti-spam legislation in a wide variety of industries.

She is also a breach coach who is frequently retained to advise clients with regard to cyber security breaches, assisting with forensics experts, public relations firms and various other specialists in the clients' efforts to contain such breaches and to advise them on their notification requirements to the regulators across Canada. She is named as breach coach on numerous panels of various insurance carriers.

She also practises in commercial litigation, including in the context of class actions, in the areas of privacy law, access to information, as well as banking, directors and officers liability and corporate restructurings. She has also been involved in multijurisdictional fraud cases.

She chaired our Canadian cyber security, privacy and access to information team and served as Montréal litigation chair.

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Sylvia Kingsmill

Partner

KPMG

Sylvia has over 15 years' experience providing strategic, risk management and compliance advisory services, serving both the public and private sectors. She advises executive teams on data-driven digital strategies to support major business transformations in alignment with new regulations, policy and data governance trends, having successfully deployed data analytics platforms and national data registries.

Her specialty is transforming existing corporate compliance and privacy programs in response to internal audits, regulatory findings and investigations. She often deals with Privacy Commissioners remediating compliance orders, and has advised on some of the largest, high-profile data breach investigations.

Sylvia is a lawyer by training and often advises on the intersection of emerging technologies, trustworthy AI, ethical use of data, privacy and regulatory expectations. Her privacy career began at the Information Privacy Commissioner's Office where she conducted extensive pan-Canadian privacy reviews involving consent management, cross-border data flows, data sharing models and outsourcing issues, and amended privacy regulations to enable registries to operate seamlessly for eHealth initiatives. She has advised organizations extensively on Privacy by Design and CASL requirements.

Sylvia launched the Privacy by Design Certification Program together with Dr. Ann Cavoukian, former provincial privacy regulator, for readiness against the new *General Data Protection Regulation* (GDPR), having successfully certified several global organizations for proof of compliance to privacy regulators.

Professional and Industry Experience - Highlights

- Interim Chief Privacy Officer, LifeLabs
- Canadian Chair, ISO PC/317 (31700) *Consumer Protection: Privacy by Design for Consumer Goods and Services*
- Advisor, CIO Strategy Council, CICSO 101:2019 *Automated Decision Systems using Machine Learning, Ethics by Design and Ethical Use*
- Advisor to Minister Bains' Roundtable Consultations for Canada's National Digital Strategy
- Special Advisor to the International Council on Global Privacy and Security by Design, advising on the deployment of privacy enhancing technologies involving AI, Big Data, & Ethics by Design
- Participant & Advisor, CPA Canada Foresight Roundtable: Reimagining the Profession

Key Skills

Digital Transformation, GDPR/PIPEDA/PHIPA/CASL/GLBA/HIPPA Compliance, Regulatory Change Management, Regulatory Exam Preparation & Remediation, Risk & Maturity Assessments, Audits and Control Frameworks, Enterprise-wide Compliance and Privacy Training Programs, Privacy and Compliance Strategy, Multi-Stakeholder Engagement/Management involving Modernization and

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Regulatory Issues Management, Privacy Target Operating Models, Ethical & Responsible Use of Data, Privacy Governance, Cross-Border Data Transfers, Data Residency/Localization Rules, Privacy Certifications, Data Sharing Agreements, Consent Frameworks, Incident & Breach Response.



Danielle Miller Olofsson

Chief Access to Information and Privacy

Hydro Quebec

Danielle Miller Olofsson is Chief Access to Information and Privacy Officer at Hydro Quebec where she is responsible for designing and overseeing the implementation of the organisation's privacy and access to information programs. Prior to joining Hydro Quebec, Danielle worked as a lawyer advising clients on privacy compliance strategies. She holds a LLM from the Université de Montreal as well as a BCL and a LLB from McGill University. She teaches a Masters level class on technology and data protection at the Université de Montreal. She has published a number of articles and two books on the topic of privacy. Danielle holds IAPP certifications in Canadian, US, and European privacy laws as well as in privacy program management.



Carole Piovesan

Managing Partner

INQ Law

Carole is managing partner at INQ Law, focusing her practice on privacy, cyber readiness, data governance and artificial intelligence (AI) risk management. She regularly counsels clients on a wide range of matters related to privacy, cyber readiness and breach response, data governance, ethical AI and responsible innovation. Prior to founding INQ Law, Carole was co-lead of the national Cybersecurity, Privacy and Data Management group at McCarthy Tétrault. She has represented clients before all levels of court in Ontario as well as at the Supreme Court of Canada.

Carole plays an active role in shaping data law, policy and standards in Canada and globally. She is the co-chair of the federal government's Exposure Notification application. She also co-chairs the data governance working group for the Data Governance Standardization Collaborative at the Standards Council of Canada. She is a member of the Data Governance Working Group for the Global Partnership on AI, as well as an advisor to several AI start-ups.

In 2018, Carole was appointed by the federal Minister of Innovation to serve as one of six Digital Leaders in the national data and digital transformation consultations. In this role, she led consultations with businesses, academics, civil society and industry associations to inform the first national Digital Charter. Announced on May 21, 2019, the Digital Charter has led to significant proposed reforms to Canada's federal private sector privacy law.

Carole regularly teaches, speaks and writes on topics related to data law and AI. She is also co-editing a book on AI and law that will be published by Thomson Reuters in 2021.

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Victor Platt

Head of Security and Privacy

integrate.ai

Victor Platt is a passionate technology leader focused on building secure and private artificial intelligence (AI) to benefit people and businesses. Previously, Victor was a Manager with Deloitte's AI practice and a Security Policy Advisor with the Canadian federal public service. An active researcher and thought leader, his work on the intersection of security and advanced technology has appeared in leading academic, trade, and media publications. Victor holds a Master's degree in Infrastructure Protection and International Security from Carleton University, a Bachelor's degree from the University of Toronto, and is a Certified Information System Security Professional (CISSP).



Molly Reynolds

Counsel

Torys

Molly leads the privacy practice group at Torys. Her practice focuses on digital innovation, cyber-security, data protection and ethics, and privacy litigation. She regularly advises clients on privacy law compliance in their businesses and in the context of commercial transactions, as well as on data security best practices, breach response, regulatory investigations, and privacy class action defence. She represents clients in administrative proceedings under access to information, anti-spam, and privacy legislation, as well as in the context of civil litigation. Her dual call allows her to provide advice on personal information handling and marketing regimes that reflect and comply with Canadian and American privacy legislation.

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Saba Samanian

Associate

Norton Rose Fulbright

Saba Samanian is developing a practice in business law, which includes private mergers and acquisitions, corporate finance, and securities matters. Saba is also gaining particular experience in cybersecurity, privacy, and technology and is a member of our data protection and technology and innovation teams. She has experience in a variety of cybersecurity breach matters and has acted as breach coach in such instances.

Saba joined our Toronto office as a summer student in 2018 and returned to complete her articles in 2019 and 2020. During this time, she completed a secondment at Scotiabank, where she gained valuable experience working on a variety of matters related to privacy, commercialization, and corporate finance.

Prior to joining our office, Saba completed an externship at CBC in its legal department as part of the Intellectual Property Intensive Program at Osgoode Hall. She is currently involved in various extra-curricular activities exploring the intersectionality of technology and the law, including being the Toronto Ambassador for Women of Wearables.

Catherine Stephen

Assistant General Counsel, RBC Law Group

Royal Bank of Canada

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Kirsten Thompson

Partner, National Lead of Transformative Technologies and Data Strategy Group

Dentons Canada LLP

Kirsten Thompson is a partner in the global law firm Dentons and is based in the Toronto office. She is the national lead of the Transformative Technologies and Data Strategy group. She has both an advisory and advocacy practice, and provides privacy, cybersecurity and data management advice to clients in a wide variety of industries.

Kirsten's practice has a particular concentration in data-driven industries and disruptive technologies, and she is a leading practitioner in areas such as Fintech, digital identity, data mobility, vehicle telematics and connected infrastructure, Big Data/data analytics applications and enterprise data strategy. She also helps clients prepare for and manage information crises, such as data breaches, investigations and class actions, and has advised financial institutions, insurers, health care providers and providers of critical infrastructure on cybersecurity preparedness and response planning. She has been lead Canadian counsel on some of the largest North American data breach class actions and has been selected as preferred cybersecurity counsel by a number of Canada's leading financial institutions and insurance providers.

In her advisory role, Kirsten assists clients in navigating the legal and privacy requirements of new products and technologies, and provides compliance advice both within and across jurisdiction. She counsels clients on issues raised by social media, surveillance, identification and authentication (including biometrics and electronic signatures), vehicle and device telematics (including unmanned vehicles, both aerial and land-based), online behavioural advertising, big data and data analytics, data monetization, and FinTech and open banking. She advises clients on the increasingly significant informational elements of business transactions.

She has extensive knowledge in "Open Banking" and related regulatory initiatives (e.g. competition, privacy, etc.) affecting the aggregation and use of customer information in the context of financial services. She has written extensively on the impact of Bill C-11.

She is a member of the federal Minister of Finance's Advisory Committee on Open Banking, and of the Government of Ontario's Digital and Data Task Force.

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Wendy Wagner

Partner

Gowling

Wendy Wagner is a partner in the Ottawa office of Gowling WLG. Her practice encompasses privacy law, access to information, media and defamation law and international trade law. Within her privacy practice Wendy has significant experience providing guidance for her clients in the following areas:

- Developing privacy compliance programs
- Conducting privacy audits and compliance reviews
- Privacy issues in corporate transactions and negotiations
- Privacy provisions in IT MSAs and data protection agreements
- Data breach management
- Transborder data transfers
- Privacy training and awareness
- Protection of personal health information
- Canada's anti-spam legislation (CASL)

Elsbeth M. Williams

Associate General Counsel

City of Saint John

Former General Counsel, Global Compliance, McCain Foods Limited