

Privacy Law Summit

Privacy and Access to Information Law

Date: Wednesday, April 03, 2019 | 9:00 am to 4:30 pm

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto

Chairs: **Irena Brooks**, Toronto District School Board
Nishi Malik, Pallett Valo LLP

The interconnectivity of people today across social media and information networks prioritizes data, personal privacy and protection. Yet, as several high profile data breaches and corollary lawsuits illustrate, the risks for your clients are real and can impact their representation at a moment's notice. Privacy law is dynamic. It evolves to account for human behaviour, and responds to broader Canadian and international developments. Practicing privacy law, therefore, creates a need for staying current on the pressing topics in the field. Join us at Privacy Law Summit 2019 as our faculty will help you navigate the cutting-edge issues and sharpen your understanding of them. Register now to secure your attendance at this mainstay event.

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **Key Updates from the Information and Privacy Commissioner of Ontario**
Brian Beamish, Information and Privacy Commissioner of Ontario
Commissioner Beamish joins us to impart his insight on significant privacy law advancements and the IPCO's current mandate

10:00 am Networking Break

10:15 am **BREAKOUT SESSION (Choose A or B)**

- A. **What You Need to Know In Privacy Case Law and Litigation** [Business Law]
Sean Moreman, Canadian Broadcasting Corporation
Sajjad Nematollahi, Siskinds LLP
Justin Safayeni, Stockwoods LLP
- Round up of recent case law and class action lawsuits involving privacy breaches
 - Assessment of these cases' importance and possible insight for prevention of reoccurrence
 - Unpacking OPC reference on PIPEDA applying to Google and de-indexing
- B. **PHIPA and Tackling Privacy Breaches for Health Care Providers** [Health Law]
Manuela Di Re, Information and Privacy Commissioner of Ontario
Mary Jane Dykeman, DDO Health Law
Paula Kocsis, Director of Privacy and Information Access, Sinai Health Systems
Amendments to PHIPA require health providers dealing with patient health information to monitor and report privacy breaches. In March 2019, IPCO will release tracking guidelines. What are they, how will they affect your organization and what can you do to stay in compliance?

11:15 am **De-identification and Anonymization of Personal Information** [Plenary]

Sara Azargive, Metrolinx (Moderator)
Monique Albert, Director, Ontario Tumour Bank, Ontario Institute for Cancer Research
Dr. Khaled El Emam, Privacy Analytics
Patricia Kosseim, Osler, Hoskin & Harcourt LLP (Ottawa)

- What is the process and what are the applications in health care, business, and beyond?
- Risk assessment and best practices applications
- Challenges of monitoring and maintaining de-indexed information
- Future directions for use

12:15 pm **The Office of the Privacy Commissioner of Canada's Business Advisory Directorate Initiative**
Abubakar Khan, Office of the Privacy Commissioner of Canada

12:35 pm Networking Lunch

1:15 pm **BREAKOUT SESSION (Choose C or D)**

- C. **Life Under European Union's General Data Protection Regulation** [Business]
Jordan Greenwood (Moderator)
Catherine Lovrics, Bereskin & Parr LLP
Amanda Branch, Bereskin & Parr LLP
Ronak Shah, Torys LLP
Jillian Siskind, Jillian M. Siskind & Associates
- How has the roll-out of the EU GDPR unfolded for organizations collecting and handling personal data?
 - What issues have arisen and what can we expect?
 - Data transfer and enforcement
 - Data subject access requests
 - Data management and data retention
 - Comparing differences and expanding gaps between GDPR and PIPEDA



In-Person



Webcast



Substantive Hours: This program is eligible for up to **6h 30m**

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org

D. **Cannabis Sales/Use and Privacy Considerations**

[Health/Business Law]

Christopher Ferguson, Fasken (Moderator)

Peter Murphy, Shibley Righton LLP

Cailey Greenberg, Canopy Growth Corporation

Russell Bennett, Cannabis Law

- What are the privacy considerations for purchasers and patients of cannabis?
- What are the privacy risks and liabilities to organizations selling/dispensing cannabis?
- How can public identification of users invite discrimination by third parties?
- What precautions are required in managing records to prevent data breaches?

2:15 pm **BREAKOUT SESSION (Choose E or F)**

E. **The Ombudsmen Model and Data Protection** [Business Law]

David Young, David Young Law (Moderator)

Dr. Teresa Scassa, University of Ottawa

Kate Rusk, Bennett Jones LLP

- Analysis of PIPEDA as Current Model of Regulation
- Workable model or more enforcement power required?
- Update on current legislative reform activities
- Consideration of privacy reform in Canada and options

F. **Privacy by Design and By Default: Avoiding Harm in an Opaque Environment of Nudges and AI** [Health/Business Law]

Fazila Nurani, PRIVATECH

Timothy Banks, nNovation LLP

- What is privacy by design and by default?
- Canadian and international adoption – where are we now?
- Operationalizing privacy by design – what are the obstacles?
- Using privacy by design to avoid harm when choices are architected through behavioural monitoring and artificial intelligence
- How can we learn from and apply privacy by design to behavioural monitoring and machine learning applications in commercial and health contexts?

3:15 pm Karen Spector Memorial Award for Excellence in Privacy Law Announcement & Networking Break

3:30 pm **Roundtable: Understanding the Transformation of Urban Centres** [Plenary]

Molly Reynolds, Torys LLP (Moderator)

Lawrence Eta, Deputy Chief Information Officer, City of Toronto

Dr. Brenda McPhail, Canadian Civil Liberties Association

Dr. Lisa Austin, University of Toronto Faculty of Law

- Understanding the transformation of urban centres
- Smart cities and privacy considerations
- Collecting data that fuels the technology: risks and privacy regulation challenges
- Various stakeholder opportunities and challenges for building smart neighbourhoods

4:25 pm Questions and Concluding Remarks

4:30 pm Program Concludes

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