

About the project

This project, mainly sponsored by the European Commission, consists of three major seminars that will take place in Lisbon, Riga and Bucharest.

Each seminar will have a specific focus:

- SEMINAR 1 (12-13 March 2015) Fundamentals of electronic evidence: its practical foundations illustrated with relevant case law
- SEMINAR 2 (2-3 June 2015) Planning and justifying the search and seizure of electronic evidence in criminal proceedings before presenting in court
- SEMINAR 3 (12-13 November 2015) Relying on electronic evidence in criminal cases: specific legal and technical considerations for all players

Objectives of the present seminar

- to define 'electronic evidence' and offer practical illustrations and examples of analogue and digital evidence;
- to present the practical challenges relating to the collection and use of digital evidence;
- to discuss the legal implications of digital evidence (collection, evaluation and admissibility);
- to identify some of the practical problems that judges and prosecutors have to deal with in criminal proceedings;
- to provide an overview of good practices in various EU Member States.

Who should attend?

Judges, prosecutors, lawyers in private practice and ministry officials active in the field of EU criminal law.

Speakers and Chairs

Ioana Albani, Chief Prosecutor, Head of the Cybercrime Unit, Prosecutor's Office attached to the High Court of Cassation and Justice, Bucharest

Laviero Buono, Head of Section, European Criminal Law, ERA, Trier

Hein Dries-Ziekenheiner, CEO, Vigilo Consult, Leiden

Alisdair Gillespie, Professor, Criminal Law and Justice, Lancaster University, Lancaster

Klaus Hoffmann, Public Prosecutor, Office of the Prosecutor, Freiburg (invited)

Stephen Mason, Barrister and Associate Research Fellow, Institute of Advanced Legal Studies, London

Goran Oparnica, Director, INsig2, Zagreb

Sandip Patel QC, Barrister, Furnival Chambers, London

Octavia Spineanu Matei, Director, National Institute of Magistracy (NIM), Bucharest

Tatiana Tropina, Senior Researcher at the Max Planck Institute for Foreign and International Criminal Law, Freiburg

For further information

Liz Klopocki
Tel. +49 (0) 651 937 37 322
Fax. +49 (0) 651 937 37 791
E-mail: lklopocki@era.int
Online Registration: www.era.int



RELYING ON ELECTRONIC EVIDENCE IN CRIMINAL CASES

SPECIFIC LEGAL AND TECHNICAL CONSIDERATIONS FOR ALL PLAYERS

Bucharest, 12-13 November 2015
National Institute of Magistracy (NIM), 53 Regina Elisabeta Blvd., District 5, Bucharest

Organiser:

ERA (Laviero Buono) in cooperation with the National Institute of Magistracy (NIM)



With financial support from the European Commission's Criminal Justice Programme 2007-2013 (Directorate-General Justice)

Language: English

Event number: 315DT21





Thursday, 12 November 2015

- 08:30 Arrival and registration of participants
- 09:00 **Welcome and introduction to the programme**
- *Octavia Spineanu Matei*
 - *Laviero Buono*
- Session I – Electronic evidence in criminal proceedings: examples and related challenges**
- 09:15 **Electronic evidence: towards legal and technical standardisation?**
Alisdair Gillespie
- 09:45 **How do legal practitioners deal with electronic evidence in criminal proceedings: an overview with sample cases**
Alisdair Gillespie
- 10:30 Discussion
- 11:00 Break
- Chair: Alisdair Gillespie*
- 11:30 **Practical experience with investigations in social networks and how e-evidence is handled in these cases**
Klaus Hoffmann
- 12:30 Discussion
- 13:00 Lunch

Session II – Collection, evaluation and admissibility of electronic evidence: workshops and demos

Chair: Laviero Buono

- 14:15 **Case studies: prosecuting members of Anonymous for Denial of Service Attacks (DoS) on PayPal, Visa et al. and the "Facebook hacker" – how was electronic evidence handled in these cases?**
Sandip Patel
- 15:00 Discussion
- 15:15 Break
- 15:45 **What to do and what not to do during criminal investigations when electronic evidence is involved**
Goran Oparnica
- 17:00 Discussion
- 17:45 End of the first day
- 20:00 Dinner

Friday, 13 November 2015

Session III – The future of electronic evidence in criminal proceedings

Chair: Stephen Mason

- 09:00 **Attribution online: what value Internet Protocol addresses and other identifiers have in court**
Hein Dries-Ziekenheiner
- 09:45 **Collecting electronic evidence in the age of online banking, virtual currencies, online fraud and cyber laundering**
Tatiana Tropina
- 10:30 Discussion
- 11:00 Break
- Chair: Laviero Buono*
- 11:30 **Challenges of international investigations (search and seizure, evidence in the cloud, admissibility)**
- *Stephen Mason*
 - *Ioana Albani*
- 12:30 Discussion
- 12:45 End of seminar and lunch

Programme may be subject to amendment
For programme updates:
www.era.int