



INVESTIGATING WEB 2.0

THE RISE OF EVIDENCE ON MOBILE DEVICES

Barcelona, 17-18 June 2019

**UP
GRADE**
YOUR LEGAL
EXPERTISE
**Criminal
Law**



Speakers

- Steven David Brown**, International Cybercrime Consultant, Vienna
- Laviero Buono**, Head of Section for European Criminal Law, ERA, Trier
- Vincent Flore**, Liaison Officer, Ministry of Justice, Brussels
- Muthupandi Ganesan**, Barrister at Law & Partner, Scarmans, London
- Esther George**, Lead Cybercrime Consultant, Global Prosecutors E-Crime Network (GPEN), International Association of Prosecutors, The Hague
- Stephen Hill**, Managing Director, Hill Bingham Ltd, London
- Petr Klement**, Prosecutor, Department of Serious Economic and Financial Crime, Member of the European Judicial Cybercrime Network (EJCN), Prague
- Abraham Pasamar**, CEO, Incide – Digital Data; Member of the Spanish Cybercrime Centre of Excellence, Barcelona

Key topics

- Technical issues (internet caches, proxy servers, encryption, deep/dark web, etc.)
- Legal implications of e-evidence (collection, evaluation and admissibility)
- The rise of evidence on mobile devices
- Insights into different national criminal justice systems

Language
English

Event number
319DT05

Organisers
ERA (Laviero Buono) in cooperation with the Barcelona Bar Association (ICAB)



With the support of the Justice Programme 2014-2020 of the European Union

INVESTIGATING WEB 2.0

Monday, 17 June 2019

08:30 Arrival and registration of participants

09:00 **Welcome and introduction to the programme**
ICAB & ERA

PART I: TECHNICAL ISSUES AND BASIC UNDERSTANDING OF THE INTERNET ARCHITECTURE AND CONCEPTS

09:15 **Internet searches and computer forensics in criminal cases: using open-source intelligence to gather evidence online**

- World Wide Web (WWW) vs. the Internet
- Understanding Internet protocols (http, https, ftp)
- Internet cache – deleting and retrieving
- Surface search vs deep web search
- Meta search engines
- Proxy servers

Stephen Hill

10:15 Discussion

10:30 Break

Chair: Laviero Buono

11:00 **Open-source tools, computer forensics on mobile devices and in the “Cloud”**

- Encryption and privacy
- Encrypted apps on mobile (smart)phones
- Physical and logical acquisition of data
- Cloud providers and replicated data on websites

Abraham Pasamar

12:00 Discussion

12:15 Lunch

PART II: LEGAL ISSUES RELATED TO THE RISE OF EVIDENCE ON MOBILE DEVICES

Chair: Vincent Flore

13:45 **Mobile phones: swipe right for evidence**

- Challenges posed by the type and volume of evidence found on a smartphone
- Legal and practical issues surrounding increasing use of Self-Service Kiosks by law enforcement for abstracting phone data
- Comparing and contrasting cell site analysis with GPS systems for locating a phone
- Implications of the US Supreme Court's judgment in *Carpenter* on obtaining phone records
- IMSI (International Mobile Subscriber Identity) catchers: their use and concerns about their deployment

Steven David Brown

14:30 **Special investigation techniques when mobile devices are involved**

- Handling mobile devices as sources of evidence
- Common procedures for handling evidence on mobile devices
- Legal issues related to the collection of traffic/subscriber data and its admissibility in court

Esther George

15:15 Discussion

15:30 Break

Objective

Mobile devices such as smartphones and tablets contain personal information such as call history, text messages, e-mails, digital photographs, videos, calendar items, address books, passwords and credit card numbers. They can be useful as sources of digital evidence to be examined when criminal activities occur.

This seminar aims to share advanced knowledge and to exchange experience and best practice between judges, prosecutors and lawyers in private practice who deal with criminal proceedings involving e-evidence on mobile devices.

About the Project

This seminar is part of a large-scale project sponsored by the European Commission entitled “Investigating web 2.0: practice-oriented training on internet searches for EU legal practitioners”. It consists of six seminars to take place in Lisbon, Dublin, Bucharest, Valletta, Barcelona and Madrid.

Who should attend?

Judges, prosecutors and lawyers in private practice from EU Member States.

Venue

ICAB Training Centre
C/Mallorca 283
08037 Barcelona
Spain

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **9.5 CPD hours**.

Your contact persons



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Chair: *Laviero Buono*

- 16:00 **The proposed European Production Order (EPO) and its effectiveness in collecting evidence (including evidence stored on mobile devices)**
- Legal framework and problems regarding traditional MLA in the digital age
 - The EPO in the online context
 - Specificities and challenges of criminal cases where anonymous networks and encrypted files are involved
- Vincent Flore*
- 17:00 Discussion
- 17:30 End of first day
- 20:00 Dinner offered by the organisers

Tuesday, 18 June 2019

PART III: INVESTIGATIONS ON MOBILE DEVICES – BEST PRACTICES

Chair: *Representative ICAB*

- 09:30 **Special investigation techniques: a new evidentiary frontier for prosecutors**
- Challenges posed by mobile phones
 - Proving the authenticity of the data
 - Ensuring that the data has not been altered
 - Presentation of evidence in court
 - Case studies
- Petr Klement*
- 10:15 **Handling electronic evidence on mobile devices in courts: perspectives of the defence**
- The importance of the chain of custody in handling the evidence
 - Trial considerations: methods of presentation and admissibility tests
- Muthupandi Ganesan*
- 11:00 Discussion
- 11:15 Break
- Chair: *Laviero Buono*
- 11:45 **Handling electronic evidence on mobile devices in court: experiences in Spain**
- ICAB*
- 12:30 Discussion
- 12:45 End of seminar and lunch

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

Apply online for
“Investigating Web 2.0”:
www.era.int/?128336&en

Save the date

New EU Rules on e-Evidence
London, 4-5 April 2019

Computer Forensics in Legal Proceedings
Lisbon, 27-28 May 2019

Freezing, Confiscating and Recovering the Proceeds of Crime
Trier, 3-4 June 2019

Artificial Intelligence (AI) and the Criminal Justice System
Rome, 24-25 October 2019

e-Presentations

Cyber Risks in Financial Institutions: Lessons learned in responding to them
Livi Chirita / May 2017

Approaches to Prepare Proactively for Cybercrime Incidents
Dave O'Reilly / May 2017

Cyber Menaces and Different Types of Cybercrime Offences
Cormac Callanan

Specialised e-Courses

Fighting Child Pornography Online: 10 Key Questions
Alisdair Gillespie

www.era.int/elearning



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The content of this programme reflects only ERA's view and the Commission is not responsible for any use that may be made of the information it contains.

Application

Investigating Web 2.0

Barcelona, 17-18 June 2019 / Event number: 319DT05



Europäische Rechtsakademie
Academy of European Law
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Accademia di Diritto Europeo

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08037 Barcelona, Spain

Language

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Terms and conditions of participation

Selection

1. Participation is only open to judges, prosecutors and lawyers in private practice from eligible EU Member States.
2. The number of places available is limited (30 places). Participation will be subject to a selection procedure. Selection will be first come first served and according to nationality. Priority will be given to those participants who did not attend an ERA event on e-evidence / online investigations / investigating web 2.0 in 2017/2018/2019. Spanish applicants who work for the prosecution service (CEJ) must apply for this event through CEJ.
3. Applications should be submitted before **8 April 2019**.
4. A response will be sent to every applicant after this deadline.
We advise you not to book any travel or hotel before you receive our confirmation.

Registration Fee

5. €200 including documentation, lunches and dinner.

Travel expenses

6. Travel costs up to €300 can be reimbursed by ERA upon receipt of the original receipts, tickets, boarding passes, invoices after the seminar. Participants are asked to book their own travel and accommodation. These rules do not apply to representatives of EU Institutions and Agencies who are supposed to cover their own travel and accommodation. Participants are advised of the obligation to use the most cost-efficient mode of transport available.

Accommodation

7. Maximum 2 hotel nights (up to 130 EUR/night) can be reimbursed by ERA, only upon receipt of the original hotel invoice.

Other services

8. Two lunches, beverages consumed during the event and the seminar documents are offered by ERA. One joint conference dinner is also included.

Participation

9. Participation at the whole conference is required and your presence will be recorded.
10. A list of participants including each participant's address will be made available to all participants unless the ERA receives written objection from the participant no later than one week prior to the beginning of the event.
11. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish ERA to do so.
12. A certificate of attendance will be distributed at the end of the conference.