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Corr. Dendermonde 2 maart 2009, onuitg. (Rechtbank van Eerste Aanleg te Dendermonde (The Court of First Instance in Dendermonde)), by Johan Vandendriessche

*Investigation of credit card fraud; provider of e-mail services in the United States of America; users of the service in Belgium; jurisdiction; virtual presence in a jurisdiction; Mutual Legal Assistance in Criminal Matters; whether provider of service is required to provide identification and registration data of the person who registered e-mail accounts, including the IP address, date and time of the registration; the e-mail address associated with the profile; any other relevant personal information that could lead to identification of the user; electronic communications network; provider of an electronic communications service*

8 (2011) 196 – 207

Gent 30 juni 2010, onuitg. (Hof van Beroep (The Court of Appeal in Ghent, third chamber, sitting in criminal matters)), by Johan Vandendriessche

*Web based e-mail; meaning of 'operator of an electronic communication service' and 'provider of an electronic communications service'; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 208 – 215

Cass. 18 januari 2011, nr. P.10.1347.N (Hof van Cassatie (Court of Cassation of Belgium)), by Johan Vandendriessche

*Web based e-mail; whether meaning of 'operator of an electronic communication service' and 'provider of an electronic communications service' is relevant; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 216 – 218

Brussel 12 oktober 2011, onuitg, Hof van Beroep te Brussel (The Court of Appeal in Brussels, thirteenth chamber, sitting in criminal matters), by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

9 (2012) 102 – 105

P. 11.1906.N/1, commentary by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; whether restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

10 (2013) 155 – 157

Antwerpen 20 november 2013, 2012/CO/1054 Yahoo! Inc., translated by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; whether restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

11 (2014) 137 – 143

P.13.2082.N, Yahoo! Inc., translated by Johan Vandendriessche

*Belgium; Yahoo!; web based e-mail; the judicial authority of a Belgian Public Prosecutor; restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure; Charter of the United Nations; United States of America; mutual assistance in criminal matters*

13 (2016) 156 – 158

Cloud forensics

International aspects of migrating digital forensics in the cloud

10 (2013) 81 – 96

Colombia, case note

Juan Carlos Samper Posada v Jaime Tapias, Hector Cediell and others, Decisión 73-624-40-89-002-2003-053-00 of 21 July 2003

*Unsolicited e-mail; removal of adressess from e-mail distribution list; jurisdiction*

2 (2005) 95 – 102

Communications, client confidentiality

Practitioner note: E-mails cause practical problems for client confidentiality

8 (2011) 193

Communications, interception

Interception of communications: Skype, Google, Yahoo! and Microsoft tools and electronic data retention on foreign servers: A legal perspective from a prosecutor conducting an investigation

6 (2009) 158 – 163

Indonesia: the controversy over the Bill concerning lawful interception

8 (2011) 130 – 138

Compound documents, discovery

Singapore, case note

Surface Stone Pte. Ltd. v Tay Seng Leon and another [2011] SGHC 223

*Electronic discovery; discovery and inspection of compound documents; principle of proportionality; inspection protocol*

9 (2012) 128 – 129

Computer evidence

Admissibility of computer evidence in Tanzania

4 (2007) 56 – 60

Trusted computing and the digital crime scene

8 (2011) 111 – 123

Remote forensics and cloud computing: an Italian and European legal overview

8 (2011) 124 – 129

Computer generated animations

The influence of computer generated animations on juror decision making

11 (2014) 46 – 54

The use of computer generated imagery in legal proceedings

13 (2016) 3 – 25

Contract, e-mails, construction

Russian Federation

Case No. A40-19739/08-10-141, Arbitrazh Court of Moscow

6 (2009) 281 – 283

Contract, formation

France

15-10732 Cour de cassation, chambre civile 1, 6 April 2016, translated by Laura Ramkhalawan

*France; electronic signature; validation of signature; formation of contract*

13 (2016) 159 – 161

Control

Establishing possession, custody and control through electronic baggage tags

14 (2017) 16 – 21

- Convention on Electronic Evidence, Draft  
13 (2016) S1 – S11
- Conveyancing  
The role of the notary in real estate conveyancing  
4 (2007) 28 – 33
- Copyright, evidence  
The burden of proof in the matter of alleged illegal downloading of music in Denmark  
7 (2010) 87 – 89  
Alleged illegal downloading of music: the Danish Supreme Court provides a high bar for evidence and a new line of direction regarding claims for damages and remuneration  
8 (2011) 165 – 170  
Electronic evidence in torrent copyright cases  
8 (2011) 171 – 178
- Criminal investigations  
Interception of communications: Skype, Google, Yahoo! and Microsoft tools and electronic data retention on foreign servers: A legal perspective from a prosecutor conducting an investigation  
6 (2009) 158 – 163  
Whether a photograph taken for Google’s Street View can be used as evidence in a criminal process: a case note  
6 (2009) 187 – 190  
Problems of legal regulation and investigation of computer crimes in Georgia  
7 (2010) 53 – 66  
Trusted computing and the digital crime scene  
8 (2011) 111 – 123  
Remote forensics and cloud computing: an Italian and European legal overview  
8 (2011) 124 – 129  
The effect of ‘virtual presence’ in Belgium on the duty to cooperate with criminal investigations: some prudence may be required when confronted with a request from a Belgian public prosecutor  
8 (2011) 194 – 195  
Forced biometric authentication – on a recent amendment in the Norwegian Code of Criminal Procedure  
14 (2017) 26 – 30
- Criminal proceedings  
International phishing gangs and operation Phish & Chip  
6 (2009) 153 – 157  
The first ‘Trojan Horse’ case prosecuted in China  
7 (2010) 107  
*R v LR* (not reported) Indictment number T20090048  
*Abusive images of children; judicial order to provide copies of images to defence; refusal by prosecution; reasonableness of judicial order and practical arrangements*  
7 (2010) 125 – 129  
Electronic Evidence in Swiss Criminal Procedure  
8 (2011) 70 – 75  
Search and seizure for electronic evidence: procedural aspects of UAE’s legal system  
10 (2013) 115 – 122  
Electronic evidence and the Croatian Criminal Procedure Act  
10 (2013) 128 – 135  
The use of malware as a means of obtaining evidence in Portuguese criminal proceedings  
11 (2014) 55 – 75  
Online searches and online surveillance: the use of trojans and other types of malware as means of obtaining evidence in criminal proceedings  
13 (2016) 88 – 96
- Croatia

- Electronic evidence and the Croatian Criminal Procedure Act  
10 (2013) 128 – 135
- Cyber crime
- Cybercrime: Issues and challenges in the United States  
7 (2010) 19 – 34
- Problems of legal regulation and investigation of computer crimes in Georgia  
7 (2010) 53 – 66
- The Netherlands, case law
- Gerechtshof 's Gravenhage 9 maart 2011 LJN: BP7080, Gerechtshof te 's-Gravenhage meervoudige kamer voor strafzaken (Appeals Court at The Hague, Criminal bench). dossier number: 22-002281-10
- Threats to kill posted on web site; accused posted comments by using the connection of a third party via wi fi without permission; whether using the computer of a third party without permission is an offence in Dutch law; electronic evidence*
- 8 (2011) 242 – 248
- Custody
- Establishing possession, custody and control through electronic baggage tags  
14 (2017) 16 – 21
- Cyber crime investigations
- On the complexity of collaborative cyber crime investigations  
6 (2009) 214 – 219
- Problems of legal regulation and investigation of computer crimes in Georgia  
7 (2010) 53 – 66
- Trusted computing and the digital crime scene  
8 (2011) 111 – 123
- Remote forensics and cloud computing: an Italian and European legal overview  
8 (2011) 124 – 129
- Practitioner note: Preserving cyber investigation evidence – the screen tool witness signature  
8 (2011) 190 – 192
- The effect of 'virtual presence' in Belgium on the duty to cooperate with criminal investigations: some prudence may be required when confronted with a request from a Belgian public prosecutor  
8 (2011) 194 – 195
- Evidence of cybercrime and coercive measures in Finland  
13 (2016) 49 – 66
- Cyprus
- Translation of the Cypriot law on electronic signatures  
2 (2005) 86 – 94
- Czech Republic
- Contemporary enactment of the electronic signature in the Czech Republic  
3 (2006) 30 – 39
- Data messages
- The evidential value of the data-message in Iran  
3 (2006) 60 – 68
- Data protection, criminal offence
- Norway, case law
- HR-2012-2056-A, with thanks to Føyen, Arve for reviewing this translation
- Criminal offence; hacking; 'cloud' (online) storage of personal digital data; data protection; data controller; privacy*
- 10 (2013) 201 – 208
- Data protection, electronic signature
- Data protection preliminary verification: Italy
- Date of decision: 12 September 2013
- Requested by Fineco Bank S.p.A.



*Italy; data protection; preliminary verification; biometric data; advance electronic signature*

11 (2014) 207 – 212

Date of decision: 31 January 2013

Requested by IT Telecom s.r.l. and Cassa di Risparmio di Parma e Piacenza S.p.A.

*Italy; data protection; preliminary verification; biometric data; advance electronic signature; need to amend contracts; consent*

11 (2014) 213 – 220

Date of decision: 31 January 2013

Requested by Unicredit S.p.A.

*Italy; data protection; preliminary verification; biometric data; advance electronic signature*

11 (2014) 221 – 224

Lithuania, case law

A-143-2740-12, 18 December 2012 with a commentary by Professor Mindaugas Kiškis

*Electronic signatures; qualified certificate; advanced electronic signature; personal identification numbers; data protection*

11 (2014) 152 – 164

Data protection, transborder discovery requests

The EU Data Protection Directive and major factors relied upon by U. S. courts in transborder discovery requests

5 (2008) 231 – 234

Debit card, loss or theft, liability

Germany

Civil law liability for unauthorized withdrawals at ATMs in Germany

6 (2009) 57 – 66

5 October 2004, XI ZR 210/03, published BGHZ 160, 308-321

Bundesgerichtshof (Federal Court of Justice)

6 (2009) 248 – 254

Lithuania

*Ž.Š. v Lietuvos taupomasis bankas*, Civil case No. 3K-3-390/2002, Supreme Court of Lithuania

6 (2009) 255 – 262

Deeds

European Civil Law Notaries ready to launch international digital deeds

4 (2007) 14 – 18

Hybrid signatures under Belgian law

9 (2012) 79 – 80

Defamatory comments, alteration of evidence

Dubai, case law

Case number 2009/37784, Bur Dubai

*Digital evidence; alleged defamatory comments published on the internet; police investigation; alteration of evidence*

9 (2012) 106 – 107

Delivery of e-mail

Electronic delivery

15 (2018) 70 – 74

Denmark, articles

Electronic signatures in Denmark: free for all citizens

1 (2004) 14 – 18

The burden of proof in the matter of alleged illegal downloading of music in Denmark

7 (2010) 87 – 89

Alleged illegal downloading of music: the Danish Supreme Court provides a high bar for evidence and a new line of direction regarding claims for damages and remuneration

8 (2011) 165 – 170

Denmark, case notes

U.2000.1853V, Danish Western High Court

*Debit card; mistake*

4 (2007) 98

U.2006.1341V, Danish Western High Court

*Scanned manuscript signature; mortgage; endorsement*

4 (2007) 99

B-19-08 and B-52-08, Danish High Court (Østre Landsret), 5 September 2008

*IPR; on-line; copyright musical works; Wi Fi; liability for infringement*

5 (2008) 142

Denmark case translations

U.2001.252Ø, Østre Landsret (Eastern Division of the Danish High Court)

6 (2009) 232 – 233

*Request for dissolution; Bankruptcy Court; signature; sufficiency of electronic signature with name typed on document*

U.2001.1980/1H, Højesteret (Supreme Court)

*Request for dissolution; Bankruptcy Court; requirement for manuscript signature; sufficiency of electronic signature with name typed on document*

6 (2009) 234

Poul Erik Gravgaard Larsen v IFPI Danmark, Case 27/2009, Højesterets Dom (Supreme Court)

*Illegal file sharing of music over the internet; assessment of digital evidence*

8 (2011) 219 – 230

U 2012.2614 H, commentary by Langsted, Professor Lars Bo

*Social media; publicly available information; police obtaining information of social media; interception of communications; jurisdiction; Denmark*

10 (2013) 162 – 165

U.2011.2396V, translated by Guðmundsdóttir, Helena Lybæk

*Stolen motor vehicle; SIM card inside the vehicle; powers of the police to require the*

*telephone company to provide an accurate bearing on the location of the SIM card; Denmark*

10 (2013) 166 – 168

U.2011.2396V, 11 May 2011, translated by Helena Lybæk Guðmundsdóttir

*Stolen motor vehicle; SIM card inside the vehicle; powers of the police to require the telephone company to provide an accurate bearing on the location of the SIM card*

11 (2014) 144 – 146

U.2014.52 V, 6 September 2013, with a commentary by Langsted, Professor Lars Bo

*Denmark; digital signature; enforcement*

11 (2014) 147 – 148

U.2014.712Ø, 13 November 2013

*Denmark; digital signature; enforcement*

11 (2014) 149 – 150

Digital certificates

The probative value of digital certificates: Information Assurance is critical to e-Identity Assurance

1 (2004) 55 – 60

Electronic Certification in Brazil and in the European Union

2 (2005) 16 – 21

Digital data

Toward a new jurisprudence of information retrieval: What constitutes a “reasonable” search for digital evidence when using keywords?

5 (2008) 173 – 178

Digital data as hearsay

6 (2009) 7 – 24

Judgment in the case of *K.U. v Finland*: the European Court of Human Rights requires access to communications data to identify the sender to enable effective criminal prosecution in serious violations of private life

6 (2009) 33 – 45

- Security in digital data preservation  
11 (2014) 100 – 106
- Digital documents
- Submission of evidence through digital documents in Swiss civil litigation  
3 (2006) 84 – 88
- Bailiffs on the internet and the validity of their certified reports: Lessons learned from the French and Belgian courts  
7 (2010) 71 – 76
- Forensic document examination of electronically captured signatures  
9 (2012) 67 – 73
- Digital documents, case law
- Dubai
- Case number 2009/37784, Bur Dubai  
*Digital evidence; alleged defamatory comments published on the internet; police investigation; alteration of evidence*  
9 (2012) 106 – 107
- Japan
- Heisei 22 Nen (Wa) 5356 Gou  
*Prosecutor; alteration of digital evidence; criminal offence*  
9 (2012) 114 – 116
- Latvia
- Case No. A42738909, Administratīvā rajona tiesa (Administrative District Court)  
*Calibration certificate of the measuring device submitted without a valid electronic signature; consideration of article 5(2) of Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, OJ L 13, 19.01.2000, p. 12; submission of electronic documents to the competent authorities as evidence*  
*should not be denied solely on the grounds that the document is in electronic form and that does not have a secure electronic signature*  
8 (2011) 238 – 241
- Digital evidence, archiving
- Digital evidence – do not confuse digital archiving with backups  
6 (2009) 191 – 194
- Digital evidence, articles
- QQ Messenger chat record as criminal evidence in China  
8 (2011) 187 – 189
- Digital Evidence and the American Servicemembers’ Protection Act  
11 (2014) 107 – 114
- Digital Evidence and Investigatory Protocols  
11 (2014) 128 – 136
- Digital evidence, bailiffs
- Bailiffs on the internet and the validity of their certified reports: Lessons learned from the French and Belgian courts  
7 (2010) 71 – 76
- Digital evidence, case law
- Belgium
- AR n° 2002/71, Ghent Labour Court of Appeal (Bruges department, 7th chamber), 23 September 2003  
*Proof of contract; e-mail correspondence; electronic signature*  
5 (2008) 98
- CSWARE bvba v Pepijn Descamps, 2007/AR/462, Ghent Court of Appeal, Chamber 7bis, 10 March 2008  
*Proof of contract; e-mail correspondence; allegations of manipulation of e-mails; burden of proof*  
5 (2008) 99 – 102
- Brazil

- Digital evidence in Brazil  
5 (2008) 21 – 28
- China  
Yang Chunning v Han Ying (2005) hai min chu zi NO.4670, Beijing Hai Dian District People’s Court  
*Mobile telephone; exchange of text messages; formation of contract; electronic signature*  
5 (2008) 103 – 105
- Denmark, assessment of digital evidence  
Poul Erik Gravgaard Larsen v IFPI Danmark, Case 27/2009, Højesterets Dom (Supreme Court)  
*Illegal file sharing of music over the internet; assessment of digital evidence*  
8 (2011) 219 – 230
- Denmark, malicious software defence  
B-19-08 and B-52-08, Danish High Court (Østre Landsret), 5 September 2008  
*IPR; on-line; copyright musical works; Wi Fi; liability for infringement*  
5 (2008) 142
- Denmark, SIM card, location  
U.2011.2396V, 11 May 2011, translated by Helena Lybæk Guðmundsdóttir  
*Stolen motor vehicle; SIM card inside the vehicle; powers of the police to require the telephone company to provide an accurate bearing on the location of the SIM card*  
11 (2014) 144 – 146
- Russian Federation  
Case No. A40-43946/08-93-94, Arbitrazh Court of Moscow  
*Digital evidence; construction of contract; e-mails instead of signed transfer and acceptance on paper*  
Case No. A40-19739/08-10-141, Arbitrazh Court of Moscow  
*Digital evidence; status of scanned copies as written evidence; contractual agreement for e-mail correspondence*  
6 (2009) 281 – 283
- Singapore  
Public Prosecutor v Neo Khoo Sing [2008] SGDC 225  
*Digital evidence; the standard of proof for circumstantial evidence; it should lead one to ‘the irresistible inference and conclusion’ that the offence was committed by the accused*  
6 (2009) 284 – 286
- Digital evidence, disposal  
Here’s the Thing: The Cyber Search Provisions of the Search and Surveillance Act 2012  
10 (2013) 39 – 58
- Digital evidence, electronic signatures  
Digital evidence and e-signature in the Russian Federation: a change in trend?  
6 (2009) 181 – 183
- Digital evidence, electronic signatures, case law
- Latvia  
Case No. A42738909, Administratīvā rajona tiesa (Administrative District Court)  
*Calibration certificate of the measuring device submitted without a valid electronic signature; consideration of article 5(2) of Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, OJ L 13, 19.01.2000, p. 12; submission of electronic documents to the competent authorities as evidence should not be denied solely on the grounds that the document is in*

*electronic form and that does not have a secure electronic signature*

8 (2011) 238 – 241

Digital evidence, failure to produce, consequences

Singapore

Alliance Management SA v Pendleton Lane P and Another (The First Case: [2007] SGHC 133), (The Second Case: [2008] SGHC 76)

5 (2008) 152 – 153

Digital evidence, investigation

Models of investigation and processing of digital evidence

5 (2008) 192 – 196

Digital evidence, proof

Denmark

The burden of proof in the matter of alleged illegal downloading of music in Denmark

7 (2010) 87 – 89

Alleged illegal downloading of music: the Danish Supreme Court provides a high bar for evidence and a new line of direction regarding claims for damages and remuneration

8 (2011) 165 – 170

France

Appeal No. 07-17622 Court of Cassation – second civil chamber of 4 December 2008

*Original document; copy of original; digital copy; evidence of logo on scanned letter regarding proof of receipt*

6 (2009) 246

Appeal reference n°: 07-12545 (Not published in the Judgments Bulletin), Court of Cassation, 1st Civil Chamber of 25 June 2008

*Digital evidence; bank transfers written in identical terms; commencement of proof in writing*

6 (2009) 247

Singapore

Public Prosecutor v Neo Khoo Sing [2008] SGDC 225

*Digital evidence; the standard of proof for circumstantial evidence; it should lead one to ‘the irresistible inference and conclusion’ that the offence was committed by the accused*

6 (2009) 284 – 286

Digital evidence, search and seizure

Canada

Search and seizure of digital evidence: thresholds and minefields

5 (2008) 240 – 244

New Zealand

Here’s the Thing: The Cyber Search Provisions of the Search and Surveillance Act 2012

10 (2013) 39 – 58

Thailand

Civil search and seizure of digital evidence: the example of the Thai Central IP & IT Court

5 (2008) 235 – 239

Digital evidence, probative value

Italy

Judgement No. 11445 of 6 September 2001 (Cassazione civile, sez. lav., 6 settembre 2001, n. 11445), Supreme Court of Cassation – Work Section

*Admissibility of digital documents; probative value of electronic or computer systems*

7 (2010) 137 – 140

Digital evidence, standard of proof

Norway

- LB-2006-27667, 20 August 2007,  
Borgarting appellate court –  
judgement  
5 (2008) 134 – 140
- Singapore  
Public Prosecutor v Neo Khoo Sing  
[2008] SGDC 225  
6 (2009) 284 – 286
- Digital evidence, status of scanned copies of  
documents  
Russian Federation  
Case No. A40-43946/08-93-94,  
Arbitrazh Court of Moscow  
6 (2009) 281 – 283
- Digital evidence, validity  
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Greece  
32/2011, translation and  
commentary by Michael G.  
Rachavelias  
*Greece; assignment; validity;  
status of electronic document;  
e-mail address; evidential  
weight*  
11 (2014) 174 – 176
- Digital evidence, watermarks  
Digital watermarks as legal evidence  
8 (2011) 152 – 164
- Digital evidence, weight  
E-mails  
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AR n° 2002/71, Ghent Labour  
Court of Appeal (Bruges  
department, 7th chamber), 23  
September 2003  
5 (2008) 98  
CSWARE bvba v Pepijn  
Descamps, 2007/AR/462,  
Ghent Court of Appeal,  
Chamber 7bis, 10 March 2008  
5 (2008) 99 – 102
- Greece  
32/2011, translation and  
commentary by Michael G.  
Rachavelias  
*Greece; assignment; validity;  
status of electronic document;  
e-mail address; evidential  
weight*  
11 (2014) 174 – 176
- Tax returns sent over the internet  
Jurisprudencia 24/2008, Criteria  
Contradiction Proceedings  
(Contradicción de Tesis) 261/2007 SS  
between the Third Collegiate Court  
for Administrative Matters and the  
Second Civil Court for Civil Matters in  
the Seventh Circuit, Second Chamber  
of the Mexican Supreme Court,  
February 13, 2008  
5 (2008) 117 – 133
- Text messages, mobile telephone  
Yang Chunning v Han Ying (2005) hai  
min chu zi NO.4670, Beijing Hai Dian  
District People’s Court  
5 (2008) 103 – 105
- Digital evidence specialist  
Russian Federation, failure to provide a  
specialist, report inadequate  
Resolution of the Federal Arbitration  
Court of Moscow Region of 5  
November 2003 N КГ-А 40/8531-03-П  
5 (2008) 149 – 151
- Digital forensics  
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4 (2007) 45 – 50  
Digital forensics in Malaysia  
5 (2008) 161 – 165  
Diving into magnetic stripe card skimming  
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5 (2008) 187 – 191

- The use of Artificial Intelligence in digital forensics: An introduction  
7 (2010) 35 – 41
- Remote forensics and cloud computing: an Italian and European legal overview  
8 (2011) 124 – 129
- International aspects of migrating digital forensics in the cloud  
10 (2013) 81 – 96
- Digital images
- Surveillance cameras, identification and expert evidence  
9 (2012) 42 – 50
- Digital property
- Federated identity management: enabling legal control over digital property in the cloud  
8 (2011) 33 – 43
- Digital signatures, articles
- A technician's views on the digital signature in Italy  
2 (2005) 39 – 45
- The creation of Qualified Signatures with Trusted Platform Modules  
4 (2007) 61 – 68
- The use of electronic digital signatures in banking relationships in the Russian Federation  
5 (2008) 51 – 57
- Bread and Donkey for Breakfast how IT law false friends can confound lawmakers: an Italian tale about digital signatures  
6 (2009) 79 – 82
- Justice and sheriff: Practical and authoritative methods for the electronic issuance of officially certified documents in the United States  
7 (2010) 42 – 52
- An overview of some recent case law in Belgium in relation to electronic signatures  
7 (2010) 90 – 100
- Rethinking the e-signatures Directive: on laws, trust services, and the digital single market  
8 (2011) 9 – 24
- How to abolish the cheque clearing system but keep and improve cheques  
8 (2011) 107 – 110
- The role of digital signatures in the digitisation of loan documentation in India  
14 (2017) 61 – 66
- Digital signatures, case law
- Belgium
- An overview of some recent case law in Belgium in relation to electronic signatures  
7 (2010) 90 – 100
- Denmark
- U.2014.52 V, 6 September 2013, with a commentary by Professor Lars Bo Langsted  
*Denmark; digital signature; enforcement*  
11 (2014) 147 – 148
- U.2014.712Ø, 13 November 2013  
*Denmark; digital signature; enforcement*  
11 (2014) 149 – 150
- Estonia, procedure, use of digital signature
- AS Valga Külmutusvagunite Depoo (in bankruptcy)  
1 (2004) 75 – 79
- Germany, qualified electronic signature
- 12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007  
5 (2008) 110 – 111
- 19 February 2009, IV R 97/06  
6 (2009) 278
- Russian Federation

- Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N КГ-А 40/8531-03-П  
5 (2008) 149 – 151
- Sweden, procedure, qualified electronic signature  
Case number 2572-2573-2002  
1 (2004) 80
- Digital signatures, interoperability  
The Digital Tower of Babel  
5 (2008) 183 – 186
- Digital signatures, notaries  
Introducing and working with electronic signatures in mass applications: Notaries and the German commercial register  
5 (2008) 68 – 72
- Digital stamp, requirements  
Mexico, case  
Jurisprudencia 24/2008, Criteria Contradiction Proceedings (Contradicción de Tesis) 261/2007 SS between the Third Collegiate Court for Administrative Matters and the Second Civil Court for Civil Matters in the Seventh Circuit, Second Chamber of the Mexican Supreme Court, February 13, 2008  
5 (2008) 117 – 133
- Digital watermarks  
Digital watermarks as legal evidence  
8 (2011) 152 – 164
- Disclosure  
Electronic disclosure in England & Wales  
3 (2006) 73 – 76  
Firmware forensics: best practices in embedded software source code discovery  
8 (2011) 148 – 151  
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13 (2016) 133 – 138
- Disclosure, practical problems  
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5 (2008) 62 – 67  
Toward a new jurisprudence of information retrieval: What constitutes a “reasonable” search for digital evidence when using keywords?  
5 (2008) 173 – 178
- Discovery, burden to establish necessary inspection  
Canada  
Search and seizure of digital evidence: thresholds and minefields  
5 (2008) 240 – 244  
Singapore  
Alliance Management SA v Pendleton Lane P and Another (The First Case: [2007] SGHC 133), (The Second Case: [2008] SGHC 76)  
5 (2008) 152 – 153
- Discovery, electronic  
Hong Kong  
Electronic evidence and electronic discovery in the Hong Kong Special Administrative Region, People’s Republic of China  
13 (2016) 26 – 43  
Singapore  
Deutsche Bank AG v Chang Tse Wen and others [2010] SGHC 125  
7 (2010) 161 – 162  
Electronic discovery in Singapore: A quinquennial retrospective  
11 (2014) 3 – 24
- Discovery, international  
International aspects of migrating digital forensics in the cloud  
10 (2013) 81 – 96
- Discovery, metadata



- Case Comment on *Laushway v Messervey*, 2014 NSCA 7: 'Old evidence law dogs, new technology tricks'  
12 (2015) 13 – 16
- Discovery, pre-action
- New Zealand
- eDiscovery in New Zealand under the new amended rules  
9 (2012) 7 – 16
- Singapore
- Evidential issues from pre-action discoveries: *Odex Pte Ltd v Pacific Internet Ltd*  
6 (2009) 25 – 32
- Discovery, protocol
- New Zealand
- eDiscovery in New Zealand under the new amended rules  
9 (2012) 7 – 16
- Singapore
- Alliance Management SA v Pendleton Lane P and Another (The First Case: [2007] SGHC 133), (The Second Case: [2008] SGHC 76)*  
5 (2008) 152 – 153
- Discovery, proportionality
- Singapore
- Surface Stone Pte. Ltd. v Tay Seng Leon and another [2011] SGHC 223*  
*Electronic discovery; discovery and inspection of compound documents; principle of proportionality; inspection protocol*  
9 (2012) 128 – 129
- Discovery, relevance
- Singapore
- Sanae Achar v Sci-Gen Ltd [2011] SGHC 87, High Court, 8 April 2011*  
*Discovery; e-Discovery Practice Direction; electronically stored documents; relevance; whether necessary*  
8 (2011) 253 – 255
- Discovery, remote
- Remote electronic discovery  
6 (2009) 132 – 138
- Discovery, rules
- New Zealand
- eDiscovery in New Zealand under the new amended rules  
9 (2012) 7 – 16
- United States of America, Federal Rules of Civil Procedure
- Avoiding disputes regarding electronic evidence: a U.S. perspective  
5 (2008) 166 – 172
- eDiscovery implications, duties and consequences  
5 (2008) 197 – 201
- Discovery, scope
- Irish Supreme Court extends the scope of electronic discovery: *Dome Telecom v Eircom*  
5 (2008) 41 – 44
- Discovery, software code
- Firmware forensics: best practices in embedded software source code discovery  
8 (2011) 148 – 151
- Disinhibition, on-line
- The Moving Finger: sms, on-line communication and on-line disinhibition  
8 (2011) 179 – 183
- Document, exchange
- The Processo Civile Telematico and the Italian legal framework: a perspective  
12 (2015) 17 – 21
- Document, forgery
- Case law
- Greece

- Payment Order 5845/2013,  
translation by Michael G.  
Rachavelias
- Greece; debt; electronic  
document; e-mail; e-mail  
address; burden of proof;  
forgery*
- 11 (2014) 177 – 179
- Document, meaning, hard disk
- Singapore
- Alliance Management SA v Pendleton  
Lane P and Another (The First Case:  
[2007] SGHC 133), (The Second Case:  
[2008] SGHC 76)
- 5 (2008) 152 – 153
- Document, signed electronically
- Electronically signed documents: legal  
requirements and measures for their long-  
term conservation
- 3 (2006) 40 – 44
- Document, status
- Case law
- Greece
- Payment Order 5845/2013,  
translation by Michael G.  
Rachavelias
- Greece; debt; electronic  
document; e-mail; e-mail  
address; burden of proof;  
forgery*
- 11 (2014) 177 – 179
- Dubai, articles
- Challenges of authentication and certification  
of e-awards in Dubai and before the Dubai  
International Financial Centre courts: the  
electronic signature
- 13 (2016) 97 – 112
- The enforceability of electronic arbitration  
agreements before the DIFC Courts and Dubai  
Courts
- 14 (2017) 47 – 60
- Dubai, case translation
- Case number 2009/37784, Bur Dubai
- Digital evidence; alleged defamatory  
comments published on the internet; police  
investigation; alteration of evidence*
- 9 (2012) 106 – 107
- Due process
- Network investigative source codes and due  
process
- 14 (2017) 39 – 46
- Education, digital evidence professionals
- Digital evidence and digital forensic education
- 13 (2016) 143 – 147
- Education, lawyers
- A framework for a syllabus on electronic  
evidence
- 10 (2013) 7 – 15
- Educating for the future: teaching evidence in  
the technological age
- 10 (2013) 16 – 24
- Fitting a quart into a pint pot: the legal  
curriculum and meeting the requirements of  
practice
- 10 (2013) 23 – 28
- Efficacy of evidence
- England & Wales, Ruling
- R v Cahill; R v Pugh* 14 October 2014,  
Crown Court at Cardiff, T20141094  
and T20141061 before HHJ Crowther  
QC
- England & Wales; digital evidence;  
glucose testing; handheld device;  
Electronic Patient Record; efficacy of  
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- 14 (2017) 67 – 71
- Electronic administrative communications
- Electronic administrative communications in  
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- 1 (2004) 51 – 54

Electronic authentication

Industry Canada releases principles for electronic authentication

1 (2004) 37 – 39

Brandeis Brief in the case of *In re William French Anderson*

10 (2013) 29 – 38

Electronic billing

Practice Note: Electronic billing for law firms

1 (2004) 87 – 88

Electronic commerce

E-commerce for Notaries in England & Wales

4 (2007) 41 – 44

The Singapore Electronic Transactions Act and the Hong Kong Electronic Transactions Ordinance

5 (2008) 7 – 20

Electronic disclosure

Electronic disclosure in England & Wales

3 (2006) 73 – 76

E-disclosure viewed as ‘sensemaking’ with computers: The challenge of ‘frames’

5 (2008) 62 – 67

Electronic evidence in control of and adversely affecting the opposing party: a comparative study of English and Norwegian law

8 (2011) 76 – 91

Electronic discovery, remote

Remote electronic discovery

6 (2009) 132 – 138

Electronic discovery

Hong Kong

Hong Kong’s new electronic discovery procedures

11 (2014) 29 – 36

Ireland

Irish Supreme Court extends the scope of electronic discovery: *Dome Telecom v Eircom*

5 (2008) 41 – 44

New Zealand

eDiscovery in New Zealand under the new amended rules

9 (2012) 7 – 16

Here’s the Thing: The Cyber Search Provisions of the Search and Surveillance Act 2012

10 (2013) 39 – 58

Singapore

Surface Stone Pte. Ltd. v Tay Seng Leon and another [2011] SGHC 223

*Electronic discovery; discovery and inspection of compound documents; principle of proportionality; inspection protocol*

9 (2012) 128 – 129

United States of America

eDiscovery implications, duties and consequences

5 (2008) 197 – 201

Legal privilege and the high cost of electronic discovery in the United States: should we be thinking like lawyers?

6 (2009) 139 – 152

Electronic documents, conservation

Electronically signed documents: legal requirements and measures for their long-term conservation

3 (2006) 40 – 44

Electronic documents, definition

Greece, case law

Payment Order 1932/2011, translation and commentary by Rachavelias, Michael G.

*Definition and legal nature of electronic documents; evidential*

*weight of an e-mail message; function of an e-mail address as an electronic signature; evidential weight of the printed copy of an e-mail; authenticity issues regarding electronic documents*

10 (2013) 198 – 200

Electronic document, requirement for advanced electronic signature

Hungary, case law

BH (Court Decisions) 2006/324, A Magyar Köztársaság Legfelsőbb Bíróságának (Supreme Court)

*Electronic documents; identifiable signature; unsigned e-mail; legal effect; requirement for an advanced electronic signature*

8 (2011) 235 – 237

Electronic documents, status of private documents

Germany

12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007

5 (2008) 110 – 111

Greece

Payment Order 8444/2011, Court of First Instance of Athens

*Electronic documents; meaning and distinctions of electronic documents; evidential weight of an attested copy of an e-mail; whether it meets the requirements of article 623 of the Code of Civil Procedure for the issuance of a payment order*

8 (2011) 231 – 234

32/2011, translation and commentary by Michael G. Rachavelias

*Greece; assignment; validity; status of electronic document; e-mail address; evidential weight*

11 (2014) 174 – 176

Electronic documents, income tax returns

Mexico

Jurisprudencia 24/2008, Criteria Contradiction Proceedings (Contradicción de Tesis) 261/2007 SS between the Third Collegiate Court for Administrative Matters and the Second Civil Court for Civil Matters in the Seventh Circuit, Second Chamber of the Mexican Supreme Court, February 13, 2008

5 (2008) 117 – 133

Electronic documents, revolving credit

France

Extract of the minutes of the Registry 1042/2011; RG No 11-11-00080 (not published), 12 December 2011

*France; revolving credit; extensions of credit; failure to pay; digital evidence; electronic signature; civil procedure and time limit of application*

11 (2014) 165 – 167

Arrêt No 442/12 of 14 February 2013 (not published)

*France; revolving credit; extensions of credit; failure to pay; digital evidence; electronic signature; civil procedure and time limit of application*

11 (2014) 168 – 170

Electronic documents, wills, lost testament, electronic copies, validity

Norway

LB-2006-27667, 20 August 2007, Borgarting appellate court – judgement

5 (2008) 134 – 140

Electronic evidence, admissibility

The admissibility of electronic evidence in court in Europe

3 (2006) 91

Admissibility of computer evidence in Tanzania

4 (2007) 56 – 60

- Lorraine v Markel: unnecessarily raising the standard for admissibility of electronic evidence  
4 (2007) 80 – 82
- Electronic evidence in intellectual property litigation: from the Chinese perspective  
10 (2013) 59 – 62
- Electornic evidence, analysis, failure
- Misunderstanding IT: Hospital cybersecurity and IT problems reach the courts  
15 (2018) 11 – 32
- Electronic evidence, articles
- Electronic evidence in China  
5 (2008) 45 – 50
- Evidential issues from pre-action discoveries: *Odex Pte Ltd v Pacific Internet Ltd*  
6 (2009) 25 – 32
- The legal regulation of electronic evidence: a pending necessity  
8 (2011) 25 – 32
- Electronic evidence in Hungary: a general overview  
8 (2011) 44 – 59
- Electronic evidence in Latvia: a general overview  
8 (2011) 60 – 69
- Electronic Evidence in Swiss Criminal Procedure  
8 (2011) 70 – 75
- Electronic evidence in torrent copyright cases  
8 (2011) 171 – 178
- QQ Messenger chat record as criminal evidence in China  
8 (2011) 187 – 189
- Electronic evidence in intellectual property litigation: from the Chinese perspective  
10 (2013) 59 – 62
- Search and seizure for electronic evidence: procedural aspects of UAE’s legal system  
10 (2013) 115 – 122
- Electronic evidence in Tanzania  
10 (2013) 123 – 127
- Electronic evidence and the Croatian Criminal Procedure Act  
10 (2013) 128 – 135
- The scope of electronic transactions and electronic evidence in the courts of the United Arab Emirates  
11 (2014) 37 – 45
- Electronic evidence in Nigeria  
11 (2014) 76 – 84
- Establishing possession, custody and control through electronic baggage tags  
14 (2017) 16 – 21
- Electronic evidence in Bulgaria – one step further, one step back  
15 (2018) 60 – 69
- Electronic evidence, best evidence
- Electronic evidence in Tanzania  
10 (2013) 123 – 127
- Electronic Evidence, Draft Convention on  
13 (2016) S1 – S11
- Electronic evidence, exchange
- A proposed electronic evidence exchange across the European Union  
14 (2017) 1 – 12
- Electronic evidence, failure of analysis
- Misunderstanding IT: Hospital cybersecurity and IT problems reach the courts  
15 (2018) 11 – 32
- Electronic evidence, preservation
- Electronic evidence and the Croatian Criminal Procedure Act  
10 (2013) 128 – 135
- Electronic evidence, probative force
- Electronic evidence in intellectual property litigation: from the Chinese perspective

- 10 (2013) 59 – 62
- Electronic evidence and electronic signatures in Indonesia: the probative value of digital evidence
- 10 (2013) 136 – 143
- China
- Xinchuan Online (Beijing) Information Technology Co. Ltd. v Zigong Branch of China Network Communication Group (2008) Min Shen Zi No. 926, translation and commentary by He, Dr Jiong
- Intellectual property infringement; electronic evidence; probative force of notarial certificates; reliability of method of collecting electronic evidence*
- 10 (2013) 158 – 161
- England & Wales, Ruling
- R v Cahill; R v Pugh* 14 October 2014, Crown Court at Cardiff, T20141094 and T20141061 before HHJ Crowther QC
- England & Wales; digital evidence; glucose testing; handheld device; Electronic Patient Record; efficacy of evidence*
- 14 (2017) 67 – 71
- Estonia
- 3-15-2557, Tallinna Ringkonnakohus (Tallinn Circuit Court), 12 January 2017, translation by Kivi, Andres
- Estonia; admissibility of digital evidence; trustworthiness of digital evidence; tax procedure*
- 14 (2017) 72 – 78
- Electronic evidence, syllabus
- A framework for a syllabus on electronic evidence
- 10 (2013) 7 – 15
- Electronic identity
- The proposed international e-identity assurance standard for electronic notarization
- 5 (2008) 78 – 80
- The draft International Electronic Notarization Assurance Standard
- 5 (2008) 81 – 97
- Electronic payment, case law
- Russian Federation, mistake as to transfer
- A12-3342/05-C11, The Federal Arbitration of the Povolzhsky District
- 4 (2007) 83 – 85
- Electronic payment procedure
- The German electronic order for payment procedure
- 4 (2007) 51 – 55
- Electronic prescriptions
- The electronic prescription of medication in a Netherlands hospital
- 3 (2006) 55 – 59
- Electronic records
- Why a legal opinion is necessary for electronic records management systems
- 9 (2012) 17 – 30
- Electronic registered post
- Comments on the Italian ‘Code for the digital administration’
- 5 (2008) 29 – 40
- Electronic security stamp
- Hybrid signatures under Belgian law
- 9 (2012) 79 – 80
- Electronic signatures, advanced electronic signature
- Hungary, case law
- BH (Court Decisions) 2006/324, A Magyar Köztársaság Legfelsőbb Bíróságának (Supreme Court)
- Electronic documents; identifiable signature; unsigned e-mail; legal effect; requirement for an advanced electronic signature*

- 8 (2011) 235 – 237
- Sweden, case law
- Case No. 11534-13
- Sweden; advanced electronic signature; effectiveness; administrative proceedings*
- 12 (2015) 103 – 106
- Electronic signatures, applications
- Introducing and working with electronic signatures in mass applications: Notaries and the German commercial register
- 5 (2008) 68 – 72
- Electronic signatures, articles
- Electronic Signatures in German, French and Polish Law Perspective
- 1 (2004) 7 – 13
- Electronic signatures in Denmark: free for all citizens
- 1 (2004) 14 – 18
- Electronic signature: value in law and probative effectiveness in the Italian legal system
- 1 (2004) 19 – 24
- Recent developments in the United States regarding electronic signatures
- 1 (2004) 27 – 29
- The electronic signature law in Turkey
- 1 (2004) 33 – 36
- Legal aspects of electronic signatures in Bulgaria
- 1 (2004) 61 – 66
- On the implementation of the 1999 European Directive on electronic signatures
- 2 (2005) 7 – 15
- Electronic signatures in Russian law
- 2 (2005) 62 – 66
- The electronic signature law: between creating the future and the future of creation
- 2 (2005) 46 – 50
- The electronic signature in Spain
- 2 (2005) 77 – 78
- Contemporary enactment of the electronic signature in the Czech Republic
- 3 (2006) 30 – 39
- Watch what you sign!
- 3 (2006) 45 – 49
- The electronic signature law in Vietnam: a note
- 3 (2006) 89 – 90
- Comments about the Brazilian Supreme Court electronic signature case law
- 3 (2006) 98 – 100
- Integrating qualified electronic signatures with password legacy systems
- 4 (2007) 7 – 13
- Electronic signatures: value in law and probative effectiveness in Greece
- 4 (2007) 34 – 40
- The electronic signature in Chile
- 4 (2007) 69 – 79
- The Singapore Electronic Transactions Act and the Hong Kong Electronic Transactions Ordinance
- 5 (2008) 7 – 20
- Businesses' perception of electronic signatures: An Australian study
- 6 (2009) 46 – 56
- Civil law liability for unauthorized withdrawals at ATMs in Germany
- 6 (2009) 57 – 66
- Bread and Donkey for Breakfast how IT law false friends can confound lawmakers: an Italian tale about digital signatures
- 6 (2009) 79 – 82
- The essential elements of an effective electronic signature process
- 6 (2009) 83 – 97

- Reliability of Chip & PIN evidence in banking disputes  
6 (2009) 98 – 115
- PINs, passwords and human memory  
6 (2009) 116 – 122
- Digital evidence and e-signature in the Russian Federation: a change in trend?  
6 (2009) 181 – 183
- Rethinking the e-signatures Directive: on laws, trust services, and the digital single market  
8 (2011) 9 – 24
- Electronic Signatures in Iran  
8 (2011) 184 – 186
- Forensic document examination of electronically captured signatures  
9 (2012) 67 – 73
- Enforcing ‘simple’ electronic signatures in an international context  
9 (2012) 74 – 78
- Must e-Signatures be reliable?  
10 (2013) 67 – 70
- Electronic signatures in Italian law  
11 (2014) 85 – 99
- Challenges of authentication and certification of e-awards in Dubai and before the Dubai International Financial Centre courts: the electronic signature  
13 (2016) 97 – 112
- The e-signature in Taiwan: consent, integrity and accessibility  
13 (2016) 148 – 153
- A note to China’s new law on electronic signatures  
13 (2016) 154 – 155
- Electronic signatures, biodynamic
- Forensic document examination of electronically captured signatures  
9 (2012) 67 – 7
- Electronic signatures, burden of proof
- Germany
- Ur19 U 16/02, OLG Köln, 6 September 2002  
5 (2008) 108 – 109
- Russian Federation
- Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N КГ-А 40/8531-03-П  
5 (2008) 149 – 151
- Electronic signatures, case law
- Biodynamic electronic signature
- Article
- Forensic document examination of electronically captured signatures  
9 (2012) 67 – 73
- France
- n° 13DA00046 (not published at Recueil Lebon), 30 May 2013
- France; penalty points driver’s license; approved digital device; procedure; digital evidence; electronic signature; biodynamic version of a manuscript signature; proof*  
11 (2014) 171 – 173
- Advanced electronic signature
- Lithuania
- A-143-2740-12, 18 December 2012 with a commentary by Professor Mindaugas Kiškis
- Electronic signatures; qualified certificate; advanced electronic signature; personal identification numbers; data protection*  
11 (2014) 152 – 164
- Digital signatures
- Brazil, procedure



- RMS-AgR-ED 24257 DF  
 3 (2006) 92 – 94  
 AI 564765 RJ  
 3 (2006) 95 – 97
- Denmark  
 U.2014.52 V, 6 September 2013, with a commentary by Langsted, Professor Lars Bo  
*Denmark; digital signature; enforcement*  
 11 (2014) 147 – 148  
 U.2014.712Ø, 13 November 2013  
*Denmark; digital signature; enforcement*  
 11 (2014) 149 – 150
- Estonia, procedure, use of digital signature  
 AS Valga Külmutusvagunite Depoo (in bankruptcy)  
 1 (2004) 75 – 79
- Germany, qualified electronic signature  
 12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007  
 5 (2008) 110 – 111  
 19 February 2009, IV R 97/06  
 6 (2009) 278
- Hungary  
 BH (Court Decisions) 2006/324, A Magyar Köztársaság Legfelsőbb Bíróságának (Supreme Court)  
*Electronic documents; identifiable signature; unsigned e-mail; legal effect; requirement for an advanced electronic signature*  
 8 (2011) 235 – 237
- Russian Federation, banking  
 The use of electronic digital signatures in banking relationships in the Russian Federation  
 5 (2008) 51 – 57  
 Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N КГ-А 40/8531-03-П  
 5 (2008) 149 – 151
- Sweden, procedure, qualified electronic signature  
 Case number 2572-2573-2002  
 1 (2004) 80
- E-mail account, password
- Germany  
 Ur19 U 16/02, OLG Köln, 6 September 2002  
 5 (2008) 108 – 109  
 12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007  
 5 (2008) 110 – 111
- Name in e-mail address
- Greece, assignment  
 32/2011, translation and commentary by Michael G. Rachavelias  
*Greece; assignment; validity; status of electronic document; e-mail address; evidential weight*  
 11 (2014) 174 – 176
- Greece, debt  
 Payment Order 5845/2013, translation by Michael G. Rachavelias  
*Greece; debt; electronic document; e-mail; e-mail*

<i>address; burden of proof; forgery</i>	2 (2005) 105 – 106
11 (2014) 177 – 179	Ur19 U 16/02, OLG Köln, 6 September 2002
Greece, notification procedure	5 (2008) 108 – 109
Court Decision No. 1963/(2004)	12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007
2 (2005) 107 – 111	5 (2008) 110 – 111
Italy, e-mail acknowledging debt	Greece, contract
Tribunale Mondovì, 7 giugno 2004, n. 375 (decr.), Giur. It. 2005, 1026	Translation of Case No. 1327/2001 – Payment Order
4 (2007) 86 – 88	3 (2006) 104 – 107
Singapore, contract	Case note of Case number 1327/2001 – Payment Order from the Court of first instance of Athens
SM Integrated Transware Pte Ltd v Schenker Singapore (Pte) Ltd [(2005)] SGHC 58	1 (2004) 83 – 86
2 (2005) 112 – 113	Slovenia, procedure
Name typed in an e-mail	I Up 505/2003, The Supreme Court of the Republic of Slovenia
China, employment	4 (2007) 97
Beijing Han-Hua-Kai-Jie Technology development Ltd. v Chen Hong	Name in text message
4 (2007) 96	China
France, procedure, name typed in an e-mail	Yang Chunning v Han Ying (2005) hai min chu zi NO.4670, Beijing Hai Dian District People's Court
Case number 235784 from the Conseil d'Etat, Elections municipales de la Commune d'Entre-Deux-Monts dated 28 December 2001	5 (2008) 103 – 105
1 (2004) 81	Denmark
Case number 00-46467 from the Cour de Cassation, chambre civile 2, Sté Chalets Boisson c/ M. X. dated 30 April 2003	U.2001.252Ø
1 (2004) 82	6 (2009) 232 – 233
Germany, contract	U.2001.1980/1H
OLG Köln, 19 U 16/02; LG Konstanz, 2 O 141/01 A; AG Erfurt, 28 C 2354/01	6 (2009) 234
	Personal Identity Number (PIN)
	Austria, ATM card
	OGH Urteil vom 29.06.2000, 2 Ob 133/99v – Liability for misuse of ATM cards,

- Oberster Gerichtshof  
(Austrian Supreme Court)  
5 (2008) 141  
OGH judgment of 29.06.2000,  
2 Ob 133/99v – Liability for  
misuse of ATM cards,  
Oberster Gerichtshof  
(Austrian Supreme Court)  
(Translation)  
6 (2009) 223 – 231
- Denmark, error  
U.2000.1853V, Danish  
Western High Court  
4 (2007) 98
- England & Wales  
Job v Halifax PLC (not  
reported) Case number  
7BQ00307  
6 (2009) 235 – 245  
Shojibur Rahman v Barclays  
Bank PLC, commentary by  
Mason, Stephen and Bohm,  
Nicholas  
*Bank card; PIN; electronic  
signature; verification of  
customer; negligence of the  
bank; negligence of the  
customer; fraud; burden of  
proof; events taking place  
before the Payment Services  
Regulations 2009 in force*  
10 (2013) 169 – 174  
Shojibur Rahman v Barclays  
Bank PLC (on appeal from the  
judgment of Her Honour  
District Judge Millard dated  
24 October 2012),  
commentary by Mason,  
Stephen and Bohm, Nicholas  
*Bank card; PIN; electronic  
signature; verification of  
customer; negligence of the  
bank; negligence of the*
- customer; fraud; burden of  
proof*  
10 (2013) 175 – 187
- Germany  
Civil law liability for  
unauthorized withdrawals at  
ATMs in Germany  
6 (2009) 57 – 66  
5 October 2004, XI ZR 210/03,  
published BGHZ 160, 308-321  
Bundesgerichtshof (Federal  
Court of Justice)  
6 (2009) 248 – 254
- Greece, bank card  
Translation – Court Decision  
No. 5526/1999  
4 (2007) 89 – 90  
Translation – Court Decision  
No. 9460/1999 (9460/1999  
ΕΦ ΑΘ)  
7 (2010) 134 – 136
- Lithuania, bank card  
Ž.Š. v AB Lietuva taupomasis  
bankas, Civil Case No. 3K-3-  
390/2002, Civil Chamber of  
the Supreme Court of  
Lithuania  
5 (2008) 143 – 145  
Ž.Š. v Lietuvos taupomasis  
bankas, Civil case No. 3K-3-  
390/2002, Supreme Court of  
Lithuania  
6 (2009) 255 – 262
- Norway  
Unauthorized use of bank  
cards with or without the PIN:  
a lost case for the customer?  
9 (2012) 95 – 101  
Journal number 04-  
016794TVI-TRON, Bernt  
Petter Jørgensen v DnB NOR

- Bank ASA by the Chairman of the Board (Trondheim District Court, 24 September 2004)
- Bank card; theft of card; unauthorized use; PIN; electronic signature; burden of proof; liability; gross negligence*
- 9 (2012) 117 – 123
- Spain
- Bank card fraud in Spain
- 6 (2009) 67 – 78
- Qualified electronic signature
- Germany, electronic documents
- 12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007
- 5 (2008) 110 – 111
- Appeal, civil proceedings
- 14.01.2010, VII ZB 112/08, commentary by Eßer, Dr Martin
- 7 (2010) 158
- Scanned manuscript signature
- Denmark, redemption of mortgage
- U.2006.1341V, Danish Western High Court
- 4 (2007) 99
- Germany, procedure, scanned manuscript signature sent by computer facsimile
- GmS-OGB 1/98
- 2 (2005) 103 – 104
- Secure electronic signature
- France
- 15-10732 Cour de cassation, chambre civile 1, 6 April 2016, translated by Laura Ramkhalawan
- France; electronic signature; validation of signature; formation of contract*
- 13 (2016) 159 – 161
- Latvia
- Case No. A42738909, Administratīvā rajona tiesa (Administrative District Court)
- Calibration certificate of the measuring device submitted without a valid electronic signature; consideration of article 5(2) of Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, OJ L 13, 19.01.2000, p. 12; submission of electronic documents to the competent authorities as evidence should not be denied solely on the grounds that the document is in electronic form and that does not have a secure electronic signature*
- 8 (2011) 238 – 241
- Poland, electronic document, secure electronic signature, legal effect, case translation
- Sygn. akt I KZP 39/08, Polish Supreme Court, 26 March 2009
- 6 (2009) 270 – 274
- Electronic signatures, case law, unknown form
- France
- CA Douai, 8e ch., 1re sect., 2 mai 2013, n° 12/05299: JurisData n° 2013-008597
- France; electronic signature; revolving credit; foreclosure*
- 11 (2014) 180 – 181
- Electronic signatures, court proceedings

- Electronic Signatures and court proceedings in Brazil  
3 (2006) 7 – 11
- Electronic signatures, enforcement  
Enforcing ‘simple’ electronic signatures in an international context  
9 (2012) 74 – 78
- Electronic signatures, failure to understand  
Businesses’ perception of electronic signatures: An Australian study  
6 (2009) 46 – 56
- Electronic signatures, hybrid  
Hybrid signatures under Belgian law  
9 (2012) 79 – 80
- Electronic signatures, methods  
On-line signing made simple  
1 (2004) 44 – 50
- Electronic signatures, officially certified documents  
Justice and sheriff: Practical and authoritative methods for the electronic issuance of officially certified documents in the United States  
7 (2010) 42 – 52
- Electronic signatures, PKI  
Electronic Signatures and PKI Frameworks in Australia  
1 (2004) 40 – 43
- Electronic signatures, password legacy systems  
Integrating qualified electronic signatures with password legacy systems  
4 (2007) 7 – 13
- Electronic signatures, privacy  
Case law  
Lithuania  
A-143-2740-12, 18 December 2012 with a commentary by Professor Mindaugas Kiškis
- Electronic signatures; qualified certificate; advanced electronic signature; personal identification numbers; data protection*  
11 (2014) 152 – 164
- Electronic signatures, probative value  
Electronic evidence and electronic signatures in Indonesia: the probative value of digital evidence  
10 (2013) 136 – 143
- Electronic signatures, proof  
England & Wales, case law  
Shojibur Rahman v Barclays Bank PLC, commentary by Mason, Stephen and Bohm, Nicholas  
*Bank card; PIN; electronic signature; verification of customer; negligence of the bank; negligence of the customer; fraud; burden of proof; events taking place before the Payment Services Regulations 2009 in force*  
10 (2013) 169 – 174  
Shojibur Rahman v Barclays Bank PLC (on appeal from the judgment of Her Honour District Judge Millard dated 24 October 2012), commentary by Mason, Stephen and Bohm, Nicholas  
*Bank card; PIN; electronic signature; verification of customer; negligence of the bank; negligence of the customer; fraud; burden of proof*  
10 (2013) 175 – 187
- Russian Federation, digital signature, case law  
Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N КГ-А 40/8531-03-П  
5 (2008) 149 – 151
- Electronic signatures, qualified, articles  
Integrating qualified electronic signatures with password legacy systems  
4 (2007) 7 – 13

- When the EU qualified electronic signature becomes an information services preventer  
7 (2010) 7 – 18
- Electronic signatures, qualified, case law
- Germany
- 12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007  
5 (2008) 110 – 111
- Electronic signatures, reliability of method
- Must e-Signatures be reliable?  
10 (2013) 67 – 70
- Electronic signatures, regulation
- Legal regulation of electronic signatures in Lithuania  
2 (2005) 73 – 76
- Legal update, Canada: PIPEDA's Secure Electronic Signature Regulations have been published  
2 (2005) 71 – 72
- The Singapore Electronic Transactions Act and the Hong Kong Electronic Transactions Ordinance  
5 (2008) 7 – 20
- Electronic signatures, security, articles
- Practical considerations in securing electronic signatures  
2 (2005) 67 – 70
- Reliability of Chip & PIN evidence in banking disputes  
6 (2009) 98 – 115
- Electronic signatures, security, case law
- Russian Federation, digital signature
- Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N КГ-А 40/8531-03-П  
5 (2008) 149 – 151
- Electronic signatures, Singapore and Hong Kong
- The Singapore Electronic Transactions Act and the Hong Kong Electronic Transactions Ordinance  
5 (2008) 7 – 20
- Electronic signatures, validation
- France
- 15-10732 Cour de cassation, chambre civile 1, 6 April 2016, translated by Laura Ramkhalawan  
*France; electronic signature; validation of signature; formation of contract*  
13 (2016) 159 – 161
- Electronic voting
- Germany
- 2 BvC 3/07, 2 BvC 4/07 Federal Constitutional Court of Germany  
6 (2009) 279 – 280
- Electronic wills
- Norway, succession law, lost will  
LB-2006-27667, 20 August 2007, Borgarting appellate court – judgement  
5 (2008) 134 – 140
- Electronic wills in South Africa  
7 (2010) 67 – 70
- E-mail, address, function of
- Greece, case law
- Payment Order 1932/2011, translation and commentary by Rachavelias, Michael G.  
*Definition and legal nature of electronic documents; evidential weight of an e-mail message; function of an e-mail address as an electronic signature; evidential weight of the printed copy of an e-mail; authenticity issues regarding electronic documents*  
10 (2013) 198 – 200
- E-mail, articles

- Registered e-Mail and e-Invoicing in Turkey  
 6 (2009) 197 – 201  
 E-mail evidence and the hearsay rule –  
 commentary on a recent Malaysian case  
 10 (2013) 107 – 114
- E-mail, authenticity  
 Zhang Hua v Shanghai Danwei Information  
 Consultation Co. Ltd, Shanghai People’s Court  
 of Jing’an District  
 6 (2009) 275 – 276
- E-mail, client confidentiality  
 Practitioner note: E-mails cause practical  
 problems for client confidentiality  
 8 (2011) 193
- E-mail, delivery  
 Electronic delivery  
 15 (2018) 70 – 74
- E-mail, evidential weight  
 Greece, case law  
 Payment Order 1932/2011,  
 translation and commentary by  
 Rachavelias, Michael G.  
*Definition and legal nature of  
 electronic documents; evidential  
 weight of an e-mail message; function  
 of an e-mail address as an electronic  
 signature; evidential weight of the  
 printed copy of an e-mail; authenticity  
 issues regarding electronic documents*  
 10 (2013) 198 – 200
- E-mail, evidential weight of copy  
 Greece, case law  
 Payment Order 8444/2011, Court of  
 First Instance of Athens  
*Electronic documents; meaning and  
 distinctions of electronic documents;  
 evidential weight of an attested copy  
 of an e-mail; whether it meets the  
 requirements of article 623 of the  
 Code of Civil Procedure for the  
 issuance of a payment order*
- 8 (2011) 231 – 234
- E-mail, hearsay  
 E-mail evidence and the hearsay rule –  
 commentary on a recent Malaysian case  
 10 (2013) 107 – 114
- E-mail, legal effect, case law
- Greece  
 Case No 803/2004, Council of State  
 for Suspensions, 15 September 2004  
 5 (2008) 112 – 116  
 Payment Order 8444/2011, Court of  
 First Instance of Athens  
*Electronic documents; meaning and  
 distinctions of electronic documents;  
 evidential weight of an attested copy  
 of an e-mail; whether it meets the  
 requirements of article 623 of the  
 Code of Civil Procedure for the  
 issuance of a payment order*  
 8 (2011) 231 – 234
- Hungary  
 BH (Court Decisions) 2006/324, A  
 Magyar Köztársaság Legfelsőbb  
 Bíróságának (Supreme Court)  
*Electronic documents; identifiable  
 signature; unsigned e-mail; legal  
 effect; requirement for an advanced  
 electronic signature*  
 8 (2011) 235 – 237
- Netherlands  
 21 November 2007, LJN BC0337,  
 Rechtbank (Lower Court) Amsterdam  
 5 (2008) 146
- Embedded software  
 Firmware forensics: best practices in  
 embedded software source code discovery  
 8 (2011) 148 – 151
- Encrypted data  
 A combination or a key? The Fifth  
 Amendment and privilege against compelled  
 decryption

- 9 (2012) 81 – 87
- Digital data encryption –aspects of criminal law and dilemmas in Slovenia
- 10 (2013) 147 – 154
- Forced biometric authentication – on a recent amendment in the Norwegian Code of Criminal Procedure
- 14 (2017) 26 – 30
- England & Wales
- Practice Note: Electronic billing for law firms
- 1 (2004) 87 – 88
- Electronic disclosure in England & Wales
- 3 (2006) 73 – 76
- E-commerce for Notaries in England & Wales
- 4 (2007) 41 – 44
- Electronic evidence in control of and adversely affecting the opposing party: a comparative study of English and Norwegian law
- 8 (2011) 76 – 91
- Digital Forensics Specialist Group
- 9 (2012) 88 – 90
- Technology assisted review approved for use in English High Court litigation
- 13 (2016) 139 – 142
- England & Wales, case note
- Donald Blaney v Person(s) unknown, (not reported), Thursday, 1 October 2009, Lewison J ChD
- Intellectual property; passing off; copyright; moral rights; injunction; service by alternative means; CPR 6.27; internet; anonymous author*
- 7 (2010) 155
- England & Wales, judgments
- Job v Halifax PLC (not reported) Case number 7BQ00307
- ATM; electronic signature (PIN); proof for civil proceedings*
- 6 (2009) 235 – 245
- R v LR (not reported) Indictment number T20090048
- Abusive images of children; judicial order to provide copies of images to defence; refusal by prosecution; reasonableness of judicial order and practical arrangements*
- 7 (2010) 125 – 129
- Shojibur Rahman v Barclays Bank PLC, commentary by Mason, Stephen and Bohm, Nicholas
- Bank card; PIN; electronic signature; verification of customer; negligence of the bank; negligence of the customer; fraud; burden of proof; events taking place before the Payment Services Regulations 2009 in force*
- 10 (2013) 169 – 174
- Shojibur Rahman v Barclays Bank PLC (on appeal from the judgment of Her Honour District Judge Millard dated 24 October 2012), commentary by Mason, Stephen and Bohm, Nicholas
- Bank card; PIN; electronic signature; verification of customer; negligence of the bank; negligence of the customer; fraud; burden of proof*
- 10 (2013) 175 – 187
- England & Wales, service
- Donald Blaney v Person(s) unknown, (not reported), Thursday, 1 October 2009, Lewison J ChD
- Intellectual property; passing off; copyright; moral rights; injunction; service by alternative means; CPR 6.27; internet; anonymous author*
- 7 (2010) 155
- England & Wales, trial transcript
- Regina v Seema Misra, T20090070, In the Crown Court at Guilford, Trial dates: 11, 12, 13, 14, 15, 18, 19, 20, 21 October and 11 November 2010, His Honour Judge N. A. Stewart and a jury
- England & Wales; theft; electronic evidence; Post Office Horizon System; ‘reliability’ of computers*



- 12 (2015) Introduction, 44 – 55; Documents Supplement
- Estonia, articles
- Criminal procedure and digital evidence in Estonia
- 13 (2016) 113 – 120
- Estonia, case law
- Case note
- AS Valga Külmutusvaguinite Depoo (in bankruptcy)
- 1 (2004) 75 – 79
- European Union
- Electronic Certification in Brazil and in the European Union
- 2 (2005) 16 – 21
- On the implementation of the 1999 European Directive on electronic signatures
- 2 (2005) 7 – 15
- Rethinking the e-signatures Directive: on laws, trust services, and the digital single market
- 8 (2011) 9 – 24
- Remote forensics and cloud computing: an Italian and European legal overview
- 8 (2011) 124 – 129
- A proposed electronic evidence exchange across the European Union
- 14 (2017) 1 – 12
- Evidence
- The evidential value of the data-message in Iran
- 3 (2006) 60 – 68
- Admissibility of computer evidence in Tanzania
- 4 (2007) 56 – 60
- Lorraine v Markel: unnecessarily raising the standard for admissibility of electronic evidence
- 4 (2007) 80 – 82
- Electronic evidence in China
- 5 (2008) 45 – 50
- The Garlasco case and the digital alibi evidence: a difficult relationship between law and informatics
- 14 (2017) 31 – 38
- Evidence, case law
- France, taking evidence from abroad, criminal penalty
- In re Advocate Christopher X, Cour de cassation chambre criminelle du 12 décembre 2007 n°07-83228
- 7 (2010) 130 – 133
- Singapore, contract
- Chwee Kin Keong v Digilandmall.com Pte Ltd, case numbers Suit 202/2003/E (at first instance), CA/30/(2004) (for the appeal)
- 2 (2005) 114 – 115
- Russian Federation, digital signature
- Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N КГ-А 40/8531-03-П
- 5 (2008) 149 – 151
- Expert evidence
- Surveillance cameras, identification and expert evidence
- 9 (2012) 42 – 50
- Extraterritorial searches
- Here’s the Thing: The Cyber Search Provisions of the Search and Surveillance Act 2012
- 10 (2013) 39 – 58
- Facial mapping
- Surveillance cameras, identification and expert evidence
- 9 (2012) 42 – 50
- Facsimile, case law
- France
- 95-14251 Société Descamps, Banque Scalbert Dupont, Commercial Chamber of the Cour de cassation

- (Cour de cassation chambre commerciale), Tuesday 2 December 1997  
5 (2008) 106 – 107
- Poland, notice of appeal by facsimile transmission, need for manuscript signature  
I KZP 29/06, Resolution of the Polish Supreme Court  
5 (2008) 147 – 148
- Finland, articles
- Evidence of cybercrime and coercive measures in Finland  
13 (2016) 49 – 66
- Forensic signature examination
- Forensic document examination of electronically captured signatures  
9 (2012) 67 – 73
- Forensics
- Professionalism in digital forensics  
4 (2007) 45 – 50
- Remote forensics and cloud computing: an Italian and European legal overview  
8 (2011) 124 – 129
- Ten years of computer forensic tool testing  
8 (2011) 139 – 147
- Firmware forensics: best practices in embedded software source code discovery  
8 (2011) 148 – 151
- Digital Forensics Institute in Malaysia: the way forward  
9 (2012) 51 – 57
- Digital Forensics Specialist Group  
9 (2012) 88 – 90
- Are mobile device examinations practiced like ‘forensics’?  
12 (2015) 3 – 9
- Form, requirements
- Poland, case law, notice of appeal by facsimile transmission, need for manuscript signature  
I KZP 29/06, Resolution of the Polish Supreme Court  
5 (2008) 147 – 148
- France, articles
- Electronic Signatures in German, French and Polish Law Perspective  
1 (2004) 7 – 13
- An outline of the French law on digital evidence  
5 (2008) 179 – 182
- Digital evidence – do not confuse digital archiving with backups  
6 (2009) 191 – 194
- Bailiffs on the internet and the validity of their certified reports: Lessons learned from the French and Belgian courts  
7 (2010) 71 – 76
- The archiving of electronic documents under French law  
7 (2010) 108 – 113
- The deed is done: on-line notarization becomes a reality  
10 (2013) 144 – 146
- Commentary on digital evidence and electronic signature of a consumer credit contract in France  
11 (2014) 225
- France, case notes
- Case number 235784 from the Conseil d’Etat, Elections municipales de la Commune d’Entre-Deux-Monts dated 28 December 2001  
1 (2004) 81
- Case number 00-46467 from the Cour de Cassation, chambre civile 2, Sté Chalets Boisson c/ M. X. dated 30 April 2003  
1 (2004) 82
- CA Douai, 8e ch., 1re sect., 2 mai 2013, n° 12/05299: JurisData n° 2013-008597

*France; electronic signature; revolving credit; foreclosure*

11 (2014) 180 – 181

France, case translations

95-14251 Société Descamps, Banque Scalbert Dupont, Commercial Chamber of the Cour de cassation (Cour de cassation chambre commerciale), Tuesday 2 December 1997

5 (2008) 106 – 107

Appeal No. 07-17622 Court of Cassation – second civil chamber of 4 December 2008, by Bazin, Philippe

*Original document; copy of original; digital copy; evidence of logo on scanned letter regarding proof of receipt*

6 (2009) 246

Appeal reference n°: 07-12545 (Not published in the Judgments Bulletin), Court of Cassation, 1st Civil Chamber of 25 June 2008, by Bazin, Philippe

*Digital evidence; bank transfers written in identical terms; commencement of proof in writing*

6 (2009) 247

In re Advocate Christopher X, Cour de cassation chambre criminelle du 12 décembre 2007 n°07-83228

*Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matter; liability of French lawyer for taking evidence without authority of the Hague Convention; articles 1134 of the Civil Code, 111-4 of the Penal Code, 1 bis of law No. 68-678 of 26 July 1968 amended by law No. 80-538 of 16 July 1980 (articles 1134 du code civil, 111-4 du code pénal, 1 bis de la loi n° 68-678 du 26 juillet 1968 modifiée par la loi n° 80-538 du 16 juillet 1980)*

7 (2010) 130 – 133

Union des Etudiants Juifs de France and J'accuse! ... action internationale pour la justice v Twitter, Inc. (with voluntary interventions by Le Mouvement Contre Le Racisme et pour L'Amitié Entre Les Peuples,

Association SOS Racisme-Touche pas a mon pote and La Ligue Internationale Contre Le Racisme et L'Antisémitisme), with a commentary by Delerue, François

*Host; ID; Twitter; responsibility; illegal content; author; Data Protection Law; communication; data; injunction; Article 145 of the CPC; French law; enforcement; jurisdiction*

10 (2013) 188 – 197

Extract of the minutes of the Registry 1042/2011; RG No 11-11-00080 (not published), 12 December 2011

*France; revolving credit; extensions of credit; failure to pay; digital evidence; electronic signature; civil procedure and time limit of application*

11 (2014) 165 – 167

Arrêt No 442/12 of 14 February 2013 (not published)

*France; revolving credit; extensions of credit; failure to pay; digital evidence; electronic signature; civil procedure and time limit of application*

11 (2014) 168 – 170

n° 13DA00046 (not published at Recueil Lebon), 30 May 2013

*France; penalty points driver's license; approved digital device; procedure; digital evidence; electronic signature; biodynamic version of a manuscript signature; proof*

11 (2014) 171 – 173

Groupe Philippe Bosc/MMT, translated by Laura Ramkhalawan

*France; brand; web site; finding; search engine; parasitism; brands; source code; meta tag; proof; nullity*

12 (2015) 56 – 58

Arrêt n°211 du 26 février 2013 (12-14.771), translated by Laura Ramkhalawan

*France; tax authority; search and seizure; application of article L. 85 of the Book of Tax Procedures*

12 (2015) 59 – 60

Arrêt du 27 février 2013, translated by Laura Ramkhalawan

*France; copyright; probative value of official report; Afnor NFZ67-147 standard; software; internet; validity; co-author*

12 (2015) 61 – 66

26 June 2014 – no. 13/19600, translated by Laura Ramkhalawan

*France; special power of attorney issued online; electronic signature; reliability criteria regarding identification of the author of an electronic document; décret du 30 mars 2001; articles 1316-1 et 1316-2 du Code civil; application of terms*

12 (2015) 67 – 70

Jugement du 19 décembre 2014, translated by Laura Ramkhalawan

*France; procedure; electronic signature; validity; litigation; writ of summons; telephony; subscription*

12 (2015) 71 – 75

Fraud

A case of the customer attempting to claim their debit card was cloned

13 (2016) 67 – 75

Gathering digital evidence, factors

Caught in the middle: whether to seek help when the organization is the subject of an information technology attack

5 (2008) 245 – 250

Germany, articles

Electronic Signatures in German, French and Polish Law Perspective

1 (2004) 7 – 13

A system of trust: German civil law notaries and their role in providing trustworthy electronic documents and communications

3 (2006) 69 – 72

The German electronic order for payment procedure

4 (2007) 51 – 55

Introducing and working with electronic signatures in mass applications: Notaries and the German commercial register

5 (2008) 68 – 72

Civil law liability for unauthorized withdrawals at ATMs in Germany

6 (2009) 57 – 66

Germany, case notes

BGH of December 12, 2000 – XI ZR 138/00

*Effectiveness; general trading terms; clauses restricting liability for on-line services*

4 (2007) 93 – 94

FG Münster 11 K 990/05 F

*Electronically signed statement of claim; on the interpretation of the term monetary limitation*

3 (2006) 111 – 112

10 A 11741/05

*Procedure; time limits; Administrative Court; need for qualified electronic signature*

4 (2007) 91 – 92

GmS-OGB 1/98

*Facsimile transmission sent directly from a computer (Computerfax) with a scanned signature, complies with the requirements of written form for formal court pleadings*

2 (2005) 103 – 104

OLG Köln, 19 U 16/02; LG Konstanz, 2 O 141/01 A; AG Erfurt, 28 C 2354/01

*Evidential value of declarations sent by e-mail*

2 (2005) 105 – 106

19 February 2009, IV R 97/06

*Statement of claim; submitted with a digital signature (qualified electronic signature); certificate; monetary limit; validity of signature*

6 (2009) 278

2 BvC 3/07, 2 BvC 4/07 Federal Constitutional Court of Germany

*Unconstitutional use of electronic voting machines*

6 (2009) 279 – 280

22.09.2009, 1 K 365/09.TR

*Right to appeal; electronic means; administrative proceedings*

7 (2010) 156 – 157

14.01.2010, VII ZB 112/08

*Appeal by e-mail; signed with a qualified electronic signature; verification of the signature*

7 (2010) 158

Germany, case translations

Ur19 U 16/02, OLG Köln, 6 September 2002

*Evidential value of declarations sent by e-mail*

5 (2008) 108 – 109

12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007

*Private electronic documents; ‘instrument’; qualified electronic signature*

5 (2008) 110 – 111

5 October 2004, XI ZR 210/03, published BGHZ 160, 308-321 Bundesgerichtshof (Federal Court of Justice)

*Electronic signature (PIN); ATM; card holder; theft of card; subsequently used by thief; liability*

6 (2009) 248 – 254

Georgia

Problems of legal regulation and investigation of computer crimes in Georgia

7 (2010) 53 – 66

Greece, articles

Electronic signatures: value in law and probative effectiveness in Greece

4 (2007) 34 – 40

Greece, case notes

Case number 1327/2001 – Payment Order from the Court of first instance of Athens

*Electronic document; e-mail; e-mail address; electronic signature; meaning; evidential weight*

1 (2004) 83 – 86

Court Decision No. 1963/(2004)

*E-mail address; status; electronic signature; private document*

2 (2005) 107 – 111

Court Decision No. 3279/(2004)

*State procurement; mechanic stamp of signature; validity*

3 (2006) 101 – 103

Greece, case translations

Court Decision No. 5526/1999

*Cash card; PIN; theft of card; unauthorized withdrawals; liability*

4 (2007) 89 – 90

Case No. 1327/2001 – Payment Order

*Electronic document; e-mail; e-mail address; electronic signature; meaning; evidential weight*

3 (2006) 104 – 107

Case No 803/2004, Council of State for Suspensions, 15 September 2004

*Administrative appeal; e-mail; need for hard copy*

5 (2008) 112 – 116

Court Decision No. 9460/1999 (9460/1999 ΕΦ ΑΘ)

*Banking; sending a card and electronic signature (Personal Identification Number (PIN)) through the national post; loss of items; liability for subsequent unauthorised withdrawals*

7 (2010) 134 – 136

Payment Order 8444/2011, Court of First Instance of Athens

*Electronic documents; meaning and distinctions of electronic documents; evidential weight of an attested copy of an e-mail; whether it meets the requirements of*

*article 623 of the Code of Civil Procedure for the issuance of a payment order*

8 (2011) 231 – 234

Payment Order 1932/2011, translation and commentary by Rachavelias, Michael G.

*Definition and legal nature of electronic documents; evidential weight of an e-mail message; function of an e-mail address as an electronic signature; evidential weight of the printed copy of an e-mail; authenticity issues regarding electronic documents*

10 (2013) 198 – 200

46/2014, translated by Michael G. Rachavelias

*Greece; private documents; definition of electronic document; e-mail address; articles 443 – 444 Greek Civil Procedure Code; control of property; prerequisites; trespass*

12 (2015) 76 – 80

## Hacking

Norway, case law

HR-2012-2056-A, with thanks to Føyen, Arve for reviewing this translation

*Criminal offence; hacking; 'cloud' (online) storage of personal digital data; data protection; data controller; privacy*

10 (2013) 201 – 208

Obtaining evidence

Online searches and online surveillance: the use of trojans and other types of malware as means of obtaining evidence in criminal proceedings

13 (2016) 88 – 96

Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters

France, case law

In re Advocate Christopher X, Cour de cassation chambre criminelle du 12 décembre 2007 n°07-83228

7 (2010) 130 – 133

## Hearsay

Digital data as hearsay

6 (2009) 7 – 24

E-mail evidence and the hearsay rule – commentary on a recent Malaysian case

10 (2013) 107 – 114

## Hong Kong

The Singapore Electronic Transactions Act and the Hong Kong Electronic Transactions Ordinance

5 (2008) 7 – 20

Hong Kong's new electronic discovery procedures

11 (2014) 29 – 36

Electronic evidence and electronic discovery in the Hong Kong Special Administrative Region, People's Republic of China

13 (2016) 26 – 43

## Horizon system

The Post Office Horizon system and Seema Misra

13 (2016) 133 – 138

## Human memory

PINs, passwords and human memory

6 (2009) 116 – 122

## Hungary

Electronic evidence in Hungary: a general overview

8 (2011) 44 – 59

## Hungary, case translation

BH (Court Decisions) 2006/324, A Magyar Köztársaság Legfelsőbb Bíróságának (Supreme Court), by Szecskay Ügyvédi Iroda

*Electronic documents; identifiable signature; unsigned e-mail; legal effect; requirement for an advanced electronic signature*

8 (2011) 235 – 237

## Identification of sender of digital communication

- Judgment in the case of *K.U. v Finland*: the European Court of Human Rights requires access to communications data to identify the sender to enable effective criminal prosecution in serious violations of private life  
6 (2009) 33 – 45
- Identity, digital
- Federated identity management: enabling legal control over digital property in the cloud  
8 (2011) 33 – 43
- Illegal content, hiding
- Hiding illegal content in the SWF format and spreading through social network services: a legal approach  
7 (2010) 116 – 121
- Illegal file sharing
- Denmark, case law
- Poul Erik Gravgaard Larsen v IFPI  
Danmark, Case 27/2009, Højesterets Dom (Supreme Court)
- Illegal file sharing of music over the internet; assessment of digital evidence*  
8 (2011) 219 – 230
- Illegal tweets
- France, case law
- Union des Etudiants Juifs de France and J'accuse! ... action internationale pour la justice v Twitter, Inc. (with voluntary interventions by Le Mouvement Contre Le Racisme et pour L'Amitié Entre Les Peuples, Association SOS Racisme-Touche pas a mon pote and La Ligue Internationale Contre Le Racisme et L'Antisémitisme), with a commentary by Delerue, François
- Host; ID; Twitter; responsibility; illegal content; author; Data Protection Law; communication; data; injunction; Article 145 of the CPC; French law; enforcement; jurisdiction*  
10 (2013) 188 – 197
- Illegally obtained evidence
- Belgium
- The use of illegally obtained evidence in Belgium: a 'status questionis'  
10 (2013) 63 – 66
- Slovenia
- I Ips 7/2009  
7 (2010) 163 – 165
- Imagery, computer generated
- The use of computer generated imagery in legal proceedings  
13 (2016) 3 – 25
- Immovable property
- Implementation of public e-services for immovable property contracts in Lithuania  
3 (2006) 77 – 83
- India
- Digital Evidence: An Indian Perspective  
5 (2008) 214 – 220
- The Supreme Court of India re-defines admissibility of electronic evidence in India  
12 (2015) 33 – 37
- The role of digital signatures in the digitisation of loan documentation in India  
14 (2017) 61 – 66
- Indonesia
- The Indonesian law on electronic information and transactions  
6 (2009) 202 – 206
- Indonesia: the controversy over the Bill concerning lawful interception  
8 (2011) 130 – 138
- Electronic evidence and electronic signatures in Indonesia: the probative value of digital evidence  
10 (2013) 136 – 143
- Information retrieval

- Toward a new jurisprudence of information retrieval: What constitutes a “reasonable” search for digital evidence when using keywords?  
5 (2008) 173 – 178
- Infringing source code  
Line based hash analysis of source code infringement  
6 (2009) 210 – 213
- Intellectual property rights  
China, litigation  
Electronic evidence in intellectual property litigation: from the Chinese perspective  
10 (2013) 59 – 62  
Xinchuan Online (Beijing) Information Technology Co. Ltd. v Zigong Branch of China Network Communication Group (2008) Min Shen Zi No. 926, translation and commentary by He, Dr Jiong  
*Intellectual property infringement; electronic evidence; probative force of notarial certificates; reliability of method of collecting electronic evidence*  
10 (2013) 158 – 161
- Denmark, illegal file sharing  
Poul Erik Gravgaard Larsen v IFPI Danmark, Case 27/2009, Højesterets Dom (Supreme Court)  
*Illegal file sharing of music over the internet; assessment of digital evidence*  
8 (2011) 219 – 230
- Netherlands, illegal downloads, right of interested party to require ISP to provide personal data  
LJN; AY6903, Voorzieningenrechter In Kort Geding (Services Court Judge Amsterdam), 345291 / KG 06-1112 AB  
6 (2009) 263 – 269
- Sweden, right of claimant to request IP address  
Bonnier Audio AB, Earbooks AB, Norstedts Förlagsgrupp AB, Piratförlaget AB and Storyside AB v Perfect Communication Sweden AB (the Iphone case)  
6 (2009) 290 – 291
- United States of America  
Electronic evidence in torrent copyright cases  
8 (2011) 171 – 178
- Interception of communications  
Interception of communications: Skype, Google, Yahoo! and Microsoft tools and electronic data retention on foreign servers: A legal perspective from a prosecutor conducting an investigation  
6 (2009) 158 – 163  
Indonesia: the controversy over the Bill concerning lawful interception  
8 (2011) 130 – 138
- Denmark, case law  
U 2012.2614 H, commentary by Langsted, Professor Lars Bo  
*Social media; publicly available information; police obtaining information of social media; interception of communications; jurisdiction; Denmark*  
10 (2013) 162 – 165
- Italy, case law  
Decision no. 16556 dated 29-04-2010, La Corte Suprema di Cassazione Sezione Quinta Penale (Supreme Court of Cassation, 5th Criminal Section) 29 April 2010 (the hearing took place on 14 December 2009)  
*Facts; seizure of copies of digital documents stored on a personal computer; law dispositive provisions, interception of electronic*



- communications; proceedings; ratio decidendi*  
8 (2011) 249 – 252
- International Conference on Digital Evidence  
The Vintners' Hall, London 26 and 27 June 2008  
5 (2008) 156 – 160;  
Conference proceedings  
5 (2008) 161 – 250
- International Criminal Court  
Digital Evidence and the American Servicemembers' Protection Act  
11 (2014) 107 – 114  
Digital Evidence and Investigatory Protocols  
11 (2014) 128 – 136
- International Criminal Courts  
An Overview of the Use of Digital Evidence in International Criminal Courts  
11 (2014) 115 – 127
- International criminal proceedings  
International phishing gangs and operation Phish & Chip  
6 (2009) 153 – 157
- Internet  
Suppression and the Internet: The 'cyber memory' case - a New Zealand response  
5 (2008) 58 – 61  
More on suppression and the internet in New Zealand  
6 (2009) 184 – 186
- Internet, alteration of evidence  
Dubai, case law  
Case number 2009/37784, Bur Dubai  
*Digital evidence; alleged defamatory comments published on the internet; police investigation; alteration of evidence*  
9 (2012) 106 – 107
- Internet banking  
The Japanese law on unauthorized on-line credit card and banking transactions: are current legal principles with respect to unauthorized transactions adequate to protect consumers against information technology crimes in contemporary society?  
10 (2013) 71 – 80
- Investigations  
On the complexity of collaborative cyber crime investigations  
6 (2009) 214 – 219  
An investigator's approach to digital evidence  
6 (2009) 220 – 222  
Digital Evidence and Investigatory Protocols  
11 (2014) 128 – 136  
Network investigative source codes and due process  
14 (2017) 39 – 46
- Invoicing, electronic  
Registered e-Mail and e-Invoicing in Turkey  
6 (2009) 197 – 201
- Iran  
The evidential value of the data-message in Iran  
3 (2006) 60 – 68  
Electronic Signatures in Iran  
8 (2011) 184 – 186
- Ireland  
Irish Supreme Court extends the scope of electronic discovery: *Dome Telecom v Eircom*  
5 (2008) 41 – 44
- Italy, articles  
Electronic signature: value in law and probative effectiveness in the Italian legal system  
1 (2004) 19 – 24  
A technician's views on the digital signature in Italy

- 2 (2005) 39 – 45  
The Italian certified e-mail system
- 3 (2006) 50 – 54  
Comments on the Italian ‘Code for the digital administration’
- 5 (2008) 29 – 40  
Bread and Donkey for Breakfast how IT law false friends can confound lawmakers: an Italian tale about digital signatures
- 6 (2009) 79 – 82  
International phishing gangs and operation Phish & Chip
- 6 (2009) 153 – 157  
Interception of communications: Skype, Google, Yahoo! and Microsoft tools and electronic data retention on foreign servers: A legal perspective from a prosecutor conducting an investigation
- 6 (2009) 158 – 163  
Request for Archiving
- 6 (2009) 164 – 180  
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- 8 (2011) 124 – 129  
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- 11 (2014) 85 – 99  
The Processo Civile Telematico and the Italian legal framework: a perspective
- 12 (2015) 17 – 21  
The Garlasco case and the digital alibi evidence: a difficult relationship between law and informatics
- 14 (2017) 31 – 38
- Italy, case notes
- Tribunale Mondovì, 7 giugno 2004, n. 375 (decr.), *Giur. It.* 2005, 1026
- Coppola, Gian Paolo  
*Invoice; e-mail reminders to pay; acknowledgement of debt*
- 4 (2007) 86 – 88  
Decision no. 16556 dated 29-04-2010, La Corte Suprema di Cassazione Sezione Quinta Penale (Supreme Court of Cassation, 5th Criminal Section) 29 April 2010 (the hearing took place on 14 December 2009)
- Facts; seizure of copies of digital documents stored on a personal computer; law dispositive provisions, interception of electronic communications; proceedings; ratio decidendi*
- 8 (2011) 249 – 252  
Italy, case transation
- Judgement No. 11445 of 6 September 2001 (Cassazione civile, sez. lav., 6 settembre 2001, n. 11445), Supreme Court of Cassation – Work Section
- Admissibility of digital documents; probative value of electronic or computer systems*
- 7 (2010) 137 – 140  
Italy, transation, data protection preliminary verification
- Date of decision: 12 September 2013  
Requested by Fineco Bank S.p.A.
- Italy; data protection; preliminary verification; biometric data; advance electronic signature*
- 11 (2014) 207 – 212  
Date of decision: 31 January 2013  
Requested by IT Telecom s.r.l. and Cassa di Risparmio di Parma e Piacenza S.p.A.
- Italy; data protection; preliminary verification; biometric data; advance electronic signature; need to amend contracts; consent*
- 11 (2014) 213 – 220  
Date of decision: 31 January 2013  
Requested by Unicredit S.p.A.
- Italy; data protection; preliminary verification; biometric data; advance electronic signature*
- 11 (2014) 221 – 224
- Japan  
Electronic evidence in Civil Procedure in Japan

- 5 (2008) 211 – 213  
 How bank depositors are protected in Japan  
 8 (2011) 92 – 106  
 The Japanese law on unauthorized on-line credit card and banking transactions: are current legal principles with respect to unauthorized transactions adequate to protect consumers against information technology crimes in contemporary society?  
 10 (2013) 71 – 80
- Japan, case law
- Alteration of evidence  
     Heisei 22 Nen (Wa) 5356 Gou  
     *Prosecutor; alteration of digital evidence; criminal offence*  
     9 (2012) 114 – 116
- Formation of contract, telex, signature  
     Showa 33 (Wa) No.681, 10 November 1962  
     *Formation of contract; expressions of intent by letter and telex; cancellation of contract; liability*  
     9 (2012) 109 – 113
- Japan, case translation
- Heisei 22 Nen (Wa) 5356 Gou  
     *Prosecutor; alteration of digital evidence; criminal offence*  
     9 (2012) 114 – 116  
     Showa 33 (Wa) No.681, 10 November 1962  
     *Formation of contract; expressions of intent by letter and telex; cancellation of contract; liability*  
     9 (2012) 109 – 113  
     Tokyo District Court Heisei 25 (Go Wa) No. 48, Heisei 25 (Kei Wa) No. 817, Heisei 25 (Kei Wa) No. 1020, Heisei 25 (Kei Wa) No. 1313 (four cases joined), translated by Hironao Kaneko  
     *Japan; executable code; causing disruption; causing innocent third parties to act as a conduit to post threats; criminal acts; misleading the investigating authorities;*  
     *innocent parties falsely accused, arrested and convicted; creation of false evidence*  
     12 (2015) 81 – 89
- Judicial software applications
- Lexecute: visualisation and representation of legal procedures**  
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- Jurisdiction
- The effect of ‘virtual presence’ in Belgium on the duty to cooperate with criminal investigations: some prudence may be required when confronted with a request from a Belgian public prosecutor  
 8 (2011) 194 – 195
- Belgium, case law
- Corr. Dendermonde 2 maart 2009, onuitg. (Rechtbank van Eerste Aanleg te Dendermonde (The Court of First Instance in Dendermonde)), by Johan Vandendriessche  
*Investigation of credit card fraud; provider of e-mail services in the United States of America; users of the service in Belgium; jurisdiction; virtual presence in a jurisdiction; Mutual Legal Assistance in Criminal Matters; whether provider of service is required to provide identification and registration data of the person who registered e-mail accounts, including the IP address, date and time of the registration; the e-mail address associated with the profile; any other relevant personal information that could lead to identification of the user; electronic communications network; provider of an electronic communications service*  
 8 (2011) 196 – 207  
 Gent 30 juni 2010, onuitg. (Hof van Beroep (The Court of Appeal in Ghent, third chamber, sitting in criminal matters)), by Johan Vandendriessche  
*Web based e-mail; meaning of ‘operator of an electronic*

*communication service’ and ‘provider of an electronic communications service’; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 208 – 215

Cass. 18 januari 2011, nr. P.10.1347.N (Hof van Cassatie (Court of Cassation of Belgium)), by Johan Vandendriessche

*Web based e-mail; whether meaning of ‘operator of an electronic communication service’ and ‘provider of an electronic communications service’ is relevant; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 216 – 218

Brussel 12 oktober 2011, onuitg, Hof van Beroep te Brussel (The Court of Appeal in Brussels, thirteenth chamber, sitting in criminal matters), by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

9 (2012) 102 – 105

P. 11.1906.N/1, commentary by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; whether restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

10 (2013) 155 – 157

Antwerpen 20 november 2013, 2012/CO/1054 Yahoo! Inc., translated by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; whether restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

11 (2014) 137 – 143

P.13.2082.N, Yahoo! Inc., translated by Johan Vandendriessche

*Belgium; Yahoo!; web based e-mail; the judicial authority of a Belgian Public Prosecutor; restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure; Charter of the United Nations; United States of America; mutual assistance in criminal matters*

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U 2012.2614 H, commentary by Langsted, Professor Lars Bo

*Social media; publicly available information; police obtaining information of social media; interception of communications; jurisdiction; Denmark*

10 (2013) 162 – 165

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*Host; ID; Twitter; responsibility; illegal content; author; Data Protection Law; communication; data; injunction; Article 145 of the CPC; French law; enforcement; jurisdiction*

10 (2013) 188 – 197

- Juries
- The influence of computer generated animations on juror decision making  
11 (2014) 46 – 54
- Jurisdictional boundaries, exchange
- A proposed electronic evidence exchange across the European Union  
14 (2017) 1 – 12
- Land registers
- Telematic Land Registers: the role of the civil law notary  
4 (2007) 19 – 27
- Latvia
- Electronic evidence in Latvia: a general overview  
8 (2011) 60 – 69
- Latvia, case translation
- Case No. A42738909, Administratīvā rajona tiesa (Administrative District Court)  
*Calibration certificate of the measuring device submitted without a valid electronic signature; consideration of article 5(2) of Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, OJ L 13, 19.01.2000, p. 12; submission of electronic documents to the competent authorities as evidence should not be denied solely on the grounds that the document is in electronic form and that does not have a secure electronic signature*  
8 (2011) 238 – 241
- Legal correspondence
- Electronic legal correspondence in Switzerland – the latest developments  
11 (2014) 25 – 28
- Legal education
- A framework for a syllabus on electronic evidence  
10 (2013) 7 – 15
- Educating for the future: teaching evidence in the technological age  
10 (2013) 16 – 24
- Fitting a quart into a pint pot: the legal curriculum and meeting the requirements of practice  
10 (2013) 23 – 28
- Legal privilege
- Legal privilege and the high cost of electronic discovery in the United States: should we be thinking like lawyers?  
6 (2009) 139 – 152
- Liability, Autonomous vehicles
- Autonomous vehicles – who will be liable for accidents?  
15 (2018) 33 – 47
- Liability, Registration Authorities
- Electronic Signatures and Digital Certification: The Liability of Registry Authorities under Brazilian Legislation  
1 (2004) 25 – 26
- Lithuania, articles
- Implementation of public e-services for immovable property contracts in Lithuania  
3 (2006) 77 – 83
  - Legal regulation of electronic signatures in Lithuania  
2 (2005) 73 – 76
- Lithuania, case note
- Ž.Š. v AB Lietuva taupomasis bankas, Civil Case No. 3K-3-390/2002, Civil Chamber of the Supreme Court of Lithuania  
*Maestro payment card; unauthorized ATM withdrawals; liability*  
5 (2008) 143 – 145
- Lithuania, case translations
- Ž.Š. v Lietuvos taupomasis bankas, Civil case No. 3K-3-390/2002, Supreme Court of Lithuania

- Maestro payment card; unauthorized ATM withdrawals; liability*  
6 (2009) 255 – 262  
A-143-2740-12, 18 December 2012 with a commentary by Professor Mindaugas Kiškis
- Electronic signatures; qualified certificate; advanced electronic signature; personal identification numbers; data protection*  
11 (2014) 152 – 164
- Loan documentation  
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- Magnetic stripe card skimming devices  
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5 (2008) 187 – 191
- Malaysia  
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9 (2012) 51 – 57  
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10 (2013) 104 – 106  
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10 (2013) 107 – 114  
Updates on Malaysian cyber case law: Allah, Facebook and Malaysian sex bloggers  
12 (2015) 10 – 12  
Establishing possession, custody and control through electronic baggage tags  
14 (2017) 16 – 21
- Malicious software, ability to get on to any computer  
Known knowns, known unknowns and unknown unknowns: anti-virus issues, malicious software and internet attacks for non-technical audiences  
6 (2009) 123 – 131
- Malicious software articles  
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7 (2010) 107
- Malicious software defence  
Case note, Denmark  
B-19-08 and B-52-08, Danish High Court (Østre Landsret), 5 September 2008  
5 (2008) 142
- Malta  
A brief overview of Malta, a roman-civil law country, with common law adoption as rules of civil evidence  
5 (2008) 202 – 206
- Malware  
The use of malware as a means of obtaining evidence in Portuguese criminal proceedings  
11 (2014) 55 – 75
- Management systems, electronic  
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9 (2012) 17 – 30
- Manuscript signature, requirement for  
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6 (2009) 232 – 233  
U.2001.1980/1H  
6 (2009) 234  
U 1959.40/1H  
6 (2009) 277
- Manuscript signature, ball point pen, validity  
U 1959.40/1H

- 6 (2009) 277
- Mark of a cross, case law
- Thailand, contract
- No. 3046/2537 (1994) (Sale of Movable Property (Section 456 of the Civil & Commercial Code))
- 3 (2006) 108 – 110
- Medical prescriptions
- The law on electronic medical prescriptions
- 2 (2005) 51 – 54
- The electronic prescription of medication in a Netherlands hospital
- 3 (2006) 55 – 59
- Memory
- PINs, passwords and human memory
- 6 (2009) 116 – 122
- Metadata
- Case Comment on *Laushway v Messervey*, 2014 NSCA 7: ‘Old evidence law dogs, new technology tricks’
- 12 (2015) 13 – 16
- ‘Mobile Ping Data’ – Metadata for Tracking
- 14 (2017) 22 – 25
- Mexico, case translation
- Jurisprudencia 24/2008, Criteria Contradiction Proceedings (Contradicción de Tesis) 261/2007 SS between the Third Collegiate Court for Administrative Matters and the Second Civil Court for Civil Matters in the Seventh Circuit, Second Chamber of the Mexican Supreme Court, February 13, 2008
- Status of tax declaration submitted through electronic means; acknowledgment of receipt bearing a digital stamp*
- 5 (2008) 117 – 133
- Mobile device forensics
- Are mobile device examinations practiced like ‘forensics’?
- 12 (2015) 3 – 9
- Mobile telephone evidence
- whether obtained illegally, Slovenia, case law
- I Ips 7/2009
- 7 (2010) 163 – 165
- ‘Mobile Ping Data’ – Metadata for Tracking
- 14 (2017) 22 – 25
- Money claims
- The German electronic order for payment procedure
- 4 (2007) 51 – 55
- Music, illegal downloading
- The burden of proof in the matter of alleged illegal downloading of music in Denmark
- 7 (2010) 87 – 89
- Alleged illegal downloading of music: the Danish Supreme Court provides a high bar for evidence and a new line of direction regarding claims for damages and remuneration
- 8 (2011) 165 – 170
- Electronic evidence in torrent copyright cases
- 8 (2011) 171 – 178
- Mutual legal assistance
- Here’s the Thing: The Cyber Search Provisions of the Search and Surveillance Act 2012
- 10 (2013) 39 – 58
- Commentary: Still no end to the Yahoo! case
- 2010 (2013) 156 – 157
- Netherlands, article
- The electronic prescription of medication in a Netherlands hospital
- 3 (2006) 55 – 59
- Netherlands, case notes
- 21 November 2007, LJN BC0337, Rechtbank (Lower Court) Amsterdam
- e-mail sufficient to declare party in default*
- 5 (2008) 146
- LJN BV5623 (appeal in cassation re Arnhem Appeal Court, 19 August 2010, LJN: BN4204)

*Derogatory images on the internet; effectiveness of a disclaimer*

10 (2013) 209

LJN BV4738 (appeal in cassation re Arnhem Appeal Court, 16 June 2010, LJN: MB8100)

*Automatic Number Plate Recognition (ANPR) data; improperly obtained evidence; lack of reasoning for the decision by the Appeal Court*

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*Article 240a Netherlands Criminal Code; showing private parts/genitals to a juvenile via a webcam*

10 (2013) 211

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*Virtual abusive images of children, sexually explicit images in cartoon format*

10 (2013) 212

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*Article 161sexies, paragraph 2 under a of the Criminal Code, mobile telephone jammer*

10 (2013) 213

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10 (2013) 214

LJN: BX0155

*Money laundering; phishing; participation in a criminal organization which had the object of money laundering*

10 (2013) 215

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*Evidence; data obtained from interception of an IP address; use in legal proceedings*

10 (2013) 216

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*Article 248a Netherlands Criminal Code; evidence of MSN chat*

10 (2013) 217

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Netherlands, case translations

LJN; AY6903, Voorzieningenrechter In Kort Geding (Services Court Judge Amsterdam), 345291 / KG 06-1112 AB

*Protection of intellectual property rights; internet; illegal downloads; privacy of customer personal data; right of interested parties to require ISP to provide personal data*

6 (2009) 263 – 269

Gerechtshof 's Gravenhage 9 maart 2011 LJN: BP7080, Gerechtshof te 's-Gravenhage meervoudige kamer voor strafzaken (Appeals Court at The Hague, Criminal bench). dossier number: 22-002281-10

*Threats to kill posted on web site; accused posted comments by using the connection of a third party via wi fi without permission; whether using the computer of a third party without permission is an offence in Dutch law; electronic evidence*

8 (2011) 242 – 248

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6 (2009) 184 – 186

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9 (2012) 7 – 16

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- Electronic evidence in Nigeria  
11 (2014) 76 – 84
- Another method of stealing cash from ATMs  
14 (2017) 13 – 15
- Norway, articles
- Electronic evidence in control of and adversely affecting the opposing party: a comparative study of English and Norwegian law  
8 (2011) 76 – 91
- Forced biometric authentication – on a recent amendment in the Norwegian Code of Criminal Procedure  
14 (2017) 26 – 30
- Norway, case note
- U 1959.40/1H  
*Secured indemnity bond; manuscript signature by a ball-point pen; validity*  
6 (2009) 277
- Norway, case translations
- LB-2006-27667, 20 August 2007, Borgarting appellate court – judgement  
*Succession law; lost testament*  
5 (2008) 134 – 140
- Journal number 04-016794TVI-TRON, Bernt Petter Jørgensen v DnB NOR Bank ASA by the Chairman of the Board (Trondheim District Court, 24 September 2004)  
*Bank card; theft of card; unauthorized use; PIN; electronic signature; burden of proof; liability; gross negligence*  
9 (2012) 117 – 123
- HR-2012-2056-A, with thanks to Føyen, Arve for reviewing this translation  
*Criminal offence; hacking; ‘cloud’ (online) storage of personal digital data; data protection; data controller; privacy*  
10 (2013) 201 – 208
- Notaries
- CyberDOC and e-Government: the electronic archive of Austrian notaries  
1 (2004) 30 – 32
- A system of trust: German civil law notaries and their role in providing trustworthy electronic documents and communications  
3 (2006) 69 – 72
- European Civil Law Notaries ready to launch international digital deeds  
4 (2007) 14 – 18
- Telematic Land Registers: the role of the civil law notary  
4 (2007) 19 – 27
- The role of the notary in real estate conveyancing  
4 (2007) 28 – 33
- E-commerce for Notaries in England & Wales  
4 (2007) 41 – 44
- Introducing and working with electronic signatures in mass applications: Notaries and the German commercial register  
5 (2008) 68 – 72
- The E-Notarization Initiative, Pennsylvania, USA  
5 (2008) 73 – 77
- The proposed international e-identity assurance standard for electronic notarization  
5 (2008) 78 – 80
- The Digital Tower of Babel  
5 (2008) 183 – 186
- The deed is done: on-line notarization becomes a reality  
10 (2013) 144 – 146
- Xinchuan Online (Beijing) Information Technology Co. Ltd. v Zigong Branch of China Network Communication Group (2008) Min Shen Zi No. 926, translation and commentary by He, Dr Jiong  
*Intellectual property infringement; electronic evidence; probative force of notarial*

*certificates; reliability of method of collecting electronic evidence*

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Online searches and online surveillance: the use of trojans and other types of malware as means of obtaining evidence in criminal proceedings

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7 (2010) 42 – 52

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Decision of the District Court Trenčín dated 8 March 2012, file ref. no. 21C/143/2011, translated by Rowan Legal

*Slovakia; online banking; customer mandate; theft by unknown third party; thief masquerading as bank employee; false banking web site; anti virus software; negligence of customer*

12 (2015) 90 – 94

Decision of the County Court Trenčín dated 19 June 2013, file ref. no. 17Co/213/2012, translated by Rowan Legal

*Slovakia; online banking; customer mandate; theft by unknown third party; thief masquerading as bank employee; false banking web site; anti virus software; negligence of customer*

12 (2015) 95 – 100

Commentary: Slovak case law on the responsibility of a bank for unauthorised financial transactions

12 (2015) 101 – 102

Turkey, case law

Case number: 2009/11485, judgment number: 2011/4033

*On-line banking; unauthorized transfers between accounts by unknown third party; negligence; liability of the bank*

9 (2012) 124 – 127

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13 (2016) 88 – 96

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4 (2007) 93 – 94

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6 (2009) 246

Appeal reference n°: 07-12545 (Not published in the Judgments Bulletin), Court of Cassation, 1st Civil Chamber of 25 June 2008

6 (2009) 247

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- PINs, passwords and human memory  
6 (2009) 116 – 122
- Personal data
- Italy, failure to secure, Yahoo! Italia s.r.l.  
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6 (2009) 164 – 180
- Netherlands, right of interested parties to obtain  
LJN; AY6903, Voorzieningenrechter In Kort Geding (Services Court Judge Amsterdam), 345291 / KG 06-1112 AB  
6 (2009) 263 – 269
- Sweden, right of claimants to request IP address  
Bonnier Audio AB, Earbooks AB, Norstedts Förlagsgrupp AB, Piratförlaget AB and Storyside AB v Perfect Communication Sweden AB (the Ephone case)  
6 (2009) 290 – 291
- Personal identification number
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- Lithuania  
A-143-2740-12, 18 December 2012 with a commentary by Professor Mindaugas Kiškis  
*Electronic signatures; qualified certificate; advanced electronic signature; personal identification numbers; data protection*  
11 (2014) 152 – 164
- Photographs, Google Street View  
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6 (2009) 187 – 190
- PINs
- PINs, passwords and human memory  
6 (2009) 116 – 122
- Poland, articles
- Electronic Signatures in German, French and Polish Law Perspective  
1 (2004) 7 – 13  
When the EU qualified electronic signature becomes an information services preventer  
7 (2010) 7 – 18  
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13 (2016) 67 – 75
- Poland, case law
- Notice of appeal by facsimile transmission, need for manuscript signature  
I KZP 29/06, Resolution of the Polish Supreme Court  
5 (2008) 147 – 148  
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Sygn. akt I KZP 39/08, Polish Supreme Court, 26 March 2009  
6 (2009) 270 – 274
- Poland, case translations
- Sygn. akt I KZP 39/08, Polish Supreme Court, 26 March 2009, commentary by Lach, Dr Arkadiusz  
*Electronic document; secure electronic signature (digital signature); criminal procedure; Ustawa z dnia 18 września 2001 r. o podpisie elektronicznym (Law of 2001.09.18 on electronic signature); legal effect*  
6 (2009) 270 – 274  
Sygn. akt I KZP 2/10, Sąd Najwyższy – Izba Karna w Warszawie (Supreme Court – Criminal Chamber in Warsaw), commentary by Lach, Dr Arkadiusz  
*Authority to intercept telephone communications; admissibility of the records in other proceedings; refusal to give opinion on this subject because of lack of relevance*  
7 (2010) 141 – 147
- Police, failure of investigation

- Misunderstanding IT: Hospital cybersecurity and IT problems reach the courts  
15 (2018) 11 – 32
- Portugal  
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11 (2014) 55 – 75
- Possession  
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- Post Office  
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13 (2016) 133 – 138
- Power and technology  
The responsible use of technological power/L'uso responsabile del potere tecnologico  
15 (2018) 1 – 10
- Practice Directions  
Singapore, case law  
Sanae Achar v Sci-Gen Ltd [2011] SGHC 87, High Court, 8 April 2011  
*Discovery; e-Discovery Practice Direction; electronically stored documents; relevance; whether necessary*  
8 (2011) 253 – 255
- Practitioner notes  
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1 (2004) 87 – 88  
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8 (2011) 193
- Presumptions  
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10 (2013) 104 – 106  
Regina v Seema Misra, T20090070, In the Crown Court at Guilford, Trial dates: 11, 12, 13, 14, 15, 18, 19, 20, 21 October and 11 November 2010, His Honour Judge N. A. Stewart and a jury  
*England & Wales; theft; electronic evidence; Post Office Horizon System; 'reliability' of computers*  
12 (2015) Introduction, 44 – 55; Documents Supplement
- Preservation, digital data  
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11 (2014) 100 – 106
- Private key, security  
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5 (2008) 149 – 151
- Privilege  
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9 (2012) 81 – 87
- Procedure, civil  
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5 (2008) 147 – 148  
United States of America, Federal Rules of Civil Procedure  
Avoiding disputes regarding electronic evidence: a U.S. perspective

5 (2008) 166 – 172	A-143-2740-12, 18 December 2012 with a commentary by Professor Mindaugas Kiškis
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7 (2010) 125 – 129	Qualified signatures, case law
Prosecution, failure to analyse evidence correctly	Germany
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15 (2018) 11 – 32	FG Münster 11 K 990/05 F (Electronically signed statement of claim – On the interpretation of the term monetary limitation)
Publication on the internet	3 (2006) 111 – 112
Suppression and the Internet: The ‘cyber memory’ case – a New Zealand response	19 February 2009, IV R 97/06
5 (2008) 58 – 61	6 (2009) 278
More on suppression and the internet in New Zealand	appeal, civil proceedings
6 (2009) 184 – 186	14.01.2010, VII ZB 112/08, commentary by Eßer, Dr Martin
QQ Messenger	7 (2010) 158
QQ Messenger chat record as criminal evidence in China	procedure, Administrative Court
8 (2011) 187 – 189	10 A 11741/05
Qualified certificates	4 (2007) 91 – 92
Case law	Sweden, procedure, qualified electronic signature
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	1 (2004) 80
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- The role of the notary in real estate conveyancing  
4 (2007) 28 – 33
- Registration databases
- Legal aspects of the introduction of the electronic identity card in Belgian law by the Act of 25 March 2003  
2 (2005) 22 – 38
- Remote forensics
- Remote forensics and cloud computing: an Italian and European legal overview  
8 (2011) 124 – 129
- Remote searching
- Here's the Thing: The Cyber Search Provisions of the Search and Surveillance Act 2012  
10 (2013) 39 – 58
- Retention of data
- Romania
- Decizia nr, 1258 dated 8 October 2009, Curtea Constituțională a României (Constitutional Court), translated by Manolea, Bogdan and Argesiu, Anca  
7 (2010) 148 – 154
- RFID technology
- RFID technology and the future – old school fraud in a new wrapper  
7 (2010) 122 – 124
- Romania
- The digital economy – where is the evidence? Theoretical and practical problems in understanding digital evidence in Romania  
5 (2008) 226 – 230
- Romania, case translation
- Decizia nr, 1258 dated 8 October 2009, Curtea Constituțională a României (Constitutional Court), translated by Manolea, Bogdan and Argesiu, Anca  
*Constitutionality of law 298/2008 regarding the retention of the data generated or processed by the public electronic communications service providers or public network providers*  
7 (2010) 148 – 154
- Russian Federation, articles
- Electronic signatures in Russian law  
2 (2005) 62 – 66
- The use of electronic digital signatures in banking relationships in the Russian Federation  
5 (2008) 51 – 57
- Digital evidence and e-signature in the Russian Federation: a change in trend?  
6 (2009) 181 – 183
- Russian Federation, case notes
- A12-3342/05-C11, The Federal Arbitration of the Povolzhsky District  
4 (2007) 83 – 85
- Transfer of money from corporate bank account; private key of digital signature of corporation used; liability*
- Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N КГ-А 40/8531-03-П
- Unauthorized transfer of money from corporate bank account; private key of digital signature of corporation used; liability*  
5 (2008) 149 – 151
- Case No. A40-43946/08-93-94, Arbitrazh Court of Moscow
- Digital evidence; construction of contract; e-mails instead of signed transfer and acceptance on paper*
- Case No. A40-19739/08-10-141, Arbitrazh Court of Moscow
- Digital evidence; status of scanned copies as written evidence; contractual agreement for e-mail correspondence*  
6 (2009) 281 – 283
- Scanned copies of documents, legal status
- Russian Federation

- Case No. A40-43946/08-93-94,  
Arbitrazh Court of Moscow  
6 (2009) 281 – 283
- Search
- Here's the Thing: The Cyber Search Provisions  
of the Search and Surveillance Act 2012  
10 (2013) 39 – 58
- Search and seizure for electronic evidence:  
procedural aspects of UAE's legal system  
10 (2013) 115 – 122
- Secure electronic signature, Poland, legal effect
- Sygn. akt I KZP 39/08, Polish Supreme Court,  
26 March 2009  
6 (2009) 270 – 274
- Security, failure
- Technology and banking: lessons from the  
past  
9 (2012) 91 – 94
- Seizure of digital evidence
- Italy
- Decision no. 16556 dated 29-04-2010,  
La Corte Suprema di Cassazione  
Sezione Quinta Penale (Supreme  
Court of Cassation, 5th Criminal  
Section) 29 April 2010 (the hearing  
took place on 14 December 2009)
- Facts; seizure of copies of digital  
documents stored on a personal  
computer; law dispositive provisions,  
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- 8 (2011) 249 – 252
- Slovenia, seizure of mobile telephone,  
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6 (2009) 287 – 289
- United Arab Emirates
- Search and seizure for electronic  
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legal system
- 10 (2013) 115 – 122
- Sexual abuse, case law
- Spain
- STS 2047/2015, Tribunal Supremo,  
Sala de lo Penal (Supreme Court,  
Criminal Chamber), 19 May 2015,  
translated by Ayodeji, Patricia
- Spain; sexual abuse of a minor;  
communications via social networks;  
authenticity*
- 14 (2017) 79 – 87
- Signature, telex
- Formation of contract Japan, case law
- Showa 33 (Wa) No.681, 10 November  
1962, by Associate Professor Hironao  
Kaneko
- Formation of contract; expressions of  
intent by letter and telex; cancellation  
of contract; liability*
- 9 (2012) 109 – 113
- SIM card
- Denmark, case law
- U.2011.2396V, translated by  
Guðmundsdóttir, Helena Lybæk
- Stolen motor vehicle; SIM card inside  
the vehicle; powers of the police to  
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- 10 (2013) 166 – 168
- Singapore, articles
- The Singapore Electronic Transactions Act and  
the Hong Kong Electronic Transactions  
Ordinance
- 5 (2008) 7 – 20
- Evidential issues from pre-action discoveries:  
*Odex Pte Ltd v Pacific Internet Ltd*
- 6 (2009) 25 – 32
- Electronic discovery in Singapore: A  
quinquennial retrospective
- 11 (2014) 3 – 24

Singapore, case notes

Chwee Kin Keong v Digilandmall.com Pte Ltd, case numbers Suit 202/2003/E (at first instance), CA/30/(2004) (for the appeal)

*Internet web site; item incorrectly priced; digital evidence adduced to demonstrate knowledge of incorrect price by claimants*

2 (2005) 114 – 115

SM Integrated Transware Pte Ltd v Schenker Singapore (Pte) Ltd [(2005)] SGHC 58

*E-mail; e-mail address; whether an electronic signature*

2 (2005) 112 – 113

Alliance Management SA v Pendleton Lane P and Another (The First Case: [2007] SGHC 133), (The Second Case: [2008] SGHC 76)

*Inspection of data stored on hard disk; meaning of a 'document'; striking off where disk was not produced*

5 (2008) 152 – 153

Public Prosecutor v Neo Khoon Sing [2008] SGDC 225

*Digital evidence; the standard of proof for circumstantial evidence; it should lead one to 'the irresistible inference and conclusion' that the offence was committed by the accused*

6 (2009) 284 – 286

Joseph Mathew and Another v Singh Chiranjeev and Another [2009] SGCA 51

*Sale of property; exchange of e-mail communications accepting offer and price; cancellation of contract; whether binding agreement*

7 (2010) 159

Deutsche Bank AG v Chang Tse Wen and others [2010] SGHC 125

*Civil Procedure; discovery of documents; electronic discovery; Practice Direction No 3 of 2009; electronic discovery protocol; good faith collaboration; opt-in framework; who to apply; whether necessary to order; consideration of factors in paragraph 43D; reasonable search; key words; discovery in*

*stages; providing electronic copies of electronically stored documents in lieu of inspection*

7 (2010) 161 – 162

Surface Stone Pte. Ltd. v Tay Seng Leon and another [2011] SGHC 223

*Electronic discovery; discovery and inspection of compound documents; principle of proportionality; inspection protocol*

9 (2012) 128 – 129

Slovakia, case judgments

Decision of the District Court Trenčín dated 8 March 2012, file ref. no. 21C/143/2011, translated by Rowan Legal

*Slovakia; online banking; customer mandate; theft by unknown third party; thief masquerading as bank employee; false banking web site; anti virus software; negligence of customer*

12 (2015) 90 – 94

Decision of the County Court Trenčín dated 19 June 2013, file ref. no. 17Co/213/2012, translated by Rowan Legal

*Slovakia; online banking; customer mandate; theft by unknown third party; thief masquerading as bank employee; false banking web site; anti virus software; negligence of customer*

12 (2015) 95 – 100

Commentary: Slovak case law on the responsibility of a bank for unauthorised financial transactions

12 (2015) 101 – 102

Slovenia, articles

Electronic evidence in the Slovene Criminal Procedure Act

7 (2010) 77 – 86

The Trojan horse defence – a modern problem of digital evidence

9 (2012) 58 – 66

Digital data encryption – aspects of criminal law and dilemmas in Slovenia



- 10 (2013) 147 – 154
- Slovenia, case notes
- I Up 505/2003, The Supreme Court of the Republic of Slovenia
- General Administrative Procedure; validity of e-mail*
- 4 (2007) 97
- Up-106/05-27
- Seizure of mobile telephone; admissibility of data stored on an SIM card; constitutional right to privacy of communication*
- 6 (2009) 287 – 289
- I Ips 7/2009
- Mobile telephone and SIM card; data of the incoming and outgoing calls of the appellants telephone number and of the base stations; whether illegally obtained evidence*
- 7 (2010) 163 – 165
- SMS
- The Moving Finger: sms, on-line communication and on-line disinhibition
- 8 (2011) 179 – 183
- Social media
- Denmark, case law
- U 2012.2614 H, commentary by Langsted, Professor Lars Bo
- Social media; publicly available information; police obtaining information of social media; interception of communications; jurisdiction; Denmark*
- 10 (2013) 162 – 165
- Spain, case law
- STS 2047/2015, Tribunal Supremo, Sala de lo Penal (Supreme Court, Criminal Chamber), 19 May 2015, translated by Ayodeji, Patricia
- Spain; sexual abuse of a minor; communications via social networks; authenticity*
- 14 (2017) 79 – 87
- Social networking
- Hiding illegal content in the SWF format and spreading through social network services: a legal approach
- 7 (2010) 116 – 121
- Software code, articles
- The Post Office Horizon system and Seema Misra
- 13 (2016) 133 – 138
- Software code, disclosure/discovery
- Firmware forensics: best practices in embedded software source code discovery
- 8 (2011) 148 – 151
- Solicitors
- Practice Note: Electronic billing for law firms
- 1 (2004) 87 – 88
- Source code
- Line based hash analysis of source code infringement
- 6 (2009) 210 – 213
- Network investigative source codes and due process
- 14 (2017) 39 – 46
- South Africa
- Electronic wills in South Africa
- 7 (2010) 67 – 70
- The Moving Finger: sms, on-line communication and on-line disinhibition
- 8 (2011) 179 – 183
- Spain
- The electronic signature in Spain
- 2 (2005) 77 – 78
- Bank card fraud in Spain
- 6 (2009) 67 – 78
- The legal regulation of electronic evidence: a pending necessity
- 8 (2011) 25 – 32

- Online searches and online surveillance: the use of trojans and other types of malware as means of obtaining evidence in criminal proceedings  
13 (2016) 88 – 96
- Stamp, case law  
Greece, use of stamp by Chinese applicant, public tender  
Court Decision No. 3279/(2004)  
3 (2006) 101 – 103
- Standards  
The proposed international e-identity assurance standard for electronic notarization  
5 (2008) 78 – 80  
The draft International Electronic Notarization Assurance Standard  
5 (2008) 81 – 97
- Surveillance cameras  
Surveillance cameras, identification and expert evidence  
9 (2012) 42 – 50
- Sweden, case notes  
Case number 2572-2573-2002  
*Administrative Procedure; legal effect of e-mail*  
1 (2004) 80  
Bonnier Audio AB, Earbooks AB, Norstedts Förlagsgrupp AB, Piratförlaget AB and Storyside AB v Perfect Communication Sweden AB (the Ephone case)  
*Action for infringement of IPR; right of claimant to request IP address; probable cause*  
6 (2009) 290 – 291
- Swede, case translation  
Case No. 11534-13  
*Sweden; advanced electronic signature; effectiveness; administrative proceedings*  
12 (2015) 103 – 106
- Switzerland  
Submission of evidence through digital documents in Swiss civil litigation  
3 (2006) 84 – 88  
Digital evidence in the new Swiss Federal Code of Civil Procedure  
6 (2009) 195 – 196  
Electronic Evidence in Swiss Criminal Procedure  
8 (2011) 70 – 75  
Electronic legal correspondence in Switzerland – the latest developments  
11 (2014) 25 – 28
- Taiwan  
The e-signature in Taiwan: consent, integrity and accessibility  
13 (2016) 148 – 153
- Tanzania  
Admissibility of computer evidence in Tanzania  
4 (2007) 56 – 60  
Electronic evidence in Tanzania  
10 (2013) 123 – 127  
The admissibility of electronic evidence in Tanzania: new rules and case law  
13 (2016) 121 – 132
- Tax declarations, electronically  
Mexico, case  
Jurisprudencia 24/2008, Criteria Contradiction Proceedings (Contradicción de Tesis) 261/2007 SS between the Third Collegiate Court for Administrative Matters and the Second Civil Court for Civil Matters in the Seventh Circuit, Second Chamber of the Mexican Supreme Court, February 13, 2008  
5 (2008) 117 – 133
- Ukraine, article

- Ukraine: Electronic filing of tax returns  
7 (2010) 114 – 115
- Technology and power  
The responsible use of technological power/L'uso responsabile del potere tecnologico  
15 (2018) 1 – 10
- Technology assisted review  
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13 (2016) 139 – 142
- Telephone company, cooperation with police  
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U.2011.2396V, translated by Guðmundsdóttir, Helena Lybæk  
*Stolen motor vehicle; SIM card inside the vehicle; powers of the police to require the telephone company to provide an accurate bearing on the location of the SIM card; Denmark*  
10 (2013) 166 – 168
- Telephones, mobile  
'Mobile Ping Data' – Metadata for Tracking  
14 (2017) 22 – 25
- Telex, case law  
Thailand, contract  
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3 (2006) 108 – 110
- Thailand, article  
Civil search and seizure of digital evidence: the example of the Thai Central IP & IT Court  
5 (2008) 235 – 239
- Thailand, case note  
No. 3046/2537 (1994) (Sale of Movable Property (Section 456 of the Civil & Commercial Code))
- Exchange of telex messages; formation of contract; need for written evidence of contract; signature*  
3 (2006) 108 – 110
- Threats, on-line  
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*Threats via Twitter*  
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- Tracking mobile devices  
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- Transborder discovery  
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5 (2008) 231 – 234
- Transfer of land  
Implementation of public e-services for immovable property contracts in Lithuania  
3 (2006) 77 – 83
- Trojan horse defence  
Known knowns, known unknowns and unknown unknowns: anti-virus issues, malicious software and internet attacks for non-technical audiences  
6 (2009) 123 – 131  
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9 (2012) 58 – 66
- Trojan horse, use of  
Online searches and online surveillance: the use of trojans and other types of malware as means of obtaining evidence in criminal proceedings  
13 (2016) 88 – 96

- Trusted computing
- The creation of Qualified Signatures with Trusted Platform Modules
    - 4 (2007) 61 – 68
  - Trusted computing and the digital crime scene
    - 8 (2011) 111 – 123
- Turkey, articles
- The electronic signature law in Turkey
    - 1 (2004) 33 – 36
  - Registered e-Mail and e-Invoicing in Turkey
    - 6 (2009) 197 – 201
  - Bank and credit cards in Turkey: an outline of the criminal law
    - 12 (2015) 22 – 32
- Turkey, case translation
- Case number: 2009/11485, judgment number: 2011/4033
    - On-line banking; unauthorized transfers between accounts by unknown third party; negligence; liability of the bank*
      - 9 (2012) 124 – 127
- Ukraine
- Ukraine: Electronic filing of tax returns
    - 7 (2010) 114 – 115
- Undisputed money claims
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    - 4 (2007) 51 – 55
- Unintended acceleration, motor vehicles
- Firmware forensics: best practices in embedded software source code discovery
    - 8 (2011) 148 – 151
- United Arab Emirates
- Search and seizure for electronic evidence: procedural aspects of UAE’s legal system
    - 10 (2013) 115 – 122
  - The scope of electronic transactions and electronic evidence in the courts of the United Arab Emirates
    - 11 (2014) 37 – 45
  - Challenges of authentication and certification of e-awards in Dubai and before the Dubai International Financial Centre courts: the electronic signature
    - 13 (2016) 97 – 112
  - The enforceability of electronic arbitration agreements before the DIFC Courts and Dubai Courts
    - 14 (2017) 47 – 60
- United States of America
- Recent developments in the United States regarding electronic signatures
    - 1 (2004) 27 – 29
  - The E-Notarization Initiative, Pennsylvania, USA
    - 5 (2008) 73 – 77
  - The proposed international e-identity assurance standard for electronic notarization
    - 5 (2008) 78 – 80
  - Avoiding disputes regarding electronic evidence: a U.S. perspective
    - 5 (2008) 166 – 172
  - Toward a new jurisprudence of information retrieval: What constitutes a “reasonable” search for digital evidence when using keywords?
    - 5 (2008) 173 – 178
  - eDiscovery implications, duties and consequences
    - 5 (2008) 197 – 201
  - The EU Data Protection Directive and major factors relied upon by U. S. courts in transborder discovery requests
    - 5 (2008) 231 – 234
  - Caught in the middle: whether to seek help when the organization is the subject of an information technology attack

- 5 (2008) 245 – 250
- The essential elements of an effective electronic signature process
- 6 (2009) 83 – 97
- Remote electronic discovery
- 6 (2009) 132 – 138
- Legal privilege and the high cost of electronic discovery in the United States: should we be thinking like lawyers?
- 6 (2009) 139 – 152
- Cybercrime: Issues and challenges in the United States
- 7 (2010) 19 – 34
- Justice and sheriff: Practical and authoritative methods for the electronic issuance of officially certified documents in the United States
- 7 (2010) 42 – 52
- Electronic evidence in torrent copyright cases
- 8 (2011) 171 – 178
- A combination or a key? The Fifth Amendment and privilege against compelled decryption
- 9 (2012) 81 – 87
- Brandeis Brief in the case of *In re William French Anderson*
- 10 (2013) 29 – 38
- International aspects of migrating digital forensics in the cloud
- 10 (2013) 81 – 96
- The deed is done: on-line notarization becomes a reality
- 10 (2013) 144 – 146
- Digital Evidence and the American Servicemembers' Protection Act
- 11 (2014) 107 – 114
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- 6 (2009) 207 – 209
- Vehicles
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- 15 (2018) 33 – 47
- Vietnam
- The electronic signature law in Vietnam: a note
- 3 (2006) 89 – 90
- Virtual presence in a jurisdiction, effect
- The effect of 'virtual presence' in Belgium on the duty to cooperate with criminal investigations: some prudence may be required when confronted with a request from a Belgian public prosecutor
- 8 (2011) 194 – 195
- Belgium, case law
- Corr. Dendermonde 2 maart 2009, onuitg. (Rechtbank van Eerste Aanleg te Dendermonde (The Court of First Instance in Dendermonde)), by Johan Vandendriessche
- Investigation of credit card fraud; provider of e-mail services in the United States of America; users of the service in Belgium; jurisdiction; virtual presence in a jurisdiction; Mutual Legal Assistance in Criminal Matters; whether provider of service is required to provide identification and registration data of the person who registered e-mail accounts, including the IP address, date and time of the registration; the e-mail address associated with the profile; any other relevant personal information that could lead to identification of the user; electronic communications network; provider of an electronic communications service*
- 8 (2011) 196 – 207

Gent 30 juni 2010, onuitg. (Hof van Beroep (The Court of Appeal in Ghent, third chamber, sitting in criminal matters)), by Johan Vandendriessche

*Web based e-mail; meaning of 'operator of an electronic communication service' and 'provider of an electronic communications service'; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 208 – 215

Cass. 18 januari 2011, nr. P.10.1347.N (Hof van Cassatie (Court of Cassation of Belgium)), by Johan Vandendriessche

*Web based e-mail; whether meaning of 'operator of an electronic communication service' and 'provider of an electronic communications service' is relevant; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 216 – 218

Brussel 12 oktober 2011, onuitg, Hof van Beroep te Brussel (The Court of Appeal in Brussels, thirteenth chamber, sitting in criminal matters), by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

9 (2012) 102 – 105

#### Watermarks

Digital watermarks as legal evidence

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#### Wi Fi, use of without permission

The Netherlands, case law

Gerechtshof 's Gravenhage 9 maart 2011 LJN: BP7080, Gerechtshof te 's-Gravenhage meervoudige kamer voor strafzaken (Appeals Court at The Hague, Criminal bench). dossier number: 22-002281-10

*Threats to kill posted on web site; accused posted comments by using the connection of a third party via wi fi without permission; whether using the computer of a third party without permission is an offence in Dutch law; electronic evidence*

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#### Wills

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#### Witness, screen tool

Practitioner note: Preserving cyber investigation evidence – the screen tool witness signature

8 (2011) 190 – 192

#### Zanzibar

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### Table of Authors

#### Aguerre, Luis

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6 (2009) 207 – 209

#### Alawamleh, Kamal Jamal

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14 (2017) 47 – 60

#### Alemán, César Martínez

Jurisprudencia 24/2008, Criterios Contradiction Proceedings (Contradicción de Tesis)

- 261/2007 SS between the Third Collegiate Court for Administrative Matters and the Second Civil Court for Civil Matters in the Seventh Circuit, Second Chamber of the Mexican Supreme Court, February 13, 2008  
5 (2008) 117 – 133
- Aljneibi, Khaled  
Search and seizure for electronic evidence: procedural aspects of UAE's legal system  
10 (2013) 115 – 122  
The scope of electronic transactions and electronic evidence in the courts of the United Arab Emirates  
11 (2014) 37 – 45
- Allegra, Judge Francis M.  
Avoiding disputes regarding electronic evidence: a U.S. perspective  
5 (2008) 166 – 172
- Anand, Akhil  
The Supreme Court of India re-defines admissibility of electronic evidence in India  
12 (2015) 33 – 37
- Andersson, Mathilda  
Bonnier Audio AB, Earbooks AB, Norstedts Förlagsgrupp AB, Piratförlaget AB and Storyside AB v Perfect Communication Sweden AB (the Ephone case)  
6 (2009) 290 – 291
- Ariffin, Aswami Fadillah Mohd  
Digital forensics in Malaysia  
5 (2008) 161 – 165  
Digital Forensics Institute in Malaysia: the way forward  
9 (2012) 51 – 57
- Argesiu, Anca  
Decizia nr, 1258 dated 8 October 2009, Curtea Constituțională a României (Constitutional Court)  
7 (2010) 148 – 154
- Ascoli, Pauline  
The archiving of electronic documents under French law  
7 (2010) 108 – 113
- Ashouri, Aida  
Digital Evidence and the American Servicemembers' Protection Act  
11 (2014) 107 – 114  
An Overview of the Use of Digital Evidence in International Criminal Courts  
11 (2014) 115 – 127
- Astrup Hjort, Maria  
Electronic evidence in control of and adversely affecting the opposing party: a comparative study of English and Norwegian law  
8 (2011) 76 – 91
- Attfield, Simon  
E-disclosure viewed as 'sensemaking' with computers: The challenge of 'frames'  
5 (2008) 62 – 67
- Ayers, Richard  
Ten years of computer forensic tool testing  
8 (2011) 139 – 147
- Ayodeji, Patricia  
STS 2047/2015, Tribunal Supremo, Sala de lo Penal (Supreme Court, Criminal Chamber), 19 May 2015, translated by  
*Spain; sexual abuse of a minor; communications via social networks; authenticity*  
14 (2017) 79 – 87
- Bacher, Dr Gusztáv  
Electronic evidence in Hungary: a general overview  
8 (2011) 44 – 59
- Bagby, John W.  
International aspects of migrating digital forensics in the cloud  
10 (2013) 81 – 96

- Baldomir, Diego  
 A brief outline of the position in Uruguay in relation to cyber crime legislation  
 6 (2009) 207 – 209
- Balfas, Hamud M.  
 The Indonesian law on electronic information and transactions  
 6 (2009) 202 – 206
- Band, Michael E.  
 Cybercrime: Issues and challenges in the United States  
 7 (2010) 19 – 34
- Baron, Jason R.  
 Toward a new jurisprudence of information retrieval: What constitutes a “reasonable” search for digital evidence when using keywords?  
 5 (2008) 173 – 178
- Barr, Michael  
 Firmware forensics: best practices in embedded software source code discovery  
 8 (2011) 148 – 151
- Bazin, Philippe  
 Electronic Signatures in German, French and Polish Law Perspective  
 1 (2004) 7 – 13  
 Case number 235784 from the Conseil d’Etat, Elections municipales de la Commune d’Entre-Deux-Monts dated 28 December 2001  
 1 (2004) 81  
 Case number 00-46467 from the Cour de Cassation, chambre civile 2, Sté Chalets Boisson c/ M. X. dated 30 April 2003  
 1 (2004) 82  
 An outline of the French law on digital evidence  
 5 (2008) 179 – 182  
 Digital evidence – do not confuse digital archiving with backups  
 6 (2009) 191 – 194  
 Appeal No. 07-17622 Court of Cassation – second civil chamber of 4 December 2008  
 6 (2009) 246  
 Appeal reference n°: 07-12545 (Not published in the Judgments Bulletin), Court of Cassation, 1st Civil Chamber of 25 June 2008  
 6 (2009) 247
- Bechini, Ugo  
 European Civil Law Notaries ready to launch international digital deeds  
 4 (2007) 14 – 18  
 The Digital Tower of Babel  
 5 (2008) 183 – 186  
 Bread and Donkey for Breakfast how IT law false friends can confound lawmakers: an Italian tale about digital signatures  
 6 (2009) 79 – 82
- Bednar, Peter M.  
 On the complexity of collaborative cyber crime investigations  
 6 (2009) 214 – 219
- Bengtsson, Johnny  
 Diving into magnetic stripe card skimming devices  
 5 (2008) 187 – 191  
 RFID technology and the future – old school fraud in a new wrapper  
 7 (2010) 122 – 124  
 Case No. 11534-13  
*Sweden; advanced electronic signature; effectiveness; administrative proceedings*  
 12 (2015) 103 – 106
- Berber, Dr Leyla Keser  
 Registered e-Mail and e-Invoicing in Turkey  
 6 (2009) 197 – 201
- Biasiotti, Maria Angela



- A proposed electronic evidence exchange across the European Union  
14 (2017) 1 – 12
- Bierekoven, Dr Christiane  
Electronic Signatures in German, French and Polish Law Perspective  
1 (2004) 7 – 13
- Bilar, Daniel  
Known knowns, known unknowns and unknown unknowns: anti-virus issues, malicious software and internet attacks for non-technical audiences  
6 (2009) 123 – 131
- Bing, Professor Jon  
LB-2006-27667, 20 August 2007, Borgarting appellate court – judgment  
5 (2008) 134 – 140  
U 1959.40/1H  
6 (2009) 277
- Blandford, Ann  
E-disclosure viewed as ‘sensemaking’ with computers: The challenge of ‘frames’  
5 (2008) 62 – 67
- Blažek, Zdeněk  
Models of investigation and processing of digital evidence  
5 (2008) 192 – 196
- Boer, Guido  
Electronic administrative communications in The Netherlands  
1 (2004) 51 – 54
- Bohm, Nicholas  
Watch what you sign!  
3 (2006) 45 – 49  
How to abolish the cheque clearing system but keep and improve cheques  
8 (2011) 107 – 110  
Letter to the Editor  
9 (2012) 178
- Commentary, Shojibur Rahman v Barclays Bank PLC, case judgment  
10 (2013) 174  
Commentary, Shojibur Rahman v Barclays Bank PLC, case appeal  
10 (2013) 185 – 187
- Bowers, Caleb  
Digital Evidence and the American Servicemembers’ Protection Act  
11 (2014) 107 – 114  
An Overview of the Use of Digital Evidence in International Criminal Courts  
11 (2014) 115 – 127
- Brezjan, Kristina  
I Ips 7/2009  
7 (2010) 163 – 165
- Bruce, Ingvild  
Forced biometric authentication – on a recent amendment in the Norwegian Code of Criminal Procedure  
14 (2017) 26 – 30
- Cajani, Francesco  
International phishing gangs and operation Phish & Chip  
6 (2009) 153 – 157  
Interception of communications: Skype, Google, Yahoo! and Microsoft tools and electronic data retention on foreign servers: A legal perspective from a prosecutor conducting an investigation  
6 (2009) 158 – 163  
Request for Archiving  
6 (2009) 164 – 180
- Canneyt, Tim Van  
Bailiffs on the internet and the validity of their certified reports: Lessons learned from the French and Belgian courts  
7 (2010) 71 – 76

- Cao, Chris  
 A note to China's new law on electronic signatures  
 13 (2016) 154 – 155
- Capps, Deveral  
 Fitting a quart into a pint pot: the legal curriculum and meeting the requirements of practice  
 10 (2013) 23 – 28
- Caprioli, Eric A.  
 Commentary on digital evidence and electronic signature of a consumer credit contract in France  
 11 (2014) 225
- Casamento, Greg  
 The essential elements of an effective electronic signature process  
 6 (2009) 83 – 97
- Castrillo, Eduardo de Urbano  
 The legal regulation of electronic evidence: a pending necessity  
 8 (2011) 25 – 32
- Cesna, Rytis  
 Legal regulation of electronic signatures in Lithuania  
 2 (2005) 73 – 76
- Chasse, Ken  
 Why a legal opinion is necessary for electronic records management systems  
 9 (2012) 17 – 30
- Cheer, Ursula  
 Suppression and the Internet: The 'cyber memory' case - a New Zealand response  
 5 (2008) 58 – 61  
 More on suppression and the internet in New Zealand  
 6 (2009) 184 – 186
- Chen, Armstrong Sheng  
 The latest civil legal proceedings between banks and their customers in China  
 9 (2010) 101 – 106
- Cheng, Bing  
 The first 'Trojan Horse' case prosecuted in China  
 7 (2010) 107
- Chen, Jihong  
 Yang Chunning v Han Ying (2005) hai min chu zi NO.4670, Beijing Hai Dian District People's Court  
 5 (2008) 103 – 105  
 Chinese digital evidence law overview and suggestions for multinational enterprises  
 5 (2008) 207 – 210  
 The first 'Trojan Horse' case prosecuted in China  
 7 (2010) 107
- Christensen, Sharon  
 Electronic Signatures and PKI Frameworks in Australia  
 1 (2004) 40 – 43
- Clippele, Francis de  
 The law on electronic medical prescriptions  
 2 (2005) 51 – 54
- Colombo, Eleonora  
 The Garlasco case and the digital alibi evidence: a difficult relationship between law and informatics  
 14 (2017) 31 – 38
- Coppola, Gian Paolo  
 Tribunale Mondovì, 7 giugno 2004, n. 375 (decr.), *Giur. It.* 2005, 1026  
 4 (2007) 86 – 88
- Coutts, R. P.  
 Problems with cell phone evidence tendered to 'prove' the location of a person at a point in time  
 13 (2016) 76 – 87

- 'Mobile Ping Data' – Metadata for Tracking  
14 (2017) 22 – 25
- Cruz, Eduardo Gómez de la  
The electronic signature in Spain  
2 (2005) 77 – 78
- Dana Abu Hijleh'  
Translator, Case number 2009/37784, Bur Dubai  
9 (2012) 106 – 107
- Danidou, Yianna  
Trusted computing and the digital crime scene  
8 (2011) 111 – 123
- Decker, Joan  
The E-Notarization Initiative, Pennsylvania, USA  
5 (2008) 73 – 77
- Delerue, François  
Union des Etudiants Juifs de France and J'accuse! ... action internationale pour la justice v Twitter, Inc. (with voluntary interventions by Le Mouvement Contre Le Racisme et pour L'Amitié Entre Les Peuples, Association SOS Racisme-Touche pas a mon pote and La Ligue Internationale Contre Le Racisme et L'Antisémitisme), commentary by *Host; ID; Twitter; responsibility; illegal content; author; Data Protection Law; communication; data; injunction; Article 145 of the CPC; French law; enforcement; jurisdiction*  
10 (2013) 188 – 192  
The French Twitter Case: a difficult equilibrium between freedom of expression and its limits  
10 (2013) 193 – 197
- Dhawan, Bahaar  
The Supreme Court of India re-defines admissibility of electronic evidence in India  
12 (2015) 33 – 37
- Dimitrov, Dr George G.  
Legal aspects of electronic signatures in Bulgaria  
1 (2004) 61 – 66  
e-Justice as adopted in Bulgaria  
10 (2013) 97 – 103
- Doldi, Marco  
The responsible use of technological power/L'uso responsabile del potere tecnologico  
15 (2018) 1 – 10
- Dolzich, Alex  
Digital evidence and e-signature in the Russian Federation: a change in trend?  
6 (2009) 181 – 183  
Case No. A40-43946/08-93-94, Arbitrazh Court of Moscow  
Case No. A40-19739/08-10-141, Arbitrazh Court of Moscow  
6 (2009) 281 – 283
- Doren, Cristian  
The electronic signature in Chile  
4 (2007) 69 – 79
- Duisberg, Alexander  
BGH of December 12, 2000 – XI ZR 138/00  
4 (2007) 93 – 94
- Dülger, Murat Volkan  
Bank and credit cards in Turkey: an outline of the criminal law  
12 (2015) 22 – 32
- Dunlap, Thomas M.  
eDiscovery implications, duties and consequences  
5 (2008) 197 – 201  
Electronic evidence in torrent copyright cases  
8 (2011) 171 – 178
- Eam, Lee Heng  
Deutsche Bank AG v Chang Tse Wen and others [2010] SGHC 125

- 7 (2010) 161 – 162
- Eßer, Dr Martin
- FG Münster 11 K 990/05 F (Electronically signed statement of claim – On the interpretation of the term monetary limitation)
- 3 (2006) 111 – 112
- 10 A 11741/05
- 4 (2007) 91 – 92
- 12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007
- 5 (2008) 110 – 111
- 5 October 2004, XI ZR 210/03, published BGHZ 160, 308-321 Bundesgerichtshof (Federal Court of Justice)
- 6 (2009) 248 – 254
- 19 February 2009, IV R 97/06
- 6 (2009) 278
- 22.09.2009, 1 K 365/09.TR
- 7 (2010) 156 – 157
- 14.01.2010, VII ZB 112/08
- 7 (2010) 158
- Eckert, Claudia
- The creation of Qualified Signatures with Trusted Platform Modules
- 4 (2007) 61 – 68
- Eecke, Patrick Van
- AR n° 2002/71, Ghent Labour Court of Appeal (Bruges department, 7th chamber), 23 September 2003
- 5 (2008) 98
- CSWARE bvba v Pepijn Descamps, 2007/AR/462, Ghent Court of Appeal, Chamber 7bis, 10 March 2008
- 5 (2008) 99 – 102
- Ellis, Leigh
- Practice Note: Electronic billing for law firms
- 1 (2004) 87 – 88
- Elsonbaty, His Honour Judge Ehab Maher
- The electronic signature law: between creating the future and the future of creation
- 2 (2005) 46 – 50
- Esch, Simone Van
- The electronic prescription of medication in a Netherlands hospital
- 3 (2006) 55 – 59
- Esler, Brian W.
- Recent developments in the United States regarding electronic signatures
- 1 (2004) 27 – 29
- Lorraine v Markel: unnecessarily raising the standard for admissibility of electronic evidence
- 4 (2007) 80 – 82
- Fakhoury, Hanni
- A combination or a key? The Fifth Amendment and privilege against compelled decryption
- 9 (2012) 81 – 87
- Falciai, Roberta
- The Italian certified e-mail system
- 3 (2006) 50 – 54
- Faludi (senior), Dr Gábor
- Electronic evidence in Hungary: a general overview
- 8 (2011) 44 – 59
- Faludi (junior), Dr Gábor
- Electronic evidence in Hungary: a general overview
- 8 (2011) 44 – 59
- Farthofer, Mag. Lothar
- OGH Urteil vom 29.6.2000, 2 Ob 133/99v, Oberster Gerichtshof (Austrian Supreme Court)
- 5 (2008) 141
- Fischer-Dieskau, Stefanie

- Electronically signed documents: legal requirements and measures for their long-term conservation  
3 (2006) 40 – 44
- Fohr, Howard R  
Legal update, Canada: PIPEDA's Secure Electronic Signature Regulations have been published  
2 (2005) 71 – 72
- Føyen, Arve  
HR-2012-2056-A, with thanks for reviewing this translation  
*Criminal offence; hacking; 'cloud' (online) storage of personal digital data; data protection; data controller; privacy*  
10 (2013) 201 – 208
- France, Emmanuel Roger  
Legal aspects of the introduction of the electronic identity card in Belgian law by the Act of 25 March 2003  
2 (2005) 22 – 38
- Francoeur, Jacques R.  
Justice and sheriff: Practical and authoritative methods for the electronic issuance of officially certified documents in the United States  
7 (2010) 42 – 52
- Freedman, Clive  
Technology assisted review approved for use in English High Court litigation  
13 (2016) 139 – 142
- Freiheit, Jörn  
Lexecute: visualisation and representation of legal procedures  
3 (2006) 19 – 29
- Freund, Dr Wolfgang  
OGH Urteil vom 29.6.2000, 2 Ob 133/99v, Oberster Gerichtshof (Austrian Supreme Court)  
5 (2008) 141
- Frigeri, Ms Valeria  
Juan Carlos Samper Posada v Jaime Tapias, Hector Cediell and others, Decisión 73-624-40-89-002-2003-053-00 of 21 July 2003  
2 (2005) 95 – 102
- Fylla, Anastasia  
Court Decision No. 5526/1999  
4 (2007) 89 – 90  
Case No 803/2004, Council of State for Suspensions, 15 September 2004  
5 (2008) 112 – 116
- Galea, Dr Patrick J  
A brief overview of Malta, a roman-civil law country, with common law adoption as rules of civil evidence  
5 (2008) 202 – 206
- Garrie, Daniel B.  
eDiscovery in New Zealand under the new amended rules  
9 (2012) 7 – 16
- Gassen, Dr Dominik  
A system of trust: German civil law notaries and their role in providing trustworthy electronic documents and communications  
3 (2006) 69 – 72  
Introducing and working with electronic signatures in mass applications: Notaries and the German commercial register  
5 (2008) 68 – 72
- Gasser, Christoph  
Submission of evidence through digital documents in Swiss civil litigation  
3 (2006) 84 – 88  
Digital evidence in the new Swiss Federal Code of Civil Procedure  
6 (2009) 195 – 196  
Electronic legal correspondence in Switzerland – the latest developments  
11 (2014) 25 – 28

- Georgiades, Olga  
 Translation of the Cypriot law on electronic signatures  
 2 (2005) 86 – 94
- Gholizadeh, Dr Ahad  
 The evidential value of the data-message in Iran  
 3 (2006) 60 – 68
- Goffard, Olivier  
 Legal aspects of the introduction of the electronic identity card in Belgian law by the Act of 25 March 2003  
 2 (2005) 22 – 38
- Goyal, Deepansh  
 The role of digital signatures in the digitisation of loan documentation in India  
 14 (2017) 61 – 66
- Graux, Hans  
 Rethinking the e-signatures Directive: on laws, trust services, and the digital single market  
 8 (2011) 9 – 24
- Gregory, John D.  
 Must e-Signatures be reliable?  
 10 (2013) 67 – 70
- Guttman, Barbara  
 Ten years of computer forensic tool testing  
 8 (2011) 139 – 147
- Guðmundsdóttir, Helena Lybæk  
 U.2011.2396V, translated  
*Stolen motor vehicle; SIM card inside the vehicle; powers of the police to require the telephone company to provide an accurate bearing on the location of the SIM card; Denmark*  
 10 (2013) 166 – 168  
 U.2011.2396V, 11 May 2011, translated  
*Stolen motor vehicle; SIM card inside the vehicle; powers of the police to require the telephone company to provide an accurate bearing on the location of the SIM card*  
 11 (2014) 144 – 146
- Hall, Nicholas  
 Electronic wills in South Africa  
 7 (2010) 67 – 70
- Hansberger, Dr Richard J.  
 Federated identity management: enabling legal control over digital property in the cloud  
 8 (2011) 33 – 43
- Harralson, Heidi H.  
 Forensic document examination of electronically captured signatures  
 9 (2012) 67 – 73
- Harvey, Judge David J.  
 eDiscovery in New Zealand under the new amended rules  
 9 (2012) 7 – 16  
 Here's the Thing: The Cyber Search Provisions of the Search and Surveillance Act 2012  
 10 (2013) 39 – 58
- Hatfield, Patrick  
 The essential elements of an effective electronic signature process  
 6 (2009) 83 – 97
- Haybäck, Assistant Professor DDr Gerwin  
 Civil law liability for unauthorized withdrawals at ATMs in Germany  
 6 (2009) 57 – 66
- He, Dr Jiong  
 Electronic evidence in intellectual property litigation: from the Chinese perspective  
 10 (2013) 59 – 62  
 Xinchuan Online (Beijing) Information Technology Co. Ltd. v Zigong Branch of China Network Communication Group (2008) Min Shen Zi No. 926, translation and commentary by He, Dr Jiong

- Intellectual property infringement; electronic evidence; probative force of notarial certificates; reliability of method of collecting electronic evidence*  
 10 (2013) 158 – 161
- Admissibility of e-evidence generated by Telnet technology in software copyright litigation in China  
 11 (2016) 44 – 48
- Hennell, Cheryl  
 On the complexity of collaborative cyber crime investigations  
 6 (2009) 214 – 219
- Hernández, Diego  
 The electronic signature in Chile  
 4 (2007) 69 – 79
- Hodgett, Simon H  
 Industry Canada releases principles for electronic authentication  
 1 (2004) 37 – 39
- van der Hof, Dr Simone  
 21 November 2007, LJN BC0337, Rechtbank (Lower Court) Amsterdam  
 5 (2008) 146
- Hofman, Julien  
 The Moving Finger: sms, on-line communication and on-line disinhibition  
 8 (2011) 179 – 183
- Hollanda, Cristina de  
 Electronic Signatures and Digital Certification: The Liability of Registry Authorities under Brazilian Legislation  
 1 (2004) 25 – 26
- Holmgren, Av. Burcu Orhan  
 Case number: 2009/11485, judgment number: 2011/4033  
 9 (2012) 124 – 127
- Hvarre, Jan  
 Electronic signatures in Denmark: free for all citizens  
 1 (2004) 14 – 18  
 U 1959.40/1H  
 6 (2009) 277
- Ilioudis, Christos  
 Hiding illegal content in the SWF format and spreading through social network services: a legal approach  
 7 (2010) 116 – 121
- Insa, Fredesvinda  
 The admissibility of electronic evidence in court in Europe  
 3 (2006) 91
- Irons, Alastair  
 Professionalism in digital forensics  
 4 (2007) 45 – 50
- Ishak, Izwan Iskandar  
 Digital forensics in Malaysia  
 5 (2008) 161 – 165
- Iveson, Simon  
 Digital Forensics Specialist Group  
 9 (2012) 88 – 90
- Jazri, Husin  
 Digital Forensics Institute in Malaysia: the way forward  
 9 (2012) 51 – 57
- Kaiser, Nathan  
 The e-signature in Taiwan: consent, integrity and accessibility  
 13 (2016) 148 – 153
- Kaneko, Hironao  
 Electronic evidence in Civil Procedure in Japan  
 5 (2008) 211 – 213  
 How bank depositors are protected in Japan  
 8 (2011) 92 – 106  
 Showa 33 (Wa) No.681, 10 November 1962

- 9 (2012) 109 – 113  
 Heisei 22 Nen (Wa) 5356 Gou  
 9 (2012) 114 – 116  
 Tokyo District Court Heisei 25 (Go Wa) No. 48, Heisei 25 (Kei Wa) No. 817, Heisei 25 (Kei Wa) No. 1020, Heisei 25 (Kei Wa) No. 1313 (four cases joined), translation  
 12 (2015) 81 – 89
- Katos, Vasilios  
 On the complexity of collaborative cyber crime investigations  
 6 (2009) 214 – 219
- Karia, Tejas D.  
 Digital Evidence: An Indian Perspective  
 5 (2008) 214 – 220  
 The Supreme Court of India re-defines admissibility of electronic evidence in India  
 12 (2015) 33 – 37
- Kast, Marlene  
 Ur19 U 16/02, OLG Köln, 6 September 2002  
 5 (2008) 108 – 109
- Kawawa, Noriko  
 The Japanese law on unauthorized on-line credit card and banking transactions: are current legal principles with respect to unauthorized transactions adequate to protect consumers against information technology crimes in contemporary society?  
 10 (2013) 71 – 80
- Keller, Dr Anikó  
 Electronic evidence in Hungary: a general overview  
 8 (2011) 44 – 59
- Kelm, Stefan  
 On the implementation of the 1999 European Directive on electronic signatures  
 2 (2005) 7 – 15
- Kelman, Alistair  
 Job v Halifax PLC (not reported) Case number 7BQ00307 (commentary)  
 6 (2009) 235 – 245
- Kemp, Roger  
 Autonomous vehicles – who will be liable for accidents?  
 15 (2018) 33 – 47
- Kerpel, Dr Dávid  
 Electronic evidence in Hungary: a general overview  
 8 (2011) 44 – 59
- Kessler, Gary C.  
 Are mobile device examinations practiced like ‘forensics’?  
 12 (2015) 3 – 9
- Kiškis, Mindaugas  
 A-143-2740-12, 18 December 2012, commentary by  
*Electronic signatures; qualified certificate; advanced electronic signature; personal identification numbers; data protection*  
 11 (2014) 152 – 164
- Kivi, Andres  
 3-15-2557, Tallinna Ringkonnakohus (Tallinn Circuit Court), 12 January 2017, translation by  
*Estonia; admissibility of digital evidence; trustworthiness of digital evidence; tax procedure*  
 14 (2017) 72 – 78
- Knopp, Michael  
 GmS-OGB 1/98  
 2 (2005) 103 – 104  
 OLG Köln, 19 U 16/02; LG Konstanz, 2 O 141/01 A; AG Erfurt, 28 C 2354/01  
 2 (2005) 105 – 106
- Komnios, Dr Komninos  
 Electronic signatures: value in law and probative effectiveness in Greece  
 4 (2007) 34 – 40



- Konstadopoulou, Anastasia  
Professionalism in digital forensics  
4 (2007) 45 – 50
- Kosiński, Jerzy  
A case of the customer attempting to claim their debit card was cloned  
13 (2016) 67 – 75
- Kozłowski, Tomasz  
Electronic Signatures in German, French and Polish Law Perspective  
1 (2004) 7 – 13
- Krawczyk, Paweł  
When the EU qualified electronic signature becomes an information services preventer  
7 (2010) 7 – 18
- Kritter, Dr Thomas  
5 October 2004, XI ZR 210/03, published BGHZ 160, 308-321 Bundesgerichtshof (Federal Court of Justice)  
6 (2009) 248 – 254
- Kudryavtseva, Olga I.  
The use of electronic digital signatures in banking relationships in the Russian Federation  
5 (2008) 51 – 57  
Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N KГ-A 40/8531-03-П  
5 (2008) 149 – 151
- Kurtz, Nicholas A.  
Electronic evidence in torrent copyright cases  
8 (2011) 171 – 178
- Lach, Dr Arkadiusz  
I KZP 29/06, Resolution of the Polish Supreme Court  
5 (2008) 147 – 148  
Sygn. akt I KZP 39/08, Polish Supreme Court, 26 March 2009  
6 (2009) 270 – 274
- Lambert, Janet  
Electronic disclosure in England & Wales  
3 (2006) 73 – 76
- Lang, Jack  
How to abolish the cheque clearing system but keep and improve cheques  
8 (2011) 107 – 110
- Langsted, Professor Lars Bo  
U 2012.2614 H, commentary  
*Social media; publicly available information; police obtaining information of social media; interception of communications; jurisdiction; Denmark*  
10 (2013) 162 – 165  
U.2014.52 V, 6 September 2013, commentary  
*Denmark; digital signature; enforcement*  
11 (2014) 147 – 148
- Laurits, Eneli  
Criminal procedure and digital evidence in Estonia  
13 (2016) 113 – 120
- Leacock, Q.C., Charles  
Search and seizure of digital evidence in criminal proceedings  
5 (2008) 221 – 225
- Leça, José  
Electronic Certification in Brazil and in the European Union  
2 (2005) 16 – 21
- Leipold, Knut  
Authentication: International Scope and Non Discrimination in Government Commerce vs. PKI

- 2 (2005) 55 – 61
- Leong, Foong Cheng  
 Updates on Malaysian cyber case law  
 10 (2013) 104 – 106  
 Updates on Malaysian cyber case law: Allah, Facebook and Malaysian sex bloggers  
 12 (2015) 10 – 12
- Lepître, Dr Grégory  
 PINs, passwords and human memory  
 6 (2009) 116 – 122
- Liberati, Laura  
 The Italian certified e-mail system  
 3 (2006) 50 – 54
- Lightowler, Michael  
 E-commerce for Notaries in England & Wales  
 4 (2007) 41 – 44
- Lindup, Ken  
 Technology and banking: lessons from the past  
 9 (2012) 91 – 94
- Linh, Nguyen D.  
 The electronic signature law in Vietnam: a note  
 3 (2006) 89 – 90
- Liu, Bo  
 Problems on the admissibility of electronic evidence in the Chinese context  
 12 (2015) 38 – 44
- Loranger, Klara  
 Electronic evidence in Hungary: a general overview  
 8 (2011) 44 – 59
- Low, Rouhshi  
 Electronic Signatures and PKI Frameworks in Australia  
 1 (2004) 40 – 43
- Lund, Paul  
 An investigator's approach to digital evidence  
 6 (2009) 220 – 222
- Luuk, Marc  
 Lexecute: visualisation and representation of legal procedures  
 3 (2006) 19 – 29
- Lyle, James R.  
 Ten years of computer forensic tool testing  
 8 (2011) 139 – 147
- Makarim, Dr Edmon  
 Indonesia: the controversy over the Bill concerning lawful interception  
 8 (2011) 130 – 138  
 Electronic evidence and electronic signatures in Indonesia: the probative value of digital evidence  
 10 (2013) 136 – 143
- Makulilo, Alex B.  
 Admissibility of computer evidence in Tanzania  
 4 (2007) 56 – 60  
 The admissibility of electronic evidence in Tanzania: new rules and case law  
 13 (2016) 121 – 132  
 The admissibility and authentication of digital evidence in Zanzibar under the new Evidence Act  
 15 (2018) 48 – 59
- Malta, Mr Joao Veiga  
 Risk and law in authentication  
 3 (2006) 12 – 18
- Mambi, Adam J.  
 Electronic evidence in Tanzania  
 10 (2013) 123 – 127
- Manolea, Bogdan  
 The digital economy – where is the evidence? Theoretical and practical problems in understanding digital evidence in Romania

- 5 (2008) 226 – 230  
 Decizia nr, 1258 dated 8 October 2009, Curtea  
 Constituțională a României (Constitutional  
 Court)  
 7 (2010) 148 – 154
- Marcellin, Sabine  
 The archiving of electronic documents under  
 French law  
 7 (2010) 108 – 113
- Marston, Philip M.  
 The deed is done: on-line notarization  
 becomes a reality  
 10 (2013) 144 – 146
- Martín, Antonio M<sup>a</sup>. Javato  
 Bank card fraud in Spain  
 6 (2009) 67 – 78
- Martín, Ricardo M. Mata y  
 Bank card fraud in Spain  
 6 (2009) 67 – 78
- Martin, Dr Luigi  
 Electronic signature: value in law and  
 probative effectiveness in the Italian legal  
 system  
 1 (2004) 19 – 24
- Martini, Adamantini I.  
 Hiding illegal content in the SWF format and  
 spreading through social network services: a  
 legal approach  
 7 (2010) 116 – 121
- McCormack, Tim  
 The Post Office Horizon system and Seema  
 Misra  
 13 (2016) 133 – 138  
 Electronic delivery  
 15 (2018) 70 – 74
- McDonagh, Alistair  
 95-14251 Société Descamps, Banque Scalbert  
 Dupont, Commercial Chamber of the Cour de  
 cassation (Cour de cassation chambre  
 commerciale), Tuesday 2 December 1997  
 5 (2008) 106 – 107
- McIntyre, T. J.  
 Irish Supreme Court extends the scope of  
 electronic discovery: *Dome Telecom v Eircom*  
 5 (2008) 41 – 44
- Mclsaac QC, Barbara  
 Legal update, Canada: PIPEDA's Secure  
 Electronic Signature Regulations have been  
 published  
 2 (2005) 71 – 72
- McKenna, Patrick  
 The probative value of digital certificates:  
 Information Assurance is critical to e-Identity  
 Assurance  
 1 (2004) 55 – 60
- Meese, Professor dr Joachim  
 The use of illegally obtained evidence in  
 Belgium: a 'status questionis'  
 10 (2013) 63 – 66
- Mendola, Marco  
 The Processo Civile Telematico and the Italian  
 legal framework: a perspective  
 12 (2015) 17 – 21
- Mercado-Kierkegaard, Sylvia  
 Legal regulation of electronic signatures in  
 Lithuania  
 2 (2005) 73 – 76
- Merone, Aniello  
 Electronic signatures in Italian law  
 11 (2014) 85 – 99
- Metcalf, David L.  
 Cybercrime: Issues and challenges in the  
 United States  
 7 (2010) 19 – 34
- Mitchell, Dr Faye

- The use of Artificial Intelligence in digital forensics: An introduction  
7 (2010) 35 – 41
- Mitchell, QC, Iain G.  
Practitioner note: E-mails cause practical problems for client confidentiality  
8 (2011) 193
- Mitchell, Patricia  
Case Comment on *Laushway v Messervey*, 2014 NSCA 7: ‘Old evidence law dogs, new technology tricks’  
12 (2015) 13 – 16
- Molnár, Dr Bence  
Electronic evidence in Hungary: a general overview  
8 (2011) 44 – 59
- Moncur, Wendy  
PINs, passwords and human memory  
6 (2009) 116 – 122
- Morandi, Eliana  
The role of the notary in real estate conveyancing  
4 (2007) 28 – 33
- Moore QC, Miranda  
Digital Forensics Specialist Group  
9 (2012) 88 – 90
- Münch, Susanne  
Lexecute: visualisation and representation of legal procedures  
3 (2006) 19 – 29
- Murdoch, Steven J.  
Reliability of Chip & PIN evidence in banking disputes  
6 (2009) 98 – 115
- Näslund, Viive  
AS Valga Külmutusvaguinite Depoo (in bankruptcy)  
1 (2004) 75 – 79
- Nastri, Michele  
Telematic Land Registers: the role of the civil law notary  
4 (2007) 19 – 27
- Naumov, Victor  
Electronic signatures in Russian law  
2 (2005) 62 – 66
- Neto, Jason Soares Albergaria  
Digital evidence in Brazil  
5 (2008) 21 – 28
- Nikiforova, Tatiana  
Electronic signatures in Russian law  
2 (2005) 62 – 66
- Nordén, Anna  
Case number 2572-2573-2002  
1 (2004) 80
- Norris, Gareth  
The influence of computer generated animations on juror decision making  
11 (2014) 46 – 54
- Norton, William K.  
Enforcing ‘simple’ electronic signatures in an international context  
9 (2012) 74 – 78
- Nuth, Maryke Silalahi  
Unauthorized use of bank cards with or without the PIN: a lost case for the customer?  
9 (2012) 95 – 101
- Opitz-Talidou, Dr Zoi  
2 BvC 3/07, 2 BvC 4/07 Federal Constitutional Court of Germany  
6 (2009) 279 – 280
- Oparnica, Goran  
Digital evidence and digital forensic education  
13 (2016) 143 – 147
- Ou, Po-Hsiang

- The e-signature in Taiwan: consent, integrity and accessibility  
13 (2016) 148 – 153
- Overbeck, Per  
The burden of proof in the matter of alleged illegal downloading of music in Denmark  
7 (2010) 87 – 89  
Alleged illegal downloading of music: the Danish Supreme Court provides a high bar for evidence and a new line of direction regarding claims for damages and remuneration  
8 (2011) 165 – 170
- Owsley, Brian L.  
Network investigative source codes and due process  
14 (2017) 39 – 46
- Pappalardo, Filippo  
The Processo Civile Telematico and the Italian legal framework: a perspective  
12 (2015) 17 – 21
- Pascarelli, Dr Roberto  
Electronic signature: value in law and probative effectiveness in the Italian legal system  
1 (2004) 19 – 24
- Pastukhov, Oleksandr  
Ukraine: Electronic filing of tax returns  
7 (2010) 114 – 115
- Pearson, His Honour Judge  
R v LR (not reported) Indictment number T20090048  
7 (2010) 125 – 129
- Perrin, Bertrand  
Electronic Evidence in Swiss Criminal Procedure  
8 (2011) 70 – 75
- Perry, Daniel W.  
The EU Data Protection Directive and major factors relied upon by U. S. courts in transborder discovery requests  
5 (2008) 231 – 234
- Peters, Stefanie  
Submission of evidence through digital documents in Swiss civil litigation  
3 (2006) 84 – 88
- Petrauskas, Rimantas  
Legal regulation of electronic signatures in Lithuania  
2 (2005) 73 – 76  
Implementation of public e-services for immovable property contracts in Lithuania  
3 (2006) 77 – 83
- Picot, Henriette  
Ur19 U 16/02, OLG Köln, 6 September 2002  
5 (2008) 108 – 109
- Pinyosinwat, Judge Jumpol  
Civil search and seizure of digital evidence: the example of the Thai Central IP & IT Court  
5 (2008) 235 – 239
- Pope, Nick  
Practical considerations in securing electronic signatures  
2 (2005) 67 – 70
- Pöysti, Tuomas  
Judgment in the case of *K.U. v Finland*: the European Court of Human Rights requires access to communications data to identify the sender to enable effective criminal prosecution in serious violations of private life  
6 (2009) 33 – 45
- Purtova, Nadezhda  
Whether a photograph taken for Google's Street View can be used as evidence in a criminal process: a case note  
6 (2009) 187 – 190
- Qouteshat, Omar Husain

- Challenges of authentication and certification of e-awards in Dubai and before the Dubai International Financial Centre courts: the electronic signature  
13 (2016) 97 – 112
- The enforceability of electronic arbitration agreements before the DIFC Courts and Dubai Courts  
14 (2017) 47 – 60
- Quinche, Manuel F.  
Juan Carlos Samper Posada v Jaime Tapias, Hector Cediell and others, Decisión 73-624-40-89-002-2003-053-00 of 21 July 2003  
2 (2005) 95 – 102
- Quintanilla, Jorge  
The electronic signature in Chile  
4 (2007) 69 – 79
- Rachavelias, Michael G.  
Court Decision No. 1963/(2004)  
2 (2005) 107 – 111  
Case No. 1327/2001 – Payment Order  
3 (2006) 104 – 107  
Court Decision No. 3279/(2004)  
3 (2006) 101 – 103  
Case No 803/2004, Council of State for Suspensions, 15 September 2004  
5 (2008) 112 – 116  
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7 (2010) 116 – 121  
Court Decision No. 9460/1999 (9460/1999 EΦ AΘ)  
7 (2010) 134 – 136  
Payment Order 8444/2011, Court of First Instance of Athens  
8 (2011) 231 – 234  
Payment Order 1932/2011, translation and commentary  
*Definition and legal nature of electronic documents; evidential weight of an e-mail message; function of an e-mail address as an electronic signature; evidential weight of the printed copy of an e-mail; authenticity issues regarding electronic documents*  
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*Greece; assignment; validity; status of electronic document; e-mail address; evidential weight*  
11 (2014) 174 – 176  
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*Greece; debt; electronic document; e-mail; e-mail address; burden of proof; forgery*  
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*Greece; private documents; definition of electronic document; e-mail address; articles 443 – 444 Greek Civil Procedure Code; control of property; prerequisites; trespass*  
12 (2015) 76 – 80
- Radhakrishna, Gita  
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9 (2012) 31 – 41  
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10 (2013) 107 – 114  
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14 (2017) 16 – 21
- Ramalho, David Silva  
The use of malware as a means of obtaining evidence in Portuguese criminal proceedings  
11 (2014) 55 – 75  
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13 (2016) 88 – 96

- Ramkhalawan, Laura
- Groupe Philippe Bosc/MMT, translation  
*France; brand; web site; finding; search engine; parasitism; brands; source code; meta tag; proof; nullity*  
12 (2015) 56 – 58
- Arrêt n°211 du 26 février 2013 (12-14.771), translation  
*France; tax authority; search and seizure; application of article L. 85 of the Book of Tax Procedures*  
12 (2015) 59 – 60
- Arrêt du 27 février 2013, translation  
*France; copyright; probative value of official report; Afnor NFZ67-147 standard; software; internet; validity; co-author*  
12 (2015) 61 – 66
- 26 June 2014 – no. 13/19600, translation  
*France; special power of attorney issued online; electronic signature; reliability criteria regarding identification of the author of an electronic document; décret du 30 mars 2001; articles 1316-1 et 1316-2 du Code civil; application of terms*  
12 (2015) 67 – 70
- Jugement du 19 décembre 2014, translation  
*France; procedure; electronic signature; validity; litigation; writ of summons; telephony; subscription*  
12 (2015) 71 – 75
- Reiniger, Timothy S.
- The proposed international e-identity assurance standard for electronic notarization  
5 (2008) 78 – 80
- Justice and sheriff: Practical and authoritative methods for the electronic issuance of officially certified documents in the United States  
7 (2010) 42 – 52
- Federated identity management: enabling legal control over digital property in the cloud  
8 (2011) 33 – 43
- The deed is done: on-line notarization becomes a reality  
10 (2013) 144 – 146
- Rémy, Marc
- Electronic Evidence in Swiss Criminal Procedure  
8 (2011) 70 – 75
- Repšs, Agris
- Electronic evidence in Latvia: a general overview  
8 (2011) 60 – 69
- Reynis, Bernard
- European Civil Law Notaries ready to launch international digital deeds  
4 (2007) 14 – 18
- Richardson, Matthew
- Donald Blaney v Person(s) unknown, (not reported), Thursday, 1 October 2009, Lewison J ChD  
7 (2010) 155
- Riekkinen, Juhana
- Evidence of cybercrime and coercive measures in Finland  
13 (2016) 49 – 66
- Rivolta, Dr Mercedes
- Authentication: International Scope and Non Discrimination in Government Commerce vs. PKI  
2 (2005) 55 – 61
- Risk and law in authentication  
3 (2006) 12 – 18
- Rizzolo, Daniel R.
- Legal privilege and the high cost of electronic discovery in the United States: should we be thinking like lawyers?  
6 (2009) 139 – 152
- Roßnagel, Alexander

- The creation of Qualified Signatures with Trusted Platform Modules  
4 (2007) 61 – 68
- Roßnagel, Heiko  
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4 (2007) 7 – 13
- Rohrmann, Professor Carlos Alberto  
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3 (2006) 7 – 11  
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3 (2006) 92 – 94  
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3 (2006) 95 – 97  
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5 (2008) 21 – 28
- Roosendaal, Arnold  
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6 (2009) 187 – 190  
LJN; AY6903, Voorzieningenrechter In Kort Geding (Services Court Judge Amsterdam), 345291 / KG 06-1112 AB  
6 (2009) 263 – 269
- Rotomskis, Irmantas  
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3 (2006) 77 – 83
- Roubaty, Romain  
Electronic Evidence in Swiss Criminal Procedure  
8 (2011) 70 – 75
- Rowan Legal  
Decision of the District Court Trenčín dated 8 March 2012, file ref. no. 21C/143/2011, translated by Rowan Legal  
*Slovakia; online banking; customer mandate; theft by unknown third party; thief masquerading as bank employee; false banking web site; anti virus software; negligence of customer*  
12 (2015) 90 – 94  
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*Slovakia; online banking; customer mandate; theft by unknown third party; thief masquerading as bank employee; false banking web site; anti virus software; negligence of customer*  
12 (2015) 95 – 100  
Commentary: Slovak case law on the responsibility of a bank for unauthorised financial transactions  
12 (2015) 101 – 102
- Ruggieri, Franco  
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2 (2005) 39 – 45  
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5 (2008) 29 – 40  
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11 (2014) 100 – 106
- Sacher, Markus  
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4 (2007) 61 – 68
- Savrai, Dr Parviz  
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- Problems with cell phone evidence tendered to 'prove' the location of a person at a point in time  
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- Scanlan, Justice J. E. (Ted)  
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5 (2008) 240 – 244
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8 (2011) 111 – 123
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2 (2005) 55 – 61  
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3 (2006) 12 – 18
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- Schofield, Dr Damian  
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13 (2016) 3 – 25
- Schwank, Friedrich  
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1 (2004) 30 – 32
- Schwerha IV, Joseph J.  
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10 (2013) 81 – 96
- Selinšek, Dr Liljana  
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6 (2009) 287 – 289  
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7 (2010) 163 – 165
- Seng, Daniel  
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5 (2008) 7 – 20  
Evidential issues from pre-action discoveries: *Odex Pte Ltd v Pacific Internet Ltd*  
6 (2009) 25 – 32
- Šepec, Miha  
The Trojan horse defence – a modern problem of digital evidence  
9 (2012) 58 – 66  
Digital data encryption –aspects of criminal law and dilemmas in Slovenia  
10 (2013) 147 – 154
- Sijanski, Grozdana  
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**3 (2006) 19 – 29**
- Silva, Ricardo Barretto Ferreira da  
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2 (2005) 16 – 21
- Skouma, Georgia  
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1 (2004) 83 – 86
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- Electronic evidence and the Croatian Criminal Procedure Act  
10 (2013) 128 – 135
- Slay, Jill  
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9 (2012) 51 – 57
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3 (2006) 30 – 39
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2 (2005) 114 – 115
- SM Integrated Transware Pte Ltd v Schenker Singapore (Pte) Ltd [(2005)] SGHC 58  
2 (2005) 112 – 113
- Alliance Management SA v Pendleton Lane P and Another (The First Case: [2007] SGHC 133), (The Second Case: [2008] SGHC 76)  
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- Public Prosecutor v Neo Khoo Sing [2008] SGDC 225  
6 (2009) 284 – 286
- Joseph Mathew and Another v Singh Chiranjeev and Another [2009] SGCA 51  
7 (2010) 159
- Deutsche Bank AG v Chang Tse Wen and others [2010] SGHC 125  
7 (2010) 161 – 162
- Sanae Achar v Sci-Gen Ltd [2011] SGHC 87, High Court, 8 April 2011  
8 (2011) 253 – 255
- Surface Stone Pte. Ltd. v Tay Seng Leon and another [2011] SGHC 223  
9 (2012) 128 – 129
- Taylor, Jennifer  
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- Taylor, Paul  
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11 (2014) 29 – 36
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- Thammateeradaycho, Noppramart  
No. 3046/2537 (1994) (Sale of Movable Property (Section 456 of the Civil & Commercial Code))  
3 (2006) 108 – 110

- Thiele, Dr Clemens  
 OGH judgment of 29.06.2000, 2 Ob 133/99v – Liability for misuse of ATM cards (commentary)  
 6 (2009) 223 – 231
- Thimbleby, Harold  
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 15 (2018) 11 – 32
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 11 (2014) 76 – 84  
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 14 (2017) 61 – 66
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 1 (2004) 44 – 50
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 9 (2012) 128 – 129
- Trofimovs, Sergejs  
 Ž.Š. v AB Lietuva taupomasis bankas, Civil Case No. 3K-3-390/2002, Civil Chamber of the Supreme Court of Lithuania  
 5 (2008) 143 – 145  
 Ž.Š. v Lietuvos taupomasis bankas, Civil case No. 3K-3-390/2002, Supreme Court of Lithuania  
 6 (2009) 255 – 262
- Tsai, Alex  
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 13 (2016) 148 – 153
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 15 (2018) 60 – 69
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- Vaciago, Dr Giuseppe  
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 8 (2011) 124 – 129  
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 13 (2016) 88 – 96
- Vandendriessche, Johan  
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 1 (2004) 67 – 74  
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 7 (2010) 90 – 100  
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 9 (2012) 104 – 105  
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Consolidated version Royal Decree of 13 February 2001 providing further details to the Act of 8 December 1992 on the protection of privacy in relation to the processing of personal data, unofficial English translation

9 (2012) 152 – 163

Consolidated version 9 July 2001 – Law determining some rules concerning the legal framework of electronic signatures and certification services, unofficial English translation

9 (2012) 164 – 172

Consolidated version Belgian cybercrime provisions, unofficial English translation

9 (2012) 173 – 177

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Act of 21 March 2007 governing the installation and the use of surveillance cameras, unofficial English translation – Consolidated version

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Royal Decree of 2 July 2008 concerning the notifications of the installation and the use of surveillance cameras, unofficial English translation – Consolidated version

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Royal Decree of 10 February 2008 establishing the manner in which camera surveillance must be notified, unofficial English translation – Consolidated version

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Act of 21 March 2007 governing the installation and the use of surveillance cameras

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Belgian cybercrime provisions

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2 (2005) 79 – 85

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- 2 (2005) 79 – 85
- Case Note China: Rong-Shu-Xia Computer Ltd. v China Society Publisher
- 4 (2007) 95
- Case Note China: Beijing Han-Hua-Kai-Jie Technology Development Ltd. v Chen Hong
- 4 (2007) 96
- Electronic evidence in China
- 5 (2008) 45 – 50
- Zhang Hua v Shanghai Danwei Information Consultation Co. Ltd, Shanghai People’s Court of Jing’an District
- 6 (2009) 275 – 276
- QQ Messenger chat record as criminal evidence in China
- 8 (2011) 187 – 189
- Ward, Tony
- Surveillance cameras, identification and expert evidence
- 9 (2012) 42 – 50
- Warden, Cherrie
- An Overview of the Use of Digital Evidence in International Criminal Courts
- 11 (2014) 115 – 127
- Digital Evidence and Investigatory Protocols
- 11 (2014) 128 – 136
- Wellmann, Dr György
- Electronic evidence in Hungary: a general overview
- 8 (2011) 44 – 59
- Wilke, Daniel
- Electronically signed documents: legal requirements and measures for their long-term conservation
- 3 (2006) 40 – 44
- Willassen, Svein Yngvar
- Line based hash analysis of source code infringement
- 6 (2009) 210 – 213
- Winmill, Chief Judge B. Lynn
- Cybercrime: Issues and challenges in the United States
- 7 (2010) 19 – 34
- Wong, Denise H.
- Educating for the future: teaching evidence in the technological age
- 10 (2013) 16 – 24
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- Practitioner note: Preserving cyber investigation evidence – the screen tool witness signature
- 8 (2011) 190 – 192
- Yeong, Zee Kin
- Electronic discovery in Singapore: A quinquennial retrospective
- 11 (2014) 3 – 24
- Yu, Ronald
- Hong Kong’s new electronic discovery procedures
- 11 (2014) 29 – 36
- Electronic evidence and electronic discovery in the Hong Kong Special Administrative Region, People’s Republic of China
- 13 (2016) 26 – 43
- Zaharis, Alexandros
- Hiding illegal content in the SWF format and spreading through social network services: a legal approach
- 7 (2010) 116 – 121
- Zangl, Fabrice
- Lexecute: visualisation and representation of legal procedures
- 3 (2006) 19 – 29
- Zaqashvili, Ucha
- Problems of legal regulation and investigation of computer crimes in Georgia
- 7 (2010) 53 – 66

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Integrating qualified electronic signatures with password legacy systems

4 (2007) 7 – 13

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### Transcripts

England & Wales

Regina v Seema Misra, T20090070, In the Crown Court at Guilford, Trial dates: 11, 12, 13, 14, 15, 18, 19, 20, 21 October and 11 November 2010, His Honour Judge N. A. Stewart and a jury

*England & Wales; theft; electronic evidence; Post Office Horizon System; 'reliability' of computers*

12 (2015) Documents Supplement

### Judgments

England & Wales

Job v Halifax PLC (not reported) Case number 7BQ00307, commentary by Kelman, Alistair

*ATM; electronic signature (PIN); proof for civil proceedings*

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R v LR (not reported) Indictment number T20090048

*Abusive images of children; judicial order to provide copies of images to defence; refusal by prosecution; reasonableness of judicial order and practical arrangements*

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Shojibur Rahman v Barclays Bank PLC, commentary by Mason, Stephen and Bohm, Nicholas

*Bank card; PIN; electronic signature; verification of customer; negligence of the bank; negligence of the customer; fraud; burden of proof; events taking place before the Payment Services Regulations 2009 in force*

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Shojibur Rahman v Barclays Bank PLC (on appeal from the judgment of Her Honour District Judge Millard dated 24 October 2012), commentary by Mason, Stephen and Bohm, Nicholas

*Bank card; PIN; electronic signature; verification of customer; negligence of the bank; negligence of the customer; fraud; burden of proof*

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### Rulings

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*R v Cahill; R v Pugh* 14 October 2014, Crown Court at Cardiff, T20141094 and T20141061 before HHJ Crowther QC

*England & Wales; digital evidence; glucose testing; handheld device; Electronic Patient Record; efficacy of evidence*

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### Orders

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Case Protective Order

*In re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices and Products Liability Litigation, Case Number: 8:10ML2151 JVS (FMOx)*

*Protective Order: Redacted stipulated protective order governing the exchange and handling of source code and source code related material*

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## Austria

OGH judgment of 29.06.2000, 2 Ob 133/99v – Liability for misuse of ATM cards, commentary by Dr Clemens Thiele

*Liability; bank cards; ATM; misuse; electronic signature (PIN)*

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## Belgium

AR n° 2002/71, Ghent Labour Court of Appeal (Bruges department, 7th chamber), 23 September 2003, Patrick Van Eecke and Elisabeth Verbrugge

*Evidence of agreement; e-mail correspondence between the parties*

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CSWARE bvba v Pepijn Descamps, 2007/AR/462, Ghent Court of Appeal, Chamber 7bis, 10 March 2008, commentary by Patrick Van Eecke and Elisabeth Verbrugge

*Claim the e-mails are not authentic; evidence of authenticity; e-mails sent without qualified electronic signatures; assessment of evidence; burden of proof*

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*Investigation of credit card fraud; provider of e-mail services in the United States of America; users of the service in Belgium; jurisdiction; virtual presence in a jurisdiction; Mutual Legal Assistance in Criminal Matters; whether provider of service is required to provide identification and registration data of the person who registered e-mail accounts, including the IP address, date and time of the registration; the e-mail address associated with the profile; any other relevant personal information that could lead to identification of the user; electronic communications network;*

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*Web based e-mail; meaning of 'operator of an electronic communication service' and 'provider of an electronic communications service'; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 208 – 215

Cass. 18 januari 2011, nr. P.10.1347.N (Hof van Cassatie (Court of Cassation of Belgium)), by Johan Vandendriessche

*Web based e-mail; whether meaning of 'operator of an electronic communication service' and 'provider of an electronic communications service' is relevant; ability of a Belgian Public Prosecutor to obtain e-mails from another jurisdiction outside the scope of Mutual Legal Assistance in Criminal Matters*

8 (2011) 216 – 218

Brussel 12 oktober 2011, onuitg, Hof van Beroep te Brussel (The Court of Appeal in Brussels, thirteenth chamber, sitting in criminal matters), by Johan Vandendriessche

*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

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*Web based e-mail; the judicial authority of a Belgian Public Prosecutor; whether restricted to within the territory of Belgium; article 46bis, §2 of the Code of Criminal Procedure*

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- Antwerpen 20 november 2013,  
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- Web based e-mail; the judicial authority of a  
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- 11 (2014) 137 – 143
- P.13.2082.N, Yahoo! Inc., translated by Johan  
Vandendriessche
- Belgium; Yahoo!; web based e-mail; the  
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zi NO.4670, Beijing Hai Dian District People's  
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- Proof of loan of money by exchange of text  
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- 5 (2008) 103 – 105
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Shen Zi No. 926, translation and commentary  
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- Intellectual property infringement; electronic  
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- U.2001.1980/1H, Højesteret (Supreme Court)
- Request for dissolution; Bankruptcy Court;  
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- 6 (2009) 234
- Poul Erik Gravgaard Larsen v IFPI Danmark,  
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- Illegal file sharing of music over the internet;  
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- 8 (2011) 219 – 230
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- 11 (2014) 144 – 146
- U.2014.52 V, 6 September 2013, with a  
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- Denmark; digital signature; enforcement*
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- Denmark; digital signature; enforcement*  
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3-15-2557, Tallinna Ringkonnakohus (Tallinn Circuit Court), 12 January 2017, translation by Andres Kivi  
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1-11-12390/28, Tallinna Ringkonnakohus (Tallinn Circuit Court), translated and with a commentary by Stella Raudsepp  
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- France  
95-14251 Société Descamps, Banque Scalbert Dupont, Commercial Chamber of the Cour de cassation (Cour de cassation chambre commerciale), Tuesday 2 December 1997, by Alistair McDonagh  
*Deed of acceptance of the assignment of a trade debt by facsimile transmission; whether constitutes a written document*  
5 (2008) 106 – 107  
Appeal No. 07-17622 Court of Cassation – second civil chamber of 4 December 2008, by Philippe Bazin  
*Original document; copy of original; digital copy; evidence of logo on scanned letter regarding proof of receipt*  
6 (2009) 246  
Appeal reference n°: 07-12545 (Not published in the Judgments Bulletin), Court of Cassation, 1st Civil Chamber of 25 June 2008, by Philippe Bazin  
*Digital evidence; bank transfers written in identical terms; commencement of proof in writing*  
6 (2009) 247  
In re Advocate Christopher X, Cour de cassation chambre criminelle du 12 décembre 2007 n°07-83228  
*Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matter; liability of French lawyer for taking evidence without authority of the Hague Convention; articles 1134 of the Civil Code, 111-4 of the Penal Code, 1 bis of law No. 68-678 of 26 July 1968 amended by law No. 80-538 of 16 July 1980 (articles 1134 du code civil, 111-4 du code pénal, 1 bis de la loi n° 68-678 du 26 juillet 1968 modifiée par la loi n° 80-538 du 16 juillet 1980)*  
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Union des Etudiants Juifs de France and J'accuse! ... action internationale pour la justice v Twitter, Inc. (with voluntary interventions by Le Mouvement Contre Le Racisme et pour L'Amitié Entre Les Peuples, Association SOS Racisme-Touche pas a mon pote and La Ligue Internationale Contre Le Racisme et L'Antisémitisme), with a commentary by François Delerue  
*Host; ID; Twitter; responsibility; illegal content; author; Data Protection Law; communication; data; injunction; Article 145 of the CPC; French law; enforcement; jurisdiction*  
10 (2013) 188 – 197  
Extract of the minutes of the Registry 1042/2011; RG No 11-11-00080 (not published), 12 December 2011  
*France; revolving credit; extensions of credit; failure to pay; digital evidence; electronic signature; civil procedure and time limit of application*  
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Arrêt No 442/12 of 14 February 2013 (not published)

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Groupe Philippe Bosc/MMT, translated by Laura Ramkhalawan

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Arrêt n°211 du 26 février 2013 (12-14.771), translated by Laura Ramkhalawan

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*France; tax authority; search and seizure; application of article L. 85 of the Book of Tax Procedures*

Arrêt du 27 février 2013, translated by Laura Ramkhalawan

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*France; copyright; probative value of official report; Afnor NFZ67-147 standard; software; internet; validity; co-author*

26 June 2014 – no. 13/19600, translated by Laura Ramkhalawan

12 (2015) 67 – 70

*France; special power of attorney issued online; electronic signature; reliability criteria regarding identification of the author of an electronic document; décret du 30 mars 2001; articles 1316-1 et 1316-2 du Code civil; application of terms*

Jugement du 19 décembre 2014, translated by Laura Ramkhalawan

*France; procedure; electronic signature; validity; litigation; writ of summons; telephony; subscription*

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15-10732 Cour de cassation, chambre civile 1, 6 April 2016, translated by Laura Ramkhalawan

*France; electronic signature; validation of signature; formation of contract*

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Décision n° 2018-696 QPC du 30 mars 2018, Le Conseil constitutionnel (Constitutional Court) translated by Pauline Martin

*France; encrypted data; refusal to reveal key to authorities; criminal offence; constitutional position*

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#### Germany

Ur19 U 16/02, OLG Köln, 6 September 2002, by Henriette Picot and Marlene Kast

*E-mail; internet auction; proof the bidder is the same person as the owner of the e-mail account; burden of proof to prove fraudulent use; assessment of evidence to include security of the internet*

5 (2008) 108 – 109

12 U 34/07, Court of Appeal Berlin (Kammergericht Berlin), 30 August 2007, commentary by Eßer, Dr Martin

*Whether print-outs from a private database constitutes an electronic document; requirement for qualified electronic signature; probative value of documentary evidence*

5 (2008) 110 – 111

5 October 2004, XI ZR 210/03, published BGHZ 160, 308-321 Bundesgerichtshof (Federal Court of Justice), commentary by Dr Martin Eßer, further commentary by Dr Thomas Kritter

*Electronic signature (PIN); ATM; card holder; theft of card; subsequently used by thief; liability*

6 (2009) 248 – 254

XI ZR 91/14, Bundesgerichtshof (Federal Supreme Court of Germany), translated by Florian Büth

*Germany; evidentiary principles regarding disputed payment orders in online banking*

15 (2018) 95 – 97

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Court Decision No. 5526/1999, by Fylla, Anastasia

*Bank debit card stolen from customer; funds withdrawn from account without authorization using PIN; liability*

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Case No. 1327/2001 – Payment Order, by Michael G. Rachavelias

*Enforcement of payment order for debt; meaning of electronic document; evidential weight; exchange of e-mail correspondence; e-mail address as a form of electronic signature*

3 (2006) 104 – 107

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*Administrative procedure; sending a document by computer from an electronic address with an e-mail; status of document*

5 (2008) 112 – 116

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Payment Order 8444/2011, Court of First Instance of Athens, by Michael G. Rachavelias

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BH (Court Decisions) 2006/324, A Magyar Köztársaság Legfelsőbb Bíróságának (Supreme Court), by Szecskay Ügyvédi Iroda

*Electronic documents; identifiable signature; unsigned e-mail; legal effect; requirement for an advanced electronic signature*

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Judgement No. 11445 of 6 September 2001 (Cassazione civile, sez. lav., 6 settembre 2001, n. 11445), Supreme Court of Cassation – Work Section

*Admissibility of digital documents; probative value of electronic or computer systems*

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9 (2012) 109 – 113

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Case No. A42738909, Administratīvā rajona tiesa (Administrative District Court), with thanks to Sorainen Law Firm for helping with this translation

*Calibration certificate of the measuring device submitted without a valid electronic signature; consideration of article 5(2) of Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, OJ L 13, 19.01.2000, p. 12; submission of electronic documents to the competent authorities as evidence should not be denied solely on the grounds that the document is in electronic form and that does not have a secure electronic signature*

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A-143-2740-12, 18 December 2012 with a commentary by Professor Mindaugas Kiškis

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Jurisprudencia 24/2008, Criteria Contradiction Proceedings (Contradicción de Tesis) 261/2007 SS between the Third Collegiate Court for Administrative Matters and the Second Civil Court for Civil Matters in the

Seventh Circuit, Second Chamber of the Mexican Supreme Court, February 13, 2008, commentary by César Martínez Alemán

*Status of tax declaration submitted through electronic means; acknowledgment of receipt bearing a digital stamp*

5 (2008) 117 – 133

The Netherlands

LJN; AY6903, Voorzieningenrechter In Kort Geding (Services Court Judge Amsterdam), 345291 / KG 06-1112 AB, commentary by Arnold Roosendaal

*Protection of intellectual property rights; internet; illegal downloads; privacy of customer personal data; right of interested parties to require ISP to provide personal data*

6 (2009) 263 – 269

Gerechtshof 's Gravenhage 9 maart 2011 LJN: BP7080, Gerechtshof te 's-Gravenhage meervoudige kamer voor strafzaken (Appeals Court at The Hague, Criminal bench). dossier number: 22-002281-10, with thanks to Dr Maurice Schellekens for help with this translation

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LB-2006-27667, 20 August 2007, Borgarting appellate court – judgement, commentary by Professor Jon Bong

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5 (2008) 134 – 140

Journal number 04-016794TVI-TRON, *Bernt Petter Jørgensen v DnB NOR Bank ASA by the Chairman of the Board* (Trondheim District Court, 24 September 2004)

*Bank card; theft of card; unauthorized use; PIN; electronic signature; burden of proof; liability; gross negligence*

9 (2012) 117 – 123

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10 (2013) 201 – 208

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Sygn. akt I KZP 39/08, Polish Supreme Court, 26 March 2009, commentary by Dr Arkadiusz Lach

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Decizia nr. 1258 dated 8 October 2009, Curtea Constituțională a României (Constitutional Court), by Bogdan Manolea and Anca Argesiu

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STS 2047/2015, Tribunal Supremo, Sala de lo Penal (Supreme Court, Criminal Chamber), 19 May 2015, translated by Patricia Ayodeji

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Rong-Shu-Xia Computer Ltd. v China Society Publisher, by Minyan Wang

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Zhang Hua v Shanghai Danwei Information Consultation Co. Ltd, Shanghai People’s Court of Jing’an District, by Dr Minyan Wang

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Al 564765 RJ, by Professor Carlos Alberto Rohrmann

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Juan Carlos Samper Posada v Jaime Tapias, Hector Cediell and others, Decisión 73-624-40-89-002-2003-053-00 of 21 July 2003, by Ms Valeria Frigeri and Manuel F. Quinche

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U.2006.1341V, Danish Western High Court, by Kromann Reumert

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B-19-08 and B-52-08, Danish High Court (Østre Landsret), 5 September 2008, by Kromann Reumert

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Case number 00-46467 from the Cour de Cassation, chambre civile 2, Sté Chalets

Boisson c/ M. X. dated 30 April 2003, by Philippe Bazin

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BGH of December 12, 2000 – XI ZR 138/00, by Alexander Duisberg

4 (2007) 93 – 94

FG Münster 11 K 990/05 F (Electronically signed statement of claim – On the interpretation of the term monetary limitation), by Dr Martin Eßer

3 (2006) 111 – 112

10 A 11741/05, by Dr Martin Eßer

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2 BvC 3/07, 2 BvC 4/07 Federal Constitutional Court of Germany, by Dr Zoi Opitz-Talidou

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2 (2005) 107 – 111

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- Tribunale Mondovì, 7 giugno 2004, n. 375 (decr.), Giur. It. 2005, 1026 by Gian Paolo Coppola  
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- Decision no. 16556 dated 29-04-2010, La Corte Suprema di Cassazione Sezione Quinta Penale (Supreme Court of Cassation, 5th Criminal Section) 29 April 2010 (the hearing took place on 14 December 2009), by Dr Giuseppe Vaciago  
*Facts; seizure of copies of digital documents stored on a personal computer; law dispositive provisions, interception of electronic communications; proceedings; ratio decidendi*  
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- 21 November 2007, LJN BC0337, Rechtbank (Lower Court) Amsterdam, by Dr Simone van der Hof  
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- Russian Federation

A12-3342/05-C11, The Federal Arbitration of the Povolzhsky District, by Gorodissky & Partners Limited

4 (2007) 83 – 85

Resolution of the Federal Arbitration Court of Moscow Region of 5 November 2003 N KF-A 40/8531-03-П, by Olga I. Kudryavtseva

5 (2008) 149 – 151

Case No. A40-43946/08-93-94, Arbitrazh Court of Moscow

Case No. A40-19739/08-10-141, Arbitrazh Court of Moscow, by Alex Dolzhich

6 (2009) 281 – 283

Singapore

Chwee Kin Keong v Digilandmall.com Pte Ltd, case numbers Suit 202/2003/E (at first instance), CA/30/(2004) (for the appeal), by Bryan Tan

2 (2005) 114 – 115

SM Integrated Transware Pte Ltd v Schenker Singapore (Pte) Ltd [(2005)] SGHC 58, by Bryan Tan

2 (2005) 112 – 113

Alliance Management SA v Pendleton Lane P and Another (The First Case: [2007] SGHC 133), (The Second Case: [2008] SGHC 76), by Bryan Tan

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Public Prosecutor v Neo Khoon Sing [2008] SGDC 225, by Bryan Tan

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Sanae Achar v Sci-Gen Ltd [2011] SGHC 87, High Court, 8 April 2011, by Bryan Tan

*Discovery; e-Discovery Practice Direction; electronically stored documents; relevance; whether necessary*

8 (2011) 253 – 255

Surface Stone Pte. Ltd. v Tay Seng Leon and another [2011] SGHC 223, by Bryan Tan and Joyce Tor

*Electronic discovery; discovery and inspection of compound documents; principle of proportionality; inspection protocol*

9 (2012) 128 – 129

Slovenia

I Up 505/2003, The Supreme Court of the Republic of Slovenia, by Odvetniška družba Colja, Rojs & partnerji, o.p., d.n.o.

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Up-106/05-27, by Dr Liljana Selinšek

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Bonnier Audio AB, Earbooks AB, Norstedts Förlagsgrupp AB, Piratförlaget AB and Storyside AB v Perfect Communication Sweden AB (the Ephone case), by Mathilda Andersson

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Consolidated version Act of 8 December 1992 on the protection of privacy in relation to the processing of personal data, unofficial English translation

9 (2012) 130 – 151

Consolidated version Royal Decree of 13 February 2001 providing further details to the Act of 8 December 1992 on the protection of privacy in relation to the processing of personal data, unofficial English translation

9 (2012) 152 – 163

Consolidated version 9 July 2001 – Law determining some rules concerning the legal framework of electronic signatures and certification services, unofficial English translation

9 (2012) 164 – 172

Consolidated version Belgian cybercrime provisions, unofficial English translation

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Act of 21 March 2007 governing the installation and the use of surveillance cameras, unofficial English translation – Consolidated version

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Royal Decree of 2 July 2008 concerning the notifications of the installation and the use of surveillance cameras, unofficial English translation – Consolidated version

10 (2013) 224 – 226

Royal Decree of 10 February 2008 establishing the manner in which camera surveillance must be notified, unofficial English translation – Consolidated version

10 (2013) 227 – 228

Act of 8 December 1992 on the protection of privacy in relation to the processing of personal data

Unofficial English translation – Consolidated version

11 (2014) 182 – 206

Act of 21 March 2007 governing the installation and the use of surveillance cameras

Unofficial English translation – Consolidated version

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Belgian cybercrime provisions

Unofficial English translation – Consolidated version

13 (2016) 168 – 172

Act of 8 December 1992 on the protection of privacy in relation to the processing of personal data

Unofficial English translation – Consolidated version

13 (2016) 173 – 198

Belgian Code of Economic Law – Book XII. The law of the electronic economy

Unofficial English translation – Consolidated version

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Royal Decree of 13 February 2001 providing further details to the Act of 8 December 1992 on the protection of privacy in relation to the processing of personal data

Unofficial English translation – Consolidated version

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#### China

Minyan Wang and Minju Wang

Electronic Signatures Law of China, translation and introduction

2 (2005) 79 – 85

#### Cyprus

Olga Georgiades

Cypriot law on electronic signatures

2 (2005) 86 – 94

**Table of Books**

Sara Baase and Timothy M. Henry, *A Gift of Fire Social, Legal, and Ethical Issues for Computing Technology* (5th edn, United States of America, Pearson, 2017, 2018)

14 (2017) 97 – 101

Nicholas J. Bahr, *System Safety Engineering and Risk Management A Practical Approach* (United States of America, CRC Press, 2015)

13 (2016) 224

Jean-François Blanchette, *Burdens of Proof: Cryptographic Culture and Evidence Law in the Age of Electronic Documents* (Cambridge, Massachusetts, The MIT Press, 2012)

9 (20120) 181 – 182

Simon Blount, *Electronic Contracts* (2nd edn, Australia, LexisNexis Butterworths, 2015)

12 (2015) 113

Ben Bowling and James Sheptycki, *Global Policing* (London, Sage Publications Limited, 2012)

9 (2012) 179

John Byers, *Artificial Intelligence The Practical Legal Issues* (United Kingdom, Law Brief Publishing, 2018)

15 (2018) 126 – 128

Ryan Calo, A. Michael Froomkin and Ian Kerr, eds, *Robot Law* (Cheltenham, United Kingdom and Northampton, United States of America, Edward Elgar Publishing, 2016)

13 (2016) 219 – 222

Eoghan Casey, BS, MA, with contributions from specialist authors, *Digital Evidence and Computer Crime: Forensic Science, Computers, and the Internet* (3rd edn, United States of America, Academic Press, 2011)

9 (2012) 180

George Cumming, *Expert Evidence Deficiencies in the Judgments of the Courts of the European Union and the European Court of Human Rights* (The Netherlands, Kluwer Law International, 2014)

13 (2016) 223

George Dimitrov, *Liability of Certification Service Providers: How the Providers of Certification Services*

*Related to Electronic Signatures Could Manage their Liabilities* (VDM Verlag, 2008)

5 (2008) 154

B. S. Dhillon, *Robot System Reliability and Safety A Modern Approach* (United States of America, CRC Press, 2015)

13 (2016) 219

Virginia Eubanks, *Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor* (2018, New York, United States of America, St Martin's Press, 2018)

15 (2018) 120

Neal Feigenson and Christina Spiesel, *Law on Display The Digital Transformation of Legal Persuasion and Judgment* (New York, New York University Press, 2011)

11 (2014) 226 – 227

Keith Frankish and William M. Ramsey, *The Cambridge Handbook of Artificial Intelligence* (United Kingdom, Cambridge University Press, 2014)

13 (2016) 225 – 226

Dr Freckelton, QC and Hugh Selby, *Expert Evidence: Law, Practice, Procedure and Advocacy* (5th edn, Australia, Thomson Reuters, 2013) (in particular Chapter: 101 *Digital Evidence* by Dr Bradley Schwartz)

11 (2014) 229 – 230

Daniel B. Garrie and Yoav M. Griver, with contributions from specialist authors, *Dispute Resolution and e-Discovery* (United States of America, West Thomson Reuters, 2011)

9 (2012) 179

Daniel B. Garrie and Francis M. Allegra, *Plugged in: Guidebook to Software and the Law* (United States of America, Thomson Reuters Westlaw, 2013)

11 (2014) 228 – 229

Vincent Gautrais, *La preuve technologique* (Canada, LexisNexis, 2014)

13 (2016) 223 – 224

Alex Glassbrook, *The Law of Driverless Cars An Introduction* (United Kingdom, Law Brief Publishing, 2017)

15 (2018) 131 – 133

Jay E. Grenig, Browning E. Marean, Matthew J. Stippich and Kelly H. Twigger, *Electronic Discovery and Records Management Guide: Rules, Checklists, and Forms*, (United States of America, West, Thompson Reuters, 2011-2012)

9 (2012) 179

Michael J. Hannon, *Digital evidence: computer forensics and legal issues arising from computer investigations* (Buffalo, New York, William S. Hein & Co, Inc., 2012)

9 (2012) 180

Assistant Professor DDr. Gerwin Haybäck, *Risikohaftung bei missbräuchlichen Bankomatbehebungen Ein österreichisch-deutscher Rechtsvergleich* (Neuer Wissenschaftlicher Verlag, 2008)

6 (2009) 292

Peter Hibbert, *The Electronic Evidence and E-Disclosure Handbook* (London, Sweet and Maxwell, 2016)

13 (2016) 222 – 223

Marie Hicks, *Programmed Inequality How Britain Discarded Women Technologists and Lost Its Edge in Computing* (Cambridge, Massachusetts, The MIT Press, 2017)

14 (2017) 93 – 95

David J. Howell, general editor, *Electronic Disclosure in International Arbitration* (JurisNet, LLC, 2008)

6 (2009) 292

Edward J. Imwinkelried, *Evidentiary Foundations* (9th edn, San Francisco, LexisNexis, 2015)

12 (2015) 108 – 110

Professor Dr Angel Kalaydzhiev, Borislav Belazelkov, Dr Vessela Stancheva, George Dimitrov, Dimitar Markov and Dr Maria Yordanova, *Electronic Document and Electronic Signature: Legal Framework* (CIELA Soft and Publishing and CSD – Center for the Study of Democracy, Sofia, 2004)

1 (2004) 100

Nancy S. Kim, *Wrap Contracts Foundations and Ramifications* (United States of America, Oxford University Press, 2013)

13 (2016) 224 – 225

Tanel Kerikmäe and Addi Rull, *The Future of Law and eTechnologies* (Switzerland, Springer International Publishing, 2016)

14 (2017) 91 – 93

Stephen Mason, general editor, *Electronic Evidence: Disclosure, Discovery & Admissibility* (London, LexisNexis Butterworths, 2007)

4 (2007) 100 – 101

Stephen Mason, general editor, *Electronic Evidence* (2nd edn, London, LexisNexis Butterworths, 2010)

7 (2010) 166

Stephen Mason, general editor, *Electronic Evidence* (3rd edn, London, LexisNexis Butterworths, 2010)

9 (2012) 181

Stephen Mason and Daniel Seng, editors, *Electronic Evidence* (4th edn, London, Institute of Advanced Legal Studies for the SAS Humanities Digital Library, School of Advanced Study, University of London, 2017)

14 (2017) 88

Stephen Mason, *Electronic Disclosure A Casebook for Civil and Criminal Practitioners* (St Albans, PP Publishing, 2015)

12 (2015) 112

Stephen Mason, *Electronic Signatures in Law* (2nd edn, London Tottel Publishing Limited, 2007)

4 (2007) 102

Stephen Mason, *Electronic Signatures in Law* (3rd edn, Cambridge University Press, 2012)

8 (2011) 256

Stephen Mason, *Electronic Signatures in Law* (4th edn, London, Institute of Advanced Legal Studies for the SAS Humanities Digital Library, School of Advanced Study, University of London, 2016)

13 (2016) 230 – 231

Stephen Mason, general editor, *International Electronic Evidence* (London, British Institute of International and Comparative Law, 2008)

5 (2008) 155

Vincent C. Müller, ed, *Risks of Artificial Intelligence* (United States of America, CRC Press, Routledge Taylor & Francis Group, 2016)

13 (2016) 228 – 229

Patrick O’Beirne, *Spreadsheet Check and Control: 47 key practices to detect and prevent errors* (United Kingdom, System Publishing, 2005)

14 (2017) 90 – 91

Cathy O’Neil, *Weapons of Math Destruction How Big Data Increases Inequality and Threatens Democracy* (United States of America, Broadway Books, imprint of Crown Publishing Group, division of Penguin Random House LLC, 2016, 2017)

14 (2017) 95 – 97

Derek Partridge, *What makes you clever The puzzle of intelligence* (Singapore, World Scientific, 2014)

12 (2015) 107 – 108

Derek Partridge, *The Seductive Computer Why IT Systems Always Fail* (London, Springer-Verlag, 2011)

12 (2015) 111 – 112

George L. Paul, general editor, *Foundations of Digital Evidence* (United States of America, American Bar Association, 2008)

6 (2009) 292

Ray Purdey and Denise Leung, editors, *Evidence from earth observation satellites* (Martinus Nijhoff, Leiden, 2013)

10 (2013) 229

Darren Quick, Ben Martini and Kim-Kwang Raymond Choo, *Cloud Storage Forensics* (Syngress, an imprint of Elsevier, 2014)

11 (2014) 227 – 228

Leigh Sagar, *The Digital Estate* (United Kingdom, Sweet & Maxwell, 2018)

15 (2018) 128 – 131

The Secret Barrister, *The Secret Barrister: Stories of the Law and How It’s Broken* (London, Macmillan, 2018)

15 (2018) 120 – 122

Daniel M. Scanlan, *Digital Evidence in Criminal Law* (Thomson Reuters Canada Limited, 2011)

10 (2013) 229 – 231

Shira A. Scheindlin and The Sedona Conference, *Electronic Discovery and Digital Evidence in a Nutshell* (2nd edn, United States of America, West Academic Publishing, 2016)

15 (2018) 122 – 124

Leil Schneps and Coralie Colmez, *Math on Trial How Numbers Get Used and Abused in the Courtroom* (New York, Basic Books, 2013)

12 (2015) 110 – 111

Nigel Shadbolt and Roger Hampson, *The Digital Ape how to live (in peace) with smart machines* (Australia and the United Kingdom, Scribe publications, 2018)

15 (2018) 124 – 126

Herbert A. Simon, *The Sciences of the Artificial* (3rd edn, Cambridge Massachusetts and London, The MIT Press, 1996)

14 (2017) 88 – 90

Aashish Srivastava, *Electronic Signatures for B2B Contracts* (Springer, India, 2013)

10 (2013) 229

Allison Stanfield, *Computer Forensics, Electronic Discovery & Electronic Evidence* (Australia, LexisNexis Butterworths, 2009)

9 (2012) 179

Richard Susskind and Daniel Susskind, *The Future of the Professions How Technology Will Transform the Work of Human Experts* (United Kingdom, Oxford University Press, 2015)

13 (2016) 229 – 230

Kevin Warwick, *Artificial Intelligence The Basics* (London, Routledge Taylor & Francis Group, 2012)

13 (2016) 226 – 228

Michael Wheeler and Charles Raffin, *Electronic Disclosure Law and Practice* (Oxford, United Kingdom, Oxford University Press, 2017)

14 (2017) 101 – 103

Svein Yngvar Willassen, *Methods for Enhancement of Timestamp Evidence in Digital Investigations* (Norwegian University of Science and Technology, Faculty of Information Technology, Mathematics and Electrical Engineering, 2008)

5 (2008) 154

**Miscellaneous books**

Joint Technical Committee ISO/IEC JTC 1, Information technology, Subcommittee SC27, IT Security techniques, *Information technology – Security techniques – Guidelines for identification, collection, acquisition, and preservation of digital evidence; Technologies de l'information – Techniques de sécurité – Lignes directrices pour l'identification, la collecte, l'acquisition et la préservation de preuves numériques* (15 October 2012, Geneva), ISO/IEC 27037:2012

10 (2013) 232

United Nations, *Promoting Confidence in Electronic Commerce: Legal Issues on International Use of Electronic Authentication and Signature Methods* (Vienna, United Nations Commission on International Trade Law, 2009)

8 (2011) 256

**Table of doctorates**

Name of candidate: Gita Radhakrishna

Contact: gita@mmu.edu.my

University at which the PhD is registered and the awarding institution: Universiti Multimedia (Multimedia University), Malaysia

Department or faculty: Faculty of Business (formerly known as the Faculty of Business and Law)

Title of the degree: PhD

Title of the thesis: Comparative Study of the Admissibility and Discovery of Electronic Evidence in Malaysian Civil Courts

Supervisors: Professor Myint Zan and Associate Professor Dr Dennis Khong Wye Keen

External markers: Assistant Professor Daniel Seng, Faculty of Law, National University of Singapore; Professor Eugene Clarke, School of Business, Griffith University, Gold Coast, Queensland; Professor Nazura Abdul Manap, Faculty of Law, University Kebangsaan Malaysia

Date of registration of the PhD: 12 February 2010

Date of submission: 29 December 2016

Date of award: 9 February 2018

Name of candidate: Allison Stanfield

University: Queensland University of Technology

Faculty: Faculty of Law

Title of the degree: PhD

Title of the thesis: The Authentication of Digital Evidence

Brief description:

An analysis of whether the existing rules of evidence sufficiently protects the integrity of electronic evidence in contemporary times.

Supervisors: Professor Bill Duncan and Professor Sharon Christensen

External marker: Judge David Harvey (New Zealand) and Stephen Mason

Date of registration for degree: 2011

Date of submission: November 2015

Date of award: July 2016

Name of candidate: Jonas Ekfeldt

University: Stockholms universitet (Stockholm University)

Faculty: Juridiska fakulteten (Faculty of Law)

Title of the degree: LL.D., Dr. iur., Doctor of Laws

Title of the thesis:

Värdering av informationstekniskt bevismaterial

Legal evaluation of digital evidence

Brief description:

Avhandlingsprojektet har som huvudsyfte att identifiera problemområden som framträder vid viss nationellt rättsligt påbjuden hantering och värdering av informationstekniskt bevismaterial. Informationstekniskt bevismaterial ges i avhandlingen en vidsträckt generisk definition, rättsligt och tekniskt anknuten, innefattande vad som i allmänna ordalag ofta beskrivs som 'digitala bevis', 'elektroniska bevis' och 'it-forensiska bevis'. I

avhandlingen görs även bevisrättsliga analyser av aktuellt förekommande civila och polisiära s.k. 'it-forensiska analysprotokoll'.

The dissertation project has as its primary aim to identify problem areas that appear during certain legally imposed handling and evaluation of digital evidence, from a national perspective. Digital evidence is given an extensive generic definition, legally and technically based, encompassing what is generally also described as 'electronic evidence' and 'IT (forensic) evidence'. The thesis also includes evidence law analyses of currently occurring 'IT forensic analysis reports' from civilian and police sources.

Supervisors: Professor Cecilia Magnusson Sjöberg and Professor Em. Christian Diesen

External marker: not applicable

Date of registration of the PhD: 2011

Date of submission: Autumn 2015

Date of award: 1 April 2016

Name of candidate: Khaled Ali Aljneibi, LLB, LLM (Dubai)

University at which the PhD is registered and the awarding institution: Bangor University

Department or faculty: Law

Title of the degree: PhD

Title of the thesis: The Regulation of Electronic Evidence in the United Arab Emirates: Current Limitations and Proposals for Reform

Brief description:

Due to the crucial role that electronic evidence is now playing in the digital age, it constitutes a new form of evidence for prosecutors to rely on in criminal cases. However, research into the use of electronic evidence in the United Arab Emirates (UAE) is still in its initial phase. There have been no detailed discussions on the procedural aspects associated with electronic evidence when investigating crimes, or the problems and challenges faced by law enforcers when handling electronic evidence. In addition, there has also been no detailed explanation of the ideal investigation process, such as the processes involved in computer

search and seizure, and forensic investigation. As a result, the understanding and awareness of how to regulate and combat criminal cases that rely on electronic evidence is incomplete. In such situations, offenders usually take advantage of this lack of prescription in law. Because the understanding and awareness levels associated with electronic evidence is not perfect in the UAE, the UAE needs to promulgate new rules for handling electronic evidence as its laws are currently focused on traditional eyewitness accounts and the collection of physical evidence. Thus, it is very important that issues related to the existing approaches pertaining to electronic evidence in criminal procedures are identified, and that reform proposals are developed, so that new rules for handling electronic evidence can be adopted to effectively combat crime, by making full use of it.

This thesis examines the problems and challenges currently affecting the regulation electronic evidence in the UAE, and contributes to the body of academic literature in this area. Such a contribution is appropriate in the UAE context, where the law currently lacks sufficient academic input, especially concerning electronic evidence. The thesis makes actual recommendation as to how the substantive law may be reformed in the form of draft articles and includes an analysis as to how the process of prosecution and evidence collection can be facilitated. In particular it suggests that the electronic evidence process should be regulated in order to facilitate effective investigation and make full use of electronic evidence. This will ensure that electronic evidence is used in a transparent manner to preserve the integrity of criminal procedure, thereby safeguarding the accused, whilst at the same time facilitating prosecution and trial proceedings.

Supervisors: Dr. Yvonne McDermott and Professor Dermot Cahill

External markers: Professor Gavin Dingwal and Mr Griffiths Aled

Date of registration of the PhD: 1 May 2010

Date of submission of the PhD thesis: May 2014

Date PhD awarded: 1 June 2014

Name of candidate: Maria Astrup Hjort

University: Universitet i Oslo (University of Oslo)

Department or faculty: Det juridiske fakultet (The Faculty of Law, Department of Public and International Law)

Title of the degree: PhD

Title of the thesis:

Tilgang til bevis i sivile saker – med særlig vekt på digitale bevis

Access to evidence in civil proceedings – with particular emphasis on digital evidence

Brief description (it will be helpful if you provide this information in both your native language and in English):

Avhandlingen tar utgangspunkt i et scenarium der en part vet eller tror at det eksisterer materiale som kan brukes som bevis i en kommende eller verserende rettssak, og at parten ikke selv har hånd om dette beviset. Hovedproblemstillingen er i hvilke tilfeller og på hvilke betingelser parten kan få tilgang til beviset. Problemstillingen fordrer en rettsdogmatisk analyse av de tre fremgangsmåtene for tilgang til realbevis; å få bevis stilt til rådighet, bevisopptak og bevissikring.

En type bevis som det ofte er utfordrende å få tilgang til, er digitalt lagrede bevis. Mens fysiske gjenstander stort sett er klart definert og avgrenset, er digitalt lagret informasjon dynamiske størrelser i stadig endring som gjerne er lagret sammen med en mengde annen informasjon uten relevans for saken. I tillegg er digitalt lagret informasjon lett å kopiere, manipulere og slette. Disse trekkene utfordrer spørsmålet om tilgang, både praktisk og rettslig. Digitale bevis er derfor godt egnet til å belyse spørsmål knyttet til bevis tilgangsinstituttet. Det er imidlertid vanskelig å behandle alle bevis tilgangsspørsmål med utgangspunkt i digitale bevis, og noen spørsmål behandles derfor for realbevis generelt. Hovedvekten vil likevel - såfremt det er mulig – være på digitale bevis.

Avhandlingen har et komparativt tilsnitt, der svensk, dansk og engelsk rett er med på å belyse norsk rett.

The thesis is based on a scenario where a party knows or believes that there exists material that can be used as evidence in an upcoming or pending case and where the party is not in possession of this evidence. The main question is in what circumstances and on what conditions the party can get access to the evidence. The problem requires a dogmatic analysis of the three procedures for access to real evidence according to Norwegian law; the obligation to make evidence available, taking of evidence and securing of evidence.

One type of evidence that it is often challenging to get access to is digitally stored evidence. While physical objects are generally clearly defined and delineated, digitally stored information is dynamic and often stored together with a plethora of other information, irrelevant to the case. In addition, digitally stored information is easy to copy, manipulate, and delete. These features are challenging the issue of access, both practically and legally. Digital evidence is therefore well suited to shed light on issues related to the provisions on access to evidence. It is however difficult to treat all questions related to access to evidence based on digital evidence, and some questions are therefore discussed based on real evidence in general. The emphasis will anyway – if possible – be on digital evidence.

The thesis has a comparative perspective, where Swedish, Danish and English law shed light on Norwegian law.

Supervisors: Professor Inge Lorange Backer and Professor Magne Strandberg

Date of registration for degree: 1 February 2007

Date of submission: 13 March 2015

Date of defence: 6 May 2015

Name of candidate: Giuseppe Vaciago

University: Università degli Studi di Milano-Bicocca  
(University of Milan – Bicocca)

Department or faculty: Facoltà di Giurisprudenza  
(Faculty of Law)

Title of the thesis:

Digital forensics, procedura penale Italiana e diritti fondamentali dell'individuo nell'era delle nuove tecnologie

Digital Forensics, Italian Criminal Procedure and Due Process Rights in the Cyber Age

Brief description:

Il mondo digitale interagisce con la giustizia in molteplici segmenti: sempre più numerosi sono i casi in cui esso è sede di reati (dal furto di identità, fino ad arrivare al cyberterrorismo) e non lontani sono i tempi in cui esso sostituirà il tradizionale modo di intendere il processo (questo sta già accadendo nel processo civile e presto accadrà anche nel processo penale). Come Sherlock Holmes nel XIX secolo si serviva costantemente dei suoi apparecchi per l'analisi chimica, oggi nel XXI secolo, egli non mancherebbe di effettuare un'accurata analisi di computer, di telefoni cellulari e di ogni tipo di apparecchiatura digitale.

La presente opera si prefigge due compiti: il primo è quello di offrire al lettore un'analisi della prova digitale e dell'articolato sistema di regole e procedure per la sua raccolta, interpretazione e conservazione. La casistica giurisprudenziale, non solo italiana, ha dimostrato come l'errata acquisizione o valutazione della prova digitale possa falsare l'esito di un procedimento e come il digital divide sofferto dalla maggior parte degli operatori del diritto (magistrati, avvocati e forze di polizia) possa squilibrare le risultanze processuali a favore della parte digitalmente più forte.

This paper focuses specifically on digital forensics and the rules and procedures regulating the seizure, chain of custody and probative value of digital evidence, with particular emphasis of three distinct aspects. Firstly, the extremely complex nature of digital evidence; Secondly, the dire need for

an adequate level of computer literacy amongst judges, lawyers and prosecutors. The last, but no less crucial aspect involves the potentially prejudicial effects of invasive digital forensic techniques (such as the remote monitoring of data stored on hard drives) on the suspects fundamental freedoms (the right to privacy and the inviolability of personal correspondence) and due process rights (including the privilege against self-incrimination and the right to an adversarial hearing on the probative value of the electronic data proffered as evidence).

Supervisor: Professor Andrea Rosseti

External marker: Giovanni Sartor

Date of registration for degree: 21 March 2011

Date of submission: 24 January 2011

Publication of thesis: January 2012

URL:

<https://boa.unimib.it/handle/10281/20472?mode=full>

Name of candidate: Aashish Srivastava

University at which the PhD is registered and the awarding institution: Monash University

Department or faculty: Business Law and Taxation

Title of the degree: PhD

Title of the thesis: Is the Pen Mightier than the Electronic Signature? The Australian Businesses' Perspective

Brief description:

Using a qualitative approach, the thesis conducts a comprehensive empirical investigation to identify factors that have contributed to the low acceptance of electronic signatures, in particular, the digital signature in the Australian business community.

Supervisors: Professor Paul von Nessen and Mr Paul Sugden

Date of registration of the PhD: November 2004

Date of submission of the PhD thesis: November 2008



Date PhD was awarded: April 2009

Thesis published: Aashish Srivastava, *Electronic Signatures for B2B Contracts Evidence from Australia* (Springer India, 2013)

Name of candidate: George Dimitrov

University at which the PhD was registered and the awarding institution: Katholieke Universiteit Leuven

Department or faculty: Interdisciplinair Centrum voor Recht und Informatica

Title of the degree: PhD in Laws

Title of the thesis: Liability of Certification Service Providers

Supervisor: Professor Dr Jos Dumortier

Thesis published: George Dimitrov, *Liability of Certification Services Providers* (VDM Verlag Dr. Müller, 2008)

Name of candidate: Adrian McCullagh

University at which the PhD is registered and the awarding institution: Queensland University of Technology

Department or faculty: Information Security Research Centre, Faculty of Information Technology

Title of the degree: PhD

Title of the thesis: The Incorporation of Trust Strategies in Digital Signature Regimes

Brief description: The aim of this research is to document the differences between a traditional signature and an electronic signature including in particular one form of electronic signature known as a "digital signature". It will be established that it is a fallacy for legislators to insist upon functional equivalence between electronic/digital signatures and traditional signatures from a legal perspective. Many jurisdictions have not only advocated functional equivalence but in so doing have also approached the legal recognition of signing digital documents from a technology neutral language perspective in their respective electronic signature legislative regimes, whilst at the same time attempting to create some magical certainty for commerce to rely on. In short, there is, as this thesis will show, a clear contradiction

concerning technology neutral language in electronic signature regimes and the certainty that commerce requires. Technology neutral language regimes provide no guidance to either the judiciary or commerce in their dealings with enforceable contracts that are evidenced electronically and where the "signature" is in dispute. There are, as will be established in this thesis, too many fundamental differences for functional equivalence to be achieved. This thesis does not attempt to define an electronic signature, as any definition would most likely overtime become outdated as technology advances such concept, but this thesis does describe a set of elements which if technologically achievable would closely correspond to the traditional concept of a signature as commercially and legally understood.

Supervisors: Professor William Caelli and Professor Peter Little

External markers: Professor Alan Tyree and Professor Bob Blackley Snr, University of Texas A&M

Date of submission of the PhD thesis: July 2001

Date PhD awarded: 3 February 2001