

EDITORIAL

We have the usual a cornucopia of articles and translations in this edition – a tribute to those practitioners and legal academics that have made themselves aware of the substantial issues surrounding evidence in digital form.

Few institutions teach the topic, even after the two excellent articles published in the journal in 2013 by Denise H. Wong, 'Educating for the future: teaching evidence in the technological age' and Deveral Capps, 'Fitting a quart into a pint pot: the legal curriculum and meeting the requirements of practice'.

Professor Michael Hannon began giving a seminar on digital evidence in 2015 (Digital Evidence – 6867) at the University of Minnesota; Tõnu Mets, a doctoral fellow and member of the Law Faculty at Tartu Ülikool in Estonia includes exercises in digital evidence each year for students on the law degree; Professor Ball has run a seminar entitled 'Electronic Discovery and Digital Evidence' at the University of Texas in Austin since 2013, and Edinburgh Law School at the University of Edinburgh offer a module entitled 'Forensic Computing and Electronic Evidence' to the LLM in Information Technology.

Are these the only courses? How long do people that rely on the education and training of judges and lawyers have to wait before suitable training is part of the process on becoming a lawyer?

Sir Thomas P Winsor, Her Majesty's Chief Inspector of Constabulary, has finally begun to recognise the problem:¹

Sir Thomas P Winsor, State of Policing 2015 The Annual Assessment of Policing in England and Wales (Her Majesty's Chief Inspector of Constabulary, 2016²), at 76 (see also comments at 19, 39 and 75):

'Digital crime's prevalence is no longer the exclusive domain of a specialist squad at a regional or national level. ...

There needs to be greater awareness of the scale and effects of digital crime at national and local levels and there need to be more effective leadership and governance arrangements to manage the threat which digital crime poses.

...

As part of our all-force inspection programme, we will continue to assess the local response to digital crime and how well each force is progressing.'

Real lives, real crimes A study of digital crime and policing (Her Majesty's Inspectorate of Constabulary, 2015)³

In England & Wales, the Bar Standards Board, responsible for regulating Barristers, naturally includes the topic of evidence that must be taught on the Bar Professional Training Course,⁴ yet has not expanded the requirement to specifically include evidence in digital form. Why not?

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¹ Stephen Mason and Nicholas Bohm, 'Banking and Fraud' a written submission to the Treasury Committee on 17 January 2011, <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmtrea/sy/430/430vw25.htm>.

² <https://www.justiceinspectorates.gov.uk/hmic/wp-content/uploads/state-of-policing-2015.pdf>.

³ <https://www.justiceinspectorates.gov.uk/hmic/wp-content/uploads/real-lives-real-crimes-a-study-of-digital-crime-and-policing.pdf>.

⁴ https://www.barstandardsboard.org.uk/media/1623977/bptc_handbook_2014-15_final_to_be_published_pdf.pdf.

Submissions

The Review seeks and encourages original submissions from judges, lawyers, academics, scientists and technicians; students in relation to postgraduate degree work and versions of dissertations, where the student has passed the relevant course and the dissertation has been marked. The IT industry, certification authorities, registration authorities and suppliers of software and hardware are also encouraged to engage in the debate by submitting articles and items of news.

The length of an article can vary. There is no fixed length. The aim is to publish articles of good quality that adds to the debate and knowledge of readers, discuss recent developments and offer practical advice. All articles will be in English, and contributors are requested to write using shorter, rather than longer sentences, because the audience is international.

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The contact details of the author should be included in the submission (name, qualifications, name of firm, company or university, full postal address, web address), plus a brief biography demonstrating expertise and experience of up to but no more than 50 words in length.

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