



SINGAPORE  
ACADEMY OF LAW

## “Recent Developments in the Law of Data Protection, Digital Signatures and Electronic Evidence”

Tuesday 25 July 2006 ■ 2.30pm to 4.20pm ■ Supreme Court Auditorium

### INTRODUCTION

The digital world is with us for the foreseeable future, and all aspects of the use of IT will continue to be used for nefarious purposes. In addition, personal data will, unless sufficient safeguards are put in place, be misused by criminals and organizations. Lawyers, judges and legal scholars need to more fully understand the nature of digital evidence. It is important to ensure proof of digital evidence is not sidelined into obscurity. The IT industry provides products on a global scale, and IT has now become ubiquitous. Information technology affects us all, even though we may not appreciate how it affects our daily lives. It also affects human relationships, and in turn, documents created by IT systems are the subject of evidence in legal proceedings.

The networked world in which we live surrounds us - lawyers in particular need to understand the new digital world, because it affects all of their clients, from the simple issue about proving somebody did something to show they intended to enter into a contract digitally (under the generative term electronic signature, once described to the speaker as the burning branch of obscurity) to e-mail correspondence forming the basis of a murder charge, as in the case of Dr Alathea Foster, who was found guilty earlier this year of causing grievous bodily harm to Julie Simpson after discovering a series of e-mails on her husband John Foster's computer.

<http://www.timesonline.co.uk/article/0,,2-2149947,00.html>  
<http://news.bbc.co.uk/1/hi/england/cambridgeshire/4978056.stm>

### Examples

Already, one man has used technology to attempt to provide an alibi after murdering his wife, and the number of people convicted of downloading abusive images of children has increased. The examples of digital evidence included in courts cover a range of areas of law, including family matters, where one or the other spouse uses e-mail and text messaging to intimidate the other; ‘slapping’ where teenagers attack people and film their attack on a camera on their mobile telephone before circulating copies to friends; the manipulation of digital images to give false evidence, in both parking cases and in matters relating to claims over ownership of intellectual property; in manipulating or altering records to commit internal fraud and the use of technology to obtain access to information to use the identity of a living person or somebody that is deceased.

Lawyers, judges and scholars need to more fully understand the nature of the world in which we now live, the effect the networked world has on our lives, how it affects the nature of the evidence brought before the courts, and how many areas of law are also affected.

### ABOUT THE SPEAKER

Stephen Mason took his first degree after 9 years in bomb disposal, and practised at the Bar, providing, in the most recent past, preventative legal advice to national and international companies in commercial matters, particularly IT, e-business and e-risks. He has also taught student barristers at

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the Inns of Court School of Law. As far as he is aware, he was the first lawyer to write an e-book in 1999 on the Y2K issue, and he was also the first barrister to write a set of e-commerce precedents for lawyers on behalf of the Butterworths Tolley *Electronic Business Law* web site in 2000.

He is presently the Director of the Digital Evidence Research Programme at the British Institute of International and Comparative Law, and an Associate Senior Research Fellow at the Institute of Advanced Legal Studies. Stephen is a member of the IT Panel of the General Council of the Bar of England and Wales and the correspondents panel of *Computer Law and Security Report*.

Stephen Mason is the author of *Electronic Signatures in Law* (LexisNexis Butterworths, 2003); *E-Mail, Networks and the Internet: A Concise Guide to Compliance with the Law* (xpl publishing, 6th edn, 2006); the electronic and digital signatures editor and author of Chapter VI 'Electronic and Digital Signatures' for the practitioner loose-leaf textbook by M-T. Michèle Rennie *International Computer and Internet Contracts and Law* (Sweet & Maxwell), and the general editor of the *Digital Evidence Journal*, incorporating the *e-Signature Law Journal*.

Stephen is currently writing a new book for lawyers entitled *Electronic Evidence*. He can be contacted at:

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### REGISTRATION FORM (Closing date: 18 July 2006)

REGISTRATION FEES (inclusive of 5% GST, tea break and materials, if any):

**Members \$105.00; Non-Members \$189.00**

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- Cheques to be made payable to  
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- Registrations received before closing date are confirmed unless otherwise notified.
- For enquiries, pls call Ms Serene Ong at Tel: 6332 4032 or send email to [les@sal.org.sg](mailto:les@sal.org.sg).
- SAL's usual Terms and Conditions apply. See [http://www.sal.org.sg/svcs\\_les\\_tc.htm](http://www.sal.org.sg/svcs_les_tc.htm) for details.

*Law of Data Protection – 25 July 2006*

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