

Agenda

Third Annual PILON Cybercrime Workshop

27 - 31 May 2019, Vanuatu

International Cooperation to Share Electronic Evidence to Combat Cybercrime

Day 1, Monday 27 May—Standing together to combat cybercrime

8:30 **Arrival and registration**

9:00 **Opening ceremony**

10:00 **Group photo and morning tea**

10:30 **Workshop overview**

Leotrina Macomber, Chair, PILON Cybercrime Working Group

10:40 **The importance of international cooperation on cybercrime and electronic evidence**

Why partnerships and cooperation are so important to effectively combat cybercrime and all forms of computer enabled crime. Introduction to the Budapest Convention as the only international (non-regional) framework for encouraging international cooperation on cybercrime and electronic evidence.

Alexander Seger, Council of Europe

11:15 **Pacific perspectives: Cybercrime in the Pacific**

Each country to provide a brief overview of their recent experiences with cybercrime and international cooperation addressing:

- recent or notable cybercrime (pure or technology-enabled) investigations or prosecutions using electronic evidence
- updates on any cybercrime law reform
- informal (police to police/agency to agency) or formal mutual legal assistance requests, and
- what their delegation hopes to get out of this workshop.

12:30 **Lunch**

13:15 **Current international and regional cybercrime trends**

Introduction to cybercrime, including an overview of what crimes and cases our law enforcement and prosecutors are seeing at a regional and international level and what they are doing to combat it.

Michael Kelly, FBI

Damian Rapira-Davies, NZ Police

Stephen Bouwhuis, Australian Attorney-General's Department

Day 1, Monday 27 May—Standing together to combat cybercrime (CONTINUED)

15:00	Afternoon tea
15:15	Practical group work: Introduction to case scenarios Participants to work in groups on an assigned case scenario. After introductions, the focus of this first practical group work session will be to examine the criminal conduct in the case scenario and identify evidence required, including evidence overseas. Participants will be allocated to work on a specific scenario involving cybercrime and electronic evidence to follow up on throughout the week on a rolling scenario basis. <i>Participants and speakers to break into groups as allocated</i>
17:00	Close
18:00	Opening reception <i>Hosted by Council of Europe, Vanuatu and Australia</i>

Day 2, Tuesday 28 May — Informal international cooperation to combat cybercrime

8:45	Re-cap of day 1 <i>PILON Cybercrime Working Group</i>
9:00	Introduction to international and regional law enforcement cooperation Overview of processes for informal cooperation between law enforcement agencies, including: how law enforcement agencies can balance operational needs with human rights such as privacy, ‘innocent until proven guilty’; how to keep track of the flow of information; and a practical walk through of a sample LEA portal which simplifies requests for assistance. <i>Raymond Cao, INTERPOL</i> <i>Michael Kelly, FBI</i> <i>Joanne Warden, Australian Federal Police</i>
10:30	Morning tea
10:45	24/7 Points of contact networks An outline of the benefits of the various networks of 24/7 points of contact. <i>Alexander Seger, Council of Europe</i> <i>Raymond Cao, INTERPOL</i> <i>Leotrina Macomber, Kingdom of Tonga</i>
11:15	The role of service providers in combatting cybercrime An examination of the kind of assistance available from service providers for law enforcement and other criminal justice agencies. <i>Jeff Wu and Rob Abrams, Facebook</i> <i>Patrick Burke, Apple</i> <i>Vanuatu Digicel</i>
13:00	Lunch
13:45	Working with service providers to get the best assistance Panel style Q&A with technology providers and law enforcement agencies. <i>Chair: Jennifer Hyatt, Australian Attorney-General’s Department</i> <i>Panel Members: US Department of Justice, FBI, Facebook, Apple, Vanuatu Digicel and others</i>
15:00	Afternoon tea
15:15	Practical group work: Informal cooperation mechanisms Focus on obtaining evidence from service providers and through police to police cooperation. <i>Participants and speakers to break into groups as allocated</i>
17:00	Close

Day 3, Wednesday 29 May — Formal international cooperation to combat cybercrime

8:45

Re-cap of day 2

PILON Cybercrime Working Group

9:00

Introduction to mutual assistance and extradition

Key concepts in mutual assistance and extradition and the importance of this cooperation in cybercrime investigations. Discussion on the importance to Pacific nations of the Harare Scheme relating to mutual legal assistance.

Stephen Bouwhuis, Australian Attorney-General's Department

9:30

Treaties as a legal basis for mutual assistance and extradition

Including a detailed examination of and lessons learnt from the mutual assistance, informal assistance and extradition provisions under the Budapest Convention.

Cristina Schulman, Council of Europe

10:00

International cooperation resources: Vanuatu Mutual Assistance Handbook

Mr Josaia Naigulevu, Public Prosecutor, Vanuatu

10:30

Morning tea

10:45

Best practices in preparing mutual legal assistance requests

Including a summary of a typical process for preparing an outgoing mutual assistance request, what should be included in a request, and use of material upon receipt. Discussion to also cover complexities and challenges in making mutual assistance requests.

Merran Cooke, NZ Crown Law

Evan Williams, US Department of Justice

12:00

Lunch

12:45

Pacific cyber stories: Police and mutual legal assistance

Taking a closer look at successful police investigation or mutual legal assistance requests from the Pacific.

John Laule, Papua New Guinea

Damien Rapira-Davies, NZ Police (Operation Deans)

14:00

Practical group work: Drafting mutual legal assistance requests

Practical drafting exercise on how to prepare mutual legal assistance requests.

Participants and speakers to break into groups as allocated

15:00

Afternoon tea (working)

15:15

Practical group work (continued)

17:00

Close

Day 4, Thursday 30 May — Formal intl. cooperation (cont.) and cybercrime prosecutions

- 8:45 **Recap of day 3**
PILON Cybercrime Working Group
- 9:00 **Best practice in receiving and processing a mutual assistance request**
Including a summary of a typical process, how to decide whether requested evidence can be provided, and grounds for refusal of assistance. Discussion to also cover complexities and challenges in processing mutual assistance requests, and strategies for streamlining processes, including through the use of technology.
Merran Cooke, NZ Crown Law
Evan Williams, US Department of Justice
- 10:00 **Direct cooperation with providers in other jurisdictions**
Discussion on trans-border access to data, including progress towards a Protocol to the Budapest Convention, accessing evidence in the cloud and in foreign or unknown jurisdictions, and an overview of Council of Europe resources on electronic evidence.
Alexander Seger, Council of Europe
Elle Walker, Australian Department of Home Affairs
- 10:45 **Morning tea**
- 11:00 **Practical group work: Executing an incoming mutual assistance request**
Practical exercise on how to execute an incoming mutual assistance request requiring the use of coercive powers.
Participants and speakers to break into groups as allocated
- 12:00 **Pacific cyber stories: Prosecutions and mutual legal assistance**
Taking a closer look at successful prosecutions and mutual legal assistance requests from the Pacific.
Lenry Young, Vanuatu
Serupepeli Neiko, Fiji
Leotrina Macomber, Kingdom of Tonga
- 13:00 **Lunch**
- 13:45 **Going to court: Obtaining and presenting the best electronic evidence**
Training in advocacy skills, including practical examples and advice on introducing and using electronic evidence (such as expert evidence and evidentiary certificates to protect capability), thinking about foreign evidence in court and working with defence and the judiciary.
Jessica Mackay, Australian Commonwealth Department of Public Prosecutions
Bronwen Blackmore, NZ Police Prosecutions
Evan Williams, US Department of Justice
- 15:15 **Afternoon tea**
- 15:30 **Practical group work: Preparing for court**
Groups to bring together their work on each previous practical exercise to prepare for reporting back to the workshop plenary on Friday morning.
Participants and speakers to break into groups as allocated
- 17:00 **Close**

Day 5, Friday 31 May — Presenting electronic evidence in court

8:45 **Recap of day 4**

PILON Cybercrime Working Group

9:00 **The future of international cooperation on cybercrime (part one)**

Discussions on future trends regarding cybercrime and electronic evidence, including police investigations, mutual assistance, prosecutions and cooperation with service providers.

Stephen Bouwhuis, Australian Attorney-General's Department

9:30 **Practical group work: Presenting electronic evidence in court**

Participants present the evidence they have obtained in relation to the case study.

Feedback from Bronwen Blackmore and Evan Williams

10:00 **Morning tea**

10:15 **Practical group work: Presenting electronic evidence in court (cont.)**

11:30 **The future of international cooperation on cybercrime (part two)**

Cristina Schulman, Council of Europe

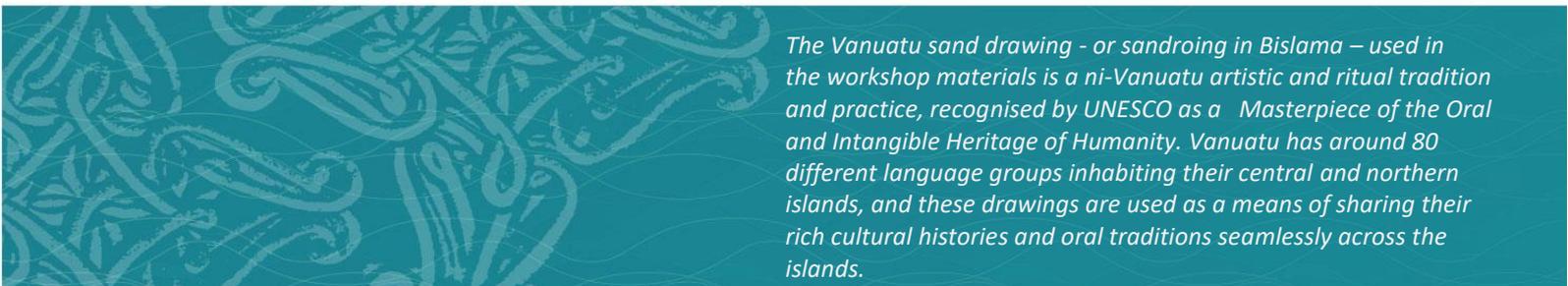
12:15 **Reflections on workshop**

Recap of key themes of workshop, where to go for help on international cooperation in the future, workshop action items and evaluation forms.

PILON Cybercrime Working Group

12:30 **Lunch**

13:30 **Close of workshop**



The Vanuatu sand drawing - or sandroing in Bislama – used in the workshop materials is a ni-Vanuatu artistic and ritual tradition and practice, recognised by UNESCO as a Masterpiece of the Oral and Intangible Heritage of Humanity. Vanuatu has around 80 different language groups inhabiting their central and northern islands, and these drawings are used as a means of sharing their rich cultural histories and oral traditions seamlessly across the islands.