The relationship between crime and technology is becoming increasingly intricate in today’s digital age. Incessant technological advancements and the rapid growth of global markets are increasingly being exploited by a new breed of criminals. The possibility of adopting anonymous online identities and the ease of global reach provide incentives for engaging in criminal behaviour in the virtual world, resulting in the emergence of novel criminal trends and an increasing prevalence of cybercrimes. While technological innovations pose considerable challenges to law enforcement agencies and prosecuting authorities in tracking and identifying criminals, they play a pivotal role in improving current regimes of crime prevention, detection and investigation.

Against this background, the conference will explore how law enforcement agencies and prosecuting authorities can better equip themselves in combatting crime in the technological age. Jurisdictions will have an opportunity to engage in extensive and in-depth discussions on topics such as the importance and effectiveness of law reform in addressing new criminal trends, and potential collaboration between counterparts in tackling the challenges of decentralisation. The conference will also look into how technology can be incorporated into the criminal justice system to facilitate prosecution services. Jurisdictions will explore topics such as the handling of digital evidence, and the impact of digitalisation and artificial intelligence on evidence gathering and analysis.

The International Association of Prosecutors (IAP) invites proposals from those interested in giving a presentation during the plenary sessions of the 11th Asia and Pacific Regional Conference of the IAP to be held in Hong Kong SAR, PRC, from 27 to 29 November 2024. The theme of the conference is “Effective Prosecution Service in the Technological Age”.

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Instructions

Please note the following instructions:

- The deadline for submission of proposals is **Friday 16 August 2024**.
- Proposals must be submitted to **iap2024@doj.gov.hk**.
- All proposals should include the following information:
  - Name and full job title / role of the proposed speaker;
  - Title of the proposed presentation;
  - The name of the plenary session to which the proposal relates; and
  - A short description of the proposed presentation for consideration by the Professional Programme Team. Presentations must relate to the specified theme of the plenary session.

- All proposals submitted must be in English.
- The working language of the conference is English. Simultaneous interpretation in Chinese (Putonghua) will be available for all plenary sessions.
- Priority will be given to proposals with a strong practical and operational focus. Presentations which are illustrated with operational outcomes at an international, national, organisational and/or individual case level are particularly welcome. Presentations should not be focused on academic research and should not simply be a summary of the legal framework in a specific jurisdiction, as this will not be of universal application to other jurisdictions.
- Presentations should last for no longer than 12 to 15 minutes.
- All speakers and other active contributors to the conference are to pay a registration fee.
Plenary Topic 1
Updating and modernising the armoury – the need, the challenges, the effect and sharing of experience in law reform to combat technology crime

Plenary Topic 2
Rising above the changing landscape and challenges of decentralisation in the technological age – from social media, DeFi to virtual assets

Plenary Topic 3
Experience sharing in prosecuting cyber offences – obtaining and handling digital evidence

Plenary Topic 4
Digital transformation of the court and the prosecution office – the impact of technological advancements on criminal evidence and procedure

Special Plenary Session
Strengthening international cooperation through mutual legal assistance in criminal matters and tackling new challenges
Questions and challenges such as these are faced by jurisdictions around the world and must be addressed. The time is ripe for jurisdictions to consider the ways in which existing laws can be updated and modernized so as to create a more robust legal framework against emerging technology crimes. While law reform efforts are actively being pursued in a number of jurisdictions, new laws targeting illicit cyber-related activities have already been enacted in others. Amidst the increasing prevalence of technology crimes, this session provides a valuable opportunity for jurisdictions to exchange ideas and experiences on relevant law reform efforts. Doing so will be conducive to the development of more comprehensive legal frameworks on which future investigation and prosecution of emerging technology crimes rely.

Technological advancement has brought about welcome changes to modern societies in recent years, including more convenient communication methods, more powerful social media platforms, and new investment products and opportunities. Yet, it has also incentivized novel ways of committing traditional crimes, creating new types of cybercrimes and increasing levels of risk exposure in virtual assets. Such effects of technological advancement raise novel and considerable concerns.

For instance, offensive content and fraudulent advertisements often hide amongst useful information online. Unauthorised interception of computer data and illegal interference or hijacking of computer systems followed by ransom demands are not uncommon. The collapse of virtual asset trading platforms has made headlines in different jurisdictions in recent years. Are conventional criminal offences like theft or criminal damage adequate in addressing such problems? Is there a regulatory regime empowering authorities to, for example, direct internet service providers to take down objectionable content? Is the trading of virtual assets regulated?
Questions and challenges such as these are faced by jurisdictions around the world and must be addressed. The time is ripe for jurisdictions to consider the ways in which existing laws can be updated and modernized so as to create a more robust legal framework against emerging technology crimes. While law reform efforts are actively being pursued in a number of jurisdictions, new laws targeting illicit cyber-related activities have already been enacted in others. Amidst the increasing prevalence of technology crimes, this session provides a valuable opportunity for jurisdictions to exchange ideas and experiences on relevant law reform efforts. Doing so will be conducive to the development of more comprehensive legal frameworks on which future investigation and prosecution of emerging technology crimes rely.

Amongst other topics, speakers may wish to explore:

- The limitations of conventional criminal offences in combatting emerging technology crimes, the ways in which such offences may be modernized, and the need for new laws to address the challenges brought about by emerging technology crimes;
- The balance to be struck between the protection of the public interest and the freedom of Internet users in imposing regulatory obligations backed by criminal sanctions; and
- Sharing of experience in cybercrime-related law reform, and the usefulness and effectiveness of new measures.
Rising above the changing landscape and challenges of decentralisation in the technological age – from social media, DeFi to virtual assets

Decentralisation has emerged as a disruptive force in the fast-paced technological age, unlocking innovative potentials and boosting accessibility and flexibility, but also creating new battlefields against misinformation, anonymity, and pseudonymity in prosecution. With industries reshaped and established norms disrupted, prosecutors and law enforcement agencies face myriad challenges in information dissemination, evidence collection, and digital forensics.

The advent of decentralised social media has introduced new obstacles for content moderation, privacy preservation, and information integrity. Social media platforms have become breeding grounds for cybercrime, misinformation, and online harassment, calling into question the adequacy of existing laws. Identifying perpetrators has become increasingly difficult due to the proliferation of fake accounts and manipulative information.

Decentralised finance (DeFi) enables transactions to be carried out without traditional intermediaries, leaving minimal traces. Virtual assets, also decentralised in nature, allow criminals to obscure the origins of illicit crime proceeds and move them across borders with greater impunity. Together, they bring about legal and regulatory implications, and pose considerable challenges to the tracing of illicit proceeds and related prosecutions. Whilst new financial technologies (in particular DeFi and the rise of virtual assets) create a haven for money laundering activities, they also engender ever-evolving methodologies and practices of financial crime investigation.
Prosecutors must adapt and remain agile amidst the challenges presented by decentralisation. This involves overcoming legal ambiguity, closing regulatory gaps, addressing anonymity, fostering collaboration, developing adaptive legal strategies, and embracing innovation, all while deepening our knowledge and understanding of emerging technologies. It is only by sharpening our own legal weaponry that we may ultimately prevail and rise above the challenges that await.

This plenary session will delve into the multifaceted challenges posed by decentralization, providing prosecutors with valuable knowledge, insights and strategies to navigate this rapidly-changing field.

Amongst other topics, speakers may wish to explore:

- Legal ambiguity and legislative gaps exposed by decentralisation in social media, DeFi and virtual assets, and the need for regulatory reform;
- Implications of decentralised systems on anonymity and pseudonymity, with a particular focus on social media platforms;
- Prosecutorial concerns surrounding money laundering, fraud, and regulatory oversight in the decentralised ecosystems of DeFi and the virtual asset market;
- Collaboration between law enforcement agencies, technology companies, and regulatory bodies in addressing the challenges of decentralisation; and
- Adaptive legal strategies that can be employed to navigate the changing landscape of decentralisation, such as specialised training and acquisition of forensic and technological expertise in prosecution.
Cyber offences inevitably involve the use of digital technology. As computing power becomes increasingly accessible and affordable and with a growing number of institutions moving towards paperless operation, the use of digital evidence in criminal cases is expected to become increasingly common. Digital means may be used by offenders to communicate with one another, commit offences, and handle proceeds of crime. Important evidence such as transaction and communication records, video and audio recordings, and assets and properties now exist in digital form.

On the one hand, digital evidence can be accurate, reliable and detailed records which do not deteriorate over time. Such evidence can play an important role in identifying offenders, tracing virtual assets, and reconstructing sequences of events. Yet, on the other hand, digital evidence may be encrypted or hidden. As a result, its provenance, integrity and admissibility may be challenged in court.

This plenary session will explore how digital evidence can be properly obtained, decrypted, and preserved, so as to ensure that it is admissible and properly adduced in criminal proceedings. The application of legal principles, expert evidence and cutting-edge technology in this area will also be discussed.

Amongst other topics, speakers may wish to explore:
- Common forms and characteristics of digital evidence;
- Similarities and differences between digital and conventional forms of evidence;
- Applicable legal principles regarding the admissibility of digital evidence;
- Challenges in obtaining, decrypting, preserving, adducing and interpreting digital evidence; and
- Use of expert evidence in presenting digital evidence in court.

Submit Proposal
Amongst other topics, speakers may wish to explore:

- The impact of artificial intelligence on evidence collection and analysis;
- Experience sharing in digitalised or streamlined case management systems for parties;
- Challenges and solutions in the use of virtual courtrooms and remote proceedings; and
- Use of multimedia presentations of evidence in court.

Plenary Topic 4

Digital transformation of the court and the prosecution office – the impact of technological advancements on criminal evidence and procedure

In recent years, the rapid advancement of artificial intelligence (AI) has sparked conjecture and debate on its potential to supplant human roles within the legal profession. Amidst these speculations, a fundamental question persists: is AI destined to serve merely as a complementary tool, enhancing the efficacy of judicial processes, or does it harbour the capacity to fundamentally redefine the roles of judges and prosecutors?

Traditionally, prosecution offices and courthrooms alike have been besieged by paperwork, with files and bundles of documents accumulating over time. The advent of technology presents a much-anticipated opportunity to alleviate the heavy reliance on paper-based processes. Indeed, this digital shift holds the promise of revolutionising the preparation of cases and the conduct of trials and appeals, potentially streamlining these processes to an unprecedented degree. Jurisdictions that have already embraced this digital transformation stand poised to offer invaluable insights derived from their experiences navigating this paradigm shift.

This plenary session will explore the digital transformation of the court and the prosecution office, focusing on the profound impact of technological advancements on criminal evidence and procedure. We will explore how digital technologies have revolutionized the gathering, analysis, and presentation of evidence, thereby necessitating improvements and breakthroughs in courtrooms and prosecution offices. The discussion will also cover the challenges and opportunities presented by emerging technologies such as AI and forensic data analysis. Participants will gain valuable insights into the ever-evolving landscape of criminal justice and the transformative role of technology in shaping its future.

Submit Proposal
Special Plenary Session

Strengthening international cooperation through mutual legal assistance in criminal matters and tackling new challenges
There is little dispute that mutual legal cooperation in criminal matters is often a powerful, indispensable and effective tool in the fight against transnational crimes and the due administration of criminal justice. Mutual legal assistance may be rendered in many forms including intelligence exchange in criminal investigations, provision of evidence for use in court proceedings, as well as restraint and confiscation of proceeds of crime. Enhancing efficiency in the provision of assistance to international cooperation partners is always high on the agenda.

With the rapid development and expansion of the digital economy, the last decade has witnessed a dramatic rise in cross-border crimes involving the use of the internet. This shift in the criminal landscape has brought about new challenges in the investigation and prosecution of illicit criminal activities.

In this session, we will explore why and how mutual legal assistance in criminal matters plays an integral part in strengthening international cooperation to tackle transnational technology crimes.

Amongst other topics, speakers may wish to explore:

- Enhanced international cooperation through the use of reciprocity, bilateral and multilateral agreements;
- Judicial cooperation networks, such as the South East Asia Justice Network (SEAJust);
- Examples of successful provision or obtaining of evidence via mutual legal assistance channels;
- Challenges encountered when gathering evidence in novel areas such as those involving cryptocurrencies and virtual assets, and obstacles to the tracing and restraining of assets; and
- Mechanisms for sharing of information, including beneficial ownership information, via formal mutual legal assistance channels and informal intelligence exchange.