

# 14<sup>TH</sup> NATIONAL SYMPOSIUM ON TECH CRIME AND ELECTRONIC EVIDENCE

## PROGRAM CHAIRS

### Susheel Gupta

Senior Strategic Operations  
Advisor – Counter-Terrorism &  
National Security, Federal Policing  
National Security, RCMP

### Steven Johnston

Crown Prosecutor,  
Specialized Prosecutions Branch,  
Alberta Justice

### Lynda Morgan

Addario Law Group LLP

## REGISTRATION OPTIONS

### Friday, October 1, 2021:

9:00 a.m. – 5:15 p.m. ET  
Online, Live

### Friday, December 3, 2021:

Online Replay

### *Can't make the date?*

*Registration includes 120-day  
unlimited, online access to the  
recorded program.*

Join a top-level faculty of experts to take a deep dive into critical issues and responses involving the latest technologies computer crimes and e-evidence.

Topics include:

- Search and seizure; latest case law update
- Using artificial intelligence as a search tool
- Conducting cross-border investigations and “Brecknell” today
- Meeting current issues and challenges facing regulatory and administrative agencies
- Practical tips for introducing emails and text messages in court
- Conducting ransomware investigations

## Keynote Address



### Alan Butler

Executive Director and President,  
Electronic Privacy Information Center,  
Washington, D.C.

Register today at:

[osgoodepd.ca/techcrime](https://osgoodepd.ca/techcrime)

# 14<sup>TH</sup> NATIONAL SYMPOSIUM ON Tech Crime and Electronic Evidence

Criminals of all kinds; individuals, corporations and governments continue to take advantage of the rapidly evolving, pervasive and invasive technologies providing a gold mine of opportunity, mobility and anonymity. If you are a lawyer, law enforcement professional, regulatory investigator, computer forensic specialist or judge, it is critical that you are on top of these and the applicable law.

Now in its 14<sup>th</sup> year, this national forum once again brings together a top faculty who will equip you with the knowledge and strategies you need to have a firm grounding in the current law and tackle the complex issues involved in the wild west of tech crime.

## Topics Include

- Recent developments in privacy and the use of AI tools in investigations
- Information sharing between criminal and regulatory investigations
- How to ensure your digital evidence is admissible
- Strategies when conducting ransomware investigations
- Using forensic expert reports to your best advantage; Crown and defence perspective

## Who Should Attend

- Crown and defence lawyers
- Tech company legal advisors
- Law enforcement and regulatory investigators
- Computer forensic specialists
- Judges and decision makers

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## Agenda

9:00 a.m.

### Welcome and Overview

#### Susheel Gupta

Senior Strategic Operations Advisor –  
Counter-Terrorism & National Security,  
Federal Policing National Security, RCMP

9:15 a.m.

### Search and Seizure Key Caselaw Update

#### Lynda Morgan

Addario Law Group, LLP (Moderator)

#### Panellists:

#### Erin Dann

Embry Dann LLP

#### Mabel Lai

Counsel, Crown Law Office – Criminal,  
Ministry of the Attorney General (Ontario)

#### Samara Secter

Addario Law Group LLP

- Most recent cases from Canadian Courts of Appeal
- Up-to-the-minute review of latest SCC decisions in practice
- Passwords; privacy, law, and policy

10:15 a.m.

### Break

10:30 a.m.

### Using Artificial Intelligence as a Search Tool; Limits and Pitfalls

#### Dave Cobey

Technical Case Management Program,  
Technical Investigations Services, RCMP

#### Kate Robertson

Markson Law

#### Amanda Edmunds

Director, Privacy Act Compliance, Office of the  
Privacy Commissioner of Canada (OPC)

- AI tools in criminal justice, including facial recognition, risk assessments, probabilistic genotyping, etc.
- Privacy implications of AI tools (e.g., Clearview AI)
- Transparency and disclosure of AI tools (*Stinchcombe* disclosure; full, frank, and fair disclosure to the issuing justice)
- Ethical considerations in the adoption and use of AI tools

11:30 a.m.

## Ransomware Investigations

### Steven Johnston

Crown Prosecutor, Specialized Prosecutions Branch, Alberta Justice

### Inspector Alexandre Beaulieu

RCMP-GRC National Division,  
OIC Technical Investigative Services

Using a ransomware case scenario, Inspector Beaulieu and Steven Johnston will discuss the steps you need to take, including:

- Strategies for tackling the ethical issues: to pay or not to pay
- How to develop and use a preliminary checklist

12:15 p.m.

## Break

12:45 p.m.

## Keynote Speaker:

### Alan Butler

Executive Director and President,  
Electronic Privacy Information Center,  
Washington, D.C.

1:15 p.m.

## Introducing Emails and Text Messages in Court

### Steven Johnston

Crown Prosecutor, Specialized Prosecutions Branch, Alberta Justice (Moderator)

### Tony Paisana

Partner, Peck & Company, Vancouver

### James Rowan

Technology Crime Prosecutor,  
Appeals and Specialized Prosecutions,  
Alberta Crown Prosecution Service

Digital evidence is not infallible. These well-practiced Crown and defence lawyers will share their tips and tactics on getting this evidence in or keeping it out.

- Smart device logs and records
- Server evidence
- Special provisions in sexual assault cases
- Authenticating the evidence so it is admissible

2:15 p.m.

## Using the Computer Forensic Report to Your Best Advantage

### Lisa Henderson

Provincial Crown Coordinator,  
Provincial Strategy to Combat Internet Crimes Against Children,  
Criminal Law Division – Ministry of the Attorney General (Ontario)

### Michael Lacy

Partner – Criminal Law Group,  
Brauti Thorning Zibarras LLP, Toronto

### Steven L. Rogers

President, Digital Evidence International Inc.

The forensic report can be key to making or breaking a case.

- What to look for in the report
- Details commonly overlooked
- Attacking conclusions and assertions
- Challenging the computer forensics investigator

3:15 p.m.

## Break

3:30 p.m.

## Regulatory Realities: Current Challenges for Regulatory and Administrative Agencies

### Adam Mauntah

Counsel, Department of Justice (DOJ). Canada Revenue Agency Departmental Legal Services

### Alvin Qian

Ontario Securities Commission, Enforcement Branch, Litigation Counsel

### Ann Salvatore

Deputy Commissioner,  
Competition Bureau, Canada

Search and Seizure powers available to regulatory agencies are often very different from those that can be used in criminal investigations by police.

- What are the latest challenges involving technology issues for regulatory investigators?
- Bridging the information sharing border between criminal and regulatory investigations
- Avoiding potential *Charter* hazards

4:30 p.m.

## International Search and Seizure Law: The Need to Know for 2021 and Beyond

### Matthew Asma

Crown Counsel, Crown Law Office – Criminal, Ministry of the Attorney General (Ontario)

### Alexander Bernard

Senior Counsel, Public Prosecution Service of Canada, Alberta

### Lynda Morgan

Addario Law Group LLP

- Special considerations in conducting investigations across borders
- *The CLOUD Act, The Stored Communications Act*, International Law
- Where are we now with *Brecknell*?

5:15 p.m.

## Closing Remarks and Program Concludes

Our participants say it best:

“Very knowledgeable and well-prepared presenters.”

Regulatory Investigator

“I really appreciate the excellent quality of the presentations.”

Police Officer

“Great presentations and relevant information I can use.”

Crown Attorney

“An excellent and practical review of the latest cases and new technologies.”

Lawyer

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Crown Prosecutor, Specialized Prosecutions Branch, Alberta Justice

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# Keynote Speaker



## Alan Butler

Executive Director and President, Electronic Privacy Information Center, Washington, D.C.

# Faculty

## Matthew Asma

Crown Counsel, Crown Law Office – Criminal, Ministry of the Attorney General (Ontario)

## Inspector Alexandre Beaulieu

RCMP-GRC National Division, OIC Technical Investigative Services

## Alexander Bernard

Senior Counsel, Public Prosecution Service of Canada, Alberta

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# Registration Details

**Fee per Delegate: \$495 + TAX**

**Newly Licensed\*: \$247.50 + TAX**

*\*This fee applies to newly licensed professionals within the past 2 years*

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