

CPD Questions - HH Judge David Harvey

1. Describe the contrast between how information was presented and stored in the period before everything being available digitally and the digital age. (Think about stories in newspapers or broadcast on the radio or television before accessibility and searchability on the internet.)
2. Outline the potential risks to a fair trial of some of the features of digital information, such as the persistence, searchability and retrievability of information compared to its previous partial obscurity in the pre-digital age? (Think about what these various concepts mean.)
3. Consider a situation in which you are appearing to defend someone in a retrial where the conviction at the first trial has been overturned because prejudicial information was wrongly allowed into evidence. You have sought a take-down order in relation to information relating to the first trial, but the media have appeared and suggested that judicial directions to the jury only to consider the evidence before them will suffice. Outline the three core points you would make in support of a take-down order.