

The Application of Digital Forensics in China

Justin Allen*

Editorial Office, Journal of Forensic Pathology, UK

Corresponding Author*

Justin Allen

Editorial office, Journal of Forensic Pathology, UK

E-mail: forensicres@theresearchpub.com Telephone:

+44 7915641605

Copyright: ©2022 Allen J. This is an open-access article distributed under the terms of the Creative Commons Attribution License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited.

Received: 05-May-2022, Manuscript No. jfp-22-20135; **Editor assigned:** 07 May-2022, PreQC No. jfp-22-20135 (PQ); **Reviewed:** 21-May-2022, QC No. jfp-22-20135 (Q); **Revised:** 24-May-2022, Manuscript No. jfp-22- 20135 (R); **Published:** 30-May-2022, doi: 10.35248/2648-1312.22.7(3).126

Abstract

Due to the numerous information technology advancements, digital evidence now plays crucial playing a more significant part in both civil and criminal disputes. Accreditation is a way for the judicial system to ensure that digital evidence is accurate, dependable, and verifiable because it is essential for litigation. In this essay, the comparison of the discussion of the international and domestic development of digital forensics accreditation the current issues that such accreditation faces and suggests the necessary solutions solutions. This article also examines the deployment of digital forensic laboratory accreditation as well as its future.

Keywords: Accreditation • Digital forensics • Forensic science • Methodology • Personnel training

Introduction

Due to the numerous advancements in information technology, digital evidence is becoming more and more crucial in both criminal and civil action. Today, not just cybercrime but many forms of crimes are prosecuted using digital evidence. The judicial system must have confidence in the accuracy, dependability, and verifiability of the many types of digital evidence because they may be required in court cases. Accordingly, it is crucial and unavoidable to establish the chain of custody when authenticating digital evidence in a courtroom. The evidence's seizure, storage, transfer, and state must all be accounted for in the chain of custody. This involves much more than merely locating and extracting the data, assessing and determining its applicability, and producing a report. Digital evidence cannot be seen by the human eye and can be active, erased, concealed, encrypted, or replaced. Relevant scientific principles pertaining to the gathering, processing, and assessment of evidence must be followed when dealing with digital data. The process of locating, safeguarding, analysing, and presenting digital evidence in a way that is admissible legally in any legal proceedings is known as digital forensics. It is currently one of the crime lab's fastest-growing areas, and law enforcement's reliance on it is only increasing. In China, there is an increasing requirement to ensure that digital evidence is accepted and admissible; the quality of the evaluation directly affects the social credibility of the outcome and further impairs the ability of judicial appraisal to serve litigation and advance judicial justice.

Accreditation is currently a standard procedure in forensic science institution management evaluation. A standard to verify that the digital evidence collected from the examination is accurate, technically sound, and legitimate in accordance with known quality assurance procedures is provided by accreditation, an internationally recognised evaluation

technique. It boosts the public's trust and confidence in the evidence used in the criminal justice system. As a result, certification is a crucial tool for International recognition, standardisation, and science in China's forensic laboratories This essay contrasts the global evolution of and certification in domestic digital forensics. Additionally, it talks about the issues that are now Interactions with digital forensics that have been accredited suggests the corresponding fixes. This essay's conclusion explores the future of digital forensic laboratories' accreditation and its implementation.

A proficiency test is an analytical examination that assesses a forensic science service provider's overall quality as well as the technical skill of examiners, technical support staff, and other professionals. Proficiency testing serves as an effective quality assurance technique for forensic science service providers by assisting in the delivery and maintenance of high-quality work. Activities for assessing proficiency in computer forensics have also grown quickly in recent years. Examples include the United States, the United Kingdom, France, the Netherlands, Canada, and Japan, all of which have acknowledged Collaborative Testing Services' interlaboratory testing programmes.

Laws and regulations have encouraged the certification of forensic institutions in China. Forensic science accreditation was entirely voluntary up until 2005. As a result, there weren't many forensic facilities that were accredited. The "Decision of the Standing Committee of the National People's Congress on issues of administration of judicial authentication," also known as the 2.28 Decision, was adopted at the 10th Meeting of the Standing Committee of the Fourteenth National People's Congress on February 28, 2005, and went into effect on October 1, 2005, as part of the judicial reform, to increase the credibility of the judiciary and regulate judicial appraisal work. The "Administrative Regulation on the Registration of Judicial Forensic Institutions" was released by the People's Republic of China's Ministry of Justice on September 29, 2005. The "Administrative Regulation on the Registration of Judicial Forensic Institutions of Public Security" was released by the Ministry of Public Security of the People's Republic of China on November 7, 2005.

These three documents all stipulate that forensic service providers' laboratories must be accredited or measurement-certified laboratories. As a result of the issuing of the aforementioned laws, China's forensic institutions are now required to be certified and accredited, making certification and accreditation two essential requirements for forensic institutions. As a result, accreditation and certification are significant techniques of evaluation for quality control in the forensics industry. The 2.28 Decision states that there are currently only two main companies authorised to offer digital forensic services in China: judicial forensic institutions registered with provincial judicial administrations and judicial forensic institutions of public security registered with provincial public security organs. Institutions of the customs anti-smuggling system are generally incorporated into the administration of the public security organs, while judicial forensic institutions of the procuratorate and forensic institutions of the emergency management department are generally incorporated into the administration of forensic institutions. China's digital forensics accreditation began later than other affluent nations, but it advanced quickly nonetheless. More than 100 companies offering digital forensic services have received accreditation by the end of April 2018, the majority of them being court forensic institutes of public security. Currently, these accredited businesses have actively pushed for the standardisation of their work, enhanced their capabilities, and increased quality control, thereby achieving their goal of preventing cybercrime.

The Supreme People's Court, the Supreme People's Procuratorate, and the Ministry of Public Security jointly issued the "Regulations on Several Issues Concerning the Collection, Examination and Judgment of Electronic Data in Handling Criminal Cases" in 2016 to further regulate electronic evidence

collection and review judgments in response to the ongoing development of the trial-centered criminal litigation system. It has attracted greater attention as the status of the accrediting work in the field of digital forensics in China rises, which has also helped to advance the standardisation of evidence gathering practises and the achievement of judicial justice. Under the proper direction of CNAS, it is anticipated that domestic digital forensic organisations will keep enhancing their management and the organization's technical prowess through Aiming to improve the admissibility of evidence and achieve judicial fairness, accrediting operations.

Cite this article: Allen J. The Application of Digital Forensics in China.J. Forensic Pathol. 2022, 07 (3), 023-024