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365 ALTERAM

Independent Forensic Review in Complex International Criminal Cases

A practical framework for defence counsel

Evidence integrity / Independent analysis / Informed legal decisions

365Alteram Ltd.
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EXECUTIVE OVERVIEW

A clearer basis for defence decisions

Independent forensic review helps counsel establish what the evidence supports, where a material inference remains uncertain and which further inquiry could resolve it. Its value is a more reliable basis for decisions about the case.

Complex proceedings can combine communications, financial records, scientific findings and documents from several countries. The decisive issue may sit between those disciplines: whether a person controlled an account, understood a transaction, handled an object at a relevant time or was correctly identified in an international record.

365 ALTERAM provides independent forensic review and investigative support for counsel. This whitepaper translates that role into a practical approach: define the disputed proposition, preserve and examine the underlying material, test reasonable explanations, and report findings with their limitations. Counsel retains legal strategy and procedural judgment. [14] [15]

The recommendation is to commission a focused assessment early enough to preserve evidence and influence the next legal decision. Extend the work only where a defined question, suitable method and proportionate budget justify it. A useful review may support the defence, confirm an existing conclusion or narrow the issues that remain in dispute.

Reading guide

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Scope. An international practice paper with selected examples from Europe, England and Wales, the United States federal system and the Netherlands. Legal rules are identified by jurisdiction. The practical recommendations are not a universal procedural code.

01 THE EVIDENCE GAP

Identify the question that could change the case

A persuasive case narrative and a fully tested evidential foundation are different things. The first task of an independent review is to identify the steps connecting the material in the file to the allegation against a particular person.

Begin with a disputed proposition, rather than a request to review everything. A proposition might concern authorship of a message, control over a company account, the sequence of a delivery, the interpretation of a trace or the amount of a claimed loss. Counsel can then explain what difference resolving that question would make.

Four places to look first

Material in the file	Question to test	Suggested next step
A message extract	Is the relevant sequence complete and the user attribution supported?	Identify original records, gaps and the attribution method.
A payment diagram	Does it distinguish transfers, economic purpose and individual benefit?	Reconcile the diagram to bank and transaction records.
A scientific conclusion	Does it address the specific event alleged?	Identify the proposition and limits of the expert opinion.
An overseas record	Are identity, provenance and procedural status clear?	Verify the originating document and its current context.

These are review priorities, not presumptions that a prosecution file is defective. A missing document may be immaterial; a discrepancy may have an ordinary explanation. The reviewer should state the plausible significance, the evidence needed to test it and the consequence if it cannot be resolved.

Turn concern into a focused request

A useful inquiry record identifies the disputed proposition, the likely custodian, the relevant period, the requested material and why it could matter. Add any preservation risk and the lawful route for obtaining it. This gives counsel a concrete decision about access, timing and proportionality.

In England and Wales, the CPIA Code calls for reasonable lines of inquiry that may point either towards or away from a suspect; it does not require wholly speculative enquiries. A targeted forensic question can help counsel explain why particular missing material deserves attention. [2]

Priority should reflect materiality, urgency and feasibility. Preserve a potentially disappearing record before spending time polishing a chronology that can be rebuilt later.

02 LEGAL AND QUALITY STANDARDS

Match the review to the forum

An independent report must be scientifically sound and usable within the relevant proceedings. Those requirements overlap, but neither automatically satisfies the other.

The European Court of Human Rights framework recognises the importance of a fair opportunity to challenge expert evidence. It does not entitle a party to every examination it requests. Its Registry guide explains the case law and expressly does not bind the Court. [1]

Framework	Relevant principle	Practical implication
ECHR Article 6	Effective participation and a fair opportunity to challenge material evidence. [1]	Identify the access or technical assistance needed to test a decisive conclusion.
England and Wales disclosure	CPIA section 3 addresses material capable of undermining the prosecution or assisting the accused, subject to the statutory framework. [3]	Explain the relevance of a specific request; do not assume unrestricted access.
England and Wales expert evidence	CrimPR Part 19 requires independent opinion within expertise and a properly reasoned report. [4]	Identify the expert, underlying material, qualifications and limitations.
US federal expert evidence	Rule 702 requires a sufficient factual basis and reliable methods reliably applied; the proponent must satisfy the court. [13]	Plan for the applicable admissibility assessment from the start.

Competence is specific to the activity

Before commissioning an examination, ask who will perform it, which method will answer the question and what validation supports that use. Verify any accreditation against its actual scope. A qualification in one field should not be treated as authority to express an opinion in every related discipline.

The Forensic Science Regulator Code version 2, effective from 2 October 2025, sets requirements for applicable forensic activities in England and Wales. Its focus on competence, method validation and impartiality provides a useful reference point; its legal application depends on the activity and scope. [5]

A research memorandum does not automatically become admissible expert evidence. Counsel should determine the intended use, required declarations, service obligations and procedural timetable. Rule 702 concerns expert admissibility, not the burden of proving criminal guilt; state rules may differ from US federal rules.

03 HYPOTHESIS TESTING

Make the reasoning open to examination

Every important conclusion should expose the route from observation to interpretation. The reviewer should be able to explain which finding would strengthen an explanation, which would weaken it and which would leave it unresolved.

Start by recording the material proposition in neutral language. Identify reasonable alternatives grounded in the circumstances, without inventing elaborate possibilities that cannot be tested. Apply comparable scrutiny to the prosecution account and the client's explanation. Record material evidence that is inconvenient to either.

Review field	What to record
Proposition	The specific event, identity, role or relationship being assessed.
Expected observations	What records or findings would reasonably follow if the explanation were correct.
Contrary material	Facts inconsistent with the explanation, and the response to them.
Unresolved conditions	Missing records, disputed assumptions and the consequence for the conclusion.
Next decision	Further inquiry, specialist examination, reporting of a limit or closure of the issue.

Keep different questions separate

A finding about the source of a trace does not, by itself, establish the activity that deposited it or criminal liability. The Regulator's interpretation guidance distinguishes these levels and requires care when moving between them. Similarly, a likelihood ratio compares observations under competing propositions; it is not a probability of guilt. [6]

For practical reporting, use distinct labels for an observed fact, an analytical inference, an assumption and a limitation. This allows counsel to see whether a disputed conclusion rests on reliable records, specialist judgment or a condition that still requires proof.

Build independence into the work

Appointment by a different party does not remove the risk of contextual bias. Relevant safeguards include controlling unnecessary contextual information, recording an initial assessment and documenting why a view changes. The Regulator's cognitive-bias guidance supports structured approaches to managing these influences. [7]

A separate reviewer should challenge the reasoning and the treatment of contrary material. Review quality is demonstrated by a visible response to those challenges and by conclusions that remain within the evidence.

04 THE 365 ALTERAM METHODOLOGY

Apply the BALANCE 7 framework

365 ALTERAM's published BALANCE-7 methodology provides seven stages for accepting, examining and reporting a matter. The application below translates those stages into practical questions and reviewable outputs for counsel. [14]

Stage	Question to resolve	Working output
B Brief and boundaries	What is the instruction, and who can authorise the work?	A scoped brief covering purpose, countries, responsibilities and expenditure.
A Acquire and authenticate	Where did the material come from, and how was it handled?	An itemised record of provenance, custody and integrity checks.
L Link the record	How do events and records relate across the matter?	A referenced chronology with conflicts and gaps visible.
A Alternative hypotheses	Which explanations can the available material test?	A comparison of predictions, supporting facts and contrary findings.
N Neutral validation	Can a material analytical step be checked?	A record of verification, repeat analysis and unresolved technical limits.
C Challenge and peer review	Would the reasoning withstand an informed objection?	Documented challenge, responses and revisions before sign-off.
E Evidentiary reporting	What can properly be concluded and used?	A reasoned report with exhibits, assumptions and limits.

Use the stages as decision points

For each workstream, agree what must be established before the next step. If the origin of a dataset remains uncertain, the reviewer can document that condition and propose how to resolve it. A later analytical result should not silently erase the uncertainty about its input.

The depth of each stage should reflect the importance of the question. A small factual reconciliation may require a short record; a contested reconstruction may need extensive technical documentation and specialist review. Proportionality concerns the work needed to answer the question, not the convenience of a desired conclusion.

Keep three records connected

Link the evidence inventory, the hypothesis assessment and the record of decisions. A reader should be able to trace a conclusion to its supporting items, see what was excluded and understand why an inquiry was expanded or stopped. These records also make a handover between counsel and specialists more efficient.

05 DIGITAL AND TELECOMMUNICATIONS EVIDENCE

Test provenance context and attribution

A digital record can be authentic while its meaning, completeness or attribution remains disputed. A useful review identifies which of those questions is material and tests it with the appropriate expertise.

Preserve the object and its history

NIST's digital-evidence preservation guidance addresses origin, handling, access and integrity. A matching cryptographic hash supports consistency of the compared digital objects; it does not establish who created the content, whether the content is true or whether acquisition was lawful. [8]

The proposed intake should therefore preserve the received original, identify working copies and record transformations. Keep extraction logs, tool versions, acquisition settings and error messages where they bear on the result. Distinguish a native record from a screenshot, export, transcription or analyst-created spreadsheet.

Examine how the record was produced

NIST's scientific foundation review recognises the basis of digital forensic techniques while identifying limitations: relevant material may remain undiscovered, deleted-file recovery can include extraneous content, and software changes can affect the meaning of artefacts. Those limits require case-specific examination. [9]

Issue	Recommended review question
Time	Which clock, time zone and conversion produced the displayed timestamp?
Completeness	What period, account, device or message sequence was excluded or unavailable?
Attribution	What independently connects the account or device to this user at this time?
Meaning	Was the original language, application behaviour and surrounding context examined?

Keep location opinions within their limits

The Forensic Science Regulator explains that call-detail records do not directly contain a device's location; an operating area may be inferred from their detail by a competent expert. A plotted network event should therefore be examined as an interpretation with stated assumptions. [5]

For an attribution dispute, request an integrated chronology linking the technical observations to travel, access and other relevant records. Record where sources agree and where they conflict. The outcome may be a stronger attribution, a narrower claim or an unresolved question; the report should make clear which applies.

06 FINANCIAL CORPORATE AND CRYPTO MATTERS

Reconstruct transactions and individual roles

For a financial allegation, the review should connect each disputed movement of value to the transaction, decision and person said to make it criminally relevant. Counsel then assesses that factual reconstruction against the applicable law.

365 ALTERAM's specialist scope includes financial and corporate review, white-collar matters and cryptocurrency investigations. The following questions help define a focused instruction without assuming that an unusual transaction is either legitimate or unlawful. [16]

Build a reconciliation that can be checked

Begin with underlying records rather than totals copied from a presentation. Reconcile opening positions, movements and closing positions. Identify the relevant entities, accounts, currencies, transaction dates and conversion assumptions. Show the treatment of reversals, refunds, internal transfers and incomplete records.

Disputed issue	Suggested examination
Economic purpose	Match payments to contracts, invoices, performance and contemporaneous explanations.
Control and authority	Compare formal roles with access records, instructions, approvals and actual conduct.
Knowledge and timing	Build a dated record of what was communicated, to whom and by which source.
Loss or benefit	Define the measure, identify repeated values and show alternative calculations where assumptions differ.
Wallet attribution	Ask how addresses were assigned, what evidence supports the assignment and what remains uncertain.

Separate a chart from its assumptions

For any network diagram, identify the evidence represented by each link. A payment, shared address, common director or communications link can raise different questions. State exactly which relationship has been established and what further reasoning is required to connect it to the alleged role.

In a crypto workstream, request the basis for wallet labels and grouping decisions, the tools and versions used, and the records supporting attribution to an individual. Preserve the relevant transaction references and distinguish directly observed records from an analyst's inference. Seek specialist review where the interpretation materially affects the case.

The final reconciliation should retain contrary records and unexplained items. It can show how a proposed financial conclusion changes when a disputed assumption changes. It should not supply a legal finding of knowledge or dishonesty merely because the spreadsheet balances.

07 SCIENTIFIC AND MULTIDISCIPLINARY REVIEW

Ask what the science can establish

The decisive scientific question is the one that addresses the disputed event. A precise laboratory result may answer only one part of that question.

NIST's DNA mixture review examines both reliability and relevance, including the distinction between contribution to a profile and activity. A case-specific assessment should examine the sample, mixture assumptions, method, validation and circumstances; the existence of a complex mixture does not itself demonstrate an unreliable result. [10]

The Regulator's interpretation guidance similarly cautions against moving from a source-level finding to an activity conclusion without an adequate basis. Where the information cannot support an activity opinion, that limit should be explained. [6]

Match the specialist to the question

Discipline	Examples of questions to scope
DNA and trace evidence	Which proposition was evaluated, with what assumptions about contribution, transfer or recovery?
Clinical evidence and toxicology	Which records and analytical conditions support the opinion, and what alternatives remain?
Chemistry and material analysis	How were samples selected, identified and compared with the population of items at issue?
Ballistics physical reconstruction and bloodstains	Which measurements and assumptions support the proposed sequence, and can it be independently checked?
Biometrics behaviour and language	What does the method support concerning identity or meaning, and where does specialist judgment enter?

These examples are scoping questions. They do not imply that one practitioner can undertake every examination. Competence, facilities and any applicable accreditation or registration must be checked for the particular work. The 365 ALTERAM specialist offering spans these review areas; the accepted instruction should identify the actual personnel and responsibilities. [5] [16]

Integrate without concealing disagreement

An integrated report should show whether disciplines depend on the same underlying assumption. If a disputed timestamp supports both a communications chronology and a physical reconstruction, it should be visibly shared rather than treated as two independent confirmations.

Where specialists disagree, preserve the point of disagreement, its evidential basis and its practical consequence. Combining reports should improve the reader's understanding of uncertainty. It should not smooth away a material difference in opinion.

08 INTERNATIONAL EVIDENCE AND INTERPOL

Coordinate the record across borders

An international review should establish who holds the material, which authority can permit access and which legal team will decide how it may be used. A single chronology can support coordination while preserving the distinctions between jurisdictions.

Create a jurisdiction and document map

For each workstream, record the countries involved, the source and current custodian, the proposed examiner, the required access route and any restrictions on transfer or use. Agree responsibility for local advice, translation, certification and evidence preservation before substantive activity begins.

Treat translation as part of the evidential process. Retain the original beside the translation, identify disputed language and record the reviewer's competence. Track the date and status of court documents so a superseded decision is not presented as the current procedural position.

Record	What the review should make visible
Identity	Names, transliterations and identifiers, with the evidence for any proposed match.
Procedural history	Allegations, decisions and subsequent developments as distinct dated events.
Document provenance	Issuer, version, language, certification and how the copy was obtained.
Use and responsibility	The relevant local lawyer, permissible purpose and unresolved access conditions.

Keep a CCF review within its mandate

The Commission for the Control of INTERPOL's Files (CCF) examines compliance of data processing within the INTERPOL system. It does not investigate or determine the merits of the criminal case, and it does not decide national extradition proceedings or guarantee safe travel. [12]

The forensic contribution is to organise verifiable documents and identify precisely supported inconsistencies for counsel's assessment under the relevant rules. That may concern identity, dates, procedural developments or the description of an individual's role. A legal submission must explain why a documented issue matters to the applicable data-processing rules.

A correction or deletion request and a defence in domestic proceedings therefore require distinct legal assessments. The same verified document may be relevant to both, but the question each authority decides can differ. Check the current CCF submission procedure and case-specific instructions before filing. [12]

09 TECHNOLOGY WITH ACCOUNTABLE REVIEW

Use AI through a verifiable human process

AI-assisted work should be judged by traceability, verified coverage and error detection. The person signing a report must be able to explain and defend the reasoning on which its conclusions depend.

The Netherlands Register of Court Experts' AI addendum requires experts within its scope to remain responsible, check outputs and protect confidential information. Their reports must identify whether and where AI was used and which tools or algorithms were involved. This Dutch professional framework provides a current reference for accountable review; it is not a universal international rule.

[11]

Define the permitted use before processing

An instruction may propose AI for document classification, structured extraction, search assistance, transcription or draft summaries. Each use should have a stated purpose, an approved processing environment, a way to check performance and a named reviewer. Material conclusions should remain linked to the underlying evidence.

Control	Recommended implementation
Source traceability	Retain the document identifier and exact passage or record behind each material extracted proposition.
Verification	Check critical outputs against originals; test omissions and search coverage as well as visible errors.
Reproducibility	Record tool and model versions, relevant settings, instructions, transformations and retained outputs.
Confidentiality	Agree permitted data, access, retention and processing locations before use; restrict onward disclosure.
Human sign-off	Assign competent reviewers and record unresolved questions, corrections and material disagreement.

Separate a useful lead from a supported finding

An AI-generated association can prompt a question. Before it enters a report as a factual proposition, verify the source and the analytical step. A fluent summary can omit a qualification or merge different people with similar names; the checking process should be designed to detect those possibilities.

Quality review should include records the system did not select. Agreement between automated outputs is insufficient unless the underlying sources and reasoning have been checked. Where an AI-assisted method cannot be adequately evaluated for a material task, use a method whose limitations the responsible expert can explain.

10 HYPOTHETICAL PRACTICE ILLUSTRATIONS

Communications and financial records

Fictional educational scenarios. These are not client matters, completed assignments or achieved results.

01 Encrypted communications and narcotics

A defendant is alleged to have coordinated a narcotics shipment through an encrypted messaging account. The case relies on selected conversations, a device association and apparent correspondence between message times and travel records.

Question. How securely can the communications be attributed to this individual at the relevant times, and what does their complete context establish about the alleged role?

Review. The review seeks the underlying extraction material, acquisition records, relevant account and device identifiers, and the complete conversation sequences available for the disputed periods. It records missing material and distinguishes original timestamps from subsequent conversion or display settings. A qualified specialist examines whether software behaviour, shared access or another documented circumstance affects the proposed attribution. Translations are checked against the original language, particularly where an ambiguous phrase carries substantial weight. A chronology connects each inference to its source and keeps established observations separate from assumptions.

Possible significance. The work may identify a narrower attribution than the prosecution alleges or a specific evidential gap requiring further enquiry. Equally, the fuller record may strengthen attribution or reveal additional incriminating context. Where the necessary underlying data remain unavailable, the report should state what cannot be resolved and why.

02 Automotive trade and financial flows

A vehicle intermediary is accused of knowingly participating in a fraudulent trading network. The allegation draws on rapid transfers between companies, invoices and correspondence relating to vehicles that were delivered late or to different destinations.

Question. What do the records establish about the intermediary's transactions, operational role and access to information at the relevant time?

Review. The review reconstructs each disputed transaction using original bank records, contracts, invoices, credit notes, vehicle identification numbers, transport documents and delivery evidence. It separates gross turnover from retained fees and distinguishes cash movements from the commercial obligations they were intended to discharge. Investigators reconcile duplicates, reversals, refunds and transfers between accounts without counting the same underlying value repeatedly. Correspondence and access records are placed alongside the transaction chronology to examine what was communicated, to whom and when. Claimed explanations are tested against both supporting records and inconsistent material; missing records remain visible in the analysis.

Possible significance. A reconstruction may clarify that particular payments reflected documented trading obligations or that the alleged financial benefit was overstated. It may also reveal unexplained diversions, contradictory instructions or records supporting a more substantial role. Financial reconstruction informs the factual picture; it does not independently determine knowledge, dishonesty or criminal liability.

10 HYPOTHETICAL PRACTICE ILLUSTRATIONS

Science and international records

Fictional educational scenarios. These are not client matters, completed assignments or achieved results.

03 DNA on packaging

A defendant is alleged to have handled packaging used in a trafficking operation. A laboratory reports a mixed DNA profile from its outer surface and evaluates whether the defendant contributed to that mixture.

Question. Does the scientific evaluation address who contributed DNA, how it came to be present, or both, and which question is material to the disputed events?

Review. A suitably qualified specialist reviews the sampling records, analytical data, contamination controls, stated propositions and assumptions about contributor numbers. Any statistical calculation is considered within the validated capabilities of the method and software used. The review separately considers whether documented handling history and available research permit an assessment of transfer, persistence and recovery in the particular circumstances. It identifies which relevant circumstances are established, disputed or unknown. A source attribution is kept distinct from an opinion about handling during the alleged offence, and no activity conclusion is supplied merely because a contribution is supported.

Possible significance. The review may establish that the original conclusion addresses a narrower question than the allegation requires. Alternatively, the analytical results and circumstances may support the alleged activity. Where information is insufficient, the appropriate finding may be that an activity assessment cannot reliably be made.

04 Cross border identity and INTERPOL records

A person contests the accuracy of identifying details and procedural information associated with an INTERPOL record originating abroad. Documents supplied from different jurisdictions contain variations in names, dates and descriptions of the underlying proceedings.

Question. Which discrepancies can be verified, do the records concern the same person and events, and what does the available documentation establish about the current procedural position?

Review. The review builds a document register recording issuer, date, language, certification and provenance. It compares names, transliterations, dates of birth and other available identifiers without treating spelling differences alone as proof of mistaken identity. An event chronology distinguishes alleged conduct, investigative steps, court decisions and later communications. Translations are checked against their originals; superseded documents are separated from current records, while gaps and conflicting statements remain explicit. Assertions about procedural developments are linked to supporting documents whose origin can be verified. Counsel identifies which records and questions are relevant to any submission.

Possible significance. The resulting dossier may support a precisely documented correction request or identify additional material counsel should obtain. It may instead confirm that the identifying details are consistent or leave a disputed point unresolved. The review does not determine guilt or predict the response of any authority.

11 PRACTICAL LEGAL RELEVANCE

From findings to legal decisions

Reliable forensic findings should help counsel decide what to request, challenge, concede or investigate next. Each finding should connect its source, method and limitations to a disputed issue in the proceedings.

A discrepancy matters when it changes the strength or meaning of a material proposition. An unexplained difference alone does not establish misconduct, innocence or an alternative account.

Target the next procedural decision

For disclosure, the practical output is a focused request: which records are missing, who may hold them, the relevant dates and why they could resolve a particular issue. Access, preservation, third-party production and cross-border assistance remain subject to the applicable legal powers and procedural requirements.

Where expert evidence is disputed, review can identify assumptions requiring examination, unsupported extrapolation, unsuitable methods or conclusions exceeding the data. Counsel can use that work to frame questions, seek underlying material or consider an admissibility challenge. A defect does not automatically exclude evidence: its consequence may concern weight, admissibility, further testing or no material change.

Clarify role loss and the scope of an allegation

Analysis may help clarify who controlled an account, what information a person received, their operational role or how a claimed loss was calculated. Where legally relevant, those findings may inform submissions on liability, sentencing or confiscation. They do not promise a reduction in sentence or a particular charging decision.

A post-conviction finding requires a separate assessment of appeal grounds, time limits, fresh-evidence requirements and other procedural gates. Technical novelty alone does not create a right to reopen proceedings.

Preserve the distinction between roles

Commissioning a review neither establishes a defence nor transfers the prosecution's burden to the accused. Any separate burden under a particular defence remains a matter of local law. An instructed expert must retain independent judgment and report material limitations, including findings adverse to the instructing party.

In England and Wales, the expert's duty to the court overrides obligations to the person instructing or paying them. [4] Counsel determines the legal strategy; the expert supplies a reasoned opinion within their competence.

12 COMMISSIONING AN INDEPENDENT REVIEW

Agree the question the scope and the output

The strongest instruction identifies the decision counsel needs to make and the evidence required to inform it. A phased scope keeps effort proportionate while preserving room for justified further work.

365 ALTERAM's published counsel model begins with a scoped assessment and defines the countries, responsibilities and budget before substantive work. Engagement through counsel can support an appropriate confidentiality structure, but should never be treated as creating automatic legal privilege in every jurisdiction. [15]

A practical sequence for instruction

Phase	Purpose	Suggested deliverable
Assessment	Identify the core proposition, available record and urgent gaps.	An issue map, initial chronology and prioritised work plan.
Focused examination	Test the material questions using suitable specialists and methods.	Source-linked findings, calculations and a record of unresolved points.
Challenge and reporting	Review the reasoning and prepare material for its agreed use.	A reviewed report, exhibit index and briefing for counsel.

Agree a decision point before each expansion. Record the question, expected value, specialist requirement, cost and timetable. There should be a clear route for escalating an urgent material finding and an equally clear route for closing an inquiry that has no proportionate next step.

Specify the reporting standard

For each material finding, request the relevant proposition, evidence identifiers, analytical method, result, limitations and reviewer. Ask for the working schedules needed to check significant calculations and a clear separation between established records, expert opinion and assumptions.

Before an expert report is intended for court use, counsel and the responsible expert should confirm the applicable formalities and duties. A concise counsel briefing and a fully documented expert report serve different purposes; the engagement should identify which is required.

Define completion by usability

Useful completion criteria include traceable material findings, reconciled calculations, answered review comments and an explicit account of remaining gaps. Volume processed is an operational measure. The decisive question is whether counsel can understand, test and use the work for the agreed decision.

13 COUNSEL CHECKLIST AND NEXT STEP

Prepare a focused instruction

Use the following questions to agree a proportionate scope and preserve the material needed for the next decision. Record unresolved points so assumptions remain visible.

- 01 Which disputed factual proposition could materially affect counsel's assessment, and what would resolving it change?
- 02 What procedural deadlines, preservation risks or access restrictions determine the order of work?
- 03 Which original records, underlying datasets and previous reports are available, and what is missing?
- 04 Can each important item be traced to its source, acquisition method and subsequent handling?
- 05 Which competing explanations should be tested, including evidence capable of weakening the client's account?
- 06 What specialist competence, validated methods and jurisdiction-specific reporting requirements does this assignment need?
- 07 How will conflicts, contextual information, confidentiality, permitted AI use and access to case material be managed?
- 08 What deliverables will counsel receive, with which source references, limitations and opportunity for independent checking?
- 09 What budget, milestones and decision points will prevent unnecessary work while allowing justified further enquiries?
- 10 Who will review the findings, resolve factual queries and approve any onward use or disclosure?

Discuss the evidence question with 365 ALTERAM

We support defence counsel with independent forensic review and counter-investigations in complex international matters. Start with the jurisdiction, the specialist area, the key date and a brief neutral description of what requires examination. Substantive assessment and investigation begin under agreed terms. [15] [16]

For the initial enquiry, share only the information needed to assess the matter and possible conflicts. Appropriate evidence-transfer arrangements should be agreed before case documents are provided. An initial enquiry does not itself create an engagement. [17]

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REFERENCE NOTES

Legal and forensic sources

Sources checked on 30 October 2026. Numbered references identify the authority supporting a stated proposition. Source titles are clickable. Practical review questions and fictional illustrations are original explanatory material.

[1] European Court of Human Rights. Guide on Article 6 of the European Convention on Human Rights Criminal limb

Updated 28 February 2026. Paragraphs 172–173, 182–185 and 189–192. Registry guide; not binding on the Court.

[2] Ministry of Justice. Criminal Procedure and Investigations Act 1996 Code of Practice

2020 edition, effective 31 December 2020. Paragraphs 3.5–3.6. England and Wales.

[3] United Kingdom legislation. Criminal Procedure and Investigations Act 1996 section 3

Initial prosecution disclosure duty, including the statutory scope and exceptions. England and Wales.

[4] United Kingdom legislation. Criminal Procedure Rules 2025 Part 19

Rules 19.2–19.4 on expert duties, introduction of evidence and report content. England and Wales.

[5] Forensic Science Regulator. Forensic science activities statutory code of practice version 2

Effective 2 October 2025. Sections 13, 22, 24 and 99.9.10. Applicable forensic activities in England and Wales. Crown copyright 2025.

[6] Forensic Science Regulator. Forensic science activities interpretation and communication

FSR-GUI-0004 version 2, updated 24 March 2026. Sections 2.3, 3.2 and 4.6. England and Wales. Crown copyright 2026.

[7] Forensic Science Regulator. Cognitive bias effects relevant to forensic science examinations

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NIST IR 8387, September 2022. Section 3.2 on digital objects, origin, handling and integrity.

[9] National Institute of Standards and Technology. Digital Investigation Techniques A NIST Scientific Foundation Review

NIST IR 8354, November 2022. Scientific foundations and limits of digital investigation techniques.

REFERENCE NOTES

Further sources and publication details

[10] National Institute of Standards and Technology. DNA Mixture Interpretation A NIST Scientific Foundation Review

NIST IR 8351, December 2024. Chapters 4–5 address reliability and relevance at different levels of proposition.

[11] Netherlands Register of Court Experts. Code of Conduct and Addendum on the Use of AI

AI addendum effective 1 September 2026. Points 1–4; applies to registered experts and persons bound through appointment or contract. [Official commencement notice](#)

[12] INTERPOL. How to submit a request to the CCF

Official guidance, including deletion or correction requests and the limits of the Commission's competence.

[13] United States Courts. Federal Rules of Evidence

Edition dated 1 December 2025. Rule 702, printed pages 15–16. US federal proceedings; state rules may differ.

[14] 365 ALTERAM. BALANCE 7 methodology

Firm description of its seven-stage methodology. Corporate source for the framework, not an external accreditation.

[15] 365 ALTERAM. For legal counsel

Firm description of instruction structure, phased scope and professional boundaries.

[16] 365 ALTERAM. Specialist expertise

Firm service descriptions and initial enquiry principles. Availability and personnel are confirmed in the accepted scope.

[17] 365 ALTERAM. Contact and initial enquiry protocol

Verified contact details and the published approach to initial enquiries and evidence intake.

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The practice illustrations are entirely fictional. No finding, admissibility decision, acquittal, sentence reduction, CCF outcome or other result is promised. References to regulators and professional standards do not imply endorsement, registration or accreditation of 365 ALTERAM.

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