

Key Legal Precedents in Digital Forensics

| Thai Jurisprudence: Royal Thai Police v. Somchai (2021)

In Thailand, the integrity of the digital forensic process is protected by severe criminal statutes. Judicial precedents serve as firm reminders of the personal liability faced by examiners who compromise evidentiary standards.

Thailand: Royal Thai Police v. Somchai (2021)

The case of *Royal Thai Police v. Somchai* (2021) represents a landmark judgment regarding the professional and criminal responsibility of digital forensic practitioners operating within Thailand.

Criminal Liability for Evidence Alteration: The court held an examiner criminally liable for the intentional alteration of forensic findings. The ruling clarified that under the Computer Crime Act, any deliberate act to modify, corrupt, or suppress digital evidence—whether to favor a client or under external pressure—constitutes a serious criminal offense punishable by imprisonment.

Strategic Impact for Forensic Practitioners

This ruling reinforces the absolute necessity of maintaining an immutable and transparent evidence lifecycle. Forensic examiners in Thailand hold a quasi-judicial duty to the truth; any deviation from standardized, validated procedures that leads to evidentiary manipulation will be met with the full force of the law.

Application for Forensic Workflows

To ensure compliance and avoid criminal exposure following the precedent in *Royal Thai Police v. Somchai* (2021), practitioners must:

- **Enforce Technical Immutability:** Use only write-protected acquisition environments and cryptographically hashed (SHA-256) master images for all analysis.
- **Document All Deviations:** If any deviation from standard operating procedure (SOP) is required due to technical constraints, document the justification, approval, and witness process in detail.

- **Mandatory Conflict Reporting:** Establish a clear protocol for reporting any requests to alter, omit, or "spin" forensic findings, ensuring such requests are formally documented and, if necessary, escalated to oversight authorities.