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## Porn charges dropped with Trojan horse defence

OUT-LAW News, 05/08/2003

**A man walked free from an English court last month, cleared of child porn charges, after experts found 11 Trojan horse programs on his computer. The Crown accepted that the malicious programs probably downloaded the 172 images over which he had been charged, according to press reports.**

Julian Green, 45, of Torquay, was arrested last November after police found the images of children on the hard drive of his computer. Over the following 9 months he spent one night in police cells, nine days in prison, lived in a bail hostel for three months, and lost custody of his daughter and possession of his house, both to his former wife.

With the help of Legal Aid, Mr Green was able to hire an expert to examine the computer. The expert established that 11 Trojan horse programs and one computer virus were present on the machine's hard drive, and that these were most likely responsible for the downloaded images.

A Trojan horse is a program that is installed onto a computer without the owner's knowledge, usually by deceiving the owner about what he or she is getting when opening an e-mail attachment or downloading a file from the internet. Once installed, the Trojan horse can carry out malicious acts such as destroying data or, as in this case, downloading illegal material from the internet.

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This is the second time that a Trojan horse has been successful as a defence. In April this year, Karl Schofield of Whitley walked free from court after prosecutors accepted that a Trojan horse was infecting his PC and had downloaded child porn onto his computer.

Mr Green told the Herald Express, "In cases like this it is not innocent until proven guilty, you are treated as guilty until you are proven innocent."

He continued, "All the time I was thinking I know 'I haven't done it but how can I prove it and how did these things get there'".

Mr Green added, "I certainly will not be having a computer in the future. I am selling mine as soon as I get it back."

### **How to protect your home computer**

Just as with office systems, this case demonstrates how important it can be to have up-to-date anti-virus software running on your home computer. With a broadband connection, a firewall is also essential. But the reason many individuals do not have these protections is usually cost - which is the same reason that major broadband providers do not bundle them as part of their packages.

However, free firewall and anti-virus systems are available.

A free **firewall** that can detect and remove Trojans is available from the Zone Alarm range of [Zone Labs](#).

Free **anti-virus** software is offered by [Grisoft](#), as version 6.0 of its popular AVG Anti-Virus range. [Click here](#) for the free download page.

**Note: these downloads are for non-commercial use only.**

See also:

- [Trojan horse defence results in child porn acquittal](#), OUT-LAW News, 25/04/2003

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