

**CASE NOTE:
THE NETHERLANDS**

CASE CITATION:
LJN BW 6444

NAME AND LEVEL OF THE COURT:
Almelo District Court

DATE OF DECISION:
22 May 2012

*Article 161sexies, paragraph 2 under a of the
Criminal Code, mobile telephone jammer*

The co-accused G booked a holiday home on the holiday park 'Buitengoed Lage Veld' in Hoge-Hexel. The accused and his co-accused moved into this holiday cottage, bearing no. 65, on 30 September 2011. On 2 October 2011 the holiday home was searched by the Examining Magistrate for the purpose of seizure. In the course of the search, the Examining Magistrate seized goods and documents which were hidden, including a telephone jammer. Upon investigation it emerged that this is a radio transmission device built and designed to disturb or disable mobile telephones, DCS and UMTS communication by transmitting broadband jamming signals within frequency bands used for this purpose. The use of such a device may cause general danger to the provision of services.

The accused was convicted and sentenced to a fine of €1,000 less the period spent in pre-trial detention.

This case report is by courtesy of the **Expertise Centre on Cybercrime**, and was first published in *Vertaalde Nieuwsbrief*, 2012, nr 3 (translated version)