

authors remain cautiously optimistic, concluding that the SCC's case law 'is evolving in a positive direction' (p. 181).

Part III of the monograph completes the picture by reviewing the application of the Charter by the Slovak Supreme Court and other courts of general jurisdiction. It focuses on the role of the Charter in references for preliminary ruling (p. 186), the use of the Charter in view of its interpretative and review functions (p. 204) and the application of Article 47 of the Charter – the right to an effective remedy and to a fair trial – which is the provision most often cited by Slovak courts (p. 220). The analysis of the case law reveals that Slovak courts have been struggling to assess the applicability of the Charter, let alone giving full effect to Charter rights (see pp. 207–208). One is left with an impression that the difficulties stem from insufficient respect of Union law in general – rather than being Charter-specific – which is notably demonstrated by the Supreme Court's rather offhand attitude to the preliminary ruling procedure (pp. 222 *et seq.*). In brief, what emerges is a lack of method rather than principled resistance of Slovak courts to the Charter.

The outcomes of the research allowed the authors to formulate a set of specific and practice-oriented recommendations (Part IV) addressed not only to Slovak courts, but also to legal professionals in general. Regarding the latter, it is argued that part of the problem lies in the poor quality of their applications initiating proceedings: they often refer to the Charter only in passing, without justifying its applicability to the matter at hand (p. 250). This demonstrates well one of the strongest points of the monograph: the discussion pays due regard to practical considerations of judicial decision-making. The authors are also very successful in unravelling some of the complexities of fundamental rights protection in Europe and identifying many questions that remain unanswered, particularly the corrective – or disruptive – potential of national identity protection as enshrined in Article 4(2) of the Treaty on European Union.

All in all, the book under review offers us an insightful analysis of the Charter's application by Slovak courts, whose relevance is by no means confined to the Slovak judicial context. As it has been translated into English, the monograph will no doubt find a large international readership, and rightly so.

Richard Král*
Petr Mádr**

Larry Daniel. Cell Phone Location Evidence for Legal Professionals. Understanding Cell Phone Location Evidence from the Warrant to the Courtroom. Elsevier, 2017, 102 pp.

As the title suggests, this book addresses needs of legal professionals to understand possibilities and constraints in acquiring evidence about whereabouts of a cell phone. The book was written by a computer forensic expert Daniel Larry who has a vast experience in working in the area of law and perceives the need non-technical specialists as well as general public to uncover the secrets behind communication technologies. He was able to simplify complex operation of telecommunication networks and reduce the important information into a few pages in each chapter. All of the chapters are easily readable as well as illustrative and practical.

The first four chapters provide a comprehensible overview of how a cellular phone network works. Initially, the functioning of a cell phone and a smart phone is introduced together with information

* Prof. JUDr. Richard Král, LL.M., Ph.D., DSc., Faculty of Law, Charles University, Prague, Czech Republic

** Mgr. Petr Mádr, Ph.D. candidate at the Department of European Law, Faculty of Law, Charles University, Prague, Czech Republic

about several common misconceptions regarding monitoring a cell phone, Next, cell towers and principles of their operation including its capacities are described. The third chapter provides an overview of the wireless telephone system, outlines how it is interfaced with plain old telephone system, and specifies how location registers and roaming work. The fourth chapter describes the process of making a phone call including registration of a phone call and the process of connecting to another phone.

After the general introduction of how cellular phone networks works, the author devotes chapters five and six to summarize which types of cell phone location data can determine the location of a cell phone and up to which degree, explains what information can be derived from cell detail records, and points out which key issues of call detail records need to be treated with special attention.

The next two chapters are very practical. Chapter seven provides the reader with advice on how to obtain call detail records and cell tower records and gives special instructions for collecting the data through a subpoena as well as from the opposing party during the discovery process. Chapter eight describes manners in which cell phone location is presented at courts and suggests the best practice for creating maps of coverage areas for the jury.

Last three chapters are devoted to specific problems related to cell phone location. Chapter nine is getting more technical than previous chapters. It depicts manners in which a cell phone could get located on the basis of call detail record analysis, including possible obstacles of such analysis. The chapter highlights how information could get misinterpreted.

Chapter ten describes a method called drive testing that is used by telephone companies to determine coverage of their network and suggests how data from such test drives could be used as evidence in locating a cell phone. Chapter eleven focuses on “precision location” data and illustrates constraints of such data. The final, twelfth chapter outlines how the emergency 911 system can locate a phone.

In general, the book is a good start for anyone who wants to grasp the very basics of how cell phone location works and how it can be used and well presented as evidence at court. The author also comes up with practical advice on how to obtain and analyze certain types of data. The book is especially practical for American audience as it set in the context of the U. S. law. Readers should also note that commercially available location based services that primarily use an Internet connection for localizing a phone are not described in the book.

Alžběta Krausová*

Prague Law Working Papers Series No III/2017 – New issue of Charles University in Prague Faculty of Law Research Papers

The new issue of Prague Law Faculty’s open source electronic periodical offers a set of working papers on various topics. The following provides a general outline of their content. Their full versions can be downloaded free of charge from <http://www.prf.cuni.cz>

Václav Šmejkal contributed an article titled **Comparing CJEU Approaches to Clashes of Social Partners’ Collective Bargaining with Internal Market Freedoms and Competition Rules**. His paper builds on the fact that the EU Court of Justice (CJEU) approach to solving cases of clashes of collective bargaining with the freedoms of the internal market is noticeably different from how the same Court resolves clashes of collective bargaining with the rules of economic competition. This difference has been the subject of disputes before the CJEU, but to date it persists despite the tensions that it raises

* Mgr. Alžběta Krausová, LL.M. Doctoral student at the Institute of Law and Technology at the Faculty of Law, Masaryk University, Brno, Czech Republic. Researcher at the Institute of State and Law of the Czech Academy of Sciences, Prague, Czech Republic