Net crimes solvable, says expert
The Australian
DECEMBER 03, 2004

THE internet may not be the haven for high tech crime that it seems, an Australian criminologist believes.

Though solving these crimes may seem akin to achieving world peace, Australian Institute of Criminology director Russell Smith said significant steps had already been taken.

However, computer crime remains technically difficult to investigate and there were many unresolved legal and practical problems.

In a paper released by the institute today, Dr Smith outlined seven barriers to the successful investigation of cross-border high tech crime.

The first is simply identifying suspects who can readily hide behind the anonymity of cyberspace.

Then when suspects are identified there is the problem of extradition.

US investigators identified the person responsible for the release in May 2000 of the devastating Love Bug virus as a Filipino student who could not be touched simply because what he did was not illegal in the Philippines.

Another problem is in choosing which jurisdiction in which to prosecute when offences are committed in various countries.

When investigators do pinpoint the offending computer, they face the legal and technical problem of how to seize evidence.

When investigators do get to examine data, they may find it encrypted and totally unreadable unless the suspect chooses to divulge the decryption key. Breaking encryption codes is regarded as time consuming and costly for all but the most serious cases.

Dr Smith said international investigation often made use of mutual assistance treaties but the official diplomatic channels often involved weeks and months of delay.

Another problem is that investigators on different sides of world are working in completely different time zones.

"How then can these problems be overcome," Dr Smith said.
"The solutions lie in harmonising laws and procedures globally, improving the technical capabilities of investigators and finally in sharing information between public and private sector investigators to enhance international cooperation."

Dr Smith said the process of harmonising laws had already started with the adoption of the UN convention against transnational organised crime and the convention on cybercrime.

He said there was a need for improving technical capabilities of investigators and one possible solution was to share the burden across public and private sector agencies.

AAP

This report appears on australianIT.com.au.