8 Identity-Related Crime and Forensics

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Summary. With the ever-increasing importance of identity and identity management in the information society, identity-related crime is also on the rise. Combating crimes like identity theft and identity fraud, not in the least with the help of identity forensics, is a key challenge for policy makers. This chapter aims at contributing to addressing that challenge. It summarises the findings of five years of FIDIS research on identity-related crime and identity forensics. A typology is given of the various forms of identity-related crime. After an analysis of relevant socio-economic, cultural, technical, and legal aspects of identity-related crime, potential countermeasures are discussed. We then move on to forensic aspects, with a critical analysis of pitfalls in forensic identification and case studies of mobile networks and biometric devices. Next, forensic profiling is discussed from a wide range of perspectives. The chapter concludes with lessons drawn from the five years of FIDIS research in the area of identity-related crime and forensic aspects of identity.

8.1 Introduction

This chapter summarizes the findings of five years of FIDIS research on identity-related crime and identity forensics. We present the insights gained into the various forms in which identity-related crime can take place, and analyze their socio-economic, technical, and legal aspects. We then move on to identity forensics, with a critical analysis of pitfalls in forensic identification, and forensic profiling.

In the past five years of FIDIS research, we have moved forward significantly in our understanding of the concepts, tools, and legal aspects of identity crimes

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and forensics. At the same time, we observe that the field is moving fast, and that key challenges lie ahead to keep up with developments in technology and society. With the ever increasing importance of identity and identity management in the information society, it is clear that combating identity-related crime, not in the least with the help of identity forensics, is a key challenge for policy makers. This chapter aims at contributing to addressing that challenge.

8.2 Identity-Related Crime

8.2.1 The FIDIS Taxonomy of Identity-Related Crime

The importance of identity in the online world is clear and so is the fact that digital identities give rise to identity-related crime. Far less clear is the wide range of crimes that can be committed in relation to identity. Identity ‘theft’ or fraud is actually only one instance of the multi-faceted category of identity-related crime. Moreover, it is also not at all clear what exactly constitutes ‘identity “theft”’ or ‘identity fraud’. This lack of precision becomes especially apparent when comparing the various official and media reports on these topics. Not often are definitions provided, even though statistics play a role in politically motivated discussions and policy decisions, for example, to introduce ID cards. Commonly accepted definitions are also lacking in literature. This means that we are at the stage where comparisons of apples and oranges abound making it virtually impossible to determine the real incidence of identity-related crimes.

Thus, in order to assess the nature and magnitude of identity-related crimes, and to be able to discuss how they can be combated, we first need to understand the various phenomena captured under the umbrella term ‘identity-related crime’. Paramount to this understanding are clear definitions and a typology of identity-related crime. FIDIS has developed a comprehensive taxonomy of identity-related crime, as a basis for further research and policy on combating identity crimes.

To our knowledge, such a comprehensive framework is a novelty. Sproule & Archer (2006) provide useful classifications, and De Vries et al. (2007) propose a definition of identity fraud based on an extensive literature review, but these are too narrow because they pay little attention to types like identity deletion and consensual forms of identity fraud, which are part of the identity-related crime landscape.

Categories of Mismatches Between Identifier and Identity

To understand the nature of identity-related crime, it is useful to realize that there are lawful and unlawful cases where some kind of mismatch occurs between identifier and identity. Publishing under a pseudonym, for instance, is a widely accepted practice; impersonating one’s neighbour to empty her bank account without her consent is not. A taxonomy should therefore include categories of mismatches between iden-