# Comments on the Government's Report on Computer Related Crime


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# Introduction:

- As the number of global Internet users increases (more than 200 million today), and
- As e-commerce volume increases (about US$400 billion in 1999 and will increase to US$1.3 trillion by 2002, and $2.78 trillion by 2004)
- Computer related crime is bound to increase

- Situation is not very serious in Hong Kong yet but it will get worse before it gets better
- Reported cases is only a fraction of the actual cases
- E-commerce will not really take off unless companies and the public believe it is safe to conduct commercial activities on the Internet

- A good legal framework on computer crime to help law enforcement agencies investigate and bring charges while protecting privacy will go a long way in instilling confidence

- Security Bureau's Report of Interdepartmental Working Group on Computer Related Crime is a step in the right direction.

- **Legislation is a compromise among three sometimes conflicting factors:**
  - **Facilitating investigation**
  - **Privacy issues**
  - **Cost to the service providers and public**

# Premises:

- The Information Security and Forensics Society is a society for computer security and forensics professionals. As such, any measure that makes computer crime investigation easier is welcome.
- As a university professor, I need to consider the needs of the public and the service providers.

While the Government can put through new legislation to better define what constitutes computer related crime and to make gathering evidence easier, ISFS believes it is just as important, if not more important, to take actions to prevent computer crime.

**In fighting computer crime, we would like to make the following comments:**

- **Privacy is a very complicated and sensitive issue. More studies should be made before enacting laws that may infringe on the privacy of individuals.**
- **Data flowing in the network should be protected by the Personal Data Ordinance, much like information in sealed letters.**
- **If people feel privacy of data in transit and storage are not sufficiently protected, Internet usage will not reach its potential.**

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- Computer crime investigation would be easier with the corporation of ISPs and Web hosting companies.
- If their staff have computer forensics skills some evidence could have been preserved.
- Similarly, it would help if ISPs and Web hosting companies maintain some minimal security standards and procedures.
- Denial of Service attack will become common and deserves explicit treatment.

- Private sectors and academics should be encouraged to collaborate with law enforcement entities in establishing industry-best practices acceptable in court, and to define issues and solutions in fighting computer crime.

- The Government should expedite setting up a Government Computer Forensics Lab. It would be beneficial to leverage the expertise in the local universities.

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**On the preventive side, education is key:**

- **The Government should step up promotion of security awareness to the public and SMEs**
- **There is a grave shortage of information security experts in Hong Kong and even more so in the field of computer forensics. This is indeed a worldwide situation.**
- **Universities should be encouraged to offer courses and programmes in these areas.**

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- ISFS is offering a computer forensics training programme jointly with the Hong Kong University of Science and Technology, and we will be happy to work with other universities to do the same.

Thinking ahead:

- The Internet has become a critical infrastructure and affects or will affect much of our daily life.
- More and more of our critical operations are computerized and linked together by the Internet.

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- Examples include banking; telecommunications, air traffic control; stock trading; electricity, gas and water supply and production.
- Soon, education; road traffic control; many government services ; many company operations will be reliant on computers and the Internet.
- The Government should develop strategic plans to deal with failures due to sabotage or accidents.

## Conclusions:

- The report is a big step forward.
- The law enforcement agencies, the ISPs, the web hosting companies, the public, academics and private sectors must work together to combat computer related crimes
- Some sacrifices would have to be made by all: cost of usage, privacy, and perhaps inconvenience

- **This is a price we need to pay, for the consequence of not doing so is grave – Hong Kong will be left behind in the information age. Our companies will lose competitiveness, our education and quality of life will suffer. It will adversely affect all of us.**