

Identify theft is an act where criminals either misuse an existing bank account, open a new bank account in someone's name or misuse personal information for fraudulent purpose like renting an apartment, applying for government benefits etc. Whilst the first two attack scenarios clearly target the monetary assets of a victim, the last attack scenario is targeting a bright variety of potential items a criminal wants to obtain or disrupt. A large portion of stolen identities are obtained by hacking websites, corporate networks, or hospital networks. By hacking those websites or networks the criminals obtain in some cases information such as credit card details, social security number, address, phone number, login credentials, medical records, etc. (Bureau of Justice Statistics, 2018) (ENISA, 2020), (ENISA, 2020)

In case a German corporation is hacked, and it wants to investigate, the General Data Protection Regulation GDPR however adds burden to this investigation, since a processing of any personal information needs prior consent from the owner of this information. If a company for example has not obtained the permission to do this while collecting the data, this must now be done, which will consume time or will lead to the fact if too many people do not respond to this request or respond with a no to this request, that the investigation cannot take place. (Umhoefer, 2018), (EUROPEAN PARLIAMENT, 2016)

Another element of the GDPR that limits investigation is the fact, that processing is limited to data that is relevant for this processing. This means that prior any investigation, you must identify the relevant portion of the private data and filter the non-relevant data out before you conduct any data analysis. This clearly adds another step to the process, which essentially is another hurdle for an investigation that in some cases might lead to the fact that an investigation is not conducted. (Umhoefer, 2018), (EUROPEAN PARLIAMENT, 2016)

Lastly the GDPR asks that data is safeguarded. This leads to the fact that any private data that is forwarded to investigation must be access controlled and appropriately secured while storing, sending, or processing. Those requirements add another significant burden to anyone conducting the investigation. This again might lead in some cases to the fact that investigations are not conducted. (Umhoefer, 2018), (EUROPEAN PARLIAMENT, 2016)

The afore mentioned problems of the GDPR have several solutions like using the right tools and hire the right people. All those solutions however have in common that an additional number of resources is consumed, that must be paid for. But if you look on the damages of identify theft in EU for example, you can see that the average cost of credential theft (~470 EUR / case) alone is a very significant amount. This amount is likely to motivate companies to not shy back from the additional burden the GDPR implies, but to put effort in the investigation of those crimes to either arrest and sue the criminal for damages or to learn from the patterns the criminals used to build better defense mechanisms and solutions despite the resources they have to spend. (Bureau of Justice Statistics, 2021), (Warwick, 2014), (ENISA, 2020), (EUROPEAN PARLIAMENT, 2016)

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