



“Mutual assistance in accessing stored computer data”

PJ Louw 26 March 2014
Dakar Senegal

Strong commitment to international cooperation

RSA Strength: Good relationship with ISP despite the perceived lack of legal mandate of the 24/7 network. Legal process in RSA must be followed

Importance of making a success of all the efforts to combat cybercrime and improve cyber security

“Everybody has a plan until they get punched in the face” – Mike Tyson

RSA crime threat:

“*Cyber heists*” and counterfeit cards a problem

- Since 2008: only **7** requests for access to **stored computer data: officials were encouraged to make use of 24/7 network**
- **Last 3 months an increase in requests by SA prosecutors**

Recent Case study 419 case:

- **Good reaction from USA**
- **SA Prosecutor wrote: “*Thank you again for unbelievable swift service*”**

**Example of response from
ISP to request of foreign
country for access to store
computer data**

I am in receipt of your email. After investigation we found that the IP address provided is utilised by one of our clients. The hosting service we provide is for a TruServ™. This solution is ideal for those with server management experience. XXXXX's powerful hardware platform gives the flexibility to create any type of server environment and manage it yourself, with full Root/Administrator access and Server Recovery tools (<http://www.xxxxxx.co.za/dedicated-servers>). Because of the fact that the client manages the server themselves, **we do not have access to the information on the server and cannot preserve any of the information without alerting the client.** Upon the receipt of the appropriate court order, we will be able to:

- * mirror the disks
 - * this will take approximately 20 hours and the client will be aware of the fact that the disks are being mirrored.
- * remove the disks
 - * this will power down the server and once again alert the client.

Please let us know how you would like to proceed

**Other experiences: International
cooperation since 2001:
transnational organised crime**

Many examples:

**Collaboration/partnership between
law enforcement agencies in the
past to assist victims abroad in the
past**



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About us



The South African Reserve Bank is the central bank of the Republic of South Africa. The Bank was established in 1921 in terms of a special Act of Parliament, the Currency and Bank Act of 10 August 1920 (the Act) and was the direct result of the abnormal monetary and financial conditions which had arisen during and in the period immediately following World War I.

Our mission & vision

The South African Reserve Bank is the central bank of the Republic of South Africa. It regards its primary goal in the South African economic system as *"the achievement and maintenance of financial stability"*.

The South Africa Reserve Bank is convinced that it is essential that South Africa has a growing economy based on the principles of a market system. The Bank's primary responsibility is to ensure that the financial system meets the needs of the economy and to pursue a sound monetary policy.

Our functions

The Reserve Bank's primary responsibility is to ensure that the financial system meets the needs of the economy and to pursue a sound monetary policy. The Reserve Bank is also responsible for the implementation of the monetary policy decided by the Council of the Reserve Bank.

Background

The way in which the Reserve Bank is financed is determined by the allocation of funds among the governors.

Overview of departments

The South African Reserve Bank has fifteen departments which report to either the Governor or the deputy-governor and a college for the

Example of a fake website used to defraud victims outside RSA

Monday September 5 2005



SOUTH AFRICAN GOVERNMENT ACCREDITED ATTORNEYS



This web page will serve as a

The government of the Republic of South Africa with effect from the 2nd of January 2003, passed into law registration/ accreditation of Attorney's who are to seek representations on behalf of their clients in any government department, ministry or Parastatal.

This was done to preserve credibility of Attorneys who have been doing good business with the South African government and to create a sustainable standard in this area of the legal profession

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**Criminals live in affluent neighbourhoods.
Their assets seized to compensate victims**

financial information as an investigative tool



Lesson to be learnt:

- Old fashion investigating techniques always relevant
- Modern approach to **incident management**: must have a knowledgeable team available to react to a crime incident and apprehend the bad guy within hours rather than weeks or months
- Do **pro-active investigations** rather than historic investigations. **But we need international cooperation**

**Two examples of cases where
lack of international
cooperation hampered the
course of justice**

Low Tech method

Bulk cash smuggling of
proceeds of (cyber)crime





**LACK INTERNATIONAL
COOPERATION SOMETIMES
HAMPERED INVESTIGATIONS IN
ORDER TO REBUT EXCULPATORY
VERSION OF THE SMUGGLERS
OF BULK CASH.**

example of public/ private partnership

DATA PROVIDED BY PRIVATE
SECTOR TAKEN FURTHER BY
Police solved 9 cases **one
criminal with 6 different
identities BUT** co-conspirators
abroad remained at large

**Cell phone
Banking and
phishing -
Case study**



- **Solved a case with aid of private sector**
- **We needed to follow through and arrest members of organised criminal group abroad**



Last message:

*“The future was yesterday for some of us. Don't tell us what you are going to do & for how much. **Tell us what you have done**” –*

A tweet from London conference on cyberspace – 1 November 2011

Message: Despite challenges and imperfections we should make things happen.

- ***“The bottom line is to make sure that there are consequences for criminal cyber actions and similar consequences everywhere. The bad guys need to know there is no free ride”***

Christopher Painter,

A close-up photograph of a person's hands in silver metal handcuffs. The hands are positioned palm-down, with fingers slightly curled. The background is a plain, light-colored surface. The text "The End" is overlaid in the center of the image.

The End