

**A CRITICAL DISCUSSION OF THE INVESTIGATION PROCESS OF
IDENTITY THEFT WITHIN A CORPORATE ENVIRONMENT**

by

CHARL JOHANNES NAUDE

Submitted in part fulfilment of the requirements for the degree

MAGISTER TECHNOLOGIAE

in the subject

FORENSIC INVESTIGATION

at the

UNIVERSITY OF SOUTH AFRICA

SUPERVISOR: DR JS HORNE

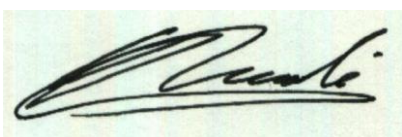
JANUARY 2019

DECLARATION

“I, Charl Johannes Naude, student number 7876769 hereby declare that A Critical discussion of the investigation process of identity theft within a corporate environment is my own work, and that all the sources that I have used have been indicated and acknowledged by means of complete references.

I further declare that I submitted the dissertation to originality checking software and that it falls within the accepted requirements for originality.

I further declare that I have not previously submitted this work, or any part of it, for examination at Unisa for another qualification, or at any other higher education institution”.

A handwritten signature in black ink, appearing to read 'Charl Naude', is centered on a light green rectangular background.

CHARL JOHANNES NAUDE
30/01/2019

ACKNOWLEDGEMENTS


I wish to express my gratitude to the following people for their contribution to this mini-dissertation:

- My supervisor, Dr Juanida Horne, for her support and guidance;
- My wife Sonja and son Charl;
- My parents Pieter and Magda Naude;
- MTN and Cell C, for their permission to conduct this research;
- Marlette van der Merwe, for editing this dissertation;
- Everyone else who helped me with this study, I thank you all, including those I have not mentioned by name.

CONFIRMATION OF LANGUAGE EDITING

28 January 2019

I, Marlette van der Merwe, hereby certify that the text and list of references of the master's dissertation (Unisa) titled "A critical discussion of the investigation process of identity theft within a corporate environment," by Charl Johannes Naudé have been edited by me, according to the Unisa School of Criminal Justice Standard Referencing Guide (2018 version).



Marlette van der Merwe
BA (English) HDipLib (UCT)

ABSTRACT

The researcher's goal in this research was to identify a need on how the investigation process of identity theft should be performed within a corporate environment. The researcher noticed the dramatic increase in cases of identity theft during 2014 while working at Nashua Mobile as the Risk and Fraud Manager, and daily liaising with MTN and Cell C. The research was completed by conducting a literature review and face-to-face interviews with MTN and Cell C forensic investigators.

The aim of this research was to determine how the investigation process of identity theft should be performed within a corporate environment. The investigator needs to know how to maintain the chain of evidence and submit evidence in court for successful prosecution. Although the research focused on the telecoms industry, the study appears to be instrumental in all types of organisations that are prone to identity theft.

KEY TERMS

Identity Theft, Investigation, Detective, Investigator, Forensic Investigation, Corporate Environment.

TABLE OF CONTENTS

DECLARATION	i
ACKNOWLEDGEMENTS	ii
CONFIRMATION OF LANGUAGE EDITING	iii
ABSTRACT	iv
KEY TERMS	iv
TABLE OF CONTENTS	v
LIST OF TABLES	viii
LIST OF FIGURES	ix
ABBREVIATIONS	x
1. CHAPTER 1: GENERAL ORIENTATION	1
1.1 INTRODUCTION	1
1.2 PROBLEM STATEMENT	2
1.3 AIM OF THE RESEARCH	3
1.4 PURPOSE OF THE RESEARCH	3
1.4.1 Evaluation of the situation	4
1.4.2 Exploration	4
1.4.3 Applied research.....	5
1.4.4 Empowerment of those being researched	5
1.5 RESEARCH QUESTIONS	5
1.6 DEFINITION OF KEY TERMS.....	5
1.6.1 Identity theft.....	6
1.6.2 Investigation	6
1.6.3 Detective	6
1.6.4 Investigator	6
1.6.5 Forensic investigation.....	6
1.6.6 Corporate environment.....	6
1.7 METHODOLOGICAL FRAMEWORK OF THE STUDY	7
1.7.1 The post positivist worldview	7
1.7.2 The constructive worldview	7
1.7.3 The transformative worldview	8
1.7.4 The pragmatic worldview	8
1.8 RESEARCH APPROACH AND DESIGN	8

1.8.1	Empirical design	9
1.8.2	Qualitative approach.....	9
1.9	TARGET POPULATION	9
1.10	SAMPLING	11
1.11	DATA COLLECTION	11
1.11.1	Literature study.....	11
1.11.2	Interviews	12
1.11.3	Personal experience.....	14
1.12	DATA ANALYSIS	15
1.13	METHODS TO ENSURE TRUSTWORTHINESS.....	16
1.13.1	Credibility.....	17
1.13.2	Transferability	18
1.13.3	Dependability.....	19
1.13.4	Confirmability.....	19
1.14	ETHICAL CONSIDERATIONS	19
2.	CHAPTER 2: INVESTIGATION OF IDENTITY THEFT	22
2.1	INTRODUCTION	22
2.2	CRIMINAL INVESTIGATION.....	23
2.3	FORENSIC INVESTIGATION	25
2.4	THE OBJECTIVES OF INVESTIGATION	28
2.5	IDENTIFICATION.....	30
2.6	INDIVIDUALISATION	32
2.7	EVIDENCE	33
2.7.1	Indirect or circumstantial evidence	33
2.7.2	Testimonial evidence.....	33
2.7.3	Documentary evidence.....	33
2.7.4	Real evidence.....	34
2.7.5	Direct evidence.....	34
2.8	IDENTITY THEFT.....	35
2.9	ELEMENTS OF IDENTITY THEFT	39
2.10	DIFFERENT TYPES OF IDENTITY THEFT	43
2.11	OBJECTIVES OF IDENTITY THEFT INVESTIGATION.....	46
2.12	INVESTIGATION STEPS OF IDENTITY THEFT	48

2.13	INVESTIGATION OF IDENTITY THEFT IN THE CORPORATE ENVIRONMENT	53
2.14	BEST PRACTICE TO FOLLOW IN IDENTITY THEFT INVESTIGATION	61
2.15	SUMMARY	68
3.	CHAPTER 3: FINDINGS AND RECOMMENDATIONS	70
3.1	INTRODUCTION	70
3.2	FINDINGS	71
3.2.1	Criminal investigation and forensic investigation	71
3.2.2	Objectives of investigation	71
3.2.3	Identification	72
3.2.4	Evidence.....	72
3.2.5	Identity theft.....	73
3.2.6	Different types of identity theft	73
3.2.7	Elements of identity theft	74
3.2.8	Objectives of identity theft investigation.....	74
3.2.9	Investigation steps of identity theft.....	75
3.2.10	Investigation of identity theft in the corporate environment.....	75
3.2.11	Best practice to follow in identity theft investigation.....	76
3.3	RECOMMENDATIONS	77
3.4	CONCLUSION.....	79
	LIST OF REFERENCES	80
	CASE LAW	88
	ATTACHMENTS	89
	ATTACHMENT A: COPY OF THE INTERVIEW SCHEDULE	89
	ANNEXURES.....	92
	ANNEXURE A: LETTER OF APPROVAL TO CONDUCT RESEARCH FROM MTN	92
	ANNEXURE B: COPY OF PERMISSION FROM CELL C	94
	ANNEXURE C: COPY OF UNISA ETHICAL CLEARANCE	96
	ANNEXURE D: TURNITIN DIGITAL RECEIPT	98
	ANNEXURE E: PRO-FORMA ID THEFT AFFIDAVIT	99
	ANNEXURE F: SAMPLE DISPUTE LETTER.....	103
	ANNEXURE G: SAMPLE DISPUTE LETTER TO EXISTING ACCOUNTS	104

LIST OF TABLES

Table 2.1:	Participants' definition of criminal investigation	24
Table 2.2:	Participants' definition of forensic investigation	26
Table 2.3:	Participants' opinion of the objectives of investigation	29
Table 2.4:	Participants' understanding of identification	31
Table 2.5:	Participants' definition of evidence	34
Table 2.6:	Participants' definition of identity theft	38
Table 2.7:	Participants' opinion of the elements of the crime of identity theft.....	42
Table 2.8:	Participants list the different types of identity theft.....	45
Table 2.9:	Participants' opinion of the objectives of investigating identity theft.....	47
Table 2.10:	Participants' description of investigation steps of identity theft.....	51
Table 2.11:	Participants' understanding investigating identity theft in the corporate environment	56
Table 2.12:	Investigation of identity theft in the corporate environment.....	57
Table 2.13:	Participants' suggestions on best practices to follow in an identity theft investigation.....	66

LIST OF FIGURES

Figure 2.1:	Definitional model of identity theft	36
Figure 2.2:	Definitional model of elements of a crime.....	40
Figure 2.3:	Definitional model of objectives of fraud investigations	46
Figure 2.4:	Conceptual framework of identity theft investigation process	60
Figure 3.1:	Conceptual framework of identity theft investigation process	78

ABBREVIATIONS

ATM	Automated Teller Machine
CEO	Chief Executive Officer
IACP	International Association of Chiefs of Police
MFPD	Menomonee Falls Police Department
MTN	Mobile Telephone Network
PWC	PricewaterhouseCoopers
SA	South Africa
SABRIC	South African Banking Risk Information Centre
SAFPS	South African Fraud Prevention Service
SAPS	South African Police Service
UK	United Kingdom
UNISA	University of South Africa
USA	United States of America

CHAPTER 1

GENERAL ORIENTATION

1.1 INTRODUCTION

“I have stolen credit cards, hacked social security numbers, robbed banks and created fake ATMs. I have broken into armed government facilities and have stolen from teenagers. I am an identity thief, but I am no criminal” (Stickley, 2009:ix).

Identity theft is a real and insidious problem in South Africa, and consumers have to be aware that the onus of proof lies with them to prove the contrary. In 2008, the South African Fraud Prevention Service (SAFPS) reported that identity theft in South Africa (SA) could exceed R1bn in annual losses, while some estimate the United Kingdom’s (UK) identity theft at £1.7bn per annum as noted by Alfreds (2013).

Despite the safeguards and balances at government and private institutions, if identity theft occurs, the responsibility lies with the individual to prove that a particular organisation is accountable. The investigator needs to establish extraordinary methods and techniques in order to obtain the relevant evidence to secure a conviction of the person involved, beyond a reasonable doubt. The investigator needs to adequately analyse the modus operandi, place, time, what happened, and the technique that was used to commit the identity theft. Assessment and analysis go hand in hand with experience, knowledge and experienced investigators, which will help with solving the identity theft (Joubert, 2013:101).

According to Kalayani Pillay, CEO of Sabric (Pillay, 2015), the poor skills of law enforcement agents and the prosecuting authorities have resulted in criminals getting away with the crime of identity theft. As a forensic investigator, one needs to understand the crime's nature, as well as what evidence to submit to court to prove the person guilty.

1.2 PROBLEM STATEMENT

The researcher must have a clear picture of the path of the research study before conducting or designing a research study (De Vos, Strydom, Fouche & Delport, 2011:79). The centre of every research project is the problem, as it is principal to the success of the research (Leedy & Ormrod, 2015:45). In other words, a problem statement should be such that it should be experienced and tested through the collection of data. A problem statement should inform the reader, in as few words as possible, of the planning and the research itself (Brynard & Hanekom, 2013:16). Marshall and Rossman (2011:59) indicated that qualitative research can also be based on the experience of the researcher. The researcher has experience in assessing internal controls in policies and procedures to detect and investigate identity theft. Due to this experience and the search for further knowledge, the researcher was compelled to conduct this research.

The problem statement was first expressed with extreme exactness and then delineated into more practicable sub-problems. After the research problem was identified, the researcher gathered all relevant data to resolve the problem. In 2014, while working at Nashua Mobile as Risk and Fraud Manager, during the performance of his daily duties and liaising with Auto Page, the researcher noticed a dramatic increase in cases of identity theft.

The nature and impact of identity theft needs to be understood, as well as how identity theft can be detected and prevented, and what measures can be taken to both assist victims and apprehend and prosecute offenders. While compiling his quarterly reports, at Nashua Mobile Head Office, the researcher noticed a dramatic increase of cases of identity theft. When conducting research on the Internet, the researcher found information from media reports, government reports and assessments, and also academic literature, on identity theft that was listed in the United States of America (USA), but which reflects, to varying degrees, the South African situation. One underlying premise is that South Africa can learn from the experiences of the USA and the United Kingdom (UK).

While working at Nashua Mobile a cellular service provider as the Risk and Fraud Manager, the researcher randomly selected reported cases of identity theft in which the suspects were not identified. He found that the following factors were lacking during the investigation process: how to identify suspects, lack of training on how to investigate identity theft, unprofessional conduct, and also inexperienced and unskilled investigators. An investigator needs to know how to maintain the chain of evidence and submit evidence in court for a successful prosecution.

The researcher identified a need to conduct research on how the investigation process of identity theft should be performed within a corporate environment, in order to make this information available and which could be included in training manuals in the corporate environment.

1.3 AIM OF THE RESEARCH

The research aim is one of the most important attributes of research (Oliver, 2013:102). The research aim essentially expresses what one wants to learn from the research being conducted (Oliver, 2013:102). The research aim stipulates and operationalises the focus.

To draw a conclusion is the main aim of the research, which may have regional, national or universal application, dependent on the chosen illustrations (Khan, 2008:75). The aim of research is something planned or done. The research aim was to determine how the investigation process of identity theft should be performed within a corporate environment (De Vos et al., 2011:94).

1.4 PURPOSE OF THE RESEARCH

The researcher needs to indicate in his purpose statement why they want to conduct the study, and what is intended to achieve (Locke, Spirduso & Silverman, 2013:22). Babbie (2013:92), Creswell (2014:124) and Singleton and Straits (2010:107) define the purpose of research as exploration and empowerment.

According to Lichtman (2014:38), the research purpose can be explained as the exploration attempt to develop an internal understanding of something. Although

empowerment can be described as individuals gaining control of their lives and satisfying their requirements as a result of their development capabilities, talent and abilities to take part in their political and social worlds.

The researcher should outline the purpose of the project by mentioning whether the project is examining, expressive, descriptive, investigative or predictive (Singleton & Straits, 2010:107). The research purpose was to determine how the investigation process of identity theft should be performed within a corporate environment. There should be a reason for conducting the research; it serves many purposes, such as describing problems and explaining things. Applications can be analysed and evaluated, or existing procedures can be improved. Research serves many purposes, such as application, explanation, description, and exploration (Denscombe, 2010:11 and Leedy & Ormrod, 2013:140). Throughout this research, the researcher focused on empowerment, application and exploration. The researcher defined the following purpose of this research:

1.4.1 Evaluation of the situation

The research was conducted on and about investigators. The researcher evaluated techniques investigators are using during the investigation process of identity theft (Denscombe, 2010:11 and Leedy & Ormrod, 2013:140). The researcher established how identity theft investigations were being performed within a corporate environment, and strove to provide guidelines, procedures and best practices which could be used during the investigation of these crimes.

1.4.2 Exploration

Discovering new information, and information that did not exist before, was the main purpose of conducting the research (Denscombe, 2010:11 and Leedy & Ormrod, 2013:140). The researcher explored how local investigators investigate identity theft in the corporate environment, and thus read extensively to explore how these investigations are conducted. New information was found by the researcher that addresses the identified problem and could be used in this study.

1.4.3 Applied research

One of the purposes of research is to solve the research problem and improve the procedures (Denscombe, 2010:11 and Leedy & Ormrod, 2013:140). New knowledge was applied by the researcher, from both national and international practice, and he made recommendations for developing best practices regarding the process to investigate identity theft in the corporate environment.

1.4.4 Empowerment of those being researched

This research is directed at investigators in the corporate environment, and their knowledge of identity theft investigation. This research will empower his own skills and provide investigators with guidelines obtained during this study that can be used to create and improve training manuals on the process of identity theft investigation in the corporate environment.

1.5 RESEARCH QUESTIONS

To ask a good question is the beginning of good research (Leedy & Ormrod, 2013:29) – a question that, ideally, no one else has ever thought of asking. Research questions may address emerging of themes from examining the research topic, and the research questions may also be based on a body of existing literature (Creswell, 2014:20). This research was conducted to provide a discussion of the investigation process of identity theft within a corporate environment.

The research question under investigation is the following:

- What does the investigation of identity theft in the corporate environment entail?

1.6 DEFINITION OF KEY TERMS

Creswell (2014:44) points out that to help the researcher understand the research problem and question or hypothesis in the study, a term may require a definition. The definition section in a dissertation provides an opportunity for the researcher to be specific about the terms used in the study. The researcher is expected to use the language available in the research literature and commonly used by the

research community (Babbie, 2013:176 and Creswell, 2014:44). The main definitions, which apply to this research, are provided as follows:

1.6.1 Identity theft

Identity theft is fraud either attempted or committed via unauthorised use of another person's identity information (Shilling, 2015:32).

1.6.2 Investigation

Investigation can be defined as the intelligent and rational collection of information through investigation and analysis, for the purpose of developing evidence so as to solve a problem (Lyons, 2015:2).

1.6.3 Detective

Detectives are officers who investigate crimes by identifying the perpetrator and victims, ascertaining the involvement of accomplices, locating stolen property, and tracking down the suspect (Ross, 2012:75).

1.6.4 Investigator

Stich (2006:140) defines 'investigator' as an individual official working at an agency or department to conduct or be involved in investigations or prosecutions of violations of criminal laws.

1.6.5 Forensic investigation

Forensic investigation is a process of investigation into criminal, civil or administrative matters, which is a thorough and detailed search for the truth using specialised skills, expert knowledge, and the use of scientific methods and techniques (Benson, Jones & Horne, 2015:2, 19-20).

1.6.6 Corporate environment

According to Investorwords (2016), 'corporate environment' is the internal and external dynamics that affect how companies function, including employees, customers, management, supply and demand, and business rules and regulations.

1.7 METHODOLOGICAL FRAMEWORK OF THE STUDY

'Worldview' can be defined as a general philosophical emphasis regarding the world and the nature of research that a researcher brings to a study. Creswell (2014:6) identifies four worldviews that are extensively discussed in literature, namely transformative, pragmatism, constructivism and post positivism.

1.7.1 The post positivist worldview

Creswell (2014:7) states that 'worldview' is sometimes called the scientific method or doing science research. The post positivist assumptions have represented the traditional form of research, and these assumptions hold true more for quantitative research than qualitative research (Creswell & Creswell, 2017:101).

1.7.2 The constructive worldview

Constructivism, or social constructivism (often combined with interpretivism), is such a perspective, and it is typically seen as an approach to qualitative research (Creswell, 2014:8). Creswell (2014:9) states that the researcher's intent is to make sense of (or interpret) the meanings that others have about the world. Rather than starting with a theory (as in post positivism), inquirers generate or inductively develop a theory or pattern of meaning.

Crotty (1998) identified several assumptions, as follows:

- Meaning is constructed by human beings as and when they interact with the world they are interpreting.
- Qualitative researchers tend to use open-ended questions, so that the participants can share their views.
- Humans engage with their world and make sense of it, based on their historical and social perspectives – we are all born into a world of meaning bestowed upon us by our culture. Thus, qualitative researchers seek to understand the context or setting of the participants through visiting this context and gathering information personally. They also interpret what they find, an interpretation shaped by the researcher's own experiences and background.

- The basic generation of meaning is always social, arising in and out of interaction with a human community. The process of qualitative research is largely inductive; the inquirer generates meaning from the data collected in the field.

1.7.3 The transformative worldview

Creswell (2014:9) explains that the transformative worldview holds that a research inquiry needs to be intertwined with politics, and a political change agenda, to confront social oppression at whatever levels it occurs. Thus, the research contains an action agenda for reform that may change the lives of the participants, the institutions in which individuals work or live, and the researcher's own life.

1.7.4 The pragmatic worldview

Creswell (2014:10) states that the pragmatic worldview comes from the pragmatics. Pragmatism derives from the work of Peirce. There are many forms of this philosophy, but, for many, pragmatism as a worldview arises out of actions, situations and consequences, rather than antecedent conditions. This worldview is appropriate for this study, as it is the set of beliefs about fundamental aspects of reality that ground and influence all one's perceiving, thinking, knowing and doing. One's worldview is also referred to as one's philosophy, philosophy of life, mind-set, outlook, one's life, formula for life, ideology, faith, or religion.

1.8 RESEARCH APPROACH AND DESIGN

Research involves a scientific investigation into a specific phenomenon (Dantzker & Hunter, 2012:9). A research design is a plan or strategy that includes the primary philosophical expectations, specific selection of participants, data collection and data analysis techniques that will be used. The paradigm (worldview) will dictate the research design and approach (Creswell, 2009:5 and Maree, 2012:70).

By means of semi-structured interviews, the researcher conducted the research and comprehensively consulted literature, which related to a qualitative research approach, and collected data. A qualitative methodology entails conducting interviews with individuals or focus groups (Leedy & Ormrod, 2015:95).

1.8.1 Empirical design

The researcher used an empirical design in nature, as described by Welman, Kruger and Mitchell (2012:8-9). Empirical studies generate data from observation and experience (Maxfield & Babbie, 2012:5). The researcher used a qualitative approach during the research, to support the empirical design, in order to create new ideas or knowledge. An empirical design was used by the researcher, in which, according to Creswell (2009:2) and Singh (2006:9), any conclusion is drawn based upon hard evidence gathered from information collected from real-life experiences or observations.

1.8.2 Qualitative approach

Qualitative research is a purposive selection to obtain comprehensive knowledge about a situation, event and/or episode, and/or to gather as much information as possible about different aspects of an individual, on the assumption that the individual is typical of the group and will therefore provide insight into the group (Creswell, 2014:192). During this qualitative research a purpose selection was done to obtain comprehensive knowledge. Denzin and Lincoln (2013:3) define a qualitative approach as a situation activity that locates the observer in the world. It consists of a set of explanatory material practices that makes the world visible. Qualitative research allows in-depth insight into the research context, which will contribute to a deep understanding of the research problem.

Qualitative research turns the world into a series of representations, in the form of conversations, interviews, field notes, personal memos and recordings. During this qualitative research a purposive selection was done to obtain comprehensive knowledge. The researcher used a qualitative approach, as it involved discovery, and since the data collected through literature and interviews was described, explained and interpreted.

1.9 TARGET POPULATION

The target or study population involves all the elements from which the sample is selected (Maxfield & Babbie, 2014:186). The term 'population' is a collection of

objects, events or individuals having some common characteristic that the researcher is interested in studying (Mouton, 2009:134).

The ideal population for this research comprised all the investigators of all the telecoms companies in South Africa, namely: MTN, Vodacom, Virgin Mobile, Telkom and Cell C. Maxfield and Babbie (2014:186) define a target or study population as consisting of all the elements from which the sample is selected. Dantzker and Hunter (2012:198) specify that a population is the entire group or class of potential participants from which information is to be gathered. Wagner, Kawulich and Garner (2012:88) state that there are no rules in qualitative research as to a suitable sample size, but because of the in-depth interviews, the sample size tends to be small.

Welman et al. (2012:55), state that an illustrative subset (i.e. sample) of the population is selected, making it realistic and possible to study the participants included in the sample. In this research, it was impossible to research the entire population, because it would have taken too long and been too expensive; thus a target population was selected.

The researcher used a target population consisting of all investigators from Cell C and MTN in the Johannesburg area. The target population was chosen because the problem was identified in the Johannesburg cellular area. Cell C and MTN were selected because they are two of the biggest role players in the cell phone industry. The target population comprised of all forensic investigators who conducted investigations. The researcher did not consider it representative of the population, because the target population was the researcher's own choice and was not selected scientifically. It was also cost effective and convenient for the researcher, who works within close proximity to the participants. Cell C had a total of six forensic investigators, and MTN had a total of seven at the time of this research; therefore, the target population for this study consisted of six (6) investigators from Cell C (Sample A) and seven (7) from MTN (Sample B), which totals thirteen (13) forensic investigators.

1.10 SAMPLING

Leedy and Ormrod (2013:152) explain that sampling depends on the research question(s) that the researcher wants to answer. Sampling is done when a population is large, and it is impractical or uneconomical to study all the members of a population. Sampling of the population is selected, making it realistic and feasible to study the participants included in the sample (Welman et al., 2012:55).

No sampling method was used during the research, because the researcher wanted to interview all the investigators of MTN and Cell C, consisting of 13 investigators in total. The heads of departments provided the details of the relevant employees from MTN and Cell C, and they were requested to take part in the research. The total number of forensic investigators for each network was as follows: Cell C (6) and MTN (7). (See research agreement between researcher and participants: MTN is attached as **Annexure A** and Cell C as **Annexure B**).

1.11 DATA COLLECTION

In qualitative research, the most common data collection methods include focus groups, documents, interviews and surveys (Brandl & Ling, 2010:172-180; Dantzker & Hunter, 2012:200 and Maree, 2012:82-92). In using qualitative research, data can include virtually anything that the researcher sees, hears, or that is otherwise communicated or relayed to the researcher, bearing in mind the constraints of applicable ethical principles. Data sources and data collection methods used during this study, were the following:

1.11.1 Literature Study

The literature review involves a detailed process that encompasses the identification of published and unpublished work from secondary data sources on the research topic, the assessment of this work in relation to the research problem, and the documentation of this work (Sekaran & Bougie, 2013:38). Kaniki (2014:19-20) states that the literature review puts the research project into context by showing how it fits into the particular field.

Fouché and Schurink (2017:302) state that a literature review provides the existing state of knowledge regarding the research problem, and helps the researcher to learn how others have outlined similar problems. According to Leedy and Ormrod (2015:52), information can be found in journals, newspapers, government publications, conference presentations and Internet websites. The researcher collected the required information to cover the research questions, from relevant publications, literature, and journal articles.

The researcher obtained and studied both international and national sources, such as dissertations, theses, journal articles and books. The literature the researcher obtained was relevant in answering the research question. The researcher used the literature to measure the extent of the participants' knowledge about the investigation process of identity theft within a corporate environment. The best resources were print-based materials such as books and articles. The researcher did not find it difficult to find any research on the topic of identity theft.

This research differs from any other research, because this research concentrated on the investigation process of identity theft within a corporate environment. The University of South Africa (UNISA) library catalogue, and several sites on the Internet, were perused by the researcher, pertaining to information on publications and journals articles hosted on the Internet.

The keywords included, but were not limited to the following: investigator, identity theft, forensic investigation and investigation. The literature found to be relating to the research was assessed, to contain the best responses to the research questions.

1.11.2 Interviews

Interviewing is a technique of collecting empirical data about the social world of individuals by tempting them to talk about their lived experiences (Liamputtong, 2013:51). Liamputtong (2013:51) further states that interviews in social research can be perceived as distinctive discussions. Interviews were conducted with forensic investigators in the cellular environment. An interview is defined as a

reciprocal discussion in which the interviewer (researcher) asks the participant questions, with the purpose of collecting data, and to learn about the ideas, beliefs, views, perceptions, opinions, understanding and behaviour of the participant (Maree, 2012:87).

The researcher conducted semi-structured interviews with the participants, to get the personal opinion of each participant, using probing questions for the participants to elaborate on their experiences, based on the questions.

Semi-structured scheduled interviews with the same open-ended questions were conducted with the participants from both samples A and B from the target population. The researcher used the same interview schedules for both samples A and B. During the semi-structured interview, the participant is required to answer a set of predetermined questions, which are pre-recorded on an interview schedule to monitor the line of research. In addition to the predetermined questions, this type of interview allows the interviewer to use inquisitive and discovering questions in order to obtain explanations and clarification from the participant (Blandford, 2013:23-25). Analytical and discovering questions helped the interviewer to develop the topic, and discover ideas and opportunities to obtain as much information as possible from the participant (Maree, 2012:87-88).

The researcher submitted the interview schedule to his UNISA supervisor for review and comment (see attached interview schedule as per **Attachment A**). A pilot study was carried out to assess the interview schedule, by interviewing two randomly chosen experienced investigators – one from Analytical Forensic Investigation Services and one from Combined Private Investigations. These two investigators did not form part of the study. The interview schedule was refined after the pilot study, and incorporated some minor changes.

The responses of the participants were noted and typed on a laptop. The interviews were conducted in the privacy of meeting rooms located at MTN and Cell C offices. The participants remained anonymous, and the interviews were not tape-recorded. The participants were assigned numbers and identified as MTN 1-7 and Cell C 1-6.

Thirteen (13) participants had relevant forensic investigation qualifications: three (3) participants had certificates, five (5) had diplomas, and five (5) had degrees. The average age of the participants was 38 years.

The participants' positions in their respective organisations were as follows: Senior Manager (1), Manager (1), Junior managers (5) and Investigators (6). The average years of investigation experience of the 13 participants were seven (7) years. All the forensic investigators had received some sort of training in the investigation of fraud which include the theft of identity and corruption.

The advantage of flexible questions is that it allows the researcher an opportunity to ask follow-up questions – for instance where the responses were not clear or where other issues came to light during the questioning. According to Vithal and Jansen (2010:22), semi-structured interviews give the researcher an opportunity to probe initial responses. All the questions were in English, as the participants use English as their business language.

The researcher adhered to all the considerations for effective interviewing, as outlined by Leedy and Ormrod (2013:154), when conducting the interviews. The researcher established a relationship with the participants, and obtained their written permission to participate in the interviews. Confidentiality was maintained during and after the interviews. All the research questions were identified before the interview. Permission was obtained from MTN and Cell C to conduct the interviews with the investigators, in the form of a letter, which is attached as **Annexures A and B**, respectively.

1.11.3 Personal experience

The researcher has 29 years of experience as an investigator of criminal and private investigation with the SAPS and Nashua Mobile. The researcher investigated commercial crimes, including fraud, theft, identity theft and several statutory crimes relating to commerce.

Bracketing-off refers to the researcher's capability to make their perceptions unambiguous and support their hypotheses through a methodical procedure of research reduction (Shi, 2011:3-13). Tufford and Newman (2010) describe bracketing as a technique used to lessen the potentially harmful effects of preconceptions that could contaminate the research process.

The researcher has a National Diploma in Police Administration, the Diploma Criminal Justice and Forensic Auditing, as well as a BTech degree in Forensic Investigation. The researcher's personal experience assisted him in the analysis and evaluation of the data that was gathered during the interviews and literature review. To confirm reliability of this study, the researcher adopted the bracketing method, which means preventing one's personal experiences, ideas or cultural background from interfering with the answers given by the participants.

1.12 DATA ANALYSIS

Hammond and Wellington (2013:9) describe analysis as the segmenting of a topic or object into its components parts, to understand the process better. Durrheim (2014:52) agrees, and states that the aim of data analysis is to transform information into an answer to the original research question. Data analysis can be described as bringing order to the process by means of bringing structure to the bulk of the data collected (De Vos et al., 2011:397).

After collecting all the data, the researcher used the following steps recommended by Barbour (2014:253), Creswell (2013:182) and Leedy and Ormrod (2010:153) during data analysis. This method is known as the data analysis spiral:

- **Organisation of details about the case:** Organise facts in chronological order to ensure relevancy.
- **Categorisation of data:** The researcher broke down the data into meaningful units/groups for analysis purposes.
- **Interpretation of single instances:** Literature, documents and other data were examined for relevancy to the topic/theme.

- **Identification of patterns:** The researcher carefully examined the underlying themes and other patterns that described the topic being investigated, more accurately than a single section of information could reveal.
- **Synthesis and generalisation:** The researcher combined all the separate data, to formulate an overall picture/portrait of the study, and at this stage drew valid conclusions.

The abovementioned method allowed the researcher to analyse data even during the collection phase of the study. The researcher did not allow personal feelings, views or attitudes to influence the analysis.

1.13 METHODS TO ENSURE TRUSTWORTHINESS

To meet the trustworthiness criteria, the researcher applied numerous strategies, as suggested by Creswell (2013:249-253) and Savin-Baden and Major (2013:476-480). Gray (2014:185-186) states that in order to assure strictness and reliability in qualitative research, specific approaches should be followed to meet five criteria: credibility, authenticity, transferability, conformability and dependability. Kumar (2011:184) states that the difference between quantitative and qualitative research is in the use of, and the importance given to, the concepts of validity and reliability. There are some efforts to define and establish validity and reliability in qualitative research. These are 'trustworthiness' and 'authenticity'.

Du Plooy-Cilliers, Davis and Bezuidenhout (2014:258) and Wagner et al. (2012:137), reference that the term 'trustworthiness' in qualitative research is used for making sure of the validity and reliability of the research. The researcher thoroughly examined all relevant information, took accurate and complete notes, conducted proper inquiries, analysed and organised the conclusions of the inquiry to see if they were trustworthy, and communicated all relevant findings in a clear, concise and coherent report.

The researcher had a number of questions in mind when dealing with data collection: what data is needed, a visualisation of the data, an appreciation of its

nature, and a clear understanding of the treatment of the data, are fundamental to any research effort – also, where the data is located and where one will get the data to resolve the problem and maintain the standard of validity. The researcher is an experienced investigator who guaranteed both careful and accurate data collection and the interpretation thereof. According to Kumar (2011:184), trustworthiness in a qualitative study is determined by four indicators: dependability, transferability, conformability and credibility. It is these four indicators that reflect reliability and validity in qualitative research.

1.13.1 Credibility

According to Kumar (2011:185), credibility involves finding that the results of qualitative research are credible or believable from the perspective of the participant in the research. Since qualitative research studies explore perceptions, experiences, feelings and beliefs of people, it is believed that the participants are the best judge to determine whether or not the research findings have been able to reflect their opinions and feelings correctly.

Denscombe (2011:299) states that credibility concerns the extent to which qualitative researchers can demonstrate that their data is accurate and appropriate. According to Kumar (2011:185), credibility involves establishing that the results of qualitative research are credible or believable from the perspective of the participant in the research.

De Vos et al. (2011:419), explain that credibility is the alternative to internal validity, and with credibility, the goal is to demonstrate that the research was conducted in such a manner as to ensure that the participants were accurately identified and described. The credibility of qualitative research can be increased through prolonged engagement and persistent observation in the field, triangulation of different methods, making use of formalised qualitative methods, and member checks.

To ensure credibility, the interviews took place in a safe and non-threatening environment, and the relationship with the participants was open, relaxing and

trusting. The fact that the findings will be credible from the participants' point of view will increase the credibility of this study. The theme was approached in an objective manner, working with facts and information from the researcher's working environment as a Risk and Fraud Manager, and the perspectives of participants.

The participants in this research were all forensic investigators, and some had been conducting investigations for as long as thirty-five years. In summary, to support the validity of his findings, the researcher gave attention to the strategies mentioned above.

1.13.2 Transferability

Transferability refers to the degree to which the results of qualitative research can be generalised or transferred to other contexts or settings (Kumar, 2011:185). According to Liamputtong (2013:26), transferability conveys that the theoretical knowledge obtained from qualitative research can be applied to other similar individuals, groups or situations. A strategy to meet the requirement of transferability involves the use of such a detailed, abundant in-depth description of themes, contextual factors impacting on the study, and participants' views and observations, that it enables readers to transfer the information provided by the researcher to other settings and circumstances.

De Vos et al. (2011:420), explain that the researcher must question whether the findings that the research produced can be transferred from a specific situation to another. This is viewed as an alternative to external validity or generalisability. If another researcher applies the findings to similar circumstances, and uses the same qualitative methods, the same results will be obtained. During the study, the researcher placed importance on recording and describing data and observations, using a rich, thick (dense) descriptive language, abundant in detail, description and meaning, to ensure that the study would be transferable to the larger telecommunications environment.

1.13.3 Dependability

The concept of reliability in quantitative research is very similar to the concept of dependability. According to Kumar (2011:185), it is concerned with whether one would obtain the same results if one observes the same facts twice. De Vos et al. (2011:420), explain that the researcher must question whether the research process is presented logically and well documented. Trustworthiness is noted as the alternative to reliability, whereby the researcher attempts to account for changing conditions in the phenomenon chosen on which to conduct the research. The researcher was cautious that his assumptions or proposals did not reflect the opinions of the participants. The researcher did not manipulate any data so that the opinions of the participants could be changed.

1.13.4 Confirmability

Given (2008:43-44) states that to meet the requirements of conformability during the research process, the researcher must keep a detailed audit trail of the research process, the data analysis and data collected, and the researcher's interpretations and conclusions is critical. The researcher kept a detailed record of all literature, in order to indicate that the findings and clarifications of those findings did not derive from the researcher's imagination but are clearly linked to the data. The detailed explanation of how the data was collected and analysed will support conformability. This will enable other researchers to analyse the research design and data, and, by doing so, come to the same conclusions.

1.14 ETHICAL CONSIDERATIONS

Dantzker and Hunter (2012:190) and Grix (2010:143) state that ethics in research relates to doing what is morally and legally right when conducting research. The researcher adhered to the following ethical considerations as suggested by Leedy and Ormrod (2013:104-105) and Salkind (2012:85). The participants were not subjected to unusual stress or discomfort, and were protected from physical and psychological harm.

The researcher obtained written informed consent from all participants, and they were informed about their right to privacy, which would be respected. The

researcher did not fabricate data to support any findings or recommendations. The participants all requested that their names should not be used; therefore, the researcher decided to refer to them as Interview Cell C 1 to 6 and Interview MTN 1 to 7. The employees who were chosen as the sample of participants, agreed to be interviewed. The participants were notified of the purpose of the research by the researcher.

The researcher drafted a form with the relevant information and gave it to the participants to complete before progressing with the research, according to the guidelines of Gratton and Jones (2010:121). This consent form included the following:

- A narrative of what participants will be involved in terms of activities and duration of the research.
- A statement indicating that participation is voluntary, and can be terminated at any time without any consequences.
- A list of any potential risk or discomfort that participants may encounter.
- The guarantee that all responses will remain confidential and anonymous.
- An individual or office that participants can contact should they have questions or concerns about the research.
- A place for the participant to sign and date the letter, indicating agreement to participate.

The researcher adhered to UNISA's Code of Ethics for Researchers, as described in the Policy on Research Ethics (University of South Africa, 2007). The researcher furthermore strived to maintain a high level of ethical consideration throughout the research. UNISA's Ethics Committee granted approval for this research, titled as follows: "A critical discussion of the investigation process of identity theft within a corporate environment." The approval letter is attached as per **Annexure C**. This dissertation was subjected to original checking software, and the Turnitin digital receipt is attached as **Annexure D**.

RESEARCH STRUCTURE

CHAPTER 1: GENERAL ORIENTATION

This chapter focused on discussing the following: the problem statement; the aim of the research; purpose of the research; research questions; definition of concepts; research design and approach; target population; sampling; data-collection methods; data analysis; methods to ensure trustworthiness of the research; and, ethical considerations.

CHAPTER 2: INVESTIGATION OF IDENTITY THEFT

This chapter will focus on the following: investigation of identity theft in the corporate environment, with the emphasis on criminal and forensic investigations; objectives of investigation; identification; evidence; what identity theft is; different types of identity theft; elements of identity theft; objectives of identity theft investigation; the investigation steps of identity theft; how to investigate identity theft in the corporate environment; and, what is the best practice to follow in identity theft investigation.

CHAPTER 3: FINDINGS AND RECOMMENDATIONS

In this chapter, the findings of the research, and conclusions based on the findings, are presented. Recommendations are made taking the research question, aim and purpose of the research into account.

CHAPTER 2

INVESTIGATION OF IDENTITY THEFT

2.1 INTRODUCTION

The term 'forensic investigation' is a relatively new concept. The core elements of forensic criminology are not new, and have a long history across many different countries. As far back as the mid-nineteenth century, there were a small number of scientists, doctors and criminal investigators who utilised scientific methods and techniques to resolve investigations and legal problems (Williams, 2015:4).

Identity theft, while not a new phenomenon in this age of easy access to computers and the Internet, has become a major problem for law enforcement, corporates and the public. In the majority of cases of identity theft, the use of fraudulent credit cards or bank information is involved. Victims who have personal information stolen are more likely to have a new account opened, than those who just have their credit card or bank data stolen (Dempsey & Forst, 2015:500). Shilling (2015:32) confirms this by stating that identity theft is fraud either attempted or committed via unauthorised use of another person's identity information.

This said chapter will attempt to answer the relevant research question, namely: "What does the investigation process of identity theft in the corporate environment entail?" as revealed in paragraph 1.6 of Chapter 1. A descriptive analysis will be provided in the chapter that will prepare forensic investigators with the information of forensic investigation and identity theft.

The researcher further explains criminal and forensic investigation, the objectives of investigation, identification and evidence. This chapter will provide an analysis of identity theft, the different identity theft types, the different elements of identity theft, identity theft investigation objectives, and the steps of identity theft investigation. The chapter will conclude with a discussion on the investigation of identity theft in a corporate environment, and best practices to follow in identity theft investigation.

2.2 CRIMINAL INVESTIGATION

The concept of criminal investigation, as explained by Orthmann and Hess (2013:8), is to identify evidence, collect information, present the evidence in a court of law with the purpose of determining what happened, and to apprehend the offender. It also includes the reconstruction of past crimes. The criminal investigation process can be divided as the identifying, collecting, preparing, process of discovering and presenting related evidence, to determine what happened and to identify who is responsible (Brandl, 2014:3 and Hess and Orthmann, 2010:06)

Benson et al. (2015:5-6), and Piper (2014:9) define criminal investigation as a systematic approach to finding the facts, or something hidden or previously known, used or being part of a specific incident, to ultimately prove or disprove a hypothesis or allegation made that is set in legislation as a crime.

Criminal investigation can be defined as a process of preparing, collecting, discovering, identifying and presenting evidence to determine what happened and the person responsible (Orthmann & Hess, 2013:8). People have different meanings for the term 'criminal investigation' (McDevitt, 2012:13). According to Gilbert (2010:37-38), the meaning of the term 'criminal investigation' can be described as to be objective, logical, and ensure that the inquiry is conducted legally into a possible criminal activity.

The participants from samples A and B were asked, "How would you define criminal investigation?" The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants' postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were thirty-one (31) different answers, descriptions or explanations to this specific question. Summarised responses of these participants are shown in Table 2.1, below:

Table 2.1: Participants' definition of criminal investigation

Criminal investigation	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Prosecute	3	4	7
Gather evidence	2	2	4
Is the undertaking to collect	3	0	3
Seek	2	1	3
Prove person's guilt	1	1	2
Identify	1	1	2
Method by which a crime is studied	1	1	2
Criminal apprehended	1	1	2
Process you use	1	0	1
Locate	1	0	1
One part of the criminal justice system	1	0	1
Ensemble of methods by which crimes are studied	1	0	1
Uncover information about a crime	0	1	1
Studying the facts	0	1	1
Total	18	13	31

(Source: Feedback from participants)

The participants from samples A and B provided a wide selection of responses to what criminal investigation entailed. It can be concluded from the literature reviewed, and the responses of the participants, that the definition of criminal investigation is the logical, objective and legal inquiry involving a possible criminal activity. The majority of the participants included prosecution, which is not included in the definition of criminal investigation. The participants' responses, provided with the exclusion of prosecution and proof of guilt, are relevant to the definition of the

meaning of criminal investigation, as per Benson et al. (2015:5-6), Brandl (2014:3), Lochner (2014:6) and Orthmann and Hess (2013:8). In the following section, forensic investigation will be discussed.

2.3 FORENSIC INVESTIGATION

The term 'forensic' originates from Latin, meaning 'public' or 'of the forum'. During the time of ancient Rome, the location was the city's government and legal centre where the law courts were located (Levy, 2008:4). The forensic investigation term advanced over many years in the field of criminal investigation. In South Africa, the term 'forensic investigation' is normally used, but with a different understanding to the meaning. Evidence gathered during criminal investigation is generally supported and complemented by scientific knowledge and evidence of a scientific nature, which were initiated from a forensic science discipline (Monckton-Smith, Adams, Hart & Webb, 2013:23-25). Forensic science involves the use of science to solve criminal cases (Fisher, Tilstone & Woytowicz, 2009:12 and Lushbaugh & Weston, 2012:9).

According to Benson et al. (2015:18), there is a misunderstanding and discussion in the investigation field regarding the term 'forensic investigation'. Investigators from private and corporate entities are classified under the term 'forensic investigators' (Van Rooyen, 2008:7, 14, 77-78). The process of analysis in a criminal, civil and/or administrative matter, which is an in-depth investigation, a comprehensive search for the truth through the use of particular skills, proficient knowledge, and scientific methods and techniques, is categorised and defined as forensic investigation (Benson et al., 2015:20).

Benson et al. (2015:20), and Van Rooyen (2008:14) state that forensic investigation is a twofold concept, with reference made to the investigation process through the courts or litigation process, and then the application of science within the investigation process. According to Goss (2016:20), a forensic investigator should investigate, prevent, detect, and also assist in the resolving of commercial offences, such as fraud and corruption. Forensic science is the application of scientific knowledge and principles pertaining to legal disputes, either criminal or civil

(Chisum & Turvey, 2011:4-5). The various scientific disciplines include, among others, forensic medicine, forensic tool mark examination, ballistics, dactyloscopy, pathology, psychiatry, forensic document examination, digital forensic examination, toxicology, psychology, serology, and biology.

The application of the different forensic investigation disciplines in the application of forensic science is meant to advance and support evidence. Forensic investigation applies to all types of investigation, criminal and civil administrative matters, and questions resulting from litigation. Forensic investigators are evident in the following forms (Van Rooyen, 2008:78):

- Law enforcement officials, e.g. a police investigator (detective).
- Revenue service investigators.
- Investigators employed by the prosecuting authority.
- Customs officials.
- Private investigators.

The participants from samples A and B were asked, “How would you define forensic investigation?” The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were thirty-two (32) different answers, descriptions or explanations to this specific question. The summarised responses of these participants are shown in Table 2.2, below:

Table 2.2: Participants’ definition of forensic investigation

Forensic investigation	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
IT systems	3	4	7
It is the science behind the investigation process	4	2	6

Forensic investigation	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Technology you use to help with the investigation	1	3	4
DNA	2	1	3
Use to prevent and investigate crime	2	1	3
Fingerprints	1	1	2
Use to prove your case	1	0	1
Establishing of evidence and facts that need to be presented in a court of law or departmental case	1	0	1
Methods you use to investigate and collect evidence in order to prove your case	1	0	1
Equipment to investigate the crimes	0	1	1
Handwriting analysis	0	1	1
Collecting of evidence	0	1	1
Systems you use to help you	0	1	1
Total	16	16	32

(Source: Feedback from participants)

The participants from samples A and B indicated that they have a general understanding of the term 'forensic investigation' as indicated by the literature (Benson et al., 2015:2, 19-20 and Van Rooyen, 2008:7, 14, 77-78). The majority of the participants indicated that IT systems form part of the forensic investigation process, but this is not supported by literature. Although the participants' responses varied to an extent, they understood the term 'forensic investigation' in their respective environments. This study defined the concept of forensic investigation

through interviews with the participants and the literature review. In the following section, the objectives of investigation will be discussed.

2.4 THE OBJECTIVES OF INVESTIGATION

After deliberating the idea of criminal investigation and forensic investigation, it is judicious to look at the objectives of investigation. The objectives of an investigative process are to establish that a crime was committed, to identify the suspect, apprehend the suspects, recover stolen property, and assist in the prosecution of the persons charged with the crime (Swanson, Chamelin, Territo & Taylor, 2012:2).

Becker and Dutelle (2013:17-18), Benson et al. (2015:19-20), Giacalone (2011:5-7), Hess and Orthmann (2010:33) and Swanson, Jr, Chamelin, Territo & Taylor (2012:3), identify the following objectives of investigation:

- To obtain and generate additional evidence needed to follow-up on clues;
- Criminal act to be identified;
- Criminal individualising;
- Recover property stolen;
- Prosecuting process involvement;
- Has the crime been committed or not;
- Arrest suspect and present case before prosecutor;
- Assist the prosecutor during prosecution of the suspect;
- Tracking and preserving of evidence; and
- Giving evidence at hearing.

The participants from samples A and B were asked, "In your opinion, what are the objectives of investigation?" The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants postulated more than one answer, as no selections were stipulated from which they could choose.

From the thirteen (13) participants there were fifty-three (53) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in

Table 2.3, below:

Table 2.3: Participants' opinion of the objectives of investigation

Objectives of Investigation	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Gather all the relevant evidence	4	6	10
Arrest the suspect	4	6	10
Prosecute the suspect	4	6	10
Find the perpetrator	4	4	8
Identify what and how the crime was committed	1	6	7
Prevent it from happening again	4	0	4
Identify the crime	3	0	3
Prove his guilt in a court of law or departmental case	1	0	1
Total	25	28	53

(Source: Feedback from participants)

The majority from samples A and B shared the opinion that the objectives of an investigation were to gather all the relevant evidence, and arrest and prosecute the suspect. The response of prosecution is not supported within literature, as literature notes participation in the prosecution process. The following objectives were not included by the participants as per the consulted literature (Becker & Dutelle,

2013:17-18; Benson et al., 2015:19-20; Giacalone, 2011:5-7; Hess & Orthmann, 2010:33 and Swanson et al., 2011:3):

- To obtain and generate additional evidence needed to follow up on clues.
- Criminal individualising.
- Recovery of stolen property.

The participants' responses indicated a general understanding of the objectives of an investigation. None of the participants could state all the objectives as per the consulted literature. The literature had a more investigative procedure approach as a process or guideline for the investigation process. Each process that is completed would be an objective as part of the entire investigation process. Having deliberated the notions pertaining to criminal and forensic investigation, and the investigation objectives, the concept of identification will be discussed in the next section.

2.5 IDENTIFICATION

Ogle (2012:9) outlines identity as “collective aspects of the set of characteristics by which a thing is definitively recognisable or known”. Saferstein (2011:102) is of the opinion that identification means to “determine the physical or chemical identity of a substance with the most certainty that existing analytical techniques will permit”. Identification can also be delineated as the procedure by which an entity, object or person is placed in a predefined class or category, based on shared or similar features or characteristics (i.e. class characteristics) (Champod, 2015:95 and Osterburg & Ward, 2010:36). Girard (2015:40) points out that the purpose of analysing physical evidence is for identification and comparison.

According to Van Graan and Budhram (2015:47, 64), identification needs to be followed by a process of individualisation, during which the unique (positive/definite) identity of the suspect is established by means of relevant evidence linking them to the crime, and distinguishing the suspect from all other persons as the perpetrator of the crime. Fisher and Fisher (2012:5) further point out that the examples of identification are drug analysis, species determination and residue analysis.

If the individual characteristics are the same, and are found in sufficient number at the same location, then two specimens under comparison may be judged an identity. Identification can be described as a classification process by which an entity is placed in a predefined, limited or restricted class (Osterburg & Ward, 2010:36-37). Identification also involves making evidence that was otherwise concealed, visible to the forensic analyst (Maras, 2015:35).

The participants from samples A and B were asked, “From your experience, how would you define 'identification'?” The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants’ postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were twenty-one (21) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in Table 2.4, below:

Table 2.4: Participants’ understanding of identification

Identification	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
ID someone	5	2	7
Action to identify someone	2	4	6
State of being identified (fact)	2	1	3
Crime	2	0	2
How committed	1	0	1
Action or process	1	0	1
Something	1	0	1
Total	14	7	21

(Source: Feedback from participants)

Between the literature and the interviews with the participants, the participants’ responses did not reflect the exact definition as defined in the consulted literature (Fisher & Fisher, 2012:5; Girard, 2015:40; Osterburg & Ward, 2010:36-37 and

Saferstein, 2011:61). The participants had a fair understanding of identification. One of the participants indicated that the meaning of identification is “something,” however, none of the consulted literature referred to this.

When the researcher reflected on the two samples, he realised that none of the participants referred to identification as a classification process which places an entity in a predefined, limited or restricted class (Osterburg & Ward, 2010:36-37). With identification explained, the concept of individualisation should be established and how it relates to the investigation process.

2.6 INDIVIDUALISATION

Van Graan and Budhram (2015:46-65) state that individualisation includes activities aimed at gathering evidence that can prove beyond the burden of proof that a crime has been committed by a particular person or persons, excluding all other persons. Van Rooyen (2012:21) indicates that individualisation is based on comparison and demonstration, that a specific sample is unique – even among members of the same class, and also that the object found at the crime scene and the standard of comparison are of the same origin.

Fish, Miller and Braswell (2013:17) state that physical evidence can be individualised, and associated with a single originating source – for example, fingerprint ridges, tool marks, bullet and casing comparisons, footwear and tyre impressions, and handwriting. Individual evidence confines the identity to a particular person or object, and has a unique combination of characteristics that could only belong to one person or object (Bertino, 2012:23).

Comparing 'individualisation' and 'identification,' one discovers that 'individualisation' goes well beyond 'identification' as per the consulted literature. Individualisation implies that physical evidence, such as impression, fingerprint ridges, tool marks, bullet and casing comparisons, footwear and tyre impressions and handwriting, and during investigation discovered at the crime scene, originates from one source and only one source. Following the discussion on identification and individualisation the meaning of evidence will be discussed.

2.7 EVIDENCE

Osterburg and Ward (2010:326) outline that evidence can be defined as that which is used to verify or refute the truth. Lushbaugh and Weston (2009:5) state that evidence has legal importance, and is the only means of proof the elements of the crime.

To prove the elements of a crime, different types of evidence can be used. Such evidence, when organised, provides answers to the questions regarding the possible crime: who, what, where, how and why (Hopwood, Leiner & Young, 2012:223). In *Rex v Swartz* 1946 GWLD 57, Judge Krause divided evidence into two classes:

- Direct evidence.
- Indirect or circumstantial evidence.

According to Gilbert (2010:21), Osterburg and Ward (2010:21) and Palmiotto (2012:21), evidence can be divided into five categories, as follows:

2.7.1 Indirect or circumstantial evidence

Indirect or circumstantial evidence indicates that the offender committed the act where, for example, the witness saw an offender with package in his hand walking away from the automobile.

2.7.2 Testimonial evidence

Testimonial evidence is oral evidence provided by the witness. It does not need to be accompanied by real evidence.

2.7.3 Documentary evidence

Documentary evidence includes everything from photographs to handwritten and printed materials.

2.7.4 Real evidence

Real evidence consists of physical objects such as handguns or fingerprints. This type of evidence must be accompanied by testimonial evidence.

2.7.5 Direct evidence

Direct evidence, according to Choo (2015:5), is testimony of a witness relating to a personal matter perceived by the witness, which, if believed, would be sufficient to prove a fact in issue without further evidence or the need for inference, and constitutes direct evidence.

Evidence is the centre around which a criminal investigation and subsequent criminal trial focuses, and for evidence to be regarded as admissible, the investigator should gather it in a legal manner (Lochner & Zinn, 2015:42). From the consulted literature, above, it can be concluded that the definition of evidence is as being that which is used to prove or disprove the truth. Evidence has legal implications, and it is the only means of proving the elements of the crime in a court of law.

The participants from samples A and B were asked, "From your experience, how would you define 'evidence'?" The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants' postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were twenty-three (23) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in below:

Table 2.5, below:

Table 2.5: Participants' definition of evidence

Evidence	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Information that supports a conclusion	3	7	10

Proof	3	3	6
Facts	3	2	5
One or more reasons	1	0	1
Something is true or not	1	0	1
Total	11	13	23

(Source: Feedback from participants)

Although the participants' understanding of evidence is not the exact definition as defined in the literature, the participants had a general understanding of the meaning of evidence (Gilbert, 2010:21; Osterburg & Ward, 2010:21 and Palmiotto, 2012:21). Investigators need to keep in mind that evidence has to be presented in court to establish the truth. The next section focuses on identity theft.

2.8 IDENTITY THEFT

Identity theft is found in early Biblical writings, in the book of Genesis where the young man Jacob imitated his brother, so that he could inherit the family estate (Holland, 2010:4). A basic definition or understanding of identity theft is allowing personal information to be obtained, located and discovered by an individual who intends to use the information for criminal purposes (Youngblood, 2015:198). Minick (2013:1) states that identity theft, also known as identity fraud, is a crime in which an imposter obtains personal information in order to impersonate someone else. Shilling (2015:32) states that identity theft is fraud, either attempted or committed, via unauthorised use of another person's identity information.

Devos (2016:89) further describes identity theft as somebody pretending to be another and purchasing products using that person's credit account, obtaining money from bank accounts, and ordering goods and services using another's credit name. Turner (2016:12) agrees with Devos (2016:89), Minick (2013:1) and Youngblood (2015:198) and defines identity theft as the unlawful use of someone else's personal information in order to obtain money or credit.

Identity theft is when criminals obtain personal information such as credit information, employment information, name, date of birth, address and other vital facts, in order to defraud the victim (Biegelman, 2009:2). Findlaw (2018:1) states

that 'identity theft' and 'identity fraud' are terms used to refer to all types of crime in which someone's identity is wrongfully obtained to gain financially. For the purpose of this study, the researcher is going to use the term 'identity theft' and not 'identity fraud'.

To help demonstrate the concept of identity theft and crimes committed, Findlaw has created the following model, shown in **Figure 2.1**, below:

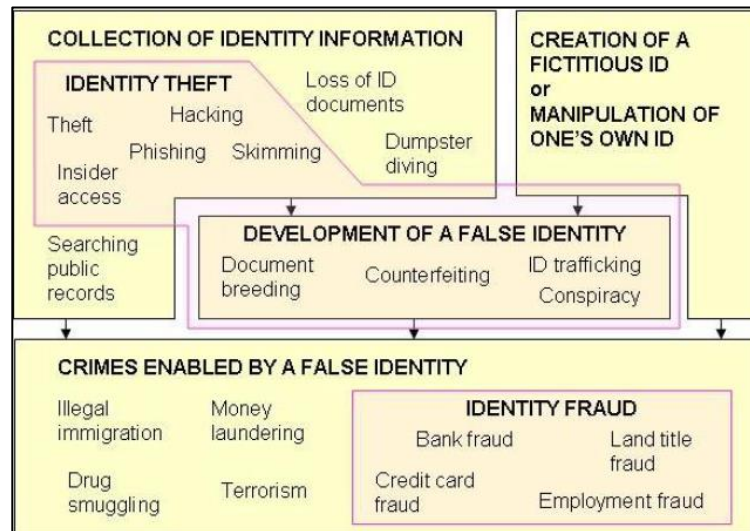


Figure 2.1: Definitional model of identity theft

(Source: Findlaw, 2018)

The definitional model of identity theft, as presented in **Figure 2.1**, above, illustrates the process of identity theft and crimes committed as it entails the collection of information of an personal nature and the creation of a false identity. Identity theft (fraud) refers to the use of a false identity to commit fraud. Drawing from the model above, identity theft is defined as a procedure involving two stages:

- Collection of personal information.
- Fraudulent use of that information.

The term 'identity theft' cover both the initial collection of personal information, as well as the later fraudulent use of said information.

From the consulted literature, above, it can be concluded that the definition of identity theft is when criminals obtain crucial pieces of personal information – such as name, address, date of birth, employment information, credit information and other vital facts, to impersonate and defraud the victim. Identity theft is also better known as identity fraud.

The participants from samples A and B were asked, “From your experience, how would you define 'identity theft'?” The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants' postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were thirteen (13) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in Table 2.6, below:

Table 2.6: Participants' definition of identity theft

Identity Theft	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Illegal use of someone's identity for financial gain	1	3	4
Someone stealing someone else's identity to commit a crime	2	1	3
Impersonate someone to gain financially	1	1	2
Fraudsters use your identification to commit a crime	1	0	1
Deliberate use of someone else's identity to gain financially	1	0	1
Theft of someone's personal information to gain financially	0	1	1
Unauthorised used of someone's identity to gain financially	0	1	1
Total	6	7	13

(Source: Feedback from participants)

Samples A and B's participants provided varied responses indicating the meaning of identity theft. Considering Table 2.6 above, the majority of the participants noted that identity theft is the illegal use of somebody's personal identity to commit a crime and to gain financially. Although the participants understood the meaning of identity theft, it is not the same definition as defined in the literature (Devos, 2016:89; Shilling, 2015:32 and Youngblood, 2015:198).

Devos (2016:89), Shilling (2015:32) and Youngblood (2015:198) define identity theft as personal information to be obtained, located and discovered by an individual who intends to use the information for criminal purposes. The participants' responses

are in agreement, to an extent, from the literature, the majority of the participants in this sample were knowledgeable with regard to understanding the term 'identity theft'. Investigators need to be knowledgeable, and keep in mind the definition of identity theft during the investigation process, because the investigator needs to prove all the elements of identity theft (fraud), and the final objective is to present evidence in court to ascertain the truth.

With identity theft explained, the elements of the crime identity theft will be addressed in the next section.

2.9 ELEMENTS OF IDENTITY THEFT

Different crimes have different elements to prove beyond reasonable doubt, in order to obtain a conviction. To prove criminal liability, the elements of a crime must be established (McKenna, 2018:02). Minick (2013:1) defines the elements of identity theft as follows:

- Identity: the information belongs to another person;
- Transfer, purchase or sell; and
- There must be the intention to commit identity theft, or to assist another person to commit identity theft.

To help demonstrate this, the Saylor Academy (2012) has created the typical structure that is associated with the elements of crime. Each is composed of, and describes, the elements of a crime, as shown in Figure 2.2, below:

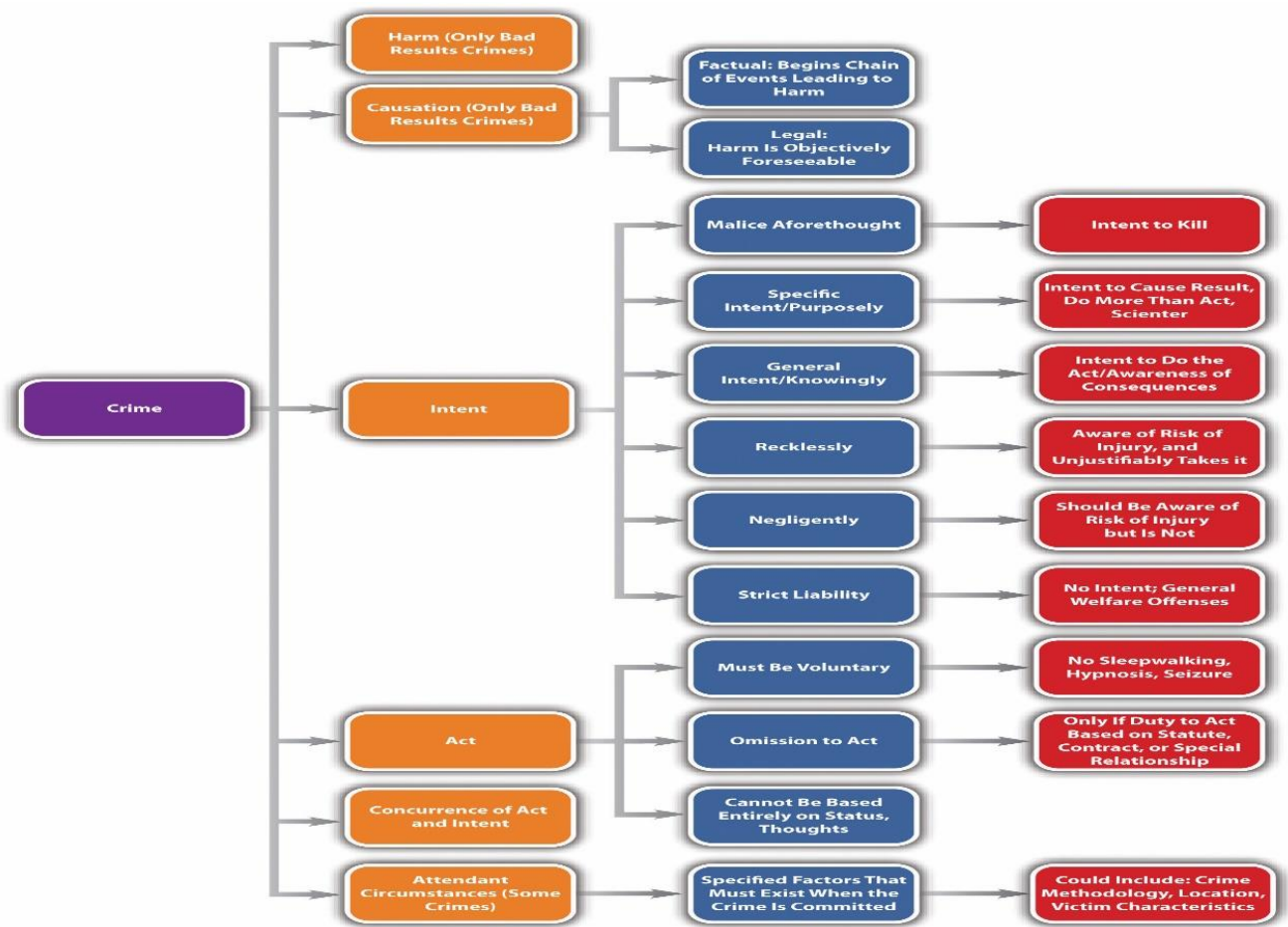


Figure 2.2: Definitional model of elements of a crime

(Source: Saylor Academy, 2018)

According to Smith (2014:2), South Africa prosecutes identity theft under the common law of fraud. If found guilty of identity theft (fraud), a person may also be found guilty of forgery and uttering a forged document, depending on the circumstances of the case. Cassim (2015:72) states that the South African Fraud Prevention Service (SAFPS) is tasked with combating fraud and protecting consumers against identity theft. According to Cassim (2015:72), the Protection of Personal Information Act 4 of 2013 and the Electronic Communication and Transactions Act 25 of 2002 may be used to address identity theft crimes in South Africa.

Burchell (2013:724), Burchell and Milton (1997:579), Joubert (2013:166), Snyman (2006:520), Van Rooyen (2008:247) and Vona (2008:5) define the elements of fraud as follows:

- **Prejudice:** There must be prejudice as a consequence of the conduct of the perpetrator. Merely lying, without any harmful consequences to anyone, is not punishable. According to Snyman (2006:523), the perpetrator must have caused harm to a third party, termed 'prejudice'. Potential prejudice indicates that the conduct must have a risk of prejudice, and that it was reasonably possible that the prejudice would occur (Snyman, 2006:528).
- **Unlawfulness:** The unlawful act has to be proven, and not merely a misrepresentation. In isolation, a misrepresentation does not constitute fraud. The act committed must have been unlawful and with no recognised grounds for justification (Burchell, 2013:724).
- **Specific intention:** The intention to deceive and to defraud must both be present, according to Burchell (2013:844) and Snyman (2006:531). The perpetrator must have the specific intention to mislead the prejudiced party, and only to mislead them. The intention must be to deceive; therefore, the intention to persuade another to believe that something is true, which is untrue, and to defraud. The intention is therefore to induce somebody to act to his prejudice on the grounds of the misrepresentation made.
- **Attempt:** This refers to potential prejudice – that is, if a letter or email comprises a misrepresentation, is forwarded to the prejudiced party, and is lost along the way to the intended receiver. Although the email is lost, the intention to defraud was present (Burchell, 2013:728).
- **Misrepresentation made to a person:** This element involves the act (conduct) and constitutes the essence of fraud (Burchell, 2013:836). The act can either be a physical action or a failure to act (omission), and must be deceiving or misleading. According to Burchell (2013:724), a misrepresentation can also be made by silence in that the person remained silent or did not speak when they ought to have done so.

From the consulted literature above, it can be concluded that the elements of identity theft are the following: prejudice, unlawfulness, intention, attempt and misrepresentation. The element of identity theft needs to be established in order to prove criminal liability.

The participants from samples A and B were asked, “In your opinion, what are the elements of the crime of identity theft?” The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants’ postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were fifty-nine (59) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in Table 2.7, below:

Table 2.7: Participants’ opinion of the elements of the crime of identity theft

Elements of identity theft	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Person need to have intention	6	7	13
Must be unlawful	6	6	12
Loss or potential loss	5	7	12
Misrepresentation	5	7	12
Element the same as fraud	4	4	8
Must be a person committing the act	2	0	2
Total	28	31	59

(Source: Feedback from participants)

Between the literature and the interviews with the participants in samples A and B, there is a link relating to the specific question posed. The literature is more comprehensive as to the different elements of identity theft (Burchell, 2013:724; Burchell & Milton, 1997:579; Joubert, 2013:166; Snyman, 2006:520; Van Rooyen, 2008:247 and Vona, 2008:5). The participants were knowledgeable with regard to understanding the concept of the elements of identity theft. Two participants added: “A person must commit the act”.

It is very important for investigators to be knowledgeable with regard to the different elements of identity theft (fraud), because the investigator needs to prove all the elements beyond reasonable doubt. If any of the elements are missing, the offender

cannot be found guilty of the crime of identity theft (fraud). Having discussed the elements of identity theft, the different types of identity theft will be addressed in the following section.

2.10 DIFFERENT TYPES OF IDENTITY THEFT

In order to understand identity theft, it is important to understand the different types of identity theft and their effect on the victim. Not all identity theft (fraud) instances result in immediate financial loss to the victim. Over time, however, and depending on the nature of the identity thieves' actions, the victim often ends up paying in some way (Siciliano, 2017:1). Crimes in which someone wrongfully obtains and use another personal data fraudulently or to deceive someone or to gain financially are referred to as identity theft or identity fraud (Friedberg, 2015:125 and Siciliano, 2017:1).

According to Friedberg (2015:125) and Siciliano (2017:1) there are six basic identity theft (ID) types:

- Commercial or business;
- New account;
- Account takeover;
- Criminal takeover;
- Medical; and
- Identity cloning.

McAfee (2011:5), Melo (2014:3), Minick (2013:1) and Stroup (2017:2) identify the following eight different types of identity theft (fraud):

- Financial – access to a victim's credit card and bank account records;
- Medical and insurance;
- Criminal identification – Identification using of victim's identity to commit a crime;
- Driver's licence;
- Child;

- Social security; and
- Synthetic identity theft.

According to Minick (2013:1), the most common types of identity theft according to identity theft statistics, are the following:

- Social security;
- Financial;
- Driver's licence;
- Criminal;
- Medical;
- Insurance;
- Synthetic; and
- Tax identity theft.

From the consulted literature, above, it can be concluded that identity theft occurs when someone uses someone else's personal information to commit fraud. It is therefore important that the investigator be aware of the different types of identity theft: medical, tax, driver's licence, criminal, insurance, synthetic, social security and financial identity. After the investigator identify the type of identity theft the relevant elements of the crime needs to be proofed in a court a law.

The participants from samples A and B were asked, "Name the different types of identity theft". The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants' postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were fourteen (14) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in Table 2.8, below:

Table 2.8: Participants list the different types of identity theft

Types of identity theft	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Fraud	5	7	12
Financial identity theft	1	1	2
Total	6	2	14

(Source: Feedback from participants)

The greater number of the participants from samples A and B indicated that the different types of identity theft are fraud. Only two participants indicated it as financial identity theft. According to Friedberg (2015:125), McAfee (2011:5), Melo (2014:3), Minick (2013:1), Siciliano (2017:1) and Stroup (2017:2) there are a number of different types of identity theft, but the participants mentioned only two. Not one of the participants mentioned the following types of identity theft as per the consulted literature:

- Medical identity theft as well as insurance identity theft;
- Criminal ID – ID using of victim’s identity to commit a crime or during the committing of a crime;
- Driver’s licence;
- Insurance;
- Child;
- Social security; and
- Synthetic identity theft.

Based on the participants from samples A and B’s responses, the researcher is of the view that the participants are not totally familiar with all of the different types of identity theft. It is worthy to note that the greater part of the participants understood the different identity theft types to be fraud, as possibly experienced in their direct working environments. The objectives of identity theft will be addressed in the next section.

2.11 OBJECTIVES OF IDENTITY THEFT INVESTIGATION

No investigation of any complexity can be successful without meaningful objectives (Ferraro, 2012:13). The investigator's purpose is defined by the objectives of the investigation. The objectives allow the investigator to benchmark his progress and provide feedback to the lead investigator¹ to coordinate the investigation.

The investigative process objectives are to establish whether a crime was committed, identify and apprehend the suspects, recover stolen property, and assist in the prosecution of the persons charged with the crime (Swanson et al., 2012:2). To demonstrate the typical structure that is associated with the objectives of investigating. Fraud Doctor (2018) has created the following model, as shown in Figure 2.3, below:

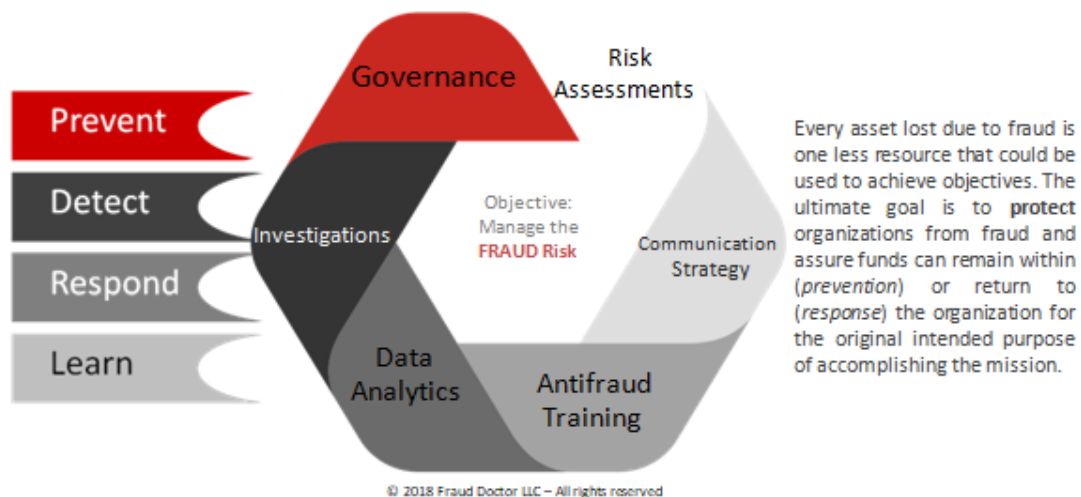


Figure 2.3: Definitional model of objectives of fraud investigations

(Source: Fraud Doctor, 2018)

According to Bloch (2008:7), the objective of investigating identity theft (fraud) is to identify areas of business risk or flaws, and to improve policies and processes to minimise the risk to the company. Bloch (2008:7) identifies the following objectives:

¹ The lead investigator is the investigator that leads the investigation. He defines areas of responsibility during the investigation process. He is the central of contact for all investigation work (Coenen, 2009:46)

- Business risk to be minimised;
- Weaknesses in business operations to be identified;
- Certain individuals to be removed from company;
- Lost assets to be recovered;
- Individuals to be prosecuted;
- Protecting the company’s public image and reputation; and
- Preparing for civil or criminal litigation.

From the literature consulted above, it can be established that the objectives of an identity theft (fraud) investigation are to ascertain that a crime was committed, to identify and apprehend the suspect or suspects, to recover stolen property, and to assist with the prosecution.

The participants from samples A and B were asked, “What, in your opinion, would be the objective with an identity theft investigation?” The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants’ postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were thirty-three (33) different answers, descriptions, or explanations to this specific question. Summarised responses of the participants are shown in Table 2.9, below:

Table 2.9: Participants’ opinion of the objectives of investigating identity theft

Objectives of investigating identity theft	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Preventative controls	6	6	12
Train staff in how to identify	3	5	8
Prosecute	1	3	4
Implement effective controls	2	0	2
Vetting process	1	1	2
Investigate all potential losses	1	0	1
Limit liabilities	1	0	1

Minimise losses	0	1	1
Gather evidence	0	1	1
Arrest the suspect	0	1	1
Total	15	18	33

(Source: Feedback from participants)

The greater part of the participants from sample A and B shared the view that the objectives of identity theft investigations were to prevent identity theft, although the participants' responses are partially in agreement with the consulted literature (Ferraro, 2012:13; and Swanson et al., 2012:2). From the participants' responses, it is evident that they do not fully understand what the objectives of an identity theft investigation entails. The feedback from the participants is focused on a strategic objective², preventing and training staff in identity theft. The investigation steps of identity theft will be discussed in the following section.

2.12 INVESTIGATION STEPS OF IDENTITY THEFT

Investigation can be defined as a series of steps moving from evidence collecting, to information analysis, to theory development and validation, to establishing reasonable grounds that a crime was committed, and finally, to the arrest and charge of a suspect (Findlaw, 2018). In the researcher's experience, during an identity theft investigation an investigator will gather prima facie evidence to support the allegation received, and determine whether identity theft was, in fact, committed. The investigation of fraud crimes in general, and the investigation of identity theft in particular, follows the same process.

During the investigation, the investigator needs to prove all the elements of identity theft. According to Dempsey and Forst (2015:500), Lamount (2011:5) and Shilling (2015:32) identity theft is fraud either attempted or committed via unauthorised use of another person's identity information. It is very important for investigators to be knowledgeable with regard to the different elements of identity theft (fraud), because the investigator needs to prove all the elements beyond reasonable doubt.

² The strategic objectives is and business strategy with which the organisation is currently working to counter a basic problem with anti-fraud measures (Pickett, 2012:204).

Findlaw (2018) identifies six steps for successful identity theft (fraud) investigation, as follows:

- Immediate action – making area safe, preserving the scene and notifying parties;
- Plan the investigation;
- Data collection;
- Date analysis;
- Corrective actions; and
- Reporting.

According to CIPPIC (2018), one needs to learn the elements of identity theft (fraud), in order to prove the suspected offence, organise and maintain evidence, and prepare the case chronology. CIPPIC (2018) identifies the following steps to follow during an identity theft (fraud) investigation:

- **STEP ONE** – Respond to complaint – Debrief the complainant and get as much information as possible.
- **STEP TWO** – Evaluate the claim or allegations – Determine if claim or allegations are serious enough to justify investigation.
- **STEP THREE** – Due diligence checks – Check online and any other checks on suspected individual or individuals for evidence of fraud and/or corruption.
- **STEP FOUR** – Complete internal investigation process – Collect all relevant information – documents, data and interviews.
- **STEP FIVE** – Analyse progress of investigation – Review results to date if sufficient evidence to proceed with investigation.
- **STEP SIX** – Begin investigation – Interview witness, collect all relevant documentation evidence.
- **STEP SEVEN** – Trace interview suspect – If sufficient evidence, obtain confession; if not, get admissions and identify possible defences.
- **STEP EIGHT** – Report on investigation – Recommendation to business – administrative sanction or criminal.

Identity theft (fraud) investigations could present several problems and drawbacks (Giacalone, 2017:1). At all times, investigators must remain professional and focused, no matter how frustrating the investigation of identity theft cases. During complex identity theft (fraud) investigations, there are many steps to take, but just a few basic steps can make the difference. Giacalone (2017:1) identifies four basic steps:

- Identify the type of identity theft;
- Create an investigation plan;
- Interview and re-interview the victim; and
- Secure the evidence.

From the consulted literature reviewed (CIPPIC, 2018; Findlaw, 2018 and Giacalone, 2017:1) the steps of an identity theft (fraud) investigation are a series of steps moving from gathering evidence, analysing information, development and validation of theory, prima facie evidence and, finally, arresting the suspect.

The participants from samples A and B were asked, “From your experience, describe the investigative steps in an identity theft investigation”. The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants’ postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were fifty-three (53) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in Table 2.10, below:

Table 2.10: Participants' description of investigation steps of identity theft

Investigation steps of identity theft	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Obtain a statement	4	4	8
Collect all the paperwork	4	3	7
Collect all the reports used during the credit bureau application	3	2	5
Trace the original owner of the identity	3	0	3
Obtain any other information regarding the crime voice recordings	2	1	3
The companies' policy is more aligned to prevent identity theft and not investigate. Investigation is more to ascertain if staff members were involved and how to prevent it from happening in the future	0	3	3
Police need to be notified	0	3	3
Have not investigated any identity theft case before	0	2	2
Investigate it in the same manner as fraud	2	0	2
When and how the fraud was discovered	1	1	2
Evidence you obtain is not compromised or contaminated	0	2	2
Performing an analysis of the information received	0	2	2
Interview staff members involved	0	2	2
Interview the victim if possible	1	0	1

Investigation steps of identity theft	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Identify documents as fraudulent	1	0	1
Applications we just decline and do not investigate	1	0	1
Obtaining all relevant information from the victim	1	0	1
Informants from potential suspects	1	0	1
Chronological log of the victim's actions since discovering the fraud	1	0	1
Obtaining all relevant information from the victim	0	1	1
Total	27	26	53

(Source: Feedback from participants)

Between the literature and the interviews with samples A and B participants, there is a link relating to the steps of investigating identity theft, but the literature is more comprehensive in the steps of investigation. The literature consulted highlighted general investigation of fraud, which by implication includes the investigation of identity theft. The participants' responses are partially in agreement with the consulted literature (CIPPIC, 2018; Findlaw, 2018 and Giacalone, 2017:1). The consulted literature has a more procedural approach, and the participants a more practical approach – for example, stating that the investigator must obtain a statement, collect all the paperwork and all the reports used during the credit bureau application report.

Investigators need to be knowledgeable with regard to the steps they are going to follow during an investigation of identity theft. An identity theft investigation cannot be concluded successfully if the investigator is not familiar with the elements of identity theft and the steps to follow during the investigation process. The study has established with literature, and the participants understanding and explanation, the

investigation steps of identity theft. The researcher will discuss the process of investigation of identity theft in the corporate environment in the next section.

2.13 INVESTIGATION OF IDENTITY THEFT IN THE CORPORATE ENVIRONMENT

Investigation of identity theft within the corporate environment would differ from corporate to corporate, but there should be a common denominating factor throughout all the corporates, namely to protect the company, its people, its assets and the future of the company. All companies do not have the resources to conduct these investigations. The Society for Human Resource Management (2014:1) states that investigations conducted within an organisation must be fair and consistently enforced. Immediate corrective action can be taken to prevent further inappropriate behaviour. Investigations can be potentially disruptive, and to prevent or minimise their effect, the investigations must be prompt, thorough and effective.

Sterken (2016:1) states that workplace conflict, job satisfaction, legal liability and inclusion could be reduced with a well-conducted investigation within the working environment. To prevent identity theft, individuals and businesses have the responsibility to remain vigilant in protecting data from getting into the hands of criminals (Sterken, 2016:1).

Sterken (2016:1) identifies the importance of well thought out strategy to follow, to ensure effective investigations. Sterken (2016:1) further explains that the aim of such steps is to provide an effective workplace investigation:

- **Plan investigation:** Receive complaint, plan investigation, identify the appropriate investigators and interviewees, questions to ask, and any documentation to be collected and reviewed.
- **Follow good interviewing practices:** The information one receives largely depends on how one seeks to obtain it during the interview.
 - Do not reveal too much information regarding the investigation; instead, simply explain that one is looking into information concerning the workplace.

- Ask open-ended questions; do not lead or suggest interviewee's responses.
- Be sure to ask whether there are additional employees with relevant information, or if there are any documents one should review.
- Document interviews. Documentation should be concurrent, comprehensive, accurate, clear, factual, and free of opinions, speculation or remarks.
- **Confidentiality:** Employees often ask whether the information they share will be kept confidential. Do not promise complete confidentiality because it is unrealistic. One can assure employees that the information will be limited to those who need it, to make sure that the company conducts an appropriate investigation and takes appropriate action.
- **Stick to schedule:** Create a schedule after receiving an employee complaint, and start with the interviews as soon as possible. The duration of an investigation will depend on the particulars of the complaint received.
- **Conclude and respond appropriately:** After completion of the investigation, you should reach a conclusion and respond to the complaint.

Sterken (2016:1) and Lyons (2015:2) agreed regarding the abovementioned steps, but adds the following guidelines to investigations:

- **Workplace policies:** Launching any workplace investigations, it is important for businesses to establish clear policies. These policies should indicate how such investigations would be conducted. They should identify the entity or individual who will be responsible for receiving complaints and conducting follow-up investigations.
- **Protect workers:** The employer should take steps to ensure the confidentiality of the employee or applicant who makes the complaint and indicate that after the investigation the decision should be followed up with corrective action, including any additional training that should be acquired, new policies that should be implemented and whether discipline is warranted.

Workplace investigation objectives must be meaningful and well defined, be correctly and legitimately executed, be just and unbiased, and the result accurately documented and communicated (Ferraro, 2012:06). Every workplace investigation requires the following:

- Management commitment;
- Meaningful objectives;
- A well-conceived strategy;
- Properly pooled resources and expertise; and
- Lawful execution.

From the consulted literature (Ferraro, 2012:06; Lyons, 2015:2 and Sterken, 2016:1), it can be concluded that identity theft (fraud) investigation in the corporate environment must have well-defined objectives, be meaningful, lawful and properly executed, impartial and fair, and be correctly documented and communicated. Every corporate identity theft (fraud) investigation requires committed management, meaningful objectives, a well-conceived strategy, properly pooled resources, expertise and lawful execution.

The participants from samples A and B were asked, "From your experience, how is an identity theft case investigated in the corporate environment?" The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants' postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were fifty-one (51) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in Table 2.11, below:

Table 2.11: Participants' understanding investigating identity theft in the corporate environment

Investigating identity theft in corporate environment	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
You need to prove the authenticity of the documents and the evidence chain	5	5	10
Obtain all relevant statements	4	5	9
Obtain any other information that can help you to prove your case, for example CCTV footage and voice recordings	3	4	7
We do not have time or involve staff to investigate all the cases; we are just trying to prevent it	4	3	7
The same as a fraud investigation	4	0	4
You must identify the documentation presented as fraudulent, before you can investigate or prevent	1	2	3
Inform the police	1	2	3
Cases in the corporate environment only get investigated if the possibility is great to catch the perpetrator; if not just prevent	1	1	2
As an investigator you need to trace the original owner of the ID and take a statement	1	0	1
Identify the correct owner of the identity	1	0	1
As the investigator you need to link the fraudster with the application	1	0	1

Investigating identity theft in corporate environment	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Data of system transactions is collected	0	1	1
Collection of information from the credit bureau	0	1	1
Performing an analysis of the information received	0	1	1
Total	26	25	51

(Source: Feedback from participants)

The greater number of participants from samples A and B understood the investigation process of identity theft in the corporate environment. Sufficient consistencies are evident between the participants' answers and the information obtained from the literature (Lyons, 2015:2; Society for Human Resource Management, 2014:1 and Sterken, 2016:1).

From the literature reviewed, Ferraro (2012:06), Lyons (2015:2) and Sterken (2016:1), the participants' responses, the following procedures regarding the investigation of identity theft in the corporate environment were found, as shown in Table 2.12, below:

Table 2.12: Investigation of identity theft in the corporate environment

Sterken (2016:1)	Lyons (2015:2)	Ferraro (2012:06)	Participants
<ul style="list-style-type: none"> Plan each investigation first Follow good interviewing practices 	<ul style="list-style-type: none"> Plan each investigation first Follow good interviewing practices 	<ul style="list-style-type: none"> Management commitment Meaningful objectives A well-conceived strategy 	<ul style="list-style-type: none"> We do not have time or involve staff to investigate all the cases; we are just trying to prevent it The same as a fraud investigation

Sterken (2016:1)	Lyons (2015:2)	Ferraro (2012:06)	Participants
<ul style="list-style-type: none"> • Be careful about confidentiality • Stick to a schedule • Reach a conclusion and respond appropriately 	<ul style="list-style-type: none"> • Be careful about confidentiality • Stick to a schedule • Reach a conclusion and respond appropriately • Workplace policies • Protect workers 	<ul style="list-style-type: none"> • Properly pooled resources and expertise • Lawful execution 	<ul style="list-style-type: none"> • You must identify the documentation presented as fraudulent before you can investigate or prevent • You need to prove the authenticity of the documents and the evidence chain • As an investigator you need to trace the original owner of the ID and take a statement • As the investigator you need to link the fraudster with the application • Obtain all relevant statements • Obtain any other information that can help you to prove your case, for example CCTV footage and voice recordings • Cases in the corporate environment only get investigated if the possibility is great to catch the perpetrator; if not just prevent • Identify the correct owner of the identity • Inform the police • Data of system transactions is collected

Sterken (2016:1)	Lyons (2015:2)	Ferraro (2012:06)	Participants
			<ul style="list-style-type: none"> • Collection of information from the credit bureau • Performing an analysis of the information received

(Source: Compiled by researcher)

Between the literature and the interviews of the participants based on Table 2.12, there is a clear link in relating to the investigation process of identity theft in the corporate environment. The participants responded according to their own understanding regarding the process. Although the responses indicated that the participants differed to an extent, the majority understood the investigation process of identity theft. The feedback from the participants is focused on a more strategic objective – that of preventing identity theft.

Based on the discussion and examples in the literature, practical experience of the researcher and the interviews conducted with the participants, the researcher developed a conceptual framework for the illustration of the process regarding identity theft investigation in a corporate environment, as shown in Figure 2.4, below:

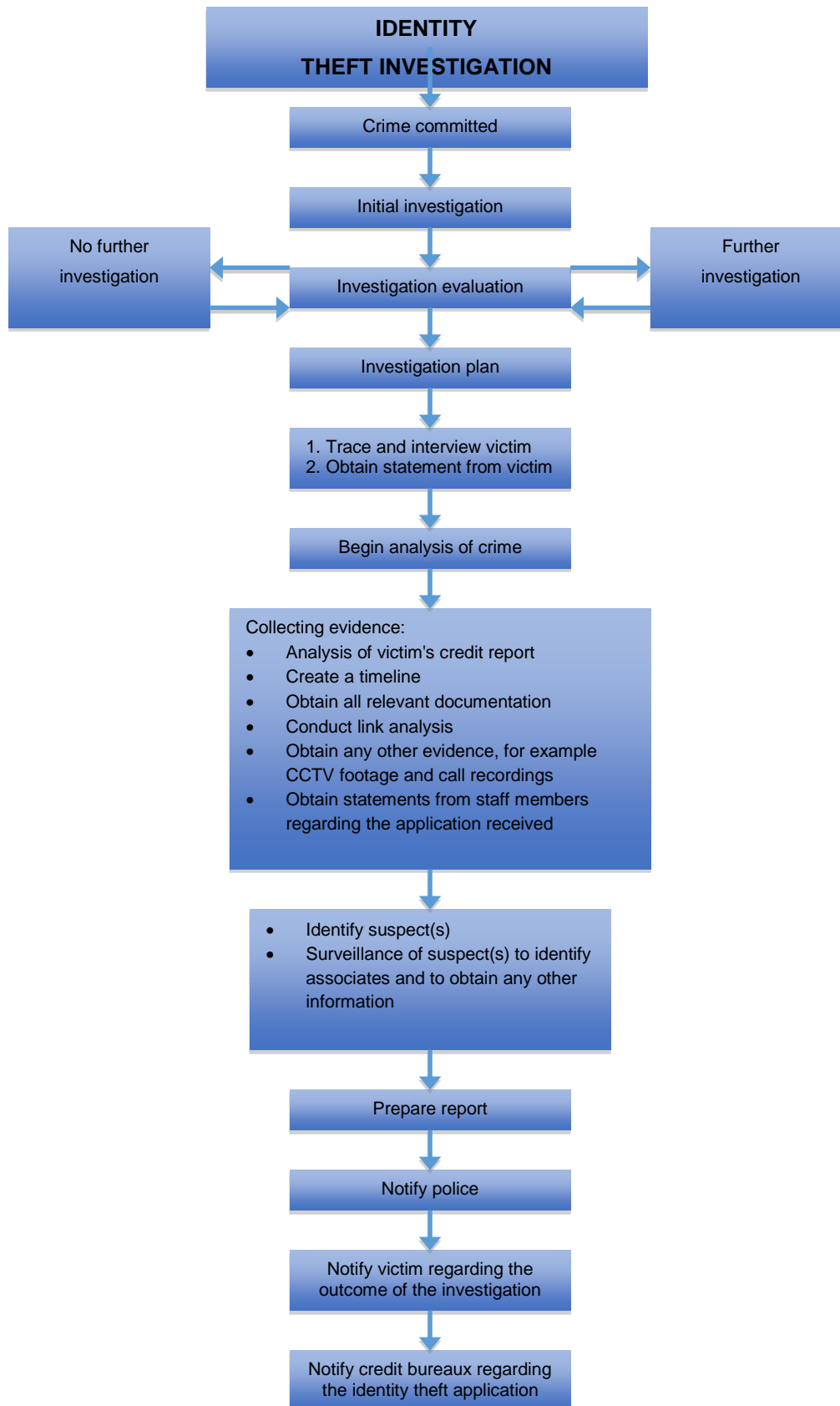


Figure 2.4: Conceptual framework of identity theft investigation process

(Source: Compiled by researcher)

In summary, the objectives of an identity theft investigation in the corporate environment must be meaningful and well defined, fair, impartial and truthfully documented and communicated. The identity theft investigation must be prompt, thorough and effective to ensure everyone's protection. There are best practices to investigate identity theft, which will be addressed in the next discussion.

2.14 BEST PRACTICE TO FOLLOW IN IDENTITY THEFT INVESTIGATION

This section deals with the best practices to follow in identity theft investigation. The International Association of Chiefs of Police (IACP) (2016:22) states that because of the complexity of identity theft investigation, there are usually no witnesses or physical evidence at the scene of the crime. The victim is an important source of information during the investigation process, and can be of great value to law enforcement agencies.

Holland (2010:1) suggests that every identity theft (fraud) investigation should attempt to identify the person that committed the identity theft, but, more importantly, how the incident was allowed to occur without being detected, and then make recommendations to prevent it from happening again. Holland (2010:1) further lists the following best steps to follow during any fraudulent activity investigation:

- **Investigation plan:** Address concerns in the allegations as well as the objectives in the investigation. Outline the plan – for example: summary of the complaint, and the questions, who, what, why, where and how need to be answered.
- **Investigation fieldwork:** Fieldwork is the means by which the plan is completed and the objectives achieved. Investigations should be conducted, and documented as if one is going to court with the information.
- **Conducting interviews:** Interviews with the individual(s) named in the allegation need to be conducted (witness and suspects). It is important to remember that an interview process consists of three individuals, namely the interviewer, the subject (suspect/witness) and a witness.
- **Reporting results:** Particularly drawn-out and/or complex investigations must be summarised in a clear and concise report. A standardised report

format should be used for reporting, and the report needs to be written in the third person.

- **Trend analysis:** The investigation should consist of a complete holistic view, to identify any overarching trends or systematic issues. With the trend analysis one can identify the modus operandi and identify other suspects involved.

Holland (2010:1) further identifies the basic requirements for a successful internal investigation. One can have the best practices during an identity theft (fraud) investigation, but one needs the following baseline requirements (Holland, 2010:1):

- **Independence:** The investigation team assigned to the internal investigation must have the appropriate level of independence, without any influence from management. The relevant manager or department head needs to be informed about the investigation in their department, via their reporting structure.
- **Scope and responsibilities:** The responsibility and scope of the investigation is particularly important if there is a team assigned to conduct the internal investigation. It defines each member's role during the investigation process. The lead investigator needs to document each member's role in the investigation process – for example, to make sure of the authenticity of the evidence.
- **Documented procedures:** The investigation process should be well documented to ensure reliability in approach, work performed and outcome. The documentation process is of the utmost significance, as the authenticity of the documentation needs to be proved in a court of law.
- **Case management system:** The case management system can be hard copy files or an electronic software solution that regularly maintains the information. The system that one uses must be updated daily to prevent any loss of information. All relevant records, data and information must be updated on the system.
- **Skilled staff:** Investigators conducting the investigation need to be experienced and knowledgeable. The investigators conducting the

interviews, particularly, must be experienced. It is also important, when conducting interviews with a female, to have a female investigator present – if possible.

The IACP (2016:23) further identifies the best plan one should follow during an identity theft investigation:

- Analyse the case;
- Victim needs to be re-interviewed;
- Authenticate the crime;
- Start analysis;
- Pursue initial leads;
- Gather evidence – be timely and careful with it;
- Create a timeline;
- Build the cast of characters;
- Conduct link analysis;
- Create an evidence book with an index;
- Look for common points of compromise across different crimes and/or additional victims; and
- Collaborate and share information.

According to Angelopoulou (2007:6) and Goldmann (2010:1) the following best steps should be taken, in order to be successful during an identity theft (fraud) investigation:

- **Authenticate the victim and crime.** Management receives complaints about fraudulent charges on a credit card or account. Be wary, because sometimes perpetrators use this approach to keep investigators off their trail.
- **Interview the victim(s).** The majority of identity theft victims are honest, the few aren't, they can easily be identified by using discrepancies in the interview answers.
- **Analysis of victims' credit reports for evidence of fraud.** Multiple customers complain about credit card charges, from your company, which

they didn't make. Obtain and analyse copies of their credit reports from each of the major credit agencies – Experian and Trans Union.

- **Analyse credit card, bank loan, retail account and other financial statements.** Identity thieves usually slip up in one way or another when submitting false applications.
- **Surveillance.** Use all the relevant information to start planning surveillance of postal, apartment or other suspicious addresses.
- **Create a new flow chart.** Creating a chart that shows all geographical locations involved in the identity fraud, can be of assistance during planning the surveillance and the search-and-seizure plans.

According to PWC Australia (2008:30), as much information as possible needs to be obtained before starting with questioning, confronting or interviewing. This is important in organisations or business units with a close working environment, where there may be a strong temptation to simply question all the employees as soon as a suspicion is raised. PWC Australia (2008:31) identifies the following action to be taken in all suspicions or complaints received:

- Alert the relevant manager regarding an allegation or suspicion.
- Obtain as much detail about the allegation as possible. The detail should include the name of the person providing the information, and a detailed explanation regarding the alleged fraud. If the informer agrees, obtain a written statement regarding the allegation.
- The suspect must not be alerted regarding the allegation made.
- The circumstances regarding the allegation or suspicion need to be listed.
- Document all actions taken since the information was received.
- Document and note any conversations or correspondence that occurred. These notes may later be required for court proceedings.
- Only inform the necessary people regarding the investigation.

Organisations can choose to get their legal advisors involved with the investigation strategy. Lawyers are not investigators, but their input will be required in relation to the legal options and employment-related matter (PWC Australia, 2008:31-32).

PWC Australia (2008:31-32) further states that when devising an investigation strategy on identity theft investigation, in order to gather information and evidence, the following technique should be considered if the suspect is an employee:

- Using public and information sources, conduct full background searches on the suspected companies and individuals.
- After-hours search of employee's work area for implicating evidence such as notes, files, diaries and any other work-related information.
- Copying the employee's work computer and any relevant servers. The using of specialist software to recover deleted hidden files can be helpful to obtain and recover the information.
- Analyse call data from telephone and facsimile lines to non-business related calls – for example, calls to offshore banks and real estate agents.

If the suspect is a third party, supplier, customer, etc., and there are limitations on the information, which you may legitimately gather concerning the actions of a third party, the following techniques may prove useful (PWC Australia, 2008:32):

- Using public databases, you can conduct searches to determine the companies' directors, shareholders, media releases and any other corporate-related information.
- Information from third parties with knowledge regarding the suspect's activities.
- All relevant documents, transactions, correspondence and interaction with suspect need to be forensically examined.
- Identify associates of suspect by surveillance, lifestyle and any other forms of income.
- Documents need to be analysed by handwriting experts.

According to PWC Australia (2008:33), after concluding the investigation, a formal interview is conducted with the suspect. During this interview, all relevant evidence will be put to the suspect, so that he can reply to it. Experienced investigators must

undertake the abovementioned interviews. These interviews will only be conducted after the investigation has been completed.

To assist the public, the Menomonee Falls Police Department (MFPD) (2014:1) created the following pro-forma forms to assist in dealing with the problem relating to investigation and prosecution of identity theft: Pro-forma identity theft affidavit (**Annexure E**); Sample dispute letter (**Annexure F**) and Sample dispute letter to existing accounts (**Annexure G**). According to the MFPD (2014:1), after completing these documents, one can file a case with the police. The affidavit must contain all the relevant information needed during an identity theft investigation. The information contained in these documents, attached as Annexures E, F and G, can furthermore be used as best practice to follow during an identity theft investigation, in order to obtain all the relevant information.

The participants from samples A and B were asked, “What would be the best practice to follow in an identity theft investigation?” The question was well defined, and the participants could provide their own answer(s) to the question. Several of the participants’ postulated more than one answer, as no selections were stipulated from which they could choose. From the thirteen (13) participants there were sixty-six (66) different answers, descriptions or explanations to this specific question. Summarised responses of the participants are shown in Table 2.13, below:

Table 2.13: Participants’ suggestions on best practices to follow in an identity theft investigation

Best practices to follow in identity theft investigation	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
Take statements	6	6	12
Take a statement from the owner of the identity statements	3	6	9
Notify the police	2	6	8
Seal the documentation to prove to the court that you as the	4	2	6

Best practices to follow in identity theft investigation	Sample A	Sample B	Overall number of times this narrative was mentioned in response to the specific question asked
investigator have not tampered with the evidence			
Get CCTV footage	2	2	4
I have had no formal training on how to investigate identity theft	1	3	4
Same manner as fraud	3	0	3
Inform the credit bureaux	1	2	3
Look at information supplied	2	1	3
Establish an area where the identity theft cases are most prevalent – establish surveillance	2	1	2
Know how the company received the documentation	2	0	2
Need to prove that the person had intent to defraud the company	2	0	2
Link suspect with crime	0	2	2
If employment was verified follow up on location of the number supplied	1	0	1
Get the voice recording	1	0	1
Place preventative measures in place	1	0	1
Prove authenticity of documents	1	0	1
Establish modus operandi	0	1	1
Total	34	32	66

(Source: Feedback from participants)

Between the literature and the interviews with the participants there is a link relating to the best practices to follow in identity theft investigations. The majority of the

participants answered that statements should be taken, and the police notified. The participants mentioned that the police need to be notified, but the literature consulted did not mention it.

The participants' responses illustrated a general understanding of identity theft investigation. The participants could not offer additional best practice as indicated by the literature (Angelopoulou, 2007:6; Goldmann, 2017:1; Holland, 2010:1 and PWC Australia, 2008:32).

2.15 SUMMARY

Criminal and forensic investigation, and their concepts and meanings, were addressed in this chapter. The objectives of investigation were deliberated on, to provide an understanding of the reason why an investigation should be conducted. The concepts of identification, individualisation and evidence were addressed. This chapter further revealed that the investigation of identity theft is a highly specialised field. Identity theft refers to all types of crime in which someone wrongfully obtains and uses another person's identifying information for the purpose of fraud or other criminal activity, typically for economic gain. The concepts of different types, elements, and objectives of identity theft investigation were discussed. The concepts of investigation steps of identity theft, investigation of identity theft in the corporate environment, as well as the best practice to follow in identity theft investigations, were explored.

The investigation process, and how investigators conduct themselves throughout the process by starting with planning that is vital for the outcome of the investigation, was discussed. The phrase 'forensic investigation' further emphasises this by broader definition of the meaning, by suggesting that the investigation process has to be court driven – in other words, it must have the intent to introduce the evidence to a court of law. Investigators require particular skills to gather the relevant evidence and present this evidence in a court of law.

Benson et al. (2015:2, 19-20), state that forensic investigation is a process of investigation into criminal or civil conduct, which is an detailed, meticulous search

for the truth by using skilled specialists with expert knowledge of scientific techniques. Investigation can be defined as the process in which knowledge, experience, insight and investigative techniques are combined to conclude an investigation. The investigation's aim is to clarify allegations, and to investigate suspicious circumstances and situations in which an act was committed. The investigator needs to have a positive attitude and an enthusiastic approach, to be able to find these clues that are mostly hidden and difficult to find. The integrity of the evidence must be kept intact, through maintenance of the chain of evidence during the entire investigation process. The investigation must be more within the parameters of the law. Forensic investigation is a systematic, fact-finding process which is dependent on different investigative tools, both scientific and traditional, to gather evidence for the purpose of assisting a court of law to come to a conclusion.

Throughout the literature study and interviews it became evident that the investigation steps and best practices are prominent features during identity theft investigation. The participants' views and understanding of certain concepts were compared to the literature. The views and options of the participants, as well as the literature, highlighted the importance of knowing how to investigate identity theft.

In addition, the research showed the best practices to follow during identity theft investigation. Physical evidence is critical during the investigation process of identity theft. The investigator uses special skills to obtain information about an allegation and when collecting the relevant information and evidence during an identity theft investigation. The objective of identity theft investigation is similar to that of other criminal investigations, namely to identify, locate and arrest the perpetrator. The investigator needs to understand the investigation process and what it entails, and have a clear understand pertaining to the objectives of the investigation.

CHAPTER 3

FINDINGS AND RECOMMENDATIONS

3.1 INTRODUCTION

Cassim (2015:1) states that identity theft has become one of the fastest growing white-collar crimes in the world. Identity theft occurs when an individual's personal information, such as, inter alia, their name, date of birth or credit card details, is used by another individual to commit fraud (Cassim, 2015:1). Identity theft has a wide-ranging effect on the victim, ranging from their personal finances to their emotional well-being. Identity theft affects financial institutions and the country's economy at large (Cassim, 2015:72).

The research aim was to determine how the investigation process of identity theft should be performed within a corporate environment. The investigation process of identity theft in the corporate environment must have clearly defined objectives, and, if applied correctly, will lead to positive results. Smith (2014:2) states that identity theft is prosecuted in Republic of South Africa in terms of the common law of fraud. A person guilty of identity theft (fraud) can be found guilty of fraud, forgery and uttering a forged document, depending on the circumstances of the case. It is the SAFPS's responsibility to prevent fraud and protect consumers against identity theft (Cassim, 2015:77). The Protection of Personal Information Act and the Electronic Communication and Transactions Act can also be used to address the problem of identity theft crimes in South Africa (Cassim, 2015:5).

According to Leedy and Ormrod (2013:140), research can be defined as a methodical process of collecting and analysing data in order to increase the understanding of the phenomenon under question, and communicating that, which is discovered to the larger scientific community. The research question under investigation was the following:

- What does the investigation process of identity theft in the corporate environment entail?

This chapter summarises the findings made, and conclusions reached by the study, and makes recommendations for investigators in the field of forensic investigation. The findings relate to the research aim, the research problem and the research question. Recommendations will be made based on these findings.

3.2 FINDINGS

The following findings were made from both information acquired in the literature referring to investigators in general and the answers from samples A and B, which consisted of MTN and Cell C investigators. The findings are founded on the literature and the empirical study, and the researcher established the following:

3.2.1 Criminal investigation and forensic investigation

The research established the following:

- Criminal investigation is defined as the process of discovering, collecting, preparing, identifying and presenting evidence, to determine what happened and who is responsible. In principle, the participants agreed with the literature regarding the description of criminal investigation.
- The literature reviewed refers to forensic investigation as the presentation of scientific knowledge and principles to legal disputes, whether it is a criminal or civil matter. Although the participants' responses differed to a degree, they comprehended the meaning of forensic investigation in their environment, and added that the case management system they work on also forms part of the term 'forensic investigation'.

3.2.2 Objectives of investigation

The research established the following:

- The objectives of an investigation are to establish that a crime was committed, to identify and apprehend the suspects, recover stolen property, and assist in the prosecution of the persons charged with the crime.
- The participants had an overall understanding of the objectives of an investigation process; however, none of the participants could cite all the

objectives as per the consulted literature. The literature has a more investigative procedure approach, insofar as a process or guideline for the investigation process. Each process that is completed would be an objective, as part of the entire investigation process.

3.2.3 Identification

The research established the following:

- According to the literature reviewed, the process of identification can be defined as the process by which an entity, object or person is placed in a predefined category or class, and this is based on shared or similar features or characteristics.
- The participants identified the meaning of identification as the process to identify someone, or the action of identifying someone. The participants' responses were fairly consistent with the consulted literature. The participants had a sound understanding of the meaning of identification.

3.2.4 Evidence

The research established the following:

- Evidence can be defined as being used to prove or disprove the truth, has legal significance, and is the only means of establishing the truth in a court of law.
- To prove the elements of a crime, one can use different types of evidence. Such evidence, when organised, provides answers to the questions regarding the possible crime: who, what, where, how and why.
- The different types of evidence were established as indirect or circumstantial evidence, testimonial evidence, documentary evidence, real evidence and direct evidence.
- Although the participants' understanding of evidence is not the exact definition as defined in the consulted literature, the participants generally understood the meaning of the word 'evidence'. It is important that

investigators keep in mind that evidence has to be presented in court, in order to establish the truth.

3.2.5 Identity theft

The research established the following:

- Identity theft can be defined as allowing personal information to be obtained, located and discovered by an individual who wants to use the information for criminal purposes.
- Although the participants' responses differed to an extent from the consulted literature, they were knowledgeable with regard to understanding the term 'identity theft' (fraud).

3.2.6 Different types of identity theft

The research established the following:

- Identity theft and identity fraud are terms used to refer to all types of crime in which someone illegally acquires another person's personal information, and uses the information to commit fraud, deception or financial gain.
- Identity theft transpires when another person steals one's personal information to commit fraud. It is therefore important that the investigator is aware of the different types of identity theft. These can be identified as the following: account takeover; new fraud accounts, exercising account takeover fraud; business or commercial identity theft, personal identity cloning, criminal takeover fraud, and medical identity theft.
- The participants were not totally familiar with all the different identity theft types.
- It is noteworthy that the participants widely held the same opinion regarding the different types of identity as being fraud, as possibly experienced in their direct working environments. South Africa prosecutes identity theft in terms of the common law of fraud.

3.2.7 Elements of identity theft

The research established the following:

- Different crimes have different elements to prove beyond reasonable doubt, in order to obtain a conviction.
- In order to prove criminal liability, all the elements of the crime, that refer to the facts, must be established.
- To prove criminal liability, the elements of a crime must be established.
- The elements of identity theft have been identified as follows: prejudice, unlawfulness, specific intention, attempt, and misrepresentation to a person.
- The participants were knowledgeable with regard to understanding the concept 'elements of identity theft'. Two participants added: "A person must commit the act".

3.2.8 Objectives of identity theft investigation

The research established the following:

- The objectives of investigating identity theft (fraud) are to improve the business policies and processes by identifying areas of business risks and/or flaws in the business operations. The objectives of identification of identity theft were identified to be the minimising of business operations, business risk, and individuals to be removed from company, recovering any losses, criminal prosecution, protecting image and reputation of the company, and preparing for civil and/or criminal litigation.
- The participants' responses indicated that the participants do not fully understand what the objectives of identity theft investigation entails. The feedback from the participants was focused on the more strategic objective on preventing and training staff on identity theft.

3.2.9 Investigation steps of identity theft

The research established the following:

- Investigation steps of identity theft investigation is a progression of phases moving from evidence-gathering tasks to information analysis, to theory development and validation, to forming reasonable grounds to believe, and finally to the arrest and charging of a suspect.
- There are many phases during complex identity theft (fraud) investigations. From the consulted literature (CIPPIC, 2018; Findlaw, 2018 and Giacalone, 2017:1), the following steps have been identified that need to be followed during an identity theft (fraud) investigation:
 - Receive the incident and/or case and respond to the complaint.
 - Evaluate the allegations or suspicions.
 - Create an investigation plan.
 - Conduct due diligence background checks.
 - Complete internal stage.
 - Get organised.
 - Commence investigation.
 - Trace and interview subject.
 - Secure evidence.
 - Make a recommendation based on findings.
- The participants' responses illustrated an overall understanding of the investigative steps of identity theft investigation. The participants had a more practical approach – for example, stating that the investigator must obtain a statement, collect all the paperwork and all the reports used during the credit bureau application report.

3.2.10 Investigation of identity theft in the corporate environment

The research established the following:

- For corporate investigations to be successful, the investigation objectives must be meaningful and well defined, fair and impartial, and the results accurately reported and communicated. For every workplace investigation to

be successful, the following requirements need to be met: committed management, properly perceived strategy, meaningful objective, resources and expertise, and lawful execution.

- The participants had overall general knowledge regarding the investigation process of identity theft in the corporate environment. The participants' responses included their own understanding regarding the process of identity theft investigation, and reflected a general understanding of the process of identity theft investigation.

3.2.11 Best practice to follow in identity theft investigation

- In this research, the researcher identified the following best practices from the consulted literature (Angelopoulou, 2007:6; Goldman, 2017:1 and Holland, 2010:1) to follow during an identity theft (fraud) investigation:
 - Review case;
 - Re-interview the victim;
 - Validate the crime;
 - Analysis;
 - Pursue initial leads;
 - Gather and collect evidence;
 - Create timeline;
 - Build list of potential suspect and witnesses;
 - Conduct link analysis;
 - Need to create evidence and index; and
 - Collaborate and share information.
- Investigators need to be knowledgeable with regard to the best practices to follow regarding identity theft investigation. Investigation of identity theft can be conducted more effectively if investigators are aware of, and knowledgeable about, the best practices to follow in these investigations.
- The responses from participants demonstrated a general understanding of identity theft investigation, but the participants could not offer additional best practice as indicated by the literature.

3.3 RECOMMENDATIONS

This research has addressed several key concepts towards understanding what the investigation process of identity theft in the corporate environment entails. Several key concepts were covered during this research. Based on what was discovered during the research, the following recommendations are made:

The following recommendations are based on the findings of the study and the reviewed literature:

- Investigators are to be made aware of the objectives of investigation and, in particular, the objectives of identity theft investigation, as the objectives of investigation define the investigator's purpose, allow the investigator to track his progress, and provide the framework by which the lead investigator can coordinate the efforts to build the case.
- A detailed procedure manual is to be designed to assist and guide investigators from the corporate environment on the steps and procedures to be followed during an identity theft investigation.
- Experts in the field of identity theft investigation are to conduct training sessions, refresher courses and establish mentorship, to assist investigators in the corporate environment with improvement of their knowledge on identity theft in particular.
- Yearly workshops relating to identity theft are to be conducted to assist investigators in understanding new tendencies and modus operandi with regard to identity theft investigations.
- An integrated multi-disciplinary approach towards the investigation of identity theft to be adopted and implemented between both the telecommunication service providers within the corporate environment and the law enforcement agencies.
- The conceptual framework, as illustrated in Figure 3.1, below, of the process regarding identity theft investigation in the corporate environment, which was developed, based on the discussion and illustrations in the literature, as well as the interviews conducted in this study, to be considered by corporate investigators, to guide them through the process of identity theft investigation

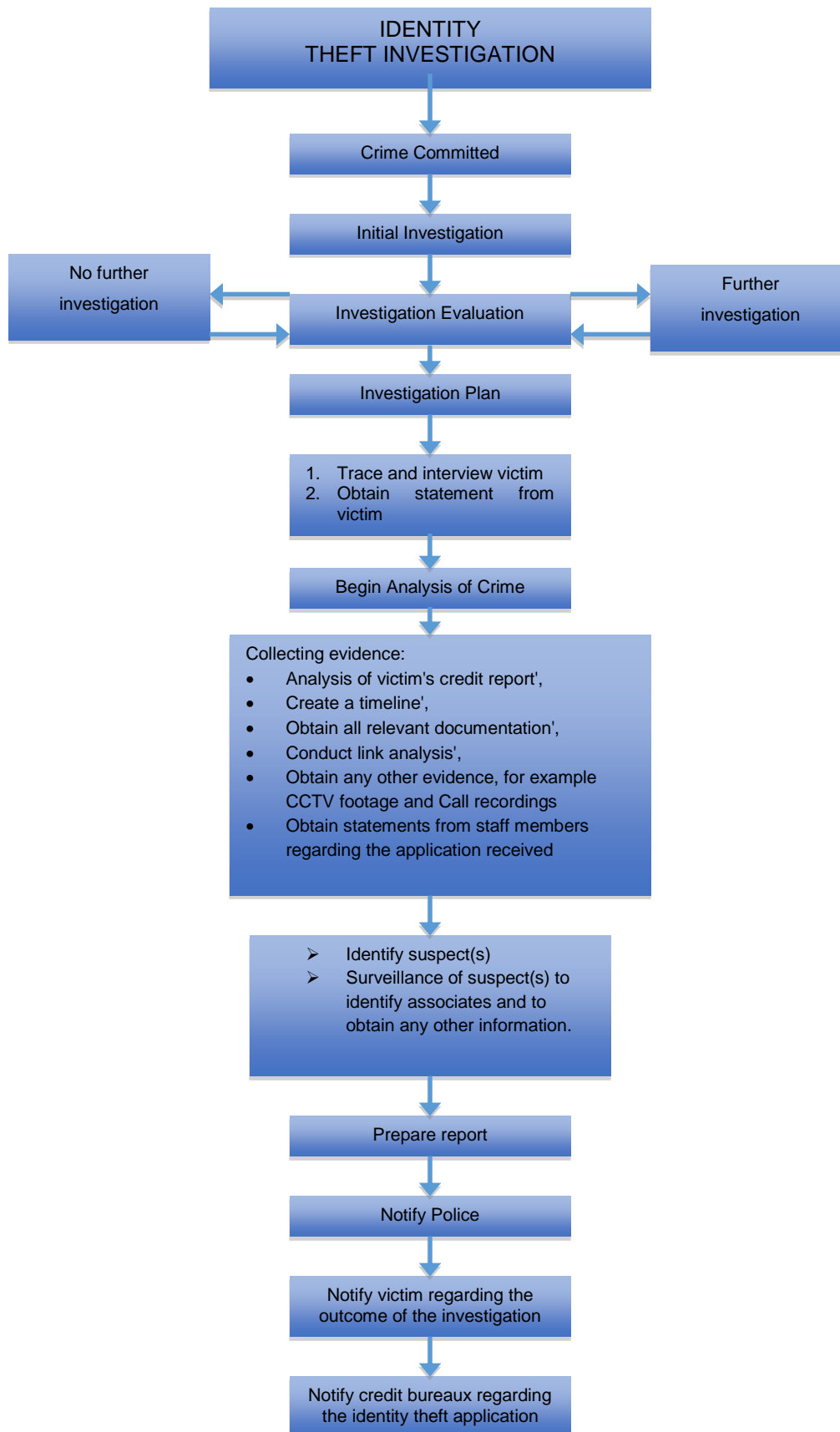


Figure 3.1: Conceptual framework of identity theft investigation process

(Source: Compiled by researcher)

3.4 CONCLUSION

Identity theft (fraud) is one of the fastest growing crimes in the world today. It is also one of the most difficult to detect and investigate, until it is too late and the damage has been done. Identity theft (fraud) occurs when someone uses one's personal information to commit identity fraud.

This research's aim was to determine how the investigation process of identity theft should be performed within a corporate environment. The methodology and design enabled the researcher to answer the research question. The relevant literature on this topic was examined and discussed.

It is important that investigators enhance their identity theft investigation skills and use the best, most current and effective investigation methods. Furthermore, identity theft investigations are complex and difficult to investigate, given that identity theft investigation has evolved very rapidly in recent times and become more sophisticated. The success of an investigation depends on the investigator's skills, abilities, state of mind, the knowledge the investigator possesses, and experience gained.

The participants' views of certain concepts, and their understanding, were compared to the literature. It was also established that literature relating to identity theft within a corporate environment, and in a South African context, was limited in details, and that participants had different views and opinions on what the investigation of identity theft in the corporate environment entails. Based on the research findings, a number of recommendations have been made.

The researcher has empowered himself with the knowledge gained from this research.

The researcher believes that this research could empower investigators with the knowledge required on how the investigation process of identity theft should be performed within a corporate environment.

LIST OF REFERENCES

- Alfred, D. 2013. ID theft danger in SA – expert. Available at: <http://www.news24.com/Technology/News/ID-theft-danger-in-SA-expert-20130722> (accessed on 8 April 2015).
- Angelopoulou, O. 2007. *ID theft: A computer forensic investigation framework*. Perth: University of Glamorgan.
- Babbie, E.R. 2013. *The practice of social research*. 13th international edition. Belmont, CA: Wadsworth.
- Barbour, R. 2014. *Introducing qualitative research: A student's guide*. London: Sage.
- Becker, R.F. & Dutelle, A.W. 2013. *Criminal investigation*. 4th edition. Burlington, MA: Jones & Bartlett Learning.
- Benson, B.C., Jones, G. & Horne, J.S. 2015. Forensic investigation of crime, irregularities and transgressions. In Zinn, R.J. & Dintwe, S.I. (eds.). 2015. *Forensic investigation: Legislative principles and investigative practice*. Cape Town: Juta.
- Bertino, A.J. 2012. *Forensic science: Fundamentals and investigations*. Mason, OH: Cengage Learning.
- Biegelman, M.T. 2009. *Identity theft handbook*. Upper Saddle River, NJ: Wiley.
- Blandford, A. 2013. Semi-structured qualitative studies. In Soegaard, M. & Dam, R.F. (eds.). 2013. *The encyclopaedia of human-computer interaction*. 2nd edition. Aarhus: Denmark. Available at: http://discovery.ucl.ac.uk/1436174/2/semi-structured_qualitative_studies.pdf (accessed on 2 October 2017).
- Bloch, M.C. 2008. *Guide to conducting workplace investigations*. *Society of corporate compliance and ethics*. Available at: http://www.corporatecompliance.org/Portals/1/Users/169/29/60329/Workplace_Investigations_Guide.pdf (accessed on 2 October 2017).
- Brandl, G.D. & Ling, R. 2010. *The research process*. 5th edition. Melbourne: Oxford University Press.
- Brandl, S.G. 2014. *Criminal investigation*. London: Sage.
- Burchell, J. 2013. *Principles of criminal law*. 4th edition. Cape Town: Juta.

- Burchell, J. & Milton, J. 1997. *Principles of criminal law*. 2nd edition. Cape Town: Juta.
- Brynard, P.A. & Hanekom, S.X. 2013. *Introduction to research in management-related fields*. 2nd edition. Pretoria: Van Schaik.
- Canadian Internet Policy and Public Interest Clinic. 2018. Identity theft: Introduction and background. Available at: <https://cippic.ca/sites/default/files/bulletins/Introduction.pdf> (accessed on 5 December 2018).
- Cassim, F. 2015. *Protecting personal information in the era of identity theft: Just how safe is our personal information from identity thieves?* Available at: <https://www.ajol.info/index.php/pelj/article/view/121286> (accessed on 09 January 2019).
- Champod, C. 2015. Overview and meaning of identification/individualization. In Houck, M.M. (Ed.). *Professional issues in forensic science*. Oxford: Academic Press.
- Chisum, W.J. & Turvey, B.E. 2011. *Crime reconstruction*. 2nd edition. Waltham, MA: Academic Press.
- Choo, A. L-T. 2015. *Evidence*. 4th edition. London: Oxford University Press.
- CIPPIC ... see Canadian Internet Policy and Public Interest Clinic. 2018.
- Coenen, T.L. 2009. *Expert Fraud Investigation A Step-By-Step Guide*. John Wiley & Sons, INC. Canada.
- Creswell, J.W. 2009. *Research design: Qualitative, quantitative and mixed methods approaches*. 3rd edition. Thousand Oaks, CA: Sage.
- Creswell, J.W. 2013. *Qualitative inquiry and research design: Choosing among five approaches*. 3rd edition. Thousand Oaks, CA: Sage.
- Creswell, J.W. 2014. *Research design: Qualitative, quantitative and mixed methods approaches*. 4th international student edition. London: Sage.
- Creswell, J.W. & Creswell, D.C. 2017. *Research design*. 5th edition. London: Sage.
- Crotty, M. 1998. *The foundations of social research: Meaning and perspective in the research process*. Thousand Oaks, CA: Sage.
- Dantzker, M.L. & Hunter, R.D. 2012. *Research methods for criminology and criminal justice*. 3rd edition. Sudbury, MA: Jones & Bartlett.
- De Vos, A.S., Strydom, H., Fouché, C.B. & Delport, C.S.L. 2011. *Research at grassroots*. 4th edition. Pretoria: Van Schaik.

- Dempsey, S.D. & Forst, L.S. 2015. *An introduction to policing*. 8th edition. New York: Cengage Learning.
- Denscombe, M. 2010. *The good research guide: For small-scale social research projects*. 4th edition. Philadelphia, PA: Open University Press.
- Denscombe, M. 2011. *The Good Research Guide: For small– Scale Social Research Projects*. 4th edition. England: Mc Graw Hill, Open University Press.
- Denzin, N.K. & Lincoln, Y.S. 2013. *The landscape of qualitative research*. 4th edition. Los Angeles, CA: Sage.
- Devos, H. 2016. *Identity theft: What everyone ought to know about identity theft protection*. New York: Lulu Press.
- Du Plooy-Cilliers, F., Davis, C. & Bezuidenhout, R. 2014. *Research matters*. Cape Town: Juta.
- Durrheim, K. 2014. Research design. In Terre Blanche, M., Durrheim, K. & Painter, D. 2014. *Research in practice: Applied methods for the social sciences*. 2nd edition. Cape Town: UCT Press.
- Electronic Communication and Transactions Act ... see South Africa. 2002.
- Ferraro, E.F. 2012. *Investigations in the workplace*. 2nd edition. New York: CRC Press.
- Findlaw. 2018. Identity theft. Available at: <https://criminal.findlaw.com/criminal-charges/identity-theft.html> (accessed on 5 December 2018).
- Fish, J.T., Miller, L.S. & Braswell, M.C. 2013. *Crime scene investigation*. 3rd edition. Anderson, OH: Elsevier Academic Press.
- Fisher, B.A.J. & Fisher, D.R. 2012. *Techniques of crime scene investigation*. Boca Raton, FL: CRC Press.
- Fisher, B.A.J., Tilstone, W.J. & Woytowicz, C. 2009. *Introduction to criminalistics: The foundation of forensic science*. New York: Academic Press.
- Fouché, C.B. & Schurink, W. 2017. Theory and literature. In De Vos, A.S., Strydom, H., Fouché, C.B. & Delport, C.S.L. *Research at grassroots: For the social sciences and human service professions*. 4th edition. Pretoria: Van Schaik.
- Fraud Doctor. 2018. Proactive antifraud model. Available at: <https://fraud-doctor.com/services/consulting> (accessed on 6 December 2018).
- Friedberg, B. 2015. *Personal finance: An encyclopedia of modern money management*. Santa Barbara, CA: ABC-CLIO, LLC.

- Gardner, R.M. 2014. *Practical crime scene processing and investigation*. London: CRC Press.
- Giacalone, J.L. 2011. *The criminal investigative function: A guide for new investigators*. 2nd edition. New York: Looseleaf Law Publications.
- Giacalone, J.L. 2017. Four basic steps in a fraud investigation. Available at: <http://blogs.lexisnexis.com/public-safety/2015/06/fraud-investigation-basic-steps> (accessed on 8 October 2017).
- Gilbert, N.J. 2010. *Criminal investigation*. 8th edition. Upper Saddle River: Pearson Education.
- Girard, J.E. 2015. *Criminalistics: Forensic science, crime, and terrorism*. 3rd edition. Burlington: Jones & Bartlett learning.
- Given, L.M. 2008. *The Sage encyclopaedia of qualitative research methods*. Thousand Oaks, CA: Sage.
- Goldman, P. 2010. How to investigate identity theft when your properties are targets. Available at: http://hotelexecutive.com/business_review/1763/how-to-investigate-identity-theft-when-your-properties-are-targets (accessed on 18 April 2017).
- Goss, P. 2016. *Fraud and corruption risk governance*. The Reeds: Goss Forensic Publications.
- Gratton, C. & Jones, I. 2010. *Research methods for sport studies*. 2nd edition. New York: Routledge.
- Gray, D.E. 2014. *Doing research in the real world*. 3rd edition. London: Sage.
- Grix, J. 2010. *The foundations of research*. 2nd edition. Basingstoke, Hants: Palgrave Macmillan.
- Hammond, M. & Wellington, J. 2013. *Research methods: The key concepts*. New York: Routledge.
- Hess, K.M. & Orthmann, C.H. 2010. *Criminal investigation*. 9th edition. New York: Delmar Cengage Learning.
- Holland, T. 2010. Fraud investigation requirements and best practices. Available at: <https://thefahrenheitgroup.com/finance-news/part-two-fraud-investigation-requirements-and-best-practices> (accessed on 10 December 2018).
- Hopwood, W.S., Leiner, J.J. & Young, G.R. 2012. *Forensic accounting and fraud examination*. 2nd edition. New York: McGraw-Hill.
- IACP ... see International Association of Chiefs of Police. 2016.

- International Association of Chiefs of Police*. 2016. Investigating identity crime. Available at: <http://www.theiacp.org/investigateid/pdf/Section-V-Investigating-Identity-Crime.pdf> (accessed on 11 November 2017).
- Investorwords. 2016. Corporate environment [definition]. From: <http://www.investorwords.com/1129/corporate.html> (accessed on 21 November 2016).
- Joubert, C. 2013. *Toegepaste reg vir polisiebeamptes*. 3rd edition. Lansdowne: Juta.
- Kaniki, A. 2014. Doing information search. In Terre Blanche, M., Durrheim, K. & Painter, D. 2014. *Research in Practice: Applied Methods for the Social Sciences*. 2nd edition. Cape Town: UCT Press.
- Khan, J.A. 2008. *Research methodology*. New Delhi: APH Publishing Corporation.
- Kumar, R. 2011. *Research methodology: A step-by-step guide for beginners*. 3rd edition. Thousand Oaks, CA: Sage.
- Lamount, G. 2011. *A guide to preventing identity theft*. Malibu: Malibu Publishing.
- Leedy, P.D. & Ormrod, J.E. 2010. *Practical research: Planning and design*. 9th edition. Upper Saddle River: Pearson Education International.
- Leedy, P.D. & Ormrod, J.E. 2013. *Practical research: Planning and design*. 10th edition. Upper Saddle River: Pearson Education.
- Leedy, P.D. & Ormrod, J.E. 2015. *Practical research: Planning and design*. 11th edition. Mason, OH: Merrill Prentice Hall.
- Levy, J. 2008. *Careers in criminal profiling*. New York: The Rosen Publishing Group. (Careers in forensics).
- Liamputtong, P. 2013. *Qualitative research methods*. 3rd edition. New York: Oxford University Press.
- Lichtman, M. 2014. *Qualitative research for social science*. London: Sage.
- Lochner, H.T. 2014. *Taking effective witness statements*. Cape Town: Juta.
- Lochner, H.T. & Zinn, R.J. 2015. *Crime scene investigation*. Cape Town: Juta.
- Locke, L.F., Spirduso, W.W. & Silverman, S.J. 2013. *Proposals that work: A guide for planning dissertations and grant proposals*. 6th edition. Thousand Oaks, CA: Sage.
- Lushbaugh, C.A. & Weston, P.B. 2009. *Criminal investigation: Basic perspectives*. 11th edition. Upper Saddle River: Pearson.
- Lushbaugh, C.A. & Weston, P.B. 2012. *Criminal investigation: Basic perspectives*. 12th edition. Upper Saddle River: Pearson.

- Lyons, D.P. 2015. *Fundamentals of jail & prison administrative/internal investigations*. Bloomington, IN: Author House.
- Maras, M.H. 2015. *Computer forensics: Cybercriminals, laws and evidence*. 2nd edition. Burlington, MA: Jones & Bartlett Learning.
- Maree, K. 2012. *First steps in research*. Pretoria: Van Schaik.
- Marshall, C. & Rossman, G.B. 2011. *Designing Qualitative Research*. New Delhi: Sage.
- Maxfield, M.G. & Babbie, E.R. 2012. *Basics of research methods for criminal justice and criminology*. 3rd edition. Belmont, CA: Wadsworth/Cengage Learning.
- Maxfield, M.G. & Babbie, E.R. 2014. *Research methods for criminal justice and criminology*. 7th edition. Boston, MA: Thomson Wadsworth.
- McAfee. 2011. The 6 types of identity theft. Available at: <http://blogs.mcafee.com/consumer/family-safety/the-6-types-of-identity-theft> (accessed on 26 June 2016).
- McDevitt, D.S. 2012. *Managing the investigative unit*. Springfield, IL: Charles C Thomas.
- McKenna, B. 2018. The elements of a crime. Available at: <https://study.com/academy/lesson/the-elements-of-a-crime-definition-lesson.html> (accessed on 2 January 2019).
- Melo, C. 2014. *Get to know these common types of ID theft*. Available at: <https://www.igrad.com/articles/8-types-of-identity-theft> (accessed on 18 September 2017).
- Menomonee Falls Police Department. 2014. Investigation and prosecution of identity theft. Available at: <https://www.menomonee-falls.org/DocumentCenter/View/2033/Identity-Theft-Victims-Packet021412?bidId=> (accessed on 9 December 2018).
- Minick, J.K. 2013. Identity theft and fraud offenses. Available at: <http://www.minicklaw.com/identity-theft-and-fraud-offenses> (accessed on 4 December 2018).
- Monckton-Smith, J., Adams, T., Hart, A. & Webb, J. 2013. *Introducing forensic and criminal investigation*. London: Sage.
- Mouton, J. 2009. *Understanding social research*. 6th edition. Pretoria: Van Schaik.
- Ogle, R.R. 2012. *Crime scene investigation & construction*. 3rd edition. Upper Saddle River: Pearson Education.

- Oliver, P. 2013. *Writing your thesis*. London: Sage.
- Orthmann, C.H. & Hess, K.M. 2013. *Criminal investigation*. 10th edition. New York: Delmar Cengage Learning.
- Osterburg, J.W. & Ward, R.H. 2010. *Criminal investigation: A method for reconstructing the past*. 6th edition. New York: LexisNexis Anderson.
- Palmiotto, M.J. 2012. *Criminal investigation*. 4th edition. Boca Raton, FL: CRC Press.
- Picket, K.H.S. 2012. *Fraud Smart*. Wiley Publications. United Kingdom.
- Pillay, K. 2015. Identity theft. Available at: <https://www.sabrics.co.za/stay-safe/identity-theft> (accessed on 09 November 2017).
- Piper, C.E. 2014. *Investigator and fraud fighter guidebook*. Upper Saddle River: Wiley.
- PricewaterhouseCoopers. 2008. Fraud: A guide to its prevention, detection and investigation. Available at: <https://www.pwc.com.au/consulting/assets/risk-controls/fraud-control-jul08.pdf> (accessed on 15 November 2017).
- Protection of Personal Information Act ... see South Africa. 2013.
- PWC ... see PricewaterhouseCoopers. 2008.
- Ross, T. 2012. *A survival guide for health research methods*. London: Open University Press.
- Saferstein, R. 2011. *Forensic science: An introduction*. 2nd edition. New York: Pearson.
- Salkind, N.J. 2012. *Exploring research*. Upper Saddle River: Pearson Education International.
- Savin-Baden, M. & Major, C.H. 2013. *Qualitative research: The essential guide to theory and practice*. London: Routledge.
- Saylor Academy. 2012. Criminal law. Chapter 12: The elements of a crime. Available at: https://saylordotorg.github.io/text_criminal-law/s08-the-elements-of-a-crime.html (accessed on 5 December 2018).
- Sekaran, U. & Bougie, R. 2013. *Research methods for business: A skill-building approach*. 6th edition. London: Wiley.
- Shi, Z. 2011. Dilemmas in using phenomenology to investigate elementary school children learning English as a second language in education, 17(1):3-13.
- Shilling, D. 2015. *Lawyer's desk book 2015 edition*. New York: Aspen/Wolters Kluwer.

- Siciliano, R. 2017. The first 3 types of identity theft. Available at: <https://www.thebalance.com/the-first-3-types-of-identity-theft-1947465> (accessed on 9 August 2018).
- Siegel, L.J. 2011. *Essentials of criminal justice*. Belmont, CA: Wadsworth Cengage Learning.
- Singh, K. 2006. *Fundamental of research methodology and statistics*. New Delhi: New Age International.
- Singleton, R.A. & Straits, B.C. 2010. *Approaches to social research*. New York: Oxford University Press.
- Smith, T. 2014. Identity theft. Available at: <http://www.bowman.co.za/eZines/Custom/Litigation/MarchNewsletter/IdentityTheft.html> (accessed on 20 September 2017).
- Snyman, C.R. 2006. *Strafreg. 5^{de} uitgawe*. Durban: LexisNexus Butterworths.
- Society for Human Resource Management. 2014. Workplace conduct investigations policy. Available at: https://www.shrm.org/resourcesandtools/tools-and-samples/policies/pages/cms_000550.aspx (accessed on 30 October 2017).
- South Africa. 2002. *Electronic Communication and Transactions Act 25 of 2002*. Pretoria: Government Printer.
- South Africa. 2013. *Protection of Personal Information Act 4 of 2013*. Pretoria: Government Printer.
- Sterken, K.J. 2016. Top five best practices for workplace investigations. Available at: <https://www.laboremploymentperspectives.com/2016/05/31/top-five-best-practices-for-workplace-investigations> (accessed on 30 October 2017).
- Stich, R. 2006. *Those ugly Americans: 20th & 21st centuries*. Alamo, CA: Silverpeak Enterprises.
- Stickley, J. 2009. *The truth about identity theft*. Upper Saddle River: Pearson.
- Stroup, J. 2017. The 8 types of identity theft. Available at: <https://www.thebalance.com/the-8-types-of-identity-theft-1947176> (accessed on 18 September 2017).
- Swanson, C.R., Jr, Chamelin, N.C., Territo, L. & Taylor, R. 2012. *Criminal investigation*. 11th edition. New York: McGraw-Hill.
- Tufford, L. & Newman P. 2010. Bracketing in qualitative research. Available at: http://www.researchgate.net/publication/257924681_Bracketing_in_Qualitative_Research/links/0deec52629cc7c3d56000000 (accessed on 7 January 2019).

- Turner, M.F. 2016. *The young adult's guide to identity theft*. FL: Atlantic Publishing Group.
- University of South Africa. 2007. *Policy on research ethics*. Florida: UNISA.
- Van Graan, J. & Budhram, T. 2015. Principles of investigation. In Zinn, R.J. & Dintwe, S.I. (eds.). 2015. *Forensic investigation: Legislative principles and investigative practice*. Cape Town: Juta.
- Van Rooyen, H.J.N. 2008. *The practitioner's guide to forensic investigation in South Africa*. Pretoria: Henmar.
- Van Rooyen, H.J.N. 2012. *The practitioner's guide to forensic investigation in South Africa*. 2nd edition. Pretoria: Henmar.
- Vithal, R. & Jansen. J. 2010. *Designing your first research proposal*. Cape Town: Juta.
- Vona, L.W. 2008. *Fraud risk assessment*. Upper Saddle River: Wiley.
- Wagner, C., Kawulich, B. & Garner, M. 2012. *Doing social research: A global context*. London: Sage.
- Welman, C., Kruger, F. & Mitchell, B. 2012. *Research methodology*. 3rd edition. Cape Town: Oxford University Press.
- Williams, A. 2015. *Forensic criminology*. Abingdon, Oxon: Routledge.
- Youngblood, J.R. 2015. *A comprehensive look at fraud identification and prevention*. New York: CRC Press.

CASE LAW

Rex v Swartz 1946 GWLD 57

5. ATTACHMENTS

5.1 ATTACHMENT A: COPY OF THE INTERVIEW SCHEDULE

SECTION A

TOPIC: INVESTIGATION PROCESS OF IDENTITY THEFT IN THE CORPORATE ENVIRONMENT ENTAIL

I am Charl J Naude a Senior Risk and Fraud Manager that is currently busy finalizing my Magister Technologiae (Master's Degree) at the University of South Africa. My supervisor is Dr Juanida Horne who can be contacted at the university on 012 433 9415 with regards to any matters pertaining to my research.

The aim of this research was to determine how the investigation process of identity theft should be performed within a corporate environment.

The key Research Question seeks to answer the following question:

What does the investigation process of identity theft in the corporate environment entail?

INFORMATION AND INSTRUCTIONS

- Participation in this study is voluntary;
- The researcher will treat you with respect and dignity at all times;
- To protect you from any kind of harm you will remain anonymous and your names and surname as a participant will not be used; you will be given numbers and will be referred to as, for example, participant number 1, participant number 2, etc.
- It should take approximately one (1) hour to complete the interview schedule;
- Answer the questions based on your opinion and also according to your understanding of the concept;
- The information that you provide will be treated and kept confidential and will not be available to anyone other than the researcher.
- Please answer every question in the schedule; and
- Thank you for your participation in this research.

Permission has been obtained from the various Heads of Department in advance, for the interview to be conducted.

When reporting on the findings no names of individuals or companies will be mentioned.

You are free to terminate the questioning at any stage of the interview. The above information has been explained to me, and I understand it. My name will not be disclosed, and I will allow my information or responses to be used as in a confidential manner that will not harm me, or my employer in any way and I am also aware that the thesis might be published in the future.

Thank you for your co-operation.

Mr Charl Naude

Master student

UNISA

I hereby give permission to be interviewed and that information supplied by me can be used in this research.

YES/NO

Signature of participant **Place** **Date**

SECTION A

HISTORICAL INFORMATION

Participant No: _____

1. In which age group are you? (20-25 years; 26-30 years; 31-35 years; 36-40 years; 41-45 years; 46-50 years; 51-55 years; 56-60 years);
2. Highest Educational qualifications;
3. Current employment capacity level; and
4. Number of years experience with forensic investigation?

SECTION B

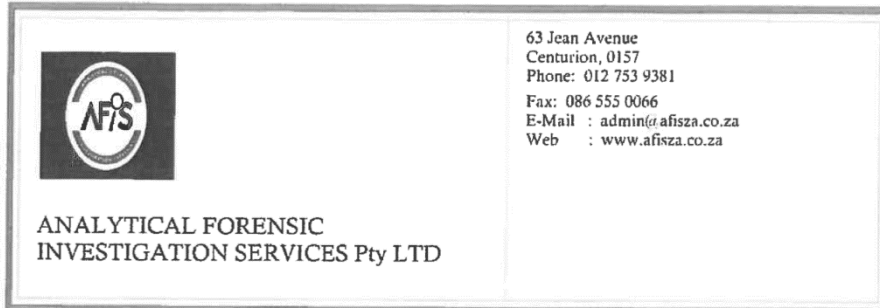
The investigative methodology used when initiating the investigation process of identity theft in the corporate environment.

5. How would you define criminal investigation?
6. How would you define forensic investigation?
7. In your opinion what are the objectives of investigation?
8. From your experience how would you define "Identification?"
9. From your experience how would you define "Evidence?"
10. From your experience how would you define "Identity theft?"
11. Name the different Types of Identity Theft.
12. In your opinion what are the elements of the crime of identity theft?
13. In your opinion what would be the objective with an identity theft investigation?
14. From your experience describe the investigative steps in an identity theft investigation.
15. From your experience how is an identity theft case investigated in the corporate environment?
16. What would be the best practice to follow in an identity theft investigation?

Thank you very much for your participation.

6. ANNEXURES

6.1 ANNEXURE A: LETTER OF APPROVAL TO CONDUCT RESEARCH FROM MTN



Date 16/08/2016

Mr Neil Steyn
Manager Forensic Investigations
MTN Group Fraud Shared Service Centre
Private Bag 9955
Cresta
2118
South Africa

Dear Neil,

I am an Independent Forensic Investigator, who is currently busy finalising the Magister Technologiae (Master's Degree) at the University of South Africa. My University assigned mentor at UNISA is Dr Juanida Horne (contact number: 012 433 9415) with regards to any matters pertaining to my research.

I would appreciate it if I could interview you, or some of your employees in the Forensic Investigation Department to obtain some data for my research. My research seeks to determine how the investigation process of identity theft should be performed within a corporate environment. Guidelines, procedures and best practices will be researched which could be issued to investigators to investigate these crimes.

The key Research Questions seek to answer the following questions:

Directors : M.Storrier (Chair) , M.Nhlengethwa (HR) , M.Morris (FD) , H.Erasmus(OPS) , G.Storrier (MD)

- Age Group
- Highest Educational qualifications
- Current employment capacity level
- Number of years experience with forensic investigation?
- What is your understanding of an identity theft investigation process?
- What in your opinion would be the companies' objective with an identity theft investigation?
- From your experience how is an identity theft case investigated in the corporate environment?
- What would be the best practice to follow in an identity theft investigation?

Research agreement between researcher and participant:

I undertake not to disclose your name.

All information will be treated confidentially.

When reporting on the findings no names of individuals or companies will be mentioned.

You are free to terminate the questioning at any stage of the interview.

The above information has been explained to me and I understand it. My name will not be disclosed, and I will allow my information or responses to be used as in a confidential manner that will not harm me, or my employer in any way and I am also aware that the thesis might be published in the future.

The participants would be requested to answer questions and the questions, responses and the results will be revealed in this study. The researcher is bound to his assurances and guarantees by the ethics code of research of the University of South Africa. The information you provide will be used in a research project for a Master of Technology degree registered with the Programme Group: Police Practice at the University of South Africa. The analysed and processed data will be published in a research report.

Permission granted/not granted


Signature of Authorising Officer

Fairbuds
Place

16/05/2016
Date



Signature of witness

Fairbuds
Place

16/05/2016
Date

6.2

ANNEXURE B: COPY OF PERMISSION FROM CELL C

	63 Jean Avenue Centurion, 0157 Phone: 012 753 9381 Fax: 086 555 0066 E-Mail : admin@afisza.co.za Web : www.afisza.co.za
ANALYTICAL FORENSIC INVESTIGATION SERVICES Pty LTD	

Date 19/04/2016

Mr Lourens Swanepoel
Senior Manager of Forensic Services
Cell C Head Office
Waterfall Campus
C/O Pretoria Main Road and Maxwell Drive
Buccleuch
South Africa

Dear Lourens

I am an Independent Forensic Investigator, who is currently busy finalising the Magister Technologiae (Master's Degree) at the University of South Africa. My University assigned mentor at UNISA is Dr Juanida Home (contact number: 012 433 9415) with regards to any matters pertaining to my research.

I would appreciate it if I could interview you, or some of your employees in the Forensic Investigation Department to obtain some data for my research. My research seeks to determine how the investigation process of identity theft should be performed within a corporate environment. Guidelines, procedures and best practices will be researched which could be issued to investigators to investigate these crimes.

Directors : M.Storrier (Chair) , M.Nhlengethwa (HR) , M.Morris (FD) ; H.Erasmus(OPS) , G.Storrier (MD)

The key Research Questions seek to answer the following questions:

- Age Group
- Highest Educational qualifications
- Current employment capacity level
- Number of years experience with forensic investigation?
- What is your understanding of an identity theft investigation process?
- What in your opinion would be the companies' objective with an identity theft investigation?
- From your experience how is an identity theft case investigated in the corporate environment?
- What would be the best practice to follow in an identity theft investigation?

Research agreement between researcher and participant:

I undertake not to disclose your name.

All information will be treated confidentially.

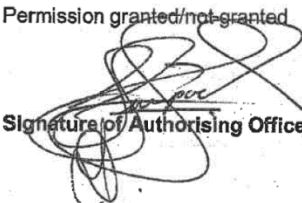
When reporting on the findings no names of individuals or companies will be mentioned.

You are free to terminate the questioning at any stage of the interview.

The above information has been explained to me and I understand it. My name will not be disclosed, and I will allow my information or responses to be used as in a confidential manner that will not harm me, or my employer in any way and I am also aware that the thesis might be published in the future.

The participants would be requested to answer questions and the questions, responses and the results will be revealed in this study. The researcher is bound to his assurances and guarantees by the ethics code of research of the University of South Africa. The information you provide will be used in a research project for a Master of Technology degree registered with the Programme Group: Police Practice at the University of South Africa. The analysed and processed data will be published in a research report.

Permission granted/not granted


Signature of Authorising Officer

Place Sandton.

Date 29 August 2016


Signature of witness

Place Sandton

Date 29/08/2016

6.3 ANNEXURE C: COPY OF UNISA ETHICAL CLEARANCE



COLLEGE OF LAW RESEARCH ETHICS REVIEW COMMITTEE

Date: 2016/09/27

Reference: ST 77
Applicant: C. J. Naude

Dear C. J. Naude
(Supervisor: Dr. J. Horne)

DECISION: ETHICS APPROVAL

Name	C. J. Naude
Proposal	A critical discussion of the investigation process of identity theft within a corporate environment
Qualification	MTech

Thank you for the application for research ethics clearance by the College of Law Research Ethics Review Committee for the above mentioned research. **Final approval is granted.**

The application was reviewed in compliance with the Unisa Policy on Research Ethics.

The proposed research may now commence with the proviso that:

- 1. The researcher will ensure that the research project adheres to the values and principles expressed in the Unisa Policy on Research Ethics which can be found at the following website:*

http://www.unisa.ac.za/cmsys/staff/contents/departments/res_policies/docs/Policy_Research%20Ethics_rev%20app%20Council_22.06.2012.pdf

- 2. Any adverse circumstances arising in the undertaking of the research project that is relevant to the ethicality of the study, as well as changes in the methodology, should be communicated in writing to the College of Law Ethical Review Committee.*



University of South Africa
Preller Street, Muckleneuk Ridge, City of Tshwane
PO Box 392, Unisa, 0003, South Africa
UNISA UNISA AC ZA/LAW

An amended application could be requested if there are substantial changes from the existing proposal, especially if those changes affect any of the study-related risks for the research participants

- 3. The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study.*

Note:

The reference number (top right corner of this communique) should be clearly indicated on all forms of communication (e.g. Webmail, E-mail messages, letters) with the intended research participants, as well as with the URERC.

Kind regards



PROF B W HÆFELE
CHAIR PERSON: RESEARCH ETHICS
REVIEW COMMITTEE
COLLEGE OF LAW



PROF R SONGCA
EXECUTIVE DEAN:
COLLEGE OF LAW

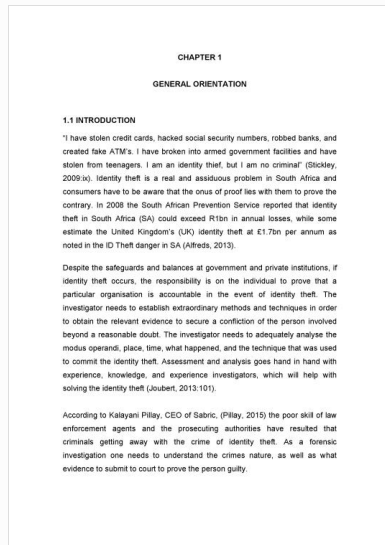


Digital Receipt

This receipt acknowledges that Turnitin received your paper. Below you will find the receipt information regarding your submission.

The first page of your submissions is displayed below.

Submission author: Charl Johannes Naude
Assignment title: Revision 3
Submission title: A CRITICAL DISCUSSION OF THE ...
File name: CHAPTER_1_to_3.docx
File size: 2.2M
Page count: 81
Word count: 19,580
Character count: 113,414
Submission date: 16-Jan-2019 12:19PM (UTC+0200)
Submission ID: 1064759249



6.5

ANNEXURE E: PRO-FORMA ID THEFT AFFIDAVIT

ID Theft Affidavit

Victim Information

1. My full legal name is _____
(First) (Middle) (Last) (Jr., Sr., III)
2. (If different from above) When the events described in this affidavit took place, I was known as _____
(First) (Middle) (Last) (Jr., Sr., III)
3. My date of birth is _____
(day/month/year)
4. My Social Security Number is _____ (only provide if used to commit crime)
5. My driver's license or identification card state and number are _____
6. My current address is _____
City _____ State _____ Zip Code _____
7. I have lived at this address since _____
(month/year)
8. (If different from above) When the events described in this affidavit took place, my address was _____
City _____ State _____ Zip Code _____
9. I lived at the address in item 8 from _____ until _____
(month/year) (month/year)
10. My daytime telephone number is (____) _____
11. Credit card or debit number (if used) _____
12. Name of Bank _____ Telephone Number _____
13. Savings or checking account number (if used) _____
14. Name of bank where you opened the account _____
Telephone number _____

Name _____

How the Fraud Occurred

Check all that apply for items 11-21:

- 15. I did not authorize anyone to use my name or personal information to seek the money, credit, loans, goods, or services described in this report.
- 16. I did not receive any benefit, money, goods or services as a result of the events described in this report.
- 17. My identification documents (for example: credit cards, birth certificates, driver's license, Social Security Card, etc.) were: stolen lost on or about _____
(day/month/year)

- 18. To the best of my knowledge and belief, the following person(s) used my information (for example, my name, address, date of birth, existing account numbers, Social Security number, mother's maiden name, etc.) or identification documents to get money, credit, loans, goods or services without my knowledge or authorization:

_____	_____
Name (if known)	Name (if known)
_____	_____
Address (if known)	Address (if known)
_____	_____
Phone number(s) (if known)	Phone number(s) (if known)
_____	_____
Additional information	Additional information

- 19. I do NOT know who used my information or identification documents to get money, credit, loans, goods, or services without my knowledge or authorization
- 20. Additional comments: (For example: description of the fraud, which documents or information were used or how the identity thief gained access to your information)

(Attach additional pages as necessary)

Name _____

Victim's Law Enforcement Actions

21. (check only one)

- I am willing to assist in the prosecution of the person(s) who committed this fraud.
 I am NOT willing to assist in the prosecution of the person(s) who committed this fraud.

22. (check only one)

- I am authorizing the release of this information to law enforcement for the purposes of assisting them in the investigation and prosecution of the person(s) who committed this fraud.
 I am NOT authorizing the release of this information to law enforcement for the purposes of assisting them in the investigation and prosecution of the person(s) who committed this fraud.

23. (check only one) I have have not reported the events described in this affidavit to the police or other law enforcement agency. The police did did not write a report. *In the event you have contacted the police or other law enforcement agency please complete the following information:*

(Menomonee Falls Police Department)

(Officer taking report)

(Date of Report)

(Report number)

(Phone number)

(Fax number)

(Agency #2)

(Officer/Agency personnel taking report)

(Date of Report)

(Report number)

(Phone number)

(email address, if any)

Name _____

Signature

I certify that, to the best of my knowledge and belief, all the information on and attached to this affidavit is true, correct, and complete and made in good faith. I also understand that this affidavit or the information it contains may be made available to federal, state, and/or local law enforcement agencies for such action within their jurisdiction as they deem appropriate. I understand that knowingly making any false or fraudulent statement or representation to the government may constitute a violation of 18 U.S.C. 1001 or other federal, state or local criminal statutes, and may result in imposition of a fine or imprisonment or both.

(signature)

(date signed)

(Notary)

[Check with each company. Creditors sometimes require notarization. If they do not, please have one witness (non-relative) sign below that you completed and signed this affidavit.]

Witness:

(signature)

(printed name)

(date)

(telephone number)

6.6 ANNEXURE F: SAMPLE DISPUTE LETTER

Sample Dispute Letter

Date
Your Name
Your Address, City, State, Zip Code
Complaint Department

Name of Company
Address
City, State, Zip Code

Dear Sir or Madam:

I am writing to dispute the following information in my file. I have circled the items I dispute on the attached copy of the report I received.

The item (identify item(s) disputed (such as credit account, judgment, etc.) is (inaccurate or incomplete) because (describe what is inaccurate or incomplete and why). I am requesting that the item be removed (or request another specific change) to correct the information.

Enclosed are copies of (use this sentence if applicable and describe any enclosed documentation, such as a police report, Identity Theft Affidavit, payment records, court documents) supporting my position. Please reinvestigate this (these) matter(s) and (delete or correct) the disputed item(s) as soon as possible.

In addition, pursuant to FACTA, as a victim of identity theft I am requesting that you provide me with copies of any and all applications and business transaction records related to the fraudulent account(s). The copies of the records can be (mailed to me at the address listed below or faxed to the number listed below). **In addition, please make these records available to the Menomonee Falls Police Department upon their request.**

Sincerely,

Your name

Enclosures: (List what you are enclosing).

6.7 ANNEXURE G: SAMPLE DISPUTE LETTER TO EXISTING ACCOUNTS

Sample Dispute Letter to Existing Accounts

Date
Your Name
Your Address
Your City, State, Zip Code
Your Account Number

Name of Creditor
Billing Inquiries
Address
City, State, Zip Code

Dear Sir or Madam:

I am writing to dispute a fraudulent (charge or debit) on my account in the amount of \$_____. I am a victim of identity theft, and I did not make this (charge or debit). I am requesting that the (charge be removed or the debit reinstated), that any finance and other charges related to the fraudulent amount be credited, as well, and that I receive an accurate statement.

Enclosed are copies of (use this sentence to describe any enclosed information, such as a police report or Identity Theft Affidavit) supporting my position. Please investigate this matter and correct the fraudulent (charge or debit) as soon as possible.

In addition, pursuant to ... as a victim of identity theft I am requesting that you provide me with copies of any and all applications and business transaction records related to the fraudulent account(s). The copies of the records can be (mailed to me at the address listed below or faxed to the number listed below). **In addition, please make these records available to the Menomonee Falls Police Department upon their request.**

Sincerely,

Your name

Enclosures: (List what you are enclosing).

