

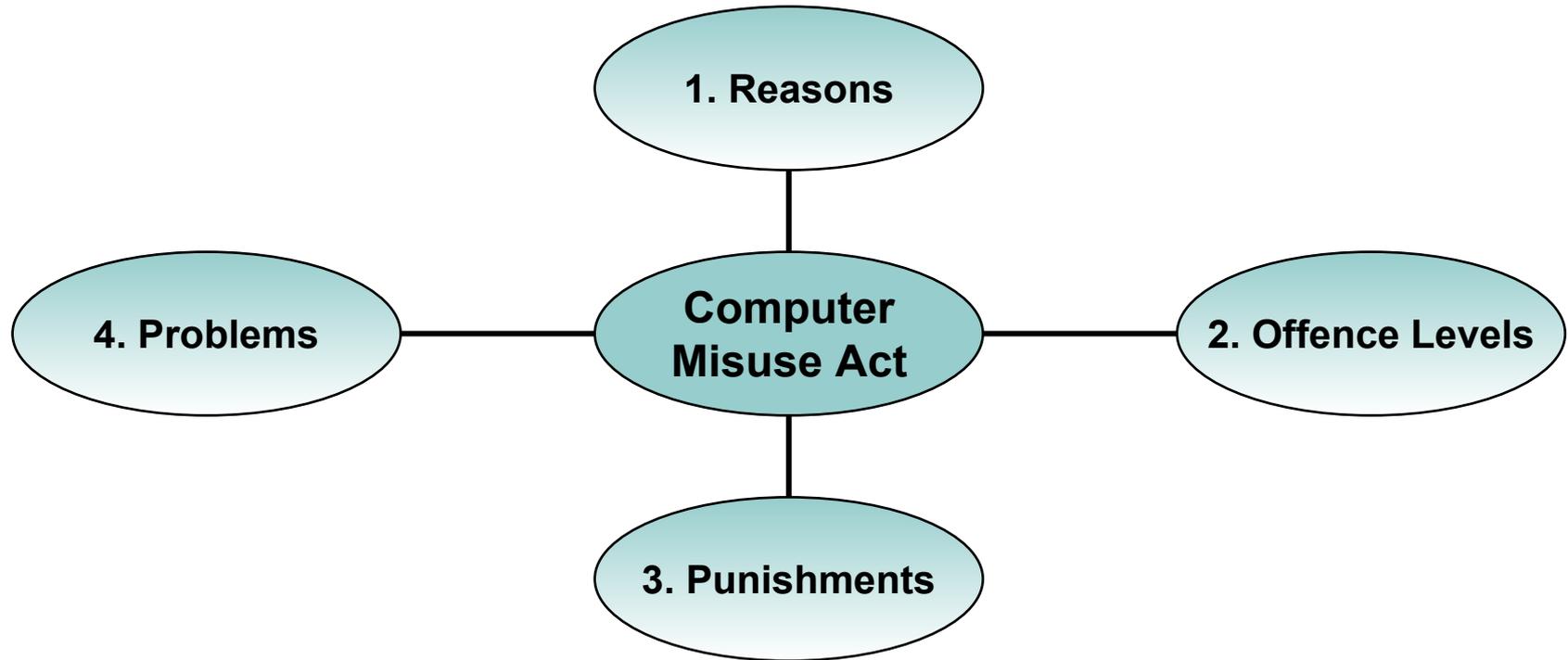


# **The Computer Misuse Act 1990**

# Computer Misuse Act 1990

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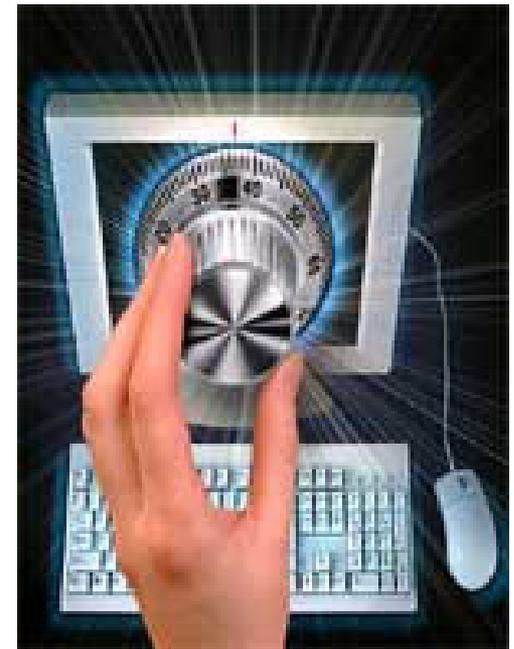
- 4 key points you need to learn/understand/revise



# Computer Misuse Act - Reasons

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- No laws specifically to deal with computer crime prior to 1990
  - The Misuse Act is often labeled “anti-hacking legislation”
  - It was enacted to respond to the growing threat of hacking to computer systems and data
  - Previously hacking was not illegal in the UK. Act now covers much more.



# Levels of Offence

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- The Act specifies 3 levels of offence
- In summary these are:-
  - Unauthorised Access
  - Unauthorised access with intent to commit another offence
  - Unauthorised modification of data (writing viruses comes under this level)



# Penalties

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- Unauthorised Access (level 1) is called a *summary offence* and penalties are limited to 6 months imprisonment and/or a maximum fine of £5000
- The other two offences (levels 2 and 3) are more serious and carry jail terms of up to 5 years and unlimited fines

# Example 1

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A student hacks into a college database to impress his friends  
**unauthorised access**

A week later he succeeds and alters his grades  
**unauthorised modification of data**

Later he decides to go in again, to alter his grades, but cannot find the correct file  
**unauthorised access with intent**

## Example 2

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An employee who is about to be made redundant finds the Managing Director's password; logs into the computer system using this and looks at some confidential files  
**unauthorised access**

After asking a friend, he finds out how to delete files and wipes the main customer database  
**unauthorised modification**

Having received his redundancy notice he goes back in to try and cause some damage but fails to do so  
**unauthorised access with intent...**

# Prosecutions

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A WPC used police national computer to access electoral rolls and car registration records in attempts to track down woman who had an affair with her boyfriend. 3 months imprisonment

*Ex-employee made unauthorised use of his former employer's Mercury telephone account to make "free" calls. £900 fine*

**A disgruntled IT supplier hacked estate agency website and replaced pictures of houses with pornography. £1250 fine.**

**Defendant aka The Black Baron authored Pathogen and Queeg viruses. 18 months imprisonment**

Ex-employee stole 1,700 customer records on backup tape before setting up competitive PC networking company. Conditional discharge and £15 fine

# Problems

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- However, prosecutions under the Computer Misuse Act are rare for a number of reasons
  - Offences difficult to prove
  - Evidence difficult to collect - firms do not co-operate with police
  - Firms embarrassed by hacking - particularly banks
  - Employees often simply sacked/demoted
  - Police lack expertise; time; money
  - Offence perceived as 'soft crime' no one injured/hurt

# Summary/Revision

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1. Use this website:

<http://www.computerevidence.co.uk/Cases/CMA.htm>

to find 2 examples each of  
level 1, 2  
and 3 offences

