



The Computer Misuse Act - 1998

Computer Misuse Act



This has 3 main sections

1. **Unauthorised access to computer material.**
Basic Hacking. Getting access to a system without permission.
2. **Unauthorised access with intent to commit or facilitate commission of further offences**
Helping to commit a crime.
3. **Unauthorised acts with intent to impair, or with recklessness as to impairing, operation of computer, etc.**
Expert Hacking. Modification of data without permission, planting viruses, deletion or modification of other users files.

Section 1- Unauthorised access to computer material



June 2015 - Norwich

Teaching Assistant hacked into the school email system at Ormiston Victory Academy and used pupil's account to send email "There will be a bomb in school Monday".

Guilty plea to one count of communicating false information and one count of unauthorised computer access.

Sentence: 15 months imprisonment

October 2015

Former Met Police detective used Police computer systems for 230 searches between 2009 and 2013 for private use.

Sentence: 9 months in prison.

Section 2- Unauthorised access with intent



For example, if you penetrated a bank's computer system intending to move £10,000 to another account, you would still be guilty of an offence under section 2.

July 2015

Senior Internal Auditor at Morrisons supermarket accessed and uploaded confidential personal data of nearly 100,000 employees to newspaper and data sharing websites. Data breach cost the company more than £2m to rectify.

Sentence: 8 years

Aiding a Crime



Authorised US American Express credit analyst gained access to unauthorised credit card accounts and PINs.

Accomplice Allison used forged Amex cards in London in ATM machines US\$ 1M fraud.

Section 3 –Unauthorised or reckless acts



A person is guilty of an offence if:
he does any unauthorised act in relation to a computer

Offences could be:

- ❑ to impair the operation of any computer;
- ❑ to prevent or hinder access to any program or data held in any computer
- ❑ to impair the operation of any such program or the reliability of any such data
- ❑ to enable any of the things mentioned in the above bullet points

Section 3 –Unauthorised or reckless acts



Aug 2015

Revenge attacks by ex-Director on former network security company Esselar and its client Aviva over five months. 900 Aviva employees' phones hacked. Esselar Twitter account defaced. Esselar lost the Aviva contract.

Pleaded guilty to four counts of unauthorised or reckless acts with intent to impair computer operation. Actions had *"damaged confidence and reputations in a way that can be far-reaching and serious"*.

Sentence: 18 months.

Other cases can be found at:

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

Subsections



Unauthorised acts causing, or creating risk of, serious damage

Such as damage to:

- ☐ human welfare
- ☐ environment of any place
- ☐ economy of any country
- ☐ national security of any country

Making, supplying or obtaining articles for use in offence

Such as creating software viruses etc.

Penalties Under The Act



Gaining unauthorised access (or trying to):
Up to 12 months and/or a £5,000 fine

Above + intent to commit further offences:
Up to 10 years and/or fine

Causing unauthorised modifications:
Up to 5 years and/or fine

Computer Misuse Act



What if your phone's voicemail was hacked?

More cases:

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