CRIMINAL OFFENCES POINTS TO PROVE P&S DOC 7.3 V2 Dec 08

1. PURPOSE.

It is important that Investigators, when conducting both witness and suspect interviews, in the course of criminal investigations know the necessary points to prove for offence(s) they are investigating and that they factor these into the planning and preparation stage of the interviewing process. Below are details of the points to prove for the more common offences that RMG Ltd Investigators may investigate.

Advice should be sought from the Criminal Law Team in the event that an offence not readily identifiable is to be considered.

2. ACTS COVERED

- 1. Theft Act 1968.
- 2. Theft Act 1978
- 3. Fraud Act 2006.
- 4. Postal Services Act 2000 & Post Office Act 1953
 - 5. Criminal Attempts Act 1981

- 6. Proceeds of Crime Act 2002.
- 7. Criminal Damage Act 1971
- 8. Computer Misuse Act 1990.
- 9. Forgery & Counterfeiting Act 1981.
- 10. Offences Against the Person Act 1861

SECTION	THEFT ACT 1968	POINTS TO PROVE	INDICTABL E	MAX SENTENCE
1	Theft. Theft Act 1968	 Dishonesty, Appropriates, Property, Belonging to another, With the intention to permanently deprive. 	Yes.	7 Years Imprisonment.

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8	Robbery.	1. Steals, (Section 1 Theft 1968),	Yes.	Life
	Theft Act 1968	2. And immediately before or at the time of		Imprisonment
		doing so,		
		3. And in order to do so,		·
		4. Uses force on any person,		
		5. Or puts or seeks to put a person in fear of		
		being then and there subjected to force.		
9 (1a)	Burglary.	1. Enters any building, or part of a building,	Yes.	14 Years
•	Theft Act 1968	2. As a trespasser,		Imprisonment
		3. With the intention of committing one of the		for a
		following;		dwelling, 10
		a. Stealing, c. Rape,		years
		b. Inflicting d. Criminal Damage,		otherwise.
		GBH,		
9 (1b)	Burglary.	1. Having entered a building (or part of a	Yes.	14 Years
	Theft Act 1968	building),		Imprisonment
		2. As a trespasser,		for a
		3. Did steal or attempt to steal,		dwelling, 10
		4. Or did inflict or attempt to inflict GBH.		years
				otherwise.
10	Aggravated Burglary.	1. Commits Burglary with either;	Yes.	Life
	Theft Act 1968	a. Firearm, c. Weapon of Offence,		Imprisonment
		b. Imitation d. Explosive,		•
		firearm,		
14	Extension to thefts	1. Steals or attempts to steal any mail bag or	Yes	Liable to be
	from mails outside	postal packet,		tried and
	England and Wales,	2. In the course of transmission between places		punished for
	and robbery etc. on	in different jurisdictions in the British		the actual
	such a theft.	Postal Area,		offence i.e.
	Theft Act 1968	3. Or any contents of such a mail bag or postal		Section 1
		packet,		Theft - 7
		4. Or in stealing or with the intent to steal		years or
		any such mail bag or postal packet or		Section 8 -

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		contents, commits any robbery attempted		Robbery
		robbery or assault with intent to rob,		life.
		5. Then notwithstanding that he does so outside		
		England and Wales, he shall be guilty of		Back to Acts
		committing the offence against this Act as		
		if he had done so in England and Wales.		
15	Obtaining property	1. By any deception,	Yes.	10 Years
	by Deception Theft	2. Dishonesty,		Imprisonment
	Act 1968	3. Obtains,		
	Repealed on 15 Jan	4. Property,		
	07 by the Fraud Act	5. Belonging to another,		
	2006. Only used for	6. With the intention of permanently deprive		
	offences committed	the other of it.		
	before that date.			
16	Obtaining a	1. By any deception,	Yes.	10 Years
	pecuniary advantage	2. Dishonestly,		Imprisonment
	Theft Act 1968	3. Obtains for himself or another,		
	Repealed on 15 Jan	4. Any pecuniary advantage.		
	07 by the Fraud Act			
	2006. Only used for			
	offences committed			
	before that date.			
17(1a)	False accounting.	1. Dishonestly,	Yes.	7 Years
	Theft Act 1968	2. With a view to gain for himself or another,		Imprisonment
		3. Or intent to cause loss to another,		
		4. Destroy, deface, conceals or falsifies,		
		5. Any account or any record or document,		
		6. Made or required for accounting purposes.		
17 (1b)	False accounting.	1. In furnishing information for any purpose,	Yes.	7 Years
	Theft Act 1968	2. Produces or makes use of any account,		Imprisonment
		3. Or any such record or document,		
		4. Which to his knowledge is or may be		
		misleading, false or deceptive in a material		

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22	Handling stolen	1. Otherwise than in the course of stealing,	Yes.	14 Years
	goods.	2. Knowing or believing goods to be stolen,		Imprisonment
	Theft Act 1968	3. Dishonestly receives the goods,		
		4. Or dishonestly undertakes or assists in		
		their retention, removal, disposal or		
		realisation,		
		5. By or for the benefit of another person,		
		6. Or if he arranges to do so.		
25	Going equipped to	1. When not at place of abode,	Yes.	3 Years
	steal.	2. Has with him,		Imprisonment
	Theft Act 1968	3. Any article,		
		4. For use in the course or in connection with		
		any burglary or theft.		Back to Acts
SECTION	THEFT ACT 1978	POINTS TO PROVE	INDICTABL	MAX SENTENCE
			E	
1	Obtaining services	1. By deception,	Yes.	5 Years
	by Deception	2. Dishonestly,		Imprisonment
	Theft Act 1978	3. Obtains services,		
	Repealed on 15 Jan	4. From another.		
	07 by the Fraud Act			
	2006. Only used for			
	offences committed			
	before that date.			Back to Acts
SECTION	FRAUD ACT 2006	POINTS TO PROVE	INDICTABL	MAX SENTENCE
			E	
1	Fraud.	1. Is breach of any of the sections listed	Yes.	10 Years
	Fraud Act 2006	below which provide for different ways of		Imprisonment
	Enacted on the 15	committing the offence;		and a fine.
	Jan 07	a. Section 2 Fraud by false representation,		
		b. Section 3 Fraud by failing to disclose		Back to Acts
		information, and,		
		c. Section 4 Fraud by abuse of position.		

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2	Fraud by false	1. Dishonestly,	Yes.	10 Years
	representation.	2. Makes a false representation,		Imprisonment
	Fraud Act 2006	3. And intends, by making the representation,		and a fine.
	Enacted on the 15	4. To make a gain for himself or another, or		
	Jan 07	5. To cause loss to another, or		
		6. To expose another to a risk of loss (for		
		gain and loss see Sec 5),		
		7. A representation is false if,		
		8. It is untrue or misleading,		
		9. And the person making it knows that it is,		
		or		
		10. Might be, untrue or misleading.		
3	Fraud by failing to	1. Dishonestly,	Yes.	10 Years
	disclose	2. Fails to disclose to another person		Imprisonment
	information.	information		and a fine.
	Fraud Act 2006	3. Which he is under a legal duty to disclose,		
	Enacted on the 15	4. And intends, by failing to disclose the		
	Jan 07	information,		
		5. To make a gain for himself or another or,		
		6. To cause loss to another or,		
		7. To expose another to a risk of loss (for gain		
		and loss see Sec 5).		
4	Fraud by abuse of	1. Occupies a position in which he is expected	Yes.	10 Years
	position.	to safeguard, or not to act against, the		Imprisonment
	Fraud Act 2006	financial interests of another,		and a fine.
	Enacted on the 15	2. Dishonestly abuses that position,		
	Jan 07	3. And intends, by means of the abuse of that		
		position,		
		4. To make a gain for himself or another or,		
		5. To cause loss to another or,		
		6. To expose another to a risk of loss (for		Back to Acts

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gain and loss see Sec 5),	
7. A person may be regarded as having abused	
his position even though his conduct	
consisted of an omission rather than an act.	

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5	Gain and Loss.	In Sections 2 to 4 Gain and Loss,	Not	Not
	Fraud Act 2006	1. Extend only to gain or loss in money or	Applicabl	Applicable.
	Enacted on the 15	other property but,	e.	
	Jan 07	2. Include any such gain or loss whether		
		temporary or permanent,		
		3. "Gain" includes a gain by keeping what one		
		has, as well as a gain by getting what one		
		does not have,		
		4. "Loss" includes a loss by not getting what		
		one might get, as well as a loss by parting		
		with what one has.		
6	Possession etc. of	1. Has in his possession or under his control,	Yes.	5 Years
	articles for use in	2. Any article,		Imprisonment
	frauds.	3. For use in the course of or in connection		and a fine.
	Fraud Act 2006	with any fraud.		
	Enacted on the 15			
	Jan 07			
7	Making or supplying	1. Makes, adapts, supplies or offers to supply	Yes.	10 Years
	articles for use in	any article,		Imprisonment
	frauds.	2. Knowing that it is designed or adapted for		and a fine.
	Fraud Act 2006	use in the course of,		
	Enacted on the 15	3. Or in connection with fraud,		
	Jan 07	4. Or intending it to be used to commit, or		
		assist in the commission of fraud.		
11	Obtaining services	1. Obtains services for himself or another,	Yes.	5 Years
	dishonestly.	2. By a dishonest act,		Imprisonment
	Fraud Act 2006	3. And the services are made available on the		and a fine.
	Enacted on the 15	basis that payment has been, is being or		
	Jan 07	will be made for or in respect of them and,		
		4. Obtains them without any payment having been		
		made for or in respect of them or without		
		payment having been made in full,		

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5. And when he obtains them, he knows,	
6. That they are being made available on the	
basis described in 3 above, or that they	Back to Acts
might be,	
7. Intending that payment will not be made, or	
will not be made in full.	

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SECTION	POSTAL SERVICES ACT	POINTS TO PROVE	INDICTABL	MAX SENTENCE
	2000		E	
83	Interfering with the	1. A person who is engaged in the business of a	Yes.	2 Years
	mail: Postal	postal operator,		Imprisonment
	Operators.	2. Contrary to his duty and without reasonable		and a fine.
	Postal Services Act	excuse,		
	2000	3. Intentionally delays or opens,		
	Enacted on the 26	4. A postal packet,		
	Mar 01	5. In the course of its transmission by post,		
		6. Or intentionally opens a mail-bag.		
84(1)	Interfering with the	1. Any person without reasonable excuse,	No.	6 Months
	mail: General.	2. Intentionally delays or opens,		Imprisonment
	Postal Services Act	3. A postal packet,		and a fine
	2000	4. In the course of its transmission by post,		not
	Enacted on the 26	5. Or intentionally opens a mail-bag.		exceeding
	Mar 01			level 5.
84 (3)	Interfering with the	1. Intending to act to a person's detriment,	No.	6 Months
	mail: General.	2. And without reasonable excuse,		Imprisonment
	Postal Services Act	3. Opens,		and a fine
	2000	4. A postal packet,		not
	Enacted on the 26	5. Which he knows or reasonably suspects has		exceeding
	Mar 01	been incorrectly delivered to him.		level 5.
				Back to Acts

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SECTION	POST OFFICE ACT 1953	POINTS TO PROVE	INDICTABL	MAX SENTENCE
			E	
57	Secreting Postal	1. Being a person engaged in the business of	Yes.	7 Years
	Packets	the Post Office,		Imprisonment
	Post Office Act 1953	2. Secretes,		
	Repealed on 26 Mar	3. Postal packet(s),		
	01 by the Postal	4. In course of transmission by post.		
	Services Act 2000.			
	Only to be used for			Back to Acts
	offences committed			
	before that date.			

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58(1)	Wilful Delay	5. Being a person engaged in the business of	Yes.	2 Years
	Post Office Act 1953	the Post Office,		Imprisonment
	Repealed on 26 Mar	6. Contrary to your duty wilfully		
	01 by the Postal	detained/delayed,		
	Services Act 2000.	7. Postal packet(s),		
	Only to be used for	8. In course of transmission by post.		
	offences committed			
	before that date.			
58(1)	Opening Postal	1. Being a person engaged in the business of	Yes.	2 Years
	Packets	the Post Office,		Imprisonment
	Post Office Act 1953	2. Contrary to your duty opened,		•
	Repealed on 26 Mar	3. Postal packet(s),		
	01 by the Postal	4. In course of transmission by post.		
	Services Act 2000.			
	Only to be used for			Back to Acts
	offences committed			
	before that date.			
SECTION	CRIMINAL ATTEMPTS	POINTS TO PROVE	INDICTABL	MAX SENTENCE
	ACT 1981		E	
1	Attempting to commit	1. If with Intent to commit an indictable	Yes.	Sentence is
	an offence.	offence,		the same as
	Criminal Attempts	2. A person does an act,		the penalty
	Act 1981	3. Which is more than merely preparatory,		had the
		4. To the commissioning of an offence is guilty		offence been
		of attempting to commit the offence.		completed.
				Back to Acts

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SECTION	PROCEEDS OF CRIME	POINTS TO PROVE	INDICTABL	MAX SENTENCE
	ACT 2002		E	
327	Money laundering by	1. A person commits an offence if he,	Yes.	14 Years
	concealing etc.	2. Conceals criminal property;		Imprisonment
	Proceeds if Crime	3. Disguises criminal property;		and a fine.
	Act 2002	4. Converts criminal Property;		
		5. Transfers criminal property;		
		6. Removes criminal property from England and		
		Wales or from Scotland or from Northern		
		Ireland.		
		Criminal Property is property, which the		
		alleged offender knows or suspects, constitutes		
		or represents benefit from any criminal		
		conduct.		
328	Money laundering by	1. A person commits an offence if he,	Yes.	14 Years
	arrangements.	2. Enters into or becomes concerned in an		Imprisonment
	Proceeds if Crime	arrangement,		and a fine.
	Act 2002	3. Which he knows or suspects,		
		4. Facilitates by whatever means,		
		5. The acquisition, retention use or control of		
		criminal property,		
		6. By or on the behalf of another person.		
329	Money laundering by	1. A person commits an offence if he,	Yes.	14 Years
	acquisition, use and	2. Acquires criminal property,		Imprisonment
	possession.	3. Uses criminal property,		and a fine.
	Proceeds if Crime	4. Has possession of criminal property.		Back to Acts
	Act 2002			

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about to conduct, 3. A money laundering, or a confiscation Investigation, 4. And they make a disclosure which is likely to prejudice the investigation, 5. Or he falsifies conceals destroys or otherwise disposes of, 6. Or causes or permits the falsification, concealment destruction or disposal of, 7. Documents that are relevant to the investigation. SECTION CRIMINAL DAMAGE ACT 1971 1 Destroying or damaging property. Criminal Damage Act 1971 2 Destroys or damages property, Criminal Damage Act 1971 3 Belonging to another, 4 Intending to destroy or damage any such property, 5. Or reckless as to whether any such property was damaged or destroyed. An offence committed under this section by destroying or damaging property by fire shall be charged as arson. and a fine. and a fine. An and a fine. And a fine. Back to Acts Back to Acts TNDICTABL E 10 Years Imprisonment for Criminal Damage but if Arson, Life imprisonment .					
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Proceeds if Crime Act 2002		prejudicing an	2. An appropriate officer is conducting or		Imprisonment
Investigation, 4. And they make a disclosure which is likely to prejudice the investigation, 5. Or he falsifies conceals destroys or otherwise disposes of, 6. Or causes or permits the falsification, concealment destruction or disposal of, 7. Documents that are relevant to the investigation. SECTION CRIMINAL DAMAGE ACT 1971 1 Destroying or damaging property. Criminal Damage Act 1971 4. Intending to destroy or damage any such property, Criminal Damage Act 4. Intending to destroy or damage any such property, 5. Or reckless as to whether any such property was damaged or destroyed. An offence committed under this section by destroying or damaging property by fire shall be charged as arson. SECTION COMPUTER MISUSE ACT 1990 1 Unauthorised access to Computer Misuse Act 1990 2 Induction, 2 From the 1st Oct 2008 the max sentence was increased from 6 Months 1990 3. Or data held in any computer, Imprisonment and a fine		investigation.	about to conduct,		and a fine.
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property. Criminal Damage Act 1971 4. Intending to destroy or damage any such property, 5. Or reckless as to whether any such property was damaged or destroyed. An offence committed under this section by destroying or damaging property by fire shall be charged as arson. SECTION COMPUTER MISUSE ACT 1990 1. Causes a computer to perform any function, Computer Material. Computer Misuse Act 1990 2. Destroys or damages property, 3. Belonging to another, 4. Intending to destroy or damage any such property, 5. Or reckless as to whether any such property was damaged or destroyed. An offence committed under this section by destroying or damage any such property, 5. Or reckless as to whether any such property was damage but if Arson, Life imprisonment Back to Acts INDICTABL E 1 Unauthorised access to 1. Causes a computer to perform any function, Computer Material. 2. With intent to secure access to any programme, 3. Belonging to another, 4. Intending to destroy or damage any such pamage but if Arson, Life imprisonment property Life imprisonment interested for Criminal Damage but if Arson, Life imprisonment if Arson, Life imprisonment interested for Criminal Damage but if Arson, Life imprisonment if Arson, Life impris		1971		E	
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4. Intending to destroy or damage any such property, 5. Or reckless as to whether any such property was damaged or destroyed. An offence committed under this section by destroying or damaging property by fire shall be charged as arson. SECTION COMPUTER MISUSE ACT 1990 1 Unauthorised access to Computer Material. Computer Material. Computer Misuse Act 1990 4. Intending to destroy or damage any such if Arson, Life imprisonment imprisonment Fact to Acts POINTS TO PROVE 1 Unauthorised access to 1. Causes a computer to perform any function, Computer Material. Computer Misuse Act programme, 1990 3. Or data held in any computer, Imprisonment and a fine		property.	2. Destroys or damages property,		Imprisonment
property, 5. Or reckless as to whether any such property was damaged or destroyed. An offence committed under this section by destroying or damaging property by fire shall be charged as arson. SECTION COMPUTER MISUSE ACT 1990 Unauthorised access to Computer Material. Computer Misuse Act 1990 1. Causes a computer to perform any function, Computer Material. 2. With intent to secure access to any programme, 3. Or data held in any computer, If Arson, Life imprisonment MAX SENTENCE FOINTS TO PROVE E 1. Causes a computer to perform any function, 2. With intent to secure access to any programme, 3. Or data held in any computer, Imprisonment and a fine			3. Belonging to another,		for Criminal
5. Or reckless as to whether any such property was damaged or destroyed. An offence committed under this section by destroying or damaging property by fire shall be charged as arson. SECTION COMPUTER MISUSE ACT 1990 1 Unauthorised access to Computer Material. Computer Material. Computer Misuse Act 1990 2. With intent to secure access to any programme, 3. Or data held in any computer, Indicate imprisonment imprisonm		<u> 1971 </u>	4. Intending to destroy or damage any such		Damage but
was damaged or destroyed. An offence committed under this section by destroying or damaging property by fire shall be charged as arson. SECTION COMPUTER MISUSE ACT 1990 1 Unauthorised access to Computer Material. Computer Material. Computer Misuse Act 1990 2. With intent to secure access to any computer and a fine section by destroying or damaging property by fire shall be charged as arson. Back to Acts INDICTABL MAX SENTENCE Expression and the max sentence was increased from 6 Months increased fr					if Arson,
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destroying or damaging property by fire shall be charged as arson. SECTION COMPUTER MISUSE ACT 1990 1 Unauthorised access to Computer Material. Computer Material. Computer Misuse Act 1990 2. With intent to secure access to any Computer Misuse Act 1990 3. Or data held in any computer, Indicate the shall Back to Acts INDICTABL From the 1st Oct 2008 the max sentence was increased from 6 Months Imprisonment and a fine					imprisonment
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1 Unauthorised access to Computer Material. Computer Misuse Act 1990 1 Unauthorised access to 1. Causes a computer to perform any function, Computer Material. Computer Misuse Act 1990 2 With intent to secure access to any the max sentence was increased from 6 Months 1990 3. Or data held in any computer, Imprisonment and a fine			be charged as arson.		Back to Acts
1 Unauthorised access to Computer Material. Computer Misuse Act 1990 1. Causes a computer to perform any function, Computer Misuse Act programme, Increased from 6 Months Imprisonment and a fine	SECTION	COMPUTER MISUSE ACT	POINTS TO PROVE	INDICTABL	MAX SENTENCE
Computer Material. Computer Misuse Act programme, increased from 6 Months increased from 5 Months Imprisonment and a fine		1990			
Computer Misuse Act programme, increased from 6 Months 3. Or data held in any computer, Imprisonment and a fine	1			From the	1st Oct 2008
3. Or data held in any computer, Imprisonment and a fine		_	2. With intent to secure access to any		
		RECOGNICATION OF THE PROPERTY			
4. The access he intends to secure is not exceeding level 5,		1990			
			4. The access he intends to secure is	not exceed	ling level 5,

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unauthorised,		to 2 Years Imprisonment
5. And he knows at the	time when he causes the	or a fine or both.
computer to perform	the function that this	Sentence increased by
is the case.		Section 35 of the
		Police and Justice Act
		2006 So from that date
		the offence becomes
		indictable.

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2	Unauthorised access	1. Commits an offence under Section 1 above	Yes.	5 Years
	with intent to commit		ies.	
		with intent,		Imprisonme
	or facilitate	2. To commit an offence to which this section		nt and a
	commission of further	applies,		fine.
	offences.	3. Or to facilitate the commission of such an		
	Computer Misuse Act	offence (whether by himself or another		
	1990	person),		
		4. This section applies to offences where;		
		a. The sentence is fixed by law,		
		b. Or for which a person over 21 (not		
		previously convicted) may be sentenced		
		to imprisonment for term of 5		
		years.		
3	Unauthorised	1. Does any act which causes an unauthorised	Yes.	5 Years
	modification of	modification of the contents of any		Imprisonme
	computer material.	computer,		nt and a
	Computer Misuse Act	2. And at the time when he does the act he has		fine.
	1990	the requisite intent and requisite		
	This section applies	knowledge,		
	to Offences committed	3. The requisite intent is an intent to cause		
	before the 1 Oct 2008.	a modification of the contents of any		
	See below for offences	computer and by doing so;		
	after that date	a. Impair the operation of any computer,		
		b. Prevent or hinder access to any		
		programme or data held in the computer,		
		c. Impair the operation of any such		
		programme or the reliability of any such		
		data.		Dogle to
		4. The requisite knowledge is knowledge that		Back to
		any modification he intends to cause is		Acts
		unauthorised.		
		unauthorised.		

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3	Unauthorised acts with	1. Does any unauthorised act in relation to a	Yes.	10 Years
	intent to impair, or	computer;		Imprisonme
	with recklessness as	2. At the time when he does the act he knows		nt and a
	to impairing,	that it is unauthorised and either 3 or 4		fine or
	operation of a	below applies		both.
	computer, etc.	3. The person intends by doing the act-		
	Computer Misuse Act	a. to impair the operation of any		
	1990	computer;		
	This section was	b. to prevent or hinder access to any		
	amended by Section 36	program or data held in any computer		
	of the Police &	or;		
	Justice Act 2006 and	c. to impair the operation of any such		
	should be used for	programme or the reliability of any		
	offences committed	such data;		
	after the 1st Oct 2008	4. The person is reckless as to whether the		
		act will do any of the things mentioned in		
		subsections a to c of 3 above.		
3 A	Making, supplying or	1. A person is guilty of an offence if he	Yes	2 Years
	obtaining articles for	makes, adapts, supplies or offers to supply		Imprisonme
	use in an offence	any article intending it to be used to		nt or to a
	under section 1 or 3	commit, or to assist in the commission of,		fine or
	Computer Misuse Act	an offence under section 1 or 3.		both
	1990	2. A person is guilty of an offence if he		
	This section was	supplies or offers to supply any article		
	created by Section 37	believing that it is likely to be used to		
	of the Police &	commit, or to assist in the commission of,		
	Justice Act 2006 and	an offence under section 1 or 3.		
	should be used for	3. A person is guilty of an offence if he		
	offences committed	obtains any article with a view to its		
	after the 1st Oct 2008	being supplied for use to commit, or to		
		assist in the commission of, an offence		

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•		under section 1 or 3.		Back to
		4. An "article" in 1 to 3 above includes any		Acts
		program or data held in electronic form		
SECTION	FORGERY &	POINTS TO PROVE	INDICTABLE	MAX
	COUNTERFEITING ACT			SENTENCE
	1981			
1	Forgery.	1. Makes a false instrument,	Yes.	10 years
	Forgery &	2. With the intention that he or another shall		Imprisonme
	Counterfeiting Act	use it,		nt.
	1981	3. To induce somebody to accept it as genuine,		
		4. And by reason of so accepting it,		
		5. To do or not to do some act to his own or		
		any others person's prejudice.		
2	Copying a false	1. Makes a copy an instrument,	Yes.	10 years
	instrument.	2. Which is and which he knows or believes to		Imprisonme
	Forgery &	be a false instrument,		nt.
	Counterfeiting Act	3. With the intention that he or another shall		
	1981	use it,		
		4. To induce somebody to accept it as copy of		
		a genuine instrument,		
		5. And by reason of so accepting it,		
		6. To do or not to do some act to his own or		
		any others person's prejudice.		
3	Using a False	1. Uses an instrument,	Yes.	10 years
	Instrument.	2. Which is and which he knows or believes to		Imprisonme
	Forgery &	be false,		nt.
	Counterfeiting Act	3. With the intention,		
	1981	4. Of inducing somebody to accept it as		
		genuine,		
		5. And by reason of so accepting it, to do or		Back to
		not to do some act to his own or any others		Acts

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person's prejudice.	
1 2 2	

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А	Using a copy of a	1. Uses a copy of an instrument,	Yes.	10 years
4	False Instrument.	2. Which is and which he knows or believes to	165.	Imprisonment
				Turbrisonmenc
	Forgery &	be a false instrument,		•
	Counterfeiting Act	3. With the intention,		
	1981	4. Of inducing somebody to accept it as a copy		
		of a genuine instrument,		
		5. And by reason of so accepting it, to do or		
		not to do some act to his own or any others		
		person's prejudice.		
5(1)	Offences relating to	1. Have in his custody or under his control,	Yes.	10 years
	being in possession	2. An instrument, covered by Section 5(5)		Imprisonment
	of money orders,	below,		
	share certificates	3. Which he knows or believes to be false,		
	passports, etc with	4. With the intention that he or another shall		
	intent.	use it,		
	Forgery &	5. To induce somebody to accept it as genuine,		
	Counterfeiting Act	6. And by reason of so accepting it, to do or		
	1981	not to do some act to his own or any others		
		person's prejudice.		
5(2)	Offences relating to	1. Have in his custody or under his control,	Yes.	2 years
, ,	being in possession	2. Without lawful authority or excuse,		Imprisonment
	of money orders,	3. An instrument, covered by Section 5(5)		
	share certificates	below,		,
	passports, etc.	4. Which he knows or believes to be false.		
	Forgery &			
	Counterfeiting Act			Back to Acts
	1981			DACK TO MCLS
	1901			

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5(3)	Offences relating to	1. Make or have in custody or under his	Yes.	10 years
3(3)	1	_	les.	
	being in possession	control,		Imprisonment
	of machines or	2. A machine, implement, or paper or any other		•
	implements to make	material,		
	false instruments.	3. Which to his knowledge is or has been		
	Forgery &	specially designed or adapted,		
	Counterfeiting Act	4. For the making of an instrument, covered by		
	1981	Section 5(5) below,		
		5. With the intention that he or another shall		
		make an instrument covered by Section 5(5)		
		below,		
		6. Which is false and that he or another shall		
		use the instrument,		
		7. To induce somebody to accept it as genuine,		
		and		
		8. By reason of so accepting it to do or not to		
		do some act to his own or any others		
		person's prejudice.		
5(4)	Offences of making	1. To make or have in custody or under his	Yes.	2 years
'	or having in custody	control,		Imprisonment
	or control any such	2. Any such machine implement paper or material		
	machine implement	(As in Section 5(3) above),		
	paper or material.	3. Without lawful authority or excuse.		
	Forgery &	of the district and the district of the distri		
	Counterfeiting Act			
	1981			
5(5)	Instruments to which	1. Money orders; 8. Traveller Cheques;	Not	Not
	section 5 applies.	2. Postal orders; 9. Credit Cards;	Applicabl	Applicable.
	Forgery &	3. UK postage stamps; 10. Certified copies of	e.	Appricable.
	Counterfeiting Act	4. Inland Revenue entries of births,	-	
	1981			
	1901	stamps; adoptions deaths &		

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		5. Share marriages issue by the certificates; Registrar General; 6. Passports (and documents which can be used instead of passports); 7. Cheques;		Back to Acts
SECTION	OFFENCES AGAINST THE PERSON ACT 1861	POINTS TO PROVE	INDICTABL E	MAX SENTENCE
18		1 Malassessils and maliaiosals	Yes.	Life
10	Grievous bodily harm with intent to do	 Unlawfully and maliciously, By any means whatsoever, 	ies.	Imprisonment
	grievous bodily harm	3. Wounds or cause any grievous bodily harm		Imprisonment
	or to resist or	(GBH),		•
	prevent arrest.	4. To any person,		
	Offences Against the	5. With intent to do some GBH to any person,		
	Person Act 1861	6. Or resist or prevent the lawful		
		apprehension,		
		7. Or detention of any person.		
20	Grievous bodily	1. Unlawfully and maliciously,	Yes.	5 years
	harm.	2. Wounds or cause GBH.		Imprisonment
	Offences Against the	3. To any person.		-
	Person Act 1861			
47	Assault Occasioning	1. Did assault,	Yes.	5 years
	actual bodily harm.	2. Thereby occasioning actual bodily harm		Imprisonment
	Offences Against the	(ABH).		
	Person Act 1861			
				Back to Acts

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