

Tutorial 1

In groups:

1. For you, what is the difference between the law and ethics? Discuss your views. Give a computing-related example of something that is legal but that might be considered unethical, and something that is illegal but might be considered ethical.
2. Find the official source of the UK Computer Misuse Act and the EU GDPR. What are these pieces of legislation designed to protect, where are they relevant and why are they important for computer scientists?
3. What is the difference between criminal and civil law?
4. What is the law of precedence, how does it work in UK law?
5. What is the hierarchy of courts in the UK?
6. Read this summary of a 1988 Appeal Court case:

R v Gold & Schifreen (1988) 1 AC 1063

Robert Schifreen and Stephen Gold gained unauthorized access to British Telecom's Prestel interactive viewdata service in 1984/5 on numerous occasions. Schifreen had observed the password of a Prestel engineer at a trade show. They explored the system and accessed the personal message boxes, including that of Prince Philip. They obtained information to which they were not entitled, made unauthorised alterations to stored data and caused charges to be made to account holders without their knowledge or consent.

They were found guilty under section 1 of the Forgery and Counterfeiting Act 1981, of defrauding BT by manufacturing a "false instrument," namely the internal condition of BT's equipment after it had processed Gold's eavesdropped password.

However, the appeal court acquitted them and the Lords upheld the acquittal.

Lord David Brennan said:

"We have ... come to the conclusion that the language of the Act was not intended to apply to the situation which was shown to exist in this case. The submissions (of no case to answer) at the close of the prosecution case should have succeeded. It is a conclusion which we reach without regret. The Procrustean attempt to force these facts into the language of an Act not designed to fit them produced grave difficulties for both judge and jury which we would not wish to see repeated. The appellants' conduct amounted in essence, as already stated, to dishonestly gaining access to the relevant Prestel data bank by a trick. That is not a criminal offence. If it is thought desirable to make it so, that is a matter for the legislature rather than the courts."

- a. Why was the password they used not a 'false instrument'?
- b. Do you think this was the correct decision? Why?
- c. What were the implications of this decision? What would happen now?