

Theft is defined under s1(1) Theft Act 1968 as

‘A person is guilty of theft if he dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it...’

Appropriate

Property

Belonging to another

Dishonestly

With intention of permanently depriving the other of it

Appropriation

Appropriate is defined under s3(1) of the act as,

‘An assumption by a person of the rights of the owner amounts to appropriation, and this includes, where he has come by the property (innocently or not) without stealing it, any later assumption of a right to it by keeping it or dealing with it as an owner.

Lawrence 1972 – consent of the owner is irrelevant to appropriation which does not imply the absent of consent

Gomez 1993 – the assumption of any of the rights of the owner is considered as appropriation

Hinks 2001 – receiving a valid gift is an appropriation

Property

Property is given a broad definition under s4(1) of the Theft Act 1968, as follows,

‘all things, real or personal, including money, things in action and other intangible property’.

Oxford v Moss 1978

Computer Misuse Act 1990

Communications Act 2003 s125

Belonging to another

S5(1) – extended meaning, someone in possession or control or with any proprietary right or interest falling short of complete ownership

S5(4) – property received by another’s mistake i.e. being posted duplicate items, should be restored to the owner by obligation