

Abstract

In this era of technological progress, communication is more convenient because of computers and internet. However, internet is sometimes used for committing crime, such as unauthorized access of computer, computer interception, hacking, computer terrorism, computer falsification, computer fraud etc. Internet deception is a kind of frauds. Frauds, especially internet deception, not only cause financial damage but also affect public reliability in using internet for communication. Internet deception is statistically rising. However, current Thai criminal laws can not be applied to some internet deception cases.

The study of internet deception, especially skimming (theft of credit card information), found that digital information, currently, is not viewed as “chattel” or “property” in the stealth offence. Moreover, “chattel” and “property” is not clearly defined in Thai criminal law, which leads to the problem of interpretation whether digital information is a chattel, one of the elements of the fraud offence. Furthermore, the current stealth offence does not view reception of service as reception of chattel. There are many important problems to solve, such as internet deception, which is the use of self-processing digital information to help committing crime. The criminal may use the information they acquire for their own benefit or allow other people to use it. However, Thai laws do not view the acquisition of chattel from the deceived or the third party as stealth, fraud or offence relating to electronic card. Thus, it is necessary to stipulate the offence of unauthorized usage of other people’s information in the criminal code, no matter the information is acquired legally or illegally, so that the law can be applied to all kinds of internet deception cases.