

Obtain a pecuniary advantage by deception

To prove that someone is guilty of obtaining a pecuniary advantage by deception the prosecution must make you sure of three things.

Dishonesty

You must decide whether something is dishonest by the standards of ordinary decent people. If you find what was done was dishonest by those standards then you must go on to decide whether the defendant must himself have realised that what he was doing was dishonest by those standards.

Pecuniary advantage

Here the pecuniary advantage is the **opportunity to earn remuneration in an office or employment.

Put simply, in this case “pecuniary advantage” means getting a job with **

Obtains by deception

Deception means any deception whether deliberate or reckless by words or conduct. In this case the prosecution sat that the deception was **forging the signature of X** on the letter dated **.

**But in this case, the defendant is not charged with obtaining by deception. He is charged with attempting to obtain by deception.

Someone attempts to commit an offence – such as obtaining by deception - if, with the intention of committing an offence, he does something that is more than mere preparation for committing that offence.

If the defendant did **forge X**'s signature on the letter and then did give or send it to **, he is guilty of attempting to obtain a pecuniary advantage by deception.

So, the only question which you must answer, having regard to all of the evidence is

Did D **forge X**'s signature on the letter dated ** and then give or send it to **?**

If you are sure the answer is “yes”, he is guilty.

If the answer may be “no”, he is not guilty.