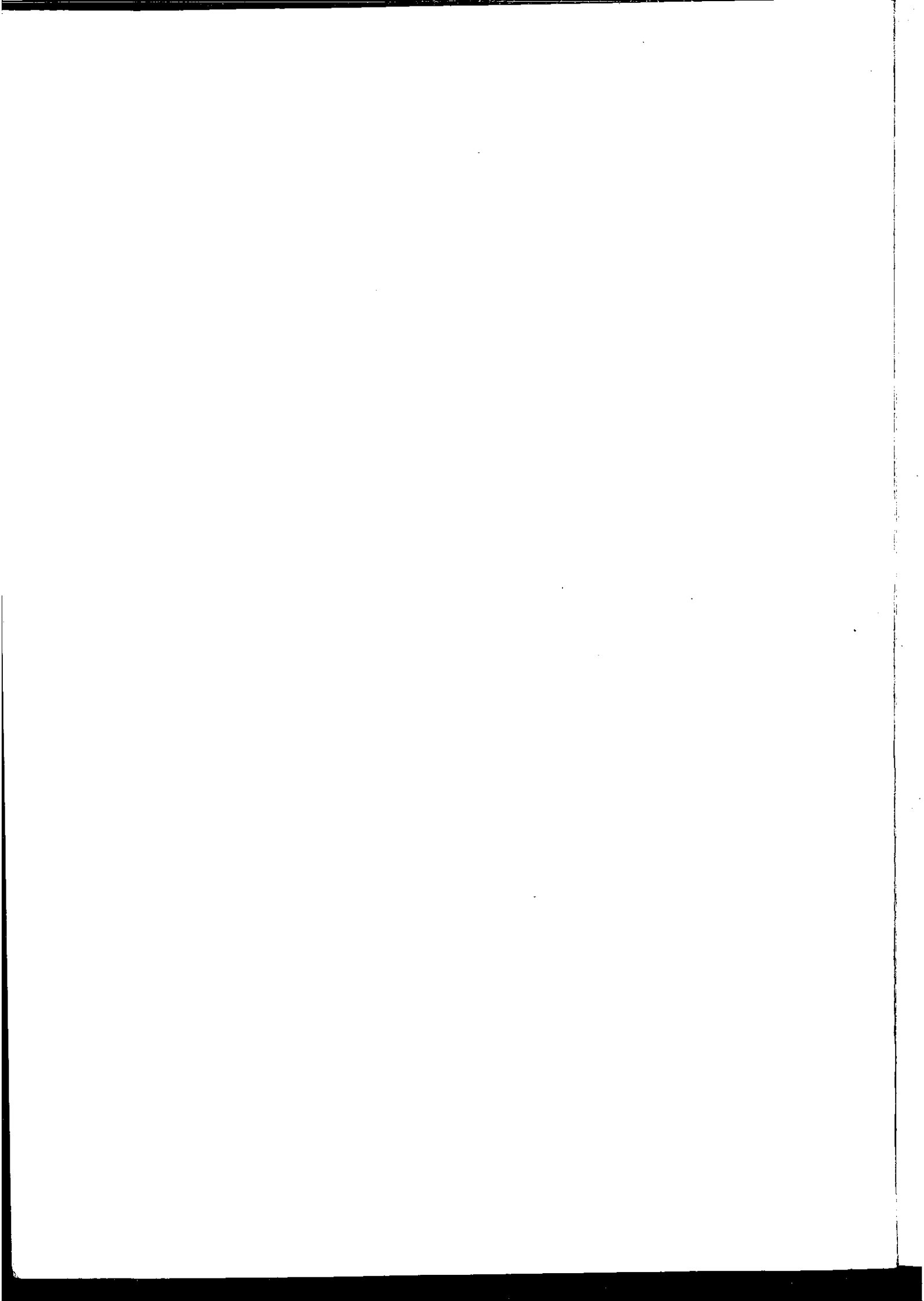


# ROBBERY

.....

An  
Analysis  
of  
Robbery  
in  
New  
South  
Wales



# ROBBERY

## FINAL REPORT

*N.S.W. Bureau of Crime Statistics and Research  
Attorney - General's Department*

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## PREFACE

Robbery and armed hold-ups of banks and other premises, along with robberies of persons, have been of great concern in New South Wales. In recent years, New South Wales has had the highest rate of such offences per head of population of any Australian State.

The Bureau has undertaken the present research, with financial assistance from the Australian Bankers Association, in order to explore the nature and extent of this type of offence, the motivations of the offenders, and the manner in which these offenders are dealt with by the criminal justice system. It also offers a contribution to the debate on the effectiveness of various proposed methods of deterrence in this area. Some of these results have been previously released in an interim report (January, 1986), and we are now pleased to release the final report.

A number of people have contributed to the study in various capacities. Russell Hogg, Hilary Kramer and Robert Drake designed the study, based on an initial brief. They collected the data and produced the initial draft of the final report. The report was substantially edited into its final form by Tom Robb, after comments on the draft by Don Weatherburn and Julie Stubbs. The report was edited for publication by Jan Houghton and Arthur Travis, and was typed by Carmel Byrne.

The assistance of the N.S.W. Police Department, and the N.S.W. Department of Corrective Services, is gratefully acknowledged. Special thanks is made to those persons in N.S.W. prisons who willingly took part in this study, and whose contributions have, hopefully, shed some light upon the problems presented by robbery.

Dr. A. J. SUTTON  
Director



## **CHAPTER 1**

# **INTRODUCTION**

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### 1.1 Purposes of the study

Robbery is typically an urban crime committed against persons with whom the offenders have had no prior connection. It is an offence involving confrontation between offender and victim in which there is invariably at least the threat of force and at times the actual use of violence. This is so whether the robbery takes the form of a hold-up of commercial premises, such as a bank, or involves the direct and personal robbery of a person in the street. The anonymous and apparently random dimension, taken with the element of violence or threat, is what distinguishes robbery as an offence of particular public concern. Most other offences of violence usually involve persons known to each other. Moreover, the news media tend to emphasise the random and predatory nature of robbery, thus ensuring that it becomes a crime of which most people are particularly fearful. Whether, or to what extent, such concern and fear are warranted remains to be seen.

The seriousness of robbery, in terms of the violence and economic losses involved, and the degree to which it is random in nature can be determined by a closer examination of robbery offences. This is one of the major purposes of this study.

A second major purpose is to examine, in so far as this is possible, just who composes the robber population. Are robbery offenders seasoned 'professionals'? Or are most robberies committed by occasional amateurs? What factors seem to influence patterns of robbery? To what extent are these factors a function of the deep-seated motivations and predispositions of robbery offenders and/or environmental pressures characterising their circumstances? Or to what extent are they closely related to the situational dimensions of robbery events? Certain limits on the ability to generalise about offenders of any kind flow from the fact that usually it is only possible to collect data in relation to those who are arrested and prosecuted. Any such findings can therefore claim no more than that they are describing the background, attitudes, etc. of one particular (and possibly unrepresentative) group.

The third major purpose of this study is to explore some aspects of the social and legal responses to robbery. A large part of the study is therefore devoted to examining the policing and prosecution of robbery suspects and the sentencing and punishment of convicted robbery offenders. Much public attention is focused upon the legal and related responses to robbery as it is in relation to other areas of crime, such as prevention. Preventive measures outside the sphere of the criminal process can take a number of forms. They can be social and economic, seeking to remove the conditions which are understood to cause robbery. Some general comments are made in the report with regard to prevention of this kind. Prevention can take the form of treatment or rehabilitation measures directed at individual offenders. Again, brief attention is given to this issue in Chapter 7. However, recently prevention has tended to focus upon

situational and technical measures for deterring crime - from locks and bars to Neighbourhood Watch. These developments have spawned new industries and a variety of other initiatives. Without seeking to offer the final word on such developments, the report devotes considerable attention to the theory and practice of situational prevention through its course.

## 1.2 Scope of the report

This is not a statistical study which began life as a series of closely defined hypotheses to be tested. Its aim is not to provide definite answers to a narrowly circumscribed set of questions. It is deliberately broad and exploratory in its approach, the object being in many cases simply to open up certain issues to wider and more critical public scrutiny and discussion. The empirical data which form the core of the research are used for the most part with this end in mind. In addition, research findings and secondary analysis, usually drawing on work done in Britain and North America, are integrated into the discussion as much as possible.

Over the last decade, popular and official concern with robbery has tended to concentrate on armed robbery and, in particular, the increasing incidence of firearms use in robberies. This study, unlike an earlier study conducted by the N.S.W. Bureau of Crime Statistics and Research (see Armed Robbery, 1977), encompasses all robbery, as well as offences of demand money with menaces, and is not restricted to armed robbery. There are several reasons for this.

First, the distinction between armed and unarmed robbery is not always clear. What is to count as a 'weapon' is open to interpretation in many circumstances. In some cases it is unclear whether a weapon (e.g. a firearm) was present or not. Whilst robberies involving a simulated weapon will often be defined as armed, this is not always the case. There is thus a considerable 'grey area' surrounding the categorisation of robberies as armed or unarmed. This can only be explained if we begin with the more general category of robbery and explore the differences within it.

Second, the distinction may produce artificial and misleading results. The armed/unarmed distinction is not necessarily the most important characteristic of the robbery. Whilst few bank robberies are committed which do not involve an actual or a simulated weapon, with targets such as petrol stations and shops it is not clear that the presence of a weapon makes for any qualitative difference to unarmed robberies of the same premises. Many weapons may be picked up or improvised spontaneously, their use being more a matter of opportunity than predisposition on the part of the offender. A survey based only on armed robberies could therefore be quite misleading as to the patterns, nature and trends of robbery offending and the likely effects of innovatory measures in prevention and control.

Third, the results of this study indicate that for at least one aspect - physical injuries caused to the victim - unarmed robberies tend to be more serious than armed robberies. Consequently, they warrant closer attention than they have hitherto received.

For the purposes of this study though, it was found that a broad distinction could usefully be drawn between two types of robbery: commercial and personal. 'Commercial' robberies are all those robberies directed at business premises, commercial moneys or goods in transit (e.g. payrolls), or mobile enterprises (e.g. taxis). 'Personal' robberies are all those directed at the person and property of private individuals, whether committed in public or in a private residence. Chapter 2 of the report is primarily concerned with commercial robbery (as was the interim report of this study published in February, 1986). Chapter 4, dealing with robbery offenders is also primarily concerned with commercial robbery, although not exclusively. Chapter 3 is devoted to personal and residential robbery with some limited discussion of offenders who commit these types of robbery.

Commercial enterprises handle money and other valuable property on an organised basis and consequently robberies of them usually:

- (a) Involve greater amounts of money and/or more valuable property;
- (b) Require some degree of planning, however rudimentary, on the part of offenders;
- (c) Require offenders to negotiate particular physical and spatial conditions;
- (d) Entail specialist attention to security measures aimed at frustrating or deterring robberies.

The personal robberies in the sample tended to:

- (a) Involve much smaller amounts of money;
- (b) Result in more injuries to victims, and injuries of a more serious nature;
- (c) Involve less use of firearms;
- (d) Generally bear the hallmarks of less planned and more impulsive offending.

Despite the utility of the distinction between commercial and personal robbery for general purposes of analysis, it is obvious that the characteristics specific to commercial robberies listed above vary greatly between different commercial targets. The robbing of a small shop, a newspaper girl or a taxi driver is more akin to a personal street robbery than to a bank robbery. This suggests the value of seeing the two types of robbery, not simply in dichotomous terms, but as forming a continuum so far as modus operandi, planning and the possibility of crossover or target displacement are concerned. 'Target displacement' is the transfer of criminal activity to different targets following preventative measures which increase the difficulty of committing a robbery or increase the risks of being caught (see Walsh and Poole, 1983, pp. 72-73; Reppetto, 1976; Clarke, 1983a). At one end of the continuum we have the highly planned and carefully executed commercial robbery. At the other we have the opportunistic and impulsive street robbery (a bag snatching, say) of a private individual. Whilst there is very likely to be little target displacement between these two poles, this may not be so as between personal and commercial targets towards the middle of the spectrum.

There is another emerging link between personal robberies and the changing practices of banking and other financial institutions. As the organisation of banking and methods of money transfer change, the opportunities for robbery, and other forms of instrumental crime, are also affected. Some of these changes probably reduce the opportunities for lucrative robberies to be carried out against commercial targets whilst they open up opportunities for other crimes such as credit-card fraud, computer fraud etc. However, the proliferation of 24-hour, on-street automatic teller machines does provide an obvious target for personal robbery, bag snatches etc., involving modest amounts of money and potentially serious injury to personal victims.

### 1.3 The definition of robbery

'Robbery' means the theft of money or property from a person (or in the presence of a person having its control) accompanied by the threat of use of force. The element of confrontation distinguishes robbery from other forms of theft and marks it out as an offence against the person as well as against property. It is important to note that the actual infliction of violence is not required to constitute a robbery. Usually, under the relevant statutory law the offence becomes more serious (and carries higher penalties) where an injury is inflicted, a weapon is carried, the victim is struck or the robbery is committed 'in company'. The offence of 'demand money with menaces' is, under certain circumstances, analogous to robbery, or attempted robbery. This is so where the demand is made directly, in a situation of personal confrontation. Demand money with menaces has a lower maximum penalty than robbery, and therefore may often be used as the appropriate charge in a situation where, for example, the



offender failed to obtain money or used only verbal threats against the victim. These offences are sometimes grouped with robbery in Police Department statistics. The decision to categorise a specific offence as one rather than the other often appears to be fairly arbitrary. Moreover, some sources of statistics relating to robbery include demand money with menaces cases whilst others do not. The Australian Bankers' Association, for example, collects statistics for bank hold-ups which do not distinguish robbery from demand money with menaces offences. On the other hand, the statistics of the Planning and Research Branch in the N.S.W. Police Department which are published in annual reports do make the distinction. Unfortunately, the counting rules that these different sources employ are rarely, if ever, made explicit, with the result that discrepancies between the various published statistics for robbery cannot be explained. This study therefore covers cases of demand money with menaces as well as robbery. It will also endeavour to identify the factors which distinguish the two categories. Where the term 'robbery' is employed it should be taken to include demand money with menaces unless otherwise stated.

Another type of offence, instances of which are closely akin to robbery, is that of steal from the person. There is a significant grey area surrounding the issue as to what constitutes violence or the threat of violence for the purposes of classifying some reported incidents as robbery rather than steal from the person. The clearest examples are those cases of bag snatching where the only physical confrontation is that entailed in the taking of the bag: if this involves snatching it from the arm of the person without any other contact (i.e. pushing, shoving), is it a robbery? If it involves stealing whilst jostling an unsuspecting person in a crowd, is it a robbery?

How these decisions are made by police in specific circumstances determines what is classified as robbery for the purposes of both statistics on reported crime and the measurement of changing rates over time. Whilst police recording practices are based upon a rough application of general legal categories, it is not clear that in these grey areas there is likely to be any consistency in the classification of offences. Of course, this will not affect the way a case will be subsequently prosecuted if a suspect is apprehended. For example, an assumed firearm case may be recorded by police as 'armed robbery'. However, if when a suspect is arrested and admits to the offence, he/she denies having a gun and there is no other evidence of the presence of a weapon the suspect may instead be charged with assault and robbery, or demand money with menaces. Police categorisation of a reported crime is of course based upon recollections, which are inevitably imperfect, of the incident by victims and witnesses.

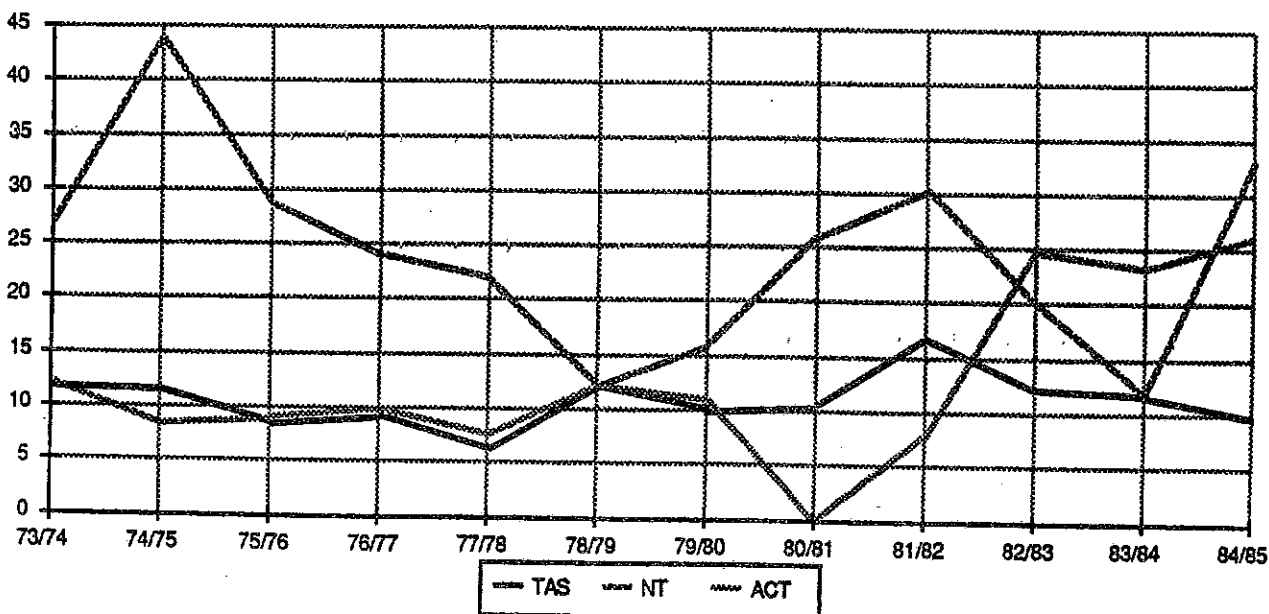
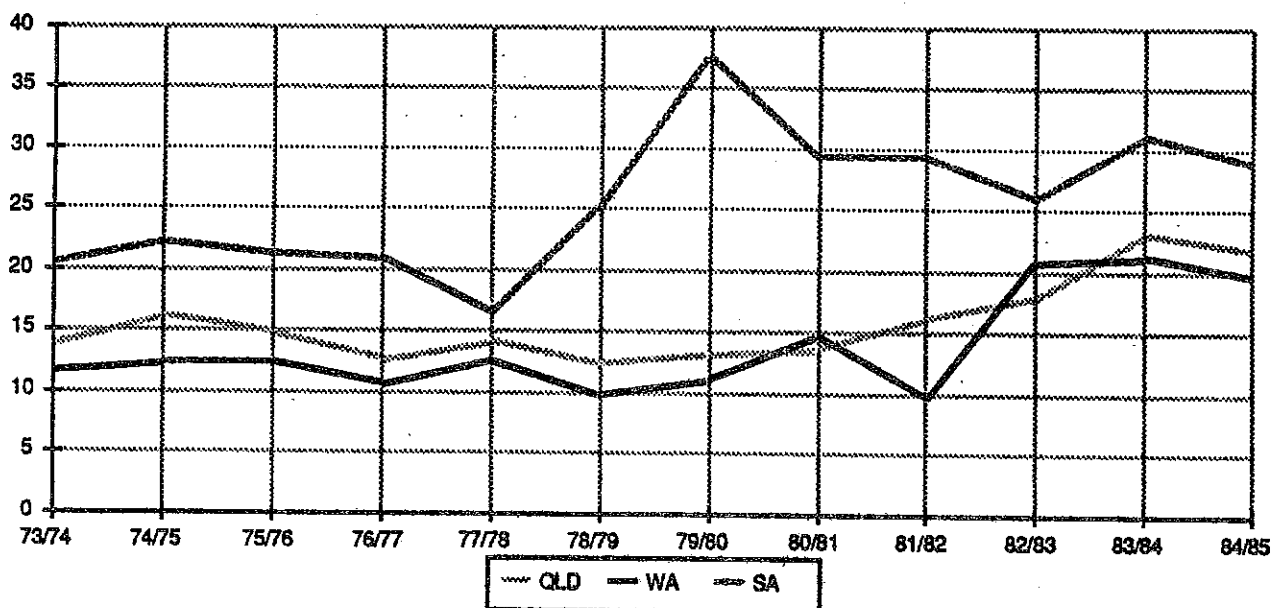
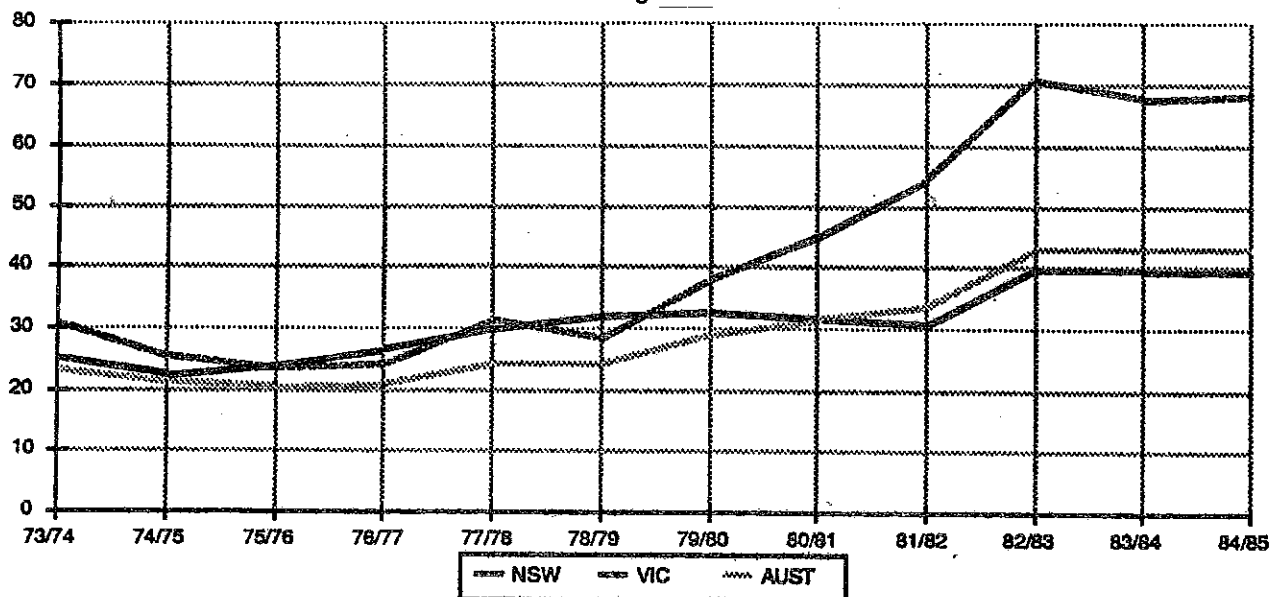


FIGURE 1.1  
Trends in rates of reported robbery, 1973/74 to 1984/85  
Rate per 100,000 population

#### 1.4 Trends in robbery

Growing concern over robbery in recent years has been, in part, an effect of the significant increases in reported rates of robbery offending since the mid 1970s. Figure 1.1 shows trends in rates of reported robbery for the different states and Australia for the years 1973/74 to 1984/85.

The graphs indicate that N.S.W. has by far the highest reported robbery rate in Australia. This rate was over 68 per 100,000 in 1984/85, but has declined, slightly, to just under 66 per 100,000 in 1985/86. This compares with an Australia-wide rate of 42.88 for the same year. All other states have a robbery rate below that of the country as a whole and only Victoria (with 39.11) approaches it. This indicates clearly that the major contribution to the national rate comes from N.S.W. The relatively high rate of robbery in N.S.W. compared to other states is not a recent development. It has exceeded that of other states and the country as a whole for more than ten years. The increases in N.S.W. over this period have, however, been more dramatic than for any of the other states, although the trend upward has been common to all states and territories, except Tasmania which has experienced a drop in its robbery rate.

It is important to note that the trends have not tended to be uniform within each of the jurisdictions. In N.S.W. for most of the 1970s the rate remained fairly static or actually dropped and it was only from 1979 onward that steep increases occurred. The robbery rate seems to have peaked in 1982/83 in N.S.W. and Victoria (and thus also for the country as a whole), although it is probably too early to judge this as indicative of a trend downward from that year on. The most recent statistics for N.S.W. (1985/86) indicate a continuation of the trend downward, with a reduction of 8.7 per cent in reported offences.

These increases in the rate of robbery in the 1980s are an understandable cause of concern, especially in N.S.W. where the overall levels and increases have been most marked. However, the bald statistics tell us little about the nature of the robbery problem. The data presented in this report seek to put some flesh on the statistical skeleton, but it is also important to place the robbery statistics within some overall local and comparative statistical perspective.

Whilst robbery accounts for a sizeable proportion of the total number of violent offences reported to police in Australia (over a third) it only represents a small percentage of the overall levels of reported 'serious' crime (about 1.4 per cent, according to the Australian Institute of Criminology: Mukherjee et al., 1987, p. 6). In relation to violent crime it should be emphasised that the tendency for even serious violent offences not to find their way into the official statistics (because they are not reported) is likely to be

greater than for serious robberies. The official statistics thus probably exaggerate the relative significance of robbery as a crime of violence but, nevertheless, robbery accounted for 20.1 per cent of all offences against the person in N.S.W. in 1985/86.

Moreover a comparison of Australian robbery rates with those of other comparable countries, as provided in Table 1.1, suggests that Australian rates are not high by international standards. All the countries mentioned, with the exception of New Zealand, have robbery rates in excess of that of Australia and in the case of Canada and the United States the differences are considerable.

TABLE 1.1  
Robbery rates in six countries, 1985  
(per 100,000 population)

Country	Rate
Australia .....	42.9
Canada .....	90.0
New Zealand .....	39.2
United Kingdom .....	50.0*
United States .....	208.5
West Germany .....	48.7

Source: Mukherjee et al., 1987, p. 24.

\*The most recent available rate was 1984.

### 1.5 Using robbery statistics

Most debates about crime make extensive use of official crime statistics. This is no less true of this report on robbery. Official crime statistics are those which are produced at various stages of the criminal process, usually directly or indirectly by the agencies of criminal justice themselves. So the police publish annual statistics on the number of crimes of various types reported to them, courts produce statistics relating to persons prosecuted, convicted and sentenced for various types of offences, etc. There is a temptation to employ such statistics uncritically, as if they objectively measured the incidence of various types of crime in the community. It is often overlooked that statistics are the outcomes, not simply of various types of criminalisable conduct, but of the decisions of individual citizens that they warrant some official action and the decisions of agencies of control to classify and act upon them as crimes of various types. These decision-makers have considerable discretion as to whether and, if so, how events coming to their attention will be categorised. These decisions will usually

be exercised in low visibility settings and may be influenced by a range of extra-legal considerations (on official crime statistics, see Bottomley and Coleman, 1981).

The most obvious source of evidence as to the limitations of official statistics as a measure of crime comes from explorations of the levels of unreported crime, especially those conducted through victim surveys (Australian Bureau of Statistics (ABS), 1975; ABS, 1986a; Sparkes et al., 1977). These surveys indicate that much crime remains unreported to police and other official agencies and that this is true of what might be thought of as serious crimes, such as robbery and sexual assault, as well as less serious matters.

Surveys of victims are the primary source of information about this 'dark figure' and about victims' reasons for choosing not to report offences. Such surveys are limited in their appropriateness to certain types of crime and certain types of victim. They cannot complete the picture which is left incomplete by official police records and statistics.

Victim surveys, however, can assist in identifying in what ways the official picture relating to some types of crime is, or may be, incomplete. Robbery is the type of offence for which we might expect a high rate of reporting. It is an offence against the person, it is of a non-trivial nature and, as it usually involves strangers, there are likely to be few, if any, personal reasons (such as protecting the offender) for not reporting it. Yet the victim surveys in Australia and other countries indicate significant levels of non-reporting by personal victims of robbery, although these levels are lower than for most other offences. Victim surveys have tended to be based on households so they provide little, if any, insight into the reporting behaviour of commercial victims.

The 1975 General Social Survey of Crime Victims conducted by the Australian Bureau of Statistics (ABS, 1979) found that, of the robbery offences committed against persons in the survey, only 54.2 per cent (weighted estimate) were reported to the police. The survey covered 18,694 persons throughout Australia and sought information as to incidents occurring in the twelve-month period prior to the survey. The results of the survey are, of course, indicative of victim perceptions that an offence of a particular type has occurred, which do not necessarily coincide with legal definitions. The most recent victim survey carried out by the Australian Bureau of Statistics (ABS, 1986a) in 1983 also found that there was a high level of unreported robbery. Victims reported robberies in less than 43 per cent of cases.

Table 1.2 summarises the results of the first ABS victim survey in relation to reasons given by victims for not reporting crimes to police. It covers all crimes against the respondents, not just robberies. The findings of the later survey generally support those outlined in the following table.

TABLE 1.2  
Reasons for not reporting crime to police

Reason	%*
Too trivial .....	28
Police could not do anything about it .....	14
Somebody else was notified instead .....	7
Police would not bother to do anything about it .....	6
Victim would handle situation .....	6
Thought it was a private, not a criminal matter .....	5
Would not bother since offenders thought to be children ...	3
Other reasons .....	31
TOTAL	100

\*Percentages have been rounded (ABS, 1979, p. 15).

These results suggest that many robberies which go unreported are likely to be of a less serious kind, although the range of factors and circumstances which influence reporting behaviour are such that there are probably many other reasons why robberies are not reported (e.g. prostitute/client robbery). There is the danger that many will see in the findings as to levels of unreported crime, a more dire state of affairs than we had even come to believe existed on the basis of the official picture of crime. Whilst in some cases failure to report crime is indicative of unmet needs on the part of victims and a perhaps unsatisfactory level of performance on the part of the public agencies responsible for dealing with crime, it would be a mistake to assume that this is generally the case. Similarly, it would be wrong to assume that it is merely perverse behaviour on the part of victims not to report crimes. Rather, failure to report may often flow from the fact that a problem might be more adequately dealt with in a localised and informal manner. Victim surveys could in future be used to explore in more detail the degree to which, and the ways in which matters are informally handled. This might produce a more rounded picture, not only of the 'hidden crime problem', but also of operation of hidden and informal systems of 'justice'.

#### 1.6 Situational crime prevention

This theory argues (see Bennett and Wright, 1984) that by manipulating various situational conditions (as against, for example, seeking to deter offenders with draconian penalties, or seeking to rehabilitate them after the event) we may bring about a reduction in crime. Obviously there are many practical measures in evidence that

reflect (if not explicitly) the acceptance of this view of criminal motivation. Locks, safes, alarms, security guards, police patrols and so on all rest on the assumption that the behaviour of potential offenders is to one degree or another influenced by situational features of the crime and available opportunities and not driven simply by some irresistible urge or predisposition to offend.

Three broad strategies of situational crime prevention have been identified by Clarke (1983a):

(1) Surveillance

This encompasses a range of measures which may vary from one context to another. They include police patrols, the use of privately employed security staff to patrol or protect specific targets, the organisation of patrols by citizen groups, schemes aimed at increasing day-to-day citizen surveillance of private premises and residential areas (such as Neighbourhood Watch), electronic surveillance of premises, attempts to increase levels of visibility (and hence natural surveillance in certain public and private areas) through architecture and design, and planning strategies aimed at enhancing levels of social activity, interaction and interdependence as a means of reconstituting forms of 'natural cohesion' and informal policing in urban areas.

(2) Target hardening

The emphasis here is upon increasing the physical security of potential targets, so creating obstructions to the successful commission of offences. There is obviously no rigid dividing line between such strategies and those grouped under the label of surveillance. Target hardening includes such measures as advances in safe technology, use of armoured vehicles to transport money, alarm systems, etc.

(3) Environmental management

This involves the removal or circumscription of potential target and/or the means of commission of crime. An example of the former is automated flat fare collection on public transport, and of the latter, tighter firearms control.

Security measures directed at the prevention of commercial robbery (and, sometimes, the minimisation of losses, such as in the case of time delay locks) have assumed an increasing importance in the last 15 years. In 1972, the Standing Committee on Bank Security was established in response to an increase in bank robberies. In the years since, this committee has developed guidelines relating to bank security to which all banking corporations conform to one degree or

another. These cover security hardware, such as alarms, surveillance cameras and, more recently, bullet-resistant barriers, as well as money handling and transfer procedures. Other organisations have shown similar concern to fortify premises and protect employees from robbery through the development of measures appropriate to these operations, usually in consultation with security companies and policing agencies (see N.S.W. Bureau of Crime Statistics and Research, 1977, pp. 22-45). More recently, a business watch scheme has been established in N.S.W. through the joint efforts of the police and the Retail Traders Association. It is aimed at enhancing preventive security measures taken by businesses at risk of being held up or otherwise victimised and encouraging greater informal surveillance amongst businesses in the same area. The same concern with prevention has also been evident in respect of personal crime (robbery, burglary, etc.) in recent years, leading to the proliferation of household security devices and the development of schemes such as Neighbourhood Watch.

For the most part these developments have proceeded on the assumption that they will reduce the incidence of robbery in relation to the premises in question, although there has been no attempt to empirically verify this by considering how such measures influence the decisions of robbery offenders. In line with the earlier discussion a possible response to blocked opportunities might be to strive to overcome the new obstacles or to find somewhere else to commit the same offence. This is usually referred to as displacement.

Drawing on the work of Reppetto (1974) and Clarke (1983) identifies five main types of displacement effect: geographical; temporal; tactical (meaning a change in method); target (e.g. from banks to building societies), and offence (e.g. from robbery to burglary). Robbery, especially armed robbery of commercial premises such as financial institutions, is often thought of as a typical 'professional' crime, committed by experienced and persistent offenders. The implication of this is that blocked opportunities in one sphere would lead offenders to turn to another. Indeed, in Britain, it has been argued that there was a displacement in 'professional' criminal activity away from commercial burglary to robbery over the counter when safe technology became too sophisticated for offenders; and more recently that the increased security of large financial institutions such as banks has produced a move towards robbery of cash in transit (see Ball, Chester and Perrott, 1979, ch. 7).

The displacement effect is likely to be influenced by a complex range of factors. Aside from the degree of commitment of offenders and potential offenders, there are the questions of just what situational features influence them (if any), their sources of knowledge about targets and changes in situational conditions, the nature of their skills and their transferability, the degree to which they specialise in certain types of offences etc. The way in which such questions are answered will determine the effects of situational measures of



prevention. It is important to recognise that one effect of situational measures may be to escalate some of the problems associated with offending. Thus target hardening may merely lead to more lethal methods and technology being used by offenders. Fortifying more lucrative targets may lead to an increase in the incidence of robbery overall as offenders are forced to rob less lucrative targets more frequently in order to maintain their incomes. On the other hand, situational measures which do inconvenience offenders in various ways might lead to an overall reduction in offences, whilst not completely deterring them from committing offences. Situational measures that make it harder to commit offences and cause the offenders to delay or 'reschedule' crimes may, temporarily, produce a reduction in total offences of the relevant type (Bennett and Wright, 1984). This general discussion highlights the need to go beyond simplistic assumptions about the effects of such measures - to exploit their potential whilst having some regard for, and evaluating, the full range of their possible effects.

Thus a number of points of intervention are relevant to the understanding and reduction of robbery offending. An important task in responding to robbery is to identify these points of intervention and the assumptions upon which policies directed at them are based.

#### 1.7 Methodology

The empirical research at the centre of this study of robbery is based primarily upon official police and court records. Consequently, claims as to the representativeness of the findings have, of necessity, to be qualified. The primary research was conducted in three principal stages. The first stage of the study was based upon an analysis of a one in eight (12.5 per cent) sample of all robbery and demand money with menaces offences reported to the police in N.S.W. in 1983. When an offence is reported to the police or otherwise discovered by them, a Criminal Information Report (CIR) is filled out, giving details of the alleged offence and noting whether the report is 'accepted', 'rejected' or considered 'doubtful' by the police receiving it. Police statistics on reported crimes are based on CIRs returned from local police stations. The data for the study was collected directly from the CIRs. A random sample of one in eight produced 541 CIRs. Of these one was missing, two were mistakenly categorised and one was incomplete, leaving an actual sample of 537 CIRs (or offences). When a suspect is identified, a Further Information Report (FIR) is normally filled out providing basic arrest and suspect details.

Further data were collected from these FIRs. Sample CIR and FIR forms are contained in Appendix I. (It should be noted that since this study was undertaken a new system of police documentation has superseded the CIRs and FIRs). Data on some of the principal variables relating to the patterns of robbery offences were also collected from Victoria and South Australia for comparative purposes.

The sample in this first stage can in no way be regarded as representative of all robbery offences committed in N.S.W. in 1983. This is so for the simple reason that the population of reported offences from which it is drawn cannot be regarded as representative. Police CIRs are the product of citizen decisions to report robbery offences and police decisions to record them as such. It has already been shown that a large number of most types of criminal offences (including robbery) are not officially reported. The findings of this stage of the study are reported in Chapters 2 and 4.

The second stage of the study directly followed from the first. For those sample offences that were recorded by police as cleared and one or more suspects arrested, an attempt was made to trace the suspects' paths through the criminal justice process. The primary sources of data in this stage of the study were court papers, although these had to be augmented at times by reference to police records. The focus in the second stage was twofold. First, the background characteristics of the robbery suspects themselves were explored. The major findings are reported in Chapter 3. Secondly, the study focused on various aspects of the processing of robbery suspects through the criminal justice system, including detection, charge, bail, plea, prosecution, outcome and sentence. The relevant findings are dealt with in Chapters 5 to 7. The following tables (1.3 and 1.4) summarise the number of cases in the sample examined in the second stage of the study.

TABLE 1.3  
Sample offences recorded as cleared

Total from CIR/FIRs .....	111
<u>Less</u>	
Cases found not to involve a sample offence .....	1
Subsequent record of case not found at all .....	4
Multiple sample offences involving the one defendant .....	8
Number of sample offences the subject of at least one questionnaire .....	98
Number of sample offences cleared .....	106

TABLE 1.4  
Distinct suspects\* associated with cleared offences

Total from CIR/FIRs .....	146
<u>Plus</u>	
Additional suspects not recorded on FIRs .....	7
	—
	153
<u>Less</u>	
Unfound suspects .....	6
Suspects incorrectly associated with a sample offence on FIR .....	2
	—
Total suspects for whom a questionnaire completed .....	145
Number of sample offences cleared .....	106

\*Eight suspects in the sample of cases were charged with two sample offences and two were charged with three sample offences

Aspects of this task of tracking cases through the sometimes Byzantine stages of the criminal process present considerable problems for the researcher, at least in N.S.W. An initial problem is whether forms are filled out by the relevant officers at the relevant times. If, for example, police do not always fill out an FIR when they arrest and charge a person then there will be no police record indicating that the relevant offence was cleared. The published clearance rates will consequently understate actual clearance rates and attempts to trace court papers and other records relating to the fate of the suspect and offence will be frustrated. There is no way of telling whether and, if so, to what extent, this occurs. The possibility must be acknowledged, given that there is some evidence from other Bureau studies that it does occur; however, the number of cases involved is likely to be relatively small, especially for robbery offences.

A further problem arises with the use of multiple records. On occasions it appears that cases have got 'lost' within the interstices of the different stages of the process and it has proved

impossible to find out precisely what happened to them. Four cases, identified in the CIR/FIRs, were excluded from the second stage of the study on this basis. However, the precise outcome of a number of other cases, included in the second stage of the study, was unable to be determined. Such problems may often result from failure to document events and decisions according to the appropriate procedures, but they may also be a consequence of the fact that considerable discretion resides in the relevant agencies to discontinue prosecutions. For example, an arrest of a person suspected of an offence might be made and in consequence an FIR filled out. Subsequent inquiries may reveal that the person could not be guilty of the offence. There is no apparent method of formally indicating that this occurred or, if there is, there is no evidence that it is always utilised. Of course, the official record that the offence was cleared will be misleading and attempts to find the relevant court papers relating to the case will be in vain. For many of the purposes of this study such cases have had to be simply recorded as 'don't know'. Again, however, these problems only affect a relatively small number of cases in the present sample.

The third stage of the study involved the interviewing of a small number of convicted multiple robbery offenders. In this stage it was sought again to generate the sample out of the prior stages of the study. It was hoped that in-depth interviews might be conducted with many of those persons convicted of sample offences who were also convicted of other robbery offences at the same time. The focus was upon a group who were known to be multiple robbery offenders. Tracing persons who had since been released from prison and obtaining their consent to be interviewed proved to be wholly unsatisfactory and so efforts were concentrated on those persons who remained in prison at the time of data collection. Nineteen persons were interviewed who had been convicted of sample offences along with other robbery offences. A further four multiple robbery offenders were also interviewed. The interviews focused upon the criminal careers of multiple robbery offenders and their routine decision-making with regard to the commission of robbery offences. Such a small number of interviews does not permit generalisation from the results. Their value, nevertheless, is threefold.

First, they indicate the diversity of personal life paths which lie behind an involvement in multiple robbery offending and perhaps signal a warning to those who would seek to make easy generalisations in relation to criminal motivation, either at the level of understanding or that of social and legal policy.

Secondly, they seek to elucidate many of the commonsense assumptions that run through current crime policy, especially in the area of crime prevention. The research emphasises that the assumptions about offender decision-making that underpin such policies should be explicitly articulated and subjected, where possible, to empirical inquiry. It makes a modest start in the direction of actually doing this in relation to commercial robbery.

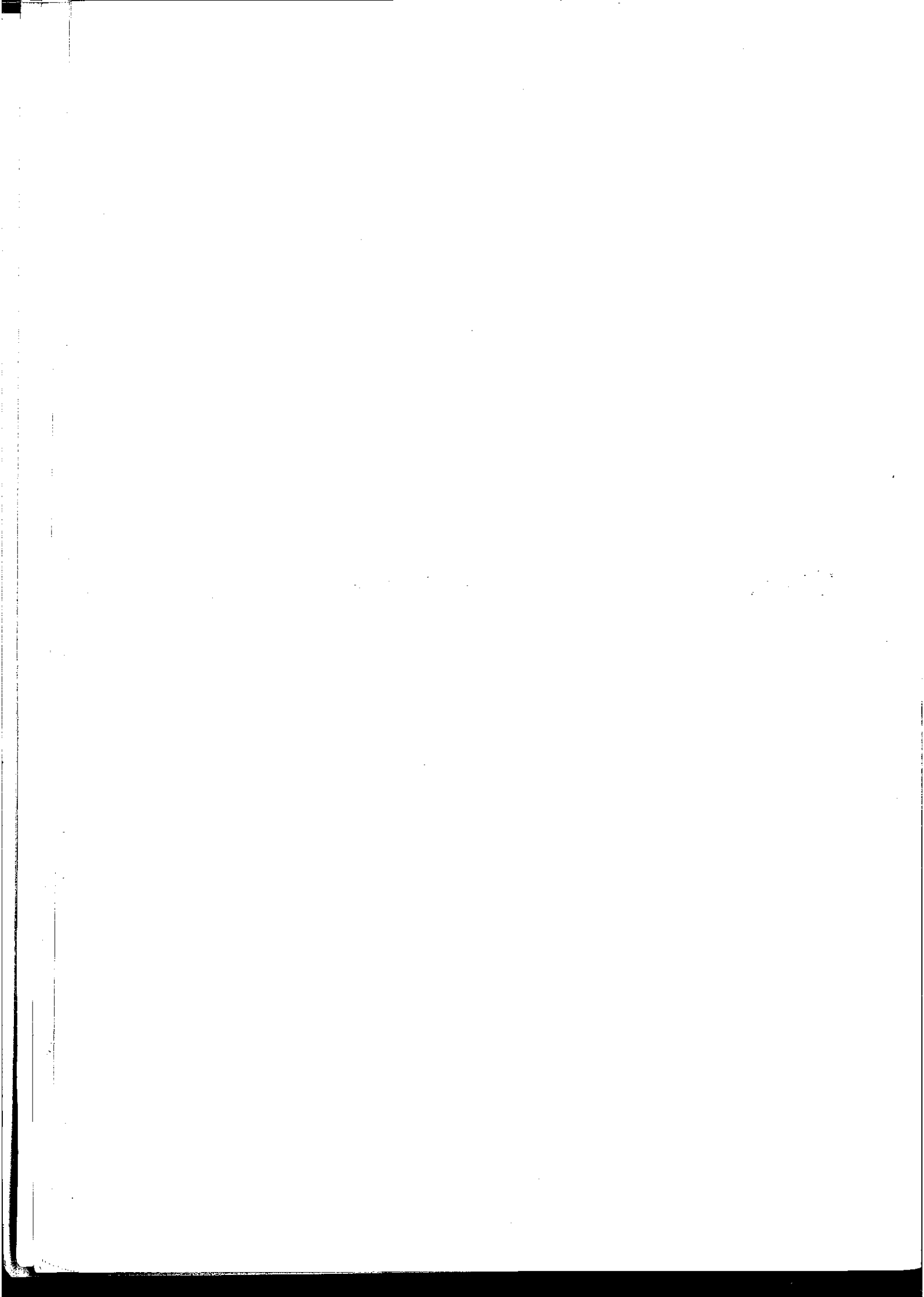
Thirdly, many of the insights that come from open-ended interviews are valid and productive for our understanding of the phenomenon of robbery despite our inability at this stage to generalise them to the whole, or even a sizeable proportion, of the population of robbery offenders. Policies which are based upon some empirical evidence and explicitly articulated theoretical assumptions are preferable to those founded on some implicit 'commonsense', often generated or sustained by reference to the exceptional case that attracts public and political attention. In exploring a world which by its nature tends to be secretive and subterranean, our empirical methods are always going to be less than ideal.



## CHAPTER 2

# COMMERCIAL ROBBERY OFFENCES

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## Introduction

This chapter examines the characteristics of commercial robbery offences in N.S.W. Chapter 3 examines in detail the characteristics of personal and residential robbery offences. As indicated, the analysis in both chapters is based primarily on a one in eight sample of all robbery and demand money with menaces offences reported to the police in N.S.W. in 1983. (The results discussed in this chapter were the subject of an interim report on this study published in February 1986). Comparative data from Victoria and South Australia are provided in this chapter.

Although the primary focus of this chapter is on commercial robbery, data are included for the personal robbery category as a whole for purposes of general comparison.

### 2.1 The targets of robbery

Table 2.1 provides a breakdown of offences in the sample according to the target involved. Robbery directed against money or other property in transit has been categorised in terms of the source of the money or property for the purposes of this table. The issue of robberies in transit will be addressed later. The table provides a separate general category for all personal robberies.

A few offences were a mixture of commercial and personal robbery, for although the offence was committed on commercial premises, it also involved the robbery of personal property belonging to employees and/or customers. If the primary target appeared to have been the commercial premises, the robbery was categorised as commercial.

Table 2.1 shows that the number of personal robberies reported was almost the same as the number of commercial robberies reported. The six cases in the 'target unknown' category relate to attempts and conspiracies for which no target was identifiable.

Amongst commercial targets, banks have experienced the highest number of robberies. Nine per cent of the offences in the sample related to banks. This constitutes 19 per cent of the commercial robberies in the sample. The possible reasons for the high incidence of robbery on banks relative to other targets will be explored in a later section of this chapter.

The targets which are obviously comparable in other respects to banks - i.e., that are abundantly dispersed throughout the community and usually carry large sums of money - are building societies and Totalizator Agency Board offices (TABs). Both suffer considerably fewer robberies than banks - building societies were 4 per cent of the total (10 per cent of commercial robberies) and TABs only 1 per cent (2 per cent of commercial robberies).

TABLE 2.1  
Targets of robbery

Target	Commercial robberies		All robberies (%)*
	No.	%*	
Bank .....	50	19	9
Building society .....	26	10	5
TAB .....	5	2	1
Chemist .....	16	6	3
Petrol station .....	33	12	3
Hotel or bottle shop .....	22	8	4
Post office .....	10	4	2
Shop .....	31	11	6
Brothel .....	4	1	1
Other commercial premises .....	45	17	8
Taxi .....	13	5	2
Other mobile commercial .....	11	4	3
<hr/>			
Total commercial	266	100	50
Personal robberies	265		49
Target unknown	6		1
<hr/>			
TOTAL	537		100

\*Percentages have been rounded.

After banks, the most common target was the petrol station, which accounted for 6 per cent of all robberies and 12 per cent of commercial robberies. The remaining notable categories of target - small shops (6 per cent of total robberies, 12 per cent of commercial robberies), hotels and bottle shops (4%, 8%), chemists (3%, 6%) and post offices (2%, 4%) - together account for 15 per cent of all robberies in the sample and 30 per cent of commercial robberies. The residual category 'other commercial premises' accounts for 8 per cent of the total and 17 per cent of commercial offences. This category covers a diverse range of premises, including newsagencies, department stores, take-away food stores and restaurants, offices, factories and clubs.

The figure for taxis, 2 per cent (5 per cent of commercial targets), is probably an underestimate of the relative incidence of this form of robbery. There is evidence from an earlier Bureau study that some

taxi drivers do not always report robberies and attempted robberies to the police (N.S.W. Bureau of Crime Statistics and Research, 1977, p. 25). The category 'other mobile' covers all mobile commercial enterprises except taxis. It includes newspaper sellers, a bookmaker, a bus driver, street vendors etc.

#### Robberies in transit

Table 2.2 shows the breakdown of commercial robberies directed against money or goods in transit, categorised by the source of the money or goods in question. The most important fact to note is the relatively low incidence of this type of robbery. Only 16 offences (5 per cent of commercial robberies) were robberies in transit. Research in Victoria (Kapardis and Antonopolous, 1985, unpublished) has suggested a trend in these two jurisdictions towards robberies in transit as more sophisticated security measures make it more difficult to carry out robberies on large commercial premises. The findings in this study suggest that in 1983 the incidence of robberies in transit was relatively low, but they obviously do not permit anything to be said about trends in this area.

TABLE 2.2  
Robberies in transit

Building society .....	1
Petrol station .....	1
Hotel .....	1
Drive-in liquor store .....	3
Takeaway/restaurant .....	1
Office .....	5
Other commercial premises .....	4
<hr/>	
TOTAL	16

#### 2.2 The economic proceeds of robbery

One widely noted attraction of robbery over other prevalent forms of theft, such as burglary, shoplifting and motor vehicle theft, is that it usually provides the offender with ready cash. This removes the need to dispose of stolen goods and limits, to some extent, the risk of apprehension, or evidentiary implication of guilt, associated with their possession.

TABLE 2.3  
Types of property stolen

	Commercial		Personal		Total	
	No.	%*	No.	%*	No.	%*
Cash .....	235	88.0	206	78.0	441	82.0
Goods for sale .....	3	1.0	0	0.0	3	0.6
Personal belongings ...	24	9.0	180	68.0	204	38.0
Drugs .....	10	4.0	1	0.3	11	2.0

\*Percentages total over 100% as in some cases more than one type of property was stolen.

In the study sample as a whole, 441 offences (82%) involved the robbery of cash (occasionally in addition to other goods). Of the 226 commercial robberies in the sample, 88 per cent involved cash. Only two commercial robberies (less than 1 per cent of all commercial robberies) in which property of any value was taken involved the taking of goods only, rather than goods in addition to money or money exclusively. In the balance of commercial robberies, no proceeds were realised or in some cases (three) information was not available. In 29 personal robberies (11%) no money was taken but other property was.

Whilst personal belongings were taken in 204 offences (38%), 180 (68%) of these were personal robberies. Most often the personal belongings, whether in commercial or personal robberies, were wallets or handbags, and were stolen in addition to money. Drugs were taken in only eleven cases, ten of these being chemists as might be expected. Money was also taken in most of these robberies.

Perhaps more surprising was the finding that articles for sale were taken in only three cases. Two of these were large commercial robberies and did not involve money in addition to the goods.

These results overwhelmingly demonstrate the centrality of cash to reported robbery offending. This may be significant for understanding other aspects of robbery. As suggested above, it obviates the need for certain other forms of criminal involvement, such as with 'fences'. Unlike most other lucrative forms of property crime, robbery does not require skills that can only be learnt in a criminal subculture, and so has the potential to attract novices and loners in search of quick money. Fluctuations in the incidence of robbery could be explained by the entry of new offenders to the scene who are not otherwise experienced in property crime, the obvious example being drug users.

Table 2.4 details the value of property taken for each category of target (Figure 2.1 provides the median values for selected targets).

In 64 cases (12%) no money or property of value was taken in the robbery. This includes six cases in which no confrontation took place, the offence being constituted by an attempt or conspiracy. In the category of commercial robberies, there were 29 cases (11 per cent of commercial robberies) in which no proceeds were obtained.

In a large proportion of offences (37%) less than \$100 was stolen. The great majority of these were personal robberies although in one fifth of commercial robberies nothing or less than \$100 was stolen.

Most commonly, proceeds from robberies fell within the range of values \$100 to \$500. Ninety four (35%) personal robberies and 57 (21%) commercial robberies fell in this range. Robberies of petrol stations and shops together constituted the majority of commercial robberies in this category.

At the more lucrative end of the scale, Table 2.4 indicates that only two robberies (less than 1 per cent of commercial robberies) realised over \$50,000, one being a \$54,000 bank robbery, and the other a \$56,000 factory payroll robbery. Eighteen robberies (3%) involved amounts of between \$10,000 and \$50,000. Twelve of these were of banks. The lucrative targets are clear from the table. Few robberies of banks and building societies, for example, involved amounts of less than \$1,000 whilst the opposite is true of petrol stations, shops and chemists. However, a clearer indication of the money obtainable from different targets can be gained from an examination of the median value stolen for each target category (see Figure 2.1).

The median for bank robberies (\$3,921) is much higher than for any other target. Although the figure for building societies (\$2,282) is much lower than that for banks, it is more than twice that of the next most lucrative target, namely hotels and bottle shops (\$1,005). The medians for petrol stations and shops (\$315 and \$190 respectively) demonstrate the gulf between large and small commercial premises in terms of the proceeds available from robberies. The category of 'other commercial premises' covers such diverse targets that it is not wise to draw any conclusions from the median. The median for personal robberies (\$83) is considerably lower again than for the smaller commercial targets (see Figure 2.1).

On the basis of the information available from Criminal Information Reports (CIRs) and Further Information Reports (FIRs), no property was recovered in 428 cases, representing 90 per cent of the cases in the sample in which money or property was taken. The information provided on CIRs and FIRs in relation to property recovered probably has to be treated with some caution. Property that is recovered some time after the robbery may not be recorded and so would not appear in

TABLE 2.4  
Total value stolen by target

Target	\$0	\$1 to \$49	\$50 to \$99	\$100 to \$499	\$500 to \$999	\$1,000 to \$2,999	\$3,000 to \$4,999	\$5,000 to \$9,999	\$10,000 to \$50,000	Over \$50,000	Not known
Bank .....	3	0	0	0	1	14	10	9	12	1	0
Building society .....	1	0	0	2	4	11	5	3	0	0	0
TAB .....	0	0	0	1	2	0	0	1	1	0	0
Chemist .....	1	0	2	6	3	2	1	0	0	0	1
Petrol station .....	4	1	0	20	4	3	0	1	0	0	0
Hotel .....	1	3	1	4	2	5	2	2	2	0	0
Post office .....	1	0	0	1	4	3	0	0	0	0	1
Shop .....	6	1	1	12	6	4	0	1	0	0	0
Brothel .....	0	1	1	1	1	0	0	0	0	0	0
Other commercial .....	10	0	1	5	9	11	4	1	2	1	1
Public .....	0	3	1	1	2	0	0	0	0	0	0
Taxi .....	1	4	3	3	0	0	0	0	0	0	2
Other .....	1	0	0	1	1	1	0	0	0	0	0
Total commercial .....	No. 29 %	13 5	10 4	57 21	39 15	54 20	22 8	18 7	17 6	2 1	5 2
Total personal .....	No. 29 %	61 23	47 18	94 35	10 4	6 2	2 1	9 3	0 0	0 0	7 3
Attempt etc. ....	No. 6 %	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0
TOTAL	No. 64 %	74 14	57 11	151 28	49 9	60 11	24 5	27 5	7 3	2 0	12 2

Note: Percentages have been rounded.

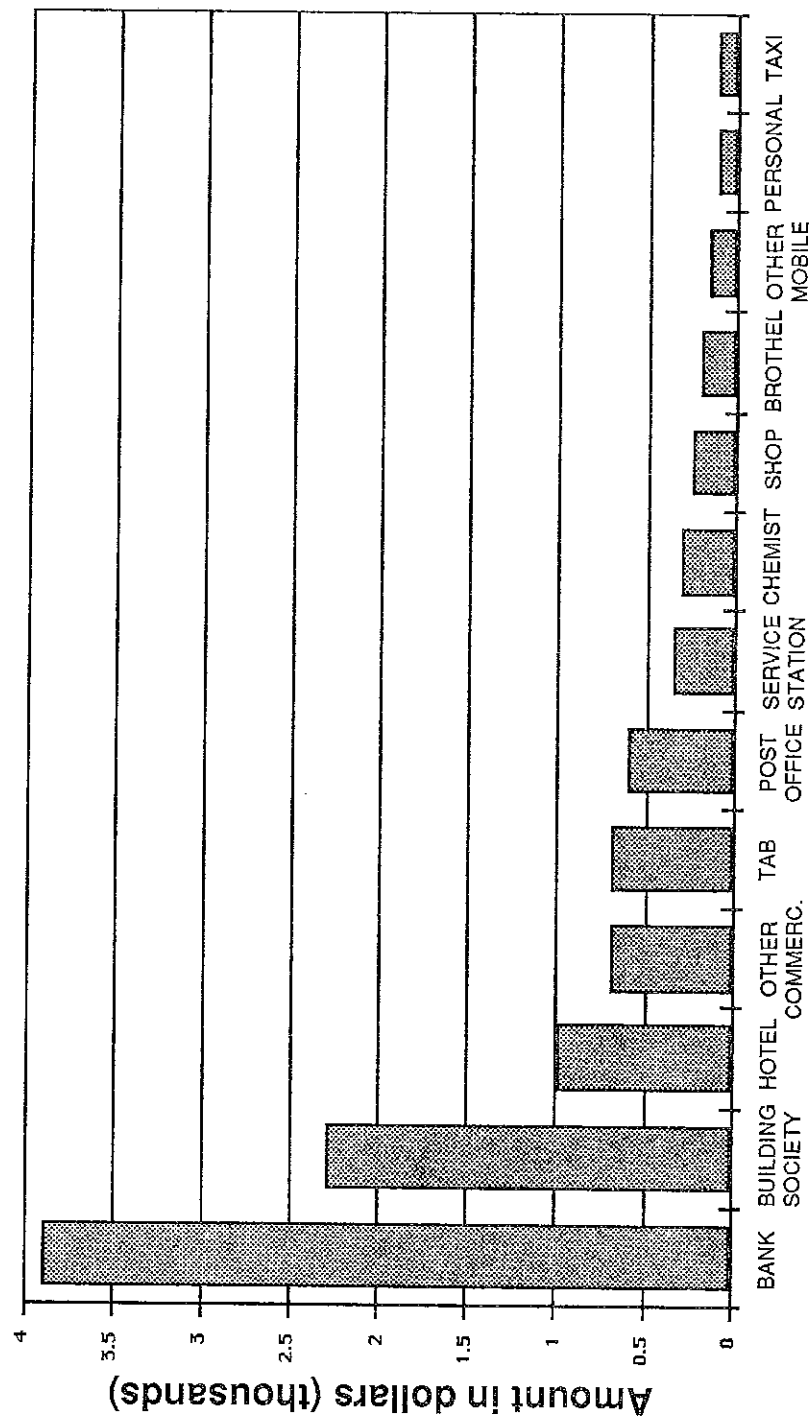


FIGURE 2.1  
Median values of property stolen

our data. On the other hand it is likely that property not recovered quickly is not likely to be recovered at all, especially as most robberies are of cash.

### 2.3 The timing of robbery offences

Table 2.5 shows the time of day robberies were committed on different targets. As might be expected, all robberies of banks and building societies were committed during the ordinary business hours of 9 a.m. to 5 p.m. Commercial robberies as a whole are most commonly committed during these hours. However, this conceals considerable variation between the different targets.

Obviously, robberies that do not involve breaking into property are constrained by the hours of opening of potential targets. Chemists, hotels and shops tended to be robbed in the evening. On the other hand, two thirds of petrol station robberies were committed between 9 p.m. and 9 a.m., with almost half being in the hours midnight to 5 a.m. Taxi robberies also tended to be committed between 9 p.m. and 9 a.m. (77%). In the case of petrol stations the general practice of opening long hours, and the fact that some are open throughout the night provides considerably greater, and more attractive opportunities for robbery. This is reflected in both the incidence and distinctive timing of most of these robberies.

Given that all these targets are also open in greater numbers during the day, offenders demonstrate a very strong preference for night robberies.

Personal robberies were most often committed at night, only 18 per cent being committed between 9 a.m. and 5 p.m. Night robberies tended to be fairly evenly spread over the hours 5 p.m. to 5 a.m.

### 2.4 The number of offenders involved in robberies

Table 2.6 provides a breakdown of the targets of robberies in the sample by the number of offenders involved.

The data in relation to the number of offenders involved in robberies are of course limited to what victims and witnesses recall. People involved in the offence in some way, but not involved in the confrontation, might not be counted. An obvious example is a getaway driver. The data, therefore, relate to the number of offenders known to be involved in the offence (i.e., a minimum). Offences where the number of offenders is unknown are cases where a solitary victim was struck from behind, the victim was drunk and cannot recall the incident, or the offenders were just described as 'a group'.

The majority of commercial robberies were committed by lone offenders (62%) whilst the majority of personal robberies involved more than one offender (61%). Only 20 commercial robberies (8%) involved three



TABLE 2.5  
Timing of offences

Target	Midnight to 5 a.m.	5 a.m. to 9 a.m.	9 a.m. to 1 p.m.	1 p.m. to 5 p.m.	5 p.m. to 8 p.m.	9 p.m. to midnight	Not known	TOTAL
Bank .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	0 0	0 0	12 24	38 76	0 0	0 0	0 0	50 100
Building society .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	0 0	0 0	4 15	22 85	0 0	0 0	0 0	26 100
TAB .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	0 0	0 0	1 20	0 0	4 80	0 0	0 0	5 100
Chemist .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	0 0	1 6	2 13	5 31	7 44	1 6	0 0	16 100
Petrol station .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	15 46	1 3	0 0	0 0	11 33	6 18	0 0	33 100
Hotel .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	3 14	1 5	0 0	2 9	7 32	8 36	1 4	22 100
Post office .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	0 0	0 0	4 40	6 60	0 0	0 0	0 0	10 100
Shop .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	0 0	1 3	3 10	6 19	17 55	4 13	0 0	31 100
Brothel .....	No. %	No. %	No. %	No. %	No. %	No. %	No. %	No. %
	2 50	0 0	0 0	1 25	0 0	1 25	0 0	4 100

TABLE 2.5  
Timing of offences (continued)

Target	Midnight to 5 a.m.	5 a.m. to 9 a.m.	9 a.m. to 1 p.m.	1 p.m. to 5 p.m.	5 p.m. to 8 p.m.	8 p.m. to midnight	Not known	TOTAL
Other premises .....	No. %							
	7 16	3 7	8 18	11 24	9 20	7 16	0 0	45 100
Taxi .....	No. %							
	4 31	0 0	1 8	2 15	0 0	6 46	0 0	13 100
Other mobile .....	No. %							
	1 9	0 0	1 9	2 18	4 36	3 27	0 0	11 100
Total commercial .....	No. %							
	32 12	7 3	36 13	95 36	59 22	36 14	1 1	266 100
Total personal .....	No. %							
	64 24	17 6	16 6	31 12	62 23	69 26	6 2	265 100
Attempts etc. ....	No.							
	1	0	1	1	1	2	0	6
TOTAL	No. %							
	97 18	24 4	53 10	127 24	122 23	107 20	7 1	537 100

or more offenders with 79 (30%) being committed by two. Banks and building society robberies tended to an even greater extent to be committed by lone offenders, the respective figures being 36 (72 per cent of bank robberies and 21 (81 per cent of building societies).

These findings are contrary to the view, often held, that such targets are predominantly robbed by professional gangs, who carefully plan the robberies and adhere to a fairly strict division of labour.

TABLE 2.6  
Number of offenders by target

Target		One	Two	Three	Four or more
Bank .....	No.	36	8	5	1
	%	72	16	10	2
Building society .....	No.	21	4	1	0
	%	81	15	4	0
TAB .....	No.	1	4	0	0
	%	20	80	0	0
Chemist .....	No.	12	4	0	0
	%	75	25	0	0
Petrol station .....	No.	24	7	2	0
	%	73	21	6	0
Hotel .....	No.	12	10	0	0
	%	55	45	0	0
Post office .....	No.	6	3	1	0
	%	60	30	10	0
Shop .....	No.	21	8	2	0
	%	68	26	6	0
Brothel .....	No.	0	2	2	0
	%	0	50	50	0
Other commercial .....	No.	19	21	3	0
	%	44	49	7	0
Taxi .....	No.	9	3	1	0
	%	69	23	8	0
Other mobile .....	No.	4	5	1	1
	%	36	45	9	9
Total commercial .....	No.	165	79	18	2
	%	62	30	7	1
Total personal .....	No.	97	80	37	32
	%	39	33	15	13
Attempts etc. ....	No.	2	3	1	0
	%	1	2	2	0
TOTAL	No.	264	162	56	34
	%	49	30	10	6

Note: In two commercial and 19 personal robberies the number of offenders was unknown.

With the exception of robberies of TABs, other commercial premises, and other mobile businesses, other categories tend to conform to this pattern. So, for example, robberies of chemists and petrol stations, which in certain other respects are similar to personal robberies (in proceeds, timing etc.), were in approximately 75 per cent of cases committed by lone offenders, with very few cases involving more than two offenders.

It is in relation to robberies involving three or more offenders that the major difference lies between personal and commercial robberies. Twenty-eight per cent of personal robberies (69 offences) were committed in groups of three or more offenders compared with 8 per cent of commercial robberies (20 offences).

## 2.5 Weapons and robbery

This section endeavours to provide details on the incidence and types of weapons used in robberies in the sample of cases surveyed. This is a difficult task as the weapon may not have been clearly seen, and also as it is hard to assess the real threat posed by the item concerned.

We draw a distinction between actual and assumed weapons. A weapon is 'assumed' if the offender claims or pretends to have a weapon, but it is not actually seen (e.g. a shape in a jacket pocket which could be a pistol or a finger, or a metal tube protruding from a bag which could be a gun barrel or just a pipe). Whilst it might be argued that the effect on the victim is much the same regardless of whether the offender actually possesses a weapon or merely claims to have one, the difference is obviously relevant to assessing the actual or potential dangerousness of the incident.

Some of the firearms used in robberies may be replicas or toys. By law a replica or toy is regarded as a weapon (s.4 N.S.W. Crimes Act, No. 40, 1900). Consequently, all weapons seen are categorised as actual weapons.

There is always further uncertainty about whether a firearm is loaded or not. Thus to consider realistically the question of firearms use, it is necessary to take into account that the presence of the weapon may only be simulated, it may not be a real weapon, and that real weapons may not be loaded.

Due to the ambiguity surrounding firearms use, considerable room for interpretation is left to witnesses, and subsequently police, as to whether a robbery should be deemed armed or not, and if so what type of weapon was involved. Thus police often categorise as 'demand money with menaces' offences where, according to the victim, the offender claimed to have a firearm, but there was no other evidence to support this claim. In the sample, there were 22 offences of this type categorised as 'demand money with menaces'. This was almost

half the offences in which a firearm was assumed without being seen. The other assumed firearms cases were categorised by police as armed or unarmed robberies. In this regard, it is important to make the distinction between the categories of offences used by the police on CIRs. and the actual charge that may be brought against the offender after the prosecutor has carefully examined the evidence.

Aside from the question of the simulated weapon, there is the separate though related question of what constitutes a weapon. Knives and guns obviously do, but beyond these almost any object can be used as a weapon whilst not having that as its primary purpose. Several offences in which the CIR recorded a weapon as being present (usually some sort of blunt instrument) were categorised by police as unarmed robberies. Our overall conclusion, therefore, is that the incidence of genuine firearm robberies tended to be overstated in the published police statistics whilst that of robberies with a weapon other than a firearm were understated.

Table 2.7 provides a breakdown of weapons use by target category. In 193 offences in the sample there was some reference to a firearm, but a more realistic figure for actual firearms use is 147 (i.e. omitting offences in which a gun was assumed but not seen). This represents 27 per cent of all robberies.

TABLE 2.7  
Summary of weapons used

		Gun only	Gun & other	Total gun	Assumed gun	Other weapon	None	Total
Commercial	No.	126	4	130	41	56	39	266
	%	47	2	49	15	21	15	100
Personal	No.	11	5	16	4	38	207	265
	%	4	2	6	2	14	78	100
Attempts	No.	1		1	1	1	3	6
		—	—	—	—	—	—	—
TOTAL	No.	138	9	147	46	95	249	537
	%	26	2	27	9	18	46	100

Note: Percentages have been rounded.

Other weapons were used in 95 offences or 18 per cent of the sample. Knives were used in 72 robberies and other weapons (usually some form of blunt instrument) in 32. These include offences in which more

than one type of weapon was used. Guns are thus by far the most popular type of weapon in robberies, followed by knives and then other weapons, usually improvised.

The great majority of commercial robberies were armed: 49 per cent (130 offences) involved guns, 21 per cent (56 offences) involved other weapons only, usually knives, and 2 per cent (four offences) involved both guns and other weapons. In a further 15 per cent of commercial robberies, the offender was wholly unarmed (i.e. without actual or simulated weapon).

This contrasts with personal robberies where the great majority were unarmed (78%). Of those that were armed, less than a third involved firearms (16 cases or 30 per cent of armed personal robberies). Weapons other than guns were used in 38 cases (14 per cent of all personal robberies and 70 per cent of armed personal robberies). Weapons other than guns were used in 56 (21%) commercial robberies. Many of the personal robberies (far more than for commercial robberies) involved blunt instruments of various kinds.

The contrast in use of weapons between commercial and personal robbery clearly emerges in the fact that of the total number of unarmed robberies in the sample (249), 83 per cent (207 offences) were personal robberies and only 16 per cent (39 offences) were commercial robberies. On the other hand, of the total number of firearms robberies, 88 per cent were commercial robberies whilst only 11 per cent were personal robberies.

Table 2.8 shows important variations in the incidence and types of weapons used in commercial robberies. For most categories of commercial target the majority of robberies involved a firearm, shops and taxis being the obvious exceptions. Few robberies of banks, building societies or TABs involved weapons other than firearms. In most other commercial targets the use of knives and other weapons was common. This may reflect the different exigencies associated with robbing different types of premises - in particular, the differences in spatial characteristics and architecture and the related problems of asserting control over the situation.

There was a high incidence of firearms use in bank robberies (58 per cent or 29 offences). This constituted 20 per cent of all firearms robberies in the sample. However, this figure is perhaps lower than might have been expected. The surprising finding is the incidence of robberies of both banks and building societies that involved simulated or assumed weapons: 16 robberies (32%) on banks and 14 (54%) on building societies. Most of these offences were categorised by police as demand money with menaces or unarmed robbery. This illustrates the symbolic role of firearms in robbery - that whether real or illusory, their essential function is to enable the authority of the offender to be asserted over the situation and co-operation to be exacted (see Letkemann, 1973, pp. 109-116). As is indicated elsewhere, it is rare that a gun is actually fired during a bank

TABLE 2.8  
Weapons used by target

Target	No.	%	Gun only	Gun & other	Total gun	Assumed gun	Other weapon	None	TOTAL
Bank .....	29		29	0	29	16	1	4	50
	58		58	0	58	32	2	8	100
Building society .....	10		10	0	10	14	0	2	26
	38		38	0	38	54	0	8	100
TAB .....	4		4	0	4	1	0	0	5
	80		80	0	80	20	0	0	100
Chemist .....	8		8	0	8	1	6	1	16
	50		50	0	50	6	38	6	100
Petrol station .....	18		18	0	18	3	9	3	33
	55		55	0	55	9	27	9	100
Hotel etc. ....	12		12	0	12	0	5	5	22
	54		54	0	54	0	23	23	100
Post office .....	7		7	0	7	0	2	1	10
	70		70	0	70	0	20	10	100
Shop .....	12		12	0	12	3	10	6	31
	39		39	0	39	10	32	19	100
Brothel .....	1		1	2	3	1	0	0	4
	25		25	50	75	25	0	0	100

TABLE 2.8  
Weapons used by target (continued)

Target	Gun only	Gun & other	Total gun	Assumed gun	Other weapon	None	TOTAL
Other commercial .....	No. 23 % 51	1 2	24 53	1 2	9 20	11 24	45 100
Taxi .....	No. 1 % 8	1 8	2 16	0 0	9 69	2 15	13 100
Other mobile .....	No. 1 % 9	0 0	1 9	1 9	5 45	4 36	11 100
Total commercial .....	No. 126 % 47	4 2	130 49	41 15	56 21	39 15	266 100
Personal .....	No. 11 % 4	5 2	16 6	4 2	38 14	207 78	265 100
Attempts etc. ....	No. 1 % 17	0 0	1 17	1 17	1 17	3 50	6 100
TOTAL	No. 138 % 26	9 2	147 27	46 9	95 18	249 46	537 100

Note: Percentages have been rounded.



robbery or that any person is physically hurt. The threat is sufficient. Giving the illusion of having a firearm is in turn sufficient to constitute the threat (in a way that, for example, possession of a knife may not be in premises like a TAB). The question of whether or not the use of simulated weapons in bank robberies is a recent development and, if so, what it signifies, is of some importance and will be discussed later in this chapter.

## 2.6 Forms of attack in robbery

The term 'attack' is employed in this section, not to denote the injuries suffered by the victim, but to describe the cases in which the offender went beyond the mere threat of force and actually used (or attempted to use) a weapon or physical force. This did not always result in injury to the victim (see Section 2.7).

Table 2.9 summarises the number of attacks during robberies. Table 2.10 details this information for different targets. As the later discussion in the section on injuries indicates, the incidence of actual physical attacks and injuries is related to the type of weapons used by offenders and the resistance by victims. However, there are undoubtedly some target-specific factors which influence the possibility and nature of physical attacks employed in the course of robberies.

Some form of physical attack occurred in 59 per cent of cases (317 offences). However, over 26 per cent (83) of these involved no more than pushing the victim. Over 31 per cent (101) involved punching or kicking without use of any weapon. The more serious forms of attack - use of a gun or knife (14 cases or 4 per cent of actual attacks), sexual assault (five cases or 2 per cent) and striking with a blunt instrument (19 cases or 6 per cent) - occur relatively infrequently. Obviously the nature of an attack only provides a very rough indication of its seriousness from the viewpoint of the victim. Pushing an old person over, for example, can produce much more serious physical and psychological harm to the victim than punching or striking a person who is young and strong. As the data on injuries inflicted in the course of robberies will indicate, however, these attacks did not for the most part result in serious physical injuries to victims.

It is worthy of note that in only three cases, or 1 per cent of the total sample, was a victim abducted. In two of these the victim suffered bruises and minor injuries. In all three cases, the abduction was not necessary for the commission of the robbery, and the robbery seemed incidental.

The most significant general result emerging from Table 2.9 is the variation in attacks between commercial and personal robberies. Whilst the sample is almost equally divided between the two, 86 per cent of the robberies (189 offences) in which there was no actual

attack involved commercial targets. In 71 per cent of commercial robberies no actual attack took place, compared with only 10 per cent of personal robberies.

The relatively high incidence of attacks in personal robberies is related to the fact that many of them are not in the nature of hold-ups so much as direct taking from the person, usually in a street setting and without using any weapon. Some form of actual direct physical contact with the victim is a necessary element in the execution of such a robbery. This is reflected in the high incidence of pushing, striking from behind and punching in personal robberies. Further discussion of this issue will be found in chapter 4.

TABLE 2.9  
Summary of forms of attack

Form	Commercial		Personal		Total	
	No.	%	No.	%	No.	%
No attack .....	189	71	27	10	216	41
Unspecified assault .....	17	6	25	9	42	8
Push or pull .....	14	5	69	26	83	15
Strike from behind .....	3	1	28	11	31	6
Punch or kick .....	14	5	87	33	101	19
Strike with implement ...	8	3	11	4	19	3
Use gun or knife .....	8	3	6	2	14	3
Abduction .....	0	0	3	1	3	1
Sexual assault .....	1	0	4	2	5	1
Tie up, lock up .....	12	5	5	2	17	3
TOTAL	266	100	265	100	531	100

Note: Attempts (6) excluded - 4 no attack, 2 unspecified assault; percentages have been rounded.

In Table 2.10 those commercial targets which show a significant incidence of attack - hotels, shops, other commercial premises and taxis - include many instances in which the physical setting of the offence is more akin to that of a personal street robbery than of, say, a bank robbery. Aside from other factors, such as the use of weapons, victim and offender will often be in close physical proximity in premises such as shops and hotels and the victims will rarely be trained to deal with robbery in a way which limits risk to themselves.

TABLE 2.10  
Forms of attack by target

	No. attack	No Unspecified assault	Push or pull	Tie or lock up	Strike from behind	Punch or kick	Strike with implement	Gun or knife	Abduct	Sexual assault
Bank .....	46 92	2 4	0 0	1 2	0 0	1 2	0 0	0 0	0 0	0 0
Building society ...	25 96	0 0	1 4	0 0	0 0	0 0	0 0	0 0	0 0	0 0
TAB .....	4 80	0 0	0 0	0 0	1 20	0 0	0 0	0 0	0 0	0 0
Chemist .....	14 88	1 6	0 0	1 6	0 0	0 0	0 0	0 0	0 0	0 0
Petrol station .....	29 88	0 0	0 0	2 6	0 0	1 3	0 0	1 3	0 0	0 0
Hotel .....	12 54	0 0	2 9	2 9	1 5	4 18	0 0	1 5	0 0	0 0
Post office .....	8 80	1 10	0 0	1 10	0 0	0 0	0 0	0 0	0 0	0 0
Shop .....	17 55	4 13	4 13	1 3	1 3	2 7	0 0	2 6	0 0	0 0
Brothel .....	2 50	0 0	0 0	0 0	0 0	1 25	0 0	0 0	0 0	1 25

TABLE 2.10  
Forms of attack by target (continued)

	No.	No. attack	Unspecified assault	Push or pull	Tie or lock up	Strike from behind	Punch or kick	Strike with implement	Gun or knife	Abduct	Sexual assault
Other commercial ...	No.	22	4	6	3	0	2	5	3	0	0
	%	49	9	13	7	0	4	11	7	0	0
Taxi .....	No.	5	5	0	0	0	1	1	1	0	0
	%	38	38	0	0	0	8	8	8	0	0
Other mobile .....	No.	5	0	1	1	0	2	2	0	0	0
	%	46	0	9	9	0	18	18	0	0	0
Total commercial ...	No.	189	17	14	12	3	14	8	8	0	1
	%	71	6	5	5	1	5	3	3	0	0
Personal .....	No.	27	25	69	5	28	87	11	6	3	4
	%	10	9	26	2	11	33	4	2	1	2
Attempts .....	No.	4	2	0	0	0	0	0	0	0	0
	%	67	33	0	0	0	0	0	0	0	0
TOTAL	No.	220	44	83	17	31	101	19	14	3	5
	%	41	8	15	3	6	19	3	3	1	1

Certain commercial premises experienced few attacks - including banks (only 8 per cent of robberies involving banks), building societies (4%), petrol stations (12%) and chemists (12.5%). Where attacks did occur these were invariably of the less serious kind. The low incidence of physical attacks in robberies of these premises may be explained by reference to a number of factors. The issue of firearms use and resistance are discussed elsewhere. But there are also factors specific to the physical premises themselves which may be of significance. Premises such as banks are relatively spacious and uncluttered, and the separation of customer from staff areas ensures that there is little need or possibility for offenders and victims to come into close physical proximity. Victims are trained to avoid confrontation and most offenders recognise that the essence of successfully robbing premises like a bank is to get in and out quickly.

## 2.7 Injuries to victims

The source of data for this study only allows us to examine the issue of victim harm in a limited way. The data do not permit any comment on the mental anguish and other possible psychological effects of experiencing a robbery. It would be surprising if most victims did not suffer some such effects, regardless of whether they also suffered physical injuries or not. Our data only permit us to comment on the incidence and nature of the physical injuries suffered by victims of robbery.

The results confirm what has already been suggested in the discussion of physical attacks. In fact, the data on injuries demonstrate that the incidence of serious physical harm is less than might be expected from the data on attacks. Many attacks do not result in injury. In 60 per cent of offences (323) there were no, or only negligible, injuries. In a further 32 per cent of offences (173) there were injuries caused in the nature of bruises, abrasions or minor wounds not requiring immediate medical attention. Thus 92 per cent of offences involved at most minor injuries.

Six per cent of offences resulted in physical injuries which were serious and required medical attention. Six offences (or 1 per cent of the sample) resulted in injuries requiring hospitalisation. Three persons were sexually assaulted in the course of robberies and one person was allegedly murdered during a street robbery. (However, a person charged with murder over this incident was acquitted, and uncertainty remains about the link between the death and the theft). A further breakdown of injuries shows that two people were shot and five others received fractures.

Table 2.11 shows quite clearly that the incidence of injuries in robberies of the larger and more popular commercial premises was very limited and injuries were almost invariably of a minor nature. In fact, there were no serious injuries inflicted in robberies of

TABLE 2.11  
Injuries by target

Target	No.	None/ negligible	Minor injury	Other serious	Hospital- isation	Sexual assault	Death
Bank .....		49 98	1 2	0 0	0 0	0 0	0 0
Building society .....	No. %	25 96	1 4	0 0	0 0	0 0	0 0
TAB .....	No. %	4 80	1 20	0 0	0 0	0 0	0 0
Chemist .....	No. %	16 100	0 0	0 0	0 0	0 0	0 0
Petrol station .....	No. %	31 94	2 6	0 0	0 0	0 0	0 0
Hotel .....	No. %	15 68	7 32	0 0	0 0	0 0	0 0
Post office .....	No. %	10 100	0 0	0 0	0 0	0 0	0 0
Shop .....	No. %	24 77	5 16	2 7	0 0	0 0	0 0
Brothel .....	No. %	3 75	0 0	0 0	0 0	1 25	0 0

TABLE 2.11  
Injuries by target (continued)

	No.	No./ negligible	Minor injury	Other serious	Hospital- isation	Sexual assault	Death
Other commercial .....	No. %	31 69	10 22	3 7	1 2	0 0	0 0
Taxi .....	No. %	8 61	4 31	1 8	0 0	0 0	0 0
Other mobile .....	No. %	7 64	3 27	1 9	0 0	0 0	0 0
Total commercial .....	No. %	223 84	34 13	7 3	1 0	1 0	0 0
Personal .....	No. %	95 36	139 52	23 9	5 2	2 1	1 0
Attempts .....	No. %	5 83	0 0	1 17	0 0	0 0	0 0
TOTAL	No. %	323 60	173 32	31 6	6 1	3 0	1 0

Note: Percentages have been rounded.

commercial premises except in relation to the categories of shops (two), brothels (one) and other commercial premises (four). More serious injuries were inflicted more often in the course of personal robberies, although even here the overwhelming majority of offences (88%) involved no injuries, negligible or minor ones.

These findings suggest that in the case of commercial robberies, in particular, the risk of physical harm to victims is low. This may be a consequence of the security precautions that have been instituted on these premises, the spatial characteristics of such premises, the methods of offenders who commit robberies on such premises or a combination of these and other factors. The relatively low incidence of physical harm caused in commercial robberies is not a reason for failing to implement protective security measures wherever possible. Even if security measures only make people feel more secure and less fearful they fulfil an important function, for personal fears would appear to be often disproportionate to the actual risks of injury. Moreover, even if security measures only save a person from serious injury in the most exceptional instance, they would seem to be worthwhile.

## 2.8 Weapons and injuries

Excluded from Table 2.12 are three cases in which a victim was sexually assaulted. These have been excluded because they are clearly not injuries committed as a necessary or instrumental element in the execution of the robbery, but are injuries of a gratuitous nature. Two of these robberies were firearms robberies and the third involved no weapon.

The 'weapon' category in Table 2.12 includes all weapons (firearms or other) as well as assumed firearms. The latter has been included because, as has been explained above, the use of a simulated firearm may serve the same function as a genuine firearm from the viewpoint of successfully completing a robbery without the need to have actual recourse to violence. On the other hand, there is less prospect of serious injury (and no prospect of an actual shooting) where a simulated firearm fails to ensure compliance on the part of the victim.

Injuries have been grouped into the categories of 'serious' and 'minor'. The former includes death and all other injuries requiring immediate hospitalisation or medical attention. The latter includes all cases in which there were no injuries or minor injuries in the nature of bruises, abrasions, etc.

It has already been noted that the incidence of serious injuries for the sample as a whole is relatively low (7 per cent, excluding sexual assaults).



TABLE 2.12  
Injuries and the use of weapons

PART A: Robberies resulting in serious injury					
		Physical resistance	No resistance	Total serious injury	
Weapon .....	No. %	14 67	7 33	21 100	
No weapon .....	No. %	1 6	16 94	17 100	
TOTAL - Part A	No. %	15 39	23 61	38 100	

TABLE 2.12  
Injuries and the use of weapons (continued)

PART B: Robberies resulting in no or minor injury				
	No.	Physical resistance	No resistance	Total no/minor injury
Weapon .....	%			
		18	246	264
		7	93	100
No weapon .....	%			
		48	184	232
		21	79	100
		—	—	—
TOTAL - Part B	No.	66	430	496
	%	13	87	100
TOTAL - All cases	No.	81	453	534
	%	15	85	100

In Table 2.12, resistance refers to physical resistance and in the sample as a whole there was evidence of such resistance in 81 cases (15%). However, this is likely to represent an underestimate as details of resistance may often not be mentioned on CIRs as such facts are of no interest to police as far as apprehending the offender is concerned.

The findings indicate that the presence of a weapon in a robbery does not affect the likelihood of a serious injury being inflicted. The proportion of robberies with weapons in which a serious injury was inflicted was exactly the same as that for robberies without weapons, namely 7 per cent.

However, Table 2.13 is also relevant to this issue. It distinguishes, for all offences resulting in serious injury (except the sexual assault cases), those involving guns from those involving other weapons and those where there were no weapons at all. It shows that amongst weapons robberies resulting in serious injury, the majority of such injuries were inflicted by weapons other than guns (81%). This is the more striking as there were many more firearms robberies than robberies involving other weapons: 193 (36 per cent of all robberies) as against 95 (18%). Thus 18 per cent of robberies involving other weapons, and only 2 per cent of firearms robberies, resulted in serious injuries.

TABLE 2.13  
Types of weapon causing serious injury

	Serious injuries		Serious injuries caused by weapons (%)
	No.	%	
Firearm .....	4	10	19
Other weapon .....	17	45	81
	—	—	—
Total weapons .....	21	55	100
No weapon .....	17	45	
	—	—	
TOTAL	38	100	

For weapons robberies, the incidence of serious injury is directly related to victim resistance as indicated by Table 2.12. In 67 per cent of the weapons robberies resulting in serious injury the victim

offered physical resistance. However, more significantly, serious injuries were inflicted most commonly in cases where there was no weapon and no physical resistance (16 cases). This may in part be explained by those street offences in which the very absence of a weapon meant that the robbery was executed by a surprise attack on the victim, usually from behind. This not only resulted in these offences being more violent, but also means that there was very little opportunity for victim resistance.

These results should be taken as very general indications of the relationships amongst the relevant variables. They are limited by the sketchy nature of the data provided on CIRs.

## 2.9 Commercial robbery in Victoria and South Australia

It is difficult to provide data which is directly comparable across different state jurisdictions as methods of collection and classification can vary considerably. Also the amount and type of data collected and available varies between the states. In this section the data presented from a number of sources are intended to provide a general basis for assessing similarities and differences in the patterns of robbery for Victoria and South Australia. Data on general trends in official rates of robbery were presented in Chapter 1. There it was shown that the official rates of robbery in N.S.W. were consistently and clearly the highest in the country. The rate in Victoria, although not approaching that of N.S.W., was considerably higher than that of the remaining states.

In Victoria during the financial year 1983/84 banks were the most common commercial target of robbery (116 offences), followed by shops (106), petrol stations (88), milk bars (61) and credit societies (42). The relative popularity of banks and petrol stations is similar to that found in N.S.W. However, generally speaking shops (including milk bars) seemed to be much more popular in Victoria than N.S.W. It is also of interest that in Victoria there were a relatively high number of payroll robberies (21 in 1983/84) compared with N.S.W. where few were found in the study (Source: Victoria Police Armed Robbery Squad).

The published statistics on use of weapons in robbery in Victoria indicate that, in the year 1983/84, 35 per cent of robberies involved firearms, a higher proportion than was found in the N.S.W. survey (27%). However, it is roughly equivalent to the combined figure for firearms and assumed firearms found in the latter. It may be that the apparent difference in the relative incidence of firearms robberies between the two states is partly a consequence of the classification in Victoria of robberies involving simulated, etc. firearms as armed. In any case the figures reveal a comparably high, if not higher, relative use of firearms in robberies committed in Victoria.

As might be expected, the proceeds of commercial robberies in Victoria are also comparable to those in N.S.W. The most lucrative were payroll robberies, averaging over \$18,000 per raid, followed by banks which averaged over \$12,000 per robbery. (It should be noted that averages can be very misleading in relation to such amounts as a small number of very lucrative robberies can considerably increase the average). The average amounts of milk bars, service stations, post offices, etc. were considerably lower, suggesting broad comparability with the findings for N.S.W.

In 1983/84, the majority of commercial robberies were, as in N.S.W., committed by one or two offenders only, with little evidence that a sizeable proportion of them were the work of professional gangs. However, in discussions with members of the Victorian Armed Robbery Squad, it was suggested that some very lucrative robberies were the work of professionals who were adept at avoiding incrimination. The timing of commercial robberies also followed a broadly similar pattern in Victoria. In particular a relatively high proportion of robberies on petrol stations (and shops to a lesser extent) were committed late in the evening and in the early hours of the morning.

A quite different picture emerges when a smaller state such as South Australia is considered (see generally Annual Report of Commissioner of Police, South Australia, 1983/84). Of the total number of robberies (both commercial and personal) reported to police in the year 1983/84 (417), only 12 (less than 3 per cent) involved banks or building societies. The most commonly robbed commercial target were shops (31 offences or 7 per cent of total robberies). Petrol stations were robbed on nine occasions (2%) as were chemists/surgeries. The great majority of robberies were personal in nature and committed in streets or other public places. Sixty-three per cent were unarmed. Only 16 per cent of robberies involved a firearm and this includes cases where a gun was simulated. Robbery in South Australia also, as might be expected, tends to involve relatively small amounts of money compared to states like N.S.W. and Victoria. In over half the robberies reported in 1983/84 the amount involved was \$50 or less. In only 4 per cent of cases were amounts of over \$5,000 involved.

These findings suggest broad comparability between the two more heavily populated states - N.S.W. and Victoria - in terms of patterns of robbery offending, the level and pattern of robbery in South Australia is on an altogether different and less serious scale.

## 2.10 The incidence of bank robbery

The above data indicate that banks were by far the most popular targets of robbery in 1983. Building societies were popular too, though the incidence of building society robbery was well below that of banks. The results of the survey suggest certain reasons for this

popularity. The most obvious one is that banks tend to be the most lucrative targets. The median value stolen from banks was \$3,959 compared with \$2,282 from building societies, the next highest.

In addition to being lucrative, banks are also relatively accessible in two important respects. First, branches are dispersed throughout both metropolitan and country areas in numbers far in excess of other commercial targets which are comparable in terms of likely gains.

Second, banks are more familiar institutions to most people. Knowledge and general experience of their physical and spatial organisation and their methods of handling money are likely to be far more widespread than for other financial institutions. Offenders know, without the need for specific inquiry, that banks have sizeable amounts of money which are readily accessible. General familiarity with the architecture of intended targets is also likely to be an important consideration, as the key elements in the execution of a commercial hold-up would appear to be speed, coolness and the ability to secure instant control over the circumstances of the robbery. These are less likely to be achieved in premises that are totally foreign to the offender.

It is significant that the incidence of bank robberies continued to increase throughout the 1970s and 1980s despite the progressive installation of sophisticated security measures in most banking outlets from the mid-1970s on. To the extent that such measures are designed for the protection of staff or limiting the amounts of money stolen, the failure to reduce or even stabilise the incidence of robbery should not in itself reflect on the value of such measures. Moreover, it is not possible to calculate what the incidence of robbery would have been in the absence of such measures.

It is also important to note that many offenders may expect to encounter security measures in premises such as banks and take steps to mitigate their effects (see Letkemann, 1973: p. 94). In the sample there was mention of offenders wearing masks of some kind in 52 per cent of cases, presumably to foil security cameras. This may be an underestimate, as the data were patchy on this subject. Only TABs and building societies had higher proportions of masked offenders.

In 1983, the year covered by our survey, the incidence of bank hold-ups was exceptionally high in N.S.W. and Australia as a whole. Figures 2.2 and 2.3 show this quite clearly. For both N.S.W. and Australia, the level for that year was over 100 per cent higher than for 1982. Moreover, they show how heavily these increases were concentrated in the second quarter, namely April to June. New South Wales is obviously the major contributor to the overall figure. The trend since, whilst volatile, suggests that this may have been a peak year and that there is now a levelling off. The figures support this conclusion for robbery generally, although not to the same extent.

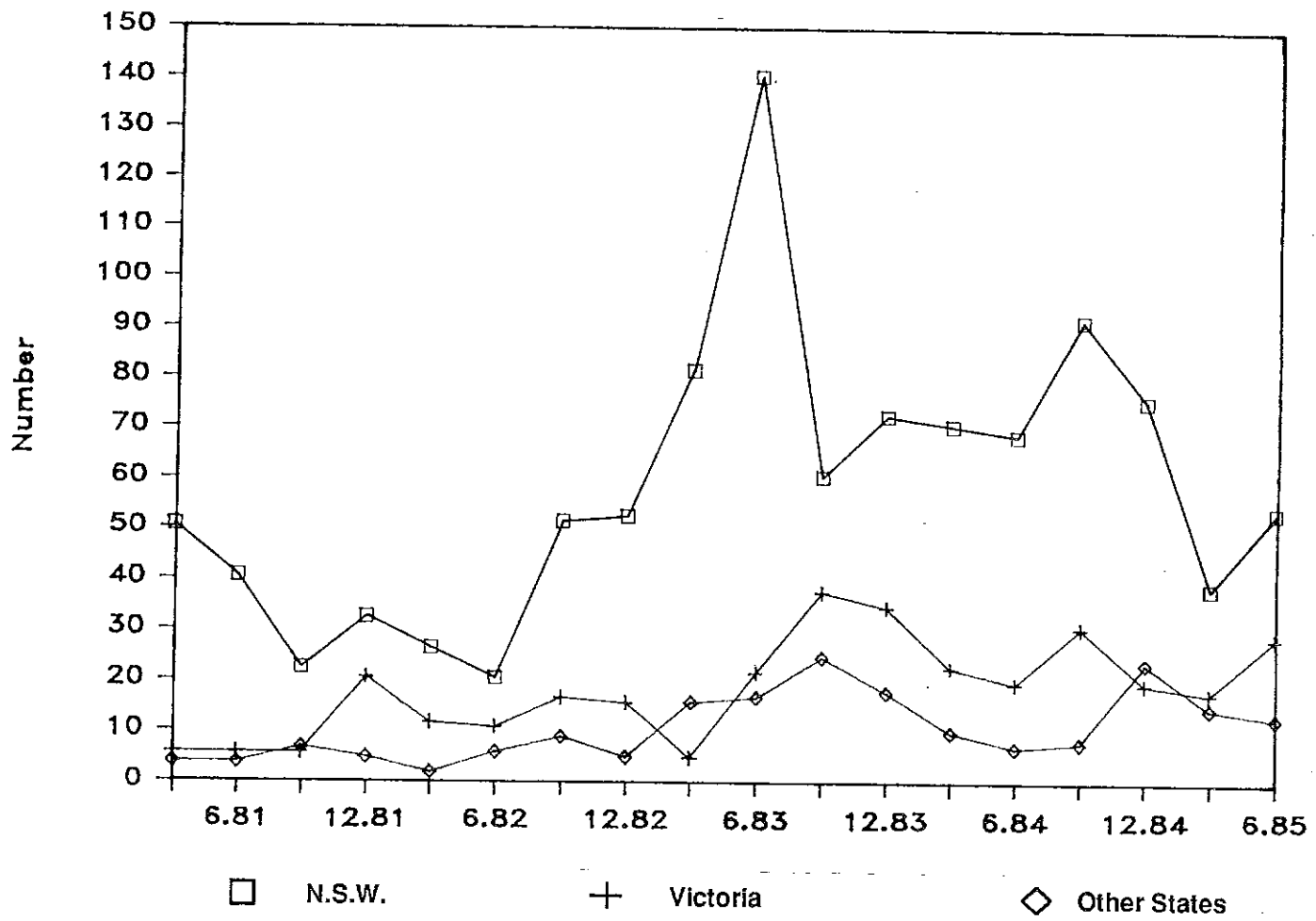


FIGURE 2.2  
Bank hold-ups per quarter, States

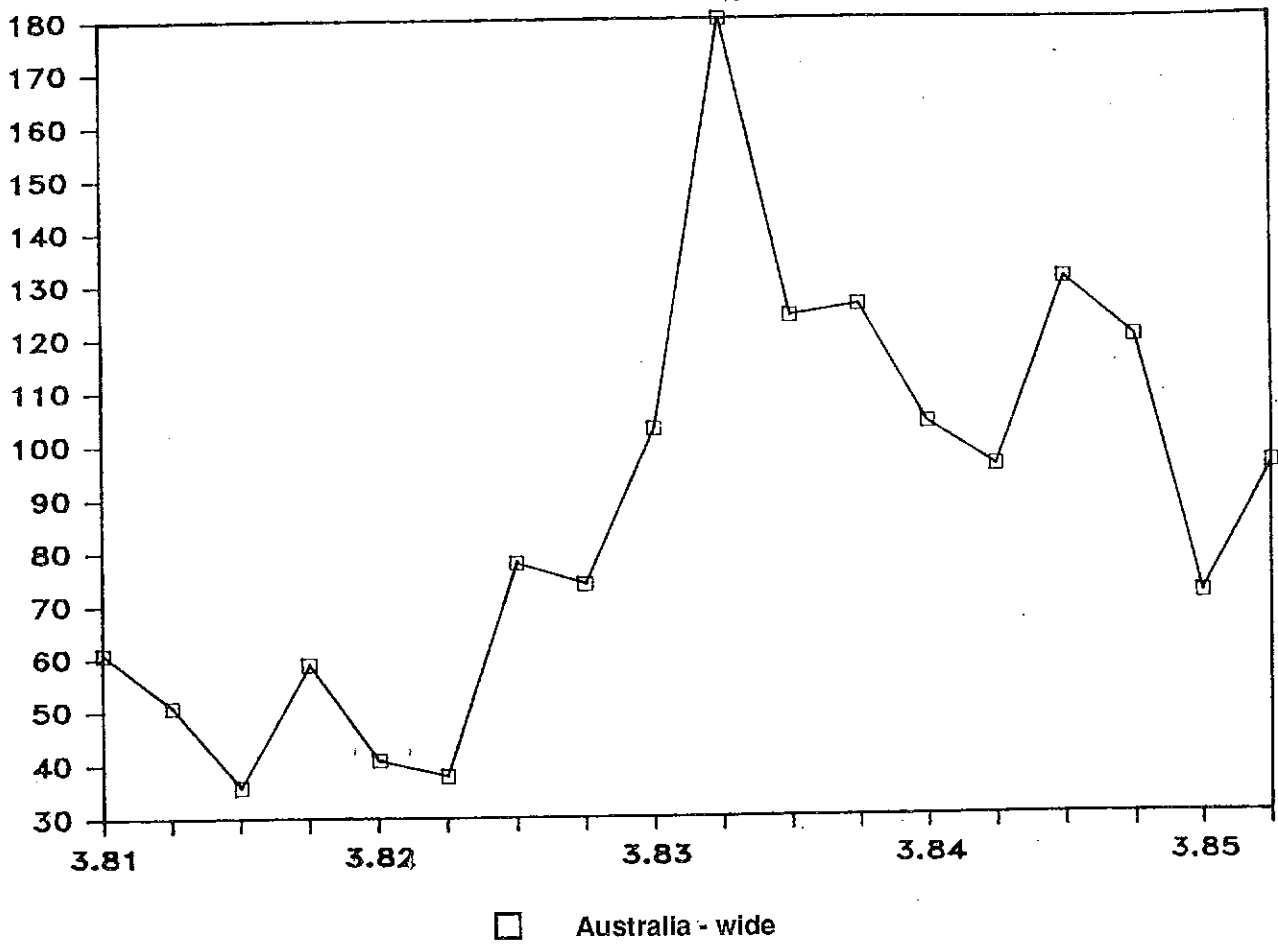


FIGURE 2.3  
Bank hold-ups per quarter, Australia



## 2.11 Other commercial robbery

Whilst targets such as building societies and TABs are broadly similar to banks in terms of the physical, spatial and operational characteristics they present offenders (e.g. hours of opening, numbers of persons present etc.), many of the other commercial targets are quite different.

Petrol stations are a prime example. In the sample, petrol stations suffered the second highest number of robberies. The factors which make petrol stations attractive to robbery offenders are, to a lesser extent, shared by other small commercial premises, such as shops and chemists, and the patterns of robbery of such targets are quite similar. Like banks, such targets are widely accessible in terms of geographical spread and public visibility. They have the further advantage over banks of being open long hours, in some cases 24 hours a day. The attraction of this is reflected in the timing of robberies on these targets - invariably in the evening and, in the case of petrol stations, usually after midnight.

This not only gives the offender greater choice of timing but permits robberies to be committed at times and on premises where the number of persons who are likely to be present is minimal (usually one). This obviously makes for easier victim management and limits contingencies. There is thus less need to rely on guns. Whilst the incidence of firearms use (and use of simulated firearms) was still high for robberies of these commercial premises (64 per cent for petrol stations, 56 per cent for chemists and 49 per cent for shops), it was not nearly as high as for banks (90%) and building societies (92%). There was a greater reliance on knives and other weapons.

The proceeds of robberies of these smaller commercial targets is very low by comparison with banks and building societies. Indeed, from the viewpoint of proceeds, these robberies are more akin to personal robberies. However, despite this, the other factors mentioned seem to attract a large number of robbery offenders to these targets rather than to banks and other large commercial premises.

The above assumes some degree of planning and careful choice by those who rob these commercial premises. Some may argue that such crimes are likely to be occasional crimes of opportunity, which are merely incidental to other forms of deviance, such as drug use, street hustling or gang delinquency. If this is so, then the high incidence of robberies against such premises may be explained simply in terms of the fact that they are likely to be open when other commercial premises are not and when the would-be offenders are active. This would make such robberies similar to many personal street robberies and suggest that offenders may move between these different targets of robbery. This may be the case for some offenders, but there are differences in the patterns of personal robberies and robberies of petrol stations, chemists and shops. The latter tend in the great majority of cases to be committed by solitary offenders, whereas

personal robberies are more often committed in groups of two or more offenders. There is also far less use of firearms and, in fact, weapons of any kind, in personal robberies. This suggests that many personal robberies may be opportunistic, less instrumental in nature and occur in circumstances where peer group pressure is an important element. This is much less so for robberies of small commercial premises.

## 2.12 Firearms use and injuries in commercial robbery

This section is included in this chapter as commercial robberies more commonly involve firearms, whilst personal robberies tend either to be unarmed or to involve weapons other than firearms.

Much of the concern surrounding robbery - and the perception of it as a particularly dangerous offence - relates to the use of firearms. The findings of this study suggest that robberies with guns rarely result in victims being seriously injured as compared with those robberies involving other weapons, or no weapons at all. The reason for this, as many before have suggested, is that reliance on a gun in a robbery in most cases removes the need for its actual use. The threat is sufficient to subdue victims and the gun itself creates a buffer between offender and victim, thus limiting the risk of other violence being inflicted. This is also true of simulated, as well as actual, firearms. It has been argued by some that this makes firearms safer than other weapons. However, as Harding points out, this is only so as long as guns are not actually discharged (1981, pp. 138-143). As soon as this occurs they become a much more dangerous weapon and Harding refers to the U.S. research which indicates this. He argued that Australia could probably expect to see steep increases in (a) the incidence of robbery, (b) the incidence of robbery using firearms, (c) the proportion of robberies involving firearms, and (d) the incidence (both relatively and absolutely) of killings and serious injuries committed in the course of robberies using firearms, (1981, p. 143).

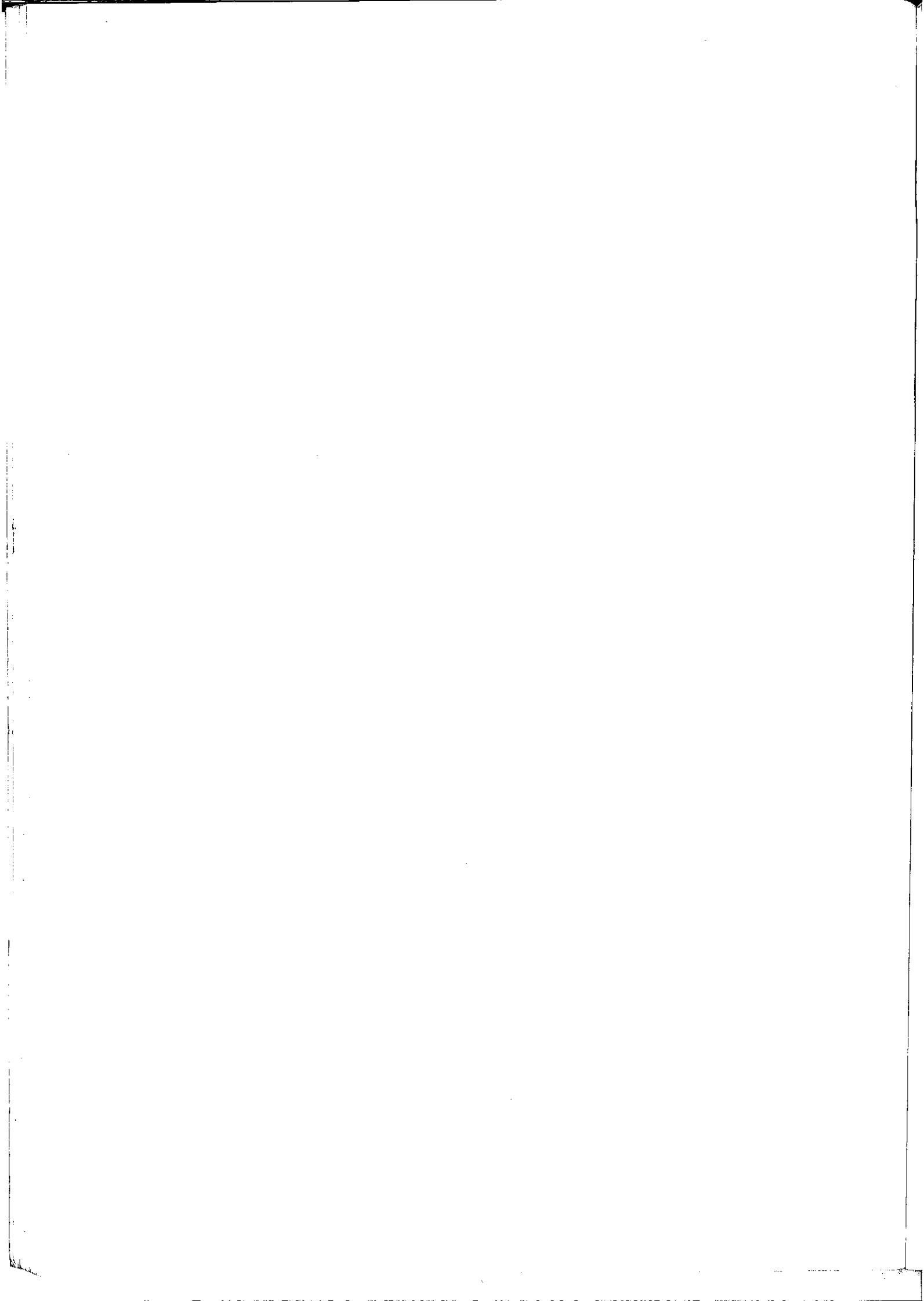
His first two predictions have certainly been proved correct. However, the results of this survey suggest that the proportion of robberies using guns has not increased from the figure he quotes for 1977/78, namely 36 per cent Australia wide. The figure for our survey (1983 data) was 27 per cent. At the same time, there is no doubt that the rate of firearms robbery on a population basis has increased dramatically since the late 1970s. The figure quoted by Harding for Australia in 1977/78 is 0.72 per 10,000 population. Extrapolating from the sample figures, the rate for N.S.W. in 1983 would be 2.3 per 10,000 population, which represents a threefold increase since 1977/78. Moreover, Harding's figure may exaggerate the incidence of firearms robberies if it includes robberies which involved simulated firearms. This grey area in the definition and counting of firearms robbery has been explored to some extent in this

report. It demonstrates that measuring the incidence of firearms use is problematic and that caution should be exercised in the use of official figures.

There is no clear evidence that the trend in the U.S.A., noted by Harding, is occurring here. Robberies with firearms do not appear to be resulting in high incidence of serious physical injuries or death to victims. In a study of all homicides committed in N.S.W. between 1968 and 1981, it was found that 74 (5.8%) were committed in the course of theft. The largest group of killings associated with theft involved street bashings or stabbings (34 homicides), with most committed by young offenders in groups, and at least 11 involving disputes over drug transactions. The second most common group (23 homicides) occurred in the course of commercial robberies, usually of shops or warehouses, and tended to involve firearms (Wallace, 1986).

It would not be wise to conclude from this that firearms do not present a major problem in robbery compared with other weapons or no weapons at all. Harding's point, that it could easily escalate into a problem if sufficient attention is not directed at general controls over firearms ownership and use, is important. There is a danger that the increasing incidence of firearms use in robbery will lead to members of the public arming themselves to a far greater extent. This is when the potential dangers presented by guns may be realised, as it has been in the U.S.A.

The crucial point to recognise is that in most instances of robbery, potential for serious injury is a function of the interaction between the offender and the victim, and not simply the weapon possessed by the offender. Such interaction does not occur in a cultural and social vacuum. More general attitudes to violence and the use of weapons will influence individual behaviour. To the extent that the population becomes equipped, trained and culturally attuned to the private possession and the use of firearms, as it has in the U.S.A., we might expect an increase in the dangerousness of robberies. This will lead to an overall increase in the number of firearms in the society. One effect of this is likely to be that more guns will be diverted to illicit use. Some of the robbery offenders interviewed in this study, for example, indicated that it was not difficult to obtain guns from security guards, either by disarming them or on occasions simply illicitly purchasing the guns from guards willing to sell them. The issue, as Harding points out in a more recent article, is not the right of individuals to protect themselves, but the general effects of a policy which permits and promotes ready access to and use of firearms in conflict situations (Harding, 1983). This would most certainly escalate the incidence and seriousness of injuries suffered in robberies and in other contexts. It matters little that the legal responsibility in individual instances could be placed at the feet of the offender. As a matter of preventive social policy, the direction of greater regulation should be followed, this being in the interests of members of the public as a whole.



## **CHAPTER 3**

# **PERSONAL AND RESIDENTIAL ROBBERY**

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## Introduction

This chapter is concerned with different types of robbery directed against private persons rather than commercial institutions or premises. It is based on the same sample of reported robbery offences as the previous chapter and seeks to explore personal robbery in more detail. The chapter is divided into two sections, the first dealing with robberies committed in public places (streets, railway stations etc.) and the second with residential robbery. Residential robbery here refers to those robberies committed in private residential premises. It does not include the offence of break and enter. Table 3.1 shows the breakdown of personal robberies in the sample between these two broad types.

TABLE 3.1  
Personal robberies by location, 1983

	No.	%
Public .....	229	86
Residential .....	36	14
TOTAL	265	100

The great majority (86%) of personal robberies were committed against persons in public places. It is this type of robbery that will be discussed first in this chapter.

### PERSONAL ROBBERY IN A PUBLIC PLACE

This type of robbery includes robberies committed on the street, in trains or on other public transport. etc. It also includes what are often referred to as bag snatchings. The distinction between personal robbery and the legal and statistical category of 'steal from the person' is not always clear in its application to some alleged offences in this area. It is likely that police classification of offences which fall in the grey area overlapping the two is not consistent. The study indicates, for example, that offences initially recorded as 'steal from the person' are frequently recategorised as robbery. The present sample (described in Chapter 1) relates only to offences ultimately categorised as robberies for police statistical purposes.

As will be seen in the course of this chapter, many personal robberies involve more direct and serious physical confrontation between victim and offender than most commercial robberies do.

Offenders are more often unarmed and hence are more likely to rely on some actual physical force to effect the robbery. The term 'mugging' is often used to characterise predatory street robbery. It is not a legal term and it has no precise behavioural referent. It is a term, however, that has come to have a quite powerful range of fearful connotations for urban dwellers in late twentieth-century industrial societies (see Hall et al., 1978). It connotes sudden and unpredictable attacks committed by strangers, primarily for purposes of obtaining money or other personal valuables, and accompanied by gratuitous violence against victims. Because it is a stranger-to-stranger offence, and apparently carried out randomly, it appears to carry a threat for all of us. Moreover, its effects are not confined to actual instances of street 'muggings'. The fear it generates ensures that large numbers of persons restrict their behaviour, especially their movements in public places, in anticipation of possibly being victimised. When 'the crime problem' is discussed (in the news and entertainment media, in particular) it is often implicitly equated with this type of crime. Public opinion polls on crime and victim surveys often make this equation too when they ask people about their fear of crime and its effect on their behaviour.

There is no doubt that some street robberies involve serious violence against victims and that in general they are fearful crimes. However, most serious crimes of violence are not committed in the course of robberies or other street attacks by strangers. The problem of violence is, overwhelmingly, a domestic problem, not one of street violence. If we look at homicide statistics we find that homicides committed in the course of street robberies are rare (Wallace, 1986). In this chapter the term 'mugging' will not be used because it is such a loaded and emotive term. It tends to beg more questions than it answers and it imposes a false unity on the problems associated with street robbery.

### 3.1 The modus operandi of personal robbery

In the analysis in this chapter, a distinction is drawn between 'bag snatchings' and other types of personal robbery committed in public. Bag snatchings have been defined to include only those offences where an offender sought simply to grab a bag from the victim without first holding the person up or physically assaulting her/him in order to carry out the robbery. Obviously the different styles of street robbery are better thought of as located along a continuum rather than as discrete types. If the primary concern is with the seriousness or the level of violence used, then the nature of a robbery probably depends more upon the interaction between victim and offender (in particular whether the victim resists and, if so, whether the offender persists) than it does the nature of the initial approach by the offender.



Table 3.2 provides a breakdown of the location of personal robberies and bag snatchings.

TABLE 3.2  
Personal robberies by location of the robbery

Location	Personal		Bag snatching		Total	
	No.	%	No.	%	No.	%
Street .....	121	65	40	91	161	70
Park .....	21	11	0	0	21	9
Railway station ...	7	4	2	5	9	4
Train .....	5	3	0	0	5	2
Hotel .....	6	3	0	0	6	3
Other .....	25	14	2	4	27	12
TOTAL	185	100	44	100	229	100

The overwhelming majority of personal robberies and bag snatchings committed in a public place occurred on the street or in parks (79%). The only other places where such robberies appear to be committed with any frequency are on railway stations (4%), in hotels (3%) and on trains (2%). Twenty-seven cases occurred in a diverse range of other locations, including a petrol station, a shop, a brothel, various places of entertainment, and in private vehicles.

The times at which personal robberies in the sample were committed were heavily concentrated in the night-time hours, that is the period between 5 p.m. and 5 a.m., as Table 3.3 indicates. Seventy-five per cent were committed during this period. A greater proportion of bag snatching was committed during normal business and shopping hours than might have been expected. They were most commonly committed in the afternoon, between the hours of 1 and 5 p.m. (27%), although 50 per cent were still committed in the 12-hour period from 5 p.m. to 5 a.m.

The value of property stolen in personal robberies tends to be low. This is hardly surprising, given that most persons do not carry large amounts of money or other valuable items on their person.

Perhaps the most surprising finding is that there were four robberies involving property valued at over \$5,000. Fifty-three per cent of the offences involved amounts of less than \$100 and 91 per cent of amounts of less than \$500. Enormously greater proceeds flow from robberies of most commercial targets (especially banks and building societies), as the previous chapter demonstrated.

**TABLE 3.3**  
**Personal robberies by time of commission**

Time	Personal		Bag snatching		Total	
	No.	%	No.	%	No.	%
Midnight - 5 a.m. ....	52	28	2	4	54	24
5 a.m. - 9 a.m. ....	11	6	4	9	15	7
9 a.m. - 1 p.m. ....	5	3	6	14	11	5
1 p.m. - 5 p.m. ....	14	8	12	27	26	11
5 p.m. - 9 p.m. ....	46	25	10	23	56	24
9 p.m. - 12 a.m. ....	53	28	10	23	56	24
Don't know .....	4	2	0	0	4	2
<b>TOTAL</b>	<b>185</b>	<b>100</b>	<b>44</b>	<b>100</b>	<b>222</b>	<b>97</b>

**TABLE 3.4**  
**Total value stolen**

Value	Personal		Bag snatching		Total	
	No.	%	No.	%	No.	%
\$0 .....	16	9	7	16	23	10
\$1 - \$49 .....	49	26	8	19	57	25
\$50 - \$99 .....	32	17	10	23	42	18
\$100 - \$499 .....	71	38	15	34	86	38
\$500 - \$999 .....	5	3	2	4	7	3
\$1,000 - \$2,999 ...	1	1	1	2	2	1
\$3,000 - \$4,999 ...	0	0	0	0	0	0
\$5,000 - \$9,999 ...	4	2	0	0	4	2
Don't know .....	7	4	1	2	8	3
<b>TOTAL</b>	<b>185</b>	<b>100</b>	<b>44</b>	<b>100</b>	<b>229</b>	<b>100</b>

Table 3.5 shows that the great majority of personal robberies were unarmed. In the sample all the bag snatchings were unarmed and 78 per cent of other personal robberies were unarmed. Only 7 per cent of personal robberies (not including bag snatchings) involved a gun or a simulated firearm of some type. Fifteen per cent involved some other weapon, usually a knife, but sometimes some other improvised weapon.

The low incidence of robberies in which weapons were used ensured that most personal robbery entailed some direct physical contact between offender and victim as a means of effecting the offence. In bag snatchings, victims were most commonly pushed from behind (77%), whilst in other personal robberies they were most commonly punched or kicked (40%). An important consequence of this, as has been shown already (in chapter 2), is that the injuries caused in personal robberies tend to be more frequent and more serious. Proportionately, few victims were seriously injured, though, as is indicated in Table 3.6. One death was recorded as associated with a personal robbery although a person prosecuted for murder in relation to this event was acquitted and there must remain some doubt as to whether the death occurred as a result of a robbery attempt. Rape was committed in the course of one personal robbery; in five others, persons were hospitalised (2%); while in 19 cases persons suffered serious physical injuries not warranting hospitalisation (8%). In the majority of robberies the most serious injuries caused were bruises and/or abrasions (75%) and in 31 per cent of cases either there were no injuries or injuries were negligible.

TABLE 3.5  
Weapons used in personal robberies

Weapon	Personal		Bag snatching		Total	
	No.	%	No.	%	No.	%
Gun .....	11	6	0	0	11	5
Gun and other .....	1	1	0	0	1	0
Other .....	28	15	0	0	28	12
No weapon .....	145	78	44	100	189	83
TOTAL	185	100	44	100	229	100

The data only record the incidence of physical injuries to victims. Obviously, personal robbery can be expected to have other physical and psychological effects which may prove to be more serious for some victims than any injuries received at the actual time of the offence. These are likely to be more serious in the case of the more vulnerable victims, such as the aged.

TABLE 3.6  
Most serious injuries caused in robberies

Injuries	Personal		Bag snatching		Total	
	No.	%	No.	%	No.	%
Death .....	1	1	0	0	1	1
Rape .....	1	1	0	0	1	1
Hospitalisation ...	4	2	1	2	5	2
Other serious .....	19	10	0	0	19	8
Bruises, etc. ....	105	57	26	59	131	57
None/negligible ...	55	30	17	39	72	31
TOTAL	185	100	44	100	229	100

### 3.2 The social ecology of personal robbery

When offences such as street robbery are discussed in the news media or in opinion surveys, we are often left with the impression that such incidents are essentially random, that we are all more-or-less equally at risk of being the victim of such an attack. This apparent randomness - which serves to emphasise the helplessness of actual and potential victims - is what makes such crimes especially fearful. There does not appear to be much that the innocent person going about his/her own business can do to prevent victimisation, except curtail his/her movements, which merely highlights the costs associated with the fear of such crimes. Whilst there is an element of truth in such popular assumptions about street crime, it generally serves to conceal the fact that individuals are far from equally at risk of robbery victimisation. This will become more obvious when we later discuss victim characteristics. One crucial determinant of risk of robbery is the area in which a person lives or frequents.

Eighty-nine per cent of personal robberies in the sample were committed in the Sydney metropolitan area. This represents an adjusted rate for the metropolitan area of 49.7 personal robberies per 100,000 persons as compared to a rate of 10.2 per 100,000 in areas outside metropolitan Sydney. It should be noted here that these figures do not strictly reflect rural/urban differences as rural includes those urban areas outside metropolitan Sydney.

More interesting than these general and fairly predictable differences is the enormous variation in the incidence of robbery that is to be found from one area to the next within metropolitan Sydney itself. Twenty seven per cent of the personal robberies in

the sample were committed in the Sydney local government area (LGA). Moreover, 33 per cent were committed in only four postcode areas, those of Sydney city (5%), Darlinghurst (9%), Potts Point (12%) and Redfern (7%). These areas are of course adjacent to each other and grouped around the inner city. (The only other postcode area in which the incidence of robbery approached these areas was Mt Druitt in which 3 per cent of the personal robberies in the sample were committed.)

For the Sydney and South Sydney local government areas this represented a robbery rate of 1,003.1 and 467.9 per 100,000 population respectively. The former is more than 20 times the rate for Sydney as a whole. This figure is somewhat misleading, however, as the number of people who use the Sydney LGA, but are not resident there, is relatively large. These people are, obviously, possible targets for personal robbery but do not register in the population figures for the Sydney LGA, thus greatly overstating the rate of offences per 100,000 population. At the other extreme, the findings for the local government area of Ku-ring-gai indicate a robbery rate of 15.8 per 100,000 population, which is less than one third the rate for the city as a whole and one sixtieth that of the Sydney local government area.

This demonstrates an enormous geographical concentration of reported personal robbery offences. Commercial robbery, on the other hand, is much more evenly distributed over the metropolitan area.

The police district covering the inner city suburbs also experiences the highest reported rates of other types of crime in the state, in particular break and enter. In 1985/86, the reported rate of break and enter in the central police district was more than three times the level for the metropolitan area as a whole and more than four times for the state as a whole (Police Annual Report, 1985/86, p. 40B). The overall reported crime rate for the central police district was over five times that of the metropolitan area as a whole (ibid., p. 48B). Such figures do not, however, approach the disproportionate geographical concentration that exists with regard to reported robbery.

There are a number of other characteristics of the inner city area which should be considered alongside these very high rates of personal crime. The Sydney and (as it was in 1981) South Sydney local government areas share a range of other characteristics. They both have an exceptionally youthful population compared to Sydney as a whole, both having twice the number of persons in the age group 15-24 per square kilometre of the city as a whole. This is of considerable importance given that this is the major 'at risk' age group in the population both as offenders and victims. They are also highly diverse ethnically, with South Sydney having more than three times, and Sydney more than twice, the rate of persons born in non-English speaking countries than was the case for Sydney as a whole. Sydney LGA had the highest residential mobility of any LGA,

as measured by the proportion of its residents who occupied the same dwelling in the two census years 1976 and 1981. It also had the smallest proportion of its population living in nuclear households (defined as two parents with one or more dependents); 7 per cent as compared to 26 per cent for the metropolitan area as a whole. Both the LGAs had high levels of poverty as reflected in the following indices: the high proportions of households living on incomes of less than \$6,000 a year (23 per cent in Sydney and 27 per cent in South Sydney compared to the average of under 14 per cent); relatively low levels of owner occupied dwellings; high levels of unemployment (especially concentrated amongst the young); very high population density; and less access to private resources such as motor vehicles (ABS, 1983, 1984).

By way of contrast, Ku-ring-gai local government area referred to above as having a relatively low robbery rate, has the second lowest proportion of households with an annual income of less than \$6,000 of any metropolitan local government area; the highest proportion of individuals earning more than \$15,000 per year; one of the highest levels of owner occupation; and one of the lowest unemployment rates.

There is a considerable body of criminological theory which would seek to explain high crime rates within a particular area by reference to one or more of such factors (Morris, 1957). The concept of 'social disorganisation', originating from the Chicago school of social ecology (see Shaw and McKay, 1942), has been central to criminological attempts to explain the differential distribution of crime rates in urban contexts. The concept directs attention to the high mobility and diversity that characterises certain areas of the city, arguing that this tends to insulate the populace, especially the young, from the dominant social norms of society. The institutions of the family and the local community, so the argument goes, are ill-equipped to carry out the socialisation and supervision of their members. This in turn produces high levels of crime and other forms of deviance.

More recently, theorists such as Newman (1972) have sought to explain spatial differences in crime rates by reference to 'defensible space' theory. The focus in such theories tends to be specifically upon the physical aspects of the built environment and their social effects. Obviously such physical environments (e.g. high-rise flats) are more commonly found in what the earlier school would call 'socially disorganised' areas. Certain areas are seen as crime-prone because informal mechanisms associated with the built environment - which foster a sense of territoriality and shared civic concern amongst residents and promote natural surveillance and informal policing - are weakened or lacking. So, for example, high-rise flats can promote anonymity and impersonality amongst residents and can undermine in a straightforward physical sense the ability: of residents to carry out informal policing; of parents to supervise children; of neighbours to observe what is happening on their streets etc.

The idea that high population density, high residential mobility, ethnic diversity and a low level of nuclear households are conducive to a breakdown in informal mechanisms of control and local social cohesion makes some limited sense. Diversity and mobility are liable to limit the extent to which continuing relationships and mutual networks of support, interest and concern may be formed. In such circumstances people are not as able or willing to police their surroundings informally - they are less able to distinguish strangers from residents, for example, and less able to rely upon visual cues to distinguish the suspicious from the routine. However, it is important to avoid the 'ecological fallacy' of simply deriving conclusions about the persons residing in an area from the characteristics of the area itself.

Such theories do not explain crime at the level of the individual. They may offer some guidance in accounting for differences in crime rates between different areas. Thus, such forms of analysis also permit further, more specific, issues and inquiries to be framed. Certainly, in any analysis of personal robbery we are enabled to progress beyond the gross misconceptions that tend to pervade popular imagery. We are forced to recognise that such forms of crime do not affect the public equally, and that patterns of victimisation tend to be highly localised and selective. It is important to remember, however, in connection with the high concentration of robbery in particular areas of the city, that the costs of crime are not confined to the actual victims. Crime, along with a range of other factors, may affect the whole quality of life of an area - the willingness of residents to use public areas, and their personal sense of security.

This brings us to one of the more important considerations bearing on the incidence and local effects of personal crime such as robbery. Robbery victimisation not only falls unevenly on the population of the city, but it disproportionately affects (both directly and indirectly) those persons who already suffer other major disadvantages, such as low incomes, unemployment, poor housing, etc. That is, it compounds the effects of existing social and economic inequalities in the urban environment.

The possibility has to be considered in relation to the foregoing data that the differences in levels of reported robbery for different areas may in part be an effect of differential levels of policing and/or variation in reporting behaviour amongst persons from different areas. However, such differences could not be related to differential policing in any significant way because robbery offences tend overwhelmingly to come to the notice of the police through the decisions of victims and witnesses to report them rather than as a result of police discovery. The potential for police behaviour or deployment to influence official robbery rates is therefore limited. As regards reporting behaviour, the 1983 Australian Bureau of Statistics victim survey (covering the whole of Australia) suggests that the tendency to report increases with the level of personal

income of the victim and that employed persons are more likely to report than unemployed persons (ABS, 1986: pp. 56 and 61). This suggests that, if anything, the victims of crime from poorer, high crime-rate areas might report crimes less frequently than those from other areas.

That persons from poorer, socio-economic groups account for a large proportion of those at risk from robbery is also clear from the following data on the personal characteristics of actual victims.

### 3.3 The characteristics of personal robbery victims

In this section, some of the characteristics of personal robbery victims will be examined. The data are based on the primary victim of each case of personal robbery in the sample. This is the first-named victim on the police CIR. On a number of occasions other victims or witnesses were referred to, although it was frequently the case that few personal details were provided for such victims.

In the study personal robbery victims were more often male (67%) than female, although in relation to bag snatching the victim was almost always female (95%). Table 3.7 shows the age breakdown of victims.

TABLE 3.7  
Age breakdown of personal robbery victims

Age	Personal		Bag snatching		Total	
	No.	%	No.	%	No.	%
15 - 19 .....	9	5	0	0	9	5
20 - 24 .....	24	14	2	5	26	13
25 - 34 .....	38	23	4	9	42	21
35 - 44 .....	29	17	4	9	23	11
45 - 54 .....	19	11	4	9	23	11
55 - 64 .....	7	4	10	24	17	9
65 and over .....	11	7	11	26	22	11
Don't know .....	31	19	7	17	38	19
TOTAL	168	100	42	100	200	100

It should be noted at the outset that there are quite a large number of cases in which the age of the victim was unknown. Victims of personal robbery are most commonly in the age group 25-34 (21%), and



whilst the risks of personal robbery would seem to decline with age thereafter, there is still a relatively high proportion of victims in older age groups.

It is worth noting that some of this difference may be due to reporting behaviour. It would not be surprising if older persons were more concerned about offences such as bag snatching and as a consequence were more inclined to report them to the police than younger persons. The most recent victim survey conducted by the Australian Bureau of Statistics (ABS, 1986) indicates that a high number of robberies go unreported. The survey also indicates that the tendency to report personal crimes tends to rise slightly as persons get older (p. 59). Moreover, robbery victimisations revealed in the survey (for the whole of Australia) tended to be disproportionately concentrated amongst younger age groups and amongst men rather than women. This provides some support for the general findings as to the age and sex distribution of robbery victimisation in this study, but also suggests that the disproportionate levels of victimisation of the young may, in fact, be greater than the findings of this study suggest.

The incidence of personal robberies in the sample was also disproportionately concentrated amongst those with lower occupational status as Table 3.8 indicates.

TABLE 3.8  
Occupational status of personal robbery victims

Occupational status	Personal		Bag Snatching		Total	
	No.	%	No.	%	No.	%
Professional .....	2	1	1	2	3	1
Semi prof./middle manag. ...	10	5	0	0	10	4
Sales/clerical/skilled .....	55	30	11	25	66	29
Unskilled .....	24	13	3	7	27	12
Student .....	16	9	0	0	16	7
Pensioner .....	24	13	15	34	39	17
Domestic .....	3	2	6	14	9	4
Unemployed .....	30	11	1	2	21	9
Don't know .....	30	16	7	16	37	16
TOTAL	194	100	44	100	228	100

The results of the 1983 ABS victim survey indicate a much higher relative incidence of robbery amongst the unemployed, skilled and unskilled blue collar workers and persons not in the labour force than

was found in the study (ibid., 1986, p. 12). This difference may be due to the (already noted) greater propensity for high income earners to report a robbery, thus increasing their proportion in the current sample of (reported) cases.

The characteristics of the victims of personal robbery provide further evidence of the patterned and selective nature of victimisation that is suggested by the geographical distribution of personal robberies in the sample.

### 3.4 Personal robbery offenders

The great majority of persons who commit personal robberies are male. There were only 16 offences (7%) in the sample where one or more females were known to be involved and only six of these involved females exclusively.

Table 3.9 shows the number of offenders involved in personal robbery offences in the sample. These results refer to the number of persons sighted or otherwise known to be involved in the robbery.

TABLE 3.9  
Number of offenders in personal robbery

Number of Offenders	Personal		Bag snatching		Total	
	No.	%	No.	%	No.	%
1 .....	56	30	24	54	80	35
2 .....	56	30	15	34	71	31
3 .....	32	17	2	5	34	15
4 .....	17	9	2	5	19	8
5 or more .....	6	3	1	2	7	3
Don't know .....	18	10	0	0	17	7
TOTAL	185	99	44	100	228	99

Offending in groups appears to be far more prevalent in personal robbery than in commercial or residential robbery.

For personal robberies and bag snatchings together, just over a third were committed by a solitary offender. This is considerably fewer than for either commercial (61%) or residential (47%) robbery. Forty-six per cent of all personal robberies and bag snatchings were committed by two or three offenders and 11 per cent by more than three.

Taking bag snatchings separately, the majority were committed by a solitary offender. This suggests that peer group behaviour and influence may be more important in personal robbery. This is usually associated with youthful involvement in crime (see Mukherjee, 1983).

### 3.5 Some examples of personal robbery

Some examples from the study give an idea of the types of circumstances in which personal robberies are committed. Case number 578 provides a fairly typical example of an inner-city street robbery. The victim had attended a nightclub in Kings Cross where he had been seen by one of the offenders who was an employee of the club. The offender waited behind the corner of a building in the vicinity of the club for the victim to approach whereupon he punched him in the face, breaking his nose. The offence occurred at about 2 a.m. The two offenders took the victim's wallet containing \$20. The victim in this case was not a resident of that area, although one of the offenders was. The offenders were 18 and 19 years of age respectively and one of them had one prior criminal conviction episode involving street offences only.

In case number 401, two offenders committed two robberies (one at 3 a.m. and the other about ten minutes later) in Darlinghurst by stopping persons, claiming to them that they were narcotics detectives and frisking them. Both were teenagers and one of them had two prior conviction episodes.

Many of these offences appear to be committed impulsively and in large part in response to an opportunity that presents itself. Often in such robberies the offenders are intoxicated. In case number 154 the victim was approached by three women who appeared to be intoxicated and who grabbed the victim, hit him a few times and stole his wallet. In case 528 the two offenders, who had been drinking for some hours, robbed a paperboy whom they came upon as they were walking down the street.

Some of these offences are not adequately described as robberies at all. In case number 453, the two victims were beaten up by three young males and the wallet of one of the victims appeared to have been stolen. Three suspects were arrested and charged with robbery. The suspects had been drinking and saw the victims near one of their cars. Believing that they were tampering with it they approached and challenged the victims and instigated a fight with them. It appears that the wallet simply dropped out of the pocket of the victim and was not actually stolen. The suspects were all teenagers and two out of the three had some prior convictions for property offences. The robbery charges were dismissed and they pleaded guilty to assault.

In case number 583 the offender was a regular customer at the hotel where the events took place. He approached the victim about the vandalising of tables at the hotel, struck him and asked him did he have any money (which the offender claimed he intended to give to the publican as compensation for damage to the tables). The victim

produced his housekey which the offender took from him and threw away. The victim was treated for a broken arm.

There were a number of offences where the events might best be described as a fight instigated by one or more persons, who were drunk at the time. If money or property was taken it was often during the course of a physical struggle and more as an afterthought than as the intended outcome of the encounter.

### RESIDENTIAL ROBBERY

As was noted at the beginning of this chapter, only 36 robberies in the sample were robberies of private residences. This represents 14 per cent of the personal robberies and only 7 per cent of the total sample.

#### 3.6 The modus operandi of residential robbery

Limited conclusions could be drawn from the study as to the geographical distribution of residential robberies. The results indicate that residential robbery, like other types of robbery, is concentrated in metropolitan Sydney; but there is no evidence of any more specific concentration within particular urban areas as was found for personal robbery. Of course there were far fewer numbers in the sample upon which to found any conclusions as to geographical spread.

Residential robberies were most commonly committed between midnight and 5 a.m. (28%). The majority (62%) were committed in the 12 hours from 5 p.m. to 5 a.m. Table 3.10 shows the value of property stolen in the course of residential robberies in the sample.

TABLE 3.10  
Value of property stolen in residential robberies

	No.	%	Cum. %
\$0 .....	6	17	17
\$1 - \$49 .....	4	11	28
\$50 - \$99 .....	5	14	42
\$100 - \$499 .....	8	22	64
\$500 - \$999 .....	3	8	72
\$1,000 - \$2,999 .....	4	11	83
\$3,000 - \$4,999 .....	2	6	89
\$5,000 - \$9,999 .....	4	11	100
TOTAL	36	100	

In 64 per cent of cases the value of property stolen was under \$500 but there were a small number of cases in which the amounts were such as to suggest that the offences may have been carefully planned.

In 50 per cent of cases no weapon was used in the robbery. In several of the robberies in which weapons were present, the weapon consisted of some sort of blunt instrument not usually employed as a weapon. Guns were present in 22 per cent of the robberies and some other type of weapon, usually a knife or a blunt instrument, in 28 per cent.

Almost half the residential robberies were committed by a solitary offender. A further 25 per cent were committed by two offenders and only two residential robberies involved groups of more than four (one of five and one of six). There was only one robbery committed by females unaccompanied by at least one male and there were only three where females were involved at all.

### 3.7 Violence in residential robbery

In 27 cases (75%) there was some form of physical attack directed at the victim(s) of residential robbery. As with personal robbery the most frequent type of attack entailed punching and/or kicking (33%). In a further 15 per cent of cases the victim was struck with an implement and in 7 per cent of cases (i.e., two offences) a victim was sexually assaulted. Despite the relatively high incidence of actual attacks there were 64 per cent of cases where there were no, or only negligible, physical injuries to any victim. In one robbery a victim was raped, in four (11%) victims suffered serious injuries falling short of the need for hospitalisation and in a further eight (or 22 per cent) victims received bruises or abrasions. The infliction of physical injuries in the course of residential robberies thus occurred relatively infrequently by comparison with the number inflicted in personal robberies committed in public (70%). The relative frequency of injuries was even less in commercial robbery at 16 per cent.

### 3.8 Personal and residential robbery - conclusions

This chapter considered robberies directed against private persons in two parts; the first was concerned with robberies committed in a public place and the second considered robberies involving private residential premises. Within the first group, bag snatchings were distinguished from other personal robberies committed in public. Of total personal and residential robberies, 70 per cent fell within the category of personal robberies (other than bag snatchings), 17 per cent were bag snatchings and 13 per cent were residential robberies.

In respect of personal robberies and bag snatchings it was found that:

- (1) The great majority of both were committed in streets or parks (79%), with 6 per cent occurring on railway stations or in trains;
- (2) The majority (over 80 per cent) of personal robberies (other than bag snatchings) were committed in the evening and night-time hours (i.e., between 5 p.m. and 5 a.m.), with 28 per cent being committed between midnight and 5 a.m.;
- (3) The majority of bag snatchings were committed during the day;
- (4) Smaller amounts of money were generally involved in personal robberies than in commercial robberies, the majority of the former resulting in losses of less than \$100 (53%) and in 91 per cent, less than \$500;
- (5) The majority of personal robberies and bag snatchings were unarmed (83%) and where weapons were used they were more likely to be knives or blunt instruments (12%) than firearms (5%);
- (6) Partly, it would seem, because of the absence of weapons, physical force was more likely to be used and, hence, physical injuries caused, in personal robberies and bag snatchings than in commercial robberies, although relatively few victims were seriously injured (12%);
- (7) Personal robberies and bag snatchings were overwhelmingly concentrated geographically, in areas adjacent to the inner city, with the general effect that they afflict groups in the population who already experience other social and economic disadvantages;
- (8) The majority of personal robbery victims, other than the victims of bag snatchings, were men (67%), whilst the majority of bag snatchings were committed against women (95%);
- (9) Personal robbery victims (other than bag snatching victims) were most commonly in the age group 25 to 34 (21%), with few 55 or over (10%), although almost half the victims of bag snatchings were 55 or over (48%);
- (10) The majority of victims were skilled or unskilled workers or pensioners (56%);
- (11) Unlike commercial robberies, the majority of personal robberies and bag snatchings were committed by more than one offender (65%), 46 per cent being committed by two or three offenders and 11 per cent by more than three.

In relation to residential robberies it was found that:

- (1) The majority were committed between 5 p.m. and 5 a.m. (62%);
- (2) Over 40 per cent involved amounts of less than \$100 and 64 per cent amounts of less than \$500; six robberies involved amounts of \$3,000 or more;
- (3) Fifty per cent were unarmed, with firearms being present in only 22 per cent;
- (4) Almost half were committed by a solitary offender and a further 25 per cent by two offenders, with only two offences involving four or more offenders;
- (5) The majority of offences resulted in no, or negligible, physical injuries to victims.





## **CHAPTER 4**

# **ROBBERY OFFENDERS**

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## Introduction

The last two chapters explored patterns of robbery offending. It is important to know which places are robbed, at what times and the methods used, but it tells us little about robbery offenders themselves, their backgrounds, motivations, attitudes and decisions with regard to robbery offending. The material in this chapter, describing robbery offenders, represents no more than a start to providing such information. It is based on data from a number of sources. The primary ones were court and police records relating to a sample of persons convicted for reported robbery offences. (This also includes the offence of demand money with menaces.) The other major sources were interviews with a small number of persons with multiple robbery convictions, the results of which are discussed in the latter part of the chapter. These sources were described in more detail in Chapter 1. Additional data was derived from official statistics and other studies of robbery offending.

Any attempt to explore the profiles of robbery offenders is limited by the fact that, for the most part, we only have information about those suspect/offenders who are arrested. We do not know the extent to which the robber population is composed of persons who effectively elude arrest and if so how they vary from those who do not. Although a large number of robberies remain uncleared, this does not mean that those who committed them avoid arrest. It may be that most of those who persistently commit offences such as robbery eventually get caught, although they may not be charged with all the offences they have committed. On the other hand, there is the possibility that a large number of robbery offences are committed by one-off or 'occasional' offenders who are not apprehended. This is unlikely, however, at least for the more serious forms of commercial robbery.

### 4.1 Gender

There is one issue upon which our information about robbery offenders is not so limited - that of gender. Robbery is overwhelmingly a masculine offence. It is perhaps because this is such a common and assumed characteristic of the robbery offender that it receives little in the way of explicit discussion.

In the survey of robbery offences reported in 1983, which was discussed in the previous chapter, it was found that there were only 18 robberies (3%) in which victims reported that only females were involved. There were a further 18 robberies in which females were involved in the company of a male, and 46 in which victims did not know the gender of one or more of the offenders. The level of participation of females did not vary greatly between commercial and personal robbery. Nineteen females were known to be involved in personal robberies (7%) and 16 in commercial robberies (6%), although the number of robberies in which gender was not known was far higher for personal (16%) than for commercial (2%) robbery. There was a

slightly higher number of commercial robberies (10 or 4 per cent) in which females were known to be exclusively involved. The corresponding figure for personal robbery was seven (3%). Most of the commercial robberies known to be committed by females involved targets such as shops (3), building societies (2) and taxis (2).

If we look to statistics on court appearances, this picture of robbery as an overwhelmingly male dominated offence is confirmed. Of appearances in N.S.W. higher criminal courts in 1983 falling within the category 'robbery and extortion' only 7 per cent were females. The proportion of total persons appearing in higher courts that year who were female was also 7 per cent, so that their proportional involvement in robbery (as suggested by court statistics) does not differ from their overall involvement in serious indictable crime coming before the higher courts. Similarly, if proven offences of robbery and extortion before children's courts in N.S.W. in the same year are considered, we find that only 5 per cent involved females. In Victoria, of the persons proceeded against for robbery in the fiscal year 1985/86, 8 per cent were female. The available statistics from other states and countries such as Britain and the U.S.A. broadly confirm this picture.

There is now a growing literature on female crime. One recent theme of this literature has suggested that female involvement in crime, and in crimes such as robbery in particular, has been increasing in recent years (Adler, 1975). We do not intend to enter these debates here, except to suggest that these claims have been exaggerated, sometimes wildly, and that the effects have been misleading (for a discussion of these debates see Mukherjee and Fitzgerald, 1981).

In terms of the gender dimension of robbery, as with most other crime, the central factor to be explained (which emerges from any survey of the available empirical evidence) is the predominantly masculine nature of these offences. Exploring this connection is a formidable task which cannot be undertaken here. A number of the offenders interviewed referred to the pursuit of excitement and risk-taking as important reasons for their initial or continuing involvement in crime, including robbery. One (who was not a drug user) said that he thought the adrenalin rush from the commission of a bank robbery was probably better than anything you would get from heroin. Another (who was a heroin user) agreed with this. Yet another (a non-addicted heroin user) said that he required drugs to settle him down before he committed a robbery. For these and others interviewed the almost compulsive risks they refer to appear to be closely related to the exercise of physical power: "...you get a buzz. Put a gun in your hand and you grow two foot... you have complete control..." The modus operandi of commercial hold-ups in particular closely connects to certain of the values associated with the masculine emphasis on physical power. It is an audacious crime, requiring speed, coolness under pressure and the ability to spontaneously bend the wills of others (usually in superior numbers) under threat of physical force. It is not the direct use of violence

that is important, but the ability to exact compliance without actually resorting to violence (Letkemann, 1973). In the case of at least some of those interviewed in the present study, risk-taking for its own sake appeared to have been an important ingredient in their offending and sometimes followed a loss of control experienced elsewhere in their lives - in work and in close personal relationships.

#### 4.2 Recidivism amongst robbery offenders

Robbery offenders frequently have been imprisoned for earlier offences. Amongst other serious property or violent crime only those imprisoned for break and enter, and extortion had higher rates of prior imprisonment (72.9 per cent and 70.6 per cent respectively). A study of recidivism amongst violent offenders in Victoria found that, of persons imprisoned for robbery, 63 per cent had been recommitted to prison within five years of their release, 22 per cent for violent offences and 41 per cent for other offences (Burgoyne, 1979).

The data collected in this study could only be used as a very general guide to the frequency and patterns of offending to be found amongst convicted robbery offenders. This is because it is based for the most part upon official court and police records. Offences for which an offender was not prosecuted are, therefore, not included.

Table 4.1 indicates that of the persons convicted of sample offences (104) only ten (10%) had no prior conviction episodes. (A conviction episode refers to a single occasion upon which the person had one or more convictions recorded against him/her. Thus, the number of these episodes will understate the level of offending on the part of those convicted). Whilst the overwhelming majority (90%) of those convicted had prior convictions, only 20 of these (21 per cent of those with prior convictions and 19 per cent of the total) had one or more prior robbery convictions. A number of those with prior robbery convictions had longer criminal records generally (16 of the 20 having had 6 or more prior conviction episodes).

This indicates that whilst the majority of robbery convictions for the sample offences involved offenders with at least three prior conviction episodes, only a minority of these were previously convicted robbery offenders (19 out of 61).

Most commonly these latter offenders had convictions for other property offences. Forty of the 42 had multiple property convictions and these were usually accompanied by convictions for drug offences and/or other offences (such as public order). Twelve of these offenders had prior convictions for assault.

Those offenders with three or more prior conviction episodes, including convictions for robbery or demand money with menaces, show a similar pattern in addition to their robbery convictions. All had

prior convictions for property offences, most including break and enters in addition to other less serious property offences. Thirteen of the twenty had drug convictions and ten had convictions for offences against the person.

Those offenders who had only one or two prior conviction episodes most commonly had convictions for property offences other than break and enter and/or convictions for other offences (i.e., public order, driving etc.). Only one of these offenders had convictions for assault. The one offender who had a prior conviction for robbery had in addition to this a driving conviction and had been before the welfare jurisdiction of the children's court on one occasion.

TABLE 4.1  
Criminal records of convicted offenders

Prior conviction episodes	Number of convicted offenders		
	No.	%	Cum. %
None .....	10	10	10
1 - 2 .....	27	26	36
3 - 5 .....	22	21	57
6+ .....	39	37	94
Don't know .....	6	6	100
TOTAL	104	100	

Thus most (but by no means all) of those who were convicted of sample offences had prior criminal records involving property crimes of a less serious nature. The longer the record the more likely it was to involve more serious property offence, assaults and prior robbery convictions.

Dobinson and Ward (1985) in their study of imprisoned property offenders and the relationship between drugs and property crime explored the historical involvement of those interviewed in different types of property crime. This revealed that the mean age for initial involvement in both robbery and armed robbery tended to be older than for other property crime. This was especially so for armed robbery, the mean age for initial involvement being about 22, and it was so regardless of whether the offenders were drug users or not (p. 46). This provides additional evidence that robbery tends to be an offence which persons progress to from an involvement in other types of property crime.

It was also found that relatively small numbers admitted to progressing from an initial involvement in robbery, armed or unarmed, to a regular involvement in either or both of these offences. Only a third of drugs users admitting to the commission of robberies said they became regular robbers, whilst 40 per cent of the users admitting to armed robbery became regular armed robbers. Few of the non-users (11 per cent of those admitting robbery and 13 per cent of those admitting armed robbery) progressed to robbery or armed robbery as regular activities. The non-users that did progress to robbery or armed robbery as a regular activity tended to do so after a gap of three to four years. This compares with no apparent period of transition for users who became involved in robbery or armed robbery on a regular basis. Overall, this suggests that, first, robbery for the most part is not committed by specialist offenders, but by persons who are involved in other property crime as well and, secondly, that whilst a disproportionate number of robberies are committed by a small number of serial robbers active at a particular time, it appears to be the case that many robberies are committed on a one-off basis by persons who are mostly involved in other types of property crime.

The degree to which offenders are involved in robbery on a continuing basis, so that a small number are responsible for a disproportionate number of the reported robberies, is taken up in the next section.

### Serial Robbery

The data presented in this section are aimed at showing the degree to which a small number of convicted sample offenders were responsible for a disproportionately high number of the convictions recorded in the study. Table 4.2 indicates that 55 per cent of those convicted of sample offences (57 persons) were convicted of only one robbery and had no robbery offences scheduled (the power exists under s.447B of the Crimes Act for a court when passing sentence to take into account other offences admitted by a convicted person and these are usually referred to as scheduled offences). A further 11 per cent were convicted of more than one, but less than four (none of these had robbery offences scheduled). Thirty-five per cent (36 persons) were convicted of, or scheduled for, four or more robberies. Fifteen of these (14 per cent of the sample) were convicted of, or scheduled for, eight or more robberies. The convictions and scheduled offences recorded for this 14 per cent totalled 162.

Thus, 15 offenders (14 per cent of the total) accounted for 44 per cent of all the robbery convictions and scheduled offences. (Of this total only 28 were scheduled offences and only two offenders had more than four robberies scheduled.) The 34 offenders (less than a third of the sample) who committed five or more robberies had recorded against them 75 per cent of the total robbery convictions and scheduled offences. There was a moderate positive correlation ( $r = 0.75$ ) between the number of conviction episodes per offender and the

percentage of the total convictions accounted for by offenders at each level of conviction episodes. That is, as offenders are convicted more often, they account for an increasing disproportion of the total convictions.<sup>1</sup>

TABLE 4.2  
Number of robbery convictions and scheduled robbery offences  
of sample offenders

Robbery convictions	No. of offenders scheduled/convicted	Total convictions/schedules	% convicted/scheduled	Cum. No.	Cum. %
1 .....	57	57	15	57	15
2 .....	5	10	3	67	18
3 .....	6	18	5	85	23
4 .....	2	8	2	93	25
5 .....	7	35	10	128	35
6 .....	6	36	10	164	45
7 .....	6	42	11	206	56
8 + .....	15	162	44	368	100
TOTAL	104	368	100		

These offenders also were often convicted of, or scheduled for, other offences at the time of their convictions for sample offences. These other offences were mostly linked to the robbery offences (e.g. motor vehicle theft, firearms offences) and it was usually the offenders convicted of serial robbery who also had convictions for other offences. All but five of the offenders convicted of more than one robbery committed their offences against commercial targets.

The general implication of these findings is that a relatively small number of convicted robbers were responsible for a disproportionately high number of the cleared robberies, although the results should only be taken as general support for this conclusion and not as a precise measure of the distribution of robberies amongst different offenders. There are two reasons why the current data are not a precise measure of that distribution.

First, the above records convictions and scheduled offences in relation to individual offenders. Where co-defendants are included in the sample each may have a conviction or scheduled offence recorded in relation to the same offence. In such cases the offence will have been counted two or more times depending upon the number of

<sup>1</sup>The slope of the linear regression line was greater than one - i.e.,  $y = 3.23x - 3.17$ .



co-defendants. On the whole, however, the multiple conviction offenders had co-defendants less often than the single conviction offenders so that, if anything, the results understate the extent to which the former had disproportionately high rates of robbery offending.

Secondly, it is worth reiterating that these data only relate to convicted offenders. It may be the case that one-off robbery offenders are more likely to escape detection than serial robbers and even that many one-off robberies may not even be reported to police. This would mean that such results as these understate the degree to which robberies are committed by the one-off, opportunist or 'occasional' offender. Of course, it is also likely that to the extent that this is the case there are not only different types of robbery offender, with different levels of involvement, but that they commit quite different types of robberies. In their survey of 100 convicted robbery offenders in Victoria, Kapardis and Antonopolous (undated) also found that a considerable number of offenders had convictions for multiple offences. The 100 offenders were convicted of 1,822 offences in all, over 30 per cent of them having between 11 and 20 convictions and 10 per cent over 40.

#### 4.3 Drugs

One possible reason for some robbery offences is that they are committed to finance a dependency on drugs, usually heroin. Table 4.3 shows a breakdown of the number of convicted offenders in the sample whose offences were drug or alcohol related.

TABLE 4.3  
Drug and alcohol use of convicted offenders

Drug/alcohol use	No.	%
Illicit drugs .....	50	48
Alcohol .....	16	15
Neither .....	34	33
Don't know .....	4	4
TOTAL	104	100

These figures, of course, derive from official (usually police) assessments of the offender, so they cannot be regarded as absolutely accurate. The category 'illicit drugs' usually refers to heroin but often includes other illegal drugs in addition to heroin. Of

interest was the finding that far fewer personal robbery offenders (only 9 per cent) than commercial robbery offenders (68%) were found to be illicit drug users. On the other hand, 40 per cent of those convicted in connection with personal robberies were found to be alcohol-affected, as against only 3 per cent of commercial robbery offenders.

It is also of note that almost two thirds of those who were convicted of eight or more robbery offences were classified as drug users. Only one such person was classified as alcohol-affected. Drug (usually heroin) dependency thus appears to be an important ingredient in robbery offending, and in particular in the pattern of offending of those with multiple robbery convictions.

Substantial support for this conclusion, as well as far more information about the drugs/crime relationship, came from a study conducted by the N.S.W. Bureau of Crime Statistics and Research (Dobinson and Ward, 1985). The first stage of this drugs and crime study explored patterns of drug use and property crime amongst a sample of imprisoned property offenders numbering 225. Of these, 87 had as the major offence for which they had been imprisoned robbery (18) or armed robbery (69).

Of the offenders imprisoned for robbery or armed robbery offences, 17 per cent (3) of the former and 45 per cent (31) of the latter were classified as drug users. (The definition of user is provided on p.21 of the report and relates to heavy or regular use of either barbiturates/hypnotics, cocaine, heroin and/or other opiates/narcotics. Eighty eight per cent of the total nominated heroin as their main drug of choice: p.33). The study found that users (although in the minority of those interviewed) were responsible for a disproportionately high number of robbery and armed robbery offences.

#### 4.4 Who robs what?

The data from the court papers study suggest that different types of offenders tend to be involved in the commission of different types of robberies. The high rate, or serial, robbery offenders were more likely to commit commercial robberies whilst personal robberies were more likely to be committed by the apparently one-off offender. All but five of those convicted of personal robbery (86%) had only one conviction episode recorded as against 42 per cent of commercial robbery offenders. Only two personal robbery offenders had more than three robbery convictions recorded against them. Limited evidence of serial street robbery may in part reflect the difficulties of linking a suspect to a series of such offences in the absence of admissions. On the other hand, it may also indicate that many such offences are impulsive and are not committed by persons involved in street robbery on a continuing basis. There is further evidence which supports this latter interpretation, at least in relation to those convicted of sample offences.

Personal robbery offenders tended to be younger than commercial robbery offenders also. Twenty-one of them (60%) were under 21 at the time of the offence (eight of these, or 23 per cent, being under 17), compared to only 12 (17%) of the commercial robbery offenders. None of the latter were under 17. Only five of the personal robbery offenders (14%) were over 24 compared to 39 (56%) of the commercial robbery offenders. The prior criminal records of personal robbery offenders were also less extensive than those of commercial offenders. This could, of course, be simply because the offenders in question were younger, on average, and therefore had less time to accumulate an extensive record. The majority (19 or 54 per cent) of the former had two or less prior conviction episodes, 86 per cent of them had not been sentenced to imprisonment before and 71 per cent had not been sent to a juvenile institution. None of them had prior convictions for robbery. Of the commercial robbery offenders only 18 (26%) had two or less prior conviction episodes, only 31 (45%) had no record of imprisonment and 44 (64%) no record of juvenile incarceration. A majority of the latter (55%) had six or more prior episodes and twenty (29%) had at least one prior conviction for robbery. It is also of some note that 29 per cent of persons convicted of personal offences recorded originally as robberies were convicted on lesser charges (like steal from the person or assault) whilst only one commercial offender fell within this category.

In the previous chapters it was shown that the proceeds of personal robbery are for the most part considerably less than for commercial robbery, that personal robberies are more likely to be committed by groups of males and that firearms are used infrequently. In addition, the findings above show that personal robbery offenders tend to be younger, less experienced and less likely to be convicted of multiple robberies, though these three factors are, of course, confounded with one another. Commercial robberies are more likely to be committed, and in larger numbers, by more serious recidivist robbery offenders who are more instrumentally motivated and who, at least to some degree, plan their robberies.

#### 4.5 Commercial robbery offenders

This section will concentrate upon multiple robbery offenders, the patterns of their offending and the way offending decisions are made. It will draw primarily on the data from the interviews with 23 commercial robbery offenders sampled (non-randomly), in the manner described in Section 1.7.

In Chapter 1 the recent interest in situational crime prevention was discussed. It was emphasised there that a sound approach to this issue must take account of offender decision-making if it is to begin to assess the likely effects of situational measures. We need to know not only what motivates offenders, but also how they make the many decisions associated with the actual commission of offences: what their sources of information are, the factors which influence

choice of targets, their degree of mobility etc. A start has been made in relation to this type of research in Britain. The work has been mainly in relation to burglary (see Bennett and Wright, 1984: Winchester and Jackson, 1982), but there has been some more recent research which looked at robbery (Walsh, 1986).

As part of this study we undertook a modest examination of these issues to complement the more detailed analysis of patterns of robbery and the profile of robbery offenders discussed in this and previous chapters. The interviews with robbery offenders dealt in detail with their decision-making about offences. The results of these interviews are not generalisable to all robbery offenders due to the small numbers interviewed and the non-random nature of the sample. However, they do provide a number of insights into offender decision-making and the role of situational features and the immediate environment in that process.

All those interviewed would be commonly thought of as 'serious' offenders. All but one had been convicted of four or more robbery offences on commercial premises. Some admitted to committing many more robberies for which they had not been charged. Only one received a head sentence of less than five years, the great majority of them having received a head sentence in excess of ten years. The majority were given non-parole periods in excess of five years. Fifteen of them claimed hold-ups as their major source of subsistence in the six months before arrest (in two cases this was in combination with other sources).

The majority (15) had criminal records consisting of at least five prior conviction episodes (each episode usually entailing convictions for more than one offence), two had no prior conviction episodes at all, and a further five had three or less. Not all of them used guns in their hold-ups, however, and only a minority admitted to using loaded firearms. Even some of the latter did not think of themselves as violent offenders.

Four offenders claimed to have only committed their first offence after, and because, they had become dependent upon heroin. In the case of one of these offenders, the series of robberies for which he was serving a term of imprisonment at the time of the interview were his first conviction, another had a prior conviction episode for drug use and a third had prior convictions for robbery. Three out of the four were in their early to mid-twenties when their robberies were committed and one was 17.

In the case of 12 other offenders their robberies were purportedly heroin-related, but they were involved in property crime before they started using heroin. All of these offenders had substantial prior criminal records. All but one of them had been to gaol at least once. He was only 17 at the time of his robberies and had a long record of juvenile incarceration. All of these offenders committed their first offences as teenagers or before their teens and these

were in all cases some combination of property offences such as motor vehicle theft, shoplifting and break and enter. In the case of at least two of these offenders, though, their involvement in crime had been episodic, with significant periods in which they had not committed offences. Six of the 12 had committed hold-ups prior to those for which they were currently serving their sentences. The remainder present a quite diverse picture, none of them being drug-dependent offenders.

Mick,<sup>2</sup> who was in his early fifties, had a long and serious criminal record, although he also had very long periods of stable employment which were apparently crime-free. Colin committed his first offence when he was 36 and this was primarily because of a crisis in his personal life, in particular the collapse of his marriage. He described himself as 'inept'; he was invariably drunk when the robberies were committed, he paid little or no regard to how much he got from the robbery and he described his motivation in terms of a desire to punish himself. Bob had a long criminal record going back to when he was about 13, although most of his offences were petty frauds and the like. His robberies also were mostly committed when drunk. Jeff's offending was principally related to financial crises that he periodically experienced in his life. He had a long record, but his criminal activities were episodic. Steve and Dave were both in their early twenties and had several prior conviction episodes and institutional experience. Steve said the idea to commit hold ups arose out of his first taste of prison at age 18, where he met older and more experienced offenders. The remaining person interviewed, Tom, had committed some stealing offences over a short period of time when he was about 16, but had not been caught and had for the next 20 or so years committed no offences. His series of robberies arose out of a serious crisis in his personal life, involving both the collapse of a close personal relationship and a crisis in his worklife.

Although there are considerable similarities in the nature of the criminal involvements of many of these offenders, considerable diversity also emerges in the apparent motivations and degree of commitment of a substantial number. The latter considerations are important not only in explaining the reasons why individuals commit robbery but also the nature of their criminal activities and their specific approach to offending. These influence their likely response to situational strategies aimed at robbery prevention.

All but four admitted to committing at least six robberies in the six months prior to their arrest. Ten said they committed at least a dozen and some had committed many more. In some cases (especially those which were drug-related) large numbers were committed in a short time. A few offenders described their robberies (at least after the first one) almost in terms of a compulsive burst of activity, which they recognised they could not sustain indefinitely but also felt they could not stop. Consequently, some of these offenders said they felt relieved when they were caught.

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<sup>2</sup>The names used in the following are not the correct first names of the offenders in question.

Target selection. Of those interviewed, seven offenders robbed banks only in their last period of offending, three only building societies and one only chemists. The rest robbed more than one type of target. A further seven robbed banks in addition to other types of premises. These other premises included liquor shops, building societies, chemists, credit unions, post offices and shops. The other types of premises most frequently robbed by persons who did not rob banks or building societies at all included post offices (4), shops (3), and petrol stations (2).

Most offenders had a preference for a particular type of target. Banks were mentioned most frequently as a preferred target (13). Nine of these offenders said they preferred banks because of the high proceeds, whilst three preferred banks because they were easy to rob. Building societies were mentioned by four offenders as their preferred target, three of these giving as their primary reason the ease with which they could be robbed. One mentioned the high proceeds and another saw the impersonal nature of this form of robbery as the major attraction. Other target preferences mentioned (in most cases only by one person) were post offices, factory payrolls, chemists and hotels. One person mentioned drug dealers as his preferred target although most of his robberies were committed against commercial targets.

In each case the preferred target was not always the one against which most offences were committed, although this was so with a majority of offenders. It is important here to distinguish between lucrative and larger targets such as banks and building societies and smaller targets such as shops and liquor stores. A number of the offenders robbed both banks and smaller targets. Banks were usually robbed less frequently as bank robbery was seen as a fairly demanding operation requiring some planning and, in some cases, a degree of psychological preparation. The returns of course enormously outstripped those gained from other robberies also. However, for these offenders, who usually had a serious heroin dependency, the robbery of a shop or similar small commercial premises could be done on the spur of the moment and indeed several such robberies might be committed on one outing if money was urgently required to purchase drugs. The other advantage of these smaller targets was that they were open longer hours. If money was needed urgently of an evening there was little alternative but to look for premises that were open. The findings in the last chapter as to the timing of robberies on such premises as shops and petrol stations support the view that they may often be robbed when other more lucrative targets are not open and thus able to be robbed.

The attitude of offenders to the same target often varied depending upon their motivation and the style of robbery they adopted. Some offenders saw banks (and building societies) as easy places to rob, but often as not they were less mindful of the likely returns and fatalistic about being caught. These offenders tended to be less ambitious and 'professional' in their approach. They tended more

often to work alone, unarmed, and were more or less satisfied with whatever amounts they received from a robbery. For the most part they did not anticipate or plan around the likely proceeds. As a rule they only held up one or two tellers using a note or simulated firearm. Some of these offences were carefully planned, using stolen getaway cars, etc. Some of them were hopelessly unplanned and chaotic affairs committed when drunk and without much regard at all for how much money was obtained. Some were essentially instrumentally motivated, especially those committed by heroin-dependent offenders. Others suggest a more complex mix of motives.

Other offenders took a more professional approach to their offending, although it should be emphasised that few if any of those interviewed had any sort of long-term perspective on their offending and its likely consequences for themselves. These offenders were more likely to commit offences in groups (although not always), use loaded firearms and more carefully plan robberies involving such premises as banks. They selected targets according to the expectation of returns and when conducting the robbery sought to maximise these. This is why the offences were more often committed in groups and loaded guns were used more frequently.

The decision to offend. Each of the offenders was asked how she/he usually made the decision to commit a robbery during the last period of offending. The object was to elicit the primary precipitating factors or triggers related to the commission of an offence. Nine persons (39%) gave the need for money for drugs as the sole precipitating factor and seven others referred to it as one of two or more factors influencing the decision to commit a robbery (i.e., 70 per cent in all). Four referred to the need to obtain money for purposes of subsistence or to pay debts as the sole reason for deciding to commit a robbery whilst a further five mentioned this as one of a number of reasons. Four persons said that the influence of others (co-offenders) was one of several precipitating factors. Other factors referred to included the need for gambling and drinking money and the actual influence of alcohol in deciding to commit an offence.

The decisions of most of the drug-dependent offenders were more straightforward. Their decision to commit an offence on any given occasion (at least after their first robbery) was determined by their need for money to purchase heroin.

Planning. The decision to commit a robbery on a specific occasion is of course only one step in the direction of actually doing so. Thereafter a suitable place to rob must be found and any other necessary preparation for its execution carried out. Offenders were asked what they usually did after they had decided to commit a robbery. The aim was to establish how much time went into target selection and planning as well as the nature of this series of decisions. Such aspects of the process of offender decision-making

are crucial to any evaluation of situational measures of prevention and any understanding of the influence of other features of the immediate environment on the decisions of offenders. One dimension of this is the amount of time that elapses between each of the stages in the process and how that time is used. Responses were classified on the basis of the relationship between three stages - the decision to offend, target selection and the actual commission of the offence (see Bennett and Wright, 1984, pp. 43-50).

Where there was no time gap to speak of between each of these stages the approach to offending was categorised as 'opportunistic'. This applied in only one case. Sam was a heroin-user who robbed only building societies. He said his robberies were typically committed, not after setting out from his home with the intention to rob, but in the course of wandering around town when on occasions he would simply come upon a place that attracted him. His choice of building societies was based on the absence of security guards and the apparent readiness of staff to hand over the money.

Where a decision to commit robbery was followed by a search for a suitable place to rob but, once that was found, the robbery was committed immediately, this was categorised as a 'search' approach. This was the most common approach of those interviewed, 14 of them describing their typical approach in this way. There were differences amongst them, however, which warrant some comment, relating to the degree of effort invested in the search. Most of these offenders said they selected a target within four hours although three claimed they spent up to eight hours and two up to 24 hours. Most admitted that at least on some occasions very little time elapsed between the decision and actual selection of a target. It depended of course on just how selective they were about targets and, as we will see, some of those interviewed were more or less happy to rob the first target they came upon of the particular type they were looking for. An extreme example of this is Bob who described his decision to offend and its aftermath as follows:

"I'd be drinking in a pub. That's when I'd decide, when I was out of money. I was drinking regular and didn't see too many sober days. Sometimes I'd leave my drink to go out and rob a bank. I'd look in and if not too many people, I'd go in. Then I'd go back to where I was drinking."

Eleven of the 14 offenders who fell into this group were drug-dependent and this was by far the most common approach of those drug-dependent offenders interviewed. Two, including Bob, were alcoholics. The process of target selection and commission of the robbery also varied for specific individuals depending upon the type of target they intended to rob on a particular occasion. For example, one person who robbed post offices as well as a range of other smaller targets would more carefully select and plan robberies of the former, perhaps taking up to 24 hours to prepare (organising a



getaway car etc.). However, if he needed money for drugs urgently he would get into his car and rob whatever takeaway shop or petrol station he came upon and perhaps do two or three in a row until he had the money he needed. This was also true of other offenders who committed robberies against multiple target types.

Two different types of planned approach to robbery were distinguished. The first involved a separation in time between both the decision to offend and target selection and the target selection and the actual commission of the offence, so that the would-be offender both carried out a fairly lengthy search for a suitable target and then spent considerable time planning the robbery after finding it. Only two offenders fell within this category.

More common amongst planned approaches to robbery was the case where would-be offenders made the decision to offend on particular occasions with specific targets in mind and then spent considerable time on actual planning and preparation. In these cases offenders usually had noted the whereabouts of what they considered favourable targets encountered in the course of their non-offending activities (often just driving around the city), so that when they made a decision to commit an offence they would already have a target in mind. Six offenders fell within this category.

There was considerable variation in the amount of time spent planning robberies after a target had been selected amongst those interviewed. Obviously in the 'search' category the robbery was committed straightaway. With the planned approaches, however, three usually committed the offence later the same day whilst four usually committed it the following day and one up to several days later.

Specific questions were asked as to the nature of the planning engaged in by offenders. Table 4.4 lists the number of offenders who responded in the affirmative when asked whether they typically engaged in the various planning measures listed before committing a robbery. The maximum number of affirmative responses for each planning measure is 23, the total number of interviews.

There was only one offender who said he did none of these things in preparation for a robbery. He was one of the two alcoholic offenders and described himself as 'inept' with no regard for whether he got caught or not. Six others said they only did one of the above by way of planning. Only eight said they engaged in five or more of these planning measures. When it is considered that these amount to fairly rudimentary elements of planning, it is clear that, for the most part, those robbery offenders who might be counted amongst the more serious ones are not particularly 'professional' in their approach.

When asked whether they wore any mask or disguise, 13 said they always did, one said he did most of the time and three said they did sometimes. Often the mask consisted only of sunglasses or a cap pulled down over the face. This was because most of these offenders

were committing offences by themselves or at most with only one other person. Under such circumstances the hold-up rarely consisted of a major raid on premises, but rather involved the offender(s) in entering them fairly inconspicuously prior to the hold-up. There was also the problem alluded to by one offender that sophisticated masks or disguises constitute incriminating evidence if you are pulled up soon after a robbery.

TABLE 4.4  
Planning robbery

	No.
Peruse interior/exterior of premises .....	16
Enter premises prior to robbery .....	11
Steal getaway car .....	14
Otherwise organise getaway car .....	2
Obtain weapons for each robbery .....	3
Check local area (e.g. for police station) .....	8
Plan escape route .....	14

Those interviewed were also asked whether they chose particular areas in which to offend and if so what they looked for in an area. Eight (35%) said they only committed offences in a suburb or area where there was no police station. Most of these made a considerable effort to establish the locations of police stations. One offender, for example, kept a wall map with banks and police stations in the metropolitan area marked on it. Another checked a street directory and discovered that there was a stretch of Sydney suburbs without police stations and so he concentrated his offending in this area. Five offenders said they preferred to commit offences in areas where the streets were crowded, although most avoided the inner city. Two offenders committed robberies in the inner city as a matter of choice. Neither of them used private vehicles in their robberies. Three other offenders who used public transport only robbed in suburbs which were located on a railway route. Four offenders mentioned the layout of streets and the importance of having a number of streets leading away from the area where the robbery was to be committed. Eight offenders did not seem to have any conscious regard for the features of particular areas before they committed robberies in them.

In an attempt to discover what characteristics of actual targets influenced offender decision-making, a number of questions - some open-ended - were asked. Offenders were asked what things about a target would cause them to avoid it. Eight mentioned security guards although one of these referred only to guards who were armed. Six said they would avoid robbing a place in which there were a lot of

customers. Many saw this as presenting them with problems of control over the situation and thus as creating the potential for trouble if there was any sort of resistance. Three mentioned security shields or glass in banks or building societies as something that would cause them to avoid particular premises. It should be kept in mind that when these offenders were active (in 1983) such security measures were less common in banks than they have become since, so that many of the offenders had probably no experience of them and thus no cause to refer to them in answer to this question. Three mentioned a large number of staff in premises as a deterrent.

A list was drawn up and the offenders were asked whether they would be put off premises with any of a range of specified characteristics. Table 4.5 lists these, along with the number of affirmative responses for each characteristic. Again, the maximum 'score' for each target characteristic is 23.

TABLE 4.5  
Offender decision-making and target characteristics

	No.
Armed security guard outside .....	13
Armed security guard inside .....	12
Unarmed security guard outside .....	11
Unarmed security guard inside .....	10
A lot of customers .....	8
A large staff .....	2
Time delay locks .....	3
Security glass petitions .....	11
Pop up shields .....	5
Scorpion devices .....	1
Subject to special police patrols .....	5
Part of a business watch scheme .....	1

As with the unprompted question, the results of this question suggest that the presence of security guards, armed or unarmed, was the most commonly cited situational deterrent for those interviewed. Security glass petitioning and, to a lesser extent, pop-up shields also would tend to deter quite a number of those interviewed (albeit that many of them had not encountered these measures), as would a large number of customers. None of those interviewed said they would be deterred from robbing a particular target simply by the presence of either an alarm or a security camera. These were security measures which were expected in banks and similar premises and were not regarded as a problem. So far as alarms are concerned, this is largely because offenders recognise that the essence of a successful hold-up is to

get in and get out very quickly, thus ensuring that any response to an alarm is rarely likely to be rapid enough to place the offender in any danger of being caught at the scene (at least by police). Security cameras can be circumvented by simply wearing apparel that conceals the identity of the offender though, as noted, many offenders do not go to great efforts to conceal their identity and, as a result, some are identified through photos taken by security cameras.

#### 4.6 Displacement

As was noted in the first chapter, there are several forms in which specific offences prevented by situational measures may be displaced rather than simply deterred outright. Some of these will be discussed in more detail below. There are obvious difficulties in identifying the precise balance of preventive and displacement effects of particular measures. These derive largely from the fact that crimes prevented, as against those committed, leave no evidence of the fact. We just do not know how many persons get close to committing crimes on how many occasions without actually doing so, and what complex of factors ultimately prevents them from doing so.

The interviews explored some aspects of possible displacement effects by asking offenders about those occasions, if any, when they had decided to commit a robbery and had chosen a target, but then, for some reason, changed their minds. Eighteen said this had happened on at least one occasion and several of them said it had happened many times. When asked why they had changed their mind, however, few referred to specific and concrete situational factors. Those that did usually said that the factor that put them off was that there were too many people around. Most said it was some intangible factor, for example, that it just did not feel right so they left it or because they lost their nerve. More important, however, is what they then did. Ten said that they committed another offence the same day. All of these were drug-dependent offenders who were obviously more likely to be in need of immediate money if they had a serious 'habit'. When prevented from committing an offence on the chosen target some of them simply looked around for a suitable target of the same type, perhaps by driving on to the next suburb. Others who committed offences against multiple targets might, if frustrated in their plans to rob a particular bank for example, later that day rob a liquor store or other smaller target. Only four of those interviewed said that they did not attempt to commit another offence the same day after being prevented from committing a planned offence. A further four said it depended on the circumstances; sometimes they did commit another offence that day and other times they did not.

In relation to robbery by drug-dependent offenders interviewed, it would appear that the crimes prevented or frustrated were for the most part displaced with little, if any, overall reductive effect.

It should be noted, however, that the question addressed to offenders related to specific occasions when they had changed their minds, for whatever reason, after planning a particular robbery. Robberies for the most part will be planned - i.e., a target chosen - with some knowledge of the major situational factors to be confronted, including the type of security measures to be generally expected in particular types of premises etc. Thereafter, the situational factors which will affect subsequent decisions will be highly contingent ones - the number of customers, the proximity of a police car, etc. These are not factors that can be controlled to any great extent to maximise prevention. The question therefore does not address the issue of what types of situational measures (as distinct from situational contingencies) actually tend to deter offenders from robbing particular targets. Rather the concern was to find out what offenders do when for any reason they are prevented from committing a particular robbery.

Tactical displacement. It is clear from interviews with those who might be regarded as the more daring and organised offenders that often they would be able and willing to alter their methods in response to the security measures designed to deter them. Where offences are committed by gangs of three or more who use loaded firearms and carefully plan their hold-ups so as to maximise returns, then they are able to find ways of dealing with such problems as armed security guards, pop-up shields etc. The response of one offender interviewed to questions about the list of situational deterrents was that all of them might deter if you were by yourself, but that ultimately it depended on adjusting your methods and level of organisation to your objectives (i.e., primarily how much money you wanted) and to the technical problems these presented. This person who robbed post offices, petrol stations and shops, avoided such premises as banks and building societies because he was committing a lot of his offences by himself and he felt that the risks were too great where such larger and more fortified premises were concerned. He was basically happy to keep a low profile, although he carefully planned the hold-ups he did commit on post offices. He believed, however, that it would be easy to rob banks of large amounts of money simply by working with a gang of two or three others and carefully planning the hold-ups. He warned of the dangers of armed security guards in such circumstances, suggesting that they were easily disarmed and that this was an easy source of hand-guns for use in future robberies. Such attitudes indicate a willingness to adopt new methods to overcome situational measures intended to deter potential offenders, or what has been called 'tactical displacement'.

Only two or three of those interviewed could be said to fall within the more 'professional' class of offenders who reasoned in this way. Such attitudes presuppose both the capacity and the willingness of offenders to change their methods and approaches. It is clear that some of those interviewed would be unable and/or unwilling to do this. It is clear from the earlier discussion that some of those

interviewed were not primarily motivated by instrumental considerations. Their offences could be said to have been committed out of a sense of desperation or as a response to some crisis in their lives. Some had little regard for whether they were caught or not or how much money they obtained from the robberies they committed. Some were relieved when they were caught. Some had few if any prior criminal associations or any interest in developing them. Eight offenders said they never committed offences with other persons and four said they only did so on some occasions. A range of reasons were given for working alone. Most thought it was dangerous to work with others, but it was clear that a primary or secondary reason for some of these offenders stemmed simply from the personal isolation and circumstances which were central to their involvement in the crime in the first place. They wanted to keep their offending secret. Such personal circumstances and predispositions, whilst influential in leading them to commit the offences they did, would militate against any sophisticated tactical approach on the part of these offenders.

This is also borne out if the usage and attitude relating to guns is considered. Whilst 14 offenders used guns, only 10 said that they were loaded. (Three admitted to discharging a gun on one occasion and one to actually shooting another person). The rest used toys, simulated a firearm or merely passed a note. When asked why they did not use guns at all, or used guns which were unloaded, six said it was because they were not violent and did not want to physically hurt anyone. Others saw guns as unnecessary or as likely to affect sentence adversely if they were caught. Even amongst those who used loaded firearms, most saw themselves as essentially non-violent, which suggests that there were definite limits to what they would do in the way of calculated tactical innovation involving increased use of force.

Target displacement. It was noted above that ten of those interviewed were committing robberies against more than one type of target. At least some of these offenders on specific occasions moved to a different type of target in response to blocked opportunities in relation to their initial choice. Other offenders specialised, usually in relation to banks or building societies. It might commonly be assumed that persons who would be willing to hold up a bank or building society would be quite prepared to commit other types of robbery if prevented from robbing banks or building societies. However, the attitudes and experience of some at least of those interviewed suggest that this may not necessarily be so in all cases. Two cases stand out in particular.

Tom was convicted of eight armed hold-ups of banks and seven motor vehicle thefts. The latter were all committed for the purpose of carrying out the hold-ups, which were fairly carefully planned. He did not have a drug 'habit'. He committed his first hold-up at age 36 and proceeded to commit eight over an eight-month period. He simulated a firearm and was definite about his unwillingness to use a

real, loaded gun. He had been involved in petty offending as a juvenile for a short time and had not been caught. He had had one minor conviction at age 18. The primary factor which seemed to trigger his offences was a crisis in his personal life, both emotional and material. His robberies were, therefore, partly instrumentally motivated. He was attracted to banks because he felt they were so easy to rob, especially by himself. Just as importantly, he said he believed at the time that stealing from a bank was not the same as stealing directly from other persons. He said he was dubious about the logic of this view now. He also had only ever held up one teller. He believed that he might not have committed the offences if it had required involvement with others.

Jim was convicted of committing four robberies, all on building societies. He was 25 when the robberies were committed and he had had no prior convictions. He had become addicted to heroin partly, he felt, due to the trauma he underwent on the death of his father. His robberies were committed to finance his drug use. His offences were committed by himself because he did not want anyone to know he was committing them. He did not use any weapon, but merely made a verbal demand to the effect that it was a hold-up. He said that he "....could not point a gun at anyone". He chose building societies because they were 'easy' - they were staffed by females for the most part who were "...told to give you the money..." Like Tom he was also heavily influenced by his perception of building societies as impersonal organisations who were protected by insurance against losses. He did not see himself in the same criminal class as those who used guns and said he would never commit an offence like break and enter because it was personal in nature. In discussing various security measures he suggested that staff "...should be glassed in..." and that this would deter persons like himself who under no circumstance would resort to using a gun to commit offences.

There were other offenders interviewed who shared some of the same characteristics and attitudes as Tom and Jim. It is of course relevant that these personal stories are self-reported (albeit that as regards a number of issues, such as prior criminal record they have been checked against official police and court records). There must, therefore, be the risk that responses will be aimed at casting the person in the most favourable light. It is important to add, therefore, that much of what was said by both Tom and Jim, as well as others, indicated that they did not look all that favourably on themselves and that they believed they deserved what they got in the way of sentence and other treatment. Moreover, those tempted to dismiss these stories as simply self-serving rationalisations should perhaps reflect on both the general evidence available and their own personal experiences as regards the willingness of otherwise 'honest' and 'respectable' persons to involve themselves in dishonest activities such as receiving stolen goods, stealing from work, illegally evading taxation or defrauding insurance companies. There are all manner of rationalisations employed by individuals to legitimise such illegalities in terms which leave intact their own

self-image and reputation with others as honest and upright. The reality is that persons do not conduct their moral reasoning in terms of absolutes. Context and circumstance are all-important to the personal moral significance that is attached to specific acts both by actors and observers. And, in fact, it is not difficult to see how the financial, organisational and spatial characteristics of large commercial institutions such as banks and building societies could make some moral difference in the minds of would-be offenders - as compared, for example, with robbing a business with a personal proprietor or breaking into a house. In the former case the financial loss is not an obvious personal one; the physical size and layout of the premises physically insulate offender from victim in a way that is not true of shops, petrol stations etc.; and it is widely known that the policy of such organisations is that staff should not resist in the event of robbery, that, to put it in the words of one offender, they are "...told to play the game...".

These considerations lend some weight to the view that target-hardening strategies in such targets as banks and building societies would be likely to reduce the incidence of robbery amongst offenders like those discussed above without necessarily causing tactical or target displacement. This is so despite the fact that they do not touch upon the factors (drug dependency, serious personal crisis) predisposing such persons to get involved in committing robberies in the first place. Indeed, the effect of those measures recently introduced into banks in particular may have been to prevent robberies by deterring persons who may have formerly been prepared to rob a bank, but who, for practical and moral reasons, would be unlikely to engage in other types of commercial or personal robbery (and perhaps even other forms of property crime). In the sample of persons convicted of multiple commercial robberies there were 19 offenders out of 34 who robbed banks and/or building societies only. Moreover, the high level of offences against banks and building societies which were committed by unarmed and/or solitary offenders in 1983 suggests, as we have already detailed, that many of these offenders may have been new to robbery and circumspect about committing offences that presented any difficulty or prospect of violence.

Offence displacement. Many of the above comments apply equally to the issue of offence displacement. In so far as it has been suggested that situational measures may operate in some cases to prevent robbery of certain types of target without causing displacement to other targets, then some of the same factors influencing this suggest that displacement to other types of personal crime (such as burglary) is unlikely as well. Although it is probably widely believed that the personal confrontation dimension of robbery (be it personal or commercial) makes it a more serious and threatening crime than burglary, this is clearly not the attitude of all offenders, as is evidenced by the above discussion. For some, residential burglary and the idea of 'invading' private homes is seen as far more serious and repugnant, in some cases because they can



more closely identify with the victims of such crime. For offenders like Tom and Jim and some of the others interviewed, it is unlikely that robberies prevented would result in displacement to other serious personal crimes.

Of the offenders interviewed, only four admitted to committing offences other than robbery or motor vehicle thefts associated with robberies in the six-month period before their arrest. Two said they had committed burglaries, one of whom saw this as his preferred criminal activity. One admitted to selling drugs and one to committing fraudulent offences.

Given the long criminal records of the majority of those interviewed it is unlikely that situational measures of any kind would lead to a cessation of offending for most of these offenders, as against some kind of displacement. If it produced a move, or a return, to offences like burglary it would probably be reflected in an increase over and above any drop in the incidence of robbery. The one person who saw himself essentially as a burglar admitted to committing burglaries on a daily basis to finance his drug use. He said that he would have to commit many burglaries to obtain as much money as would typically flow from one bank robbery. Six offenders mentioned other types of crime as an alternative to robbery if they for some reason were prevented from committing the latter. Four of these were other types of property crime and two referred to selling drugs.

Geographical displacement. Offenders were asked how far they usually travelled to commit robberies. Only one said he committed offences in his immediate neighbourhood. All the others travelled to commit offences, suggesting that these forms of commercial robbery do not present problems of localised crime, unlike perhaps some types of personal robbery and burglary. This is also supported by the geographical distribution of commercial robbery, which is roughly evenly spread across the metropolitan area (again unlike personal robbery: see Chapter 3). Thus, with fairly mobile offenders the potential to prevent commercial robbery by concentrating policing and other resources in a particular area is very limited.

#### 4.7 Conclusions

Robbery is an offence that is mainly committed by young adult males. Most offenders have substantial prior criminal records involving other types of property crime, are unemployed and have relatively limited formal education.

So far as commercial robbery is concerned, it is likely that at any given time a small number of active offenders are responsible for a disproportionately large number of offences. Drug dependency is an important ingredient in this pattern of high-rate offending. On the other hand, many of these high-rate offenders are not necessarily specialist robbers with a prior record of robbery, but may engage in

a concentrated phase of robbery until they are caught. There is also evidence that many of those who commit robberies at some time do not become regular robbery offenders, although they may be involved in other forms of property crime on a regular basis. The rapid fall off in the age profile of robbery offenders from about 30 onwards suggests that even the criminal 'careers' of recidivist robbers (as with other persistent offenders) is a relatively short one.

It would appear that, almost by definition, the more persistent and experienced robbery offenders will rarely be deterred from committing robbery by situational measures. It is more likely the case that their crimes will be displaced to other softer targets. Some may be encouraged to introduce new methods to counteract the effect of security measures. However, judging by the findings as to methods of robbery in the last chapter and the motivations, attitudes and methods of some of those interviewed (in particular, in relation to firearms and working in gangs) it is likely that there are some robbery offenders who would be put off robbery completely by extending measures such as protective shields and glass in robbery-prone premises or ensuring the visible presence of security guards. It is important to attempt to ensure that, where such measures produce tactical displacement rather than preventive effects, they do not escalate the seriousness of the robberies that do occur. For example, unarmed security guards are probably more desirable than armed ones in this respect.

It is unlikely, however, that the incidence of commercial robbery is going to drop dramatically in the absence of more effective social policies for dealing with the current high levels of heroin use in the community. Serious dependency on a drug, the use of which requires access to large amounts of money, is possibly the single most important factor contributing to the commercial robbery rate in New South Wales.

It would be unwise to draw firm conclusions from the data on personal robbery offenders as the numbers of such cases that are cleared are relatively few. However, what evidence there is suggests that personal robbery offenders are more likely to be younger, more amateurish offenders than commercial robbery offenders. The offences are frequently committed impulsively and when the offender is drunk. These conclusions are to some extent supported by the more extensive data in Chapter 3 indicating that weapons are used infrequently and where they are, they tend to be weapons other than firearms. The material or instrumental dimension may not be as important as the influence of alcohol and/or the mutual influence of the peer group in the pursuit of some action or excitement. Many of the offences appear not to be planned in advance, are not committed with any apparent forethought and do not necessarily reflect a strong commitment to a criminal 'career'. To the extent that this is so any effective preventive social action in areas characterised by high levels of personal robbery would not necessarily lead to crime simply being wholly displaced away to other areas. However, the available data are insufficient to justify stating these as firm conclusions.

## **CHAPTER 5**

# **DETECTION OF ROBBERY OFFENDERS**

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## Introduction

In New South Wales, when an alleged offender becomes 'known to police', the offence allegedly committed is said to be 'cleared' by police and the percentage of each offence category so cleared is referred to as the 'clear-up rate' for that offence category. In general, this means that an alleged offender is arrested for a given offence; however, this is not always possible, e.g. in suicide cases, or where an alleged offender cannot be located.

The significance of clearance rates varies considerably from one offence category to another. In some cases, such as drug offences for example, clearance rates tell us little about police investigative efficiency as the number of recorded crimes (the denominator) is simply the number of arrests. For the most part, a drug offence is only recorded when an offender has been apprehended, rather than being the subject of a citizen report which then must be investigated by the police. With such police-discovered crimes the clearance rate is always going to be high (indeed close to 100 per cent) regardless of the nature and efficiency of police investigative efforts (see Mukherjee et al., 1987).

However, the police role in relation to most indictable crime is reactive. For the most part, their knowledge that a crime has been committed depends upon public notification, usually by a victim or witness. In this study less than 1 per cent of offences were police discovered. The overwhelming majority (about 88 per cent) were reported by a victim. Research elsewhere has produced similar findings (see Bottomley and Coleman, 1981, Chap. 3; Mitchell, 1984, p. 461). Where the role of the police is largely reactive, as it is with most property offences, the denominator in clearance rates is, to some extent, generated independently of police work. The rate at which reported crimes are detected is therefore arguably a meaningful measure of success on the part of the police. The questions then become - what is the nature of this 'success'? What produces it?

When anonymous offences like robbery and burglary are considered, the official clearance rates tend to be consistently low. In the years 1973/74 to 1984/85 the official clearance rate for robbery in N.S.W. fluctuated between just under 30 per cent to a low of around 17 per cent, the latter being the figure for 1984/85. The clearance rate for break and enter offences in N.S.W. was considerably lower, being less than 6 per cent in 1984/85, after failing to rise above 11 per cent at any time in the last 12 years. It is in relation to these offences that police are usually presented with considerable detection problems. In most cases the victim does not know the offender, is not able to provide a very good description of him or her or provide other information which would delineate a pool of suspects for the police to investigate.

A study which seeks to identify how robbery offences are cleared may therefore shed some light on the nature and limitations of reactive investigative work of police, precisely because robbery is fairly

typical of those types of crime in which police do as a rule confront problems of detection. Such a study is relevant to arguments about the level and organisation of police resources and the nature of police powers (Should there be more police? How should they be deployed? What types of powers would enhance their role as investigators?).

### 5.1 Defining clearance rates

The definition of clearance rates was given at the beginning of this chapter. The remainder will consider just what is being measured when clearance rates are used, what influences them, and what a closer consideration of them suggests about appropriate ways for increasing police productivity.

In this study, court papers and other records were examined for a sample of demand money with menaces and robbery offences reported in 1983 which were recorded by the police as cleared. A questionnaire was filled out for each suspect arrested or identified in respect of a cleared sample offence. The fate of some cases was unable to be determined. The sample was discussed in more detail in Chapter 1.

Table 5.1 summarises the outcomes relating to defendants for whom a questionnaire was completed.

TABLE 5.1  
Outcomes of cases recorded as cleared

	No.	%
Not prosecuted .....	4	3
Trial pending .....	3	2
Prosecuted .....	124	86
To be extradited .....	2	1
Don't know .....	12	8
TOTAL	145	100

Of the sample of defendants, therefore, the outcome of 8 per cent (12 cases) was unable to be ascertained with precision. Some speculation about the fate of these cases is warranted. It is likely (given the information from police and other records) that in each of these matters the defendant(s) either absconded or the prosecution was dropped. Obviously these are not mutually exclusive possibilities as delay in prosecuting a case due to absconding (or for any other reason) will often result in the matter being dropped because

witnesses will cease to be available and so on. In at least eight of the cases there are further reasons to believe that the cases were dropped. Several of the matters were not of a serious nature, the role of the suspect in some of them was peripheral and in one case it is likely that the suspect was arrested and then subsequently cleared and released.

Speculation on the fate of these cases is undertaken, not simply for the sake of completeness, but also to indicate that 'cleared' can, in practice, result in a number of different things, albeit that in the great majority of cases in the sample it usually did entail prosecution (although not necessarily for robbery or demand money with menaces).

## 5.2 The method of detection

In the present study, court papers were used to discover (to the extent that it was possible) just how criminal suspects were detected. A primary concern was to identify the respective roles of the public and police in criminal detection. It is to be emphasised that these findings are not based upon field research of police investigation, but rather upon the results of such work as it is reflected in police and court records of detected cases. The research does not therefore describe what detectives and uniformed officers actually and routinely do when they investigate a robbery, but rather what contribution their work makes in cases that are cleared (see Bottomley and Coleman, 1981). To some considerable extent, the defence of various practices, forms of organisation, deployment of resources and legal powers in policing must rest upon the results they produce. If, for example, a broad police discretion to form relationships with criminal informants is to be defended on the ground that effective detective work requires it (and requires that we accept some of the costs associated with it) then it must be shown that indeed the practice actually produces the results claimed for it.

A study of the detection of robbery offenders in particular is of use because it is an offence, the most serious instances of which give rise to a special detective effort in the shape of the work of the Armed Hold-up Squad. It also typifies the detection problems faced by police in relation to the large core of anonymous, primarily urban, forms of property crime that dominate the official statistics of crime. The results of such a study could therefore be said to be relevant to much of the reactive investigative work done by police.

Table 5.2 summarises the findings in relation to what the researchers judged to be the major sources and types of information implicating suspects arrested for the sample offences.

TABLE 5.2  
Source and type of information implicating suspects

	No.	%
Witness identification/detention .....	42	29
Other witness information .....	22	15
Police at scene/hot pursuit .....	28	19
Surveillance photograph .....	6	4
Other offence evidence .....	3	2
Informant .....	12	8
Implication by accomplice .....	9	6
Other .....	13	10
Don't know .....	10	7
TOTAL	145	100

As the table demonstrates, the overwhelming majority of suspects were detected as a result of information generated at the scene of the offence. Suspects were most commonly detected as a result of information provided by victims and witnesses. This includes cases where a victim or witness actually apprehended the suspect (4%), named or otherwise directly identified a suspect (23%), identifies a photograph of the suspect (2%), or provided other information leading to the apprehension of a suspect (15%). This other information was usually a vehicle registration number. A further 4 per cent of suspects were detected as a result of photographs taken by security cameras in banks. Nineteen per cent of suspects were apprehended by police at or near the scene. Most of these resulted from a prompt response by police to witness reports, although in a number of cases an arrest resulted from what could only be described as incompetence on the part of the suspect (such as lingering at the scene of the offence after it had been committed).

Thus 69 per cent of suspects were detected as a result of information generated at the scene of an offence. The only other significant categories of clearance were those relating to implication by an informant (8%) and implication by an accomplice (6%). The category of 'other' includes clearances resulting from routine police stops (3%), offenders who surrendered themselves to police and suspect possession of incriminating evidence. The method of detection was unknown in 7 per cent of cases.

These results refer, however, only to what might be called 'primary' clearances of robbery offences. Once a suspect has been arrested for any particular offence, he or she may well admit to other offences for



which they were not previously apprehended. These 'secondary' or 'indirect' clearances are another important source of robbery clearances.

### 5.3 Indirect clearances and the role of interrogation

As noted, it is clear that one arrest may lead to many offences being cleared. This is largely as a result of the fruits of police interrogation of suspects in custody. Table 5.3 indicates that in almost half the cases in the sample where the information was available suspects apparently admitted to additional offences.

TABLE 5.3  
Number of additional offences admitted to

Number admitted to	Number of suspects	%
0 .....	69	48
1 - 4 .....	35	24
5 - 9 .....	21	14
10 + .....	8	6
Unknown .....	12	8
TOTAL	145	100

When police arrest a suspect they may already have information linking that person to a number of offences or a strong suspicion may exist due to similarity in the modus operandi of a number of offences (the type of robbery, the geographical area etc.). As a rule detectives will check for similar outstanding offences to that for which the suspect has been arrested and interrogate him/her in relation to them. Hence interrogation is a major means by which offences, other than that for which an alleged offender was originally arrested, are cleared.

The following figures are based solely on those suspects for whom there was information as to whether additional offences were admitted or came to attention after arrest (i.e., 133 suspects). Each additional offence admitted, along with the sample offence, has been counted as cleared. (These figures relate to all offences admitted and not simply robberies.) On this basis, the total number of offences cleared as a result of the arrests in the sample was 495. The average number per arrest was 3.7 offences. The highest number admitted to by a suspect was 36 (all were robberies). One other suspect admitted to 27. Thus, while 'reactive' police work accounted

for the majority of direct clearances (about 100), detective work (in the form of police interrogations) resulted in a much greater number of indirect clearances, (about 362).

Another way of considering the significance of interrogation is to look at how the sample offences were cleared. In 26 cases (18%) suspects were linked to the sample offence only after arrest in relation to another offence. The primary link in six of these cases was admissions made by the suspect under interrogation. In the other 20 cases it was a combination of factors. Usually some information suggesting a common modus operandi for a number of offences seemed to provide the basis for interrogation which then actually established or confirmed the suspect's involvement. Interrogation may also result in a suspect implicating an accomplice. In 12 cases (8%) the primary source of information linking a suspect to the sample offence was an accomplice. In very few cases (6 or 4 per cent of the sample) did interrogation reveal the whereabouts of stolen property.

These findings confirm the picture provided by an accumulating body of overseas research on the role of police interrogation in the detection of offences. A recent Home Office study in Britain found that the major factor accounting for differences in the clear-up rates for burglary of different police areas was police interrogation practice with regard to those already in custody (Burrows, 1986). Other studies have found that a significant proportion of offences recorded as cleared resulted from questioning of suspects in custody (Mawby, 1979, p. 110; Bottomley and Coleman, 1981, pp. 98-99, 140). It needs to be emphasised that such indirect detections relate almost entirely to other offences and not other suspects, in that they involve admissions by persons in custody to having committed other offences for which they have not been charged. The critical determinants of detection remain those which produce the original identification of suspects, which as has been demonstrated, invariably relate to information provided by victims and witnesses. Whilst considerable police skill at questioning suspects about their wider criminal activities may play an important part in producing indirect clear-ups, it should also be noted that some offenders see it to be in their own interests, once they are caught, to get all outstanding offences dealt with and out of the way on the one occasion and not risk future prosecution (and perhaps multiple sentencing).

These findings suggest that one way of improving the value of police clearance data as a measure of police output would be to distinguish direct from indirect detections (or primary/secondary as others would prefer to characterise it). This would permit a more detailed appreciation of what types of policework (in particular, interrogation as against other police tasks) contribute to the production of clearance rates.

#### 5.4 Patrol policing

Nineteen per cent of the suspects in the sample were arrested by police at or near the scene of an offence. A policy implication that might be drawn from this is that detections would be significantly increased if increased numbers of police were put on patrol duty. This could reduce response times and increase the chances of routine police interdiction of offences as they are being committed. More rapid response, however, may not increase detections significantly as long as there are delays in reporting offences. For property offences such as burglary and motor vehicle theft, some delay in reporting invariably results from delay in discovery of the offence. This is not the case for robbery, although the chances of increasing detections by interception is otherwise limited by the fact that in most instances the offence is committed swiftly and the offender departs the scene equally swiftly. Patrol for either preventive or interdictive purposes is dogged by the rarity of crime events relative to public space. Thus it is not obvious that increasing police patrols will necessarily have any marked effect on the number of robberies taking place. Whether or not such an effect does occur and, if so, the size of that effect are empirical questions, and must await further research before they can be usefully answered.

#### 5.5 Conclusions

The results of this research, along with that of much overseas research in the same area, suggests that the solvability of offences in the short term is overwhelmingly determined by the information available at the time of initial investigation. In the longer term, however, many more offences appear to be cleared through interrogation of suspects in custody for other matters, and the use of police informants. This is being recognised by police forces in the arrangements that are being introduced to manage more rationally the investigation of reported offences. In particular, screening mechanisms are being introduced in some police forces (including Victoria) so that solvability may be assessed early in the investigation (or even at the point of reporting) and a more efficient allocation of investigative resources thereby made. Cases that show no promise may be written off after rudimentary attention and only those likely to produce a result pursued by full investigation. The reasons for such changes must be properly communicated to the public so that expectations of the police role may be modified in keeping with an appreciation of what it is the police can realistically achieve.



## **CHAPTER 6**

# **THE PROSECUTION OF ROBBERY OFFENDERS**

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## Introduction

This chapter explores the major aspects of the process of prosecution of robbery suspects. It looks at the fate of those persons arrested and charged in relation to sample offences, including such issues as the way they pleaded, whether they were granted bail, the nature of the prosecution evidence against them and the outcome of their cases.

The first section deals with the nature of the charges laid against each suspect and the outcome of the prosecution.

### 6.1 Charge and outcome

When discussing the outcome of criminal events the term 'attrition rate' is often used to describe the process. This expresses the fact that from the time that a potentially criminatory event occurs it is subject to myriad filtering processes, all of a highly discretionary nature. It is these processes that determine whether and, if so, how events and persons get registered in the criminal process.

This study began with a sample of 537 reported offences of robbery (armed and unarmed) and demand money with menaces. One hundred and six of these offences were found to be cleared and some formal process commenced against one or more suspects (see Chapter 1). These offences involved 145 suspects. There were six further suspects (relating to four sample offences) for whom court or other records could not be found at all. As the study followed suspects through the criminal process, the data which is discussed in this section is not matched with sample offences but with the suspects arrested in respect of them. In Table 6.1 the changing status of charges against the 145 suspects is traced through from initial formal contact with the criminal justice system to conclusion where that is possible.

It should be noted that at each successive stage of the prosecution process, the charge/s may differ from that originally recorded on the CIR/FIR. For example, of the 55 suspects originally listed with respect to robbery offences, 17 did not proceed to committal, 35 were committed for robbery, and 3 were committed for an offence other than robbery.

Of these 145 suspects, 31 were not prosecuted to conclusion in relation to sample offences or their precise fate could not be ascertained. One had a sample offence (of armed with intent to commit a robbery) taken into account when he was prosecuted for other offences. In the case of four suspects it was established that no charges were laid. In eight further cases the matters were either pending, incomplete or awaited extradition at the time of data collection. Two defendants died before proceedings had been finalised.

TABLE 6.1  
The attrition rate of robbery offences from police record to conviction

	Robbery	Aggravated robbery	Armed robbery	Steal from person	Demand money	Assault	Progressive Other	Total
Initial CIR/FIR suspects .....	55	12	63	1	13	0	1	145
<u>Less</u> No charge .....	3	0	1	0	0	0	0 }	
Scheduled .....	0	0	1	0	0	0	0 }	
Incomplete .....	5	0	3	0	0	0	0 }	31
Died .....	0	0	2	0	0	0	0 }	
Unknown .....	9	2	4	1	0	0	0 }	
Number subject to a committal hearing .....	35	9	51	3	12	0	4	114
<u>Less</u> Dismissed at a Local Court ...	4	0	0	0	1	0	0 }	
Convicted at a Local Court ...	4	1	0	3	0	5	1 }	19
Number committed for trial/sentence to a higher court ...	23	8	49	2	10	0	3	95
<u>Less</u> No bill .....	1	0	1	0	1	0	0 }	3
Number indicted .....	22	7	48	2	8	2	3	92
<u>Less</u> Acquittal .....	2	0	0	0	1	0	1 }	4
No. convicted in District Court ....	21	3	51	1	7	3	2	88

N.B. Readers should note that it is not possible to sum the columns of this table. At each successive stage of the prosecution process, the charge/s may be varied from that which was originally listed on the CIR/FIR. The charge/s with which a person is indicted, and ultimately acquitted or convicted upon, will not necessarily be the same as that on the CIR/FIR.



In 16 cases the precise details as to outcome were unable to be ascertained because the court papers could not be located. In two of these cases it is known that the suspects were convicted of robbery: in one it is probable that the suspect was prosecuted for sexual assault; and in the other the suspect was committed for trial on a robbery charge but his fate thereafter is unknown. In the remaining 12 cases it is likely (given the information from police and other records) that the prosecution was dropped or the suspect absconded. These cases were discussed in the previous chapter. This leaves 114 suspects who were able to be followed through the court and related processes.

Five of the original 145 suspects (3%) had charges against them dismissed in the local court while a further 14 (10%) were convicted without being committed for trial in the district court. The children's court is enabled to make findings of guilt and pass sentence in respect of children and juveniles (persons under 18 in N.S.W.) even in relation to serious charges such as robbery (which in the case of adults can only be finally dealt with in the district court).

The majority (95 or 66 per cent of the sample) were committed for trial or sentence to the district court. The vast majority of these committals were for robbery, armed or unarmed. Only three of these were not proceeded with as a result of a 'no bill' being entered by the Attorney General. In the district court 88 defendants were convicted (61 per cent of the original sample of suspects) and four were acquitted, two by a jury and two at the direction of the judge (3%). As at other stages of the process, defendants at trial were not always convicted of the offences upon which they were indicted: four defendants indicted on charges of robbery with wounding were ultimately convicted of armed robbery; one offender indicted on charges of armed robbery was convicted of robbery only; and one offender indicted on charges of steal from the person and assault was convicted of assault only.

Of the original 145 suspects, therefore, 3 per cent were known not to have been prosecuted, 6 per cent were acquitted and 2 per cent were no billed. The great majority were convicted (over 70 per cent of the original sample). If these figures are adjusted by excluding cases that did not go to court or were not concluded at the time of data collection, we find that the conviction rate is approximately 90 per cent (including in this calculation the scheduled case and the three cases known to have resulted in convictions but for which specific details were not available). The dismissal, acquittal and no bill rates taken together amount to about 10 per cent.

Plea. The majority (101) of the suspects pleaded guilty (i.e., 61 per cent of the total sample or 87 per cent of those whose cases were finalised). Of these, 64 pleaded guilty throughout, 22 initially pleaded not guilty but changed their plea to guilty on the major charge and 15 initially pleaded guilty but subsequently changed

their plea to not guilty on a lesser charge. Only three persons out of the entire sample were known to have pleaded guilty at the committal inquiry and then changed their plea when they reached the district court, thus requiring the matter to be returned to the lower court for a committal hearing.

In N.S.W. in 1983, the proportion of persons proceeded against who pleaded not guilty was only 17.7 per cent. When the number of guilty pleas is included in calculations of the attrition rate at the court stage, it is found that the vast majority of cases result in conviction. In 1983 in N.S.W. higher courts only 7 per cent of those dealt with (on all matters) were acquitted. The figure for robbery and extortion cases was 6 per cent. The findings of this study are consistent with the general evidence indicating a high conviction rate for crimes prosecuted in the courts. The conclusion to be drawn from the findings so far in this chapter and the last one is that for those concerned about the level of convictions the major attrition of cases takes place at the point of detection: the great majority of offences simply do not lead to an arrest being made.

## 6.2 Robbery and bail

A new system of bail took effect in N.S.W. in 1980 under the Bail Act, 1978. This report will not go into the various general issues raised by the new bail legislation as that has been done in an earlier Bureau research report (see Stubbs, 1984; Stubbs and Andrews, 1983).

The primary feature of the Act is that it created a right to bail for certain minor (non-imprisonable) offences other than armed or otherwise violent robbery, failure to appear in relation to a bail undertaking, and certain drug offences (the latter having been added in recent amendments to the Act). The presumption in favour of bail which applies to the vast majority of serious offences (including non-violent robbery and demand money with menaces) is not the equivalent of a right to bail; nor does the absence of such presumption in the case of the nominated offences mean that persons charged with these offences should be refused bail under all circumstances. The Act lays down criteria for determining whether bail should be granted. The most important of these are the likelihood of the charged person appearing in court; the interests of the accused person; and the welfare and protection of the community. It should be remembered that the question of bail arises at a point in the criminal process when no offence has been proved and no suspect convicted. Detention under such circumstances amounts, in effect, to punishment without trial. For this reason bail refusal should not be treated lightly and should only be permitted in carefully defined circumstances which are open to review.

In an earlier study of bail in N.S.W. it was found that in respect of police bail decisions, 37.5 per cent of accused who fell within the major offence group robbery/extortion were refused bail (Stubbs,

1984, p. 13). In the case of court bail decisions, persons in this offence group were initially refused bail in 50 per cent of cases (ibid., p. 55). This category had by far the highest refusal rate of all offence groups in relation to both police and court bail. The numbers in this study who had been charged with robbery or extortion were, however, so small that care is needed in generalising from these results.

The present study was restricted to robbery and demand money with menaces offences although, as the previous section indicates, detected offences originally classified in these categories did not necessarily result in charges being laid which conform to these categories. The data nevertheless provide a reasonably clear picture of the pattern of bail decisions in relation to a spread of robbery and similar offences. Of the sample of 145 suspects, eight were either not prosecuted or proceeded by way of summons. The issue of bail does not therefore arise with these cases, leaving 137 cases in which bail decisions had to be made. Of these, 69 (50%) were not released on bail, two (1%) were in custody on other offences so that bail did not arise, 21 (15%) were released on bail by police and 35 (25%) were released on bail by the courts. In ten cases (7%) the bail decision was unknown. Excluding the unknown cases from the sample, the refusal rate was 54 per cent.

Table 6.2 provides bail data broken down by the offence recorded on police CIR/FIRs (which is, in the absence of charge details, probably the best available general guide to police classifications of seriousness at the time the decision is taken).

The table indicates that 71 per cent of those suspects arrested in relation to armed robbery offences were refused bail as against 29 per cent of those arrested on unarmed robbery offences and 46 per cent of those arrested on demand money with menaces offences. A further 3 per cent of the armed robbery group were in custody already, leaving 26 per cent who were granted bail. Only three were released on bail by police, the remainder being released by a court. If bail decisions are considered in relation to final conviction, it is found that 75 per cent of those ultimately convicted of armed robbery were originally refused bail. Moreover, only 16 per cent of those convicted of more than one robbery offence had been granted bail (six out of these nine offenders were convicted of two or three robberies).

Table 6.3 indicates that persons with no prior criminal record received bail more often than those with prior convictions. Excluding unknowns and those in other custody, this relationship was statistically significant ( $\chi^2 = 25.75$ ,  $df = 3$ ,  $p < 0.05$ ). Seventeen per cent of those with no prior convictions were refused bail as against 29 per cent of those with one or two prior conviction episodes, 69 per cent of those with three to five prior episodes and 73 per cent of those with six or more. Only two suspects with no prior conviction episodes were refused bail. Four suspects out of 22

(18%) who had prior convictions for robbery were granted bail. None of these were facing armed robbery charges. All those facing armed robbery charges who had prior robbery convictions were refused bail.

TABLE 6.2  
Bail decision by offence category

Bail decision	Aggravated Armed Demand					Total
	Robbery	robbery	robbery	money	Other	
In custody .....	No. 0	0	2	0	0	2
	% 0	0	3	0	0	1
Granted by police .	No. 10	3	3	5	0	21
	% 21	25	5	38	0	15
Granted by courts .	No. 18	3	12	2	0	35
	% 37	25	20	15	0	26
Refused bail .....	No. 14	4	44	6	1	69
	% 29	33	71	46	50	50
Unknown .....	No. 6	2	1	0	1	10
	% 13	17	1	0	50	7
TOTAL	No. 48	12	62	13	2	137
	% 100	100	100	100	100	100

There is considerable apparent variation in the incidence of bail granted according to the target of the offence. This is shown in Table 6.4 (chi-squared = 4.80 df = 4,  $p > 0.05$ , not significant).

There is a high level of bail refusal for commercial robbery offences (65 per cent overall) and for bank robbery in particular (79%), compared with a refusal rate of 26 per cent for personal robbery overall (this latter relationship is significant, chi-squared = 18.04, df = 1,  $p < 0.05$ ). This is at least partly explained by the fact that bank robbery is more likely to be armed and the suspects more likely to have prior records and be subject to multiple robbery allegations.

Of those released on bail (56 persons), 16 had it subsequently revoked (29%). Eight of these revocations (14 per cent of those released on bail) were for failure to appear, three were as a result of a later charge, one was for breach of a bail condition, two simply involved a change of decision by the court and in two more cases the reasons were unknown.

Of those who are known to have absconded from bail four were subsequently convicted and the trial of one is pending. The remaining three appear to be still at large. (It is possible that up

to six more suspects absconded whilst on bail, but as information as to bail status could not be established for these cases this is uncertain. These cases have not been counted amongst those released on bail. See earlier discussion in this chapter relating to cases, the fate of which is unknown.)

**TABLE 6.3**  
Bail decisions by number of prior conviction episodes

Bail decision	Zero	1 - 2	3 - 5	6+	Not known
In custody .....	1	0	0	1	0
Granted by police ....	4	8	3	2	4
Granted by courts ....	5	15	3	8	4
Not granted .....	2	10	18	32	7
	(17%)	(29%)	(69%)	(73%)	
Unknown .....	0	1	2	1	6
<b>TOTAL</b>	<b>12</b>	<b>34</b>	<b>26</b>	<b>44</b>	<b>21</b>

Eight (5.8%) offenders were convicted of offences committed whilst at liberty after charges relating to the sample offence had been laid. Two (1.5%) of these were escapees and the others were on bail (4.4%). Three were convicted of armed robberies, two of property offences, one of drug offences and two more of other non-serious offences.

**TABLE 6.4**  
Bail decisions by target of offence

Bail decision	In custody	Granted by police	Granted by courts	Not granted	Unknown	Total
Bank .....	0	1	5	23	0	29
Building society ...	0	0	3	6	0	9
Chemist .....	0	0	1	7	0	8
Petrol station .....	0	3	0	4	1	8

Thus the potential problems of absconding on bail and offending whilst on bail are not large ones, on the evidence available from this study. The great majority of those bailed did not abscond and appear not to

have committed offences whilst on bail. Moreover, there is already a relatively high refusal rate of bail, particularly for armed robbery offenders, and it is impossible to say how many of those detained would, if they had been released, have appeared to answer the charges and refrained from committing offences whilst at liberty.

### 6.3 Evidence in robbery cases

In this section, the nature of the evidence which constituted the prosecution case and, where relevant, the defence case, will be discussed. It is important to note that the report makes no judgements as to the veracity or weight of evidence in specific cases. The primary concern is with identifying the frequency with which different types of evidence provide the foundation of the prosecution case in robbery prosecutions. Most of these cases were dealt with on a plea, and in some of the cases which went to trial no transcript was readily available due to the brevity of the matter. The data were thus primarily collected from witness and police statements, records of interview, exhibits and other documents contained within the court papers.

Table 6.5 provides a breakdown of the incidence of different types of prosecution evidence for all the cases in which a sample offence was prosecuted to conclusion.

TABLE 6.5  
Types of prosecution evidence for all sample  
offences prosecuted to conclusion

Prosecution evidence	No.	%
Defendant admissions .....	103	89
Identifying evidence .....	83	72
Possible incriminating evidence .....	53	46
Accomplice admissions .....	49	42
Apprehended at offence .....	25	22
Indirect identification .....	11	9
Signed surveillance photograph .....	10	9
Unsigned surveillance photograph .....	6	5
Fingerprints .....	1	1
Forensic evidence .....	2	2
Other .....	4	3

Note: In four cases the nature of the prosecution evidence was not known. The above evidence therefore relates to 112 cases involving sample offences. The columns do not total 112 as more than one type of evidence was present in most cases.

As the table indicates, evidence of admissions was the most common type of evidence present in 89 per cent of cases. However, it is also clear from the table that other types of evidence frequently formed part of the prosecution case. Identification evidence (almost invariably that of the victim or a civilian witness) was present in 72 per cent of cases. Other evidence commonly forming part of the prosecution cases included that relating to the possession of incriminating evidence by the defendant (46%), evidence of alleged admissions by an accomplice (42%) and evidence of the defendant's apprehension at the time of the offence (22%). Indirect evidence of identification (usually a car registration number) was present in 9 per cent of cases, as was a signed surveillance (or security) photograph. On the other hand fingerprint evidence only formed part of the evidence in 1 per cent of cases and other forensic evidence in 2 per cent of cases. This latter finding is consistent with the findings of Baldwin and McConville (1981) who found that forensic evidence was significant in less than 5 per cent of cases.

Table 6.6 shows the number of cases in which various different combinations of prosecution evidence was tendered in relation to the sample offences.

TABLE 6.6  
Prosecution evidence grouped

Evidence	No.	%
Admissions and identification .....	73	63
Admissions plus other evidence .....	25	21
Identification plus other .....	8	7
Admissions only .....	3	3
Identification only .....	3	3
Don't know .....	4	3
TOTAL	116	100

In the majority of cases (63%) there was both admissions and identification evidence (i.e., where an offender could be identified by witnesses or victims). In almost all these cases there were also other types of evidence present. In 21 per cent of cases there was admissions evidence and other evidence aside from identification evidence. In only 3 per cent of cases was there admission evidence and nothing more. Whilst therefore confirming the centrality of police interrogation and admissions evidence allegedly stemming therefrom in the prosecution of robbery offences, the results also indicate that it is rare for admissions to provide the sole basis for the prosecution case. As has already been indicated it is not

possible to draw conclusions about the relative weight of these different types of evidence in the particular cases. It would therefore be unwise to draw any firm conclusions about the significance of different forms of evidence from these findings.

#### 6.4 Admissions evidence

Data was collected on the incidence and specific types of admissions evidence alleged by the prosecution. In most cases where court papers were accessible, the documented records of interrogation and admissions evidence flowing therefrom appeared in the papers (e.g., records of interview conducted by police, police statements as to oral admissions etc). The following findings relate to the sample as a whole and consequently there are a large number of cases in which the relevant information was not known (23 cases or 16 per cent of the sample of 145 cases).

As shown in Table 6.7, 94 per cent of suspects made some kind of confessional statement to police (i.e., 92.6 per cent of those for whom information was available). Table 6.7 summarises the incidence of different types of confessional statements made by suspects.

Most frequently (in 67 per cent of all cases) confessional evidence was signed. All but 12 of these cases involved signed records of interview, the remainder being statements written and signed by the suspect. In 59 cases (41%) the suspect allegedly implicated other persons in his/her statements to police. In only six cases (4%) was there evidence that the whereabouts of stolen property or money was disclosed in the statements. In 11 cases exculpatory evidence was included in statements by suspects.

TABLE 6.7  
Incidence of different types of confessional statements

Statement	No.	%
No statement .....	9	6
Signed and oral .....	67	46
Signed only .....	31	21
Unsigned .....	4	3
Oral only .....	11	8
Unknown .....	23	16
TOTAL	145	100



This points to the difficulties, already mentioned, of using this data as anything other than a general indication of the types of evidence involved in the prosecution of robbery cases. Damaging admissions may be made by a suspect to police amidst statements and claims that are of an exculpatory nature. In the sample of cases studied, however, there were only a small number in which exculpatory evidence was apparent on the record.

Table 6.8 summarises the data relating to the number of additional offences allegedly admitted to by suspects when interrogated by police (Chapter 5, Table 5.3).

**TABLE 6.8**  
**Other offences admitted by suspects**

Other offences	No.	%	Valid %
Zero .....	69	48	52
One .....	15	10	11
Two to four .....	20	14	15
Five to nine .....	21	14	16
More than ten .....	8	6	6
Unknown .....	12	8	0
<b>TOTAL</b>	<b>145</b>	<b>100</b>	<b>100</b>

As indicated in Table 6.8, approximately half the suspects allegedly admitted to additional offences and about a quarter allegedly admitted to five or more offences in addition to the sample offence. The potential fruits of interrogation, therefore, are not confined to the offence for which a suspect may have been arrested, but include information as to other possible suspects involved, the whereabouts of stolen property, other offences committed and material which would tend to remove or mitigate the criminal liability of the suspect (see Section 5.3).

#### 6.5 Confessional evidence and court outcome

The following discussion considers the relationship if any between the presence of confessional evidence in a case and such dimensions of that case as plea and outcome. It therefore draws on that sub-sample of the study where a result was definitely known (114 cases). Care must be taken with use of these findings as the numbers who actually pleaded not guilty were few and those who were acquitted or whose case was dismissed or no billed were even fewer.

Table 6.9 shows the number of defendants pleading guilty and not guilty by whether or not admissions evidence was tendered in their case. The numbers are, unfortunately, too small to permit statistical testing and therefore the result may as not be generalized beyond the present sample.

TABLE 6.9  
Admission evidence by plea

	Guilty	Not guilty	Total
Admissions .....	98	4	102
No admission .....	3	9	12
TOTAL	101	13	114

If the data relating to case outcome and admissions evidence is considered, it is found that in eight out of 12 cases in which the defendant's case was dismissed, no-billed or resulted in acquittal, there was no admissions evidence. Where admissions evidence was present, there was a finding of guilty in 97 out of 102 cases.

It was not possible to tell whether or not the apparent willingness of suspects to admit to offences was inhibited by their prior experience of the criminal process. As shown in Table 6.10 (which excludes suspects for which any information was unknown), the majority offenders in each 'length of prior record' category make admissions. The relationship between length of prior record and admissions could not be tested as, again, the numbers of cases were too small. Thus, these results also cannot be generalised beyond the present sample.

TABLE 6.10  
Length of prior record by admissions

Length of prior record	Admissions	No admission	Total
0 - 2 .....	35	9	44
3 - 5 .....	22	2	24
6+ .....	40	2	42
TOTAL	97	13	110

It would appear that, at least for the present sample of cases, interrogation is absolutely central to the criminal process. This is as much the case, or perhaps even more so, for those experienced in the criminal justice system.

The overwhelming majority of defendants in the present sample co-operated with police, admitted to offences, implicated others and then pleaded guilty. There was no evidence of systematic or routine manipulation of the process, even by those who might be expected to be more knowledgeable and experienced in it.

It should be noted that, despite the prevalence of interrogation and confessional evidence, it may not be the only (or even the major) factor in every prosecution. In the present study it was found that, whilst admissions were the most prevalent type of evidence in the prosecution of robbery cases, they were rarely the only type of evidence available (see Table 6.6).



## **CHAPTER 7**

# **SENTENCING AND THE PENAL SYSTEM**

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## Introduction

Data were collected on the sentences given to those persons convicted of sample offences. The findings of this part of the study will be represented in this chapter along with some other available statistical data concerning patterns of sentencing in relation to robbery offenders. This material will be discussed in the light of some of the major themes of contemporary debates about sentencing policy and practice, in particular, the efficacy of incapacitating and deterrent sentencing strategies.

Difficulties arise in relation to any empirical examination of sentencing due to the highly variable and discretionary aspects of the decision-making processes that operate within sentencing. The nominal sentences handed down by the courts refer, in the case of imprisonment, bonds etc., to periods during which convicted persons are under sentence of the court and, in the case of fines, to amounts of money which convicted persons must pay into the public revenue. They tell us little about the specific nature and meanings of the actual sentences served. For example, a fine may result in a person going to prison if the person is unable to pay it (see Houghton, 1985). Nominal sentences of imprisonment (what is referred to as the 'head sentence') are not generally a good indication of the period of time a person will actually spend in prison (and of course they tell us nothing about the nature and purposes of the prison regimes under which the term of imprisonment is served). Systems of executive release (licence, parole and remissions or their equivalents) have always existed, in various forms, within modern penal systems to affect significantly the term of the sentence of the court and, in particular, what part of it is spent in institutions and what part of it is spent under some form of supervision in the community.

Sentencing is not therefore simply a matter of the decisions that are made by a court when a person is convicted of a criminal offence, but a matter of penal policy in the broadest sense, which encompasses the decisions of a range of agencies. Statistics that are taken from any one point in this process or any one agency can thus be misleading. Moreover, the organisation and interrelationships of the different agencies and decision-making processes may vary considerably from one jurisdiction to the next so that apparently similar statistical findings may be indicative of quite different actual practices and results.

### 7.1 Findings from the court study

One hundred and one persons were sentenced for sample offences. Of these 31 per cent (31 offenders) were given non-custodial sentences and the balance were sentenced to imprisonment. If patterns of sentencing for all persons convicted of robbery offences in the district court in 1983 are considered, it is found that 22 per cent were given non-custodial sentences. The divergence in the sample is

probably to be explained on the basis that some of those convicted of sample offences were not convicted of robbery, but of less serious offences such as steal from the person and assault.

**TABLE 7.1**  
**Type and length of sentence given to convicted offenders**

Sentence	No.	%
Recognizance .....	17	17
Fine .....	6	6
Recognizance + fine .....	4	4
Community service order .....	3	3
Periodic detention .....	1	1
<u>Institution</u>		
Up to 6 months .....	2	2
Over 6 months - 3 years .....	16	16
Over 3 years - 6 years .....	15	15
Over 6 years - 9 years .....	13	13
Over 9 years - 12 years .....	16	16
Over 12 years - 15 years .....	6	6
More than 15 years .....	2	2
TOTAL	101	100

**TABLE 7.2**  
**Non-parole periods of those sentenced to imprisonment**

Non-parole period	No.	%
Up to 1 year .....	8	11
Over 1 year - 2 years .....	18	26
Over 2 years - 3 years .....	10	14
Over 3 years - 5 years .....	18	26
Over 5 years - 10 years .....	12	17
Not applicable .....	4	6
TOTAL	70	100



Table 7.1 provides a breakdown of the types and lengths of total sentences given. It shows that nearly 70 per cent of those convicted of the offences in the current sample were given custodial sentences and, where such a sentence was imposed, its median length was about six years. As shown in Table 7.2, of the 70 offenders given custodial sentences, 66 (or 94 per cent) were eligible for parole and the median non-parole period granted was about three years.

Table 7.3 provides a breakdown of the sentences given by the type of conviction recorded.

TABLE 7.3  
Conviction by sentence

	Gaol	Periodic detention	Community service order	Bond/£ fine	Bond	Fine
Robbery .....	16	0	2	1	10	0
Armed robbery ...	47	1	1	0	1	0
Steal person ....	1	0	0	0	1	2
Demand money ....	5	0	0	1	1	0
Assault .....	0	0	0	2	3	3
Other .....	1	0	0	0	1	1

Table 7.3 indicates that 94 per cent of those convicted of armed robbery (47 out of 50) were sentenced to an institution whilst 55 per cent of those convicted of robbery (unarmed - 16 out of 29) were sentenced to an institution. A majority (56%) of those convicted of armed robbery were given head sentences in excess of six years, 18 of them (38%) receiving sentences of more than nine years. Of those known to have used a loaded firearm (only nine persons), two received head sentences of greater than three years and up to six years and the rest received in excess of nine years.

When sentence length is considered in relation to the number of robbery convictions recorded on the occasion of the offender's conviction for the sample offence, it is found that the great majority of those who had multiple robbery convictions received long-term sentences. Thus, of those convicted of four or more robberies, 89 per cent received head sentences of more than six years (i.e., 31 out of 35). Of those that were convicted of one robbery only almost one half (48%) received non-custodial sentences, although almost a quarter (23%) received sentences of between six months and three years and over a quarter received sentences of more than three years.

## 7.2 Deterrent sentencing

Deterrence has consistently been emphasised by the judiciary as the primary consideration when sentencing persons for robbery, especially armed robbery. Delivering judgement for the N.S.W. Court of Criminal Appeal in the case of R. v. Haining and Erratt (Unreported, 3/7/75), Chief Justice Street said:

"It is notorious in the community that armed robberies take place or are attempted, all too frequently, on occasions accompanied by physical violence and, indeed, sometimes by wounding or even killing. And it is, or should be, notorious that the courts will take a heavy-handed approach in the matter of sentencing persons who take part directly or indirectly in crimes such as these... we are of the view that the prevalence of armed robbery in the community requires a firm stand to be taken by the court. The legislature in 1966 increased the maximum penalty for this offence to twenty years. Criminals engaging in armed robbery, whether the proceeds be large or small... can expect to receive long gaol terms at the hands of the courts."

This view has been reiterated in various forms since and is reflected in the long-term prison sentences that are generally given by the courts for robbery offences.

Popular concern over the apparent decrease in the length of prison sentences is also often expressed in terms of the undermining of the deterrent effect of punishment and it is familiar to see increases in the incidence of crime laid at the door of supposedly inadequate deterrents. Deterrence tends to be the most common justification offered for long(er) prison sentences. It is important to emphasise, however, that the subjective perceptions and knowledge of offenders and potential offenders are central to any understanding of the possible deterrent effects of different responses to crime. Nevertheless, little research concerns itself with these issues. A recent exception is the study of Bennett and Wright on burglars (1984).

Bennett and Wright interviewed a group of burglars about their beliefs and expectations as to getting caught and sentenced for the burglaries they were committing (1984, ch.6). They found that a solid majority believed that on any typical occasion when they were last offending they either had no chance of getting caught (37%) or did not think about the chances of getting caught (50%). A majority also said they were not worried at the prospect of getting caught and sentenced or did not think about the consequences. A majority nevertheless said they had believed that they would be caught eventually. Of those who admitted to being worried at

getting caught, the majority said it was the prospect of going to prison that concerned them most. When asked about the beliefs they held as to likely sentence length, they tended to indicate that they were expecting longer sentences than they actually got. One conclusion from this generally supports the findings of other deterrence research - that the likelihood, or perceived likelihood, of getting caught is more important than expectations as to sentence to the extent that the likely deterrent effects of severe sentences are undercut if the perceived chances of getting caught are low. However, as the above findings indicate, and Bennett and Wright explicitly conclude, potential offenders may hold quite contradictory views about the consequences of offending. They suggest there is a "...complex relationship between beliefs held and beliefs used in decision-making" (ibid., p. 143), such that offenders may consciously choose to dismiss the threat of arrest on particular occasions to enable them to actually commit the offence.

The 23 convicted multiple robbery offenders interviewed in the course of this study reveal a similar complexity in the interaction between offending behaviour and beliefs about the potential consequences of offending. Whilst it is impossible to generalise from such a small sample, it is notable that, when asked what they thought their chances of getting caught were at the time of last offending, only four said they thought they had a good chance. Eight explicitly said they did not think about it, whilst seven more said in one form or another that they were fatalistic about getting caught, although this did not affect their decisions to offend on particular occasions.

Their responses to being asked about their concern at getting caught and sentenced elicited a similar pattern of responses. A minority were worried at the prospect of getting caught and especially at the chance of going to prison, but the majority were either not worried or more usually did not think about it. Their more detailed and individual reactions to such questions revealed a similar contradictoriness to that found amongst the burglars interviewed by Bennett and Wright and a similar tendency to suppress thoughts of getting caught and sentenced at the time they were actually planning and committing specific offences. A few offenders even said they were relieved when they were caught (cf. Bennett and Wright, 1984, pp.131-133).

The implication of these findings is that the crime reduction effects that might be expected from increasing penalties are likely to be limited, simply because penalty appears not to be the overriding consideration in the minds of the offender at the time offences are committed.

A reductive effect is more likely to flow from increasing offenders' perceived risks of getting caught, although the prospects for this are probably limited. Where the clearance rate is relatively high, as it is for bank robbery for example, greater publicity as to the fact might influence potential offenders' perceptions of risk as regard this form of robbery, although this is unlikely to influence some offenders and in any case it carries other potential costs that should be borne in mind. As regards the latter, it may be that an active publicity campaign to

influence the perceptions of potential robbery offenders as to the risks of being caught if they rob banks, or some other specific target, will simply have a displacement effect so that the incidence of robbery of other targets (such as petrol stations etc.) will increase (see Chapter 4).

However, as has been suggested above, some offenders simply suppress their knowledge and beliefs about getting caught when it comes to committing specific offences. Some of the robbery offenders interviewed in this study simply did not care about getting caught and often reached a stage in their offending where they welcomed it. Some of the heroin users interviewed said they saw the alternatives simply in terms of either getting caught or dying of an overdose, it being only a matter of time before one or the other occurred. Where, for whatever reason - collapsed relationships, collapsed businesses or worklife, heroin dependency etc. - individuals perceive their future in such negative terms, the threat of punishment is unlikely to be all that significant. It would be wrong, however, to assume that all, or perhaps even most, persistent robbery offenders have this view.

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# FURTHER INFORMATION REPORT

1. SUBMITTING STATION Darlinghurst				N.S.W. POLICE DEPARTMENT FURTHER CRIME INFORMATION REPORT			
2. Location Code H2601		3. Station Index No. 83/1145		8.		9.	
4. STATION ALLOCATING ORG. INDEX No. Darlinghurst				5. Date Completed 11.3.85			
6. Location Code H2601		7. Station Index No. on C.I.R. 83/1145		(office use)		(office use)	
10. VICTIM—Name (as originally reported)  BLOGGS Joe (Surname) (Christian names)				11. VICTIM—Name (Firm Name if Business)—where additional or corrected name supplied.  Indicate if name is additional <input type="checkbox"/> or altered <input type="checkbox"/>			
12. Res. Address 2/66 Victoria St, Kings Cross 237-4335				13. Res. Address Superhero Comix 11 William St, Darlinghurst			
14. TYPE OF CRIME (as originally reported) Assault and Rob				15. TYPE OF CRIME (to which original is to be altered)—give reason in NARRATIVE			
16. Where Committed Outside Davo's Diner, 13 1gg St, Potts Point							
17. SUSPECT/OFFENDER 1: Arrested <input checked="" type="checkbox"/> A Suspect <input type="checkbox"/> B Wanted <input type="checkbox"/> W Suspect <input type="checkbox"/> S Wanted <input type="checkbox"/> W Suspect <input type="checkbox"/> B Wanted <input type="checkbox"/> W Suspect <input type="checkbox"/> S Wanted <input type="checkbox"/> W Suspect <input type="checkbox"/> B Wanted <input type="checkbox"/> W Suspect <input type="checkbox"/> S Wanted <input type="checkbox"/> W							
18. Name Sebastian ADAMS		19. Address 53 Palmer St Darlinghurst		20. Place of Birth Sydney		21. D.O.B. 13.3.60	
22. Age 23		23. Sex M		24. Racial App. Aust		25. Height 182	
26. Build Solid		27. Hair Long Brown		28. Comp. Dark		29. Eyes Brown	
30. Occupation Unemployed		31. Alias/Nickname Ferret					
32. Associates (incl. Ref.)		33. Associates (incl. Ref.)					
34. Scars, Tattoos, Identifying Characteristics, Clothing, etc. "MUM" on R armpit, "SHARON" on L arm		35. Places Frequented Kings Cross Hotel					
36. Vehicle Used (year, make, colour, etc.)							
37. Arrested By Dets Lamb & Lion,				38. Station Darlinghurst		39. Date of Arrest 14.3.83	
40. NARRATIVE (Additional information concerning offence, property etc. If further property stolen, list identifiable items first) (Model No.) (Serial No.) Suspect arrested on Offensive behaviour charge, had stolen Bankcard (No. 496 65 34509) and a heavy teddy in his possession. No other property recovered							
41. ROBBERY—Molon TOTAL VALUE (incl. previously reported value) \$ 65							
42. Recovered (tick this F.I.R.) No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Fair Value \$ 0		43.		44. Any Property Identified Yes <input type="checkbox"/> No <input type="checkbox"/> Prob <input type="checkbox"/>		45. Evidence Yes <input type="checkbox"/> No <input type="checkbox"/> Prob <input type="checkbox"/>	
46. IS THIS CRIME Accepted <input checked="" type="checkbox"/> A Rejected <input type="checkbox"/> B Doubtful <input type="checkbox"/> D		47. Signature		48. Name Det Lion		49. Rank Det	
				50. Station Darlinghurst		51. Date 14.3.83	

DETECTIVE OFFICE