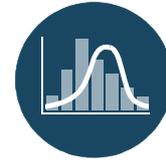


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Robbery in South Australia

*A discussion paper based on an
audit of Police Incident Reports of
unarmed robbery offences
reported during 1995*

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Introduction

Purpose of the study

The Australian Bureau of Statistics' National Crime Statistics have consistently shown *unarmed robbery* rates for South Australia to be at least 50% higher than the national average. This is in contrast to the *armed robbery* figures, which show this state to be close to the national figures. Other features of the ABS figures (see Tables 1 and 2 below) include the fact that:

variations between states in the level of *unarmed robbery* are more pronounced than the inter-state variations in the levels of *armed robbery*; and

the relative proportions of *unarmed* to *armed robbery* differ considerably between the states. For example, in South Australia in 1995 the ratio of *unarmed* to *armed robbery* rates was 2.99: 1, whereas the national figure was 1.48: 1. There is no obvious explanation for why the state figures should differ so widely, especially in the case of *unarmed robbery*.

Table 1. Robbery victims by State/Territory, 1994 and 1995

Offence	NSW		Vic		Qld		SA		WA		Tas		NT		ACT		Australia	
	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995
Armed robbery	2,218	3,811	773	757	863	870	467	366	584	671	63	61	14	17	64	78	5,046	6,631
Unarmed robbery	5,130	5,777	848	948	1,072	1,078	1,048	1,096	634	732	85	64	39	58	66	82	8,922	9,835

Source: ABS National Crime Statistics, 1995

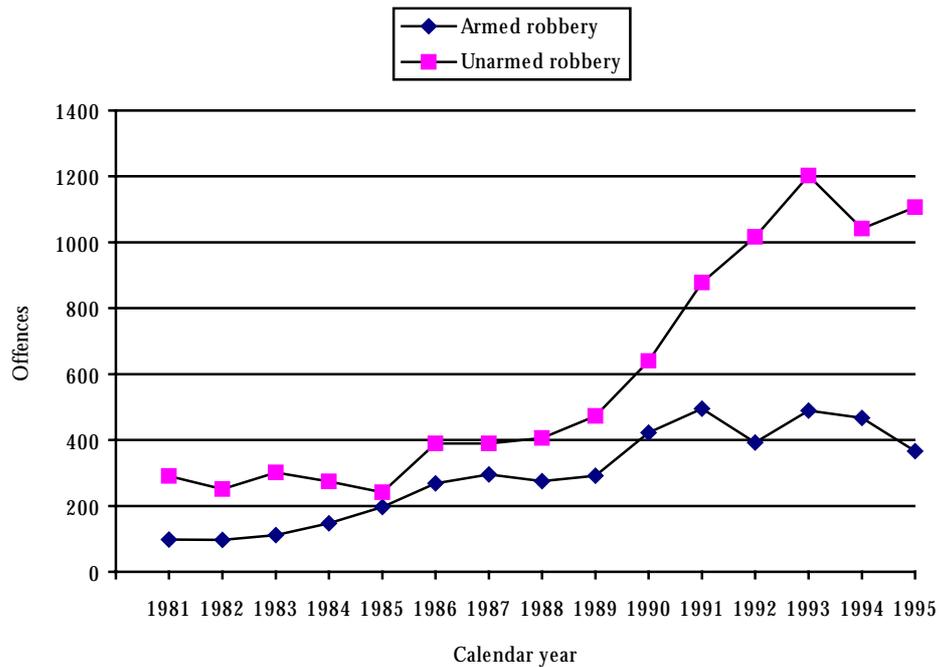
Table 2. Rate per 100,000 of robbery victims by State/Territory, 1994 and 1995

Offence	NSW		Vic		Qld		SA		WA		Tas		NT		ACT		Australia	
	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995
Armed robbery	36.67	62.32	17.27	16.81	27.00	26.55	31.78	24.83	34.33	38.75	13.3	12.9	8.18	9.78	21.2	25.6	28.29	36.73
Unarmed robbery	84.80	94.47	18.95	21.06	33.54	32.89	71.32	74.36	37.27	42.27	17.9	13.5	22.7	33.3	21.9	26.9	50.02	54.48
Ratio unarmed: armed	2.31	1.52	1.10	1.25	1.24	1.24	2.24	2.99	1.09	1.09	1.35	1.05	2.79	3.41	1.03	1.05	1.77	1.48

Source: ABS National Crime Statistics, 1995

In the case of South Australia, growth in reported *unarmed robbery* figures over the past fifteen years has far outstripped *armed robbery*. Long-term trends in South Australia show a larger increase in *unarmed robbery* levels than *armed robbery* (see Figure 1). Growth in *armed* and *unarmed robbery* was similar from the early 1980s until the early 1990s, with unarmed robbery increasing from 291 in 1981 to 640 in 1990 and armed robbery increasing from 98 to 422 over the same period. However, from that time on, the *unarmed robbery* trend accelerated away from that of *armed robbery*.

Figure 1. Trends in armed and unarmed robbery offences in SA



This upsurge in recorded robberies in South Australia and the fact that, according to ABS figures, *armed robbery* in this state is well above the national average, is, if true, a matter of concern. However, it is important to remember that official crime statistics such as these do not necessarily provide an accurate measure of the real levels of offending in the community, because they depend not only on the extent to which the community actually reports offences to police, but also on how the police and the criminal justice system actually define and count those offences.

2. Measuring robbery

It is assumed by the media and the public that official crime statistics provide an accurate measure of criminal behaviour. However, this is not necessarily true. Considerable discretion is available to police when deciding who to charge and what charges to apply in relation to a particular incident. Given this fact, it is obviously necessary to understand and ensure comparability in offence definitions and counting rules. While the ABS has attempted to do this, some concerns remain.

Some of these concerns relate to how *robbery* offences are actually counted in different jurisdictions, and how idiosyncratic changes to counting rules at the state level may impact

on national data collection systems. To illustrate, in 1995 the *armed robbery* figures for New South Wales nearly doubled compared with those of the previous year. This was not due to a sudden upsurge in the incidence of *robbery* but instead, was the result of a new approach adopted by that state to the counting of *robbery* offences¹. The change involved recording as victims any witnesses who felt traumatised by the offence, regardless of whether any property had been taken or any attempt made to be take property from them. By contrast, other states do not appear to have adopted this approach.

In addition to variations in counting procedures, there is also variation in the legal definitions applied to criminal incidents. A further complication is that the correct identification of an offence as *robbery* can be particularly problematic in some circumstances. This fact is frequently alluded to in South Australian Police Commissioner's Reports, which draw particular attention to the difficulty in distinguishing between larceny from the person (such as bag snatches) and *robbery*. This raises the possibility, then, that the high rate of unarmed robberies recorded in South Australia may be at least partly due to the fact that some "larceny from the person" offences are being mis-classified by police as unarmed robberies.

At a national level, there are clearly problems inherent in how other states count and define *robbery*, as indicated by the New South Wales example outlined above. If there are also differences in definition, then the ability accurately to undertake cross-jurisdictional comparisons in the levels and trends in reported crime is compromised. If, as appears to be the case, there are problems with *robbery* figures at the national level, one starting point to correct these problems is to scrutinise South Australian figures to ensure that there are no doubts over their meaning.

This study therefore sought to focus on the issue of definition, by asking, "To what extent are unarmed robberies in South Australia over-enumerated by the inclusion of offences which were in fact larcenies from the person?"

Defining robbery in South Australia

The South Australian legislation governing *robbery* is the Criminal Law Consolidation Act (CLCA). Section 155 of that Act relates to "*robbery and stealing from the person*", while section 158 deals with "*robbery with violence*". However, the purpose is to set out the major penalty for this broad category of offending rather than to provide definitions of what these offences actually entail.

Section 155 states

"Any person who robs another, or steals any chattel, money or valuable security from the person of another, shall be guilty of an offence and liable to be imprisoned for a term not exceeding fourteen years".

Section 158 states

"Any person who-

- (a) being armed with any offensive weapon or instrument, robs, or assaults with intent to rob, any person;
- (b) together with one or more other person or persons, robs, or assaults with intent to rob, any person;
- (c) robs any person and at the time of, or immediately before or immediately after, the robbery wounds, beats, strikes or uses any other personal violence to any person

¹ See footnote (b) to Table 1 iVictims by offence category, states and territories, 1995i (Page 13) in ABS National Crime Statistics, 1995

shall be guilty of an offence and liable to be imprisoned for life.”

For a definition of *robbery*, it is necessary to turn to English and Australian case law, which dates back hundreds of years. These are summarised in the case of *R vs. Stewart* [1929] SASR 500 (see Appendix for a copy). Other cases since then have further clarified the issues. A detailed discussion of the law on *robbery* in Australia is found in *Property offences* (C.R. Williams and M.S. Weinberg, 1986. See Appendix for an extract.). According to case law, *robbery* is defined as the act of taking something from a person by force or the threat of force; that threat can be by gesture or words.

Case law also distinguishes *robbery* from another offence: that of *larceny from the person*. This offence involves the taking of property from the person or from within the immediate control of the custodian of the property *but without the use or threat of force*. An example of *larceny from the person* is the taking of a purse or wallet placed beside a person standing at a bar². However, in practice, there is considerable room for confusion on the part of police when deciding whether an incident involves *robbery* or simply *larceny from the person*. The most common circumstance in which such confusion may arise is in relation to a bag snatch. If the victim falls in the course of the commission of the offence (but is not injured) it can be difficult to be certain whether this was the result of violence used by the offender or was accidental (e.g. perhaps the victim was merely startled and took a wrong step).

Michelle Ryan of the DPP advised³ that:

“... there is a significant difference between the offences of larceny from the person and robbery. This difference is that robbery requires violent assault or a threat of violence, while larceny from the person does not. The case law suggests that for robbery to be proved, it must be shown that the force used by the offender was such that it was intended to overpower the party robbed and to prevent his or her resisting: *R v Gnosil* (1824) 171 ER 1206. The South Australian authority on this point is the case of *R v Stewart* (1929) SASR 500:

“Robbery is a felony by the common law committed by a violent assault upon the person of another, by putting him in fear and taking from his person his money or other goods of any value whatsoever.” (At 502)

Thus, the important ingredient in establishing robbery is that the victim is put in fear by the violent assault of the offender. It is not robbery if the victim is threatened or fearful after the taking of the property, as it must be before or at the time of the offence: *R v Haniyas* (1976) 14 SASR 137. Quite obviously, then, incidents that involve bag-snatching, where no demand is made, and especially where the victim does not realise he or she is being stolen from, cannot be robbery.”

Williams and Weinberg (1986: 254-255) say:

“While the position at common law is by no means clear, it is submitted that the following propositions emerge as correct. If an accused has snatched a bag from a victim (who was unaware that this was about to occur) and has used minimal force (that is, no more force than was necessary to snatch it from the victim’s grasp) the offence will be larceny from the person. If the victim maintains a strong grip on the bag and the assailant uses force directly upon the victim’s fingers to pry them open, the offence will be robbery. If however, the victim merely refuses to let go of the bag and the accused eventually pulls it away after a struggle, without applying force directly to the victim, it is doubtful that the offence of robbery is made out. If, in the course of such a struggle, the victim is

² Whilst Williams and Weinberg argue that the court erred in *R. v. Stewart* in forming this interpretation of larceny from the person, it is nevertheless the case that the judgement still stands. Robbery can still occur in such circumstances, however, if violence is used or threats are made.

³ A full copy of Michelle’s advice is appended, summarising the findings of her assessments.

injured (whether by the direct application of force or by some indirect means such as falling over) the offence is robbery.”

A further potential cause of misunderstanding of the law in South Australia is the fact that, as noted above, both larceny from the person and *robbery from the person* have their penalty set in the one section of the CLCA (s.155). It is possible that anyone reading section 155 and who is not aware of the legal authorities on the topic could conclude that larceny from the person and *robbery from the person* were synonymous. When combined with the ambiguity discussed earlier, it might readily be concluded by someone unfamiliar with the law on these points that the distinction between the offences is of scant significance (if they accept it exists at all).

Or incorrect advice may be given regarding how to differentiate between them, as evidenced by an instruction to operational police officers from the Senior PIMS⁴ Analyst (see Appendix) who advised that:

“Larceny from the person becomes robbery if there are two [2] or more offenders present - *even if there is no violence* e.g. bag-snatch where one offender distracts the victim whilst the other steals the bag.” [emphasis in original]

This advice is misleading and entails an obvious misunderstanding of the law. It could, however, explain some of the elevation of the South Australian *unarmed robbery* figures. While Figure 1 shows that *unarmed robbery* figures had already reached their peak by the time the advice was issued (October 1993), the advice may have reflected a formalisation of a pre-existing ‘urban myth’ which was gaining currency. It seems unlikely as an explanation of the rapid growth in *unarmed robbery* in this state, however, as it implies that robberies in company⁵ should have increased significantly, and this does not appear to be the case. Nevertheless, it could have contaminated the figures and may reflect a more widespread confusion about the law. It should be noted that the original author of the instruction is no longer in that position and that neither the present holder of the position nor the present manager of the unit had any role in the issuance of the advice.

⁴ PIMS: Police Incident Management System. A database of information collected from Police Incident Reports. At the time of the issuance of this advisory, the PIMS Unit did not exist as a separate entity.

⁵ Robbery in company would be the obvious choice in such circumstances.

Representing and classifying offences on the Justice Information System

As noted above, not only does the legislation fail to provide a clear definition of *robbery*, but sections 155 and 158 also cover a number of different types of *robbery* - notably *violent robbery*, *armed robbery*, *attempted robbery*, and *assault with intent to rob*.

The ability to record offences in a way which allows differentiation between these various categories is important in ensuring an appropriate understanding of the nature and seriousness of *robbery* incidents which are being reported to police in this state. To provide this level of detail, South Australia has developed a system of representing and classifying offences for entry onto the state's centralised criminal justice database - the Justice Information System (JIS).

Representing offences: Lawids and Lawparts

The most basic level at which an offence is represented on the JIS is by these two numeric variables. Every time a new piece of legislation is entered on JIS, the offences within it are each allocated a lawid and a lawpart.

LAWIDS

A lawid is simply a number used by the JIS software to uniquely identify a particular act and section. Each time a new act and section is entered on the system, the next available number in the sequence is allocated. A given lawid has a start date and may have an end date, corresponding to the dates at which the legislation came into effect and was then repealed. A particular act and section which has been frequently amended would therefore appear once for each time it became active, with more recent versions having higher lawids. This allows a complete history to be kept of each body of law, showing what was in effect at a particular date. The main effect of maintaining the history is that whenever an offence is entered, the offence date is checked to ensure that only the legislation in effect at the time of the offence is selected. Thus, it is not possible to select an offence that was repealed at the time of the incident.

Below is an example taken from the Lawcodes system, showing two versions of s.158 of the Criminal Law Consolidation Act. This shows that one version was in effect from 1936 until 1995, when it was repealed and amended version introduced. The newer version has a different (and larger) value of lawid.

Table 3. Example of different lawids applied to the same offence

Lawid	Lawpart	Act, section and part	Offence description	Date effective	Date repealed
1628	0	CLC158(A)	Armed robbery	02/01/1936	31/12/1995
15980	1	CLC158(A)	Armed robbery	01/01/1996	

LAWPARTS

The lawpart is used to distinguish features of an offence which may contain a number of different types of action. For example, parts (a) and (b) of s.158 of the CLCA cover both

actual robberies and assaults with intent to rob. Where the OCS has determined that it is important to distinguish elements of an offence, these elements are assigned different lawparts. Thus, *armed robbery* and *assault with intent to rob whilst armed* are both offences against s.158(a), and have a lawid of 15980, with lawpart 1 for *armed robbery* and lawpart 2 for *assault with intent to rob whilst armed*. (There is a lawpart 0 for instances in which either details on the original paper forms, or data entry staff fail to distinguish the two types of offence.) Without the addition of lawparts, it would have been impossible to distinguish features the OCS considered were likely to be of significance. The decisions on when to subdivide an offence with lawparts have been taken largely on the basis of experience of inquiries we had received as well as any distinctions which it seemed obvious to make, e.g. between actual *robbery* and *assault with intent to rob* (lawparts 1 and 2 attached to s.158(a)). Although this appears rather *ad hoc*, it would not have been feasible to canvass all potential customers of the data for their requirements and in any case, experience has shown that such a process is not likely to yield useful results.

Table 4. Example of the use of lawids to distinguish features of interest within a given act and section.

Lawid	Law part	Act, section and part	Offence description	Date effective	Date repealed
1625	0	CLC155	Rob or steal from a person	2/11/1936	
1625	1	CLC155	Robbery	2/11/1936	
1625	2	CLC155	Larceny from the person	2/11/1936	
1628	0	CLC158 (A)	Armed robbery	2/11/1936	31/12/1995
15980	0	CLC158 (A)	Rob, or assault with intent to rob, whilst armed with an offensive weapon	1/1/1996	
15980	1	CLC158 (A)	Armed robbery	1/1/1996	
15980	2	CLC158 (A)	Assault with intent to rob whilst armed	1/1/1996	
1630	0	CLC158 (B)	Rob, or assault with intent to rob in company	2/11/1936	
1630	1	CLC158 (B)	Robbery in company	2/11/1936	
1630	2	CLC158 (B)	Assault with intent to rob in company	2/11/1936	
1632	0	CLC158 (C)	Robbery with violence	2/11/1936	

Table 4 is a complete list of the *robbery* offences under sections 155 and 158 which have ever been in use on the JIS. Table 4 shows how s.158(a) (which is lawid 15980) is subdivided into lawparts 0 to 2, with lawpart 0 being the undifferentiated version (essentially the wording of the offence in the Act), whilst parts 1 and 2 distinguish *armed robbery* from *assault with intent to rob whilst armed*. In like manner, s.158(b) (lawid 1630) covers lawparts 0 to 2, with part 1 designating robbery in company and part 2 *assault with intent to rob in company*.

As can be seen from the date repealed, lawid 1628, lawpart 0 (*armed robbery*) was replaced with lawid 15980, to take effect on 1/1/1996. Two lawparts (1 and 2) under the

new lawid were added, also effective on that date, to distinguish *armed robbery* from *assault with intent to rob whilst armed*.

Lawids and lawparts themselves are never seen by data-entry staff as these are used internally by the software. The system represents the offences by the act and section, and when a lawpart is necessary, it presents a list of alternatives from which a selection is required. Thus in the above example, the data entry clerk would enter a code for the Criminal Law Consolidation Act (CLC) and then the section (158) and then the part (a). They would then be asked whether the offence was *armed robbery* or *assault with intent to rob whilst armed*. Various other details about the offence may be employed by the system to perform classification that is more precise. Thus if a weapon type has already been entered, the selection of section (a) will be automatically made. Similarly, the type of location entered will be used to assign the offence classification to distinguish financial institutions from other types of locations.

The lawid and lawpart system allows for precise selection of offences when performing retrievals from databases, selecting not only precise acts and sections, but also offence details within them, which would otherwise be grouped together due to the wording of the section.

Classifying offences: JANCO codes

In addition to lawids and lawparts, every offence on JIS has a JANCO code associated with it. JANCO is an extended form of the ABS Australian National Classification of Offences. The system is operated and maintained by the OCS and is used by all JIS agencies and the Courts Administration Authority to ensure consistency in definition across the key criminal justice agencies.

JANCO provides additional levels of detail about a particular criminal incident, which for a variety of reasons are considered to be significant.

The JANCO classification forms the basis for reporting on offences in both the South Australian Police Commissioner's Annual Report and OCS' *Crime and Justice in South Australia*. As noted above it is the standard offence classification system adopted by all client agencies of the Justice Information System as well as the Courts Administration Authority. Not all levels of detail in JANCO are used in published reports. Published figures do not report, for example, on the 'financial institution/other location' distinction. However, the availability of the more detailed structure provides a convenient method for providing the more fine-grained statistical analysis needed for researcher purposes.

JANCO is a more finely detailed version of ANCO. The additional levels of detail have been added to highlight features of offences, which, for a variety of reasons, are seen as significant. In the case of *robbery*, ANCO divides the offence as follows:

2. Robbery and extortion

21. Robbery

211. Armed robbery

212. Other robbery

22. Blackmail and extortion

221. Blackmail and extortion

Under JANCO, each of the *robbery* offences (group 21) is subdivided into whether or not the location is a financial institution and the *armed robbery* group is then subdivided further according to whether the weapon was a firearm or not. The *unarmed robbery* group (212) is subdivided according to the use of violence in the offence.

Thus, the JANCO structure of the *robbery* groups is as follows:

21. Robbery

211. Armed robbery

2111. Robbery with firearm

21111. Robbery with firearm - financial institution

21119. Robbery with firearm - other location

2112. Robbery with offensive weapon (not firearm)

21121. Robbery with offensive weapon (not firearm) - financial institution

21129. Robbery with offensive weapon (not firearm) - other location

212. Unarmed robbery

2121. Unarmed robbery with violence

21211. Unarmed robbery with violence - financial institution

21219. Unarmed robbery with violence - other location

2122. Unarmed robbery with no violence

21221. Unarmed robbery with no violence - financial institution

21229. Unarmed robbery with no violence - other location

In general, a particular offence will be allocated a JANCO code according to the combination of lawid and lawpart. In many instances, other details such as weapon types, location of offence, age or sex of victim may be also used to determine the appropriate JANCO classification. Thus in order to select a precise set of offences from a list classified according to JANCO, the lawid, lawpart and the JANCO code must all be taken into consideration.

How robbery figures are presently reported.

Table 3 details the relationship between the statutory definition of *robbery* (as in sections 155 and 158 of the Criminal Law Consolidation Act) and the lawid/lawpart and JANCO code assigned to those sections. As indicated, the addition of lawids, lawparts and JANCO codes allows a degree of sophistication in the analysis, which would not be possible using the crude CLCA sections themselves. At the broad level, this combined classificatory system allows differentiation between the following categories of offending:

rob from the person

steal from the person

rob while armed with an offensive weapon

assault with intent to rob while armed with offensive weapon

rob together with another person

assault with intent to rob together with another person; and

rob person using personal violence towards the person or other person.

Within those broad groupings, further differentiation is made on the basis of

whether the *robbery* involved the use of a weapon and the type of weapon involved
whether it involved the use of violence and
whether the victim was a financial institution or other agent (such as an individual citizen.)

Table 3. Allocation of *robbery* offence subtypes to JANCO classifications.

CLCA: Section	Definition	Law ID	Law Part	JANCO	JANCO Definition
155 Rob or steal from the person	Rob from person	1625	1	21229	unarmed robbery with no violence - other than financial institution
				21221	unarmed robbery with no violence - financial institution
	Steal chattel, money or valuable security from person	1625	2	391	stealing from the person
158 (a) Armed robbery	Rob while armed with offensive weapon	1628	1	21119	rob with firearm - other than financial institution
				21111	rob with firearm - financial institution
				21129	rob with offensive weapon not a firearm - not financial institution
				21121	rob with offensive weapon not a firearm - financial institution
	Assault with intent to rob with offensive weapon	1628	2	21119	assault with intent to rob - with firearm - other than financial institution
				21111	assault with intent to rob with firearm - financial institution
				21129	assault with intent to rob with offensive weapon not a firearm - other than financial institution
				21121	assault with intent to rob with offensive weapon not a firearm - financial institution
158 (b) Robbery in company	Rob together with another person	1630	1	21221	unarmed robbery with violence - financial institution
				21219	unarmed robbery with violence - not financial institution
	Assault with intent to rob with another person	1630	2	21219	unarmed robbery with violence - not financial institution
				21211	unarmed with violence - financial institution
158 (c) Robbery with violence	Rob person using personal violence towards the person or other person	1632	0	21211	unarmed robbery with violence - financial institution
				21219	unarmed robbery with violence - not financial institution

As noted above, for the purposes of publication, this level of detail is generally not used. Instead, in the Police Commissioner's Annual Report and OCS' *Crime and Justice in South Australia* report, differentiation is made only between *robbery with firearm*, *robbery with other weapon*, and *other robbery*. Similarly, the ABS National Crime Statistics only reports on *armed* versus *unarmed* robberies.

Because s.155 of the CLCA makes no reference either to the use of violence or a weapon, then it is assumed that the *robbery* involved is unarmed and non-violent. However, as indicated in Table 3, the legislation (with its associated Law ID/s parts and JANCOs do not always define *robbery* offences as *armed* or *unarmed*. Hence, to allow the ABS to distinguish between the two, some judgement has to be made about whether a particular JANCO refers to an *armed* or *unarmed* incident.

Similarly, while all offences charged under s.158 by definition involve the use of violence, only s.158(a) specifies the use of a weapon. Hence, for the purposes of JANCO, it is assumed that if a weapon is involved, the person will be charged under this section, and if a weapon is not involved, he/she will be charged under s.158(b) or (c). Hence, in JANCO, 158(b) and (c) have both been coded as *unarmed robbery*. This means that the ABS are reporting on and including in their unarmed category:

JANCO 21229 and 21221-*unarmed robbery with no violence*
JANCO 21221 and 21229 - *unarmed robbery in company and assault with intent to rob in company and*
JANCO 21211 and 21219 - *unarmed robbery with violence*

And in their *armed* category, they include:

JANCO 21119, 21111 - *armed robbery or assault with intent to rob using a firearm*
JANCO 21129 and 21121 - *armed robbery or assault with intent to rob using a weapon other than a firearm*

Larceny from the person. - i.e. JANCO 391. - should not be counted at all.

One final point of explanation is required before the results will be considered; namely, the process whereby an initial report of an offence is assigned a JANCO code. This is as follows:

first, the offence is reported to or becomes known to police;

second, in entering that report onto JIS, the correct Act and Section must be identified;

The data entry officer will then be given a number of prompts designed to elicit additional information which will allow allocation of the incident to the correct lawid, lawpart and JANCO. For example, if the original entry involves s.155 of the CLCA, the first prompt is whether the offence is a *robbery from the person* or a *larceny from the person*. Failure to enter the appropriate option will result in incorrect JANCO codes being assigned, which in turn, will lead to incorrect counting in the statistical reports at both a state and national level.

Methodology of the study

A random sample of *unarmed robbery* offences reported or becoming known to police during the 1995 calendar year were selected on the basis of the JANCO code assigned when the data are entered onto the JIS. The appropriate law-id and lawpart was then used to exclude any offences under s.158(a) of the CLCA (*armed robbery*).

The following became the focus for case selection:

CLC155 ***Rob from the person***. (Lawid 1625, lawpart 1, which is assigned to JANCO 2122 - *unarmed robbery with no violence*. Lawpart 2, *steal from the person* was excluded)

CLC158(b) ***Rob in company***. (Lawid 1630, lawpart 1 - *rob in company* which is assigned to JANCO 2121 - *unarmed robbery with violence*. Excluded lawpart 2, *assault with intent to rob in company*).

CLC158(c) ***Robbery with violence***. (Lawid 1632. No further selection based on lawpart was required. This is assigned to JANCO 2121, *unarmed robbery with violence*)

A sample of these three offences was drawn from the data extract which is supplied annually to the OCS by the Police Statistical Services section. This extract is an exact duplicate of the data published by the police in the Statistical Review sections of the Police Commissioner's Annual report. The offences selected all involved *unarmed robbery* incidents where the location of the offence was not at a financial institution (bank, credit union, building society etc). The latter exclusion was made as it was considered that offences at these locations were less likely to be mistakenly designated as *robbery*. *Assaults with intent to rob in company* were also excluded because it seemed unlikely that there would be a mistake about the nature of this offence and there were relatively few such offences anyway (118 out of slightly over 1,000 *unarmed robbery* offences).

This listing was then forwarded to the Statistical Services Section within SAPOL, which extracted the associated Police Incident Report (PIR).

The numbers of cases selected for analysis were:

robbery from the person (CLC155) - 50 cases received from 51 requested. 49 were used⁶)

robbery in company (CLC158(b)) - 30 cases received from 57 requested.

robbery with violence (CLC158(c)) - 30 cases received from 55 requested.

As can be seen from the above, the sample requested was larger than that made available. Inspection of the list of requested cases showed no obvious pattern amongst those actually supplied, but in the interests of being confident that the sample was truly random it would have been preferable had the entire list been made available.

In turn, these PIRs were given to a DPP lawyer who, on the basis of the written description contained in them, assessed whether the charge was correct, and gave reasons in each instance⁷.

Results

The results can be assessed in two ways:

legal accuracy of the offence recorded

accuracy of the offences in the same JANCO classification

The first and most important relates to the accuracy of the offence selected by police; i.e. whether the offence definition originally chosen by police was correct in law. Inaccurate

⁶ One of the initial 50 cases turned out to have been classed as a larceny from the person and so was excluded from the sample.

⁷ The details of the individual incidents, together with Michelle's findings on each case, together with brief reasons, are appended to this report.

choices of offence may affect published figures if they belong to a different JANCO grouping from the correct offence and is at a level of detail to which the reports publish. For example, an offence initially recorded as *robbery from the person* but which should have been *larceny from the person* would affect the published figures, since *larceny from the person* is assigned to the larceny group (JANCO 391), while *robbery from the person* is assigned to JANCO 212. By contrast, an offence recorded as *robbery with violence* but which should have been *assault with intent to rob* would make no difference to the published figures as they are both assigned to the same JANCO group (211).

The second way of assessing the sample reveals how the handling of *robbery* offences affects published figures. This is not the same as the first point, since there is more than one form of mistake which can affect published figures. Not all of these result from misunderstandings of the law.

The ensuing discussion will first assess the purely legal aspects of the data and then present the implications of this for the published figures.

Legal accuracy of the recorded offence.

Unarmed robbery in company (CLC158(b), JANCO 21219)

Of the 30 cases selected for assessment which were officially defined by police under section 158(b) of the Criminal Law Consolidation Act as *robbery in company*, a reading of the description of each offence as contained in the PIRs indicated that only 16 were, in fact, robberies in company. Of the remaining 14 cases, one involved an *assault with intent to rob in company*, (s.158(b) of the CLCA), 10 involved *unarmed robbery with violence* (158(c)) while three were actually *larcenies from the person* (s.155). The overall error rate in terms of the accuracy of the charge laid was therefore 14/30 or 46.7%.

However, because all except *larceny from the person* have the same JANCO code (21219), in these instances, there would be no effect on the published figures. Thus, the overall error rate in relation to published data would have been 3/30 or 10%.

Table 4. DPP assessment of how charges of **robbery in company** should have been recorded and the effect of incorrect charges on published robbery figure.

No. cases	Appropriate offence	JANCO of correct offence	Effect on published statistics
16	Robbery in company	21219	None. Correct charge
1	Assault with intent to rob	21219	None
10	Robbery with violence	21219	None
3	Larceny from the person	391	Inflated robbery total; under-enumerated larceny

Unarmed robbery with violence (CLC158(c), JANCO 21219)

Of the 30 cases analysed, the majority were correctly charged under s.158(c) of the CLCA. Of the remainder, one should have been *robbery in company* (s.158(b)), one should have been *larceny from the person* (s.155) and three should have been *robbery from the person* (s.155). Again, however, only *larceny from the person* has a different JANCO code from *unarmed robbery with violence*, and so would not have affected the published statistics to any great extent.

Overall, the error rate in terms of correct nomination of this offence was 6/30 or 20% while the rate of error in terms of the published *robbery* figures was 1 in 30 (or 3.3%).

Table 5. DPP assessment of how charges of **robbery with violence** should have been recorded and the effect of incorrect charges on published **robbery** figures.

No. cases	Appropriate offence	JANCO of correct offence	Effect on robbery statistics
24	Robbery with violence	21219	None. Correct charge
1	Robbery in company	21219	None
1	Larceny from the person	391	Inflated robbery total; under-enumerated larceny
3	Robbery from the person (CLC155)	21229	None
1	Assault with intent to rob	21219	None

Robbery from the person (CLC155, JANCO 21229)

It was here that the biggest errors were observed. Of the 49 cases charged under s.155 of the CLCA and which were identified as *robbery from the person*, an examination of the PIRs indicated that the vast majority (35 of the 49) were in fact *larcenies from the person*. By contrast, only 12 obviously involved *robberies from the person*. Two further cases were borderline instances, which could have been either *robbery* or *larceny from the person*. The analyst from DPP finally decided that the two doubtful cases could best be treated as *robbery*.

Table 6. DPP assessment of how charges of **robbery from the person** should have been recorded and the effect of incorrect charges on published **robbery** figures.

No. cases	Appropriate offence	JANCO of correct offence	Effect on robbery statistics
14	Robbery from the person (CLC155)	21229	None. Correct charge
35	Larceny from the person	391	Inflated robbery total; under-enumerated larceny

Overall, then, the error rate was 35 out of 49 (or 71.4 %). Moreover, more importantly, because *larceny from the person* and *robbery from the person* have quite different JANCO codes, the result would have been a 71.4% error in the published figures. (This, however, assumes that once the charge had been stipulated, the JANCO appropriate for that charge would have been assigned. However, for reasons which will be considered in the next section, there were also errors in the JANCO codes assigned to six of the 49 cases. This caused the errors to be spread between two different JANCO groups, as will be explained later.)

All of these affected the published *robbery* figures, as well as the published *larceny* figures.

Total offences surveyed

Combining the three offences of *unarmed robbery in company*, *unarmed robbery with violence* and *robbery from the person*, and assuming that once the original offence has been identified by police, the correct JANCO is allocated, the audit showed that:

of the 109 cases originally selected for analysis, 54 were correctly charged;

of the 55 where the charge allocated was incorrect, 16 possessed the same JANCO code as the correct charge and therefore did not have the potential to affect the published statistics.

39, however, were not robberies at all, but *larcenies from the person*, and so, because they should have had a totally different JANCO, they had the potential to affect the published data by inflating the overall *unarmed robbery* figures. In fact, of the 109

cases in the random sample, 35.8% were incorrectly charged in a way which should have affected JANCO.

Errors in JANCO classification.

The above discussion is based on the assumption that once police have identified a particular offence and any necessary lawparts and additional data items have been selected, the JANCO code assignment is automatic. However, in the course of reading the Incident Reports it became apparent that the JANCO codes did not, in all instances, accord with the offence assigned. Some instances were discovered where the JANCO code was inappropriate to the offence originally charged. The errors did not impact on the published figures for unarmed *robbery* as a whole. However, these errors did affect the accuracy of the breakdown between *unarmed robbery* involving violence (JANCO 21219) and *unarmed robbery* without violence (JANCO 21229).

Assume, for the moment, that the offence as originally identified by police was accurate. Then because *unarmed robbery in company* was (at the time of this survey) classified under JANCO as involving an element of violence, then of the 109 cases analysed, 60 should have been given a JANCO code of 21219 (*robbery with violence*) while the remaining 49 offences defined as *robbery from the person* should have been coded to 21229 (i.e. *robbery without violence*).

Table 7. Mismatches between JANCO classification of **robbery** offences and the JANCO actually assigned.

No. cases	Appropriate offence	JANCO of correct offence	JANCO assigned	Effect on published statistics
30	Unarmed robbery in company	21219	21219	None. Correct charge
30	Unarmed robbery with violence	21219	21219	None. Correct charge
49	Robbery from the person (CLC155)	21229	21229 n =43 21219 n= 6	None. Correct charge None. Correct charge but incorrect JANCO

As can be seen in Table 7, six cases of *robbery from the person* (JANCO 21229) were incorrectly given a JANCO code indicating violence (21219). In effect then, because of wrong JANCOs, instead of a split of 60:49 between violent and non-violent robberies, the JANCOs indicated a split of 66:43. This did not affect the published figures, since neither SA Police Commissioner's Reports nor the ABS National Crime Statistics distinguish between violent and non-violent unarmed robberies. However the potential exists that future researchers may be misled in any JANCO-based analyses which attempt to differentiate violent from non-violent offences.

The cause of these errors was that either the JANCO code or the offence was changed at some point after the incident details were entered. Because the program which allows changes to be made to the data does not attempt to preserve the connection between offence and JANCO code, inappropriate combinations such as this are possible. Follow up inquiries indicate that undesirable and incomplete alterations such as these were being carried out by the PIMS maintenance section at the time, but the staff concerned are no longer involved. Changes were introduced in the computer processing of JANCO in July of 1997 which ensure that offences which failed to receive a JANCO code are returned to the originating officers for correction. Any offences which were altered in a way which might affect the JANCO code are automatically re-coded. This process is run nightly, whilst lists of uncoded offences are sent out monthly to police stations.

The other feature which became apparent from an examination of the Incident Report narrative was that the allocation of *robbery in company* to the JANCO grouping 2121 (*unarmed robbery with violence*) was in most cases inappropriate. (The assignment of the offence to that grouping is a feature of the Law Codes system and not a result of data-entry by police). There is nothing inherent in this offence which entails violence (although it is possible that violence could be used by one or more offenders). In just under 30% of cases, reading the narrative revealed no evidence of violence being used during the offence. In some instances this was due to the offence not being *robbery* at all, since it should have been larceny from the person, whilst the bulk were due to the above-mentioned classification of *robbery in company*. The offence of *robbery with violence* (CLC158(c)) was quite accurate where the presence of violence was concerned. Clearly there is a need to reconsider the classification of *robbery in company*.

Effect on published figures

In assessing the effect on the published figures, it is necessary to compare the offence as it should have been classified by police with the JANCO grouping actually assigned to it. In effect, this takes into account the two types of error noted above: namely, those resulting from the misidentification of offences in the first instance and then (in a small number of cases) the inappropriate application of JANCO codes as a result of changes to the data base once the original offence had been entered. As noted above, the second source of error occurred when some of the offences of *robbery from the person* (CLC155) were placed in the *robbery with violence* group (JANCO 21219) even though these offences belong in the *robbery with no violence* group (21229). There were six such offences out of the original sample of 49. One of the six was wrongly defined by police as *robbery* when it should have been larceny from the person. The other five offences were correctly classified as unarmed *robbery* but were of a different type from that specified - namely *with violence* rather than *without violence*. While legal scholars interested in the precise incidence of offences of a particular kind would be affected by these misapplied designations, they are not the focus of this study. Therefore, in the analysis to follow, only those cases which did not belong within the *unarmed robbery* group were counted as an error. All of these were ones which should have been described as larceny from the person.

Table 8. Breakdown of the types and extent of errors in the two main groups of **unarmed robbery** offences: robberies with versus without violence.

Offences	Robbery	Doubtful but probably robbery	Larceny from the person	% error
<i>Robbery with violence</i> (JANCO 21219)				
CLC155 <i>robbery from the person</i> (JANCO code changed. Should have been 21229)*	5	0	1	
CLC158(b) <i>robbery in company</i>	27	0	3	
CLC158(c) <i>robbery with violence</i>	29	0	1	
Total <i>robbery with violence</i>	61	0	5	7.58
<i>Robbery with no violence</i> (JANCO 21229)				
CLC155 <i>robbery from the person</i>	7	2	34	79.07

Of the 66 offences with a JANCO coding of 21219 (indicating *unarmed robbery with violence*), 61 actually involved an *unarmed robbery*, while five entailed *larceny from the person*. Of the 43 offences with a JANCO coding of 21229 (indicating *unarmed robbery without violence*), nine were finally classified as *unarmed robbery*, while 34 were actually *larcenies from the person*. In total then, of the 109 cases originally counted as *unarmed robbery* on the basis of their JANCO assignment, in only 70 cases did the descriptive account of the offence as documented in the PIR accord with this definition. In the remaining 39 cases, the offence should have been classified as *larceny from the person*. This gives an overall error rate of 35.8%.

The table below applies these results to the figures from 1995 and shows how the figures would have changed in the light of these findings.

Table 9. Extrapolation of error rates in the sample to the 1995 figures.

Police figures for 1995				
Offence category assigned by police	Original no.	% errors in audit	Adjusted figure	% reduction
Robbery with firearm:				
- financial institution	13	NA	13	0
- other location	81	NA	81	0
Total robbery with firearm	94	NA	94	0
Robbery with other weapon:				
- financial institution	3	NA	3	0
- other location	269	NA	269	0
Total robbery with other weapon	272	NA	272	0
Unarmed robbery:				
- with violence, financial institution	6	NA	6	0
- with violence, other location	904	7.58	835	7.58
- no violence, financial institution	2	NA	2	0
- no violence, other location	194	79.07	41	79.07
Total unarmed robbery	1,106	NA	884	20.07
Total	1,472	NA	1,250	15.08

The failure to correctly identify *larceny from the person* had the effect of under-counting this offence in the *larceny not of vehicle* category (JANCO 39).

The effect on the published figures of wrongly identifying *larceny from the person* as one of the types of robbery was estimated as follows. Within each category of robbery, the percentage of cases which should have been *larceny from the person* was calculated. The resulting percentage was applied to the total for each category as published in the 1995 *Crime and Justice in South Australia* report. Thus a total figure was obtained showing the likely number of cases of *larceny from the person* which may have appeared as *robbery* in the 1995 figures.

Table 10. Effect on published robbery figures of mis-identifying *larceny from the person* as robbery.

Offence type	Instances which should have been larceny from the person	No. of cases in the sample	% errors	No. of cases of this offence in the 1995 data	Estimate of no. of 1995 cases in error based on sample error rate
Robbery in company	3	30	10.00	311	31.10
Robbery with violence	1	30	3.33	556	18.53
Robbery from the person	35	49	71.43	202	144.29
Total	39	109	35.78	1,069	193.92

Table 10 shows that 194 additional cases of *larceny from the person* should have been included with the larceny figures for 1995. Note that this method of estimating the extent of the error produces a slightly different answer to the method used in Table 9, which gave a figure of 222 fewer (1472 minus 1250). This is due to not being able to weight accurately the CLC155 offences with incorrect JANCO codes.

Applying these figures, as set out below in Table 11, shows that whilst the overall larceny figure increased by a very small percentage, the *larceny from the person* sub-category more than doubled. This figure is separated as a sub-category in both the Police Commissioner's report and the ABS *National Crime Statistics* publication and so misleading data reached the public.

Table 11. Effect on published figures for larceny from the person if the larcenies from the person wrongly classed as robbery were included.

Offence category assigned by police	Original no.	Police larceny figures for 1995		
		% errors in audit	Adjusted figure	% change
Shop theft	9,304	NA	9,304	0
Steal from person	162	NA	356	+119.75
Other theft	42,286	NA	42,286	0
Total	51,752	NA	51,946	+0.37

Possible solutions

Problem 1: Confusion of robbery from the person with larceny from the person

It is important at the outset to state that it is not known at this stage whether the errors resulted from a misunderstanding on the part of the reporting police officer or were the result of data-entry errors. The latter could have occurred at the point at which, having selected section 155 of the Criminal Law Consolidation Act, the data-entry screen prompts for a choice between law-part 1 (*robbery from the person*) and law-part 2 (*larceny from the person*). The operator must then enter which alternative is intended. It is possible that a reflex action of always choosing the first option is the cause, or it may be that what is entered is an accurate copy of what was written on the form. The only way to be sure of the cause is to locate the original Incident Report paper forms for those found to be in error and check what was written on them. If the cause is careless data entry the strategy required to address the problem will be different from those required if it is due to a misunderstanding by some police of the meaning of the offence. In the former case, it may be possible to check through all instances of *robbery from the person* to locate obvious errors and then send them back to the source and have them corrected, as well as alerting supervisors to be on the lookout for this error. If the second is the cause, the police officers concerned could be made aware of their misunderstanding, together with relevant supervisory staff. Advisories could be sent out to all police personnel to clarify the confusion about this offence.

The longer-term solution to this problem is quite easy. The Model Criminal Code (a copy of the section on *robbery* is in the Appendix and is explained in the next section) is presently with the Parliamentary Counsel, and this eliminates the offence of *larceny from the person*. A definition of the offence of *robbery* is also included in the legislation itself, making it much clearer than at present. It is not certain how long this will take to be implemented and whether the final version Act will retain the present clarity with regard to *robbery*. The intent of the Model Criminal Code is to have a uniform criminal code across the states, which would for the first time provide a high degree of uniformity in criminal law, and thereby remove (although this was not amongst the stated goals of its architects) one of the fundamental obstacles to uniform crime statistics across Australia.

Until the Model Criminal Code becomes law, there remains the problem of eliminating (or at least significantly reducing) this source of error. The main problem appears to be with the category of *robbery from the person* (CLC155), with some 80% of such offences being incorrect. The other categories all had errors, but they were smaller. *Robbery in company* had a 10% error rate due to offences being counted as *robbery in company* when they should have been *larceny from the person*. Possibly the problem may have been due to some misleading coding advice circulated by the former Senior PIMS Analyst, in which he advised that *larceny from the person* becomes *robbery* when there is more than one offender. Circulating a new advisory countermanning this would be a worthwhile part of the solution.

Apart from this, it may be useful for the Statistical Services Unit to check each instance of *robbery from the person* (CLC155) and *robbery in company* (CLC158(b)) to identify instances which should have been *larceny from the person*, and change them where appropriate.

Problem 2: Over-use of 'with violence' classification.

The main cause of this is the way offences of *robbery in company* are classified. Steps have already been taken by OCS to remedy this by simply changing the classification to 21229 (*robbery with no violence*). OCS has written to all interested parties seeking

expressions of concern, and to date no objections have been received. Thus, this offence will be classified in that way commencing 1 January 1997.

If an incident occurs where more than one offender robs a victim and uses violence, it will be necessary to have a precedence rule to use. It is somewhat arbitrary whether to focus on the elements of violence or the fact that it was in company. The law makes no distinction as to the severity of the offences so there would be nothing gained or lost with regard to the severity of the offence being recorded. The preference of OCS would be to select violence as the feature to highlight in such circumstances and to leave the use of the *in company* designation for circumstances where there is more than one offender and no violence is used.

Once the Model Criminal Code becomes enacted, this issue will very likely disappear as the code regards the presence of extra offenders as an aggravating circumstance and assigns this a maximum penalty of 20 years, whilst the use of force is not an aggravating circumstance and attracts a maximum penalty of 12 years and 6 months. Thus if several people rob and use violence in the course of the offence, there is no ambiguity - the offence is one of aggravated *robbery*.

Problem 3: Inappropriate alteration of offence details and JANCO classification

As set out earlier, this was due to interventions by staff carrying out PIMS maintenance functions, but this practice is not followed by the new PIMS Unit. Changes to the processing of JANCO codes ensure that incomplete information resulting in offences which cannot resolve to a JANCO code are returned to the originating police officer for completion. Other changes which may alter the JANCO code trigger a re-run of the JANCO coding process, so that the offence receives a new JANCO code based on the new data. This has been in effect since July 1997.⁸

Problem 4: Effect of these findings on the ABS National Crime Statistics figures.

Clearly, the findings of the audit show that in two areas (*unarmed robbery* and *larceny from the person*) the national figures are unreliable. As can be readily appreciated from the earlier discussion of the law on *robbery*, the practice in NSW of counting witnesses to robberies of other people is a legal nonsense. Unless these people had property stolen from them they have not been robbed. They may have been victims of an assault, but not of *robbery*⁹. Clearly, this means that the NSW figures are not in accord with the definition of the offence and so are not comparable either to the concept or to the figures from other states. As can be seen from the discussion in the extract from Williams and Weinberg (1986) there is no justification possible on the basis of legislative difference between the states as both share the same legal foundation and precedents for the law on *robbery*. Both correspondence to the meaning of the concepts and comparability between the states are fundamental qualities that were expected of the national figures. While the inclusion of figures compiled in this way continues, the national collection fails in its aim. It is not good enough to attempt to solve the problem (as was done in the 1995 National Crime Statistics report) by means of an inconspicuous footnote to the effect that the NSW figures are not comparable between 1994 and 1995 (ABS National Crime Statistics, 1995. p13, footnote (b) to Table 1¹⁰). The fact remains that the figures were published in a way

⁸ Information was supplied by Annette Troiani, Manager of the PIMS Unit This.

⁹ I am indebted to Matthew Goode for this observation.

¹⁰ The full text of the footnote is as follows: "NSW introduced a new incident based reporting system in 1994. Since then victims of robbery have included trauma victims as well as those suffering financial loss. As a result it is not possible to compare NSW and Australia robbery figures between 1994 and 1995." Perhaps the note should have been extended to say that comparison is not possible between NSW and any other state, nor with any figures for robbery.

which did not even agree with the definition of *robbery* itself and was not a counting rule issue on which differences of opinion might reasonably exist.

It would be useful to examine the findings of the ABS audit before making any moves on this matter. If the proposed auditing and correction of errors in the South Australian data by Police Statistical Services could be shown to be under way, it would signify this state's willingness to contribute to the solution of its part of the problem. The issue of the NSW figures is more problematic. It could be argued that the ABS should not be including figures from NSW, as they are clearly not in accordance with the definition of the offence. The very large variations between the states suggest that NSW may simply be the most extreme example of more widespread and varied types of counting and definitional problems. It will be of interest to see the results of the ABS audit, to see if problems are more widespread than NSW and SA. It is tempting to speculate that police in some of the conspicuously low-figure states may simply not record some incidents where the offence was regarded as minor and there is little prospect of an apprehension.

A much simpler issue is the effect of the Model Criminal Code on the ABS figures. As this removes larceny from the person as an offence, the larceny figures will not be vulnerable to the confusion of this offence with *robbery*. The offence will simply disappear from the tables, thereby overcoming the issue for South Australia's figures. Whether it will be the answer to the other problem of the peculiar misuse by NSW of the *robbery* definition is doubtful, since the problem was not one of confusion of two similar offences, but of a total failure to adhere to the existing definition. Making a new definition is therefore no more likely to result in compliance than was previously the case.

The future of robbery - the Model Criminal Code

The Model Criminal Code is the result of work over a number of years by representatives of all the States and Territories to introduce uniform criminal laws. It also aims to clarify problematic legislation and codify some areas which were previously part of common law or case law.

Robbery has been a problematic area which has received attention in the Code (a copy of which is in the Appendix). The code has provided for the first time a definition of the offence as part of the legislation governing it. The definition emphasises the key aspects of:

theft from a person and

use of force or the threat of it (with the aim of either committing the theft or escaping the scene)

The issue of the use of force is qualified by specifying that the force must be used either during the offence or immediately before or after the theft and provides for circumstances in which the force (or threatened force) may not necessarily involve the person from whom the property was stolen, but be directed against a third person. The offence carries a maximum penalty of imprisonment for 12 years and six months.

It then specifies *aggravated robbery* as a more serious form of the offence, entailing either *robbery* in the company of one or more others or the possession of an offensive weapon. The maximum penalty for *aggravated robbery* is imprisonment for 20 years.

The code removes the offence of larceny from the person as a distinct offence, simply relegating such offences to the general category of larceny.

The Code has been fully drafted by the working party and has been submitted to the Parliamentary Counsel for turning into legislation. It is expected that a Bill resulting from the Model Criminal Code should come before the South Australian House of Assembly before the end of 1997 (Goode, M: 1997; per. com.)

Appendices

Copy of *R v Stewart and others*, SASR 736 of 1929.

Copy of sections 155 and 158 of the South Australian Criminal Law Consolidation Act

Copy of *Property Offences* by C.R. Williams and M.S. Weinberg. (The Law Book Company, second edition, 1986)

Copy of coding advice on the distinction between robbery and larceny from the person. (SAPOL, Senior PIMS Analyst, October 1993, Issue 3)

Copy of the Model Criminal Code. Division 16, *Offences related to theft*.

Copy of Minute dated 19 October 1996 from Michelle Ryan, DPP, summarising her findings on the sample of robbery cases submitted to her.

Listing of the 109 robbery Incident reports forming the study sample, showing the narrative of the incident, the offence originally allocated and Michelle Ryan's determination on the appropriate offence, together with brief reasons.