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# Stealing in NSW


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## WHAT IS IT?

To steal, as defined by Collins Concise English Dictionary, is 'to take something from someone without permission or unlawfully, especially in a secret manner'.[1] While most people perceive stealing this way, such a broad definition fails to disclose the variety of theft which exists in the community. For statistical purposes, theft offences are grouped into several categories according to the particular characteristics of the offence. These categories include: fraud; break, enter and steal; receiving; goods in custody; motor vehicle theft; and all other forms of stealing. It is these other forms of stealing that will be examined here.

In official statistics for NSW, stealing refers to the unlawful taking of property, including stock and pets, from persons and property without force or deceit. This can range from the seemingly trivial act of 'souveniring' from pubs or hotels to unlawfully removing expensive machinery from the back of a truck. Other well known examples of stealing are pickpocketing, handbag snatching and shoplifting.

This bulletin examines the extent of stealing in NSW, when it occurs, what is stolen and the characteristics of victims and offenders. Shoplifting accounts for a major proportion of stealing from businesses and shop premises. This offence has been extensively researched and is examined in detail in the bulletin. Finally, strategies for dealing with the problem of stealing, and shoplifting in particular, are considered.

## HOW MUCH IS THERE ?

Historically, stealing has constituted the largest proportion of all recorded criminal offences. In 1990, there were 131,164 stealing offences recorded by police in NSW, a rate of about 15 offences every hour. This represented 2,273 stealing offences per 100,000 persons and constituted 27.2 per cent of all recorded offences in NSW.[2] This figure is very high especially when one considers that a significant proportion of stealing offences go unreported. People often do not report stealing offences to police because they consider them too trivial or unimportant, or because they believe police either cannot or will not do anything about them. Indeed, data from a survey of victims showed that in NSW in 1983 the actual incidence of household property theft was 2,600 victims per 100,000 households and for personal theft was 5,300 victims per 100,000 persons.[3] These rates are noticeably higher than the rates for stealing offences recorded by police at that time. The rates of stealing offences recorded by the police in the years 1982-83 and 1983-84 were 1,938 and 2,045 offences per 100,000 persons, respectively.[4]

## WHERE DOES IT OCCUR?

### REGIONS

In 1990, the highest rate of stealing in NSW was recorded in metropolitan Sydney and the lowest rates were recorded in country NSW. The regional distribution of stealing offences in metropolitan Sydney is shown in Map 1 and the distribution for the remainder of NSW is shown in Map 2. In the maps each Local Government Area is shaded to indicate the rate of recorded stealing offences per 100,000 population in the area.

The highest rate of stealing in NSW by far was recorded in Sydney City. Waverley, Leichhardt, Woollahra and North Sydney also recorded high rates of stealing in metropolitan Sydney, although much lower than that for Sydney City. Baulkham Hills and Ku-ring-gai recorded the lowest rates of stealing in metropolitan Sydney.

In country NSW, Snowy River, Moree Plains, Bourke and Albury recorded the highest rates of stealing, which were comparable to the high rates recorded in metropolitan Sydney (with the exception of Sydney City). The small shire of Quirindi in northern NSW recorded the lowest rate of stealing in the State in 1990.

### PLACES

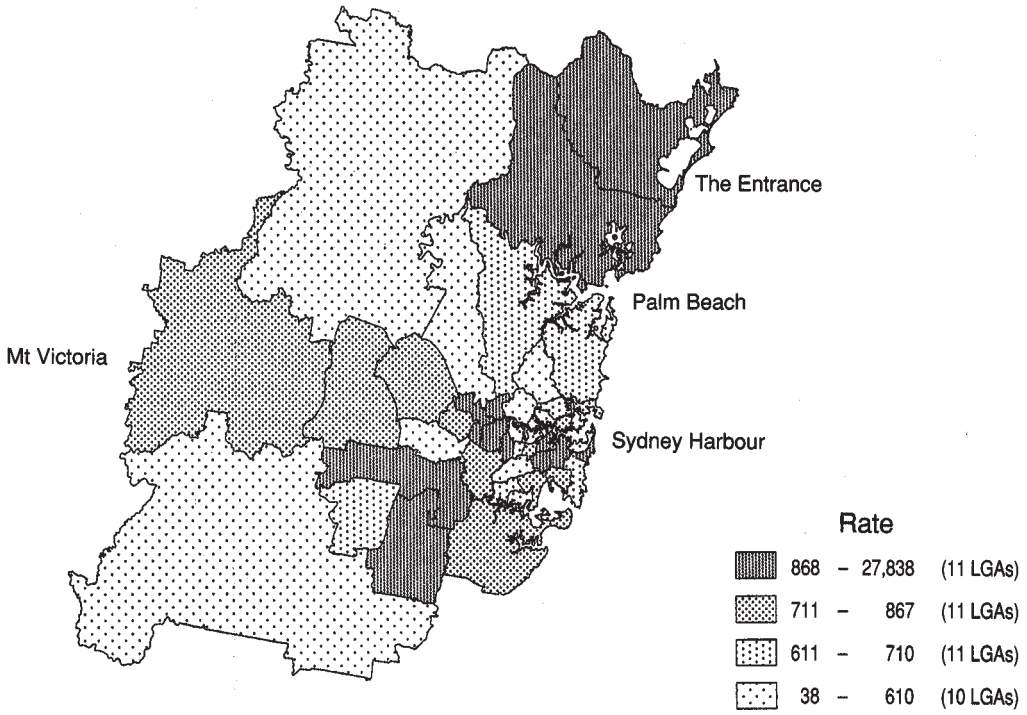
In NSW, stealing offences are categorised three ways: stealing from property (e.g., larceny from a dwelling), stealing from the person (e.g., pickpocketing) and stock stealing (e.g., stealing pets or farm animals).

Most of the stealing offences recorded in 1990 involved stealing from property (126,706 offences or 96.6% of all recorded stealing offences).[5] A large proportion of these stealing offences occurred in business and shop premises (24.4% or 30,932 recorded offences), almost a quarter of which were recorded as occurring in department stores. The majority of these involved 'shoplifting' and are examined in more detail later. A large proportion of stealing from property offences also occurred in the street (20.0%), including bicycle theft, theft of goods from cars and theft of road signs. Similarly, private houses, townhouses, flats and units were popular premises for offenders stealing from property (20.9% of all recorded stealing from property offences) as were parking areas[6] (11.5%).

Substantially fewer recorded stealing offences in 1990 involved stealing from the person (3,533 or 2.7% of all recorded stealing offences), such as handbag

# Rates of recorded malicious damage offences per 100,000 population, 1990

## Map 1: Local Government Areas in the Sydney Statistical Division




## Map 2: Local Government Areas in country New South Wales

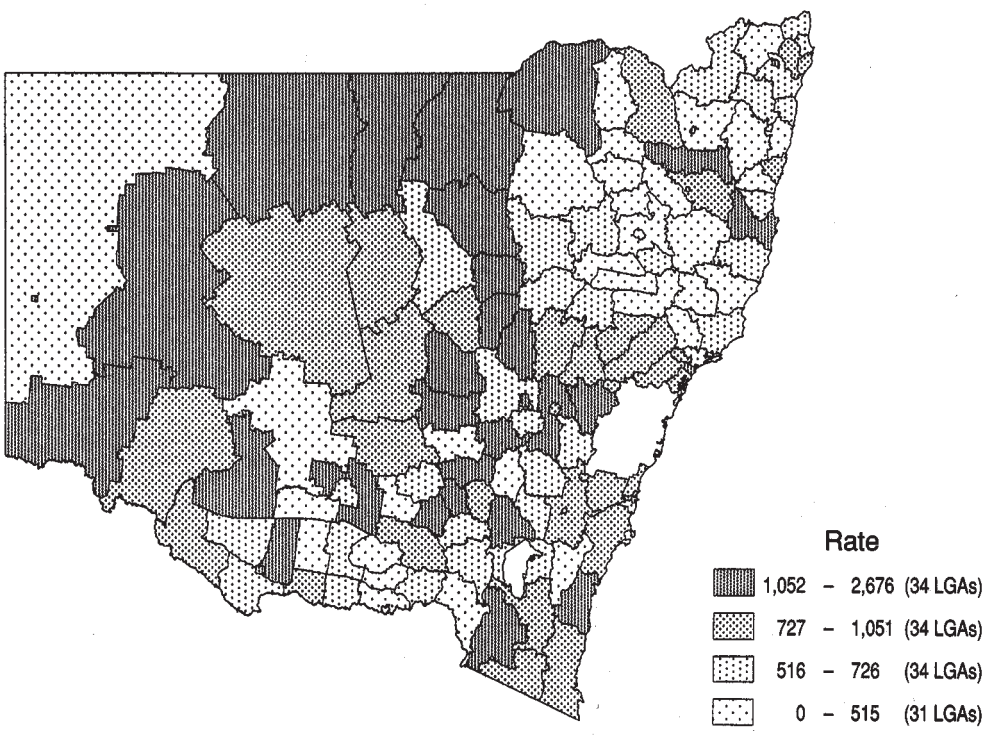
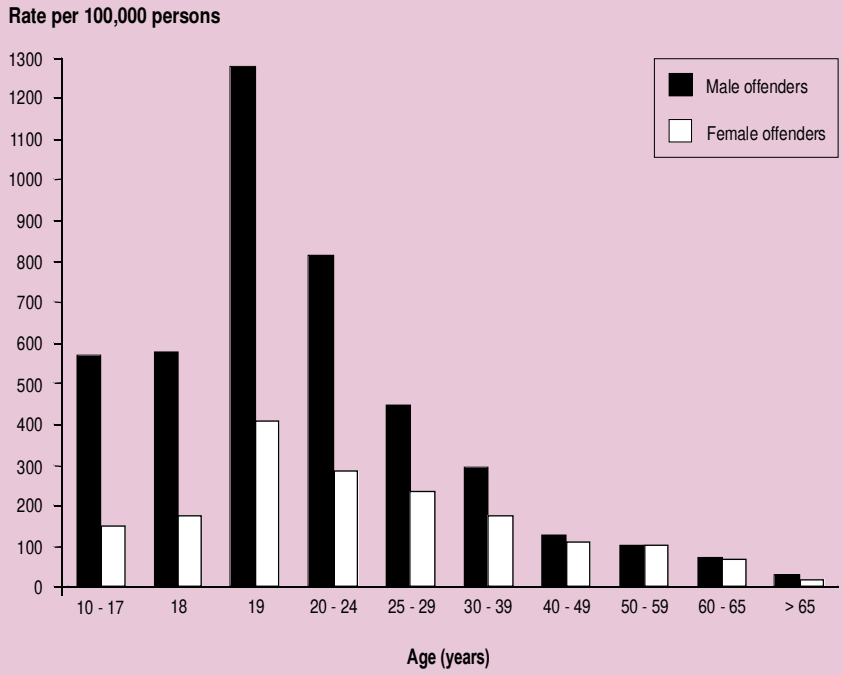


**Figure 1: Age and gender of proven stealing offenders in NSW, 1990[12]**




snatching and pickpocketing. Unsurprisingly, over half of these offences occurred in the street (51.7%). Railway stations and buildings, and parking areas were the next most likely places for stealing from the person to occur (6.5% and 6.3% of all recorded stealing from the person offences, respectively).

## WHAT IS STOLEN?

Results from the 1983 ABS victim survey indicated that cash, household goods (other than electrical appliances), and handbags and wallets were the most popular items stolen from Australian householders (18.3%, 13.6% and 10.9% of all stolen items, respectively).[7] Radios, stereos and televisions were the next most likely targets of theft (6.6% of all stolen items), followed by jewellery and cameras (4.3% of all stolen items).

## WHO ARE THE VICTIMS?

There is an element of planning to most crimes of theft which is determined to some extent by the thief's motivation and the specific skills he or she possesses. Victims are selected on a variety of criteria including how much the thief can gain from them with the least amount of risk.[8]

According to ABS figures in 1983, the persons at greatest risk of being a victim of personal theft were aged 15 to 24 years, male, never married, unemployed and living in a mobile and/or improvised dwelling.[9] Interestingly, these demographic characteristics are typical of victims of crime in general, not just victims of stealing.

## WHO ARE THE OFFENDERS?

As with all offences, our knowledge of the characteristics of stealing offenders is restricted to details of offenders who are apprehended. In 1990, there were 9,583 adults found guilty of stealing and a further 2,518 juveniles were found guilty of stealing in 1989-90.[10]

As seen in Figure 1, proven stealing offenders were generally young, mainly ranging in age from 10 to 24 years. In 1990, 19 year olds clearly demonstrated the highest rate of proven stealing offences, followed by 20 to 24 year olds. This is consistent with the general pattern of crime for many countries. Rates of offending tend to increase rapidly through the teenage years and peak in the late teens and early twenties.[11]

The trend in stealing that occurs across ages was similar for males and females. As illustrated in Figure 1, however, the rates for females were generally much lower. In fact in 1990, the rate of stealing for females aged 19 years was less than one third the rate for males at this age (413 recorded offences per 100,000 population for females versus 1,283 recorded offences per 100,000 population for males). From the age of 40 years onwards, the rate of stealing for both males and females was very low.

## WHAT HAPPENS TO OFFENDERS?

About two centuries have passed since the first convicts were transported to Botany Bay for stealing something as basic as a loaf of bread. Since this time the public's and the court's perception of the seriousness of stealing has changed dramatically, as have the penalties for stealing offences.

The penalties usually imposed for stealing offences vary according to the jurisdiction. The most common penalty by far for stealing in the NSW Local Courts in 1990 was a fine, followed by a recognizance and then imprisonment. Almost 60 per cent of proven stealing offenders dealt with in the Local Courts received fines and these ranged from less than $250 to over $4,000. Over 80 per cent of these fines were less than $500. About half of the juveniles found guilty of stealing received a recognizance or were dismissed and cautioned by the Children's Court.[13] In the Higher Courts, almost half of the proven stealing offenders (46.4%) received a prison sentence.[14] The Higher Courts deal with the more serious cases of stealing.

## SHOPLIFTING - THE MAGNITUDE OF THE PROBLEM

Shoplifting, or larceny from retail stores, is a well-researched stealing offence which accounted for three-quarters of the stealing offences recorded in NSW business and shop premises in 1990 and 18 per cent of all stealing offences recorded by police.[15] Given this, a more detailed look at the problem of shoplifting is warranted.

In some ways, the style of shopping we see in the late twentieth century encourages shoplifting. For example, merchandise is openly displayed to facilitate self-service, shops have a poor shop staff to shop floor ratio which gives rise to low security, and there is a tendency for shops to portray an impersonal image which makes it easier for people to rationalise stealing from them.[16] It is not uncommon for people to perceive stores as wealthy companies that overprice and can cope with losses from shoplifting, and in some cases supposedly deserve shoplifting.[17]

The true incidence of shoplifting in NSW, and indeed anywhere, is unknown. Researchers estimate that only between one in ten and one in fifty shoplifters are ever detected and even fewer are brought to the attention of police. This is not only because of the skilful techniques employed by shoplifters but also because retailers appear reluctant to prosecute shoplifters. Several reasons for this have been proposed including fear of litigation for false arrest, bad publicity, losses associated with the removal of staff from the shop floor to deal with shoplifters and subsequent proceedings, and dissatisfaction with the manner in which courts deal with shoplifters. Based on Victorian findings, less than a third of detected shoplifters are referred to the police by retailers. Instead, retailers deal with thieves directly by demanding payment for goods, banning them from the shop, notifying parents or other family, or taking no action whatsoever.[18]

Shoplifting is said by some sources to be costing NSW retailers hundreds of millions of dollars per year.[19] Although the official figures provide a gross underestimate of the actual losses, the reported monetary losses are nonetheless disturbing. The value of goods stolen in shoplifting offences recorded by police in 1990 exceeded $12 million.[20] With 23,827 recorded shoplifting offences in all, this was an average of about $505 per offence. Of these recorded offences, 29 per cent (or 6,898 offences) occurred in department stores. The cost of this category of theft came to $1.2 million. The most notable losses from shoplifting occurred in jewellery shops. In 1990, 305 shoplifting offences were recorded as occurring in jewellery shops and the value of the goods involved totalled some $2.2 million or over $7,000 per offence. Consumers pay for this theft in the form of higher prices for goods.[21]

So, who are the shoplifters? From the literature, it is clear that shoplifting has traditionally been perceived as a 'woman's crime'. A closer look at proven shoplifters in NSW, however, shows otherwise. It also reveals some interesting gender differences between shoplifters and other thieves.

Firstly, Local Court figures for 1990 show that men were more likely to be found guilty of shoplifting than women (men recorded 92 proven shoplifting offences per 100,000 population and women recorded 85 proven shoplifting offences per 100,000 population).[22] As Figure 2 illustrates, however, this was not the case for all age groups. Between the ages of 30 and 65 years women had a slightly higher rate of shoplifting than men. This was unlike the age pattern for all stealing offenders (see Figure 1) where females of all but one age group (50-59 years) had a lower rate of stealing than males.

Overall, the numbers of men and women found guilty of shoplifting were very similar. This contrasts markedly with the relative numbers of men and women found guilty of other stealing offences, and indeed, of all other criminal offences. As can be seen in Table 1, male offenders overwhelmingly dominated criminal offences in the Local Courts in 1990.

Males accounted for at least 80 per cent of proven offenders for most types of offence. Shoplifting was the only offence where male and female offenders were almost equally represented.[23] Hence, shoplifting may be regarded as a 'woman's crime' only to the extent that, atypically, female offenders are almost as common as male offenders.

While researchers and the media focus their attention on shoplifters and customer theft, another form of shop stealing that is of equal concern appears to be going on behind the scenes. Victorian retailers surveyed in 1981 estimated that customers accounted for some 40 per cent of loss through theft, while 60 per cent of their losses were due to theft by employees. One major Australian retailer reported a 1 in 140 dishonesty rate amongst their staff in 1981.[25] With these kinds of figures, it is obvious that employee theft is a major problem, possibly producing greater economic damage than shoplifting.

## WHAT CAN BE DONE?

By its very nature, stealing is a difficult crime to solve. In many instances the act goes unwitnessed and when, or even if, it is discovered, the likelihood of it being reported to police is somewhat slim compared with other stealing offences such as motor vehicle theft.

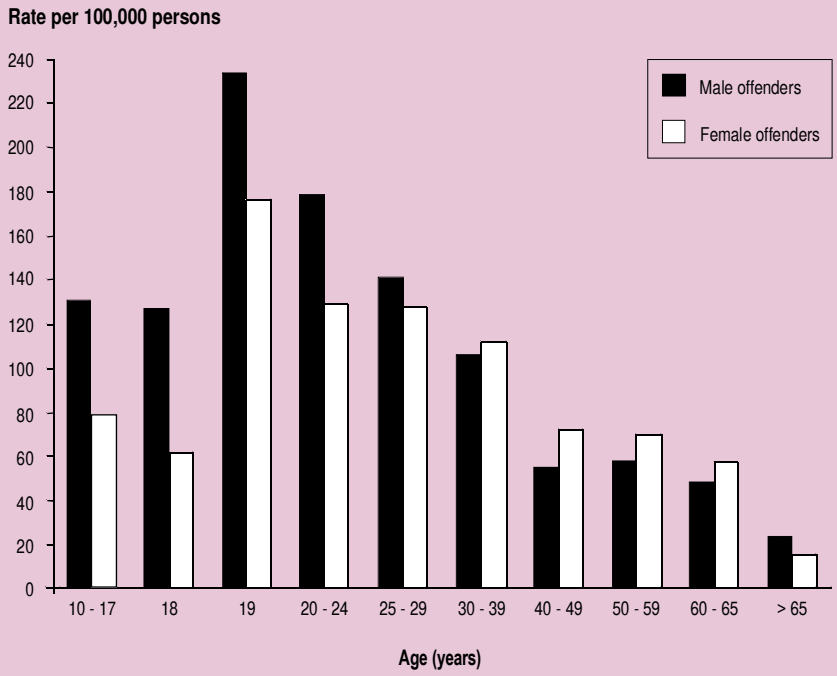
Addressing the problem of stealing begins with appreciating that stealing is a crime, and based on survey findings,

**Table 1: Proven offenders: Number and percentage of males and females by type of principal offence in NSW, Local Courts, 1990**

| | *Male* | | *Female* | | *Total* | |
|---|---|---|---|---|---|---|
| ***Type of principal offence*** | ***No.*** | ***%*** | ***No.*** | ***%*** | ***No.*** | ***%*** |
| Shoplifting | 1,938 | 51.1 | 1,854 | 48.9 | 3,792 | 100.0 |
| Theft (excluding shoplifting) | 10,518 | 80.0 | 2,622 | 20.0 | 13,140 | 100.0 |
| Against the person | 10,181 | 90.3 | 1,097 | 9.7 | 11,278 | 100.0 |
| Property damage | 3,586 | 91.8 | 321 | 8.2 | 3,907 | 100.0 |
| Against good order | 11,220 | 85.7 | 1,868 | 14.3 | 13,088 | 100.0 |
| Drug | 6,379 | 85.7 | 1,065 | 14.3 | 7,444 | 100.0 |
| Driving | 34,375 | 90.6 | 3,570 | 9.4 | 37,945 | 100.0 |

Source: NSW Bureau of Crime Statistics and Research 1991, *New South Wales Lower Criminal Courts and Children's Courts Statistics 1990*, NSW Bureau of Crime Statistics Research, Sydney.

**Figure 2: Age and gender of proven shoplifting offenders in NSW, 1990[24]**




this translates into altering the community's perception of stealing. On this issue, Brown has criticised the way in which criminal activity is softened by description.[26] Commonly used terms such as 'shoplifting' and 'souveniring', he says, detract from the fact that these activities are crimes.

Recognition of a crime problem leads to increased awareness and facilitates the implementation of preventative measures. It is believed that people will steal if they are given the opportunity, so it follows that minimising opportunities is important for prevention.[27] Adequate security helps to achieve this.

## PREVENTATIVE MEASURES FOR DWELLINGS

For dwellings, the locking of windows and doors are simple security measures that apparently residents do not take seriously. In 1991, the NRMA reported that a thief entered through an open window or door in 8 per cent of household burglaries brought to their attention.[28] Beyond the front and back doors of the home, physical features and objects around the home can be manipulated to minimise theft. The installation of fences, gates, gate-chimes and so on maximise the difficulty of access for offenders to the yard and increase the risk of detection. However, physical barriers should not be so high that they conceal offenders and reduce their detection from the street or elsewhere. Similarly, outdoor areas, including the vegetation, should be well maintained so that offenders have little opportunity to conceal their activity. In addition to this, adequate external lighting further reduces opportunities, although the lighting must be out of reach of interference.[29]

A strategy widely advocated today is the development of social and local information networks, such as the Neighbourhood Watch scheme. Such schemes breed security-consciousness and in doing so increase the risk for offenders and their chances of being detected.[30]

With respect to the targets of theft, a number of preventative strategies can be employed. Commonsense dictates that goods, such as tools and garden implements, should be put away when not in use. This means into a locked storage facility, preferably one in which the goods are not readily displayed. Decorative items purposely on display outside the home and in the yard should be viewed as high risk targets of theft. To minimise the value and disposability of targets, an identification marking system should be used. Where possible, traceable identification numbers should be engraved on goods, such as a driver's licence number. Otherwise, the serial number and a description of goods should be recorded. This also increases the possibilities for retrieving goods if they are stolen.[31]

## PREVENTATIVE MEASURES ON THE STREET

Official figures indicate that possessions are at high risk in the street. Accordingly, possessions should never be left in an unattended motor vehicle. If unavoidable, the items should be inconspicuously concealed and the locked vehicle parked in a well lit and open area.[32] With respect to personal security, several measures can be observed. Firstly, poorly lit areas should be avoided. When possessions are being carried, at a minimum they should be in clear view and within easy reach at all times. Handbags, purses, wallets and the like should be kept very close to the body. Preferably, handbags should not be slung over the shoulder but tucked under the arm and wallets should not be kept in back pockets. Large amounts of money should not be carried around, and when handling money, such as at shops and automatic money dispensers, the transaction should be very discrete and not draw attention.[33]

## PREVENTATIVE MEASURES FOR SHOPS

The problem of shoplifting and effective measures to deal with it are well documented. It has been strongly suggested that the solution to the problem does not lie within the criminal justice system but is the responsibility of retailers, simply by virtue of the role they play in the growth of shoplifting through their marketing methods.[34] Popular recommendations for combating shoplifting include the abolition of shopkeeper complacency, high staff cover or consistent staffing

levels, staff surveillance, the employment of security personnel and installation of security equipment systems, security-conscious shop structures and displays, and the implementation of awareness programmes in schools, in the media, and for retailers.[35]

Research into the attitudes of shoplifters has some useful applications for curbing shoplifters' activities. According to Kallis and Vanier, promotional campaigns designed to 'appeal to the shoplifter's innate sense of individuality - messages such as "Make a choice on your own - don't shoplift" ' may be more effective than campaigns based on social norms or peer pressure.[36] Similarly, campaigns that emphasise the penalties for shoplifting are less likely to influence shoplifters' activity than those portraying shoplifting as a sickness. Kallis and Vanier also suggest that the use of nonelectronic deterrents, such as the checking of packages and clothing, may be more effective than electronic devices, such as television cameras and electronic alarms.

With respect to reducing employee theft, a 'hard line' approach has been advocated by some. In this approach, staff are clearly informed that stealing is not tolerated and will result in dismissal. Work practices are structured in such a way that the majority of staff are given minimal responsibility and not trusted to access certain vulnerable work areas or perform certain tasks.[37] A contrasting approach encourages staff trustworthiness and loyalty through employee equity schemes and industrial democracy policy, on the assumption that optimising job satisfaction by allowing staff to be creative and responsible reduces theft.[38]

## SUMMARY

Stealing is the largest category of recorded criminal offences in New South Wales, with the highest rate of stealing being recorded in Sydney City. Businesses and shops have a high risk of stealing offences, with three-quarters of the offences in these premises taking the form of shoplifting. A large proportion of stealing offences are also recorded in the street and in living premises, such as houses and flats.

Offenders found guilty of stealing, as well as victims of theft, are generally young and male. Only a small proportion of stealing offences are ever solved. The majority of offenders found guilty of stealing are fined an amount usually less than $500 by the Local Courts.

Addressing the problem of stealing begins at the community level. Improved awareness of the magnitude of the stealing problem and the implementation of more security-conscious lifestyle practices are simple preventative measures that the community should consider to tackle the problem.

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