

# 'Home Invasions' and Robberies

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## INTRODUCTION

According to national crime statistics published by the Australian Bureau of Statistics, New South Wales (NSW) has the highest rate of robbery of all Australian States and Territories.<sup>1</sup> While robbery has historically been of great concern to law enforcement agencies and the wider community, in recent times robbery has captured particular attention from the media and the public. Much of this attention has been fostered by a particular type of robbery - armed robbery in the home - popularly referred to in the media as a 'home invasion'.

Since 1987 when the NSW Bureau of Crime Statistics and Research conducted a detailed analysis of robberies in NSW,<sup>2</sup> little statistical information has been readily available on residential robberies or 'home invasions'. This bulletin attempts to remedy this situation by presenting crime statistics recorded by police on robbery committed on residential premises, as well as robberies committed on other types of premises. Police statistics are also used to examine regional variations in different types of robbery incidents in the Sydney region and the rest of NSW. The characteristics of robbery offenders are also examined in the bulletin and information is presented concerning the court's response to robbery offenders.

## WHAT IS ROBBERY?

Robbery is a form of theft, but, unlike most other forms of theft, it is also regarded as a crime against the person.

It is regarded in this way because it is a crime which involves personal violence or the threat of personal violence. In NSW, robbery refers to the taking of property from a person against that person's will, either by violence (using actual force to overcome or prevent the victim's resistance) or by putting the victim in fear (for example, by threatening injury to the victim). It may or may not involve the use of a weapon. Robbery does not include instances in which property is suddenly taken or snatched from the victim if there has been no injury or struggle or fear of violence, such as often happens in instances of pickpocketing and bag snatching. In NSW police statistics, these sorts of events are classified as 'steal from person' offences. Robbery also does not include breaking and entering to steal goods when the occupants of the house or dwelling are not in the house or dwelling at the time of the theft. This type of theft is recorded in police statistics as a 'breaking and entering' offence.

Three categories of robbery can be distinguished in police statistics:-

- robbery without a weapon,
- robbery with a weapon not a firearm - armed robbery where the weapon is not a firearm, and
- robbery with a firearm - armed robbery where the weapon is a firearm.

An event involving robbery is placed in one of these categories based on the most serious type of robbery that occurs

in the event. For statistical purposes, the most serious type of robbery is robbery with a firearm, followed by robbery with a weapon not a firearm, and then robbery without a weapon. This means that the number of recorded incidents in the two less serious categories may be underrepresented in police statistics. Thus, if at the one time and place two offenders commit a robbery and only one offender uses a firearm, the event would be counted in the present bulletin only as an incident involving robbery with a firearm. Similarly, if two offenders, one armed with a firearm and the other armed with a knife, rob someone, the incident would be counted only as a robbery with a firearm.

## HOW MUCH IS THERE?

In the period January to December 1995, the police recorded a total of 6,613 incidents of robbery in NSW. Table 1 shows the breakdown of these incidents into the three categories of robbery. The breakdown of robbery incidents for the Sydney Statistical Division (SD) is also shown in Table 1.<sup>3</sup> It can be seen that the majority of robbery incidents in NSW (67.8%) do not involve the use of any type of weapon, and only a small proportion involve a firearm (10.2%). Table 1 also shows that most robbery incidents in NSW occur in Sydney. In 1995, of the 6,613 robbery incidents in NSW, almost 90 per cent (87.3%) were recorded as having occurred in the Sydney SD.

The 6,613 robbery incidents recorded by the police in 1995 represent a rate of

**Table 1: Number and per cent of recorded robbery incidents by type of robbery, NSW and Sydney SD, 1995**

Robbery category	NSW		Sydney SD	
	Number	Per cent	Number	Per cent
Robbery without a weapon	4,485	67.8	3,901	67.5
Robbery with a weapon not a firearm	1,456	22.0	1,282	22.2
Robbery with a firearm	672	10.2	592	10.3
Total	6,613	100.0	5,775	100.0

Source: NSW Bureau of Crime Statistics and Research 1996, *New South Wales Recorded Crime Statistics 1995*, NSW Bureau of Crime Statistics and Research, Sydney.

10.8 incidents per 10,000 resident population in NSW. This makes robbery a much less frequent event than many other crimes including assault (63.1 recorded incidents per 10,000 resident population in 1995) and breaking and entering (165.7 recorded incidents per 10,000 resident population in 1995).<sup>4</sup> Of course, it should be remembered that recorded crime rates include only those incidents which are recorded by the police. Victim surveys indicate that many robbery incidents are not recorded by the police because they are not reported to the police.<sup>5</sup>

**TRENDS IN RECORDED INCIDENTS**

Figure 1 presents trends in the recorded numbers of robbery incidents separately for the three different categories of robbery for the period April 1994 to December 1995. These police statistics indicate that the recent trend for incidents of both robbery without a weapon and robbery with a weapon other than a firearm has been upward. From the first nine months to the last nine months of the period April 1994 to December 1995, robbery without a weapon increased by 7.3 per cent, and robbery with a weapon other than a firearm went up by 27.3 per cent. The recent trend for robbery with a firearm has been neither upward nor downward.<sup>6</sup>

**REGIONAL DISTRIBUTION OF RECORDED INCIDENTS**

Tables 2a and 2b present regional statistics on robbery incidents in NSW for the period January to December 1995. Table 2a shows the rate of robbery for Local Government Areas (LGAs) in the Sydney SD, and Table 2b shows the rate for Sydney SD and the SDs in the rest of NSW.<sup>7</sup> For each area, the overall robbery rate and the rate for each category of robbery is presented. The areas have been listed in descending order according to the rate of all robbery incidents ('Total' rate).

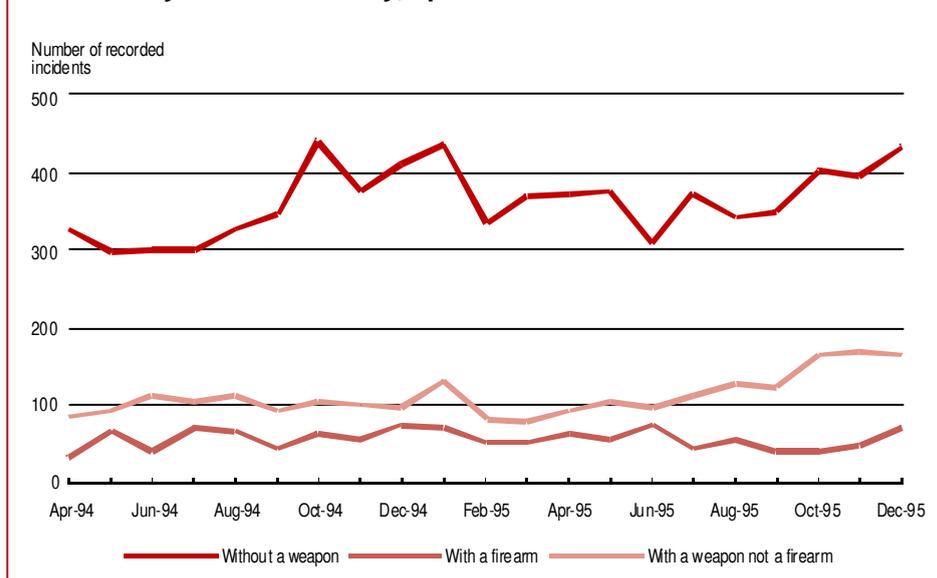
In the Sydney SD, Sydney LGA recorded the highest rate of robbery overall (702.7 incidents per 10,000 resident population). Its rate was about six times greater than the LGA with the next highest rate, South Sydney (114.3 incidents per 10,000 resident population). The very high rate evidenced in the Sydney LGA relative to other LGAs in the Sydney SD can partly be explained by the fact that a small number of people reside in the area, but a very large number of people use the area (for example, for entertainment and business purposes). This large transient population increases the opportunities and targets available for robbery offenders. Wollondilly LGA had the lowest rate of robbery overall, recording just 0.9 incidents per 10,000 resident population.

Areas in the Sydney SD which had a high rank in one category of robbery tended to have a high rank in other categories. Similarly, those which had a low rank in one category tended to have a low rank in other categories. There were

a few areas in Sydney which went against this trend. Blacktown LGA, for example, had a relatively high rank for robbery without a weapon (7th) but ranked somewhat lower for robbery with a weapon not a firearm (23rd). Campbelltown and Manly LGAs also had a relatively high rank for robbery without a weapon (13th and 16th, respectively) and robbery with a weapon not a firearm (12th and 8th, respectively), but a relatively low rank for robbery with a firearm (25th and 28th, respectively). Other LGAs had a relatively low rank for robbery without a weapon but a relatively high rank for robbery with a firearm. These included Woollahra, Penrith, Drummoyne, Blue Mountains, and Pittwater LGAs.

The overall rate in the Sydney SD (15.3 incidents per 10,000 resident population) was somewhat higher than in SDs in the rest of NSW. In the rest of NSW, the North Western SD had the highest recorded robbery rate overall (5.6 incidents per 10,000 resident

**Figure 1: Number of recorded incidents of robbery by type of robbery, by month of robbery, April 1994 – December 1995**



**Table 2a: Number of recorded robbery incidents per 10,000 resident population in each Local Government Area in the Sydney Statistical Division, by type of robbery, 1995**

Area	Robbery category								
	Robbery without a weapon		Robbery with a weapon not a firearm		Robbery with a firearm		Total		
	Rate	Rank	Rate	Rank	Rate	Rank	Rate	Rank	Number
Sydney (Inner & Remainder) LGA	529.7	(1)	143.2	(1)	29.7	(1)	702.7	(1)	520
South Sydney LGA	91.4	(2)	19.9	(2)	3.0	(4)	114.3	(2)	803
Marrickville LGA	28.5	(3)	7.3	(3)	4.0	(2)	39.8	(3)	310
Parramatta LGA	20.5	(4)	5.4	(6)	2.0	(14)	27.9	(4)	386
Burwood LGA	18.8	(5)	5.8	(5)	2.0	(12)	26.7	(5)	78
Ashfield LGA	16.9	(6)	6.3	(4)	2.7	(5)	25.9	(6)	107
Strathfield LGA	11.3	(8)	4.9	(7)	3.0	(3)	19.2	(7)	51
Blacktown LGA	14.2	(7)	2.7	(23)	1.8	(18)	18.7	(8)	435
Canterbury LGA	10.6	(10)	4.4	(9)	2.3	(9)	17.3	(9)	234
Fairfield LGA	11.0	(9)	3.2	(20)	2.5	(7)	16.7	(10)	313
Holroyd LGA	10.6	(11)	4.1	(11)	1.7	(19)	16.4	(11)	135
Bankstown LGA	9.8	(15)	4.2	(10)	2.4	(8)	16.4	(12)	268
Auburn LGA	10.2	(14)	3.8	(15)	2.0	(15)	16.0	(13)	80
Leichhardt LGA	10.5	(12)	3.5	(18)	1.7	(20)	15.7	(14)	94
Campbelltown LGA	10.3	(13)	4.1	(12)	1.2	(25)	15.6	(15)	234
Manly LGA	8.9	(16)	4.7	(8)	1.1	(28)	14.8	(16)	53
Rockdale LGA	8.5	(21)	4.0	(13)	2.2	(11)	14.6	(17)	128
Waverley LGA	8.6	(18)	3.8	(14)	1.8	(17)	14.3	(18)	86
Liverpool LGA	8.9	(17)	2.5	(25)	2.6	(6)	14.1	(19)	155
Woollahra LGA	7.5	(22)	3.6	(17)	2.2	(10)	13.3	(20)	67
Randwick LGA	8.6	(19)	3.0	(21)	1.2	(26)	12.7	(21)	150
Hurstville LGA	8.5	(20)	2.2	(28)	1.3	(24)	12.0	(22)	82
North Sydney LGA	6.9	(23)	3.4	(19)	1.0	(30)	11.3	(23)	59
Botany LGA	6.3	(27)	3.7	(16)	0.9	(33)	10.9	(24)	38
Penrith LGA	6.4	(26)	1.9	(34)	2.0	(13)	10.3	(25)	171
Willoughby LGA	6.4	(25)	2.9	(22)	0.9	(32)	10.3	(26)	56
Kogarah LGA	6.4	(24)	1.9	(33)	0.6	(37)	8.9	(27)	43
Lane Cove LGA	4.3	(28)	1.3	(37)	1.3	(23)	6.9	(28)	21
Ryde LGA	4.0	(29)	2.4	(26)	0.4	(40)	6.8	(29)	65
Concord LGA	3.8	(30)	2.1	(31)	0.8	(34)	6.7	(30)	16
Drummoyne LGA	3.2	(31)	0.3	(44)	1.9	(16)	5.4	(31)	17
Mosman LGA	2.3	(36)	2.7	(24)	0.4	(41)	5.3	(32)	14
Baulkham Hills LGA	2.8	(32)	2.0	(32)	0.5	(39)	5.2	(33)	67
Sutherland LGA	2.1	(38)	2.4	(27)	0.6	(36)	5.1	(34)	103
Warringah LGA	2.2	(37)	1.6	(35)	0.9	(31)	4.8	(35)	62
Hornsby LGA	2.7	(33)	0.6	(41)	1.1	(27)	4.4	(36)	63
Camden LGA	1.8	(41)	2.1	(30)	0.3	(43)	4.2	(37)	12
Ku-ring-gai LGA	1.6	(42)	2.2	(29)	0.4	(42)	4.1	(38)	44
Blue Mountains LGA	2.0	(39)	0.7	(40)	1.3	(22)	4.0	(39)	30
Hunters Hill LGA	2.3	(35)	1.6	(36)	0.0	(45)	3.9	(40)	5
Gosford LGA	2.4	(34)	0.6	(42)	0.3	(44)	3.3	(41)	48
Wyong LGA	1.8	(40)	0.7	(39)	0.8	(35)	3.3	(42)	38
Hawkesbury LGA	1.4	(43)	0.7	(38)	1.0	(29)	3.2	(43)	18
Pittwater LGA	0.4	(44)	0.6	(43)	1.5	(21)	2.5	(44)	13
Wollondilly LGA	0.3	(45)	0.0	(45)	0.6	(38)	0.9	(45)	3

Source: NSW Bureau of Crime Statistics and Research, unpublished data.

**Table 2b: Number of recorded robbery incidents per 10,000 resident population in each Statistical Division in New South Wales, by type of robbery, 1995**

Area	Robbery category								
	Robbery without a weapon		Robbery with a weapon not a firearm		Robbery with a firearm		Total		
	Rate	Rank	Rate	Rank	Rate	Rank	Rate	Rank	Number
Sydney SD	10.3	(1)	3.4	(1)	1.6	(1)	15.3	(1)	5,775
North Western SD	4.3	(2)	0.8	(5)	0.4	(4)	5.6	(2)	67
Far West SD	4.0	(3)	0.7	(6)	0.0	(12)	4.7	(3)	13
Richmond-Tweed SD	3.2	(4)	0.8	(4)	0.5	(3)	4.5	(4)	91
Hunter SD	3.0	(5)	1.2	(2)	0.3	(7)	4.5	(5)	250
Illawarra SD	2.2	(7)	0.9	(3)	0.7	(2)	3.8	(6)	141
Central West SD	3.0	(6)	0.5	(7)	0.1	(10)	3.6	(7)	63
Mid-North Coast SD	2.1	(8)	0.4	(10)	0.4	(5)	2.9	(8)	75
Northern SD	1.8	(9)	0.4	(9)	0.0	(11)	2.3	(9)	43
Murrumbidgee SD	1.7	(10)	0.4	(11)	0.1	(9)	2.2	(10)	34
Murray SD	1.4	(12)	0.4	(8)	0.4	(6)	2.2	(11)	25
South Eastern SD	1.5	(11)	0.3	(12)	0.2	(8)	2.0	(12)	36
NSW	7.3		2.4		1.1		10.8		6,613

Source: NSW Bureau of Crime Statistics and Research 1996, *New South Wales Recorded Crime Statistics 1995*, NSW Bureau of Crime Statistics and Research, Sydney.

population). This was nearly three times greater than the rate of the area with the smallest rate, the South Eastern SD (2.0 incidents per 10,000 resident population). While SDs in the rest of NSW tended to have a similar rank for each category of robbery, there were a number of exceptions. The Far West SD, for example, ranked highly for robbery without a weapon (3rd) but ranked last (i.e. 12th) for robbery with a firearm. The Illawarra SD, on the other hand, had a relatively low rank for robbery without a weapon (7th) but ranked second for robbery with a firearm.

### IN WHICH TYPES OF PLACES DOES IT OCCUR?

Using police statistics, this section examines the types of places or premises on which robbery occurs. It specifically examines the Sydney region because, as discussed earlier, most robbery incidents in NSW are recorded in Sydney.

A number of factors influence a robbery offender's decision to choose a particular target. These factors include ease of get-away from the target, familiarity with the area in which the target is located, level of knowledge about the target, and beliefs concerning the amount of money the target has. When robbers are asked to identify their main reason for

committing robbery, the need for money is most commonly given. Most frequently the money is required to buy drugs to support a drug habit.<sup>8</sup>

Figures 2a to 2d show the percentage of recorded robbery incidents committed in different types of places in the Sydney SD in 1995 for robbery overall and for each of the categories of robbery.

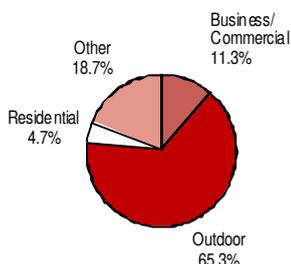
Figure 2a shows that most robberies recorded in the Sydney SD in 1995 occurred outdoors or in public places. Over half of all recorded robbery incidents (53.0%) occurred in these places. Of the robberies committed outdoors or in public places, 44.5 per cent occurred on the road or street, and a further 42.1 per cent were committed on the footpath. The proportion of robbery incidents recorded in outdoor or public places varied across the Sydney SD. Sydney and South Sydney LGAs, the LGAs with the highest rates of robbery in 1995, each had higher than average proportions of robbery incidents occurring outdoors or in public places. In Sydney LGA in 1995, 67.1 per cent of recorded robbery incidents occurred in outdoor or public places, while in South Sydney LGA 80.8 per cent of recorded robbery incidents occurred in these places. LGAs which had a relatively

small proportion of their robbery incidents occur outdoors or in public places in 1995 included Pittwater (7.7%), Camden (25.0%), Sutherland (29.1%), and Concord (31.3%).

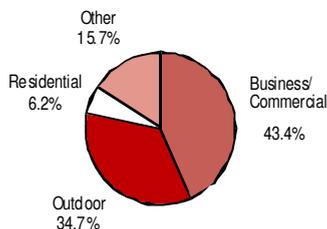
The next most common premises for robberies in the Sydney SD were business or commercial premises (23.1% of all recorded robbery incidents).<sup>9</sup> Of these business or commercial premises, service stations recorded the most number of incidents (212 incidents or 15.9% of all recorded robbery incidents on business or commercial premises), followed by chemists (112 incidents or 8.4% of all recorded robbery incidents on business or commercial premises). A number of LGAs in the Sydney SD had larger proportions of their robbery incidents recorded on business or commercial premises than did the Sydney SD overall. These LGAs included Pittwater (69.2%), Wollondilly (66.7%), Mosman (57.1%), and Concord (50.0%). LGAs which had a relatively small proportion of their robbery incidents recorded on business or commercial premises were South Sydney (7.0%) and Blacktown (14.9%).

Residential premises, including private homes and other forms of accommodation such as hotels and

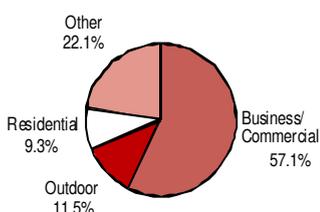
**Figure 2a: Per cent of all recorded robbery incidents, Sydney SD, 1995**  
Place where incident occurred.



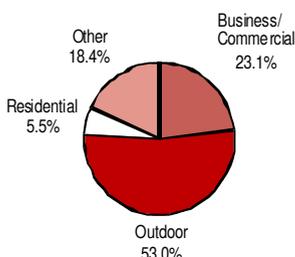
**Figure 2c: Per cent of recorded incidents of robbery with a weapon not a firearm, Sydney SD, 1995**  
Place where incident occurred.



**Figure 2b: Per cent of recorded incidents of robbery without a weapon, Sydney SD, 1995**  
Place where incident occurred.



**Figure 2d: Per cent of recorded incidents of robbery with a firearm, Sydney SD, 1995**  
Place where incident occurred.



Source: NSW Bureau of Crime Statistics and Research, unpublished data.

hostels, recorded just 5.5 per cent of all robbery incidents in the Sydney SD in 1995. The vast majority of robberies recorded on residential premises (93.1%) involved private homes, such as houses, home units, townhouses and terrace houses. Some LGAs in the Sydney SD recorded a relatively high proportion of robberies on residential premises. These LGAs were Camden (16.7%), Pittwater (15.4%), Woollahra (11.9%) and Botany (10.5%).

The remaining 'other' category of premises (18.4%, see Figure 2a) included a variety of places. The most common places within this group were carparks (27.7% of all recorded robbery incidents on 'other' premises), transport premises such as railway stations and terminals (27.1% of all recorded robbery incidents on 'other' premises), followed by licensed premises such as hotels, pubs and bottle shops (19.3% of all recorded robbery incidents on 'other' premises).

From Figures 2b to 2d it is evident that different types of robbery are committed on different types of premises. Robberies without the use of a weapon in the Sydney SD most commonly occur in

outdoor or public places (65.3% of all recorded robbery incidents without a weapon in 1995). In contrast, a much smaller proportion of armed robberies occur in outdoor or public places. Just 11.5 per cent of robbery incidents involving a firearm occurred in outdoor or public places in 1995, and 34.7 per cent of robbery incidents involving a weapon other than a firearm occurred in such places. Armed robberies most commonly occur on business or commercial premises. In the Sydney SD in 1995, 57.1 per cent of all recorded robbery incidents involving a firearm occurred on business or commercial premises. The proportion of robbery incidents involving a weapon other than a firearm that occurred on business or commercial premises was 43.4 per cent.

**'HOME INVASIONS'**

*'Wake in Fright: The Growing Terror of Home Invasions'*<sup>10</sup>

*'Home Invasion! When Terror Strikes the Family'*<sup>11</sup>

*'Gang Raids: The Terror that Waits at Home'*<sup>12</sup>

These are some of the headlines which have appeared in popular newspapers in NSW in recent years. In these and other newspaper stories on 'home invasion', the typical 'home invasion' is depicted as an evening raid on a family home by a gang. In these raids, violence is usually threatened or used with the aid of weapons, and family members are often bound and/or gagged. Events of this nature are very frightening for the victims, and disturbing to the general community. With all the attention they attract from the media, the community could easily be forgiven for believing that they are a common occurrence. Police statistics indicate that this is not the case: armed robbery in the home is a relatively infrequent event.

Historically, criminal law in NSW has dealt with acts of 'home invasion' under its provisions for robbery offences. Recently changes were made to the law in response to community concern over 'home invasions'.<sup>13</sup> These changes essentially extended the basic break and enter offence (where there is no violence or threat of violence) to include break and enter with 'circumstances of aggravation' and 'circumstances of special aggravation'. These circumstances generally involve violence or the threat of violence. The legislative changes also increased the penalties available for these specific types of break and enter. Currently the maximum penalty available for persons who are found guilty of committing acts which could be regarded as 'home invasions' is 25 years imprisonment.<sup>14</sup>

In this bulletin, a fairly narrow definition of 'home invasion' is employed. More in accordance with popular conception than with the current law, a 'home invasion' here is defined as an armed robbery committed on private residential premises, rather than as a special case of break and enter. The private residential premises included are houses, units, townhouses, villas, granny flats, bungalows and other similar private homes. Accommodation such as boarding houses, hostels, hotels, guest houses, lodges, or serviced apartments are not included. In line with this definition, 'armed robbery in the home' will be used in place of the term 'home invasion'. Under this definition, a household burglary (where there is no violence or threat of violence) is not a robbery and, therefore, is not counted as an 'armed robbery in the home' in this bulletin.

**Table 3: Number of recorded incidents of armed robbery in the home per 10,000 resident population in each LGA, Sydney SD, 1995**

<i>LGA</i>	<i>Rank</i>	<i>Number of incidents of armed robbery in the home</i>	<i>Number of incidents of armed robbery in the home per 10,000 resident population</i>
Sydney (Inner & Remainder)	1	2	2.70
South Sydney	2	8	1.14
Blacktown	3	20	0.86
Fairfield	4	14	0.75
Parramatta	5	9	0.65
Marrickville	6	5	0.64
Rockdale	7	5	0.57
Holroyd	8	4	0.49
Liverpool	9	5	0.45
Hurstville	10	3	0.44
Bankstown	11	7	0.43
Penrith	12	7	0.42
Woollahra	13	2	0.40
Pittwater	14	2	0.38
Burwood	15	1	0.34
Randwick	16	4	0.34
Leichhardt	17	2	0.33
Campbelltown	18	5	0.33
Drummoyne	19	1	0.32
Warringah	20	4	0.31
Botany	21	1	0.29
Ku-ring-gai	22	3	0.28
Manly	23	1	0.28
Auburn	24	1	0.20
North Sydney	25	1	0.19
Hawkesbury	26	1	0.18
Waverley	27	1	0.17
Baulkham Hills	28	2	0.16
Canterbury	29	2	0.15
Blue Mountains	30	1	0.13
Sutherland	31	2	0.10
Hornsby	32	1	0.07
Kogarah	33	0	0.00
Camden	34	0	0.00
Wollondilly	35	0	0.00
Ashfield	36	0	0.00
Concord	37	0	0.00
Strathfield	38	0	0.00
Hunters Hill	39	0	0.00
Lane Cove	40	0	0.00
Mosman	41	0	0.00
Ryde	42	0	0.00
Willoughby	43	0	0.00
Gosford	44	0	0.00
Wyong	45	0	0.00
<b>Sydney SD</b>		<b>127</b>	<b>0.34</b>

Source: NSW Bureau of Crime Statistics and Research, unpublished data.

**Regional distribution of incidents involving armed robbery in the home**

In NSW in 1995, the police recorded 158 incidents of armed robbery in the home. This represents a rate of 0.3 incidents per 10,000 resident population. As with other robbery incidents, most recorded incidents of armed robbery in the home (80.4%) occurred in the Sydney SD in 1995.

Table 3 shows the rate of armed robbery in the home for LGAs in the Sydney SD in 1995. Out of the 45 LGAs in the Sydney SD, 13 (or 28.9%) did not record any incidents of armed robbery in the home. In all of the LGAs where such incidents were recorded, the rate was very low.

Sydney LGA had the highest rate of all LGAs in the Sydney SD, recording a rate of 2.7 incidents per 10,000 resident population. It should be noted that while Sydney LGA had the highest rate, the actual number of incidents concerned was very small. The police recorded just two incidents of armed robbery in the home in this LGA in 1995. The LGA with the next highest rate was South Sydney (1.1 incidents per 10,000 resident population), followed by Blacktown (0.9 incidents per 10,000 resident population), Fairfield (0.7 incidents per 10,000 resident population) and Parramatta LGA (0.7 incidents per 10,000 resident population). Each of these regions had rates about two or more times the average rate for the Sydney SD (0.3 incidents per 10,000 resident population).

**WHO ARE THE ROBBERY OFFENDERS?**

Presently in NSW, court statistics provide the only routinely collected information on robbery offenders.

As robbery is an indictable offence, adults who are charged with robbery must be dealt with by the Higher Courts. In 1994, 518 people were found guilty of robbery as their principal offence in the Higher Courts. Of these, 22 persons were aged under 18 years, which represents just 4.2 per cent of all persons found guilty of robbery as their principal offence in the Higher Courts.<sup>15</sup>

Juveniles charged with robbery generally appear before the Children's Court. In the financial year 1994/95, 319 juveniles appeared before the Children's Court for robbery as their most serious offence.<sup>16</sup>

Unfortunately, it is not possible to determine from current Children's Court statistics precisely what proportion of juveniles charged with robbery are found guilty by the Children's Court.<sup>17</sup> However, 74 per cent can be taken as a minimum estimate of this proportion because 74 per cent of juveniles who appeared in the Children's Court in 1994/95 for robbery as their most serious offence were given a penalty.<sup>18</sup>

The information below concerns all persons *found guilty* in the Higher Courts in 1995 and all juveniles who *appeared* in the Children's Courts in 1994/95.

**GENDER**

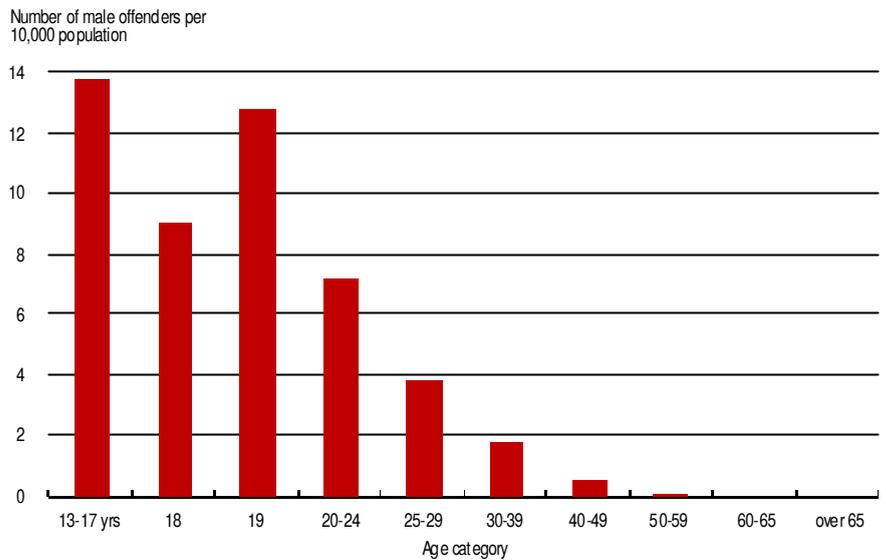
Over 90 per cent (95.2%) of all persons found guilty of robbery as their principal offence in the Higher Courts in 1994 were male. In 1994/95 in the Children's Court, 85.6 per cent of juveniles who appeared for robbery as their most serious offence were male. The total number of males concerned in these two groups (766 males) represented a rate of 3.1 per 10,000 male population aged 13 years and over. In comparison, the rate for females was 0.3 per 10,000 female population.<sup>19</sup>

**AGE**

Because the vast majority of robbery offenders are male (according to court statistics), the variation in the number of offenders across age groups is discussed only for males. Combining Higher and Children's Court statistics for 1994, Figure 3 shows the age-specific rate of robbery offenders.<sup>20</sup> A number of age groups evidenced noticeably higher than average rates (i.e. higher than 3.1 per 10,000 population).

Men aged 19 years had the highest rate at 12.8 per 10,000 population, which was about four times the average rate. Boys aged 13-17 years had the next highest rate at 12.4 per 10,000 population. Boys aged 16-17 years contributed most to this rate, accounting for over half (59.0%) of the boys in the 13-17 year age category.<sup>21</sup> Men in the age categories 18 years and 20-24 years each had rates at least two times higher than the average (9.0 per 10,000 population and 7.2 per 10,000 population, respectively). The rate for men aged 25-29 years was also slightly higher than the average, being 3.8 per 10,000 population. Those in categories 30-39 years, 40-49 years and 50-59 years had much lower than average rates (1.8 per 10,000 population; 0.5 per

**Figure 3: Number of male offenders per 10,000 population, by age of offender, NSW Children's Court 1994/95 and Higher Courts 1994**



Source: NSW Bureau of Crime Statistics and Research 1995, *New South Wales Criminal Courts Statistics 1994*, NSW Bureau of Crime Statistics and Research, Sydney; NSW Department of Juvenile Justice (n.d.), *Annual Children's Court Statistics, Criminal Matters, 1994/95*, NSW Department of Juvenile Justice, Sydney.

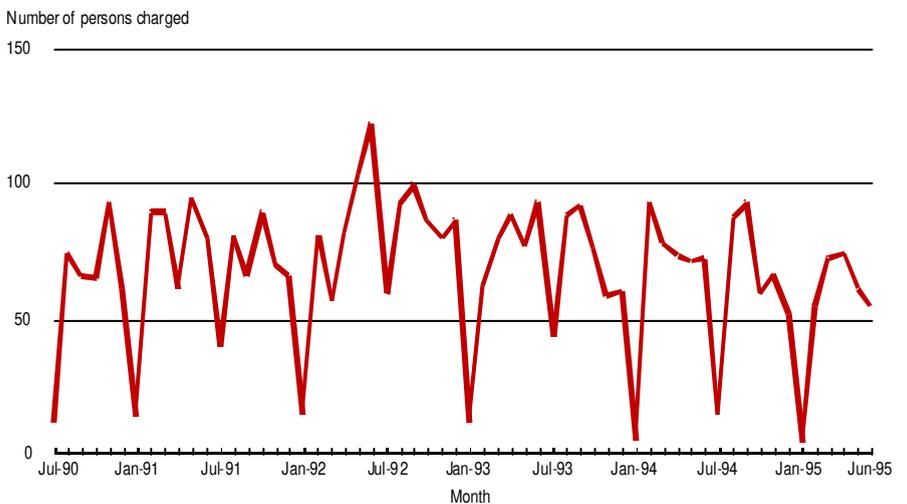
10,000 population; and 0.1 per 10,000 population; respectively). There were no men aged 60 years or over found guilty of robbery as their principal offence in the Higher Courts in NSW in 1994.

**TRENDS IN COURT APPEARANCES**

In 1994 there were 1,051 robbery charges before the Higher Courts involving 768 people.<sup>22</sup> Most of these

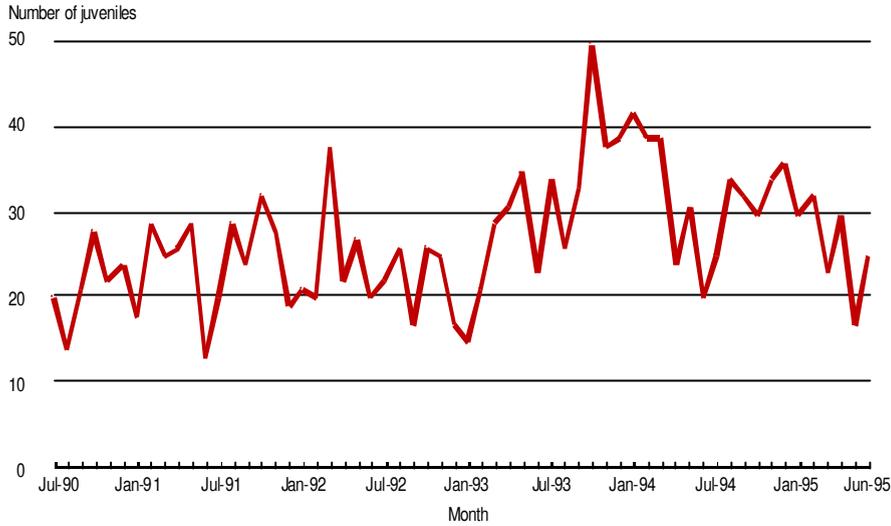
people appeared in the District Court. Figure 4 shows the monthly number of persons charged with robbery for finalised trial and sentence cases in the District Court for the period July 1990 to June 1995. The graph indicates that the number of finalised trial and sentence cases involving persons charged with robbery remained fairly stable over the period shown.<sup>23</sup> The sharp downward spikes in January and July occur because the District Court goes into recess in these months.

**Figure 4: Number of persons charged with robbery for cases finalised in the NSW District Court, July 1990 – June 1995**



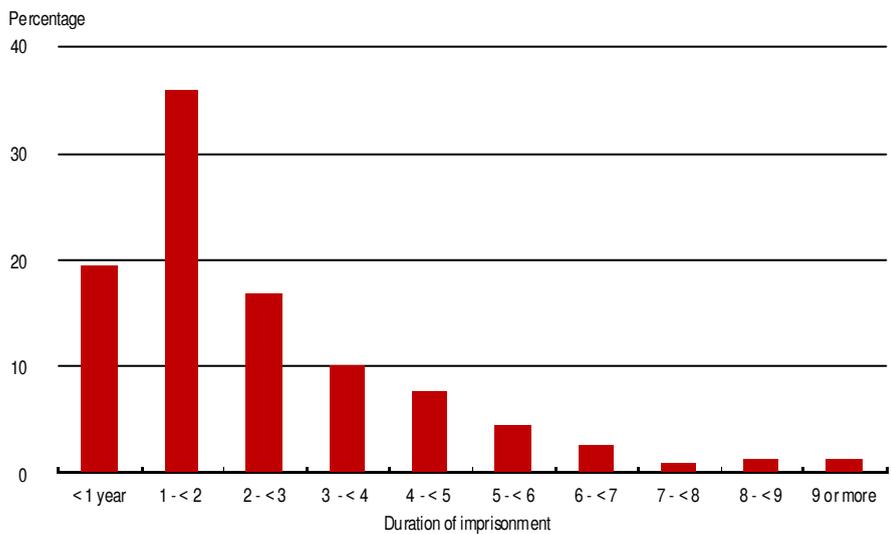
Source: NSW Bureau of Crime Statistics and Research 1996, *Key Trends in Crime and Justice 1995*, NSW Bureau of Crime Statistics and Research, Sydney.

**Figure 5: Number of juveniles charged with robbery, finalised appearances in the NSW Children's Court, July 1990 – June 1995**



Source: NSW Bureau of Crime Statistics and Research 1996, *Key Trends in Crime and Justice 1995*, NSW Bureau of Crime Statistics and Research, Sydney.

**Figure 6: Length of imprisonment for persons imprisoned for robbery as their principal offence, Higher Courts 1994**



Source: NSW Bureau of Crime Statistics and Research 1995, *Kew South Wales Criminal Courts Statistics 1994*, NSW Bureau of Crime Statistics and Research, Sydney.

Figure 5 shows the monthly number of persons charged with robbery for finalised appearances in the Children's Court for the period July 1990 to June 1995. There was a statistically significant upward trend in the number of Children's Court appearances for juveniles charged with robbery over the period shown.<sup>24</sup> From the first to the last 12 months of the period, the number of finalised appearances for robbery increased by 29.4 per cent.

### WHAT ARE THE COURT OUTCOMES?

According to Higher Courts statistics, more than half of all charges involving robbery are proven. Of the 1,051 charges involving robbery that were finalised in the Higher Courts in 1994, 60.4 per cent were proven. The majority of these (88.2% or 560 charges) were proven by way of a guilty plea.<sup>25</sup>

As mentioned earlier, it is not possible to determine precisely what proportion of juveniles who appear before the Children's Court charged with robbery as their most serious offence are found guilty. In 1994/95 at least 74 per cent of appearances were proven. Like the Higher Courts, a large proportion of juveniles who appear for robbery as their most serious offence (about two-thirds) plead guilty.<sup>26</sup>

### PENALTIES

The majority of persons found guilty of robbery as their principal offence in the Higher Courts are sentenced to imprisonment. In the Higher Courts in 1994, the proportion of persons found guilty of robbery as their principal offence who were sentenced to imprisonment was 75.7 per cent (or 392 persons). A recognizance (with or without supervision), which is a type of good behaviour bond, was the next most common penalty given by the Higher Courts in 1994. Almost 11 per cent (10.8%) of persons found guilty of robbery as their principal offence received this penalty. A Community Service Order was given to 7.1 per cent of persons found guilty, while 5.8 per cent received periodic detention. Just two people received a fine (\$2,500) and one person received the penalty 'no conviction recorded'.<sup>27</sup>

Figure 6 presents information on the length of imprisonment given to persons who were sentenced to imprisonment for robbery as their principal offence in the Higher Courts in 1994. Of the 392 persons who received imprisonment, 72.2 per cent (or 283 persons) were given a sentence of less than three years. The most common sentence length handed down by the Higher Courts was one year to less than two years. About one-third of persons imprisoned (36.0%) received this length of imprisonment. A further 19.4 per cent were given a sentence length of less than one year, and 16.8 per cent received two years to less than three years. No persons found guilty of robbery as their principal offence in 1994 received a prison sentence longer than 13 years.

In the Children's Court in 1994/95, the most common outcome for juveniles who appeared for robbery as their most serious offence was probation or recognizance. Just over 30 per cent (30.1%) were given a probation or recognizance penalty. The next most

common outcome was a control order (i.e. detention) penalty (25.7% of all outcomes), followed by a Community Service Order penalty (16.6% of all outcomes).<sup>28</sup>

## SUMMARY

- 6,613 incidents of robbery were recorded by the police in NSW in 1995. This represented a rate of 10.8 incidents per 10,000 resident population. This rate is much lower than the rate of assault and the rate of breaking and entering recorded in NSW in 1995 (63.1 and 165.7 recorded incidents per 10,000 resident population, respectively).
- The majority of robbery incidents recorded by the police in NSW in 1995 (67.8%) did not involve the use of a weapon.
- Most robbery incidents recorded in NSW in 1995 (87.3%) occurred in the Sydney SD.
- LGAs in the Sydney SD which recorded the highest robbery rates in 1995 included Sydney, South Sydney, Marrickville, Parramatta, Burwood and Ashfield.
- In the Sydney SD in 1995, recorded robbery incidents without a weapon most commonly occurred outdoors or in public places, such as on the street or the footpath (65.3%). Robbery incidents involving a firearm and those involving a weapon other than a firearm were most frequently recorded as having occurred on business or commercial premises (57.1% and 43.4%, respectively).
- According to police statistics, armed robbery in the home (or 'home invasion') is an infrequent event. In 1995, 127 incidents of armed robbery in the home were recorded by the police in the Sydney SD, representing a rate of 0.3 incidents per 10,000 resident population.
- LGAs in the Sydney SD which recorded the highest rates of armed robbery in the home in 1995 were Sydney, South Sydney, Blacktown, and Fairfield. These regions had rates about two times or more the average rate for the Sydney SD.
- The majority of proven robbery offenders are male. In 1994, the highest rates of male proven offenders occurred in the 19 years and under age groups.
- A high percentage of persons found guilty of robbery as their principal offence in the Higher Courts receive imprisonment as their penalty. In 1994 this percentage was 75.7. The length of imprisonment given to persons who receive imprisonment for robbery is generally less than three years. In 1994, 72.2 per cent of persons who received imprisonment for robbery as their principal offence were given sentence lengths of less than three years.
- In the Children's Court, the most common outcome for juveniles appearing for robbery as their most serious offence is a probation or recognizance penalty (30.1% in 1994/95), followed by a control order penalty (25.7% in 1994/95).

## NOTES

- 1 Australian Bureau of Statistics 1995, *National Crime Statistics 1994*, ABS, Melbourne.
- 2 NSW Bureau of Crime Statistics and Research 1987, *Robbery*, NSW Bureau of Crime Statistics and Research, Sydney.
- 3 The Sydney SD is a geographical area defined by the Australian Bureau of Statistics. It broadly consists of the Cumberland Plain. To the north it includes Gosford and Wyong, to the west it includes the Blue Mountains, and to the south it extends to the Woronora Plateau and includes Wollondilly and Camden. See, for example, the Australian Bureau of Statistics annual publication *Regional Statistics, New South Wales*, Cat. no. 1304.1, ABS, Sydney.
- 4 The rates have been calculated using police data from the NSW Bureau of Crime Statistics and Research publication *New South Wales Recorded Crime Statistics 1995*, NSW Bureau of Crime Statistics and Research, Sydney; and 1995 population data from the Australian Bureau of Statistics publication *Estimated Resident Population of Statistical Local Areas in NSW at 30 June, 1994 (Final) and 1995 (Preliminary)*, Cat. no. 3210.1, ABS, Canberra.
- 5 The Crime and Safety survey conducted by the Australian Bureau of Statistics in April of each year indicates that up to 45 per cent of personal victims of robbery in a 12-month period do not report their victimisation to the police (see ABS publication *Crime and Safety*, Cat. no. 4509.1).
- 6 The Kendall's rank order correlation test for trend was used to test the trends in Figure 1.
- 7 The population data for the rates were obtained from the Australian Bureau of Statistics publication *Estimated Resident Population of Statistical Local Areas in NSW at 30 June, 1994 (Final) and 1995 (Preliminary)*, Cat. no. 3210.1, ABS, Canberra.
- 8 Nugent, S., Burns, D., Wilson, P. & Chappell, D. 1989, *Armed Robbery from an Offender's Perspective: Implications for Prevention*, Australian Institute of Criminology, Canberra; NSW Bureau of Crime Statistics and Research 1987, op. cit.
- 9 The category 'business or commercial premises' does not include premises which are licensed to sell alcohol such as bottle shops. They are included in the general category 'other'.
- 10 Fitzpatrick, E. & Papadopoulos, N. 1993, 'Wake in fright: The growing terror of home invasion', *The Sydney Morning Herald*, 27 Apr.
- 11 Warheminde, M. 1994, 'Home invasion! When terror strikes the family', *The Sun-Herald*, 4 Sept., p. 3.
- 12 Allison, C. 1994, 'Gang raids: The terror that waits at home', *The Sydney Morning Herald*, 5 Nov., p. 27.
- 13 Legislative changes were made with the introduction of the *Crimes (Home Invasion) Amendment Act 1994*, and the *Criminal Legislation Amendment Act 1995*.
- 14 For example, see sections 97(2) and 109 of the *Crimes Act 1900*.
- 15 NSW Bureau of Crime Statistics and Research 1995, *New South Wales Criminal Courts Statistics 1994*, NSW Bureau of Crime Statistics and Research, Sydney.
- 16 NSW Department of Juvenile Justice (n.d.), *Annual Children's Court Statistics, Criminal Matters, 1994/95*, NSW Department of Juvenile Justice, Sydney.
- 17 This situation arises because of the codes used by the Department of Juvenile Justice to record outcomes in the Children's Court.
- 18 NSW Department of Juvenile Justice (n.d.), op. cit.
- 19 NSW Bureau of Crime Statistics and Research 1995, op. cit.; Department of Juvenile Justice (n.d.), op. cit. The rates were calculated using the NSW population aged 13 years and over. The population data were obtained from the Australian Bureau of Statistics publication *Estimated Resident Population by Sex and Single Year of Age, States and Territories, 30 June 1994*, Cat. no. 3201.0, ABS, Canberra. The rate for females excludes one female aged 12 years who appeared before the Children's Court and is, therefore, based on a total of 70 females.
- 20 The population data used to calculate the rates in Figure 3 were obtained from the Australian Bureau of Statistics publication *Estimated Resident Population by Sex and Single Year of Age, States and Territories, 30 June 1994*, Cat. no. 3201.0, ABS, Canberra. In Figure 3, an 'offender' refers to either a male juvenile who appeared before the Children's Court for robbery as his most serious offence, or a male who was found guilty in the Higher Courts for robbery as his principal offence. The rate for the age category 13-17 years is based on a total of 266 male juveniles. Of these, 244 appeared in the Children's Court, and 22 were found guilty in the Higher Courts. The age-specific rates for males aged 18 years and over do not include males aged 18 years and over who appeared in the Children's Court for robbery as their most serious offence. This is because published Children's Court statistics present only aggregate data on appearances for persons aged 18 years and over.
- 21 As mentioned earlier, the rate for 13-17 year olds has largely been calculated using *all* appearances for robbery in the Children's Court and therefore is an overestimate of the rate of juveniles found guilty for robbery as their principal or most serious offence. It is difficult to say by how much it is an overestimate, but, if it is assumed that 74 per cent of juveniles who appear in the Children's Court for robbery as their most serious offence are found guilty, the rate for 13-17 year olds would be around 9.5 per 10,000 population, which is still one of the highest rates across age groups.
- 22 NSW Bureau of Crime Statistics and Research 1995, op. cit.
- 23 A Kendall's rank order correlation test for trend was applied to the monthly numbers of persons charged with robbery over the period July 1990 to June 1995. The test indicated that there was no statistically significant trend over the period.
- 24 A Kendall's rank order correlation test was used to test the trend in Figure 5.
- 25 NSW Bureau of Crime Statistics and Research, *unpublished data*
- 26 NSW Department of Juvenile Justice (n.d.), op. cit. Of the 348 juveniles who appeared in the Children's Court in 1994/95 for robbery (including extortion) as their most serious offence, 233 (or 67.0%) pleaded guilty.
- 27 NSW Bureau of Crime Statistics and Research 1995, op. cit.
- 28 NSW Department of Juvenile Justice (n.d.), op. cit.

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