

# **Robbery**

**34A**      **[Robbery of Business Property](#)**

**34B**      **[Robbery of Personal Property](#)**

## 34A Robbery of Business Property Classification (1 of 1)

34/1(pt)  
(V) Robbery.  
*Theft Act 1968 Sec 8(pt).*

34/2(pt)  
(V) Assault with intent to rob.  
*Theft Act 1968 Sec 8(pt).*

### DEFINITION - LEGAL: ROBBERY

#### THEFT ACT 1968 SEC 8(1)

"A person is guilty of robbery if he steals, and immediately before or at the time of doing so, and in order to do so, he uses force on any person or puts or seeks to put any person in fear of being then and there subjected to force."

### DEFINITION - RECORDED CRIME: ROBBERY OF BUSINESS PROPERTY

**A robbery where the goods stolen belong to a business or other corporate body, regardless of the location of the robbery.**

Goods that are the property of business, but would generally be regarded as personal property, should be treated as personal property if robbed from the person. Examples of such items are mobile phones, laptop computers and pagers.

If a person is robbed of both personal and business property, then the decision whether to classify under robbery of business property (class 34A) or robbery of personal property (class 34B) depends on the respective values of the goods stolen.

## 34A Robbery of Business Property Counting Rules (1 of 1)

**GENERAL RULE:** ONE CRIME FOR EACH BUSINESS WHOSE PROPERTY IS ROBBED.

**EXAMPLE 1:** A bank is robbed and no one is injured.

*One crime of robbery (class 34A).*

### APPLICATION OF THE RULE

**If people are injured immediately before or at the time of the robbery, count the robbery only.**

Example 1: Three people are wounded during a robbery of a post office.

*One crime of robbery (class 34A).*

**If people are killed immediately before or at the time of robbery, count the homicides in addition to the robbery.**

Example 1: A group of offenders kill two people and wound a third person during bank robbery.

*Two crimes of homicide (class 1 or 4/1) and one crime of robbery (class 34A).*

**If people are injured or killed after the robbery, count the crimes in addition to the robbery.**

Example 1: Two people suffer common assault immediately before a bank is robbed. One person is seriously wounded trying to prevent the robbers taking the money. A fourth person chases after the robbers and suffers ABH in the street outside.

*One crime of robbery (class 34A), and one crime of ABH (class 8G).*

**Where a business and customers are robbed during the same incident.**

Example 1: Two offenders carry out an armed robbery in a supermarket. They steal takings and then round up the four customers in the shop office and steal personal items from them.

*One crime of robbery of business robbery (class 34A) and four crimes of robbery of personal property (class 34B).*

**Different branches or units of the same company should be counted separately if robbed.**

Example 1: Robberies committed against three shops owned by the same person.

*Three crimes (class 34A).*

**Assault with intent to rob: do not record in connection with an incident for which a crime of robbery has been counted.**

## 34B Robbery of Personal Property Classification (1 of 1)

34/1(pt) Robbery.  
(V) *Theft Act 1968 Sec 8(pt).*

34/2(pt) Assault with intent to rob.  
(V) *Theft Act 1968 Sec 8(pt).*

### CLARIFICATION - RECORDED CRIME: ROBBERY OR THEFT FROM THE PERSON

The use or threat of force in a theft from the person should be recorded as a robbery. For example, if the victim or a third party offers any resistance, or if anyone is assaulted in any way, then this constitutes force. Similarly, if a victim is under any impression from the offender's words or actions that the offender may use force, then this constitutes threat of force.

Where property is stolen from the physical possession of the victim and some degree of force is directed to the property but not to the victim (e.g. a bag is taken cleanly from the shoulder of a victim or a phone is taken cleanly from the hand) the allegation should be classified as theft from the person and not a robbery.

### DEFINITION - LEGAL: ROBBERY

THEFT ACT 1968 SEC 8(1)

"A person is guilty of robbery if he steals, and immediately before or at the time of doing so, and in order to do so, he uses force on any person or puts or seeks to put any person in fear of being then and there subjected to force."

### DEFINITION - RECORDED CRIME: ROBBERY OF PERSONAL PROPERTY

**A robbery where the goods stolen belong to an individual or group of individuals, rather than a corporate body, regardless of the location of the robbery, or whether the personal property actually belongs to the person being robbed.**

Goods that are the property of business but would generally be regarded as personal property should be treated as personal property if robbed from the person. Examples of such items are mobile phones, laptop computers and pagers.

If a person is robbed of both personal and business property, then the decision whether to classify under robbery of business property (class 34A) or robbery of personal property (class 34B) depends on the respective values of the goods stolen.

## 34B Robbery of Personal Property Counting Rules (1 of 3)

**GENERAL RULE:** ONE CRIME FOR EACH PERSON ROBBED.

**EXAMPLE 1:** Two women are simultaneously threatened and robbed of their handbags.

*Two crimes (class 34B).*

**EXAMPLE 2:** Victim waiting at a set of traffic lights on a pedal cycle is punched in the face and the offender then rides away on the cycle. The cycle is abandoned, a few days later recovered and handed back to the victim.

*One crime (class 34B).*

### APPLICATION OF THE RULE

**If a person reports having been robbed by more than one person, count separately only if the offenders were acting independently.**

Example 1: A person is mugged by a group of three.

*One crime (class 34B).*

**Robbery or Theft from the Person: see box on class 34B classification page 1 of 1.**

A victim is 'asked' to turn out his/her pockets in order to steal from him/her.

*One crime of robbery [Nobody consents to such action unless they have been put in fear at the time of the offence. Where the actions of the suspect alone cause the victim to fear he/she may be subjected to force and in doing so, give up his/her property, a robbery has occurred.]*

Example 1: A victim is walking down the street and the suspect grabs his/her shoulder bag.

(i) The grab is insufficient to pull the victim off-balance.

*One crime of theft from the person (class 39).*

(ii) The grab pulls the victim off balance but force is not applied directly to the victim.

*One crime of robbery (class 34B).*

(iii) The grab causes the victim to be knocked over, swung around or injured in any way.

*One crime of robbery (class 34B).*

Example 2: Suspects approach the victim and ask for the time. While victim takes her phone out of her handbag to check this, suspects grab the phone and run off.

*One crime of theft from the person (class 39).*

Example 3: Suspect sits next to victim on a bus. Victim has phone in her hand. Suspect tries to grab phone, after a tussle victim keeps hold of it, and suspect runs off bus.

*One crime of attempted robbery (class 34B).*

Example 4: A man has his pocket picked.

(i) He feels it but cannot prevent it.

*One crime of theft from the person (class 39).*

## 34B Robbery of Personal Property Counting Rules (2 of 3)

### **Robbery or Theft from the Person: see box on class 34B classification page 1 of 1. (Continued)**

- (ii) He feels it and his wallet or mobile phone is stolen only after a tussle.

*One crime of robbery (class 34B).*

- (iii) He manages to keep hold of his wallet or mobile phone after a tussle.

*One crime of assault with intent to rob (class 34B).*

- (iv) He is barged with intent to steal his wallet or mobile phone.

*One crime of attempted robbery (class 34B).*

Example 5: A woman has her handbag or mobile phone wrenched from her grasp.

*One crime of robbery (class 34B).*

Example 6: A person has a shoulder-bag taken without force by slipping the strap from the shoulder.

*One crime of theft from the person (class 39).*

### **If force or the threat of force is used in order to steal during the course of a burglary then it should be classified as a robbery.**

Example 1: During the course of a burglary, an offender uses force in order to steal a mobile phone from a guest staying at the house.

*One crime of robbery (class 34B).*

Example 2: A person enters a house as a trespasser while the victim is present. He uses a weapon to threaten the victim to keep quiet so he can continue with the burglary.

*One crime of robbery (class 34B).*

Example 3: A person enters a house as a trespasser while the victim is present. He uses a weapon in order to steal items from the house and items from the three victims present.

*Three crimes of robbery (class 34B).*

Example 4: A person enters a house as a trespasser while the victim is present. The victim is tied up and threatened with violence whilst the burglary continues.

*One crime of robbery (class 34B).*

Example 5: A person enters a house as a trespasser and confronts the male and female occupiers. They are both threatened with violence and as a result of this threat hand over their watches before the suspect leaves.

*Two crimes of robbery (class 34B).*

## 34B Robbery of Personal Property Counting Rules (3 of 3)

**Whether to record:** see also General Rules Section A.

Example 1: CCTV picks up an apparent street robbery, but neither the victim nor persons acting on their behalf come forward to report it. No other information is available.

*Register a crime related incident report but do not record the crime.*

Example 2: As above, but further investigation locates the victim who confirms the robbery.

*One crime of robbery (class 34B).*

**Finished Incident:** see also General Rules Section E.

Example 1: A schoolboy robs two classmates, under threat of violence, over a four month period twice a week. It is reported to the police for the first time.

*Two crimes (class 34B).*

**Principal Crime:** see also General Rules Section F & Annex F.

Example 1: One person is robbed and killed.

*One homicide crime (class 1 or 4/1).*

Example 2: One person is seriously injured and robbed.

*One crime of robbery (class 34A or 34B).*

Example 3: An offence of GBH occurs in the course of a burglary, but not in order to steal.

*One crime (class 5A or 8F). (If the GBH is committed in order to steal, it is a robbery).*

Example 4: A person enters a house as a trespasser armed with a knife and confronts the male and female occupiers. They are both threatened with violence and as a result hand over their watches before the suspect leaves.

*Two crimes of robbery (class 34B).*

Example 5: An armed gang force the front door of a property used as a massage parlour. They threaten the receptionist with a firearm and as a result she hands over the business money from the safe. They then confront two working girls and threaten them with the firearm demanding their credit cards, watches and mobile phones. These are handed over and the suspects leave.

*One crime of robbery of business property (class 34A) and two crimes of personal robbery (class 34B).*

Maximum Sentence - Robbery
Life
34/1
34/2