



No. 159

Knives and Armed Robbery

Emma Ogilvie

In Australia, knives are used during armed robberies at between 2 and 3 times the level of firearms. Furthermore, in terms of offence categories, armed robberies accounted for the largest (proportional) increase in recorded crime between 1997 and 1998. Many people think gun when they think of armed robbery and, to date, this has been the focus of most research into armed robbery. This paper brings together new data on robbery, and noting the strong presence of knives, is a springboard for the analysis of containment strategies.

We often look overseas for research contexts. In North America, firearms are involved in between 60 to 65 per cent of all armed robberies. Within the Australian context, however, firearms are involved in less than 30 per cent of all armed robberies. These figures mean that knife use needs to be viewed as a critical issue and collaborative work undertaken to contain knife use. This paper is a first step in that process.

Adam Graycar
Director

The relatively limited attention given to *specific* weapons used in an armed robbery has significant implications for justice system policy development. However, any detailed examination of exactly what weapons are typically used for armed robberies is complicated by inconsistencies in how weapons are legally defined across jurisdictions. Quite apart from the ubiquitousness of knife use, the definition of what actually constitutes a knife is surprisingly complex. For example, under the *Weapons Prohibition Act 1998*, New South Wales specifically cites the type of knives in this category as the flick knife, ballistic knife, sheath knife, Urban Skinner push dagger, trench knife, butterfly knife, and star knife. In contrast, under the *Crimes (Amendment) Act (No. 2) 1998*, the Australian Capital Territory defines a “knife” as a knife blade, a razor blade, and any other blade. In other states such as Tasmania, specific instruments are not identified; rather, an overall definition of “offensive weapon” is used. An “offensive weapon” is defined as “an article made or adapted to be used to injure or incapacitate a person or intended for that use by the person possessing it”.

The only national data on the use of weapons other than firearms come from the Australian Bureau of Statistics (ABS), which uses the categories of “firearms”, “other weapons”, and “weapon not further defined”. The ABS classifies knives under “other weapons”, which comprise any instrument or substance, other than a firearm, capable of inflicting damage, injury, or death. This includes knives, sharp instruments, blunt instruments, hammers, axes, clubs, iron bars, pieces of wood, syringes, and other “like” instruments. While these data are obviously essential with respect to the cataloguing of national trends, the category of “other weapon” is so broad and expansive, it presents real challenges to more sharply-focused analyses of the weapons used during armed robberies.

The solution is further complicated by the fact that police data do identify specific weapons, and the particular classifications used differ from state to state. Victoria identifies whether the weapons were a “rifle or replica”, “shot gun”, “pistol”, “tool”, or “club,

July 2000

ISSN 0817-8542

ISBN 0 642 24175 9



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baton, or stick”, amongst others. In New South Wales, the weapons classification includes “bow, crossbow, or blowgun”, “club, iron bar, or pipe”, “hammer, spanner, or wrench”, “rifle”, “shotgun”, and “syringe”, amongst others. In South Australia, the categories include “bottle or glass”, “club, baton, or stick”, “pistol or replica”, “rifle”, and “airgun”, amongst others.

These different classificatory schema are even more divergent when it comes to the classification of knives. For example, while the Victoria police use the specific category of “knife” in their recorded offences, the New South Wales police use the categories of “knife, sword, scissors, and screwdriver”, and South Australia uses the category of “knife or machete”. Therefore, a lack of standardisation and comparability is not surprising given the current “offensive weapons” legislation. It also creates real difficulties for any investigation of the role that specific weapons play in specific crimes.

However, we can follow the ABS procedure and narrow the classifications by subsuming all firearms (such as pistols, rifles, and shotguns) under the classification of “firearms” and separating those categories that include knives from all “other” weapons (such as clubs, iron bars, and syringes). This process results in 3 categories: “firearm”, “knife”, and “other”. This will mean that in states such as New South Wales, the knife category actually refers to “knife, sword, scissors, and screwdriver” but these difficulties are inevitable given the lack of definitional standardisation. By drawing upon police data from the separate states and territories, we can identify critical trends concerning the role of firearms, knives, and “other weapons” used in armed robbery. It is crucial to note at this point, however, that the following data are not being positioned as a comparative analysis of Australian states and territories. Given the various ways in which jurisdictions count different offences,

there is no methodologically sound manner in which different police data can be compared. However, even with these limitations, it is still an useful exercise to examine the general trends indicated by the different data available from the different jurisdictions.

National Trends

As already noted, “other weapon” use constitutes over 70 per cent of all armed robberies (ABS 1999). Previous research has also indicated that the level of armed robberies increased modestly between 1993 and 1996 and then almost doubled between 1996 and 1998 (ABS 1999).

The rapid increase in armed robbery is consistent across all states, with Tasmania recording the highest increase. In terms of absolute numbers, however, it is New South Wales that has made the greatest contribution to the national trend.

Using police data categorised in the manner described, we can separate knives from “other weapons” and specifically examine the increase in armed robbery. When we examine the contribution of knife (sword, scissors, or screwdriver) offences to overall offences incorporating a weapon in New South Wales, the weapon most likely to be used is a knife, followed closely by an “other” weapon (Figure 1).¹

In order to guard against the possibility that New South Wales statistics might be unrepresent-

ative of other states, we can cross check the New South Wales data against Victoria (Figure 2). Again, the primary weapon used is clearly a knife. Indeed, in Victoria (1997–98) knife use was at 3 times the level of firearm use as a proportion of all armed robberies.

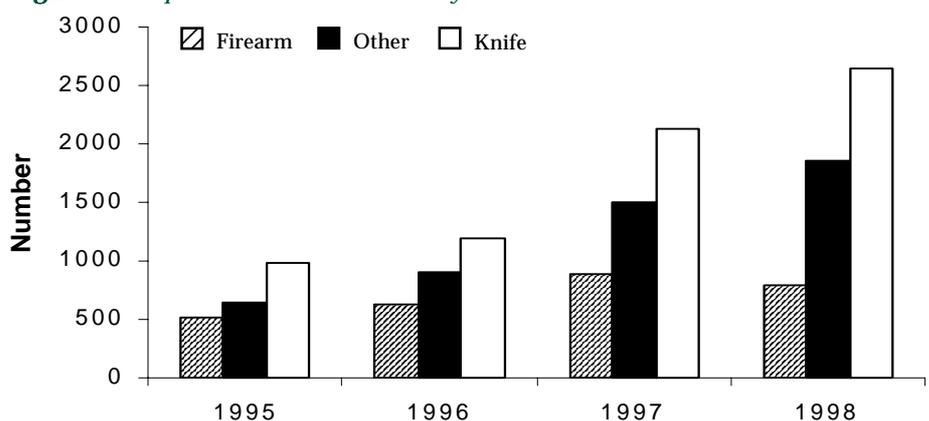
We can make the same comparisons with respect to South Australia. Police data from South Australia, perhaps not surprisingly, demonstrate a similar story (Figure 3). Interestingly, South Australia also had a higher increase than the other two states in weapons “other than” knives being used in armed robbery.

In the Australian Capital Territory, the picture is starker. Knives appear to be the primary contributor to weapon use in armed robbery, with “other” weapons playing a very limited role.

In the Northern Territory, this trend is consistent. However, what is perhaps even more interesting is the relatively small amount of armed robbery being committed in the Northern Territory in general.

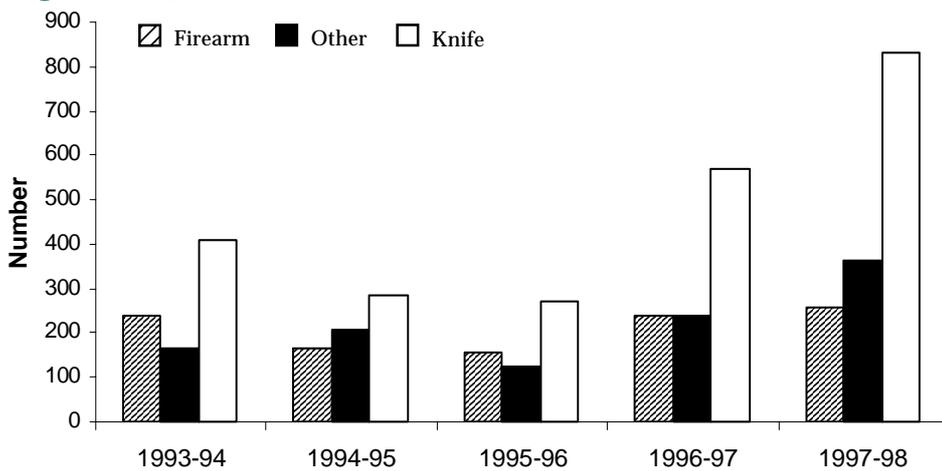
While data covering the last 5 years are not available from Western Australia or Tasmania, these two states also show similar trends. Bell and Panaia (1998) have reported that knives constituted 42 per cent of all weapons used in armed robbery in Western Australia in 1997. Unreported data from Tasmania indicate a similar trend for the year 1998 (Carcarch and Mouzos 2000).²

Figure 1: Weapon Use in Armed Robbery—New South Wales



Source: New South Wales Bureau of Crime Statistics and Research, unpublished statistics (incidence data).

Figure 2: Weapon Use in Armed Robbery—Victoria



Source: Victoria Police, *Crime Statistics 1993-94 to 1997-98* (victim data).

It is important to note that in 1999, there was decrease in armed robbery (Bureau of Crime Statistics and Research 2000; Australian Institute of Criminology, unpublished statistics). Unfortunately, there are no data on the impact of specific weapon use contributing to this trend.

Current Legislation

Given that knives constitute the majority of weapons used in armed robbery, it is interesting to note that there have been a large number of legislative changes introduced aimed at the prohibition of a wide range of “other” weapons. Indeed, all Australian states and territories currently have, or are in the process of introducing, laws relating to the control of weapons other than firearms. This applies particularly to knives and certain other instruments such as nunchakus, knuckledusters, and crossbows. For example, in 1994 Victoria amended the *Control of Weapons Act 1990* to ban carrying of a knife in public. Knives were later defined as “regulated weapons” under the *Control of Weapons (Amendment) Act (No. 30) 1994*.

In 1998, Queensland amended its Weapons Act. The *Police and Other Legislation (Miscellaneous Provisions) Act 1998* was enacted and Section 51 of the Weapons Act was replaced with “a person must not physically possess a knife in a public place, unless the person has a reasonable

excuse...” (*Police and other Legislation (Miscellaneous Provisions) Act 1998*).

In Western Australia, carrying of a knife, without lawful excuse, is prohibited under the *Police Act 1892*, Western Australia Section 65 (4 and 4a). While in the Northern Territory, a person is prohibited, without lawful excuse, to possess, carry, or use an offensive weapon as of December 1996 (*Summary Offences Act*, Northern Territory, Section 56A (1)). An “offensive weapon” refers to any article made or adapted to cause injury, or fear of injury, to the person or by which the person having it intends to cause injury, or fear of injury, to the person. This can include (amongst other weapons) a knife (Northern Territory *Criminal Code Act*. As in force on 1 January 1997).

In New South Wales, the *Summary Offences Act 1988* was

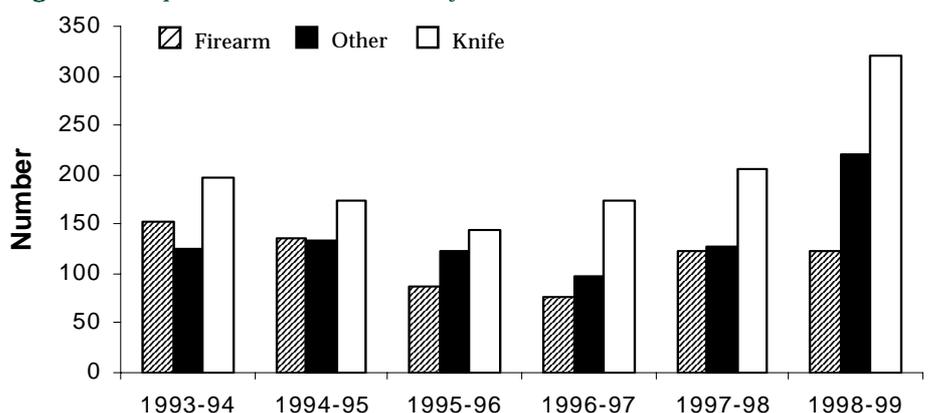
amended in 1998 to prohibit carrying of knives in public places and schools (*Summary Offences Act 1988*, Section 11C p1). New South Wales also has the additional legislation allowing for the parent(s) of a child to be prosecuted if they authorised or permitted their child to carry a knife.

South Australia defines a knife as an offensive weapon and possession, or carrying, of an offensive weapon, without reasonable excuse, is an offence. Legislation has been recently drafted to include the banning of flick knives, knuckledusters, capsicum spray, and extendable batons.

In the Australian Capital Territory, a variety of knives are proscribed in the *Prohibited Weapons Act 1996*. The *Crimes (Amendment) Act (No. 2) 1998* prohibits a person, without reasonable excuse, to “have a knife in his or her possession in a public place or school” (Section 8 (1)). The Act also prohibits the sale of a knife to a person under the age of 16 years (*Crimes (Amendment) Act (No. 2) 1998*, No. 22 of 1998, Australian Capital Territory). The definition of knife includes a knife blade, a razor blade, and any other blade.

Tasmania is the only state that does not appear to specifically target knives, simply having the category of “offensive weapon”. This is defined as “an article made or adapted to be used to injure or incapacitate a

Figure 3: Weapon Use in Armed Robbery—South Australia



Source: South Australia Statistical Services, *Statistical Review 1993-94 to 1998-99* (victim data).

person or intended for that use by the person possessing it”.³ However, Tasmania is currently preparing a Control of Weapons Bill that will also outlaw carrying knives in a public place.

Overview of Research

The legislative focus upon knives and weapons other than firearms is only very recent. This focus has emerged in the context of only the most limited research into the question of how knives and other weapons are actually used in crime.

“Availability” Theories

This approach focuses upon the basic issue of weapons availability. The argument advanced is that Australia has relatively low levels of firearm use in armed robbery because guns are not readily available and firearm legislation is effective. This approach provides a basis for the argument that the increase in “other” weapon use results from the lack of a “gun culture” in robbery. Thus, what we have is “displacement”, whereby firearms are replaced as an aid to the commission of a robbery by more easily accessible weapons such as knives.

“Intent” Theories

This approach depicts offenders as making quite specific choices concerning weapon use. The proposed argument is that the perpetrators of armed knife robberies consider the seriousness of penalties associated with use of a firearm, and make conscious decisions to use a knife in order to avoid the greater penalties associated with firearm use.

Both the availability and the intent perspectives have critical (but quite different) implications for policy development exercises.

Discussion

The first issue that needs to be empirically investigated is that of “availability”. If legislative developments have successfully limited access to guns over time, we should be able to see the impact

of these developments occurring in crime trends.

Importantly, however, this argument is inextricably linked to the relationship between “intent” and “weapon substitution”. Wolfgang (1958) first articulated the nature of this relationship in the context of gun use in homicide. The crux of Wolfgang’s thesis is that it is the initial intent of the offender that determines the weapon used. If firearms are not available, but offenders intend to kill, they will simply use other weapons to achieve this purpose.

While this is an immediately appealing theory, it relies upon two trends being observable. First, if the total number of weapons used in armed robbery has remained stable in overall terms, but the *proportional* use of firearms has dropped, the case for a “displacement” effect would be strong. Secondly, any such “displacement” should occur following legislative interventions, such as the introduction of the Nationwide Agreement on Firearms. We can examine this hypothesis across the five jurisdictions (Figure 6).

As can be seen in the larger states, there is evidence of similar levels of displacement occurring with both “other” weapons and knives. For example, in New South Wales, knife use has increased (proportionately) by 4 per cent between 1995 and 1998, “other” weapons have increased by 5 per cent, whilst firearm use has dropped by 9 per cent. In Victoria, knife use has increased

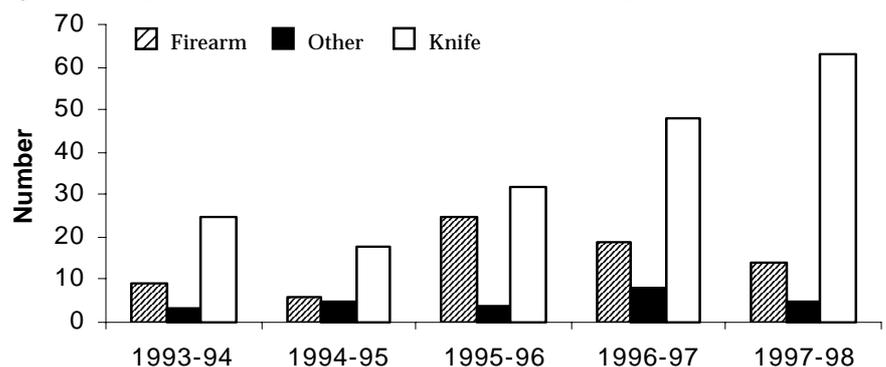
by 7 per cent, “other” weapons have increased by 5 per cent, and firearms have decreased by 11 per cent. In South Australia, knife use has increased by 7 per cent between 1993–94 and 1998–99, “other” weapon use has increased by 7 per cent in the same period, and firearm use has decreased by 13 per cent. The data indicate the displacement of firearms by relatively equal contributions from knives and “other weapons”.

It also appears that in the smaller territories, knives are far more predominant in displacing guns than are “other weapons”. For example, in the Australian Capital Territory, knife use has increased by 9 per cent, while other weapon use has decreased by 2 per cent and firearm use has decreased by 7 per cent. However, it is important to note, particularly in relation to the Northern Territory, that the overall numbers are so small that these trends should be considered as purely suggestive, rather than descriptive.

In some ways, then, a clear argument for “displacement” can be made. The decrease in firearms matches an equivalent increase in both knives and “other” weapons across the states.

However, this argument fails to take account of some critical factors. Firstly, it would appear that the trend towards a *proportional* decrease in firearms in armed robbery (and increase in knife and other weapon use) has been occurring steadily since 1993, a trend that cannot be

Figure 4: Weapon Use in Armed Robbery—Australian Capital Territory



Source: Australian Capital Territory Federal Police, unpublished statistics (victim data).

satisfactorily explained by the introduction of the Nationwide Agreement on Firearms. Similarly, in using relative percentages, we are able to observe relative contributions to armed robbery. Nevertheless, this theory does *not* explain the large increase in armed robbery in general.

Most importantly, however, even if weapon substitution is occurring, all it really means is that knife use has jumped from approximately 45 to 55 per cent, whereas firearm use has dropped from 30 to 20 per cent. Regardless of whether this particular trend has occurred because of displacement, knife use has *always* contributed to approximately half of all armed robberies across this 5-year period. This is an issue which has never been examined with an appropriate degree of empirical rigour.

None of this is to say that firearm legislation is an irrelevant factor in the role firearms and knives play in armed robbery. However, the intent behind the use of a particular weapon may be more closely linked to the impact of legislation (punishment) than the ultimate goal of the offence (money or drugs). It may well be more useful to look at offenders' motivations for using specific weapons, and the manner in which the impact of sentencing is taken into consideration, if we are to understand why knives are increasingly being chosen over other potential weapons.

Important distinctions are drawn between firearm use and knife use in robberies by those who have investigated motivations for engaging in armed robbery (Wright and Decker 1997; Morrison and O'Donnell 1996; Harding and Blake 1989). It is argued that offenders who use knives have quite different motivations for choosing a knife over a firearm for use in armed robbery.

Two researchers who have investigated this issue are Harding and Blake (1989). They argue that offenders who use knives in robberies make a "passive choice" not to use a gun. The decision to use a knife is not one of available circumstances, "but rather they had turned their backs on the possible opportunity of using a gun in their crimes" (Harding and Blake 1989, p. 28). The justification for this was predominantly one of "sentence expectation" whereby "slightly more than half of knife robbers considered that they would get a harsher sentence if caught, and each one of these respondents considered that this was a very important reasons for not using a gun in carrying out their robberies." (Harding and Blake 1989, p. 29)

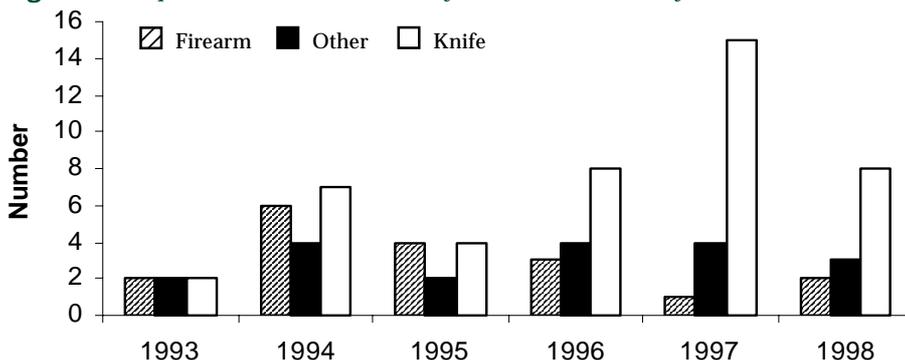
There appears to be different types of armed robbery (gun, knife, syringe, and baton) being engaged in for different reasons, with different consequences. These are phenomena which have not been investigated in any serious manner within the Australian context. We have national

data that indicate weapons "other than" firearms have been used in increasingly more armed robberies over the last 5 years. Arguably, this development *may* be related to the effectiveness of firearm legislation. In comparison to other countries, the use of firearms in armed robbery is low in Australia, a trend that has been reasonably consistent across the last decade. Whilst this is undeniably a welcome indication of the effectiveness of the justice system response to crime, it does mean that potential legislative options, such as increasing sentence severity for knife use, are limited. If there were to be little difference in the response by the courts to the use of knives or guns, robbers who chose to be armed might well choose to use a gun. This would certainly accord with Harding and Blake's (1989, p. 30) argument that knife robbers are consciously choosing a knife over a firearm. Such a finding would obviously have critical implications for the administration of the criminal justice system and protection of the wider community.

So, we appear to have two important trends occurring. Firstly, armed robbery is increasing and is being driven by an increase in the use of weapons other than firearms, most particularly knives. Secondly, it can be suspected that the reason for the increasing use of knives in armed robbery is the complex nature of the connection between availability and intent.

It is unfortunate that the data used to draw out this point are incomplete and not very specific. The data are indicative at best. Questions such as whether knife robbers and firearm robbers do in fact have different motivations, whether they rob in different locations, and whether they are pursuing different rewards (money or drugs), are critical questions that still need to be answered if we are to improve our capacity to develop effective and appropriately targeted crime prevention strategies.

Figure 5: Weapon Use in Armed Robbery—Northern Territory



Source: Northern Territory Police, unpublished statistics (victim data).

Current exercises such as the *Modelling Weapon Use by Offenders of Armed Robbery* project (Carcach and Mouzos 2000) and the *Youth and Knives* project (Criminology Research Council 2000) are specifically aimed at addressing the gaps in the research base hindering informed policy making. As such, these exercises are important signals of research “catching up” with the community welfare priorities of government. Perhaps more immediately, however, criminologists, the courts, and policy makers need to better understand the impact that new legislation, sentencing practices, and offenders’ decision-making processes may have in propelling particular crime trends. Given this, there are 3 key points that have been identified, which future research needs to take into account.

- While both the legislature and the courts consider the use of firearms in armed robbery particularly serious, warranting severe penalties in terms of sentencing (see R v Morton (1997) QCA 266) knives are actually far more prevalent than firearms in armed robbery (in the last few years, knife use in armed robberies has increased while firearms use has remained stable or declined).

- Understanding the use of specific weapons in robberies requires an understanding of the related issues of availability and intent.
- Until we understand the manner in which issues of availability and intent are played out with respect to weapons use, we will not know the possible consequences of any legislative and policy changes.

These key points should shape research into **a)** trends in weapon use, and **b)** the motivations, attitudes, and aims of armed robbers, so that we can develop effective strategies to counter armed robbery.

Notes

- ¹ Two potential categories not included are firearm/weapon not identified and firearm/weapon not seen, simply because there is no way to deduce whether the weapon in question was a firearm or an “other” weapon.
- ² Data on knife use in Queensland was not available, due to recording practices dividing weapons into “firearm” and “other” weapons.
- ³ Admission to Courts Regulations Tasmania 1995.

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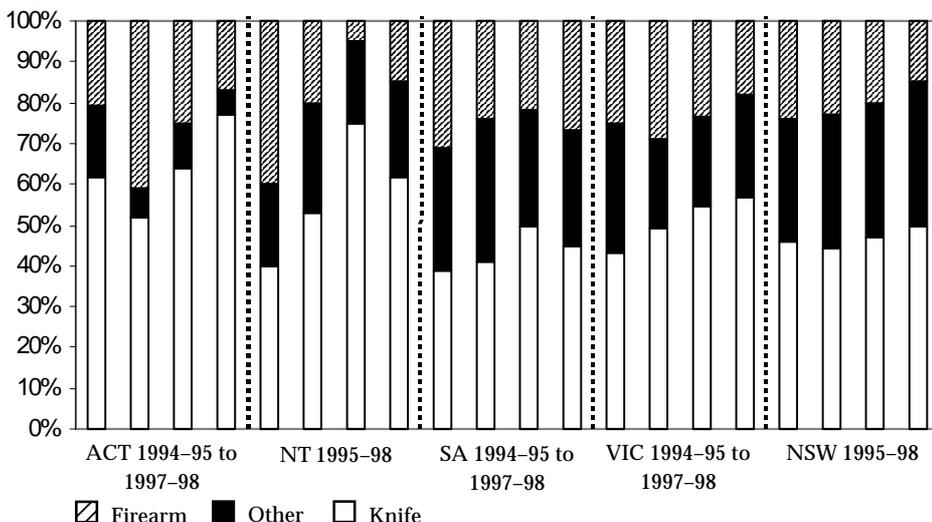
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Acknowledgement

This research developed out of funding provided by the Criminology Research Council. Appreciation is expressed to the police services and the Bureau of Crime Statistics and Research for their cooperation in supplying data.

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Figure 6: Weapon as a Percentage of Total Armed Robbery



Source: New South Wales Police, unpublished Statistics (victim data).
 Victoria Police, *Crime Statistics 1993-94 to 1997-98* (victim data).
 South Australia Statistical Services, *Statistical Review 1993-94 to 1998-99* (victim data).
 Northern Territory Police, unpublished statistics (victim data).
 Australian Capital Territory Federal Police, unpublished statistics (victim data).



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