

## **Recommendation R23/19 – Feedback on Performance Meetings**

### **Minutes for R23/19**

1. The Commissioner was asked what was meant by ‘commercial robbery’ to which he replied that this was crimes against businesses but would provide more information to the Panel.
2. The Panel asked if the rise in the number of times the custody suite was closed had a direct link on the drop of number arrested and detained. The Commissioner stated that the two were not related but a fuller explanation would be given to the Panel.

### **Actions/Further information to be provided:**

That the Commissioner would provide fuller responses to the questions relating to commercial robbery and the link between closure of the custody suite vs. drops in numbers arrested.

### **Response received to R23/19**

1. Commercial robbery is essentially stealing business property with the use of force or fear of use of force. The legal definition is below:

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

Any robbery where the good stolen belong to a business or other corporate body, regardless of the location of the robbery.

Goods that are the property of the 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.

2. Although there had been a long-term decrease in arrests, in the last year arrests have increased. The Superintendent in charge of custody has looked into the arrests data compared with arrests in the last year and has found no obvious reduction in arrests due to custody suites being closed. For example, when Staines had a long-term closure (with the back-up custody facility at Woking open) the average daily arrests were 34 per day (over a 170 day period). This compares with an average daily arrest level of 33 per day when Staines re-opened and Woking then closed (again over a 170 day period). This was a planned closure. He also looked at spontaneous closures, which are often just for a few hours e.g. for a deep clean or incident. In these cases

detainees are diverted to a different custody suite. There is no indication that these closures have caused a drop in arrests on these days. For the 6 spontaneous closures in 2019 in general the number of arrests have generally been slightly higher. A similar trend is seen for the previous financial year. In summary, no link has been found between custody closures and levels of arrests.