

## APPENDIX II OFFENCE DEFINITIONS

The offence definitions given hereafter are operational, not legal definitions ('standard' definitions). They were devised so as to allow national correspondents to provide the necessary data for their countries and to specify the scope of the statistical (and legal) definitions underlying their (police and conviction) statistics. Where the legal concept used differed from the standard definition – which occurred in particular in connection with conviction statistics – this is indicated in the technical comments (see 3.C.0).

### A) Intentional homicide

According to the standard definition, intentional homicide means *intentional killing of a person*. Where possible, the figures *include*:

- assault leading to death
- euthanasia
- assistance with suicide
- infanticide.

This means that the providers of the data [= national correspondents] were requested to ensure that 'their' figures included, where available from their national statistics, 'assault leading to death', 'euthanasia', etc.

Countries which were not able to meet the standard definition in all respects are presented in the following table.

**Table 0.II.A: Deviations from the standard definition of homicide**

	assault leading to death	euthanasia	assistance with suicide	infanticide
<b>Belgium</b>	Excluded	Excluded	Excluded	Excluded
<b>Bulgaria</b>	Excluded	Excluded	Excluded	
<b>Croatia</b>	Excluded		Excluded	
<b>Cyprus</b>			Excluded	
<b>Czech Republic</b>	Excluded		Excluded	Excluded
<b>Denmark</b>		Excluded	Excluded	
<b>Estonia</b>	Excluded	Excluded	Excluded	
<b>France</b>			Excluded	
<b>Germany</b>	Excluded		Excluded	
<b>Greece</b>	Excluded	Excluded	Excluded	Excluded
<b>Hungary</b>			Excluded	
<b>Ireland</b>		Excluded	Excluded	Excluded
<b>Italy</b>		Excluded	Excluded	
<b>Latvia</b>	Excluded	Excluded	Excluded	Excluded
<b>Luxembourg</b>		...	...	

<b>Malta</b>			Excluded	
<b>Moldova</b>	Excluded	Excluded	Excluded	
<b>Netherlands</b>	Excluded			
<b>Norway</b>	Excluded			Excluded
<b>Portugal</b>			Excluded	
<b>Romania</b>		Excluded	Excluded	
<b>Russia</b>		Excluded	Excluded	
<b>Slovenia</b>		Excluded		
<b>Sweden</b>			Excluded	Excluded
<b><i>United Kingdom:</i></b>				
<b>England &amp; Wales</b>			Excluded	
<b>Northern Ireland</b>			Excluded	

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**B) Assault**

According to the standard definition, assault means *inflicting bodily injury on another person with intent*. Where possible, the figures *exclude*:

- assault leading to death
- threats
- only causing pain
- slapping/punching
- sexual assault.

Countries which were not able to meet the standard definition in all respects are presented in the following table.

**Table 0.II.B: Deviations from the standard definition of assault**

	assault leading to death	threats	only causing pain	slapping / punching	sexual assault
<b>Cyprus</b>			Included	Included	
<b>Czech Republic</b>	Included				
<b>Denmark</b>	Included		Included	Included	
<b>Estonia</b>	Included		Included	Included	
<b>Finland</b>		Included	Included	Included	Included
<b>Germany</b>	Included				
<b>Greece</b>	Included			Included	
<b>Ireland</b>				Included	
<b>Latvia</b>	Included				
<b>Lithuania</b>	...	...	...	...	...
<b>Malta</b>				Included	
<b>Moldova</b>	Included				
<b>Netherlands</b>	Included		Included	Included	
<b>Norway</b>			Included	Included	
<b>Portugal</b>			Included	Included	
<b>Russia</b>	Included	Included	Included	Included	Included
<b>Sweden</b>			Included	Included	
<b>The F.Y.R.O. Macedonia</b>	Included		Included	Included	
<b>Turkey</b>			Included	Included	
<b>United Kingdom:</b>					
<b>Scotland</b>			Included	Included	

### C) **Rape**

According to the standard definition, rape means *sexual intercourse with a person against her/his will (per vaginam or other)*. Where possible, the figures include:

- violent intra-marital intercourse
- sexual intercourse without force with a helpless person
- sexual intercourse with force with a minor

but *exclude*:

- sexual intercourse with a minor without force
- other forms of sexual assault.

Countries which were not able to meet the standard definition in all respects are presented in the following table (see also the remarks relating to the table).

**Table 0.II.C: Deviations from the standard definition of rape**

	violent intra-marital intercourse	sexual intercourse without force with a helpless person	sexual intercourse with force with a minor	sexual intercourse with a minor without force	other forms of sexual assault
<b>Belgium</b>				Included	
<b>Bulgaria</b>	Excluded			Included	
<b>Croatia</b>	Excluded	Excluded	Excluded		
<b>Cyprus</b>				Included	
<b>Denmark</b>		Excluded			
<b>Germany</b>	Excluded	Excluded			
<b>Greece</b>	Excluded	Excluded			
<b>Hungary</b>	...			Included	
<b>Italy</b>				Included	Included
<b>Latvia</b>	Excluded	Excluded			
<b>Moldova</b>	Excluded				
<b>Netherlands</b>	Excluded	Excluded	Excluded		
<b>Norway</b>			Excluded		
<b>Portugal</b>				Included	
<b>Romania</b>	Excluded				
<b>Sweden</b>		Excluded			
<b>Turkey</b>	Excluded			Included	
<b>United Kingdom:</b>					
<b>Northern Ireland</b>	Excluded				

**Remarks concerning the definition of rape:**

**Finland:** Violent intra-marital intercourse has been included since 1995. The figures refer to female victims only.

**France:** Figures include sexual intercourse with a minor if the act is committed by a person who is the minor's parent or (temporary) guardian.

**Lithuania:** Figures include attempts.

**Romania:** Figures relate to female victims only.

**Switzerland:** Violent intra-marital intercourse, sexual intercourse without force with a helpless person and sexual intercourse with force with a minor have been included since 1.10.1992.

**The F.Y.R.O. Macedonia:** Violent intra-marital intercourse, sexual intercourse without force with a helpless person and sexual intercourse with force with a minor have been included since 1996.

#### **D) Robbery**

According to the standard definition, *robbery* means *stealing from a person with force or threat of force*. Where possible, the figures *include*:

- muggings (bag-snatching)
- theft immediately followed by violence

but *exclude*:

- pickpocketing
- extortion
- blackmail

*Figures for all countries exclude pickpocketing and blackmail.*

Countries which were not able to meet the standard definition in all respects are presented in the following table (see also the remarks relating to the table).

**Table 0.II.D: Deviations from the standard definition of robbery**

	muggings (bag-snatching)	theft immediately followed by violence	extortion
<b>Bulgaria</b>			Included
<b>Cyprus</b>			Included
<b>Czech Republic</b>	Excluded	Excluded	
<b>Hungary</b>	Excluded		
<b>Italy</b>	Excluded	Excluded	
<b>Lithuania</b>		Excluded	
<b>Malta</b>		Excluded	
<b>Poland</b>	Excluded		
<b>Sweden</b>	Excluded		
<b>United Kingdom:</b>			
<b>Scotland</b>		Excluded	

#### **Remarks concerning the definition of robbery:**

**Belgium:** Figures refer to all kinds of “aggravated” theft.

**Estonia:** The definition of robbery includes theft with minor violence or minor threats.

**Lithuania:** The definition of robbery was widened as from 1 January 1995.

### **E) Armed robbery**

According to the standard definition, *armed robbery* means *robbery committed by using weapons*. Where possible, the figures *include*:

- all kinds of weapons, not only firearms
- replica of weapons, toys, etc.

Countries which were not able to meet the standard definition in all respects are presented in the following table (see also the remarks relating to the table).

**Table 0.II.E: Deviations from the standard definition of armed robbery**

	all kinds of weapons, not only firearms	replica of weapons, toys, etc.
<b>Belgium</b>		Excluded
<b>Bulgaria</b>		Excluded
<b>France</b>	Excluded	Excluded
<b>Germany</b>	Excluded	Excluded
<b>Ireland</b>	...	...
<b>Lithuania</b>		Excluded
<b>Poland</b>		Excluded
<b>Portugal</b>		...
<b>Romania</b>		Excluded
<b>Russia</b>		Excluded
<b>Sweden</b>	Excluded	

### **Remarks concerning the definition of armed robbery**

**Sweden:** Robberies committed with replica of weapons (or toys) are included only if they look like firearms.

## **F) Theft**

According to the standard definition, *theft* means *depriving a person/organisation of property without force with the intent to keep it*. Where possible, the figures *include*:

- employee theft
- theft of small value

but *exclude*:

- embezzlement
- receiving/handling of stolen goods.

*Figures for all countries exclude these two offences.*

Countries which were not able to meet the standard definition in all respects are presented in the following table.

**Table 0.II.F: Deviations from the standard definition of theft**

	employee theft <sup>1</sup>	theft of small value
<b>Austria</b>		Excluded
<b>Cyprus</b>		Excluded
<b>Czech Republic</b>		Excluded
<b>Estonia</b>	Excluded	
<b>Germany</b>	Excluded	
<b>Hungary</b>		Excluded
<b>Lithuania</b>		Excluded
<b>Moldova</b>		Excluded
<b>Norway</b>		Excluded
<b>Poland</b>	Excluded	
<b>Romania</b>	Excluded	
<b>Russia</b>		Excluded
<b>Switzerland</b>		Excluded

<sup>1</sup> The indications given here should be taken with caution since, in most continental countries, theft by employees who have a legitimate access to goods is considered as embezzlement. Often, however, the actual circumstances were unclear at the point in time where such “thefts” were recorded.

### **G) Theft of motor vehicle**

According to the standard definition, *theft* means *depriving a person/organisation of property without force with the intent to keep it*. Where possible, the figures include:

- motorboats
- receiving/handling stolen vehicles

*Figures for all countries exclude receiving/handling stolen vehicles.*

Countries which were not able to meet the standard definition in all respects are presented in the following table (see also the remarks relating to the table).

**Table 0.II.G: Deviations from the standard definition of motor vehicle theft**

	motorboats
<b>Croatia</b>	Included
<b>Finland</b>	Included
<b>Greece</b>	Included
<b>Lithuania</b>	Included
<b>Norway</b>	Included
<b>Poland</b>	Included
<b>Sweden</b>	Included
<b>The F.Y.R.O. Macedonia</b>	Included
<b>Turkey</b>	Included

#### **Remarks concerning the definition of motor vehicle theft:**

**Belgium:** Figures refer to theft of cars only.

**Poland:** Figures refer to theft of cars only.

#### **Remark concerning bicycle theft:**

**Luxembourg:** Figures include theft of motorbikes.

## H) **Burglary**

According to the standard definition, *burglary* means *gaining access to a closed part of a building or other premises by the use of force with the objective to steal goods*. Where possible, the figures *include*:

- theft from a factory, shop, office, etc.
- theft from a military establishment
- theft using counterfeit keys

but *exclude*: theft from

- cars
- containers
- vending machines
- parking meters
- fenced meadow/compound

Countries which were not able to meet the standard definition in all respects are presented in the following table (see also the remarks relating to the table).

**Table 0.II.H: Deviations from the standard definition of burglary**

	from a factory, shop, office, etc.	from a military establish- ment	by using false keys	from a car	from a container	from a vending machine	from a parking meter	from a fenced meadow / compound
<b>Albania</b>				Included				
<b>Austria</b>					Included		Included	
<b>Bulgaria</b>		Excluded	Excluded	Included	Included	Included	Included	Included
<b>Croatia</b>				...	...	...	...	...
<b>Czech Republic</b>				Included	Included	Included	Included	
<b>Estonia</b>				Included	Included	Included	Included	Included
<b>Finland</b>				Included	Included	...	...	...
<b>Greece</b>				Included	Included	Included	Included	Included
<b>Italy</b>	Excluded	Excluded	Excluded					
<b>Latvia</b>			Excluded					
<b>Moldova</b>				Included	Included		Included	Included
<b>Netherlands</b>				Included	Included	Included	Included	Included
<b>Norway</b>				Included				Included
<b>Poland</b>				Included	Included			Included
<b>Romania</b>	Excluded	Excluded						
<b>Russia</b>				Included	Included	Included		Included
<b>Slovenia</b>					Included	Included	Included	Included
<b>Sweden</b>					Included	Included	Included	

<b>The F.Y.R.O. Macedonia</b>		Included	Included	Included	Included	Included
<b><i>United Kingdom:</i></b>						
<b>Northern Ireland</b>		Excluded		Included		
<b>Scotland</b>		Excluded				

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**Remarks concerning the definition of burglary:**

**Northern Ireland:** Figures include burglary committed from a container only if the latter is being used as a permanent structure (e.g. as a store).

### **I) Domestic burglary**

According to the standard definition, *domestic burglary* means *gaining access to private premises by the use of force with the objective of stealing goods*. Where possible, the figures include:

- theft from an attic, basement in a multi-dwelling building
- theft from a secondary residence (even if unoccupied)

but *exclude*: theft from

- a detached garage, shed, barn or stable
- a fenced garden, porch, patio

Countries which were not able to meet the standard definition in all respects are presented in the following table.

**Table 0.II.I: Deviations from the standard definition of domestic burglary**

	from an attic, basement in a multi-dwelling building	from a secondary residence (even if it is unoccupied)	from a detached garage, shed, barn or stable	from a fenced garden, porch, patio
<b>Albania</b>			Included	Included
<b>Bulgaria</b>			Included	Included
<b>Estonia</b>	Excluded	Excluded		
<b>Finland</b>	Excluded			
<b>Hungary</b>			Included	
<b>Ireland</b>			Included	
<b>Italy</b>	Excluded	Excluded		
<b>Latvia</b>		Excluded		
<b>Netherlands</b>			Included	Included
<b>Norway</b>	Excluded			
<b>Poland</b>		Excluded		Included
<b>Romania</b>			Included	Included
<b>Russia</b>			Included	Included
<b>Sweden</b>	Excluded	Excluded		
<b>The F.Y.R.O. Macedonia</b>			Included	Included
<b>Turkey</b>			Included	Included
<b><i>United Kingdom:</i></b>				
<b>Scotland</b>			Included	

## **J) Drug offences**

Unlike the other definitions, drug offences have a fairly standard meaning due to international conventions. Where possible, the figures *include*:

- possession of drugs
- cultivation
- production
- sale
- supplying
- transportation
- importation
- exportation
- financing of drug operations.

*Figures for all responding countries include production, sale and supplying.*

Countries which were not able to meet the standard definition in all respects are presented in the following table (see also the remarks relating to the table).

**Table 0.II.J: Deviations from the standard definition of drug offences**

	possession	cultivation	transportation	importation	exportation	financing of drug operations
<b>Austria</b>						Excluded
<b>Belgium</b>						Excluded
<b>Bulgaria</b>						Excluded
<b>Croatia</b>	Excluded					
<b>Czech Republic</b>	Excluded					
<b>Estonia</b>						...
<b>Finland</b>						
<b>France</b>						Excluded
<b>Germany</b>						Excluded
<b>Hungary</b>						
<b>Ireland</b>			Excluded		Excluded	Excluded
<b>Italy</b>	Excluded					
<b>Latvia</b>						Excluded
<b>Lithuania</b>						
<b>Netherlands</b>						
<b>Poland</b>	Excluded					
<b>Romania</b>						Excluded
<b>Slovenia</b>	Excluded					
<b>The F.Y.R.O. Macedonia</b>				Excluded	Excluded	Excluded
<b>United Kingdom:</b>						

England & Wales

Excluded

Excluded

Excluded

Excluded

Scotland

Excluded

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### Remarks on the definition of drug offences

**Croatia:** Drug possession became punishable in 1996.

**Finland:** The scope of drug offences was widened in 1994.

**Hungary:** With effect from 15 May 1993, drug possession for personal use is no longer punishable if the offender is undergoing drug treatment.

**Italy:** Consumption of drugs has not been punishable since 1994.

**Lithuania:** Illegal use of narcotics has not been punishable since 1994.

**Netherlands:** Drug offences are usually not prosecuted if the offence concerns small quantities and/or personal use. Thus, the figures given refer almost exclusively to drug trafficking.

### **K) Drug trafficking**

All countries providing figures consider *trafficking* (i.e. an aggravated offence) as handling drugs (as listed under J) not for personal use, but with the aim of giving access to drugs to another person, usually with the intent of making a profit. This differentiation is not necessarily a legal one, but it results frequently from police practice. The differentiation between trafficking and other drug offences (i.e. mainly consumption) is not made in all countries. This explains why some countries do not provide figures for either trafficking, or the total of drug offences.