

Considerations on the importance of general robbery prevention measures

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Abstract

The state of personal security represents an important aspect of the quality of life, often affected by the criminal phenomenon. The study of that article involves the identification and analysis of the spectrum of general and special measures aimed at preventing the commission of such a crime as robbery.

It should be noted that the basic role of the police is to prevent crimes, misdemeanours and other violations of the law. In this way, in the respective article related to the identification and description of those general and special measures to prevent the crime of robbery, including those aspects that justify paying more attention from the authorities in the process of preventing criminality, will be elucidated, and especially we will refer to the crime of robbery, criminalised by the legislator in art. 188 C.P. of R.M

Keywords: general measures, special measures, prevention, robbery, positive obligation, legal authorities.

Introduction

Ab initio, it should be mentioned that in the existing social conditions a necessary premise for the formation of a state of law is the struggle for the consolidation of legality, public order and the protection of citizens' rights, a fact that can be solved by economic, social, cultural-educational means, by raising the standard of living of the citizens and the theoretical and legal awareness of the citizens.

Robbery is considered, rightly, the most dangerous crime committed by evasion and one of the most dangerous crimes in general due to the fact that it affects both the social values conditioned by protecting the right of possession or property and those social relations, which protect the bodily integrity, health and life of the person.

Materials and methods

Methodology

In order to carry out a conducted and objective study, a number of research methods were applied in this paper, including: the logical method, the analysis method, the comparative study method and the systemic method.

Results and discussion

In the view of the author Iurie Larii, "crime prevention means, first of all, preventing the commission of those human actions or inactions that society considers harmful to its values, for which reason these behaviours are sanctioned by the criminal law" (Larii Iu. 2004, p.150).

We rightly believe that we agree with the author's statement, based on the fact that the members of society feel those values that have been attacked through various acts that attack the multitude of social relations protected and defended by criminal law.

It is just the fact that the state authorities must draw increased attention and implement necessary and effective strategies, specifically in the aspect of preventing the criminal phenomenon, and we affirm the respective matter, through the prism of the fact that once a specific crime is discovered, it follows that those prejudicial consequences have occurred or certain values and social relations defended by criminal law have been endangered. The crime prevention process must become a priority not only for the state authorities but also for local communities, educational institutions and various civil organisations.

Taking into account the existing social context, and here we refer to the poor living conditions of the population, especially in rural areas, the lack of jobs, the consumption of alcoholic beverages as well as the use of drugs, etc., all these causes directly influence the increase in the level of criminality, namely the commission of crimes against patrimony, often accompanied by the application of violence dangerous for the life or health of the aggrieved person or the threat of such violence.

In the context, we affirm the fact that, identifying and knowing those causes and conditions that favored the commission of a crime, represents an essential aspect in the process of preventing criminality, resulting from the fact that it would be rational to elucidate and remove those causes that have generated the commission of the criminal act, and this inevitably hinders the establishment of the causes and conditions that determined the commission of a prejudicial act.

If we refer directly to the causes that generate the commission of acts of robbery, which would also be specific to other crimes, the following would be listed:

- Poverty and lack of material resources, people in precarious economic situations may end up resorting to violence to survive or to obtain the resources they need.
- Lack of education, a minimum level of education or the absence of a quality education system can contribute to the appearance of antisocial behaviours, including committing robberies.
- The consumption of alcohol and narcotic substances, including drugs, can trigger impulsive and violent behaviour, including acts of robbery and theft, in order to procure those narcotic substances or drugs.
- The lack of jobs is also a cause that can generate the commission of robbery attacks, in the context where the individual, regardless of whether he is employed or not, needs to ensure a minimum of existence, and the lack of a place to work could generate the commission of such a prejudicial act.

In this vein, we specify the fact that the very provisions of the Code of Criminal Procedure of the Republic of Moldova, namely the provision of the procedural-criminal

norm provided for in Article. 216 C.P.P expressly specifies "during the criminal investigation and trial of the case, the criminal investigation body has the obligation to establish the causes and conditions that contributed to the commission of the crime" (Codul de procedură penală al Republicii Moldova nr. 122-XV din 14 martie 2003).

Thus, starting from the respective text, based on the nominated provisions, the criminal investigation body, in the process of implementing a criminal case, is obliged to establish those causes and conditions that generated and contributed to the commission of the respective crime.

In this context, the provisions of the provision of art. 217 of (1) C.P.P of the Republic of Moldova, where the legislator undoubtedly stipulated that "if the criminal investigation body found the existence of causes and conditions that contributed to the commission of the crime, it is obliged to notify the respective body or the person with the position of responsibility for taking measures to remove these causes and conditions".

We rightly consider that the criminal procedural legislation has legal levers in order to remedy and improve the situation regarding the reduction of the criminal phenomenon and the respective issue is to be justified by the fact that the criminal investigation body, which issued that referral regarding the causes and the conditions, which contributed to the commission of the crime, will analyze the measures taken by the respective body or the person with responsibility within a maximum period of one month from the date of issuing the notification.

Art. 217 of (3) CPP, provides the following: "within a maximum of one month, based on the notification, the necessary measures will be taken and the results will be communicated to the prosecutor who leads the criminal investigation in the given case and to the body that sent the notification".

Thus, if above we explained the importance and necessity of establishing the causes and conditions that contributed to the commission of the criminal act, in the following, we will explain the importance of general and special measures to prevent the commission of the crime of robbery.

Robbery prevention is a priority for both law enforcement and society as a whole. General robbery prevention measures refer to the actions and strategies designed to reduce risks and enhance safety in communities. These measures are applicable in a broad context and focus on developing a culture of crime prevention.

The general prevention of crime represents a system of measures aimed at eliminating the processes of determining crime that influence the entire population or its groups, which are highlighted based on economic, social, etc. criteria (B.H. Бурлакова, Н. М. Кропачева. 2004, p.427).

The crime prevention activity will not be effective if we do not have harmonised and adapted legislation to the European Union Acquis as well as international standards. At the same time, the involvement of the community and the correct and objective reflection of statistical data are required.

We totally agree with the vision of the local criminologist Gh. Gladchi, who claims that the system of special criminological measures to prevent crimes is composed of a totality of activities, carried out by various state, public and non-governmental bodies, aimed at removing or neutralising the causes and conditions of committing crimes of this kind (Gladchi Gh., 2001, p. 312).

The prevention of the crime of robbery does not depend exclusively on the authorities, but also on the behaviors and measures adopted at the individual level.

Therefore, there are several methods by which each person can contribute to protecting their own personal security.

Thus, if we refer to those general preventive measures, which *inter alia* are valid both for robbery and for other crimes against patrimony such as the crime of robbery or blackmail, we will emphasize the fact that there is no exhaustive list of general measures of prevention, because they vary depending on the existing social context, location, standard of living as well as other factors.

General prevention is a complex multiphase process, consisting of interdependent elements. Thus, the positive development of society, the improvement of economic, political, and social institutions, etc., would actively contribute to the general prevention of crime (Ciobanu I. 2006, p. 296). At the same time, the goal of crime prevention is not directly aimed at improving the economic situation, but it influences a series of negative manifestations, such as poverty, unemployment, vagrancy, begging, etc. – that is, manifestations with a well-known criminogenic vocation (Nastas A. Cernomoreț S. 2024, p. 291).

The general measures, being in their entirety a totality of activities of a political, economic, cultural-educational as well as other nature, constitute the foundation for the special criminological measures to prevent crimes. In this vein, we will refer directly to those general prevention measures, which in our view are essential and objective in the process of preventing crime against patrimony.

- Information and awareness - public information campaigns, which target the risks associated with criminal behaviours as well as their legal consequences, can deter people from committing crimes. These may include educational programs that emphasise the legal and social risks of criminal behaviour.

- Various education programs for young people - NGOs can organise courses and activities for young people, where they can explain the risks involved in committing crimes and offer them viable alternatives for personal development.

- Avoiding exposure to dangerous places - people should be aware of and avoid areas with a high risk of crime, especially at night. At the same time, it is important to be alert to the presence of people who might become aggressive.

- Risk awareness - educating the public about the risks they are exposed to, such as walking in isolated places at night.

Protecting personal belongings - using security methods, such as keeping valuables in a safe place, using surveillance cameras and keeping valuables at a safe distance- helps reduce the risk of becoming a victim of a robbery.

- Installation of public lighting systems - functional streetlights are a simple but effective measure to prevent acts of robbery. Illuminated areas are much safer than dark areas, and criminals are less likely to operate in visible places as there is a likelihood of being identified.

Conclusions

The matter regarding the process of preventing the crime of robbery inevitably represents a responsibility on the part of law enforcement bodies, but at the same time, it is also a collective responsibility involving both state authorities and citizens. Prevention measures need to be tailored to the needs of each community and at the same time combine social, educational, economic and legislative approaches (Cernomoreț S., Nastas A. 2023, p.56).

Collaboration between authorities, non-governmental organisations and citizens is particularly important in order to create a safer and more protected environment. By implementing these measures, not only will the number of robbery cases be reduced, but it will also inevitably contribute to strengthening a sense of safety and personal security among the population.

References

- Larii Iu., Criminologie. Manual pentru facultățile de drept. Chișinău: Academia MAI al RM „Ștefan cel Mare”, 2004, 150 p.
- Codul de procedură penală al Republicii Moldova nr.122-XV din 14 martie 2003. În: Monitorul Oficial al Republicii Moldova, 2014, nr.319-324. În vigoare din 12 iunie 2003.
- Криминология. Учебник для вузов. Под ред. В.Н. Бурлакова, Н. М. Кропачева. Санкт-Петербург: Санкт-Петербургский госу - дарственный университет, 2004, 427 с.
- Gladchi Gh., Criminologie generală. Ed: Museum, 2001, 312 p.
- Ciobanu I., Criminologie, vol. III. Chișinău: Cartea Juridică, 2006, 296 p.
- Nastas A., Cernomoreț S. Criminologie: Tratat. București: ProUniversitaria, 2024. 291 p. ISBN 978-606-26-1562-8
- Cernomoreț S., Nastas A. Comparative Analysis of Cybercrime in the Criminal Law System, Monografie, ADJURIS – International Academic Publisher, Bucharest, Paris, Calgary 2023, p.56, ISBN 978-606-95862-1-1