

Aggravated burglary

Theft Act 1968 (section 10)

Category 1	Greater harm and higher culpability
Category 2	Greater harm and lower culpability or lesser harm and higher culpability
Category 3	Lesser harm and lower culpability

The court should determine culpability and harm caused or intended, by reference **only** to the factors below, which comprise the principal factual elements of the offence. Where an offence does not fall squarely into a category, individual factors may require a degree of weighting before making an overall assessment and determining the appropriate offence category.

<p>Factors indicating greater harm</p> <p>Theft of/damage to property causing a significant degree of loss to the victim (whether economic, commercial, sentimental or personal value)</p> <p>Soiling, ransacking or vandalism of property</p> <p>Victim at home or on the premises (or returns) while offender present</p> <p>Significant physical or psychological injury or other significant trauma to the victim</p> <p>Violence used or threatened against victim, particularly involving a weapon</p> <p>Context of general public disorder</p> <p>Factors indicating lesser harm</p> <p>No physical or psychological injury or other significant trauma to the victim</p> <p>No violence used or threatened and a weapon is not produced</p>	<p>Factors indicating higher culpability</p> <p>Victim or premises deliberately targeted (for example, due to vulnerability or hostility based on disability, race, sexual orientation)</p> <p>A significant degree of planning or organisation</p> <p>Equipped for burglary (for example, implements carried and/or use of vehicle)</p> <p>Weapon present on entry</p> <p>Member of a group or gang</p> <p>Factors indicating lower culpability</p> <p>Offender exploited by others</p> <p>Mental disorder or learning disability, where linked to the commission of the offence</p>
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Offence Category	Starting Point <i>(Applicable to all offenders)</i>	Category Range <i>(Applicable to all offenders)</i>
Category 1	10 years' custody	9–13 years' custody
Category 2	6 years' custody	4–9 years' custody
Category 3	2 years' custody	1–4 years' custody

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