

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**30 NOVEMBER 2009**

1. **PROSECUTIONS FOR ARSON 2002/08**

Report of the Chief Fire Officer.

RECOMMENDED

THAT the Authority note the number of prosecutions for arson that have been brought before the Courts during the period 2002/08 in which the Brigade's Fire Research and Investigation Section (FRIS) have been directly engaged in the investigation and the nature and period of the sentence/s handed down by the Courts for the cases concerned; the detail of which is set out in the main body of the report at paragraph 3.3.

2. **PURPOSE OF REPORT**

This report is submitted to inform Members of the number of prosecutions that have been brought before the Courts within the Fire Authority's area relating to arson in which the FRIS team have been played an active role with the Police and Forensic Science Service (FSS) in undertaking investigations that have provided evidence for the Crown Prosecution Service (CPS).

3. **BACKGROUND**

- 3.1 The West Midlands Fire Service (WMFS) has a small dedicated team of FRIS Officers, plus a hydrocarbon detection dog and handler. Their function is to attend and investigate certain categories and types of fires as specified in the Service's Standing Orders. These fires inevitably include instances where a joint investigation is carried out with the Police and their Forensic Scene Investigators (FSI) and, where appropriate, the FSS, which are of a suspicious or doubtful nature.

- 3.2 A number of the above investigations have identified the fact that the fire was deliberate in nature and therefore arson. Working jointly with the Police, FSI and, where deemed appropriate by the Police, the FSS, the FRIS team have provided evidence to the CPS that has resulted in a range of sentences being handed down by the Courts.
- 3.3 The sentences handed down by the Courts during the period 2002/08 are set out in the table below:

Year	Number of cases	Total of years hand down in sentences	Number of non-custodial sentences	Number of life sentences
2002	11	17.75	2	0
2003	17	15.75	2	2
2004	20	129.5	3	3
2005	12	33.3	3	0
2006	18	63.8	3	3
2007	14	80.5	0	0
2008	12	22.75	2	0
<b>Totals</b>	<b>104</b>	<b>363.5</b>	<b>15</b>	<b>8</b>

- 3.4 The information relating to 2009 prosecutions for arson is not available at this time as it may take at least a year before a trial can take place. The outcomes of the 2009 trials may result in the 2007 and 2008 being adjusted accordingly.
- 3.5 As with other areas of activity within the Service, Arson Prevention is role that the Arson Task Force (joint Fire and Police Team) undertake to prevent and mitigate against the loss, and damage to schools and businesses within the communities of the WMFS area.

**EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment report is not required and has not been carried out. The matters set out in this report do not relate to a policy change.

5. **LEGAL IMPLICATIONS**

The Fire and Rescue Service National Framework 2008-2011 emphasises that 'deliberate fires continue to be a significant problem in many areas' and states that 'Fire and Rescue Authorities will continue to work through Crime and Disorder Reduction Partnerships, Arson Task Forces and other local performance frameworks to take a cross cutting view on reducing arson and deliberate fires'. (Chapter 1, paragraph 1.10).

6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

**BACKGROUND PAPERS**

The Fire and Rescue Service National Framework 2008-2011  
Fire Service Circular 1/2006

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CHIEF FIRE OFFICER