



Australian Government

Attorney-General's Department

**Report on the National Forum
to Reduce Deliberate Bushfires in Australia
25 March 2009**

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Foreword

In February 2009, Victoria experienced the most devastating bushfires in its history. Never before have we seen such catastrophic loss of life and extreme property damage caused by a natural disaster. 173 people died, 2,029 homes were lost and over 400,000 hectares were burned.

This is a country of extreme weather conditions that challenge us all. In any fire season we face the threat of fire in almost every state and territory. But while some fires will be the result of nature's fury, others will be deliberately lit. Sadly, the majority of vegetation fires in Australia are caused by people, either intentionally or accidentally. What this means is that most bushfires are preventable.

This forum, the first of its kind, brought a range of experts together in a national effort to reduce the number of deliberately lit bushfires. The aim was to look at examples of bushfire arson prevention initiatives from around the country, and identify national priorities for action.

As the Australian Institute of Criminology (AIC) report '*Using crime prevention to reduce deliberate bushfires in Australia*' suggests, greater cooperation between fire agencies, police, social services, the criminal justice system, and all levels of government, will be required to address bushfire arson effectively.

It is estimated that arson in all its forms costs the Australian community \$1.6 billion each year. As the AIC report points out, around half of all vegetation fires - some 20,000 to 30,000 each year - are suspected of being deliberately lit, whereas only around six percent of bushfires are known to be started by natural causes. To put it simply, arson is a crime - and it must be dealt with accordingly.

Prosecuting bushfire arson offences is a challenging task. It can be difficult to determine whether a fire has been deliberately lit, and even if a suspect is identified, investigating and collecting enough evidence to secure a conviction is not a simple exercise. That is why we need to take a more preventative approach to bushfire arson.

I commend this report to you, and look forward to a renewed commitment to reduction of bushfire arson through a nationally collaborative approach.

Robert McClelland
Commonwealth Attorney-General for Australia

Executive Summary

On 25 March 2009, the Commonwealth Attorney-General for Australia called together a group of experts to discuss greater national collaboration in bushfire arson prevention. Participants came from Australasian Fire Authorities Council, Australian Institute of Criminology, Bushfire Collaborative Research Centre, state and territory government police and fire agencies.

The forum drew together examples of bushfire arson prevention and education initiatives and identified national priorities for action for the prevention of bushfire arson. Strategies were developed in five areas: environmental and situational strategies; criminal justice responses; community education; evidence base; and enabling strategies.

Aim

The aim of the forum was to discuss observations and recommendations from the Australian Institute of Criminology (AIC) report '*Using crime prevention to reduce deliberate bushfires in Australia*'.

The forum provided opportunities to discuss greater national collaboration to reduce bushfires caused by arson.

Outcomes

Outcomes of the forum included:

- drawing together promising examples of successful bushfire arson prevention and education initiatives;
- identifying national priorities for action for the prevention of bushfire arson; and,
- considering outcomes that can be implemented immediately, and those that may be more long term.

Participants

The forum was chaired by the Commonwealth Attorney-General and participants included representatives from:

- Attorney-General's Department
- Australasian Fire and Emergency Service Authorities Council
- Australian Institute of Criminology
- Bushfire Collaborative Research Centre
- State and territory government fire agencies
- State and territory government police agencies

For a full list of participants see Appendix 1.

Agenda

<u>Item</u>	<u>Sponsor</u>
Opening address	Commonwealth Attorney-General
Summary of recent events in Victoria	Paul Hollowood, Detective Superintendent, Victorian Police
Overview of AIC report ' <i>Using crime prevention to reduce deliberate bushfires in Australia</i> '	Dr Judy Putt, General Manager, Research Services, Australian Institute of Criminology
Presentation on Strike Force TRONTO	Terry Campbell, Detective Inspector, Property Crime Squad, New South Wales Police Force
Presentation on Operation NOMAD	Silvio Amoroso APM, Chief Superintendent, Southern Operations Service, South Australian Police
Presentation on bushfire arson education initiative	Ralph Smith, Manager, Bushfire and Environmental Protection Branch, Fire and Emergency Services Authority of Western Australia
Opportunities and priorities for national collaboration	Commonwealth Attorney-General
Next steps	Commonwealth Attorney-General

Reporting

The preliminary outcomes of the forum were discussed at an Australian Emergency Management Committee meeting on 31 March 2009 and will be forwarded to the Ministerial Council for Emergency Management – Police and the Ministerial Council for Emergency Management – Emergency Management.

At the 16-17 April 2009 meeting of the Standing Committee of Attorneys General, Ministers agreed to continue to implement robust bushfire and arson offences. Ministers also agreed to consider provisions enabling a court to order a person convicted of a bushfire arson offence to pay an amount of compensation for the damage caused by the offence. Ministers also asked officers to enquire into the penalties currently imposed on arsonists and report back to SCAG at the August 2009 meeting.

National Priorities for Action

The forum considered a range of measures to ensure the strongest possible action is taken to prevent and deter arson. It was recognised that the key to reducing and preventing bushfire arson is maximising cooperation between fire agencies, police, social services, the criminal justice system, and all levels of Government.

The forum committed to develop a national strategy for the prevention of bushfire arson with recommendations in five areas:

- Environmental and Situational Actions
- Criminal Justice Response Actions
- Community Education Actions
- Evidence Base Actions
- Enabling Actions

Environmental and Situational Actions

These are actions that can positively alter the environment in areas where bushfire arson is more likely to occur. These actions recognise that many deliberately lit bushfires occur at the urban-rural interface and in low socio economic communities.

Utilise fuel reduction and community education programs in high risk fire and arson areas at the urban-rural interface consistent with land management objectives

The forum:

- agreed these programs have a local focus and should be implemented by jurisdictions as appropriate, based on environmental circumstances. Programs should be consistent with land management objectives and be accompanied by appropriate community education programs;
- noted examples of targeted awareness and prevention campaigns in arson-prone communities detailed in the AIC report. In particular, Western Australia's multi-agency community-centred approach which identifies and targets high risk communities (also refer below). These programs could be adapted and applied by other agencies for their local circumstances.

Conduct removal programs of abandoned vehicles

The forum agreed these programs have a local focus and should be implemented by jurisdictions as appropriate, based on environmental circumstances.

Criminal Justice Response Actions

These are actions by which bushfire arson crimes are prevented, criminal conduct investigated, and alleged offenders prosecuted. These actions recognise that many deliberately lit bushfires may be preventable utilising crime prevention techniques.

Ensure nationally consistent arson and bushfire offences with a review of current legislation including overseas models

The forum noted:

- the Commonwealth Attorney-General will review current legislation, including overseas models and promote nationally consistent arson and bushfire offences that appropriately reflect the gravity of the offence; and

- the Commonwealth Attorney-General will provide a report to the Standing Committee of Attorneys-General (SCAG).

Action undertaken: The Commonwealth Attorney-General provided a report to SCAG on 16-17 April 2009. SCAG agreed to continue to implement robust bushfire and arson offences and to consider enabling courts to order a person convicted of arson to pay compensation for the damage caused.

Investigate best practice bushfire arson prevention measures

The forum:

- supported the national implementation of best practice bushfire arson prevention measures through the Ministerial Council for Police and Emergency Management – Police to further action on identifying best practice bushfire arson prevention models; and
- noted the presentation by South Australian Police on Operation NOMAD. Targeted specifically at known or suspected bushfire arsonists during high risk days, the prevention program sees significant police resources dedicated to monitoring such people before they can light fires.

Develop programs targeting known arsonists and recidivist arsonists

The forum agreed that establishing specific programs to target known arsonists was an action for implementation by local law enforcement agencies as appropriate, based on environmental circumstances.

Investigate the development of a national bushfire arson database

The forum:

- agreed that a national arson database could be used as a tool to direct intervention strategies at times of high risk; and
- noted that the Attorney-General's Department will investigate options for this proposal.

Investigate sentencing issues associated with bushfire arson offences

The forum noted that the Commonwealth Attorney-General's Department will investigate the sentencing of arsonists and may approach the National Judicial College of Australia to discuss judicial education in sentencing arsonists.

Update the nationally-accredited training programs for fire agency and police personnel to include bushfire arson prevention strategies

The forum noted that AFAC will update current training to include crime prevention strategies.

Encourage collaboration and information sharing regarding latest bushfire arson investigative techniques and technologies

The forum:

- supported the need for law enforcement collaboration on techniques and technologies to combat and investigate bushfire arson;
- noted that the Attorney-General's Department may approach the National Institute of Forensic Science to encourage law enforcement collaboration on techniques and technologies to combat bushfire arson; and
- noted the presentation by New South Wales Police on Strike Force TRONTO. Established in 2001, TRONTO utilises an inter-agency approach to share information and intelligence on fire scene examination responses, risk identification, education and training.

Community Education Actions

These actions are intended to improve understanding in high arson risk areas and positively influence community behaviour. They recognise that traditional community campaigns have focussed on protection against fire and that a more preventative approach is required.

Develop national strategies to raise community awareness of bushfire arson and incorporate arson prevention messages into existing community awareness programs

The forum noted:

- that AFAC will liaise with AEMC and other bodies as appropriate to develop national strategies to raise community awareness of bushfire arson and incorporate arson prevention messages into existing community awareness programs.

Develop targeted awareness and prevention programs to arson-prone communities, including greater collaboration with education and welfare agencies

The forum noted:

- that AFAC will draw together best practice models of awareness and prevention programs targeting priority arson-prone communities;
- that this issue will be discussed at the 2009 meeting of the Ministerial Council for Police and Emergency Management – Emergency Management; and
- noted the presentation by the Western Australia Fire and Emergency Services Authority on its targeted bushfire prevention program. The program focuses on raising community awareness in primary schools and local communities in high risk areas.

Evidence Base Actions

These actions underpin the development, implementation, and evaluation of effective programs and policies through the application of evidence-based reasoning, including systematic use of information and appropriate use of behavioural science. These actions recognise that better data is required to more effectively direct limited resources.

Investigate the viability of a nationally consistent framework for data collection on bushfire arson

The forum noted AFAC, AIC and Bushfire CRC will develop a nationally consistent framework for data collection on bushfire arson and distribute the work already undertaken by New South Wales.

Develop spatial analysis tools to identify bushfire arson hot spots

The forum agreed this action had a local focus and was already being implemented within jurisdictions.

Research socio-economic and demographic factors indicating a propensity to bushfire arson

The forum noted that AIC, in concert with the Bushfire CRC, will pursue research into socio-economic and demographic factors which may indicate a propensity towards bushfire arson, including further research as to the range and motives of bushfire arson offenders.

Develop evaluation tools for prevention program impacts

The forum noted that the National Community Safety Working Group will develop evaluation tools to measure the success of public communication and education programs.

Enabling Actions

These are actions that support the delivery of other actions, through information sharing and capacity building. These actions recognise that agencies cannot implement effective preventative programs in isolation.

Develop national strategy for the prevention of bushfire arson

The forum noted that the Commonwealth Attorney-General will pursue the development of a national strategy for the prevention of bushfire arson.

Develop two-way information flow on arson prevention between practitioners, researchers and policy makers

The forum noted that AFAC will include material on the AFAC Knowledge Web website to facilitate information flows to combat arson.

Conduct an annual forum on bushfire arson prevention

The forum noted the Attorney-General's Department will facilitate another meeting in 2010 to evaluate progress on the forum's resolutions and identify any further issues to be addressed.

Recognise and develop linkages with all agencies that have a role in preventing bushfire arson

The forum noted the Attorney-General's Department will circulate outcomes of the forum to participants and monitor the progress of recommendations.

The forum recognised the potential role of agencies other than fire and police services, in preventing bushfire arson.

Recognise and recommend the continuation of bushfire arson work by AFAC, AIC and the Bushfire CRC

The forum supported and recommended the continuation of the important work undertaken by AFAC, AIC and the Bushfire CRC.

Acknowledge and encourage the implementation of nationally recognised training modules in investigatory techniques and forensic capability to support prosecutions

The forum noted AFAC will work towards implementing nationally recognised training modules to support investigatory techniques.

Appendix 1 – Participants

Chair	The Hon Robert McClelland MP, Commonwealth Attorney-General
<u>National Organisations</u>	
AFAC	Naomi Brown, Chief Executive Officer
Bushfire CRC	Gary Morgan, Chief Executive Officer Noreen Krusel, Research Adoption Manager
Australian Institute of Criminology	Tony Marks, Acting Director Dr Judy Putt, General Manager, Research Services
<u>State and Territory Government Attendees</u>	
Australian Capital Territory	Richard Woods, Operations Manager, ACT Rural Fire Service Danny Reedy, Fire Investigation Unit, ACT Fire Brigade Lil Hays, Acting Director, Justice Planning & Programs, ACT Dept of Justice & Community Safety
New South Wales	Shane Fitzsimmons, Commissioner, NSW Rural Fire Service Bob Matheson, Superintendent, NSW Rural Fire Service Ken Thompson, Deputy Commissioner, Capability & Support, NSW Fire Brigade Terry Campbell, Detective Inspector, Property Crime Squad, NSW Police
Northern Territory	Alan Stephens, Assistant Director, Strategy, Development & Community Safety, NT Fire & Rescue Service
Queensland	Steve Rothwell, Assistant Commissioner, Qld Fire & Rescue Service Inspector Robert McCall, Officer in Charge, Programmes & Services, Community Safety & Crime Prevention Branch, Qld Police Service Miria Bastock, Manager, Policy & Research, Community Safety & Crime Prevention Branch, Operations Support Command, Qld Police Service
South Australia	Euan Ferguson, Chief Officer, SA Country Fire Service & President of AFAC Mick Smith, Deputy Chief Officer, SA Metropolitan Fire Service Rick Persse, Executive Director, SA Dept of Justice Silvio Amoroso APM, Chief Superintendent, Southern Operations Service, SA Police
Tasmania	John Gledhill, Chief Officer, TAS Fire Service Brett Smith, Acting Commander, TAS Police
Victoria	Paul Hollowood, Detective Superintendent, VIC Police Gwynne Brennan, Manager Community Development, VIC Country Fire Authority Lisa Sturzenegger, Director Community Safety, VIC Country Fire Authority Nicole Harvey, State Fire Investigation Coordinator, VIC Country Fire Authority Marisa De Cicco, Director, Justice Policy, VIC Dept of Justice Neil Robertson, Co-ordinator Bushfires Royal Commission, VIC Dept of Justice
Western Australia	Ian Thompson, Detective Senior Sergeant, Officer in Charge, Arson Squad, WA Police Ralph Smith, Manager, Bushfire & Environmental Protection Branch, WA Fire & Emergency Services Authority
<u>Australian Government Attendees</u>	
National Security Resilience Policy Division, AGD	Mike Rothery, A/g First Assistant Secretary, National Security Resilience Policy Peter Koob, Director, Emergency Management Liaison Colin Peters, Assistant Director, Emergency Management Liaison Stephanie King, Manager, Emergency Management Liaison
Criminal Justice Division, AGD	Dr Dianne Heriot, Assistant Secretary, Border Management & Crime Prevention Branch