

State of the Nation 2017

47%

of all fires attended by the FRS
in England are deliberate
161,770 total fires (Eng)
76,106 deliberate fires (Eng)



47
Deaths
from
deliberate
fires

11% deliberate fires 

44% deliberate road
vehicle fires 

19% deliberate other
building fires 

% increase since last APF report
(2014/15)

21,961 arson cases recorded by
police in England and Wales
1,242: the number of successful prosecutions

£1.2b
cost of ABI
fire insurance
claims p.a.

In **2015**, the average commercial
fire claim was **£25,544**, a **165.4%**
increase since **2004**. The average
Domestic Fire Claim has increased
by **205.8%** over the same period.

Source: Deliberate Fires 2015/16

Arson

Prevention Forum

Notes

The Arson Prevention Forum is a strategic stakeholder body formed through a merger of the Government backed Arson Control Forum and the Association of British Insurers Arson Prevention Bureau.

Its strategic objectives are:

- ☐ To identify the economic cost of arson.
- ☐ To identify statistical trends and manage down the risk of arson.
- ☐ To develop a national strategy to reduce deliberate fires highlighting where specific focus of effort from respective partners will be most effective.
- ☐ To improve outcomes through the criminal justice system from identification, detection and prosecution of offenders.
- ☐ To deliver information to support communities, businesses and organisations through a refreshed website and channels of communication presented by partner organisations.
- ☐ To hold an annual conference to share good practice.
- ☐ Engage effectively with communities to better inform the setting of local priorities.
- ☐ To produce an annual report and consider how and where this is presented.

Members include:

The Association of British Insurers, National Police Chiefs Council, National Fire Chiefs Council, Fire Protection Association, Building Research Establishment, UK Association of Fire Investigators, Major Insurers (AXA, Zurich Municipal), Forensic Scientists (Burgoyne's) and specialist lawyers (DAC Beachcroft).

The Crown Prosecution Service, Home Office, Confederation of British Industry, Association of Police and Crime Commissioners and the Department for Communities and Local Government have all attended previous meetings.

This report has been circulated to the following organisations who have an interest in reducing arson, its costs and consequences:

Public Accounts Committee

Home Office

Minister for Policing and Fire and Rescue

Minister for Criminal Justice

Minister for Crime Prevention

Minister for Housing and Building Regulations

Fire Sector Federation

Building Control Alliance

All Party Parliamentary Group on Insurance and Financial Services

All Party Parliamentary Group on Fire and Rescue Services

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS)

National Police Chiefs Council

National Fire Chiefs Council

Association of British Insurers

British Insurance Brokers Association

Chartered Insurance Institute

Chartered Institute of Loss Adjusters

Lloyds of London

Federation of Small Businesses

Confederation of British Industry

Arson Prevention Forum

Association of Police and Crime Commissioners

Metro Mayor

Mayor of London

All Chief Fire Officers

All Police Chief Constables

The Local Government Association

The top 20 UK insurers by market capitalisation

Executive Summary

This is the second State of the Nation report from the Arson Prevention Forum and it provides an overview of the cost and consequences of arson as well as insight as to what is being done to reduce its impact. Those with the responsibility or interest in arson reduction are encouraged to consider this report and reflect on what they could do to reduce this challenging, multi-faceted but ultimately solvable societal problem further.

The previous State of the Nation report was a call to action and many of the recommendations remain valid. The data in this report shows that more still needs to be done. According to Government figures, 47% of all fires attended by the Fire and Rescue Services in England are classed as deliberate (2016/17 figures) and since the last State of the Nation report (2014), deliberate fires in road vehicles have increased by 44% and deliberate fires in other buildings (which includes commercial and office buildings) have increased (by 19%). The long term trend which had seen deliberate fires reducing has reversed with increases in both 2015/16 and 2016/17 figures.

There are benefits to all if a more coordinated approach to arson identification, investigation and prosecution is adopted for example; fewer deliberate fires means demand on police and fire service resources are reduced and lower response and investigation costs. Most importantly, the public will be safer as deliberate fire setting can result in life loss, life changing injuries and significant property damage.

Arson is linked to domestic violence and abuse, terrorism, harassment, anti-social behaviour as well as fraud and in an increasingly complex and interconnected world, just tackling one particular issue will only take us so far. What is needed is even stronger relationships between all interested parties where mutually beneficial solutions can be developed, underpinned by greater understanding of the contribution and needs of other organisations and a shared commitment to action.

The 'call to action' in the 2014 State of the Nation report has resulted in some tangible progress. However, if we are to ensure that shareholder aspirations and public expectations are met, we must go further and faster if we are to truly develop an integrated solution to this problem.

Commitment from the Fire and Rescue Service, notably through the National Fire Chiefs Council remains strong but whilst the physical embodiment of a fire is something which puts Fire and Rescue Services at the forefront in mitigating its impact, that is only the start of the journey. Arson is a crime and needs to be investigated, with perpetrators prosecuted and learning from successful and unsuccessful cases used to drive prevention activities.

A shared picture as to the costs and consequences of arson continues to need to be refined. Some good quality data is being collated by the Association of British Insurers and the Fire Protection Association which will provide a sense of scale of the problem from an insurance perspective.

Some insurers will recognise risk mitigation measures and offer significant premium reductions for businesses who install fire suppression systems (sprinklers) or other risk mitigation measures. This is to be welcomed by all who seek to reduce arson.

In this State of the Nation report, the Arson Prevention Forum presents the latest data available to inform the scale of the problem as well as provide an overview as to what is being done to reduce arson.

Whilst the Arson Prevention Forum aims to bring together interested parties and act as an enabling function to link activity together, ultimately, it is up to individual organisations with the responsibility or interest in reducing arson to make progress. The respective commitment to reduce arson will be able to be evidenced by the activity being undertaken by each organisation and given its costs and consequences, these efforts should continue to be subject to internal and external scrutiny.

The Arson Prevention Forum stands ready, able and committed to reducing Arson and to supporting organisations and businesses.

For more information, advice and support please visit <http://stoparsonuk.org/> , contact myself or the vice chair of the forum Assistant Chief Constable Laurence Taylor.

Lets continue to tackle this problem together...



Lee Howell ACII FIFireE
Independent Chairman
Arson Prevention Forum



ACC Laurence Taylor
Independent Vice Chair
Arson Prevention Forum

Scale of the Problem

Economic Cost of Arson (and deliberate fires)

One of the strategic objectives of the Arson Prevention Forum is to understand the Economic Cost of Arson. Whilst this was originally determined by the Department of Communities and Local Government in 2008, no further updates have been provided. As such, the application of inflation over the nine year period between 2008 and 2017 (assuming an average of 2.6% p.a.) indicates that the current total cost of arson figure could be as high as £1.45b.

Table 1 Economic costs of fire: estimates for 2008, fire research report 3/2011, DCLG

Estimates for the cost of arson - costs as a consequence only												
Region	Cost of non-detected arsons (£m)	Charge/summons (£m)	Caution (£m)	Taken into consideration (£m)	Penalty notice for disorder (£m)		Costs to the prison service (£m)	Total cost to the police and prison service (£m)	Total cost of fatal and non-fatal casualties (£m)	Property damage (£m)	Lost business (£m)	Total (£m)
England	£158	£119	£5.3	£0.8	£2.2	£1.3	£58	£345	£279	£543	£11.02	£1,178

The Home Office have recently provided more information (incident level data set) on the www.gov.uk website which will assist those analysing data to drive down arson further. There are a number of bodies who need this information data and this includes the Fire Protection Association who are the nominated collection agency for large loss statistics for the insurance industry. (Note: incident level datasets can be accessed via www.gov.uk/government/statistical-data-sets/fire-statistics-data-tables)

Statistics

In terms of deliberate fires (i.e. those fires not determined as accidental – these will include arson as well as deliberate fire setting by children without malice i.e. fire play), Government statistics are used.

It is acknowledged that the Police record the number of arson offences and Fire and Rescue Services record the number of deliberate fires. The Police require ‘intent’ and arson needs to be the principal crime (a stolen vehicle which is subsequently set on fire may be classed as a theft of a vehicle not arson). Accidental fires are those where the motive for the fire is presumed to be accidental or is not known.

According to Section 1 of the Criminal Damage Act 1971 “an offence committed under this section by destroying or damaging property by fire shall be charged as arson”.

Deliberate primary fires attended

Since the last State of the Nation report was issued (2014), deliberate fires recorded by the Fire and Rescue Service in England have increased by 11% (76,106 in 2016/17 vs 68,526 in 2014/15).



Table 2 Deliberate Fires for England (Source: Home Office, 2017) (Table 0401)**FIRE STATISTICS TABLE 0401: Deliberate fires¹ attended by fire and rescue services in England, by incident type and fire and rescue authority**

Select a fire and rescue authority from the drop-down list in the orange box below:

England

Year	Total fires	Deliberate primary fires ²					Secondary	Chimney ³
		Total	Dwellings	Other Buildings	Road Vehicles	Other Outdoors		
2010/11	116,997	29,481	4,894	6,073	14,632	3,882	87,495	21
2011/12	115,732	26,728	4,612	6,113	11,912	4,091	88,987	17
2012/13	68,943	19,429	3,625	4,275	9,098	2,431	49,492	22
2013/14	77,670	17,933	3,294	4,042	8,190	2,407	59,699	38
2014/15	68,526	17,368	3,014	3,830	8,204	2,320	51,136	22
2015/16	73,674	19,369	3,018	4,436	9,433	2,482	54,284	21
2016/17	76,106	22,032	3,095	4,564	11,820	2,553	54,059	15

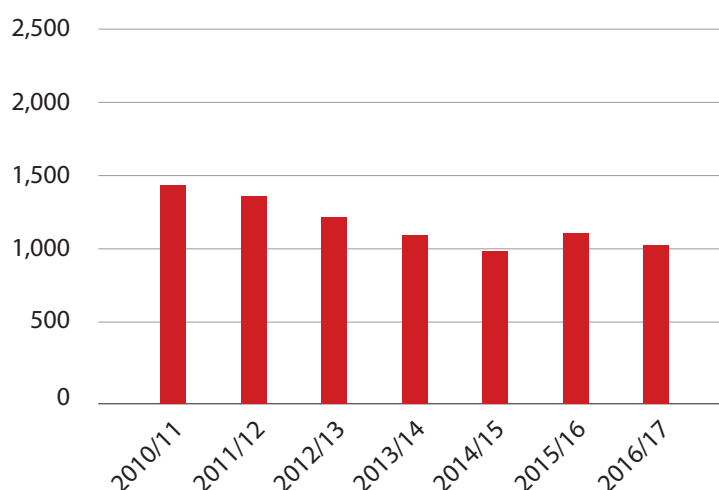
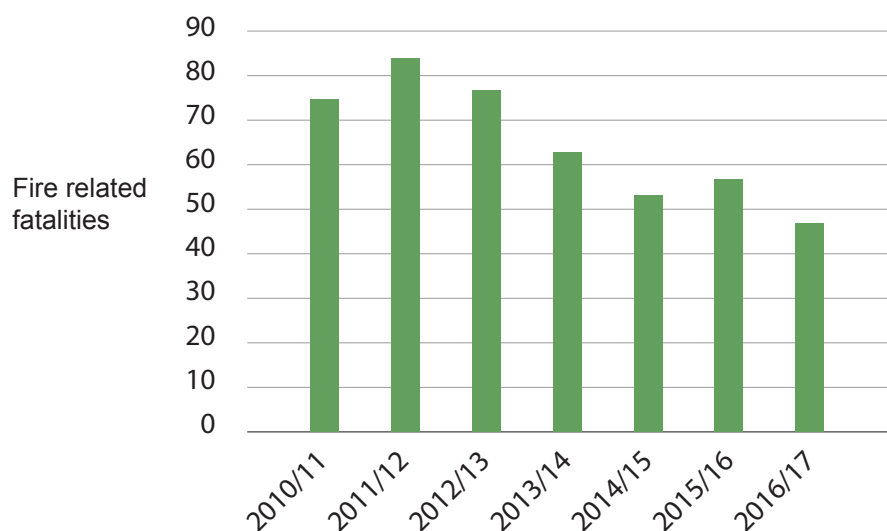
Figure 1 Injuries (in deliberate fires) for England (Source: Home Office, 2017) (Table 0402)**Figure 3** Fire related fatalities (from deliberate fires) for England (Source Home Office 2017)

Table 3 Recorded Arson England and Wales (Source: Crime Survey for England and Wales, Office for National Statistics and Police recorded crime, Home Office)

Table F16a: Police recorded criminal damage and arson offences - rate and number of offences, selected periods from year ending March 2007 to year ending March 2017^{1,2,3}

England and Wales

	Apr '06 to Mar '07	Apr '11 to Mar '12	Apr '15 to Mar '16	Apr '16 to Mar '17
Number of offences				
Criminal damage and arson	1,177,151	626,008	539,439	563,741
Arson	43,100	27,219	21,961	24,104
Criminal damage	1,134,051	598,789	517,478	539,637
Rate per 1,000 population				
Criminal damage and arson	22	11	9	10
Arson	1	0	0	0
Criminal damage	21	11	9	9

Source: Police recorded crime, Home Office

1. Police recorded crime data are not designated as National Statistics.

2. Police recorded crime statistics based on data from all 44 forces in England and Wales (including the British Transport Police).

3. Appendix table A4 provides detailed footnotes and further years.

Table F16b: Police recorded criminal damage and arson offences - percentage change for year ending March 2017 compared with selected periods from year ending March 2007^{1,2,3}

England and Wales

	April 2016 to March 2017 compared with:		
	Apr '06 to Mar '07	Apr '11 to Mar '12	Apr '15 to Mar '16
Percentage change			
Criminal damage and arson	-52	-10	5
Arson	-44	-11	10
Criminal damage	-52	-10	4

Source: Police recorded crime, Home Office

1. Police recorded crime data are not designated as National Statistics.

2. Police recorded crime statistics based on data from all 44 forces in England and Wales (including the British Transport Police).

3. Appendix table A4 provides detailed footnotes.

Table 4 Crown Prosecution Service Data (Source: Ministry of Justice, 2017)
OFFENCES CHARGED AND REACHING A FIRST HEARING AT MAGISTRATES' COURTS

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
Criminal Damage Act 1971 { 1(1), 1(3) and 4 }	1,608	1,484	1,237	1,126	1,014	1,004
Criminal Damage Act 1971 { 1(2), 1(3) and 4 }	1,145	1,143	1,037	835	846	916
Criminal Damage Act 1971 and section 8 of the Accessories and Abettors Act 1861 { 1(1), 1(3) and 4 }	0	2	1	1	1	0
Criminal Attempts Act 1981 { 1(1) }	56	40	45	45	38	44
Criminal Attempts Act 1981 { 1(1) }	54	29	55	65	64	41
Criminal Law Act 1977 { 1(1) }	26	11	26	32	6	5
Criminal Law Act 1977 { 1(1) }	17	9	6	11	8	5

1. Offences recorded in the Management Information System Offences Universe are those which reached a hearing. There is no indication of final outcome or if the charged offence was the substantive charge at finalisation.
2. Data relates to the number of offences recorded in magistrates' courts, in which a prosecution commenced, as recorded on the Case Management System.
3. Offences data are not held by defendant or outcome.
4. Offences recorded in the Offences Universe of the MIS are those which were charged at any time and reached at least one hearing. This offence will remain recorded whether or not that offence was proceeded with and there is no indication of final outcome or if the offence charged was the substantive offence at finalisation.
1. CPS data are available through its Case Management System (CMS) and associated Management Information System (MIS). The CPS collects data to assist in the effective management of its prosecution functions. The CPS does not collect data that constitutes official statistics as defined in the Statistics and Registration Service Act 2007.
2. These data have been drawn from the CPS's administrative IT system, which (as with any large scale recording system) is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS. We are committed to improving the quality of our data and from mid-June 2015 introduced a new data assurance regime which may explain some unexpected variance in some future data sets.
3. The official statistics relating to crime and policing are maintained by the Home Office (HO) and the official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice (MOJ).

Table 5 Ministry of Justice Figures – Arson with intent to endanger life
(Source: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2016>)

	Column Labels											
Values	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	
Cautions issued	67	47	32	24	10	23	10	10	15	16	12	
Proceeded against	733	845	814	833	917	848	710	731	711	738	647	
Convicted	448	471	476	497	478	497	518	459	432	463	354	
Sentenced	462	477	479	503	482	504	517	457	429	463	356	
Absolute Discharge	-	-	-	-	-	-	1	-	-	-	1	
Conditional Discharge	-	2	2	1	-	1	-	1	1	1	-	
Fine	-	-	-	-	-	-	-	-	-	1	-	
Total Community Sentence	93	103	108	97	71	61	59	46	42	55	41	
Community Order (or predecessor)	41	50	52	63	39	37	40	21	17	22	10	
Youth Rehabilitation Order (or predecessor)	24	28	23	16	21	8	9	10	8	13	12	
Reparation Order	-	3	3	-	-	-	-	-	-	-	-	
Referral Order	28	22	30	18	11	16	10	15	17	20	19	
Suspended Sentence	38	60	47	48	37	39	37	51	68	65	51	
Total Immediate Custody	281	269	289	323	325	354	382	317	267	289	219	

Table 6 Ministry of Justice Figures – Arson not endangering life
(Source: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2016>)

	Column Labels											
Values	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	
Cautions issued	1,065	973	695	571	455	444	384	334	233	246	172	
Proceeded against	1,324	1,298	1,273	1,178	1,216	1,160	978	832	767	709	697	
Convicted	1,125	1,079	1,097	964	1,000	974	836	680	608	605	630	
Sentenced	1,085	1,042	1,066	946	977	952	832	675	597	598	620	
Absolute Discharge	4	10	10	-	7	8	4	2	-	2	1	
Conditional Discharge	67	53	55	36	36	46	30	32	25	27	27	
Fine	22	21	12	14	16	6	5	5	10	10	12	
Total Community Sentence	588	552	581	515	533	479	406	285	249	199	219	
Community Order (or predecessor)	175	139	182	189	230	206	171	133	103	93	98	
Youth Rehabilitation Order (or predecessor)	165	163	158	130	118	106	82	52	50	30	42	
Reparation Order	18	10	11	7	6	4	3	2	1	-	-	
Referral Order	230	240	230	189	179	163	150	98	95	76	79	
Suspended Sentence	85	103	117	115	100	117	104	100	91	130	126	
Total Immediate Custody	261	259	235	226	234	250	236	199	180	192	204	

Figure 3 Gross Insurance Claims (Source: UK data from the Association British Insurers, 2016)

Fires are decreasing but costs to insurers are not. Headline figures from the ABI indicate that the average of both Domestic and Commercial Fire Claims have been on a generally upward trend for over 10 years (since ABI records began in 2004) increasing by 165.4% and 205.8% respectively. Despite the number of claims falling over time, the average value of these claims has increased dramatically. In 2015, the average commercial fire claim was £25,544, a 165.4% increase since 2004. The average Domestic Fire Claim has increase by 205.8% over the same period. More work is needed to fully understand the scale of the problem for insurers.

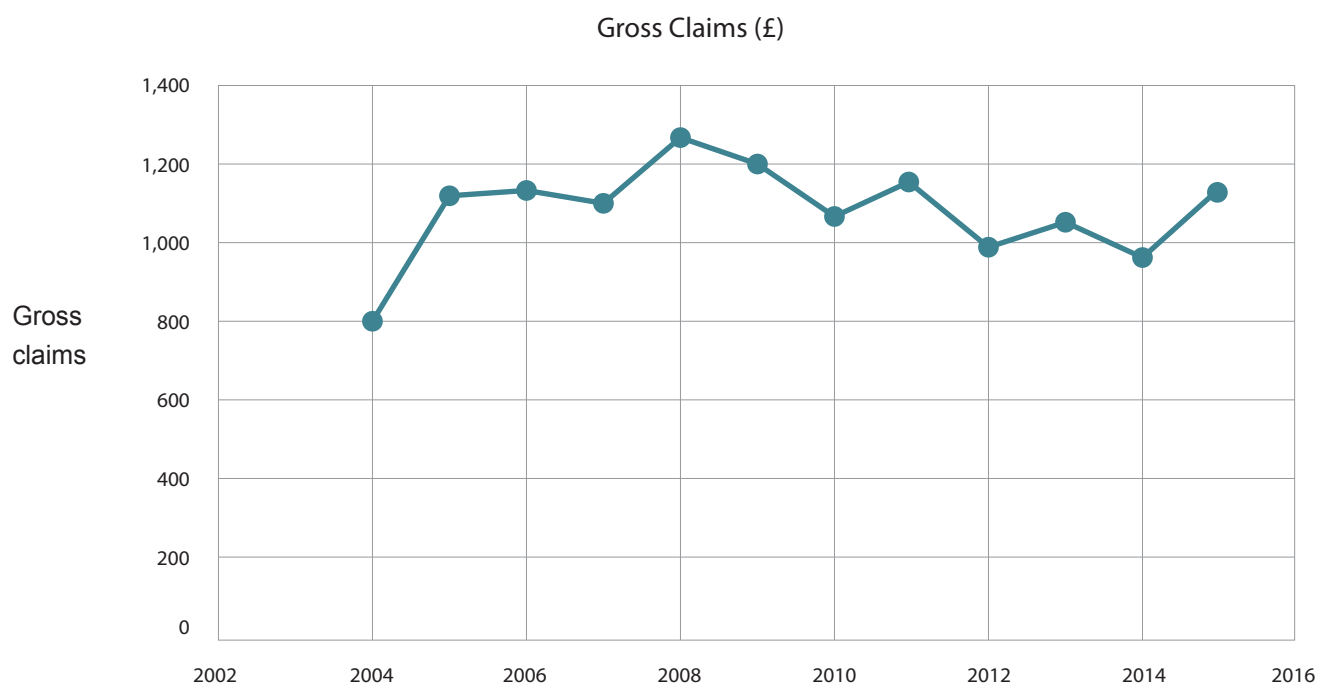


Figure 4 Total Claims ('000) (Source: UK data from the Association British Insurers, 2016)

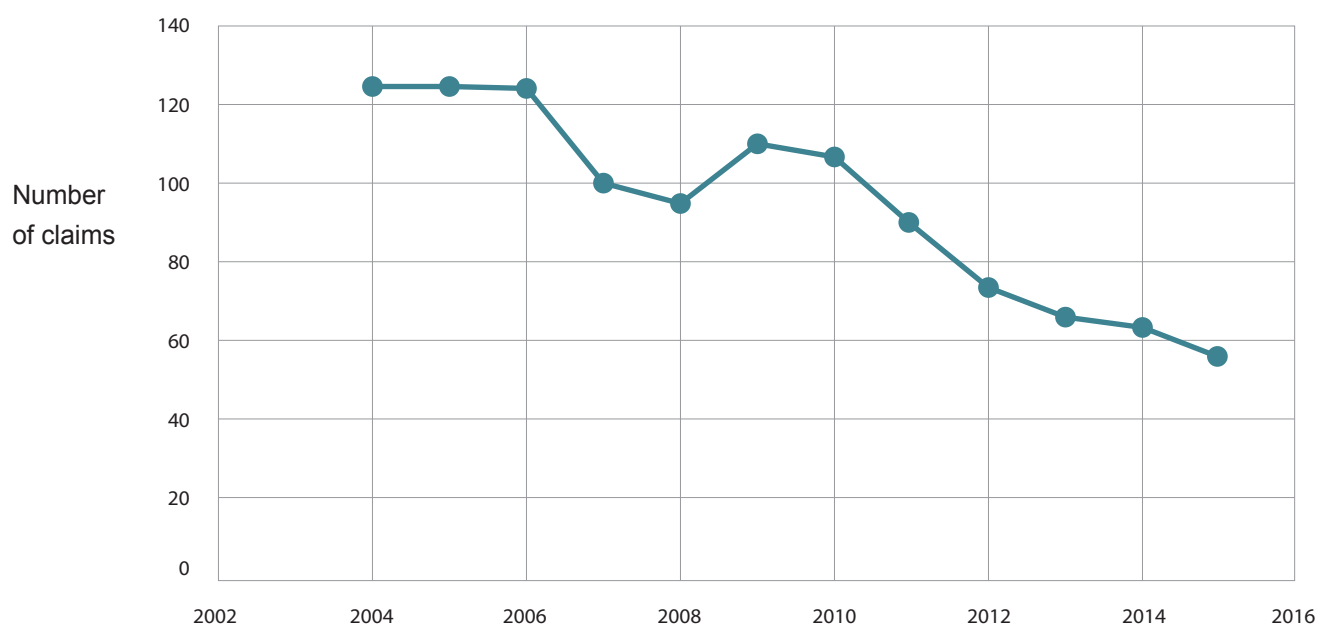
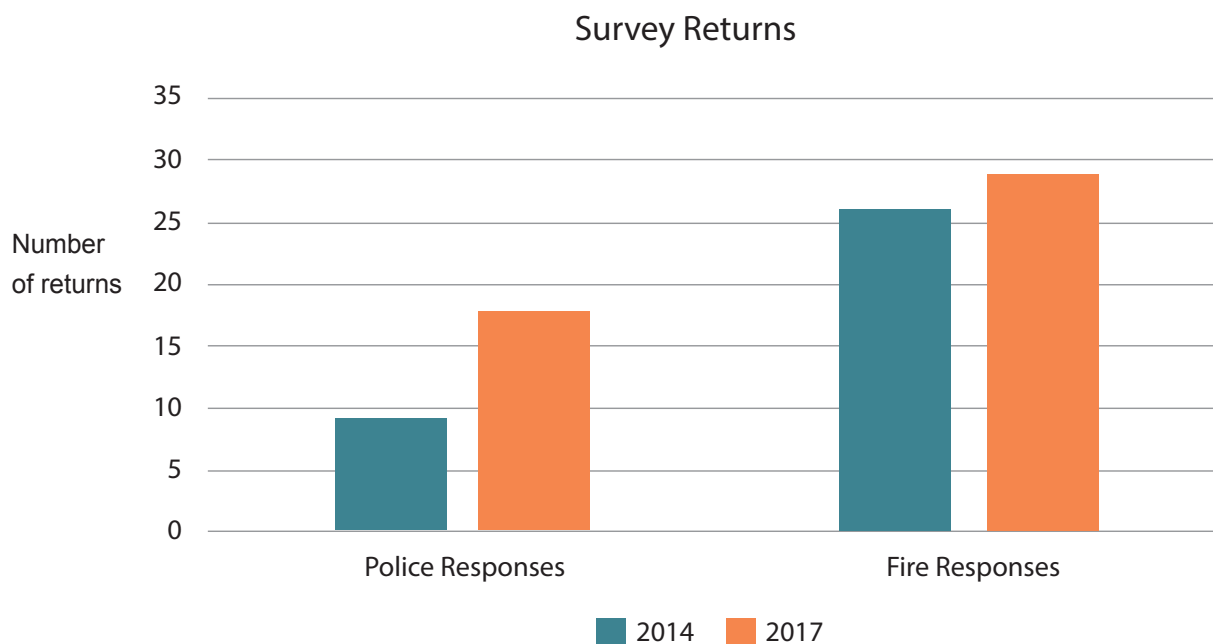
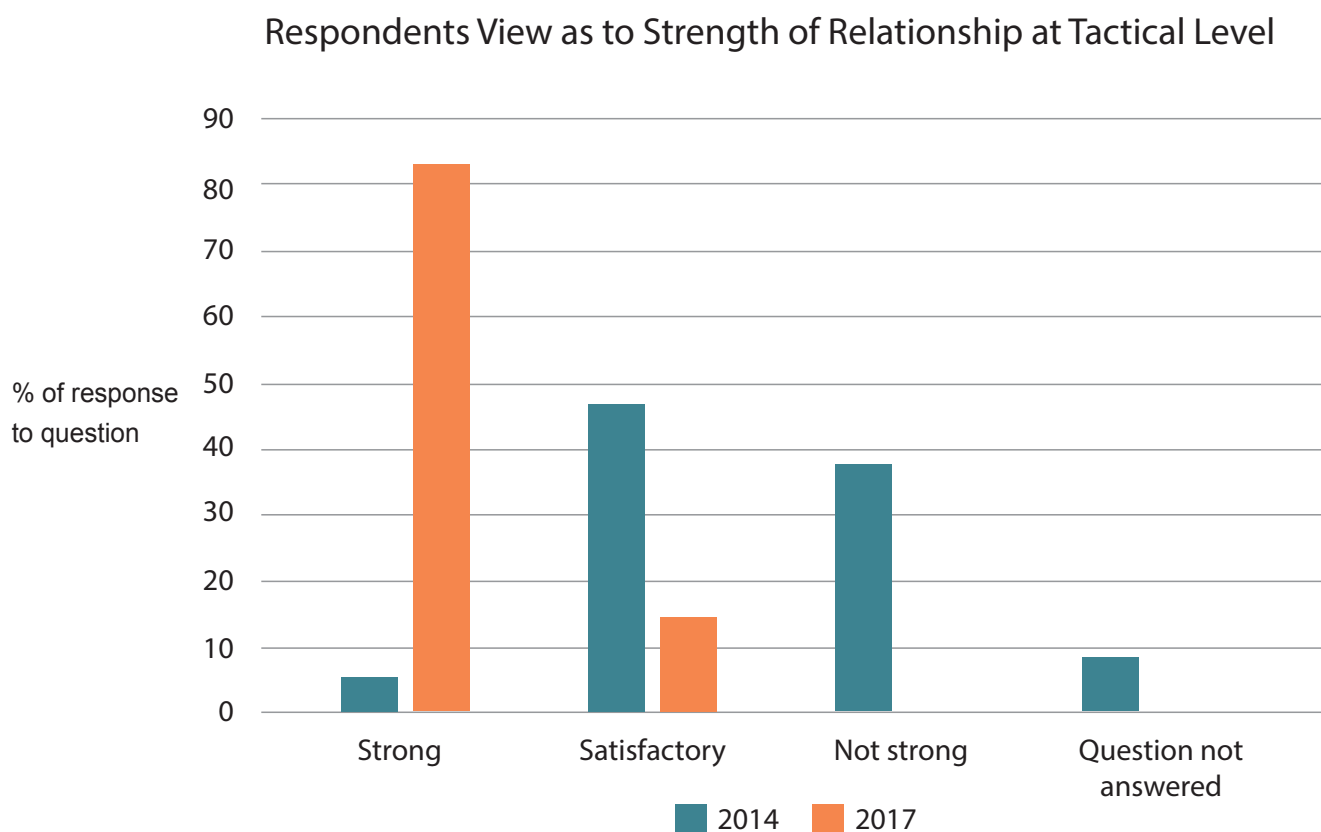


Figure 5 Comparison between 2014 and 2017 Police and Fire Survey – Number of responses (Source: Arson Prevention Forum Survey 2014 & 2017)



It can be seen that the number of responses has increased significantly since the last State of the Nation report in 2013.

Figure 6 Comparison between 2014 and 2017 Police and Fire Survey – strength of relationship between Fire and Police (Source: Arson Prevention Forum Survey 2014 & 2017)



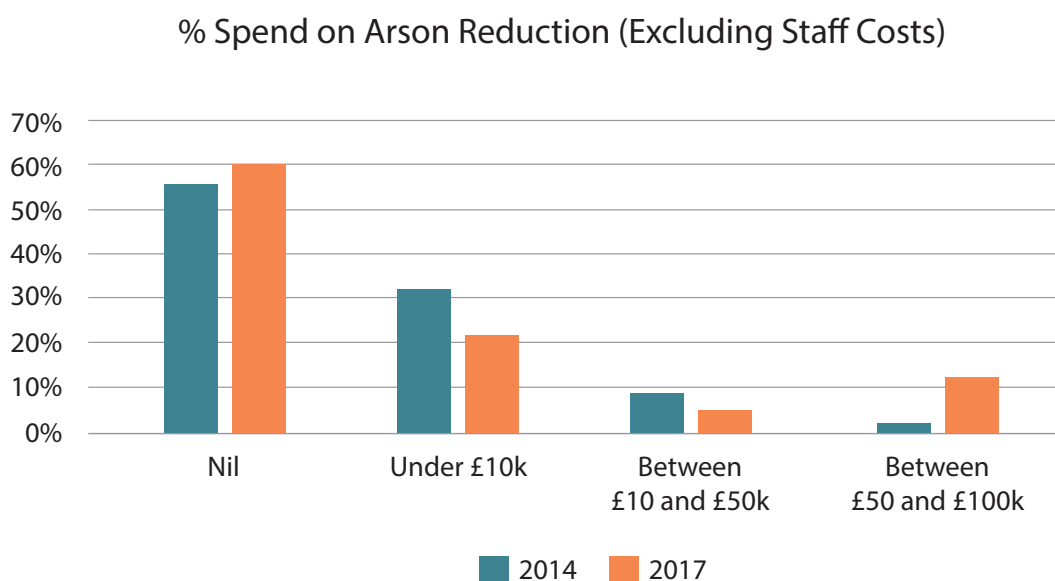
It can be seen that the number of respondents who have said that the relationship between Fire and Police is 'strong' has increased significantly since the last State of the Nation report in 2013.

Figure 7 Comparison between 2014 and 2017 Police and Fire Survey – % of respondents with dedicated arson reduction teams
(Source: Arson Prevention Forum Survey 2014 & 2017)



It can be seen that the number of respondents who have a dedicated arson reduction team has reduced since 2014.

Figure 8 Comparison between 2014 and 2017 Police and Fire Survey – % of spend on arson reduction excluding staff costs
(Source: Arson Prevention Forum Survey 2014 & 2017)



It can be seen that the number of respondents who are spending between £50-£100k has increased. However, the amount spent on arson reduction by others has generally decreased.

What is being done?

Central Government

It is felt by a number of APF members that the Government could do more to set a strategic expectation in relation to Police and Fire and Rescue Services reducing arson. The impending refresh of the National Fire and Rescue Service framework may provide a significant opportunity to do this recognising 47% of all fires are deliberate and that arson is now increasing after a long period of decline. It is not clear how much of this is a result of improved recording.

At a local level, it is recognised that Fire and Rescue Service Integrated Risk Management Planning arrangements should be explicit in terms of arson reduction (where this is a local risk) and these should link to Police and Crime Commissioner Crime Plans given the need for both police and fire services to work better together.

It is noted that current Central Government policy with respect to Arson is delivered through the Anti-Social Behaviour agenda. However, whilst ASB does blight local communities and provides a high volume of low level arson incidents, this focus may not take fully into account the £1b in fire losses (of which it is estimated that £250-£450m relates to arson) or the significant lives lost each year as a result of deliberate fires.

It is suggested that a greater focus be placed on tackling this crime and that the Home Office and Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) could encourage greater transparency as to what is being done by whom and why.

There continues to be a need for more data to be made available and it is hoped that this will be forthcoming in the very near future through the Incident Reporting System data (Fire and Rescue Service activity).

A focus on life protection within the Building Regulations is recognised but at the same time, property protection is important in economic terms as business interruption as a result of arson will see some enterprises going out of business and with it, reduced business rates and lost employment which will in turn have a negative economic impact.

As a result of some local risk assessments conducted following the Grenfell Tower disaster, car parking and storage of refuse where this exists underneath tower blocks (not underground car parks) has been assessed and restrictions put in place in some areas including removal of car parking as well as alternative refuse collection/storage areas. This will reduce the risk of arson as removal of items that could spread fire will mean that the area under such flats is more sterile with the corresponding reduction in risk. This could be incorporated within the revision of Approved Document B which relates to fire safety arrangements in building design. It is recognised that the ongoing safety management of buildings once occupied falls to the "responsible person".

Home Office Anti-Social Behaviour Advisory Group

The APF has a seat at the Home Office Anti-Social Behaviour Advisory Group and takes the opportunity to raise the profile of arson at meetings. Membership of the ASB advisory group includes the National Police Chief Council (NPCC), National Fire Chief Council (NFCC) as

well as Home Office officials, CPS and others. ASB in terms of arson typically manifests itself through individuals setting fire to grass and refuse and as these account for a high volume of deliberate fires this may be one of the reasons why the focus is on ASB. However very few Anti-Social Behaviour Orders have been issued in relation to arson. The costs of secondary fires linked to anti social behaviour should be identified as this will assist inform local activity to drive down the cost and consequences of deliberate fires further.

Police

Arson is a crime and as such falls firmly to the Police to investigate and the Crown Prosecution Service to bring offenders before the Courts. Whilst there are some great examples of local working which is making a difference in reducing arson, there still remains a significant opportunity for the National Police Chiefs Council to provide greater national coordination and/or visibility of this effort from a national perspective.

The attention police services place on arson depends on the extent that it is presented locally. In some areas, joint Arson Task Forces are in place, in other areas a multi-agency hub model is presented where Arson will feature from time to time but effort is directed towards areas of greater need. Where there is arson with intent to endanger life, arson is always afforded a high priority by the police. (A Cambridge Harm Index is used to weight the extent of investigative effort by many forces).

Community policing teams are a valuable source of intelligence and shared teams are used to drive a prevention agenda. Police forces are increasingly targeting events where a high degree of ASB/ arson is expected such as at Halloween. In some forces, diversionary activities to provide alternative activities for those who may otherwise be drawn to ASB/ arson (e.g. Street dance festivals or football) are undertaken with partners.

The Home Office Advisory Group on ASB considers the use of behavioural control orders / community resolution methods. The extent to which these are used rather than a more formal criminal prosecution requires further investigation. It is recognised that Adverse Childhood Experiences will have an impact on ASB / arson.

Whilst in terms of volume, arson is less of a problem for the Police and CPS than the Fire and Rescue Service, it still equates to a significant number of negative events (there is nothing positive about arson).

Whilst it is relatively easy to determine if a fire has been set deliberately, it is more difficult to associate the action with a specific individual. Whilst it is difficult, it is a reasonable expectation on behalf of the public that appropriate time, effort and attention is being directed towards tackling this particular crime.

HMICFRS have undertaken reviews as to data quality and the approach that Police services adopt to identify and manage risk. It is hoped that this State of the Nation report will be used by HMICFRS to inform future Police Efficiency, Effectiveness and Legitimacy (PEEL) inspections. Now that HMICFRS have been confirmed as the Inspectorate for Fire and Rescue Services, an opportunity to assess the extent to which both Emergency Services are working together is presented.

Police and Crime Commissioners will want to ensure that the local Police and Crime Plan takes into account the threat and harm associated with arson given that it can be used as a weapon of choice to conceal crime, undertaken fraudulent activity and/or as a tool for harassment.

It will be important that every police force consider all arson incidents and where improvements can be made in evidence gathering that these opportunities should be taken.

It will also be important to determine the arrangements in place for the referral of cases to the CPS as this appears to be an area of focus moving forward.

Crown Prosecution Service

The Crown Prosecution Service now focuses its arson prevention efforts through the Home Office Anti Social Behaviour Advisory Group rather than through the Arson Prevention Forum. However, positive discussions between the Chairman of the Forum and senior CPS colleagues continues and the CPS have suggested that their lead officer for arson meets with the National Police Chiefs Council lead on a regular basis in order to:

- Identify why so many cases were not prosecuted
- Consider whether CPS could provide any guidance or assistance to the police to improve the number of referrals and prosecutions in arson cases
- Share the CPS Arson guidance with the police, and consider contributing to the Police guidance
- Identify whether any data could be produced on the number of arson referrals to the CPS, which is at the moment unknown, and would provide a greater context to the available data.

This suggestion is felt to be extremely helpful and would allow a balance to be struck between use of limited resource in a focused manner to improve arson prevention and prosecution outcomes. The result of the meetings would be fed into the APF meetings for wider discussion.

In terms of detail the CPS figures for 2015-16 confirm that there were 2,015 arson cases prosecuted which is a 2% rise on that in 2014-15. It can be seen that 9.17% of arson cases result in prosecution. Of those who are prosecuted, a high level of success is achieved but understanding why so few cases are proceeded against is key to this work moving forward.

Some good research has been undertaken previously (Source: Research Bulletin no.1 March 2003 Arson: From Reporting to Conviction) but this is now 14 years old and much has changed in that time.

By way of background, The CPS is the principal prosecuting authority for England and Wales, acting independently in criminal cases investigated by the police and others.

The police duty to investigate incidents and present a file to the CPS is set out in the Director's Guidance on Charging. The CPS duty to assess that evidence is also set out in that document. The Code for Crown Prosecutors sets out the general principles Crown Prosecutors should follow when they make decisions.

The Full Code Test has two stages:

(i) the evidential stage; followed by (ii) the public interest stage.

It is for the police to investigate what they record as arson, to gather evidence, and to present the same to the CPS for prosecution.

The CPS have stated that "The CPS joined the Arson Prevention Forum during 2015. On 24 September 2015, a CPS Policy Advisor delivered a presentation about the role and work of the CPS to the Forum. The same Policy Advisor attended all meetings of the Forum up to September 2016, when the CPS gave notice that it would withdraw from the Forum. The CPS decision to do so is based on the minimal role it has in relation to the arson prevention and detection agenda. The CPS considers that the wider arson agenda is better served by its work with the Home Office Anti-social Behaviour Advisory Group. This is where the CPS continues to demonstrate its commitment to bring prosecutions where appropriate.

The CPS has provided data about 'offences charged' where the 'offence code' identifies offences of Arson, including attempts and conspiracies, as charged under section 1 of the Criminal Damage Act 1971, section 1 of the Criminal Law Act 1977 and section 1 of the Criminal Attempts Act 1981. The caveats explain the limitations of CPS data. It is important to note that the number of offences charged should not be seen as indicative of the number of people prosecuted; a defendant may be charged with one or more offences".

It is important that partners who have an interest or influence in reducing arson understand how they can assist the CPS increase the number of successful prosecutions as part of an overall strategy to reduce the crime of arson. Considering the test applied by the CPS may assist. As such, partners are encouraged to consider the following:

How can evidence be better captured in a way which supports prosecution? E.g. Can the evidence be used in court? Is the evidence reliable? Is the evidence credible?

In terms of meeting the Public Interest stage - How serious is the offence committed? What is the level of culpability of the suspect? What are the circumstances of and the harm caused to the victim? Was the suspect under the age of 18 at the time of the offence? What is the impact on the community? Is prosecution a proportionate response? Do sources of information require protecting?

Fire and Rescue Service

It may surprise many but the fire service does not have a duty to investigate fires, only a power (Section 45 of the Fire and Rescue Service Act 2004 refers). However, recognising that they have valuable insight, skills and experience in investigating fires including arson, Fire and Rescue Services have over many years developed a strong, credible and robust approach in this area.

They are often the first to arrive at a fire and information gained by the responding crews can provide vital intelligence to others in coming to a view as to whether the incident is deliberate or accidental.

Arson is seen by many to be a problem for the Fire Service to address and whilst much good work is undertaken by the Fire Service, they are not able to resolve this issue on their own.

There are some notable examples within Fire and Rescue Services where police officers have been “seconded” to assist identify and tackle arson. This work is being captured and will be shared with the National Collaboration overview report that is undertaken by the Association of Police and Crime Commissioners. Shared posts, bridging information gaps and focusing action on reducing arson is notable practice.

Discussions with the Insurance Fraud Bureau has confirmed that fire officers could report concerns via a 24/7 Cheat line telephone service operated by crime-stoppers. Alternatively, fire officers could use the IFB online reporting system via the IFB website (Insurance Fraud Bureau, 2016). Fire officers could also make an intelligence submission via a secure email. None of these systems are used extensively at present but are worth of further consideration.

Fire and Rescue Services are encouraged to report every deliberate fire (even small or secondary fires) to the Police as they can then determine what action is required. In addition, Fire and Rescue Services are encouraged to ensure that responding crews to potential arson (crime scene) are trained and aware as to the practices and requirements on successful evidence gathering by the Police. It will also be useful to ensure that performance information as to the number of fires that are referred to the Police for investigation and joint reviews are undertaken to consider how evidence gathering and scene preservation can be further improved.

It has been highlighted that the additional burden being placed on Fire and Rescue Services wishing to support criminal investigation of having to obtain accreditation (along with a review of how this support may be delivered with the appropriate, qualified/competent staff with robust quality standards) may result in some Services deciding that they are no longer able to deliver against the Forensic Regulators requirements and withdraw support. This is an area that the APF will keep under review and monitor any impact if this presents itself.

Insurance Fraud Task Force

The Insurance Fraud Task Force was commissioned by HM Treasury and was established in 2015 and reported in January 2016 led by David Hertzell. The report states (para 2.80 and 2.81):

“Arson: not all arson involves a fraudulent insurance claim but some clearly do. Without better data it is impossible to know how much and whether trends are improving or deteriorating. The Arson Prevention Forum (APF) presented evidence to the Taskforce suggesting that the number of insurance claims involving elements of arson are increasing

in size, and the overall costs are large. One of the biggest barriers to understanding the scale of the problem is a lack of comprehensive arson statistics, due to different definitions of arson, for example by insurers and fire services, and a lack of co-ordination between stakeholders". "The Taskforce notes these concerns. It is essential that policyholders trust the data that is held on them. Highly publicised errors in this area given overall public sensitivity could result in restrictions being imposed that would hamper the effective fight against fraud".

Insurers Round Table

As part of a campaign to raise the profile of arson and to consider how responding agencies and insurers can work better together, a round table was instigated by the APF and chaired by the insurance magazine "POST". It was hosted by DAC Beachcroft and discussed the following issues which were thought to contribute to the increase in cost of fires:

Training and competence of fire investigators along with the role of forensic scientists at crime scenes is of critical importance. It was noted that a Code of Practice for investigators had been recently agreed between the National Fire Chiefs Council, Institution of Fire Engineers and the UK Association of Fire Investigators. The Code of Practice provides a baseline for the necessary knowledge and skills required by fire investigators, as agreed by experts, and defines a road map for both training and competence of practitioners which aligns with existing frameworks such as Skills for Justice.

The Chairman of the National Fire Chiefs Council, Roy Wilsher OBE, attended the meeting and provided valuable insight. It was clarified that firefighters would take personal risk to save saveable lives but would be unwilling to commit firefighters into buildings that were likely to collapse where there was little or no prospect of saving lives.

The discussion considered the extent to which the Building Regulations focused on life safety rather than property protection and the impact that this might be having on fire losses, including deliberate fires. Obtaining data from the Incident Recording System used by Fire and Rescue Services is problematic despite every FRS being prepared to release such data to the Fire Protection Association.

Cooperation between fire investigators and forensic scientists at fire scenes was discussed and whilst some felt that improvements could be made, the majority of attendees were assured that arrangements were robust. Where there are local difficulties, it was agreed that the NFCC could assist. There was a prolonged discussion regarding proposed additional burdens on fire investigators from the ruling by the Forensic Science Regulator that by 2020 fire investigation teams are required to obtain accreditation to ISO 17020. Concerns were expressed by fire and rescue service representatives that as a result of budgetary pressures, non-mandated services such as fire investigation could disappear. Insurers universally registered their concern should fire and rescue services take this approach as they recognise the valuable role the fire service plays in assisting the fire investigation process.

Insurers

Insurance is a risk management business where the policy holder transfers the financial risk of incurring a loss to a third party (an insurer) for a price (annual premium). To calculate an appropriate premium, the likelihood of the negative event (insured peril) occurring and the cost of meeting the loss (exposure) is considered.



The insurance market operates on the basis of the level of risk that is presented and there is clearly a link between risk and terms and conditions insurers are prepared to offer.

The actions of government can have an impact on insurance costs (including setting the level of Insurance Premium Tax) through to the way in which buildings are designed and how public policy is enacted including emergency service response.

Insurers have a role to play and pay out in excess of £1bn in fire related claims each year. Insurers remain concerned at the impact of arson as whilst the number of fire related claims are decreasing, the cost of these claims are increasing.

By their very nature incidents of arson tend to result in larger fires and insurers are key stakeholders in considering any arson reduction strategy.

There is good practice identified by the ABI and FPA (who have remained strong supporters of the APF, as have some individual insurers). It is felt that by acting more collectively, the insurance sector could make an even stronger impact to reduce the number of deliberately set fires.

It is recognised that more favourable terms and conditions may be obtained by policyholders who have good arson deterrent measures and good arrangements for controlling the spread of fire in the event that it does occur.

This has benefit for insurers as such measures improve the quality of risk. It also makes sense for the insured as they are less likely to suffer from the impact of a major fire and this also works for the Government as business rates continue to be collected which may not otherwise be the case.

It is recognised that arson is more of a problem for insurers who cover commercial buildings than it is for those who cover residential risk. According to the ABI, 29% of commercial fire claims in the UK can be considered as 'deliberate' whilst 4-5% of domestic fire claims in the UK can be considered as 'deliberate'.

The ABI continues to encourage their members to develop a robust dataset and collate deliberate and non-deliberate fire claims and costs going forward. Commercial insurers therefore may want to take an even greater interest in risk mitigation and arson prevention approaches.

Given that 47% of all fires are classed as deliberate by the Fire Service and insurers pay out £1b in fire related claims each year, there is a collective benefit in gathering better information and statistics on the cost of arson to insurers. The need for access to Incident Recording System statistics, to assist in this respect is reiterated.

There were examples offered where the ABI members had been proactive in driving down arson with customers or where the FPA or ABI had supported insurers through industry analysis or initiatives. It is anticipated that additional examples of good practice will be obtained.

AXA for example have been highly committed to Arson reduction for many years and are actively engaged in the Arson Prevention Forum. They have taken opportunities to seek views from the Arson Prevention Forum for effective risk mitigation strategies. AXA also makes this a top priority when engaging with customers so that it impacts positively on AXA's account performance.

A refresh of the membership in 2017 has seen the British Insurance Brokers Association join the forum. Given their role in advising commercial policy holders as to risk mitigation approaches, this is very much welcomed.

Local Government Association

The LGA representative on the APF is a London Assembly Member. This provides a high level contributor to the agenda. In addition, the future APF membership will include a Vice Chairman of a Combined Fire Authority who will be able to forge links between Police and Crime Commissioners. Data from local authorities related to uninsured losses (such as wheelie bins and playground equipment) will also be useful to identify the cost of arson. The cost of anti-social behaviour related to arson is also a key issue.

Association of Police and Crime Commissioners

The Chief Executive of the APCC attended a recent APF meeting and provided valuable insight into its work and how arson might feature more prominently moving forward. In addition, the Chairman of the APF has spoken with the Chairman on the APCC Collaboration Work-stream to signpost good practice. A national expectation that arson reduction features in local Police and Crime Commissioners plans where appropriate would be helpful.

Parliamentary Groups

In addition to the All Party Parliamentary Group on Insurance and Financial Services, the All Party Parliamentary Group on Fire and Rescue Services continue to receive updates on arson related matters. A copy of the State of the Nation report will be submitted to both Groups and presentations will be offered for future meetings.

Training

There are some great training providers, supported by some eminent experts in the field such as Professor David Kolko for those who provide juvenile fire setting advice and guidance.

Professional Standards

The College of Policing provides standards against which HMIC inspect Forces. As such, the National Fire Chiefs Council (and specially the Fire Standards Body being established) are encouraged to work together to ensure that there is sufficient awareness by police officers as to potential arson. It may be appropriate for national police training modules to refer to arson where appropriate.

Local Fire and Rescue Services are encouraged to provide joint training in arson identification to police officers through the Joint Emergency Services Interoperability Programme (JESIP) and at the same time, jointly explore how agencies can better work together in the initial stages of any arson related criminal investigation. In response to a

recent survey for the Professional Standards Body (being developed by the National Fire Chiefs Council), it was suggested that arson features more prominently in the standards work being developed given that approx. 47% of all fires are deliberate.

In addition a “Code of Practice for Investigators of Fires and Explosions for the Criminal Justice Systems in the UK” has been developed by the UK fire investigation community led by the University of Dundee and is endorsed by the National Fire Chiefs Council, Institution of Fire Engineers and UK Association of Fire Investigators.

Forensic Psychology

It has been clarified that motives for acts of arson vary (e.g., vandalism, excitement, financial gain, revenge, extremism, and crime concealment).

One of the motives less understood in regard of arson is that of individuals who have a need to express an emotional state (e.g., anger, cry for help, attention). Fire setting in this respect gives perpetrators a sense of empowerment and control over personal circumstances. Such behaviour can have links to poor mental health.

Early intervention is critical in regard of understanding the development of individuals who use fire as a means of expression and who engage in such serious longer-term offending. The life histories of convicted arsonists, male or female, is often characterised by a range of events which have not been dealt with in a manner that enables the individual to develop resilience to later life events. Early intervention programmes designed to effect behavioural change may be effective if supported by appropriate professional support.

Understanding the personality and mental health considerations in addition to the motives for arson and the mind set / perspectives of offenders is therefore critical to any development of awareness and reduction programmes. When not financially focused, arson is largely about an emotional state in the offender concerned and the accompanying needs that are being met through the act of arson.

Domestic Violence

It has been said that there is a correlation between deliberate fire deaths and domestic violence. Given that fire can be used as a weapon, addressing domestic violence may result in reduced arson and vice versa. To this end, a research project has been launched which works with children and young people to investigate the link between deliberate fire setting and domestic violence. The study is being carried out by researchers at the University of Northampton’s Institute of Health and Wellbeing, in partnership with the joint Arson Task Force (Northamptonshire Police and Northamptonshire Fire & Rescue Service).

The aim is to interview children and young people aged between five and 18 who have been actively involved in arson or fire setting, as well as their parents or carers. The Arson Task Force (ATF) already carries out intervention work with both children and adults who are known to be fire setters or arsonists and it is believed that at least 75 per cent of these people have domestic violence in their backgrounds. Their work has highlighted that children as young as five have been involved in fire setting, having experienced violence in their family.

www.northampton.ac.uk/news/link-between-arson-and-domestic-violence/ There exists good support networks such as that provided by Victim Support www.victimsupport.org.uk/crime-info/types-crime/arson. The Office for National Statistics publishes comparison data by area to inform local initiatives. www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwales/yearendingmarch2016

Arson linked to racial harassment

Arson is also sometimes used to target people with different characteristics from the perpetrator www.bbc.co.uk/news/uk-england-devon-36737529 and abroad www.independent.co.uk/news/world/europe/sweden-mosque-fire-arson-stockholm-police-jakobsberg-imam-ali-islamic-centre-a7711431.html

London Fire Brigade have initiated a campaign to tackle domestic violence and racially aggravated attacks with arson proof letterboxes. They are planning to fit over 400 arson proof letterboxes across Bexley in a pilot scheme to help protect victims of domestic abuse and hate crimes. Crews aim to fit special letterboxes, smoke alarms and provide fire safety advice within 24 hours after a referral has been made identifying them at risk of a fire in their home. http://www.london-fire.gov.uk/news/LatestNewsReleases_Brigade-battles-domestic-violence-with-arson-proof-letterbox-drive.asp

Conclusions

Arson is increasing as are the costs. As such, what is needed is a strong commitment by all parties to work together to address what is a complex and multi-faceted problem. A reduction in arson can only benefit society as a whole and with an increase in arson in both 2015/16 and 2016/17, the long term reduction in arson appears to have come to an end.

Arson is difficult to prove for some obvious reasons; Firstly, the fire scene needs to be investigated effectively, to identify positive evidence of arson, and ensure that accidental causes are ruled out. This requires a high level of training and awareness for initial responders, usually firefighters, to ensure appropriate evidence preservation, gathering and analysis.

Secondly, forensic evidence is required to place a suspect at the scene and to link them to the crime.

Finally, the standard of proof of all the evidence is high in order to meet the test of 'beyond reasonable doubt' in a criminal prosecution, (if convicted, the prison sentence can be one of life). Having regard to civil legal proceedings, where for example an insurer may refuse to indemnify an insured for a loss on the basis that the claim is thought to be fraudulent, the standard of proof lies somewhere between the 'balance of probability' and 'beyond reasonable doubt' and insurers make a substantial investment in the forensic investigation of fire scenes.

Whilst this report has provided data as well as context to inform future activity, it will be for individual organisations/associations to reflect on what has been presented and to determine what they propose to do to address the issues raised within this report.

Scrutiny as to what is being done, by whom and why, will be determined by those charged with reviewing the effectiveness of organisations and the public and/or shareholders will look to those charged with the responsibility to act. Ultimately, the extent of activity undertaken by organisations will provide evidence of the weight of effort that is being directed towards arson detection, investigation, prosecution and prevention.

At a high level, everyone agrees that this is a multi-faceted, complex societal problem. However, with insurers looking towards Government to do more and vice versa, a lack of ownership and leadership can start to emerge.

It is recognised that approaches by individual insurers sometimes are commercially sensitive but greater visibility as to the efforts being undertaken will assist a pan industry approach to reducing arson.

The Government previously funded joint Arson Task Forces which saw funding for additional Fire and Police officers co-located, sharing information and resources to identify offenders in an attempt to reduce arson. Given the emphasis on increased collaboration and the benefits to Police and Fire Services as a result of working better together to reduce demand, now may well be the time for Police and Crime Commissioners and Fire Authorities to consider re-establishing such teams, where there is a local need identified.

The Arson Prevention Forum stands ready to assist organisations plan and mitigate the impact of arson. For more information please visit www.stoparsonuk.org or contact Lee Howell, Chairman, or Laurence Taylor, Vice Chairman, Arson Prevention Forum.

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