

TITLE: NSW SENTENCING COUNCIL REVIEW OF PENALTIES FOR ARSON OFFENCES

NSW Police Force and Office For Police Comments:

The NSW Police Force supports the wider review of penalties for arson offences following the increased maximum penalties for lighting bushfires.

Standard non-parole period for lighting bushfires

The NSW Police Force submits that the standard non-parole period for lighting bushfires should be increased in proportion with the new maximum penalty.

Maximum penalties for offences relating to destruction and damage of property by fire

The attached table includes the current maximum penalties and the maximum penalties suggested by the NSW Police Force.

s195 – s198 Crimes Act 1900

Destroy or damage property...	basic offence			in company			during a public disorder		
	without fire or explosives	by fire or explosives	NSWPF submission	without fire or explosives	by fire or explosives	NSWPF submission	without fire or explosives	by fire or explosives	NSWPF submission
intentionally or recklessly (s195)	5 years	10 years	Penalties supported	6 years	11 years	Penalties supported	7 years	12 years	Penalties supported
intending to injure a person (s196)	7 years	14 years	Increase 'by fire or explosives' to 20 years			Suggested 'by fire or explosives' penalty of 20 years	9 years	16 years	Increase 'by fire or explosives' to 22 years
dishonestly, with a view to gain (s197)	7 years	14 years	Increase 'by fire or explosives' to 18 years			Suggested 'by fire or explosives' penalty of 18 years	9 years	16 years	Suggested 'by fire or explosives' penalty of 20 years
intending to endanger life (s 198)	25 years								Penalty considered adequate