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### **Managing Arson Offenders: what do we need to know?**

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The information I will be presenting today is informed in part, by a lot of my research, not just in Australia but in the UK, New Zealand, and the US. I will give you some statistics that are based on a study I did here. It is the only empirical research on arsonists that has been done in Australia.

These are some quotes made by judges that I have taken from some cases. As a psychologist, I want to educate you a little about what I know about the psychology of arson. I will not be talking about techniques and I am not going to tell you how to do your sentencing; I just want to let you know what options are there and the characteristics that may interest you.

I have based my presentation on the notion that in your deliberations, as I understand it, [you consider] among other things, 'personal deterrence, exacting reparation, the need to impress upon offenders the impact of their offending on victims in the broader community, and to bring home to offenders the grave consequences of their offending, of their behaviour'. That is the framework for this presentation, and it is based on the way psychologists formulate problems, and how we develop cases.

I will be presenting some statistics that are particularly about Australia. I have interviewed about 200 offenders, about half of whom were arsonists. I will briefly talk about treatment targets, and current practice for intervention both here and overseas. The 'here' part will be really brief because there is none, so we will be focusing a little bit on overseas. I will talk about future directions, and research, and then I will give you a couple of websites, if you are interested in following any of this information up.

As was mentioned earlier, the characteristics of criminals are pretty generic. But there are also arson-specific characteristics: adult fire-setting is strongly predicted by fire-setting in adolescence, and fire-setting in adolescence is predicted by individual, parental and psychopathology – dysfunction. More importantly, what I have found with the arsonists that I have interviewed is, they really have a sense of perceived inability to effect change, social change, in their lives. They've had childhood experiences of fire, and fire-setting, and these are the sorts of characteristics that distinguish them from 'regular' offenders – if there is such a thing.

Harsh or inconsistent discipline is a feature of their backgrounds, and by that I mean lack of social warmth. In these cases parents are less engaged with the child, and

limited supervision seems to be quite prevalent. With the assistance of the Department of Corrections I looked at those characterised as ‘serial,’ ‘one-time’ and ‘no arsonists.’ Interestingly, a lot of the ‘no arsonists’ who were identified to me by Corrections as being not arsonists I had to reclassify because they were in fact, arsonists, and the one-time arsonists are the ones that were convicted of a single arson offence. However, some of those I had to classify again as serial arsonists because, of course, first conviction is unlikely to be first fire.

What differentiated serial arsonists from the other sorts of arsonists was that they had a greater interest in fire and its trappings – I will discuss pyromania a little bit further on - but their interest was persistent and pervasive long-term and across a range of life areas. When we looked at dysfunction they also tended to be more dysfunctional and they had greater disadvantage facing them.

When I was in the UK in the mid to late 90’s the association between hoax calls and fire-setting was starting to be noticed, although no one had done anything on this up until then. What we found is that children make hoax calls which progresses into fire-setting, which progresses into adult arson. So, I also examined whether it was significant and, as you can see with the serial arsonists, that is something that they engage in. The reason I think that is relevant is that we are looking for early indicators from a prevention point of view. Hoax calls are often put aside; it is a nuisance, but in fact, from my perspective as a psychologist looking at arson and subsequent development of it, that may well be an indicator for us.

Serial arson is also primarily associated, as Damon said, with a criminal pattern of property-related offences - the specialist arsonist, the person who only does arson, is fairly rare. It tends to be one of a smorgasbord of offences, primarily antisocial or nuisance offences and that is possibly the first indication of criminality. Through adolescence it is often associated with substance abuse.

Males are predominant in fire-setting as they are in criminal behaviour generally, possibly through their MAOA. (Monoamine Oxidase – see paper by Dr Debra Wilson for this conference) although I have not measured that.

The escalation of fire-setting beyond one or two episodes in adolescence occurs quite infrequently in girls: girls might light fires during adolescence but it will just be one or two and then they’ll desist, whereas the boys will often continue. Many studies report only about 20% of persistent fire-setters in adolescence are girls.

I just want to make a brief comment on intellectual disability because that is really a whole topic in itself, but I think it is an area we tend to neglect when we talk about arson. I think this quote is interesting: “A learning disability is likely to be only one of many inter-relating factors and it should be treated as such”, so I now want to discuss the mental illness issue and what weight should be given to it.

Substance use obviously compromises self-control and results in increased risk-taking and antisocial behaviour. In adolescence substance abuse and antisocial behaviour are often associated with peers, and many juvenile fire-setters are caught through co-offenders. They commit their crimes with others and as they get older we find, in fact, that they tend to light fires alone.

Mental illness is often present, although, as Damon said, it is not necessarily a causal relationship: the mental illness doesn't necessarily make them light the fire and it shouldn't always be viewed as a precipitating factor. However, it might be part of the factor that prevents them from developing the necessary strategies to do something more socially acceptable, other than fire-setting, to regulate their emotions,.

There are some conditions we know that do prevent arsonists from developing the protective factors that stop them going into serial arson; and some of the research that I have done has looked at consistency and specialisation in crime, and at desistance. What I have found is that there is a core group of arsonists who do not burn out – pardon the pun – but there is also a group that does, and that is part of criminal offending generally: they reach a peak at around their mid-twenties.

In summary, the Australian arsonists I interviewed, were generally in the early thirties, a bit older than what we see in cross-cultural information; again that speaks to the fact that we should not be using overseas data to inform our practice here. The research I have done in other countries suggests that there is, in fact, cross-cultural difference.

One of the things I have focused on specifically is fire-fighters who light fires, and I instituted a selection process in New Zealand for their fire-fighters, part of which recognised that the fire-fighters who light fires in other countries aren't the same as the fire-fighters who light fires here, so when we look at screening them we must look for different characteristics.

It is relevant to talk about our own back yard. My sample had up to a recorded age of 77. I did not do juveniles, the sample only included those years and above. I went twice to most of the prisons in Australia. The offenders were primarily males and primarily non-indigenous.

I did some interviews with indigenous arsonists up in Northern Queensland; this led me to realise that from my perspective as a psychologist, I am not sure that the definition of arson actually applies to indigenous offenders. This is because 'arson' and 'fire' have a different meaning in their culture from their meaning for us. For example, an indigenous person had set fire to his house, and the purpose of it was to protect his family from the spirit that was inhabiting the house. Now, in the indigenous person's view, that is self-defence.

The majority of the prisoner I interviewed were sentenced to over 12 months and nearly 40% of them were sentenced to over five years. It is interesting that there was in fact, no difference between serial and one-time arsonists in sentencing, and that suggests to me that perhaps it is not a deterrent, in the way Western Australian legislators might have thought when they recently increased penalties there.

To give you a brief idea of the sample, these were some of the characteristics: some of the one time arsonists destroyed their own home, and that speaks to the emotional aspect of it generally. Quite a number identified revenge as their primary motive, I will follow up later what I actually think is really going on.

In terms of the Australian experience, serial arsonists had greater family instability, they ran away from home more often as kids, they left school earlier, they're less socially adept so they identified themselves as loners, and they reported a lot more

persistent and earlier fire-play as children than most of us did. They tend to travel less than five kilometres to get to their offence. They were what we would call 'disorganised'; they didn't necessarily premeditate, they didn't necessarily bring materials to the scene. Interestingly, they were in control at the time they lit the fire, so, they said to me that they knew what they were doing, they understood the consequences of what they were doing, and they did it anyway. Half of them remained at, or returned to the scene, and sometimes that is where they were caught, and for a lot of them they identified the excitement or the exhilaration of fire-setting.

The perpetuating factors, things that keep fire setting going, include 'poor parenting' which I have noted because that is what makes the difference between child fire-interest - because it is part of normal development- and fire setting continued beyond childhood. In my day, you were allowed to light the incinerator, and you were allowed to have little campfires, out in the back yard, where you could cook your marshmallows. My children cannot do that now; the closest they get to a real fire is in the combustion stove. If you ever do go out camping or something you'll see that fire is inherently interesting to us; boys especially are always putting sticks on the fire, it doesn't have to be a big one!. So, poor parenting is up there because poor parenting and lack of supervision can often make the difference between a fire-interest in childhood developing into fire-setting in adolescence which is possibly, a precipitator of adult pathological fire-setting.

Increases in fire-setting and its severity during adolescence are often associated with increases in the likelihood and accumulation of other problem behaviours. Fire-setting is not the only thing you're going to see; the reason I mention that is because in my opinion, anyone dealing with children in a formal assessment process should be asking questions about it as it is highly indicative of other problems occurring. Fire - setting is one of the ways that children and young people learn to regulate their emotions, even if in a dysfunctional way. Ongoing substance use, as well as a lack of experience in successful conflict resolution are also linked to fire-setting throughout adolescence and into adulthood.

There are some other aspects, that hopefully will emerge through research in the near future. These include queries about the relevance of IQ. Lots of people say fire-setters are at the lower end of the IQ pool. Clearly it is the less intelligent that are caught; however, there is some suggestion that perhaps arsonists are also in the 'average' range. Some of them, like the fire-fighter arsonists, are actually above average as a general rule.

Other aspects include deficits in social skills (which involve) impulsivity, as well as self-esteem which I looked at in my study. This is not as big a factor as we might have thought. I referred to it as 'sensitivity to injustice'. One of the things that I hypothesised was that because 'revenge' is so prevalent in their motives I wondered why is that such a big deal for them? Do they perhaps perceive the world more as an unjust world, either towards themselves, or their peers, or so on, and therefore they constantly have a filter of 'revenge' through which they interpret the world? Fire, as you can imagine, is a very powerful weapon; it is a very useful tool to exact revenge.

One aspect I did not look at – and which has not been examined in Australia –was intellectual disability. There are ethical issues about diagnosing people in prison and

then not being able to do anything with the information. Let me just tell you why not, because this is one of my bandwagons. One of the reasons is the sex/fire link.

When I first started in this field some eighteen years ago, there was the myth that the arsonist would be in the trench coat masturbating at the scene; in fact one of the fire investigation manuals actually says this. It originated from Freud, who thought that there was a link between fire and phallic symbols, but it has actually been disproved. The studies found base rates ranging from nought to eight percent for sexual arousal or motive associated with fire-setting.

I have interviewed, some arsonists who describe having, a 'romantic encounter' and when things did not go quite as planned, they jump up, get dressed, run downstairs, go to the pre-designated place where it can be seen from the window, light the fire in the wheelie-bin, run back upstairs before the effect is lost, and complete the 'encounter'. However this is probably only about two percent, so we can effectively dismiss that.

This is a case that came up to do with the '83 Ash Wednesday fires. The person who confessed to those fires was defined as a serial fire-setter. He was labelled an incurable, compulsive 'fire-bug'. I dislike that term because I think it minimises the issue that we're dealing with: they are not 'fire-bugs', they are arsonists whom the media describe as 'a classic arsonist', although I'm not sure what that is. I have been studying it for quite some time and have not actually found a 'classic' arsonist. The media also labelled the fires as a 'reign of terror by torch likely to have continued'.

The reason they say that is the frequently occurring issue of pyromania. However, of the many arsonists I have interviewed over the years, and in different countries, I could probably count on one hand the number of true pyromaniacs that I have encountered, and that is because 'pyromania' is actually a clinical term. There are criteria around diagnosing pyromania, which is an irresistible urge to light fires. It is like when the bottom of your foot itches and you simply have to remove your shoe because you can't bear the itch any more: that is what lighting fires is like for the pyromaniac.

But most of the arsonists you and I see, are not pyromaniacs; they are people who know what they're doing, they tell me what they're doing, they tell me they understand the consequences of what they're doing, and they choose to do it anyway. One person was quoted as saying, very pleasantly, in his interviews, "I love hearing people scream and watching them die". He confessed to more than two-hundred blazes, and targets which included endangering life both deliberately and accidentally. He had a fascination with fire; he got pleasure out of watching the fire and the firemen. He was arrested standing outside the blaze that he set.

There are several theories to explain why people light fires, and I will discuss the one that makes most sense to me.

First, I think that there is an element of the experience of fire-setting, and this is not new. There is a suggestion that in criminal behaviour one of the motives is that it is the experience of committing the offence; it is not necessarily really about the offence per se, it is the whole experience of rule-breaking, of cheating the authorities, of beating the system, and I think there is an element of this for these people.

The other idea stems from the notion that fire-setters tend to progress. My research has shown that fire-setting progresses both in magnitude and dangerousness, so the magnitude of the fire and dangerousness in terms of endangering lives, either deliberately or accidentally shows a progression. If we don't stop them, the ones that do persist will actually get worse and in my opinion bushfire arsonists are among the most dangerous sub-groups of arsonists we have because their fires have no boundaries; they're not in control of all the factors involved in the fire.

I also think that power is behind all of the motives listed, so we usually talk about revenge, profit, and so on, but I actually think that it is about acquiring power. These are socially disenfranchised individuals. They're not socially adept, they do not believe in their efficacy and their ability to change things for themselves, they haven't had a good experience with conflict resolution. Fire is an inherently powerful tool. It appeals to all of us in some way; it is scary, it is uncontrollable, it is bigger than we are. So, in their minds it is a way of acquiring power,

Once you have acquired power you have to maintain it, so that leads to the escalation of fire-setting. While the time between fires might decrease, the number of fires increases. The arsonist then has to demonstrate his or her power, because as the cordon closes, their avenues for setting fires might become quite restricted. The Melbourne hedge-burner was talking to me about this and, complained about the inconvenience of needing to change his modus operandi.

They then have to show that they can beat the system, that they are smarter than the investigators, so even if they get caught they may well go out and do it again because they have to demonstrate they've 'still got it'.

Then there is the issue of regaining power. In the Melbourne hedge burner's case he was very annoyed that he was in gaol because while he was in gaol one of the copycat arsonists came along and started burning hedges. He was really annoyed because that person was getting all the publicity but it was actually his thing, so he asked me if I could do anything about that!!! So while this may not be new to you, I think that really it is about power.

(I also want to briefly mention that arsonists who light fires in schools are not necessarily younger ones in my experience)

In relation to prognosis, there are good articles you may want to look up if you're interested in this area, One, from 2004 is by Adam Brett, a psychiatrist in Western Australia. [[Kindling theory in arson : how dangerous are firesetters?](#) *Australian and New Zealand Journal of Psychiatry* Volume 38 Issue 6, pp 419 – 425]. He argued that there is insufficient evidence to conclude that fire-setters as a group are dangerous recidivists. He found recidivism rates – and he did a quite large literature review – varied from about 4-60%, not just in Australia, but worldwide. He notes that those rates vary across populations studied, including different rates among the mentally ill, criminals and gender.

I think that points to a need for research because we do find that there are differences across subgroups; this is not just a group that we can put together and call it something. Obviously, those kinds of rates aren't particularly helpful for me when I'm assessing an individual offender. The courts are likely, as you know, to call on

mental health professionals to assist in their determination of dangerousness, usually in all but the most straightforward of cases. It is important that we understand where the factors all fit into a risk assessment. What we do know is that arsonists don't necessarily set further fires but the mentally ill ones are probably more likely to do so.

It is important to have a common understanding of what constitutes dangerousness and recidivism. When I talk about dangerousness I mean the potential for future harm, and when I talk about recidivism I am referring to the likelihood of future offending. There is quite a lot of literature on recidivism, but the assessment of dangerousness, particularly for arson is still an inexact science. It relies on more than just the frequency of offending, as I have tried to explain. There are socio-demographic and situational factors that are involved. There is also mental health status, and substance misuse which are all likely to contribute to an indication of dangerousness. There are also issues of the severity of the offence and the balance between public protection and individual liberty.

Harris has recommended an approach which gives a score for each aspect; he applies a formula and the resulting number is supposed to give a firm idea of the level of recidivism you could expect. Unfortunately, there is not a lot of evidence to suggest that this is a good approach, although there is equally not a lot to say that it is not a good way. There are other issues that are unknown to, or perhaps uncontrollable by, the arsonist, that we need to think about. For example, the absence of correctly operating smoke alarms, occupancy of the building by vulnerable or intoxicated groups, the presence of material that releases toxic chemicals when combusted or the fuel load of the built environment. These are things that people cannot necessarily know are there and are the kind of factors that could markedly increase the risk to life: they could be considered independently of the apparent intention of the fire-setter.

At the moment, one of the problems with the approach we have is that there is no normative sample, because, again, as Damon said, there is not enough research for us to rely on.

It is also likely that all factors are of equal importance. It seems to me that there should be a weighting for some of those factors, based on research, which says which ones are more likely to be important in determining future dangerousness. And, there are some conflicting research findings in some of those areas I have discussed, such as IQ and impulsivity. There are emerging factors that we have not necessarily finished looking at yet, that may be more useful than the ones we currently know, for example sensitivity to injustice.

I understand that judges are frustrated, at the sentencing options in arson cases – particularly for the mentally ill. It is interesting that David Crosbie, who is the CEO of the Mental Health Council of Australia talked about “sending mentally ill people to gaol because there are no other treatment facilities available ...” This is true for arsonists at the moment, and while there has been discussion about arsonists there is not much empirical research conducted in Australia to substantiate the current discussions. Negative outcomes of this situation are that sometimes mentally ill people end up in prison when in fact they should be in treatment. However, from an arsonist's perspective- and from mine- one of the other issues associated with putting people in gaol prematurely, or in the absence of alternatives, is that there is also potential for a copycat effect.

One of the projects I am working on with a US collaborator looks at copycat arson. It has not been done before, anywhere in the world. While there have been a couple of case studies, the issue of copycat arson is quite difficult to prove; it is necessary to show that there was a media intervention, a report or a TV program or similar that triggered the offence. That can be difficult to find but we are working on a cross-cultural study examining the issue of whether in fact copycat arson is a phenomenon that should concern us. Certainly every fire season the media contact me regularly, and one of the issues that I raise with them is their sensationalising of arson, and whether they might reflect upon how that could affect the rates of fire setting .

I am also involved in an evaluation of media campaigns. Every summer a campaign is released. Those campaigns are based on advertising and public relations people, but there has been little psychological input into those campaigns, particularly about their likely effect on encouraging people to report arson, or the effect on the arsonists themselves. If you consider my thesis that power is at the end of it all, perhaps being in the media a lot can be quite ego-stroking for some of these individuals. In summary, these are the sorts of things you might look for to help you assess whether an arsonist is likely to be dangerous, or likely to repeat their offending.

I want briefly to mention treatment – because there is none in Australia. We have no treatment programs available for adult arsonists. There is something for juveniles and children in every state and territory in Australia; they are predominantly run, at least originally, by fire agencies so they do not necessarily involve people trained in psychology but certainly, people with good intentions. The evaluations that have been done on those are patchy and intermittent. We are not sure about the effectiveness of them as an education tool. However, there isn't anything available for adults, either in the community or in prison. What we do find, from looking at what works overseas, is that generic treatment targets should include things like assertiveness training, social skills training, perhaps medication, depending on their current diagnosis, and education about the dangerousness of fire.

Dr Kate Fritson, who is also an arson expert, from the UK, and I think that the ideal treatment model for arsonists would involve group work, together with an individual aversive therapy component; of course there would be money involved in providing that treatment., but if there is no treatment then the rehabilitation options are pretty limited. I will not go through treatment models now, however, if you are interested in understanding a little bit more about what a group treatment program might involve please talk either to me or Kate.

There is some research being conducted. I am involved in the Australian Bushfire Arson Research Initiative and we have a number of projects at the moment which include looking at issues such as: What is the effectiveness of the available treatment options? What is the link between fire-setting and psychopathology? Why are there gender differences in fire-setting? I have already mentioned copycat arson.

There is also a clear indication of a need to tailor treatment programs for offenders suffering from intellectual disabilities, and there are options for doing that which can be conducted with some success. There is also a need for a prevailing community-based model, to assist with relapse prevention, or as an alternative to gaol. In fact Australian research suggests that as many as fourteen percent of our youths set fires at

some point. Bearing in mind that adolescent fire-setting potentially leads to pathological or adult fire-setting, perhaps early intervention might be helpful.

So, in conclusion, these are the things you as judges look at, as I understand it, when you are making your decisions. These are the factors that you balance, the factors that are important to you. What I can tell you, in relation to each of those, is, there are no treatment options for adult arsonists in the community or in prison in Australia currently. There are no specialised programs available for arsonists with intellectual disabilities. There is no standardised approach to treat arsonists in the community or in prison at the moment. There is limited information about the characteristics, patterns and features that would reliably inform predictions of dangerousness in Australian arsonists. We need access to court-ordered assessments, we need access to incarcerated offenders, and we need access to offenders on parole, to provide you with the information you need.

Juvenile persistent fire-setting is likely to be indicative of significant dysfunction, so anybody who is formally assessing children should be asking questions about fire-setting. There are no relapse prevention strategies available to assist arsonists on release.

I have mentioned some research that is being undertaken but we, as mental health professionals, haven't actually been given the access to the data we need to be able to develop and undertake pilot treatment programs, and, to better inform presentations like this.

Thank you.