

Monday 12 October 2009

NEW POWERS TO CONTROL ARSONISTS

COALITION TO IMPOSE EXTENDED SUPERVISION ORDERS

A Victorian Liberal Nationals Coalition Government will legislate to impose tough monitoring and restrictions on arsonists.

Those convicted of arson or related offences would be liable, upon release from any custodial sentence, to be subject to an Extended Supervision Order (ESO). Under an ESO, restrictions can be imposed on the activities, residence and movements of those considered to pose a high risk of re-offending.

Last summer provided a terrible reminder of the enormous tragedy and loss of life bushfires can cause.

While the causes of last summer's fires are still being examined by the courts and the Royal Commission, evidence over a long period shows that arson and related offences are responsible for a significant proportion of bushfires.

There is also evidence that up to two-thirds of arsonists have a previous history of having started fires.

Governments therefore need to take appropriate action to protect the community from the risk of re-offending by known arsonists.

Offenders subject to an ESO can be required to comply with a range of restrictions and conditions for a period of up to 15 years, including those relating to:

- where the offender may reside
- times at which the offender must be at home
- places or areas the offender must not visit or may only visit at specified times
- types of employment which the offender must not undertake
- community activities in which the offender must not engage
- forms of monitoring of compliance (including electronic monitoring)
- compliance with any other direction or instruction by authorities deemed necessary for the protection of the community.

The powers associated with an ESO would mean an offender could be required to stay out of bushfire-prone areas for the duration of the fire season.

Policy

A judge would be able to grant an ESO where satisfied of the existence of a real and ongoing risk of re-offending that could not sensibly be ignored, given its nature and gravity.

The breaching of an ESO would be a crime punishable by up to five years imprisonment.

This reform will complement our announcement yesterday of an inter-agency Arson Prevention Taskforce to prevent deliberately lit bushfires before they occur.

Together these reforms will give police, courts and the government a wide set of powers and tools to control and limit the activity of arsonists as far as is humanly possible.

By creating these new powers, a Victorian Liberal Nationals Coalition Government will be taking a vital step to reduce bushfire risks in Victoria.