

**Arson (criminal damage by fire)**

Triable either way:

Maximum when tried summarily: Level 5 fine and/or 6 months

Maximum when tried on indictment: Life

Where offence committed in domestic context, refer to page 177 for guidance

<b>Offence seriousness (culpability and harm)</b>		
<b>A. Identify the appropriate starting point</b>		
Starting points based on first time offender pleading not guilty		
<b>Examples of nature of activity</b>	<b>Starting point</b>	<b>Range</b>
Minor damage by fire	High level community order	Medium level community order to 12 weeks custody
Moderate damage by fire	12 weeks custody	6 to 26 weeks custody
Significant damage by fire	Crown Court	Crown Court

<b>Offence seriousness (culpability and harm)</b>	
<b>B. Consider the effect of aggravating and mitigating factors (other than those within examples above)</b>	
Common aggravating and mitigating factors are identified in the pullout card – the following may be particularly relevant but <b>these lists are not exhaustive</b>	
<b>Factor indicating higher culpability</b> 1. Revenge attack  <b>Factors indicating greater degree of harm</b> 1. Damage to emergency equipment 2. Damage to public amenity 3. Significant public or private fear caused e.g. in domestic context	<b>Factor indicating lower culpability</b> 1. Damage caused recklessly

<b>Form a preliminary view of the appropriate sentence, then consider offender mitigation</b>
Common factors are identified in the pullout card

<b>Consider a reduction for a guilty plea</b>

<b>Consider ancillary orders, including compensation</b>
Refer to pages 168-174 for guidance on available ancillary orders

<b>Decide sentence</b>
<b>Give reasons</b>