

Arson

Law



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BUSTER**

ARSON Arson, the intentional lighting of a fire, is one of the most serious crimes. People lose their lives and everything they own in fires. It is one of the most malicious crimes and should be punished severely. Indeed, an important element under the common law definition of arson is malice. It is not arson if you accidentally fall asleep while smoking a cigarette and burn your apartment block down. Malice must be proven. In a sense that is what makes arson so difficult to prove.

However, the main thing that makes arson so difficult to prove is that the fire consumes much of the evidence. After a fire there is very little left for investigators to make a determination about. Often they must work backwards and look at the pattern of the fire. One of the key things that makes a fire suspicious is the quantity and type of insurance money available and what they motive might be. If this looks suspicious then investigators will do what they can to determine if the fire is an arson or not. But this is not an easy job. The source of the fire is key to making such a determination. If it appears to have started in the wiring, it is unlikely to be an arson. But if it started in the middle of the living room, it is harder to prove. However, no arsonist wants to do a poor job as that will likely mean they will be caught. They will often try to ensure the whole structure burns down by pouring gasoline everywhere. An amateur arsonist can be easily detected. An expert one is nearly impossible to catch.

Work consulted

Wallace, H. & Roberson, C. (2008). Principles of Criminal Law (4th Ed.).

Boston: Pearson Allyn & Bacon