

Ms Lyon has pleaded guilty in the Magistrates Court to two charges under the *Criminal Code* of unlawfully setting fire to vegetation. She has also pleaded guilty to five summary offences that I will deal with under s 385A of the *Criminal Code*, comprising one count of unlawfully setting fire to property, three counts of making off without payment, and one count of driving whilst her driver licence was suspended.

The most serious of these charges is the summary charge of unlawfully setting fire to property. She committed that offence on 10 March 2023. She went to a place called Bayview Lodge in Rosny. A Nissan Navara vehicle belonging to a Mr Ward was parked outside. Ms Lyon set fire to it, using toilet paper and a scarf soaked in petrol to start a fire in the tray of the vehicle. She and Mr Ward had both been living at Bayview Lodge sometime previously, but they were both evicted. Mr Ward was given a second chance, and allowed to resume living there, but Ms Lyon was not. Mr Ward tried to put the fire out, but was unsuccessful. The fire service attended and extinguished the fire. The vehicle had been worth about \$16,000. I will be making a compensation order, but there is practically no chance of Mr Ward ever receiving any significant amount of money from Ms Lyon.

On 11 March Ms Lyon went to a service station at Claremont, pumped fuel worth \$50.26 into her vehicle, and left without paying. The next day she went to a service station at Glenorchy, pumped \$50 worth of fuel into her vehicle, and left without paying. On 16 March, she went to a service station at Rosny, pumped \$60 worth of fuel into her vehicle, and left without paying. Her driver licence had been suspended on 15 March because of unpaid fines. The charge of driving when her licence was suspended relates to her driving on 16 March when she visited the service station in Rosny.

In the early hours of 17 March she started a fire in some scrub at Claremont. She set fire to a bag filled with clothing and threw it over a fence. When the vegetation did not catch alight, she sprayed some hairspray which functioned as an accelerant, causing the scrub to ignite. A passer-by called the fire service and the fire was extinguished.

At around 4.40am on the same morning, Ms Lyon was at the Claremont Foreshore Reserve. Again she started a scrub fire using hairspray as an accelerant. The fire service attended and extinguished the fire.

Ms Lyon phoned the police a couple of hours later, said that she wanted to go back to gaol, and was located and arrested. She participated in an interview and admitted all of the offences that I am dealing with. She has been in custody ever since 17 March. In relation to other offending a magistrate subsequently gave her a backdated sentence which expired on 21 March. I will therefore be imposing a sentence backdated to 22 March.

Ms Lyon is 40 years old. She is mentally ill. The Court has been provided with a report by a consultant forensic psychiatrist who has been treating her. She has psychotic symptoms. She has been a long-term user of methylamphetamine. She has had over 20 psychiatric inpatient admissions since 2016. She has been homeless for a very long time, except for short periods when she has lived in temporary accommodation. At the time of the offending in March she was living in her car. She has a number of prior convictions, and has been to prison before in

relation to various offences, including charges relating to ten fires in 2019. She wanted to go back to prison because she wanted to keep warm and be properly fed.

There is a substantial risk that she will return to drug use and resume offending once she is released from prison. In the circumstances, I think the most appropriate course is for me to impose a prison sentence that will include provision for her to be released on parole in the near future. I hope that she will benefit from supervision by a parole officer.

Carly Elizabeth Lyon, I convict you and sentence you to 16 months' imprisonment with effect from 22 March 2023. You will not be eligible for parole until you have served eight months of this sentence. I order that you pay compensation to Troy Ward for the loss and damage suffered by him. I adjourn the assessment of that compensation sine die.