



MEDIA RELEASE

**Hon. John Hatzistergos MLC
Attorney General
Minister for Justice
Minister for Industrial Relations**

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NSW GOVERNMENT PUTS GRAFFITI VANDALS ON NOTICE

Tough new measures to tackle unsightly graffiti tags in local communities across NSW are being introduced into Parliament tomorrow.

Attorney General John Hatzistergos said a new Graffiti Control Bill would bring together all the state's existing graffiti laws to make it easier for the police and courts to bring more offenders to account.

"The Rees Government is taking affirmative action against this pointless and costly crime which impinges on a community's sense of safety and wellbeing," Mr Hatzistergos said.

Key reforms include:

- Making it illegal to possess implements such as marker pens or etching instruments with the intention of using them to damage or deface premises or property. This previously applied only to spray paint cans.
- New powers to issue on-the-spot fines to retailers who fail to properly secure their spray paint can displays, or where spray paint cans are sold to persons under 18 years of age.

Mr Hatzistergos ruled out a ban on spray cans but said the government would liaise with the paint manufacturing industry on developing a spray paint can that is more difficult for graffiti vandals to misuse.

"Banning spray cans would unfairly punish legitimate users and would simply encourage more vandals to find alternative tools," he said.

"We will continue to work with industry to ensure spray paint cans stay out of the wrong hands."

Mr Hatzistergos said the maximum penalties for graffiti offences had been standardised under the new legislation as follows:

- Fines of \$2,200 or 6 months' jail for damaging or defacing premises or property
- Fines of \$1,100 or 3 months' jail for possessing any instrument, including etching equipment or marker pens, intended for use in defacing or damaging premises or property;
- Enabling courts to continue to impose community service work on graffiti vandals

“Offenders who inflict serious damage on property will still be able to be charged with malicious damage under the Crimes Act, which carries a maximum jail term of five years.”

All of these new measures complement laws introduced by the NSW Government last year to prevent people under 18 defacing property. These include:

- Requiring young people in possession of spray paint to demonstrate it is for a legitimate purpose
- Giving police the power to confiscate spray cans from young people who fail to demonstrate it is for a legitimate purpose

Mr Hatzistergos said the government would examine extending these laws to adults and to cover other tools used by graffiti vandals.