



MEDIA RELEASE

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

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NEW GRAFFITI LAWS PASS

Graffiti vandals caught with marker pens and etching equipment will face the same penalties as those with spray cans, under new laws passed in NSW Parliament.

NSW Attorney General John Hatzistergos said the Rees Government had delivered a tough package of measures under its new *Graffiti Control Bill 2008* that broadened the scope of previous laws and brought them together under one piece of targeted legislation.

“Unsightly graffiti tags are tarnishing local communities across NSW and the Government is determined to deal harshly with the vandals who are defacing and damaging property,” Mr Hatzistergos said.

“Our police will catch you, and when they do, you face serious penalties including harsh fines, community service and even jail time.”

“In addition to spray cans, the new laws make it illegal to possess such implements as marker pens or etching instruments with the intention of using them to damage or deface premises or property.

“Retailers also face on-the-spot fines for failing to properly secure their spray paint can displays, or for selling spray paint cans to persons under 18.”

The maximum penalties for graffiti offences are:

- 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; and
- Enabling courts to continue to impose community service work on graffiti vandals.

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

Mr Hatzistergos said these new measures complement laws introduced by the NSW Government last year to prevent people under 18 defacing property:

- 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

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