



Speech
Summary Offences (Graffiti Removal Powers)

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Mr ELMES (Noosa--Lib) (11.07 pm) I rise to speak to the Summary Offences (Graffiti Removal Powers) Amendment Bill 2008. As we all know, and as everyone has so far spoken about during the debate tonight, graffiti is one of those things we cannot get away from. It is there wherever we go. Although the opposition is supporting the bill, one of the things that concerns me is that I for one believe we are not doing enough in this bill to bring the perpetrators, particularly the ones out there with the tags and so forth, to a greater degree of justice than what is currently the case.

One of the things that seems to happen is that as soon as graffiti appears on a wall, on a block of units or whatever it happens to be in an area it is like a cancer, it attracts more and more graffiti. The self worth that the people who live in the area have goes down. As time goes on, the property values of the place where this is happening go down. The quicker we as a society remove the graffiti from the wall, the post or the building the better off we are. That is certainly the case for the people who live in that particular area. If we can catch the perpetrators and provide a penalty for their actions the better off society will be.

Research done as far back as 1987 shows that if we are going to get on top of this problem we need to remove graffiti within 48 to 72 hours of it being put on the wall, the building or whatever. One of the things that concerns me about this bill is that the graffiti removal officers, as they will be called, will have to wait 14 days before they can get onto private property to remove the graffiti. I know that is only one aspect of the bill but waiting for 14 days to get onto private property to remove graffiti is, in my opinion, only going to serve as a bit of a welcome mat for these vandals who like to get around and put tags on buildings, posts and so forth. One of the things that occurred to me as I was going through the legislation is that we will have state employees and subcontractors deputised as graffiti removal officers.

The bill provides for state graffiti removal officers. In a separate section it provides for local government graffiti removal officers. Nowhere in the bill does it say how many graffiti removal officers there are going to be. It does not say whether the state is going to employ a certain number or, as I suspect will probably happen, whether there will be a hospital pass to local government and the responsibility for fixing up graffiti in our society will be theirs.

The bill does not say how many graffiti removal officers there will be and where the state or the local government graffiti removal officers are going to be stationed. It is absolutely vague on the whole subject. The explanatory notes state that the whole bill comes at zero cost. If the government is not providing any money to actually employ some of these people then I wonder where the bill in its entirety is going. One of the other things that we need to deal with is the sale of spray cans to minors. I know that there were some reports and that the minister said back in May this year that the number of reported graffiti offences had reduced by 40 per cent. That may very well be the case; I am not doubting the figures.

One of the things that we still see if we walk into a hardware store or into what I refer to as \$2 shops is cans of spray paint sitting up on shelves with a note underneath saying that they are not available for sale to people under the age of 18. The day has to come when spray paint is locked away and it is not easily accessible. Proving one's age is relatively easy. A person can buy it and go outside and pass it

to a minor. It is a bit like providing alcohol to minors. A person can buy it and go outside and pass it on. We had an instance on the Sunshine Coast in the middle of this year where a major hardware store was broken into. Did they go after the power tools or the garden furniture or anything else? No they did not. What they went after was somewhere between 500 and 600 cans of spray paint with a retail value of \$7,000. Those spray cans are obviously out there in the marketplace and being used for the purposes that we are talking about today.

One of the other concerns I have relates to these graffiti removal officers moving around society. If someone puts a sign or a tag on a wall there is no real compulsion for the same paint to be used to remove the graffiti. I understand that they are not going to go wandering around looking for particular colours of the rainbow to make sure that the colour suits. I understand the intent of the legislation. This is where I think this legislation has some flaws. We are employing or appointing people to remove the graffiti when indeed the people who should be removing the graffiti are the ones who put it there. That way we could make sure they have the right colour paint in their hand and they paint the whole wall or the whole building. I would hope they put a tag at the bottom end of the Story Bridge and we could give them some grey paint and they could paint the whole Story Bridge. That would give them something worthwhile to do.

I wanted to refer to some statistics. In 2003 Queensland spent \$100 million on graffiti removal. The same amount was spent in 2005-06. In terms of vandals, there were 600 caught in the first year and 743 caught in the second year but we only recorded convictions of 190 and 244 across those two years. Again, it is an example of society letting people get away with things. There is little or no consequence for their actions. I am very much one of those people who believes that it should not be graffiti removal officers who are employed by the state or local government to remove these tags from walls but the perpetrators themselves.

The other thing I would like to mention and which the minister might like to comment on as we go along is the fact that in its 2006-07 annual report the Brisbane City Council notes that it has already taken specific action to clean-up graffiti within its area and is providing graffiti clean-up kits free to residents and community groups to undertake that work. I understand that Townsville and the Gold Coast and probably other areas have followed Brisbane's lead. If Brisbane, the Gold Coast and Townsville are at least out there doing that sort of thing will the legislation apply to them?

There is memoranda of understanding between the Brisbane City Council and the Department of Main Roads, Queensland Rail, other government departments and GOCs. What affect will this legislation have on those memoranda of understanding? This is a good bill. Any piece of legislation that goes some way towards helping to control or remove graffiti from our society is a good thing. I certainly wish the minister and government well in putting the legislation into play. I look forward to debating this issue in the parliament at another time.
