



Speech by

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CRIMINAL CODE AND OTHER ACTS (GRAFFITI CLEAN-UP) AMENDMENT BILL

Mr LANGBROEK (Surfers Paradise—Lib) (8.55 pm): It is my pleasure to rise to speak to the Criminal Code and Other Acts (Graffiti Clean-up) Amendment Bill 2008, which follows on from yesterday's Summary Offences (Graffiti Removal Powers) Amendment Bill. When I saw a press release from the honourable the Premier on 28 April, I thought it was about this legislation and not the Summary Offences (Graffiti Removal Powers) Amendment Bill that we debated yesterday. As I said, it was released on 28 April and I note that this legislation was introduced on 27 February 2008. The headline of the press release was 'State government moves to stamp out graffiti'. So most people would think that this must be to do with actually trying to stamp it out, not just clean it off which is what we debated yesterday. It was a press release about the Summary Offences (Graffiti Removal Powers) Amendment Bill that we debated yesterday. The Premier said in her press release—

It may be art if it is done on a proper canvas but if it is sprayed on buildings and other property without permission it is simply vandalism.

It is illegal and we are going to crackdown on this unacceptable behaviour.

Does that sound like it has to do with graffiti removal powers or does that sound like it is something to do with a graffiti clean-up? It does not seem like you are cracking down on unacceptable behaviour if you are getting someone else to clean it off, which is what the legislation that we passed yesterday was about.

The Premier said, 'Our laws are already tough but we are about to get tougher.' It strikes me that this is all about the government once again making a promise that it was going to do something about graffiti. By having a press release entitled 'State government moves to stamp out graffiti' and bringing in a bill that is called the Summary Offences (Graffiti Removal Powers) Amendment Bill, the government is able to say, as it has said about health, as we discussed earlier today, 'We have done something about stamping out graffiti.' But of course we can see from what we debated yesterday that stamping out graffiti is not going to happen by getting someone else to clean it off. That is the specious nature of this press release. It makes out that stamping out graffiti is going to happen because of the bill that we passed yesterday.

I note that the Premier said that prison would remain the ultimate for repeat offenders. She said in the press release—

We already have the toughest anti-graffiti laws in Australia resulting in up to seven years imprisonment if the graffiti is obscene or indecent or the property affected is an educational institution.

I read that a couple of months ago and thought this had to do with really getting tough on graffiti artists—or purveyors of graffiti, not artists. Clearly it was not to do with this graffiti clean-up amendment bill, which is perfectly reasonable legislation.

I want to go through some of the issues I mentioned yesterday to do with the spike of graffiti that is occurring across the Gold Coast in my constituency. Call-outs have gone from 6,000 in 2004-05 to 11,000 in 2007-08. I think our council now spends \$1.2 million on graffiti. I note that the councils have asked, as has Queensland Rail, for the ability to go on to properties to clean off graffiti, but we think there should be

more of a deterrent. We think there would clearly be a deterrent effect for potential offenders if they realised they would have to clean off graffiti after the imposition of a community service order.

After I saw some of the graffiti on the Isle of Capri recently, my electorate officer presented me with a card that is printed by the council called 'Graffiti: Let's get it together'. It has on it the graffiti hotline on the Gold Coast and an email address—graffiti@goldcoast.qld.gov.au. A lot of householders do not know about this, so now when I see some houses that have been tagged, I stop and drop in and give them a card and tell them that they can call the council and hopefully get it removed. It is very frustrating for householders. As we discussed yesterday in the legislation, people are not aware of who is supposed to do it, who might be doing it, and who is responsible for cleaning it off.

This legislation clearly is all about getting tougher on the perpetrators of this crime and saying that it is not acceptable. It is obvious that if these people who do it understand that they will be made to clean it off they will pass that message on to other people. We will never get the message through to everyone. There are those other aspects of the act and the penalties that can be applied to them that the honourable member for Bundamba just mentioned, but clearly some people do not get the message.

As I said, this is very good legislation. I note that many of the members have commented about the number of people who have been found guilty of graffiti offences. There were 600 vandals found guilty in 2005-06 and 743 vandals found guilty in 2006-07; of those, only 190 and 244 convictions were recorded for the respective periods. We note that the number of people found guilty has significantly increased in the last five years and that the stain is clearly out of control, as mentioned in the second reading speech by the former shadow Attorney-General.

As many other members have said, we think this is reasonable legislation. If the government is serious about doing something to stamp out graffiti, as the honourable Premier said on 28 April 2008, let us do something and send the message to these people that they cannot do it and that they will be penalised in the way mentioned by this bill if they do it. I encourage members opposite to support it.