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Spray-can vandals face prison under crackdown

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We've had a gutful...NSW Premier Nathan Rees stands in Cox Lane, Toongabbie, near his home in Western Sydney. Juveniles must now have a legitimate reason for having spray paint on their person

CHILDREN carrying spray-paint cans without a legitimate reason could face six months in jail under a revolutionary graffiti crackdown by the State Government.

It is the first time courts will have the power to jail youths for merely carrying a can of spray paint.

The tough new measures come as Premier Nathan Rees - sickened by the crimes of paint-spraying vandals - decides to take a zero-tolerance approach to vandals who are to blame for up to \$100 million in statewide public and private clean-up costs each year.

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City of Sydney spends up to \$3 million annually cleaning graffiti, with the bills for councils topping \$25 million across the wider Sydney region, Wollongong, the Central Coast and Newcastle.

Mr Rees will today officially announce an annual graffiti clean-up day - run along the same lines as the hugely popular Clean Up Australia Day, which began as a Sydney Harbour clean-up in 1989 and has spread internationally.

"The community is fed up with their streets being defaced by senseless vandals who think they can operate above the law," Mr Rees told *The Sun-Herald* yesterday. "I'm putting graffiti vandals on notice - we have you in our sights and the community, police and business are right behind us.

"Graffiti is not a victimless crime - it makes people feel unsafe, eats away at the pride people have for their towns and suburbs and this is simply not on."

Mr Rees was spurred to action by the graffiti crisis at his local shops at Lalor Park in Sydney's west.

"Over the years of riding or running around suburbs, I've been appalled at the destruction that vandals heap on to our public buildings and businesses," Mr Rees said yesterday. "It's an issue that generates strong emotions across the state and here in my own backyard.

"We all take pride in the places we live and vulgar graffiti is a constant reminder of some of the worst elements in our community."

Mr Rees said the annual Graffiti Action Day, set down for the first Sunday in May, would "empower communities to take charge and make a difference".

Making it an offence for juveniles to possess spray cans without needing them for work, school or art projects built on earlier reforms that introduced fines for retailers who sold spray paint to young people, he said.

"If they cannot prove to police that they need the spray can for legitimate reasons like school or work they will face fines of up to \$1100 and even six months' jail in some cases," Mr Rees said.

Keep Australia Beautiful chief executive Peter McLean said clean-up volunteers would be given chemicals, gloves and

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clean-up volunteers would be given chemicals, gloves and information on the best way to remove graffiti from a range of surfaces.

Local councils would also be asked to play a lead role because they had access to the chemicals and equipment needed for an effective clean-up.

Mr McLean said he regularly received threats of assault from graffiti vandals because of Keep Australia Beautiful's push to have councils remove walls they had set aside for sanctioned graffiti.

Contrary to popular belief, he said, such areas did nothing to reduce graffiti in other locations and in fact may well cause an escalation of the problem.

He said the designated clean-up day meant everyone could get involved in tackling the scourge of graffiti: "It is an important opportunity to raise awareness of how we can collectively remove graffiti.

"Volunteers can play an important role to increase the pride and morale of their local communities."

Victims of Crimes Assistance League spokesman Howard Brown said his organisation backed the new clean-up day.

Apart from encouraging community pride, it would highlight the problem to the vandals' parents.

"As every graffiti vandal has a parent, we can reinforce to these parents the harm that can be done, and encourage them to better understand what their children are up to and assist in diverting their interests elsewhere," Mr Brown said.

In March, 18-year-old Cheyene Back, who had no prior convictions, successfully appealed against a three-month jail term for putting graffiti on the wall of a Hyde Park cafe.

District Court Judge Greg Hosking instead put her on a good-behaviour bond but added: "People in Sydney are sick of graffiti -

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there's no doubt about that.
NSW Business Chamber chief executive Stephen Cartwright said graffiti was a huge economic and time impost on business and the judiciary needed to play a role. "We welcome the Government's announcement but it has to be backed up by the magistrates who have to understand that graffiti is not a victimless crime," Mr Cartwright said.

Victoria introduced new laws last year which made it an offence to carry spray paint on or near public transport, or to sell spray paint to minors.

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