

**Graffiti Hurts - Australia**

**Public Submission to the City of  
Melbourne Draft Graffiti Policy 2009**

MAY 2009



[www.graffitihurts.com.au](http://www.graffitihurts.com.au)

Author: Scott Hilditch

This submission is on behalf of Australia's only national community education charity organisation on the issue of graffiti vandalism to the City of Melbourne in response to the Graffiti Management Plan 2009.

## **ABOUT GRAFFITI HURTS – AUSTRALIA**

Graffiti Hurts – Australia, launched early 2008, was formed after concerns in the increase of the amount (both visually and cost to the community) of graffiti vandalism throughout Australia and to coordinate a national approach in helping reduce and tackle the gateway crime that is graffiti.

Adapted from the successful Keep America Beautiful program Graffiti Hurts®, Graffiti Hurts – Australia is a not for profit community charity educational organisation who is dedicated to raising awareness about the true harmful effects of graffiti.

At the heart of the organisation are four main goals;

- Educate the community about the importance of graffiti prevention and eradication
- Provide communities with tools and resources to respond to graffiti vandalism
- Help foster partnerships that will encourage involvement from all members of the community in addressing graffiti vandalism.
- Help communities establish anti-graffiti programs that get results, creating healthier, safer and more liveable communities.

Graffiti Hurts – Australia's community based programs endeavours to encourage and assist in building clean and safe communities by the eradication of graffiti and vandalism.

Our programs encourage governments, industry and communities to form and tackle projects together within their local areas that sees all of the community benefit from the activities undertaken.

From restoration of a local building or painting of a local historical paint brush mural, through to graffiti prevention, education and resources and also help in 'Crime Prevention Through Environmental Design' or CPTED as it is known now.

Graffiti Hurts – Australia, with the help of its supporters, helps build community connections and in turn social capital throughout Australia.

Key Facts on the Organisation:

- Graffiti Hurts – Australia is the only independent not for profit community charity educational organisation in the nation.
- Graffiti Hurts – Australia relies on sponsorship and supporters for income.

## **GRAFFITI**

There is no denying that the issue of graffiti raises mixed points of view from members of the community, industry, transport users, operators and government officers. It is also important to understand where an individual is coming from and why they hold that point of view in the planning of any project, document or policy.

Prior to examining and commenting on the publicly released documents and summary points, Graffiti Hurts – Australia believes it is important to look at some facts on the issue of graffiti over the past 5 to 10 years.

Figures on State and Local Government spend on the issue of graffiti has seen tax and rate payers money increase by 500% over the past 10 years. Even with inflation taken into account over that period this figure is, as many agree, a waste of money that could be better spent on other community services including health, transport, education and sport.

In Australia, there have been many different State government programs which have often been over a short period (3-4 years) that have varied in their plan on tackling the issue of graffiti. Most of these State government programs and legislation have left the day to day management on the issue of graffiti to local governments which often see cost shifting on the issue being borne by councils.

This has seen cost for councils rise, in some cases, by over 100%<sup>1</sup> within a year while under 5% of all local governments<sup>2</sup> across Australia reduce their spend in tackling graffiti.

We have also seen that over the past decade, an increase in violence surrounding the sub-culture of graffiti which was often only seen associated with gangs in overseas countries. This has included the stabbing in the neck of a man in the middle of Melbourne's CBD<sup>3</sup>, threats to the public as broadcasted via the internet, news and current affairs programs on the Free to Air networks.

We should also never forget the senseless deaths of two adults in Sydney, January 2008, while undertaking graffiti as well the waste of emergency services money, time and man power on those that undertake graffiti on a regular basis.<sup>4</sup>

We even see those involved in the sub-culture of graffiti disagree with each other on the issue of graffiti, from those that believe those undertaking 'tagging' are a detriment, those that undertake 'paste ups' as lazy and those undertaking 'stencils' as lazy and selling out the

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<sup>1</sup> City of Melbourne expenditure between 2004/05 and 2005/06, without full costs disclosed of cleaning contractors.

<sup>2</sup> 677 local governments and community councils across Australia (February 2008)

<sup>3</sup> Victoria Police Media Statement March 21, 2009

<sup>4</sup> Herald Sun February 6, 2008

sub-culture through to the myth that a graffitist never 'tags' or goes over the top of someone else's 'work'.

Occurrence of vandalism by graffitist to other graffiti works is seen across the City of Melbourne on a regular basis, this includes the vandalism of a piece of 'work' reported to be by international vandal Banksy<sup>5</sup>.

This myth is also debunked in Councils document where council states that the project undertaken in Union Lane has 'had tagging on it'<sup>6</sup> raising concerns that a 'mentoring' program would just see more spray paint murals vandalised and encourage those not involved in the 'mural' to vandalise it, wasting rate payers money.

As such, Graffiti Hurts – Australia believes that the style and sub culture of graffiti reduces community pride, property value and safety while increasing litter and anti-social behaviour that includes violence and drug related crime (selling, buying and theft)

This is backed up from research from around the world from the publishing of the 'Broken Windows Theory'<sup>7</sup> through to the University of Groningen 2009 report<sup>8</sup>.

The belief of the 'Broken Windows Theory' is one that the City of Melbourne has and does believe in when it comes to litter and other anti-social behaviour yet council doesn't seem to believe it exists on the issue of graffiti.

The City of Melbourne's Graffiti Management Plan 2005 provides the premise that the undertaking of graffiti is, when permission is provided, in fact art. This belief sets the policy and projects undertaken by the City of Melbourne regarding the issue and has been the personal view of the consultant<sup>9</sup> that was employed to help the City of Melbourne develop the 2005 Plan for quite some time.

This premise also provides a background to many aspects of the information that is contained in the '2009 Public Comment Document' that from others points of view, can be or are very misleading or cannot be substantiated.

Recently, Graffiti Hurts – Australia took a Fairfax journalist from Sydney around Melbourne for a story and showed many of and the surrounding areas under the 'Street Art Permit Program'. To both our surprise when turning from Hosier lane into Rutledge lane we were confronted with 4 people under taking a drug deal and another two in the act of taking drugs via the use of needles. This was in the middle of the day and the female journalist was shocked at how out in the open it was taking place.

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<sup>5</sup> The Age Newspaper, December 14, 2008

<sup>6</sup> Point 31, City of Melbourne Graffiti Management Plan 2009, Draft for Consultation

<sup>7</sup> James Q. Wilson and George L. Kelling, March 1982, *The Atlantic Monthly*

<sup>8</sup> The Economist November 2008

<sup>9</sup> Alison Young, Criminologist at Melbourne University.

While this alone does not fully confirm the 'Broken Windows Theory' within the City of Melbourne, one does have to consider how or if the Permit Program under the graffiti management plan has had an impact in the increase of other anti-social behaviour in the CBD, especially in its lane ways.

The City of Melbourne is right in voicing its concern on the current anti-social behaviour taking place in Melbourne's CBD through the media as regular as it does and Graffiti Hurts – Australia also joins with Council in voicing its concern and encourages the City of Melbourne to tackle this anti-social behaviour in a holistic approach that includes the issue of graffiti and councils Draft Management Plan.

## **AUDIT PROCESS**

The process of any successful program can be judged by reviews and audits of all aspects of a program, but unless baseline data via an audit is completed before any program is put in place, and is available, the real success of a program is difficult to substantiate.

Graffiti Hurts – Australia, on a number of occasions, has made contact with the City of Melbourne on the issue of the 'graffiti audit' that was listed in the Graffiti Management plan 2005 to understand 1) the methodology of the audit 2) to gain an insight into the areas that are audited and 3) how often the audits are undertaken and submitted to council.

To date, the organisation has not received one reply to our request and hasn't been able to find any public documents (including council notices or presentations as stated in City of Melbourne's Graffiti Management Plan 2005) on the completion of any yearly audits.

As such, Graffiti Hurts – Australia has recently undertaken an audit of the complete CBD area which we will be releasing in a public report in the near future<sup>10</sup>. The audit attracted media interest with ABC's Radio National undertaking two radio stories and TV1 New Zealand and the Sydney Morning Herald following the audit teams when doing a story on graffiti.

Graffiti Hurts – Australia's audits show a very different picture to that listed in the public draft graffiti management plan and is left to wonder why the audits, its methodology and who undertakes the audits have not been publicly released before.

Table one in the City of Melbourne's Draft Graffiti Management plan indicates that graffiti vandalism shows a drop in the square meters of graffiti being audited, which to the general public may seem that the issue is being tackled but is actually difficult to substantiate, especially when councils costs have remained the same since the 2005 – 2006 budget<sup>11</sup>

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<sup>10</sup> Audit completed April 2009, report being compiled at time of submission

<sup>11</sup> As noted in Councils own document the \$500,000 cost does not including cleaning of council infrastructure, any street furniture, street signs and parks.

We note in the draft consultation that council's spend in tackling graffiti is \$500,000 the organisation wonders why council could not publish the complete figure which council eludes to on page 3, point 9 which reads: *The City has a budget for contractors to remove graffiti on its own property (this includes roads, footpaths, street furniture, sculptures, artworks, bridges, public buildings and parks and gardens and Council's administrative buildings)*<sup>12</sup>. This would allow the residents, property owners, and business owners of the City of Melbourne to understand the true costs of their rates relating to graffiti.

The public would also be right in asking if any of the previously audited sites have been granted 'Retrospective approval' (16 of the 24 registered approved 'street art' sites) which could then provide a 'reduced amount of graffiti' within the audited areas which then helps keep or maintain council's spend on graffiti.

One can also be concerned at the statement in the 'Draft Management Plan' **When larger works (either painted, pasted or in stencil form) are found and the artist has placed it there with the permission of the owner or is seeking the owners permission, an opportunity will be given for the artist or owner/occupier of a building or infrastructure to apply for a street art permit**

We believe that this not only contravenes the state government legislation but could also send the message that the City of Melbourne believes that if a piece is already up it can stay there if permission is being sort.

This could also provide opportunities for those undertaking graffiti vandalism to plan with others the undertaking of large scale vandalism with the cover of 'seeking permission' while ensuring that they 1) seek the fame they are trying to achieve with the sub-culture both in Australia and via the internet, internationally 2) promote the City of Melbourne as being a soft target on graffiti 3) reduces the likelihood of it being cleaned and 4) increases other anti-social behaviour within the CBD.

While it is often the case with most 'audits' that involve locations that the exact locations are not revealed, Graffiti Hurts – Australia wonders if any audits of the 'Permit Program' were undertaken before the program was put in place in the surrounding areas of those 'registered locations'?

Graffiti Hurts – Australia poses the above question as its recent audits in the preliminary reporting stage shows that within a 100 meter radius of the 'Permit Program' sites a high level of graffiti vandalism exists (by up to 300% more than in other areas not surrounded by the Permit Program).

Another question to ask is; if no compete benchmark audit was undertaken, how is the development of any 'Future Plan' actually going to achieve a real positive community outcome with no baseline data available for council to compare it with?

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<sup>12</sup> City of Melbourne, Graffiti Management Plan 2009, Draft Consultation, April 2009 Page 3 point 9

Graffiti Hurts – Australia is concerned that if the current graffiti removal contract does not seem to have provision on the reporting of these costs and the amount being removed on behalf of councils' residence rates. This leaves us to ask how can council publicly say that 1) the 'permit program' is working and 2) that the City of Melbourne is only spending half a million on graffiti management?

The figure also doesn't include associated related cleaning costs due to other anti-social behaviour that is attracted to areas where graffiti is prevalent and the costs borne by private property owners (which is rarely reported), body corporate, industry, government departments, public transport owners and private transport operators or construction and building sites.

It would be Graffiti Hurts – Australia's recommendation that council consider the complete disclosure by its contractors on its maintenance and cleaning as most local governments currently undertake. This will provide council, its rate payers and the public with the real effects and costs of graffiti within the City of Melbourne

Many examples are available where local governments have required the contractor to take before and after photos to show the size of the graffiti that is cleaned/removed as part of their contract.

This would also help in the reporting of the graffiti taking place which is often seen as the most difficult aspect in the fight and removal of graffiti vandalism.

Police statements indicate that around 80%<sup>13</sup> of graffiti vandalism is never reported, often because of Council policies, community's perception that it is a waste of time as nothing will be done or it is too difficult to know who to actually report it to.

We know that of the graffiti that goes unreported to authorities it is difficult to place a dollar figure on what this 80% costs the community, one could see that the \$500,000 is not what it is currently costing the residents and business owners of the City of Melbourne<sup>14</sup>.

With the City of Melbourne having seen residential growth in the CBD of 18% per annum during 2001 to 2006<sup>15</sup> and an expected 78% of the projected estimated residential growth until 2021 for the City to reside in the CBD,<sup>16</sup> concern is raised that due to the 'Permit Program' the rates of those residents could/will rise to cover the cost of cleaning and removal of graffiti because of the current policy and proposed management plan.

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<sup>13</sup> *Det-Insp Bailey, NSW Police 18 March 2009*

<sup>14</sup> *As noted in Councils own document the \$500,000 cost does not including cleaning of council infrastructure, any street furniture, street signs and parks*

<sup>15</sup> *2008 Melbourne Small Area Economic and Demographic Profile (CBD & St Kilda Road) July 2008*

Graffiti Hurts – Australia is also concerned that the City of Melbourne is listed on a number of pro graffiti websites and forums as being a soft target relating to graffiti and is rated on one graffiti website as being in the top ten places in the world to undertake graffiti without punishment.

## **PERMIT PROGRAM**

Graffiti Hurts – Australia raises concerns on what seems the main focus of the management plan in what the council calls tackling graffiti, 'Permit Program'.

Across the globe the use of 'legal walls', as they are known, have never produced a successful management plan or outcome for the community on the issue of graffiti.

If fact, around the world communities and governments that have used 'legal walls' have:

- 1) Seen no decrease in the amount of offences of graffiti taking place
- 2) Seen no decrease in the amount of arrests for graffiti related crimes
- 3) Seen no decrease in the amount of government spend in graffiti removal
- 4) Seen an increase in the amount of graffiti in surrounding areas

Graffiti Hurts – Australia is also concerned on a number of other issues surrounding the permit program by council that include;

- Who monitors and how often are the 'permitted' walls and sites monitored?
- Is the permit issued to the site or the art work being placed on the permitted site?
- Who monitors what 'work' will be placed on the site or can anything and any amount of graffiti be placed on the site
- Will the site be repainted regularly to provide a fresh 'canvas'?
- What if someone writes obscenities or hate graffiti on the wall? What action will be taken? And by who?
- What if graffiti moves to walls nearby and the surrounding area? Who will pay to remove it?
- Can those who gave permission for graffiti on a 'legal wall' be held liable for attraction of other graffiti in the surrounding area?
- Who is allowed to use the 'legal wall'?
- Will they be required to adhere to OH&S standards? If not, who is liable for any injuries or health issues that arise?
- Who and how will Public Liability Insurance be covered while work is being undertaking?
- How will any rules be enforced?

- Are there laws in place that restrict possession of graffiti implements by persons? Who will enforce these? Who will be responsible for person caught with implements that contravene State laws?

In regards to artwork;

- Is there an approval process of the design of the 'work' before work begins?
- If so, are property owners of and around the site consulted?
- Is the community consulted?
- What happens if 'commercial logos/advertising is included the 'works', how does this fit with councils planning laws?
- What process in place for Council if approved designed is vandalised or obscenities or racial tags are placed on the 'permitted site' or approved 'work'?

As mentioned above, the current 24<sup>17</sup> permitted sites sees 16 sites receiving 'retrospective approval'<sup>18</sup>, which gives many in the community the perception that the 'Permit Program' allows the Council to actually say that graffiti is being reduced instead of addressing the problem of graffiti.

A number of business near two 'permitted sites' have regularly been in touch with Graffiti Hurts – Australia seeking information and support in helping them reduce the amount of graffiti being placed on their business.

One of these businesses along with residential address's in the middle of the CBD have a couple of planning overlays<sup>19</sup> where the property owners have restrictions on them being able to 'paint' over any graffiti (they have to remove it) yet 50 meters from their location is a 'permit site' that sees graffiti being placed on these properties on a regular basis.

Concern is raised that while the 'permit program' is aimed at trying to reduce graffiti it is in fact increasing it in the surrounding areas of the 'permit sites' and increasing costs on these and other property owners.

Another business that has contacted Graffiti Hurts – Australia has had to install security cameras on the side of their business due to the vandalism and aggression towards their employees by those undertaking 'works' on a regular basis at a permitted site.

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<sup>17</sup> City of Melbourne's website April 30 2009

<sup>18</sup> City of Melbourne 'Permit List' April 16 2009, Melbourne City Council website

<sup>19</sup> DDO1, DDO2, DDO56, Heritage Grade D

The 'Union Lane' project is often promoted by council as a 'success' as part of the Permit Program but research by Graffiti Hurts - Australia shows that, as council has detailed, the 'work' in Union Lane has had an increase of vandalism over it. Graffiti Hurts - Australia wonders why Council changed its Community Paint Brush policy for Union Lane which, in 1982, saw community members work with a number of artists to undertake a paint brush mural of the 'life' of Melbourne which stood without maintenance for some 15 years with little vandalism taking place.

The original paint brush mural, part funded by the City of Melbourne and the property owner of the time Coles Variety Stores, engaged the community from primary schools through to senior citizens that had provided a complete history of Melbourne and life within and around Melbourne.

Graffiti Hurts - Australia believes and encourages the City of Melbourne to review the 'Permit Programs' current guidelines with a view to reinstate or develop a Community Paint Brush Mural.

Communities that have undertaken Community Paint Brush Murals have seen a decline in the amount of vandalism at and around graffiti hotspots while increasing a broader community pride to residents and business owners.

The Community Paint Brush Mural program developed by Graffiti Hurts - Australia has been recognised internationally, with the organisation invited to present on the topic at a number of international graffiti conferences in the US and Canada and we encourage the City of Melbourne to consider this program in place of the current and costly 'permit program'.

Graffiti Hurts – Australia believes that these examples, including the questions in this section, should be enough for the City of Melbourne to rethink and review the 'permit program' and the real effects it has on all aspects of the City of Melbourne.

## **TOURISM**

Through the Draft Public Document it is raised that the 'permit program in CBD lanes' attracts tourist and has been recognised internationally.

There are many aspects of both of these statements that are concerning from one point and very misleading in another.

To say the 'permit program' attracts tourist is exactly like saying a car crash creates tourism. In one aspect they are both the same, people using a thoroughfare to get to one place to another and go past the 'permitted' areas and lanes is the same as people driving along a road to go from one place to another and passing a car accident.

While the example above may seem extreme in comparison, both are not creating tourism in the true sense of tourism and an economic benefit to that location, community and businesses of that area, it actually has a detrimental effect on local economies.

On the issue of tourism, the lack of any public figures being able to be released on the number of people visiting Melbourne solely to view these laneways with graffiti raises doubt on the statement and something that needs to be justified.

Enquiries to both Council or Tourism Victoria reveals no actual figures are available due to no surveys having been undertaken to show one interstate or international visitor's decision to visit Melbourne solely to view the graffiti in the city.

While Graffiti Hurts – Australia agrees that school children visit CBD laneways to view the graffiti, this needs to be put in the correct context. School children view the lanes as part of a holistic school excursion into the CBD, and not solely to visit these lanes or the 'works' in them.

It was only within the past year that a 'studio' set up and run by a graffitist on the fringe of the CBD has started to promote 'tours' of Melbourne's laneways and in a recent interview with the studio for TV1 New Zealand, the 'studio' admitted that those that had taken the tour were in fact visiting graffitist or those that actually had an positive interest in the sub-culture and were not visiting Melbourne solely for the graffiti.

They also admitted that fewer than 50 people had actually undertaken their 'tour'.

In fact a review of three Australian graffiti forums indicates that even those involved the sub-culture that visit Melbourne do so to undertake graffiti in other areas other than the CBD and view the 'permit areas' just to leave their moniker.

It is often said that the 'Permit Program' and graffiti in Melbourne has 'international artistic merit' again these statements are made by those either in the sub-culture or are pro – graffiti. Interviews with people within the arts community often see the 'permit program' as a detriment to the arts industry.

## **ERADICATION:**

Graffiti Hurts – Australia believes that the assumption in point 17, that the public is only opposed to tagging graffiti, sets the tone that it is councils view that graffiti doesn't breed graffiti and that the 'Broken Window Theory'<sup>20</sup> does not exist.

Recent Universities (2008) studies from Holland and the US shows that the 'Broken Window Theory' actually is correct where graffiti is prevalent, the area is more likely to attract other anti-social behaviour. This can include, littering, public urinating, drug related activity, property vandalism and violence.

We also see this in the Victorian State Governments program extension announced in the 2009 Budget<sup>21</sup> that has seen extra funding allocated to last year's Victoria budget on the states removal program.

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<sup>20</sup> James Q. Wilson and George L. Kelling, March 1982, *The Atlantic Monthly*

The City of Melbourne subscribes to the 'Broken Window Theory' when it comes to litter and through its many programs and community campaigns with EPA Victoria, Sustainability Victoria, the Victorian Litter Action Alliance and the Butt Littering Trust which has promoted and educated the community that 'clean equals clean'.

In fact, the City of Melbourne has promoted the message *'The presence of litter increases the likelihood of socially unacceptable behaviour as it sends the message that the area is uncared for. People are more likely to report feeling unsafe in a littered area and have a lower level of satisfaction with a littered community'*.

This raises our next question; if Council believes the 'Broken Windows Theory' is relevant for litter how, as detailed in the public graffiti document, does council not believe it isn't for graffiti?

While many people believe tagging is the biggest issue surrounding graffiti vandalism, the placement of larger 'pieces' actually causes more issues as it attracts those that would undertake tagging to the area.

The use of 'pieces' (larger colour filled 'tags'), where the individual/s has planned the activity and often will undertake the activity over a period of weeks and with cardboard templates. This is to ensure that the location they have picked for their 'piece' is not cleaned after they have done the outline for their 'piece' and have the knowledge that their 'work' will remain for a period of time.

Another concern from Graffiti Hurts – Australia is the growing trend of 'paste ups' throughout the City of Melbourne. Many in the sub-culture of graffiti are moving towards this style of graffiti vandalism due to the Victorian State Government graffiti laws that don't actually cover 'paste ups'.

'Paste Ups' in Victoria are actually considered 'Bill Posters'<sup>22</sup> and as such falls under very different and reduced penalties, making it more attractive to those in the sub-culture.

While this is an issue that falls under the State Government to address the anomaly in the laws, it's concerning that the City of Melbourne would be active in anti-litter campaigns (including 'Bill Posters') while at the same time promoting 'paste up' via another division of council. This again, is rate payer's money that is being used to tackle one issue while at the same time using rate payer's money to promote the use of the same issue.

There are two issues relating to 'paste ups' that should be concerning for all communities and local governments, not only within the City of Melbourne but in Victoria and across the country.

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<sup>21</sup> Victorian State 2009 – 2010 Budget Paper 3 (Service Delivery 09-10 page 33 & Appendix A page 333)

<sup>22</sup> *The Environment Protection Act 1970, Part VII*

'Paste ups' are developed by those in the sub-culture and are done behind close doors to ensure that they are 1) not caught in the act of graffiti 2) able to complete the 'work' in their own time frame 3) is planned<sup>23</sup> in detail and 4) use of chemicals that include acid to 'paste' onto the surface to ensure if cleaned a 'mark' remains on that surface.

These areas of concerns have up until recently never been considered in local or state legislation and laws as the sub-culture is always evolving around these laws. Due to the State Governments strong legislation in parts on the issue of graffiti, the City of Melbourne, during the period of this proposed Graffiti Management plan, by Graffiti Hurts – Australia calculations, would see an increase in the amount of 'paste ups' in and surrounding the city.

Graffiti Hurts – Australia congratulates the City of Melbourne's proposed removal plan, encourages the plan to engage all government and public service utilities into agreements that would see the City of Melbourne's service contract cleaners remove all graffiti and like the agreement that the City of Melbourne has with Vic Roads, remove and bill those organisations.

While council is restricted in using world best practice of removing graffiti within 48 hours due to the State Government Graffiti Legislation, Graffiti Hurts – Australia encourages the City of Melbourne on its program to have pre approval from property owners on graffiti removal.

This program is used by many Victorian councils and would allow council to remove graffiti from private properties as soon as reported and Graffiti Hurts – Australia believes this will help ensure graffiti is moved in a timely manner while reducing the incidence of returned vandalism and reducing the cost borne by council on graffiti removal.

## **ENGAGEMENT**

Graffiti Hurts – Australia voices its strongest concern on the issue of 'Engagement' of the plan where the most notable absence area of engagement and is a requirement in any graffiti management plan to be successful is the community.

While engagement of those involved in the sub-culture is important, the engagement of the community to become educated and to report areas that are vandalised is, in fact, the most important engagement of all, especially if council plans to have a successful removal program.

As mentioned earlier in this document, police statements indicate that over 80% of graffiti vandalism goes unreported yet based on the proposed plan, council doesn't wish to engage the community that it affects and costs.

The question is if council is serious about engagement why isn't the community, both residences and workers within the City of Melbourne, featured in the plan of engagement in either of the issues or helping tackle graffiti vandalism?

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<sup>23</sup> Location, measurements of area where paste ups will go, traffic flow and surveillance of location

## **BUILDING RELATIONSHIPS**

Graffiti Hurts – Australia raises its concerns that council, through both the mentoring program and the building relationships program, could help increase current cost to construction companies who are often targeted by graffiti and having to pay over \$1000 to the hire companies on equipment (site fencing/boards, portaloos, portable site offices etc) that are vandalised on a regular basis.

Concern is raised on who will pay for the material to undertake the work mentioned in point 33.1 and who will pay the cost of the hoardings, site fencing, portable site offices and portaloos to be cleaned before returned to the hire company.

The cost shifting on the cleaning is, in the end, paid by the residents and consumers to those that will occupy those buildings.

Concern is also raised that if 33.1 is implemented, who will be held liable if an accident takes place on the site after a graffitist illegally enters the site to undertake 'work'. What Work Cover issue and extra insurance costs will affect the developer, sub-contractors that could be used on employment of extra labour.

## **MENTORING PROGRAM**

The organisation also raises its concerns on the process of what the council calls its 'Graffiti Mentoring Program' which council indicates will continue to be supported. The concern stems from the councils aim to 'mentor' minors under the age of 18 in the process act of graffiti.

In the Melbourne Magistrates Court<sup>24</sup> two offenders caught vandalising Melbourne's public trains said to the Magistrate that "we first got into graffiti through our councils youth program" and 'we were sick of being told we could only do it in one place'

These comments are not new when speaking to young people on how and why they started to vandalise public and private properties which cost the community millions of dollars a year.

Graffiti Hurts – Australia recommends Council review its mentoring program and revise its current aims so that programs that identify those that have an interest in graphic design are encourage to direct this interest on areas that would help that minor develop a career that would involve graphic design and that would not lead into an act, that under State law and seen by many as a criminal act, would actually have a holistic approach in helping minors in the community.

Careers such as Architecture, landscape design, advertising design, fashion design and a host of design categories that require talented skilled individuals are mentoring programs that council would be better suited running for those minors that are identified with having an interest or skill in design.

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<sup>24</sup> February 2007

## **EDUCATION**

Details of the Councils education program in the 'draft plan' unfortunately has a number of voids that council needs to include in its Management Plan if it is to achieve the results it has outlined in its document.

We have seen for years, governments at all levels tackling the issue of graffiti without the one core group that it affects the most, the community.

Graffiti Hurts – Australia has seen councils and communities across the country struggle in tackling the issue of graffiti when community members are not engaged or educated on the issues relating to graffiti.

This is the most noted absence in council's document.

Graffiti Hurts – Australia congratulates the City of Melbourne on its education in schools program with the Warner Group, but raises concern at the content of the program.

Graffiti Hurts – Australia understands that through the education program minors are taught that graffiti can be art if permission is received.

The Warner Group undertake a similar education program on behalf of the City of Casey and Graffiti Hurts – Australia encourages the City of Melbourne to review the success of Casey's program and adopt the same content.

Graffiti Hurts – Australia also encourages council to undertake education of its own staff and contractors. This will ensure that council's plan has been made aware to those that can have a positive impact in helping council not only reduce the amount of, but also the cost to council on graffiti.

Graffiti Hurts – Australia, being Australia's only registered charity education institution tackling graffiti, has in the past offered to work with and help the City of Melbourne on the issue of public education and campaigns and the offer still stands.

## **ENFORCEMENT**

Graffiti Hurts – Australia encourages the City of Melbourne to continue to work with Victoria Police on the issue of graffiti.

Graffiti Hurts – Australia also encourages council to support the Victorian Police in the prosecution of offenders and to seek total restitution from other offenders for the damaged caused and cleaning costs.

A number of local councils across Australia are now undertaking this action to help in not only enforcement, but public education and ensures ratepayers money is not wasted because of someone's illegal act.

Council should also consider, as part of its Management Plan, that any person charged and convicted of graffiti related crime cannot receive or participate in a council funded program. Graffiti Hurts – Australia believes if council continues with the 'permit program' in its current form, that those that are undertaking activities that are against the law are not rewarded by the use of ratepayer's money.

## **EVALUATION**

Graffiti Hurts – Australia encourages council to review its evaluation of its management plans with the concerns that the organisation has laid out in this document.

The organisations concerns remain on point 44 and all of point 45 due to approvals and retrospective approval on the permit program that could help produce the measurement results of a 50% reduction over the 3 year period of this plan.

Graffiti Hurts – Australia encourages council to consider adding to the evaluation point of a reduction on council spend on graffiti and/or a shift of the percentage of council spends from removal to education.

## **FUTURE**

Graffiti Hurts – Australia raises concerns at what seems the lack of detail or planning on the current trends of those involved in the subculture in the Draft City of Melbourne Graffiti Management Plan 2009.

Over the past few years those in the subculture are evolving in the use of different materials and equipment to undertake the damage they are doing on government, commercial and private properties.

Graffiti Hurts – Australia believes that council should include in its plan, information on tackling etchings, 'paste ups', the use of fire extinguishers, use of acid in paints and glue for paste ups and graffiti and the use of 'burning'<sup>25</sup>.

Graffiti Hurts – Australia believes that while all aspects of new and developing forms of vandalism that those in the sub-culture are undertaking in doing community damage, the issue of 'Pastes Ups' and stickers will become one of the biggest issue for council during the period of the 2009 Graffiti Management Plan.

We have begun to see an increase in this area already in the CBD and web forums encouraging and providing templates for vandals and believe Council needs to consider, develop and include a program in tackling this raising issue in the proposed management plan.

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<sup>25</sup> Tags and 'works' are set alight to 'burn' into the surface.

## **CONCLUSION**

Graffiti Hurts – Australia, the nations' only registered charity education institution on graffiti, believes that community education is the key in any and all government's plans in tackling graffiti within its community.

We have seen for the past 20 years the cost of graffiti on governments continue to rise and in the past 10 years a rise of over 500% of tax and rate payer's money across the country to over \$260 million a year.

Those governments that have seen a decline in the amount of their spend on tackling graffiti have all had two common factors, increased education and engagement of the community.

We believe that while this area is neglected or that community education only makes up under 5% of a councils budget in its graffiti management plans, we will continue to see an increase in the amount of graffiti and therefore an increase in the amount of spend by council in the future.

Graffiti Hurts – Australia has detailed a number of concerns it has on the current draft plan that it hopes the City of Melbourne would consider for either inclusion or changes to its proposed 'Management Plan' and is happy to address and work with council on the concerns raised in this document.

Graffiti Hurts – Australia congratulates the City of Melbourne on seeking public comment for the Draft Graffiti Management Plan 2009 on the understanding that the process of the consultation is to achieve the best results in reducing graffiti vandalism, associated crime and anti-social behaviour for the City of Melbourne, its residents, commercial stakeholders, property owners and visitors.

Questions on this submission can be addressed to or by contacting the office of Graffiti Hurts – Australia.



**GRAFFITI HURTS – AUSTRALIA**

PO Box 620  
Brentford Square VIC 3131  
P: +61 3 9720 7356  
F: +61 3 9720 7050  
E: [info@graffitihurts.com.au](mailto:info@graffitihurts.com.au)  
[www.graffitihurts.com.au](http://www.graffitihurts.com.au)