

VANDALISM AND GRAFFITI PREVENTION POLICY

COMMUNITY POLICY



1 Scope

This policy applies to vandalism and graffiti within the Rockhampton Regional Council Region.

2 Purpose

The purpose of this policy is to provide encouragement to the public to report vandalism and graffiti (including information of offenders) in order to prevent acts of vandalism and graffiti.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

Criminal Code Act 1899

Local Government Act 2009

Summary Offences Act 2005

Privacy Policy

Vandalism Reward Claim Form

4 Definitions

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council Property	Property owned or managed by Council.
Council Table	The body of elected Councillors of Council.
Criminal Proceedings	An action taken by Police against an individual for a wilful damage offence. This includes an individual being charged for the offence where that individual has admitted guilt, or been found guilty of those charges in a court of law. This also includes proceedings, cautions or youth justice conferences administered under Queensland legislation where a young person had admitted guilt.
Grffiti	Any inscription, word, figure or word design that is marked, etched, scratched, drawn, sprayed, painted, pasted, applied or otherwise affixed to or on any surface without the owner's consent. This includes remnants such as adhesives or colour variations remaining after removal.

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Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
Vandalism	The wilful or malicious destruction, injury, disfigurement, or defacement of any public property without consent of the Council.

5 Policy Statement

Council recognises that residents take pride in the appearance of their Region and that vandalism and graffiti increase the perception that the Region is unsafe.

The community's assistance is sought to report instances of vandalism and graffiti in a timely manner in order to minimise the:

- (a) Unsightliness of an area;
- (b) Cost of vandalism and graffiti to Council and the community; and
- (c) Perception that an area within the Region is unsafe.

5.1 Reward Scheme

A reward may be awarded to members of the public where information is provided regarding an offence that results in successful legal action being taken against the offender.

5.1.1 Limitations

The reward scheme is limited by a number of factors including:

- (a) The reward applies only to offences committed on or to Council property;
- (b) The amount of a reward is equal to the remediation costs of the vandalism (as determined by Council) and is capped at a maximum amount of \$1,000 per event;
- (c) Persons providing information must be aware that they may be required to attend a Police station to provide a formal statement and/or appear in a court of law to provide evidence; and
- (d) A reward under this scheme is only payable where the information leads to a criminal proceeding resulting in a conviction, formal caution/warning or juvenile justice conference where guilt has been found or admitted.

5.1.2 Process

Any person who witnesses or holds information regarding an act of graffiti or vandalism should report the matter to the Police. Police examine the information provided and investigate the offence.

Should an offender be identified, and admit guilt or be found guilty, the informant must complete a Vandalism Reward Claim Form. Council investigates the application, including confirming relevant details with Police. The General Manager Community Services may approve recommendations and the processing of reward payments.

The applicant is informed of the decision in writing. If the applicant disagrees with the decision they may request that the application be reassessed by the CEO.

Where appropriate, Council seeks compensation for graffiti and vandalism offences where an offender has been identified and admitted or been found guilty.

5.1.3 Recordkeeping, Confidentiality and Privacy

Information indicating the identity of the applicant and offender are marked confidential. Any person who makes an application under this scheme are deemed a complainant to Council.

To protect the safety of applicants, documentation created and held in relation to applications under this scheme are not subject to release to members of the public.

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5.1.4 Breaches and Sanctions

Applications for a reward are verified with Police and Council records to ensure compliance with this policy.

Fraudulent and/or misleading applications are ineligible for payment of the reward. Council may seek to recoup the reward and costs associated with this action should an application be found to be fraudulent and/or misleading.

5.1.5 Reporting

A report is provided annually to the Council table on the operation of this scheme and the details of rewards applied for and approved. The report excludes personal information of reward applicants and offenders.

5.2 Graffiti Removal

Councils Parks Operations team removes graffiti from public spaces and buildings owned and operated by Council.

Free graffiti removal kits are available to help residents, businesses and community groups remove unsightly graffiti from their property.

5.2.1 Limitations

Graffiti removal kits are limited by the following factors:

- (a) Only supplied if available (dependent on available stock and State Government Funding); and
- (b) Limited to one per customer/club per request.

5.2.2 Process

Any person who sights graffiti should report the matter to the Police or Council's Graffiti Hotline (07 4936 8368 – Mon – Fri – 7.30am – 4.30pm).

To request a graffiti removal kit contact the Graffiti Hotline or visit Community Services Directorate, Council's School of Arts Building, 230 Bolsover Street, Rockhampton.

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by Council.

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7 Document Management

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	General Manager Community Services
Policy Quality Control	Legal and Governance



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