

**CRIMINAL CODE AMENDMENT (GRAFFITI) BILL 2009**

*Second Reading*

Resumed from an earlier stage of the sitting.

**MR A.P. O'GORMAN (Joondalup)** [2.59 pm]: Graffiti has been the scourge of our suburbs for many years now. Indeed I remember well when the now Premier and the Minister for Education set out to the old Craigie High School site to announce their policy on graffiti removal. It was one of those things in the election campaign that really annoyed me, because the graffiti wall they were standing beside was actually sponsored by the City of Joondalup. It was graffiti art that the City of Joondalup had put in. However, the City of Joondalup had failed to continue to maintain security at the site and the graffiti artists got out there and continued to make it worse.

One of the things we noticed about graffiti many years ago when we had so-called graffiti artists was that they would tag something and do a bit of vandalism. I do take note that we should not call them artists. I will call them operators—anything but artists because I do not view graffiti as art. Previously, if an item was tagged or had some graffiti work on it, other graffiti operators would not tag over the top of it. That seems to have now gone by the wayside; we now get a build-up. We have in fact layers and layers of graffiti on top of the other from different operators, and it is a blight on our suburbs. We have had a fairly bad problem out in the electorate of Joondalup in the suburb of Heathridge. In fact, some young people were actually tagging a school while teachers and young students were in class. We dealt with that with the local council and the police.

**Mr A.P. Jacob:** A good local council.

**Mr A.P. O'GORMAN:** I do not think the member for Ocean Reef was involved.

**Mr A.P. Jacob:** I was most definitely involved.

**Mr A.P. O'GORMAN:** Was the member for Ocean Reef at the primary school? I cannot remember.

**Mr A.P. Jacob:** I was right back there instigating the clean-up.

**Mr A.P. O'GORMAN:** Okay, the member for Ocean Reef was there.

Anyway, we dealt with that at the school and also adjacent to the school at the two shopping centres. One is called Heathridge Village and the other is called Heathridge City. One of those shopping centres had a pretty impeccable reputation for cleaning off graffiti the morning after it appeared. The shopping centre immediately next door had a terrible reputation because it would not clean off the graffiti at all. I contacted the management of both those centres, spoke to them and asked what their policies were. One shopping centre said that it did not have the funds to remove the graffiti. We therefore did a deal. I spoke with People Against Vandalism and they agreed to come down, even though the City of Joondalup did not accept PAV into the council's area to clean up graffiti. PAV came down and the shopping centre management and I funded the paint, and on one Sunday morning in the space of about four hours we repainted the whole shopping centre. I must commend Tom Drinkwater who was very obliging in letting us use PAV's vehicles and getting some of his volunteers down to help us remove that graffiti. Not only did they paint over the whole shopping centre, but also they took to the road signs and the waste bins that were out the back of the centre and removed all the graffiti from them. The deal that we did with the shopping centre was that once we got it clean, the shopping centre would maintain it, and I am pleased to say that to this day it has pretty well stood up to its end of the bargain. The one thing I am sad about in that instance is that although the centre has stood up to its end of the bargain, when it does repaint it paints out only the graffiti and it looks just as bad, as there is one shade of beige in one place and a slightly darker shade somewhere else. It actually looks quite disturbing as well. People can tell there has been graffiti there, whereas it should have been painted over properly. However, it is not only private operators that do that. When Eddystone traffic bridge was built—although I was at the opening, I cannot quite remember the year —

**Mr A.P. Jacob:** It was 2006.

**Mr A.P. O'GORMAN:** It was 2006. I thank the member for Ocean Reef; he would remember that, as he lives just around the corner from it.

The retaining walls at the bottom end of that bridge were coated with antigraffiti paint. The intention was that the contractor would come along when it was graffitied and clean off that graffiti. Unfortunately, I do not know what happened but somehow our departments contracted a contractor who obviously did not know how to clean up antigraffiti paint. He started painting over again in grey the dark bit and the light bit. The extra expense that was gone to in painting on that antigraffiti paint in the first place was wasted because it now has all these different patches over the top of it, which has defeated the purpose of putting on the antigraffiti paint. I therefore ask the members on the other side and ministers responsible to make sure their departments and agencies in future get the contracts right for cleaning up graffiti after capital works and constructions have gone on. It has happened I

am pleased to say, as the Premier pointed out earlier, on the new part of the freeway. When the noise walls went up on the new part of the freeway, the community reference group participated in designing the artwork that was on there. The group chose geometric designs and they were put on there with anti-graffiti paint. Unfortunately, the day after most of those noise walls went up and were painted, somebody came along with a high-visibility pink and orange spray and sprayed all over it. That stuff does not actually come off the anti-graffiti paint. The whole lot had to be done again. However, I am glad to say that it is maintained reasonably well at the moment. There are a couple of spots on the northern end of the Joondalup side on Bonneville Way access that gets graffitied quite a lot, but the graffiti contractors and removers are not getting up there in 24 hours or even in 48 hours. Some of that graffiti is being put there because the lights are out on the footpath to Currabine train station from Bonneville walkway. We are talking with the Public Transport Authority about that matter to make sure that the light globes there are replaced on a regular basis to make it safe, particularly for young women who come through that underpass.

A number of other shopping centres have suffered graffiti, and I highlight Belridge. Belridge Shopping Centre is one of those shopping centres about which I could guarantee I would have a phone call every Monday morning from a local resident saying, "For God's sake can you do something about the graffiti on the shopping centre?" It is one of those shopping centres that has very large concrete walls facing the housing. However, it is down in a dip and there is quite a blind spot behind it. The graffiti operators take out the lights and then proceed to graffiti all the walls on a private residence. The City of Joondalup will not clean it up because it is on private property. The government does not clean it up because it is on private property. Therefore, in negotiations with the management of that shopping centre I was informed that management is planning a repaint of the whole shopping centre. We spoke to the management people about anti-graffiti paint and, sure enough—I have to give Belridge Shopping Centre credit here—they painted the whole shopping centre in anti-graffiti paint at extreme cost compared with the cost of normal paint. I congratulate the shopping centre management for doing that. On top of that, the centre kept on and maintained the anti-graffiti paint on the whole shopping centre. There is one blight: it is the Western Power substation. The walls at the side of the shopping centre where the transformers are housed have not been painted with anti-graffiti paint. There was a bit of a mix-up between Western Power and the shopping centre. The shopping centre was of the opinion that it could not touch Western Power infrastructure so it did not paint the brick wall around the transformers in the Western Power infrastructure there. That wall gets continually graffitied. I am happy to say that when the member for Girrawheen was the minister responsible for Repay WA, we used to get people out there repainting the graffiti on a regular basis. Unfortunately, since the government has changed, when that wall is graffitied and I get on to Hon Peter Collier's office to do it, I am told the government is not responsible for it. That is a great shame. This is one of those things about which the government should not be saying, "This is your bit, this is our bit." The shopping centre went to the trouble of repainting the graffiti with anti-graffiti paint; it has its place cleaned up; it has its lights in; and it has cameras in—all those sorts of things that help to deter graffiti. The reason the shopping centre wants to deter graffiti rather than clean it up afterwards is that the police seem to treat this as a very minor issue. The police do not take the time to stake out, if members like, or to investigate properly the people who are causing the graffiti in this particular shopping centre, and in fact probably not anywhere right throughout our suburbs. They seem to think it is a minor crime, but the statistics and the information that has been fed to me from people who know about graffiti is that people who engage in graffiti at a younger age quite often progress to commit more serious crimes. This is where we really need to nip it in the bud. We need our police to actually have a focus on graffiti and a focus on prosecution so that the people who are caught doing this graffiti in our suburbs are prosecuted to the full extent of the law.

Having said that, I also believe that we need to do something better; we need to start investigating, as the member for Rockingham said, the causes of the graffiti. Why do these people graffiti? Is it attention seeking? Is it just to get their name out there? What is the reason behind it? Some people like to think they are artists. In fact I know that a branch member's son many, many years ago was a graffiti artist—he termed himself that—and he now earns a living as an artist doing graffiti-type murals on canvases and murals on walls and various things like that. The branch member used to put the argument that we had to actually find things for these young people to do, and he encouraged his son who is now quite a successful artist over east, I believe. Therefore, we have to look at some of those things.

This bill goes to fining retailers and holding retailers responsible, which I think is fair enough. However, we also need to recognise that the retailers are not the police in this instance. I saw this myself one Sunday morning when I was down at Bunnings. A young man, a little taller than I am, went to the cage, which happened to be unlocked, took out the spray can, and went to the checkout. The young girl at the checkout asked for identification, as she was required to do. He did not have ID, obviously because he was only about 16, so he did not have the driver's licence he was asked for as ID. The girl said that he could not have the spray can, so the young man threw the money at her—therefore he did not steal it in his mind—and took off out of the shop. There were a few of us there. We paid for our purchases and took off after him. Within minutes he was gone.

The member for Ocean Reef will know that the Bunnings store is very close to the Edgewater train station, and there was graffiti all over the train station the next morning. It is very apparent why this young man was after that spray can.

We must not label only young people as graffiti operators. Indeed I got to be a bit friendly with the person who goes around in the morning checking the Belridge Shopping Centre, which I was talking about earlier. In my discussions with him, he told me that some of the people they have caught were actually tradesmen who were working on an adjacent building site. There have been a couple of seniors villas built there—about 20 all-up. Early one morning when the guys were in there, they took a trip into the toilet at the shopping centre and he caught them doing graffiti inside the toilet. These were grown men; they were not 18 to 20-year-old young people. Therefore, we have to get rid of this idea that only kids are doing graffiti; it is not the case, as it is all sorts of people.

The other thing that we have a big blight on is mobile; that is, it is on our trains and buses. We see graffiti on the windows of our offices in some cases, although not mine so far, thankfully—touch wood!

**Mr P.T. Miles:** I do not keep windows long enough!

**Mr A.P. O'GORMAN:** I have heard about the member's windows.

People scratch these windows, which is an even more insidious way of marking something as it is not simply a case of being able to paint over it or clean it off; we have to replace the whole pane of glass, and in some cases that involves a huge expense. I believe it costs \$600 to \$800 a window on the buses, which is a huge cost. These people should be made to repay that cost. There should be some mechanism to make these people pay for that because they just do not seem to realise the damage they do. But that is only the monetary damage that they cause to people and businesses; there is also great emotional damage that they cause to people. When I was talking earlier about the Belridge Shopping Centre and the Western Power substation there, the people who complained to me about that matter were the young students at the Belridge Education Support Centre. They are people with disabilities—some emotional disabilities and some physical disabilities. They could not understand why outside the windows of their classrooms all they could see was foul language and inevitably the letters “NSC” scrawled across the brickwork. NSC stands for “northern suburbs crew” and there is a group of people who use that tag. Earlier on, the member for Mount Lawley was talking about identifying tags, but they are now sharing tags. They just have NSC, and if we have five, 10, 15 or 20 people using that tag, it starts to appear all over the place really quickly. We used to think it was one person, but it is a group of people, which makes it a lot worse for us right throughout the northern suburbs. Therefore, we must start to figure out how we attack and get into these graffiti gangs that are causing major problems.

These graffiti vandals are bold and very brazen. I was driving on the freeway one night going under the Warwick Road bridge when I happened to see out the corner of my eye a couple of people coming down onto the freeway. I wondered what that was about so I slowed down, watched them in my mirror and spotted them just starting to arc up on the bridge. I pulled in, stopped and reversed and they took off. But lo and behold, the next morning when I was driving past I had a look and there was a great big piece of graffiti on the bridge, which again cost the taxpayers of this state an amount of money to remove.

[Member's time extended.]

**Mr A.P. O'GORMAN:** We have to try to address this issue and I do appreciate that the Attorney General is trying a method. We have to try many, many methods because, I think as the member for Rockingham said, we do not have the answers in this place. Indeed I have been in this place since 2001 and I have not been able to come up with the one thing that will deter the graffiti operators in our suburbs. Therefore, I applaud the fact that this legislation will be supported by both sides of the house. I hope that we start to look at the causes.

Have we actually made it worse in the past, for example, by creating the graffiti walls that I spoke about at Craigie High School? When Craigie High School was closed in 2003-04, one of the conditions I asked for was that the buildings be bulldozed straightaway so that they would not become a haven for vandals and they would not become a mural for graffiti operators, and my government did that. We were also going to take away the basketball courts and the retaining walls that are where the Premier and the Minister for Education actually stood and launched their graffiti policy. We were asked by the City of Joondalup to maintain that. In fact if I remember correctly, and I will take part of the blame for it, I wrote a letter of support for the City of Joondalup for the \$5 000 grant for the council department to support having this graffiti wall done. I regret that because I think we actually made it worse in the long run, but at the same time we have to try many things to see whether we get the right answer in the end. Therefore, I do not oppose the bill but I ask the Attorney General, along with his other ministers, because I know many departments can be involved in this, to look at many, many ways to try to deal with this scourge on our suburbs.

**MR F.A. ALBAN (Swan Hills)** [3.19 pm]: I also join the voices supporting the Criminal Code Amendment (Graffiti) Bill 2009. In my role as a councillor for the City of Swan some years ago, I saw this issue as being very serious, and it was not really taken seriously. I was told that it was no big deal; that we can manage this. The various councils tried to do it all on their own. I am grateful and thankful I suppose, whatever the word is, that this has become a state issue, and it is a state issue.

People mention the word “art” but this is not art. Anyone who suggests that they like it or are amused by it have plenty of walls in their own house and they are welcome to have it painted on the walls inside their house but not in public.

Doing nothing has never ever been an option. I think we have pretty well done that. I am not interested in the philosophy of graffiti or its history. There has been a lot of talk and discussion about education and committees have been set up. Thankfully, the time has come to take action. I would like to commend the Liberal-National government for taking this issue seriously, along with other law and order issues. It has been mentioned that \$25 million has been wasted on graffiti. If we say that very quickly, it does not sound like much. We have people in this state who are hungry, homeless and sick. There are lots of needy causes. How could that \$25 million be better spent? I am conscious that \$25 million would buy a brand-new secondary school every year. Why do we not take some action and make sure that that money is not wasted on these people?

There is nothing good about graffiti. Graffiti vandals show a total lack of disrespect for the community, and still we have done nothing. It has become a joke. People graffiti a wall and we go and clean it and they graffiti another wall and we go and clean it. Are these people worried about us? No. How hard is it? In this day and age we have the technology to track down criminals who committed crimes 20 years ago. These people help us by putting their signatures on a wall. It is called something else. I understand that teachers in schools, not detectives, have been able to identify the graffiti vandal in their school just by that person’s artwork at school or by the way they write. As I said before, this has become a joke. The graffiti vandals say, “You can’t catch me.” We have not even tried. We have not scared them whatsoever. One thing that I was interested in is that some people say it is part of growing up. It is not part of growing up. There are thousands of decent law-abiding young people. What example are we showing them if we allow this kind of thing to continue?

Vandalism is seen as being perpetrated by the young. I do not believe that. These people have disrespect for their community. There is no excuse for it whatsoever. I think I mentioned earlier that I do not believe that it is up to the various municipalities or any individuals to address this issue. It has finally become a state issue. The time for being limp-wristed is over. It is time to take action. I commend this bill as it goes a long way to doing something about this terrible vandalism.

**MR W.J. JOHNSTON (Cannington)** [3.23 pm]: I rise to speak on the Criminal Code Amendment (Graffiti) Bill 2009. Along with the issue of hoons that I have already spoken about in this chamber, in my community of Cannington no issue raises the hackle of local residents more than graffiti. I always say to people that it is important that people take responsibility for their own actions. This is another example of an issue for which people should not be making excuses. They should simply accept responsibility for their own actions. Graffitiing other people’s property is not appropriate behaviour. People who are doing that should be caught. I am sorry that the Attorney General is not in the chamber; I am sure he is busy with parliamentary duties. In his reply to the second reading debate I would like him to answer a couple of questions about this bill. I note in the provisions that the penalties will be doubled for people involved in graffiti and vandalism. How many convictions have we had in the past 12 months? I understand that the conviction rate is very, very low. That means that doubling the penalties may send us a message but it will not send anybody else a message. The real question is: what difference does a penalty make if it is not acting as a deterrent? If it is not acting as a deterrent, it makes us feel good but it does not solve any of the problems that are occurring in the community. I would appreciate an answer to that question from the Attorney General. I know that he will read the contribution of members. I am not worried that he is not in the chamber. I would appreciate him telling us how many convictions occur under this legislation. Whilst the penalties are being increased, the circumstances under which people are being caught and convicted are not changing.

The next issue that I would appreciate the Attorney taking some time to discuss in his commentary is the question about the effect of proposed section 216, the new provision that will be inserted to provide a penalty for a person who sells graffiti implements to a child. Is there any way to interpret this so that a person who is not a retailer can be found guilty? For example, if a 15-year-old’s 19-year-old mate buys graffiti implements and gives them to the 15-year-old, will that be caught by these provisions or not? If it is not caught, the provisions are very limp-wristed, to take up the challenge of the member for Swan Hills, because they do not deal with the reasonably foreseeable situation that will arise. There will not be any additional effort to reduce this graffiti vandalism. We have already heard from a number of members that we cannot just assume that every graffiti vandal is a minor.

I take up the commentary from the member for Carine about the question that was raised by the member for Forrestfield that these implements can be purchased over the net and therefore there is a hole in the provision. I know that the member for Girrawheen also raised that issue during her contribution. The member for Girrawheen said that we can buy many other things over the net but that does not stop people from doing that. That is true. The member for Carine gave the example of buying drugs over the net. Of course we can do that but there are other agencies that administer what can be sent through the post or by other mechanisms. If one is buying implements for drug paraphernalia from overseas, the Australian Customs Service is charged with seizing those things. If one buys them from overseas, the Customs Service will seize them and it does not matter what Western Australian law says. If people are buying implements that can be legally imported into the country, the Customs Service will pay no mind to that. It is only here in Western Australia that we are criminalising the behaviour. This is a serious issue. It is good to send a message. I am not opposed to sending a message to retailers that they should not be selling these implements to minors because there would appear to be no good reason for people to have them. If there is a good reason, people need to explain it. I cannot see why graffiti implements are needed by children. The bill is sending a message and is not changing anything.

It is important that the chamber notes that we are adding to the red tape that applies to business. We are doing that for a very good reason. It is because we have a purpose and we are trying to achieve something. I look forward to the member for Scarborough's contribution because I am sure she can explain to us why she is supporting this form of red tape when yesterday she was not prepared to support breastfeeding mothers in this state. She said that was inappropriate red tape to apply to small business but this is appropriate red tape. I have no trouble with the member taking that odd stance but I will be interested to see how she explains why she supports banning graffiti implements but she is not prepared to support breastfeeding mothers.

It is interesting that many people in the community are already fighting back against graffiti. I know that one of my constituents in Langford is involved in a program run by the City of Gosnells under which volunteers adopt bus stops, and their job is to paint out graffiti when it occurs at those bus stops. I have a very good friend who is a resident of Langford, and he has adopted six bus stops. He keeps a very careful eye on them, and he is very proud of the fact that he is able to paint out graffiti within a small number of hours, but never more than 24 hours, of it occurring. We all know that the research tells us that if we can get rid of the graffiti within 24 hours, it will reduce the likelihood of future tagging, because, as we understand it, the graffiti vandals are interested in seeing their tag so that they can boast about the number of places they have tagged, or whatever their petty amusement is. Getting rid of their tags rapidly dissuades them from trying to do that, because they cannot get that boastful enjoyment.

I know of a teacher in St Marys in Sydney's west—this is going back quite some time; it is 10 or 15 years ago—and some of his students would have photographs of their own graffiti on railway cuttings. They would do the graffiti, take a photo of it and use that as the cover of their exercise books in class. There is clearly some sort of mindset that we do not understand that leads people to do this sort of vandalism. But there is absolutely no question that it is abhorrent to most people in the community. Yesterday, I was interested in the bill, which the Leader of the House also refers to as the Labor Party's bill, dealing with the local government amendments. In that bill, additional powers are given to councils to go onto private property to obliterate graffiti. The fact that councils are so reluctant to get involved in the active campaign to reduce graffiti is always an issue. It is clearly a failure of local governments that often they do not have programs similar to the one that I described in the City of Gosnells. In the past, to take an example, the City of Rockingham, in my view, has paid inadequate attention to the issue of graffiti. It does not really see it as a major issue. That is a pity, because clearly this is an issue that local government is ideally suited to deal with. In the debate about reform of local governments, one issue that does not seem to arise is what tasks they are best suited to perform. Given the number of occasions on which the Minister for Planning overturns council planning decisions, maybe we should move local governments aside from planning and try to encourage them to be more active in dealing with this petty vandalism of graffiti. Perhaps that is something that the Attorney General could look at in the future—that is, trying to empower councils to take a more active role in policing and enforcing graffiti laws.

I recently visited the police stations in my electorate, as do all members in their electorates. I spoke to the sergeant in charge of one of those stations, and he told me about one of the migrant police officers. We all know that the former government started a campaign to bring in trained officers from overseas to ensure that we met our election commitment to deliver extra police for the people of Western Australia. Of course, as you know, Mr Deputy Speaker, the new government has walked away from its election commitment. Your government's election commitment was to have 500 extra police, but it is going to deliver only 350 extra police—a broken promise. Anyway, this police sergeant explained to me that that South African police officer had said that in South Africa police deal with tagging as a priority. Apparently, the gangs and criminal elements in South Africa use the tagging as a sort of language, so that this tag means that people can get drugs at this location, or that guns are available here, or that this is where people go to buy their stolen goods. This police sergeant said that in Western Australia the police service is not giving graffiti the profile that it was given in successful campaigns of

the former government, such as the Burglar Beware campaign and the crackdown on hoons, and is not giving the same level of attention to the enforcement of graffiti laws. He said to me that perhaps the police need to look at tagging, because there may in fact be more to the squiggles on the buildings that we do not understand. He said that that is perhaps an area that the police service could look at.

This bill does not contain much extra for fighting graffiti. For example, about half of the Attorney General's second reading speech discusses the Graffiti Taskforce, which of course is not part of the Criminal Code Amendment (Graffiti) Bill that we are dealing with. Whilst it might be an important element of the government's agenda, it is not something that is reflected in this bill. I am happy for the Attorney to talk about the government's policy in these areas, but it does give the impression that this is part of Uncle Arthur's graffiti crackdown and that it is no more than an opportunity for a couple of media releases.

It will be interesting to see in the fullness of time whether this bill deals with the underlying issues that led to the problem—the problem that we have all experienced in our electorates. Complaints are coming to us and issues are being raised with us every day about these sorts of things. I hope that the new government does not use this as an opportunity to blame others for its own behaviour. The government has been in power for 12 months. It is now time for the government to step up to the plate and admit that it is in government and that the issues that confront the state are its issues. On this issue of graffiti, I would not want to hear a suggestion similar to that made in question time by the Treasurer and Minister for Housing and Works, when he tried to blame others for his own failings. I just hope that the government does not see these matters as political issues, rather than trying to achieve things.

I see that the Attorney General is back in the chamber.

**Mr C.C. Porter:** I am certainly listening.

**Mr W.J. JOHNSTON:** The questions that I was asking were specifically about how many convictions have occurred under the existing provisions of section 445, so that we can get an idea of how effective deterrents have been; and also whether the new section 216 would apply to people who are not retailers. If a person's 19-year-old mate goes and buys the stuff for him and gives it to him, is that a crime? I am not asking for the Attorney General to interject. I am happy for the Attorney General to respond in his reply.

**Mr C.C. Porter:** I will certainly address both of those questions.

**Mr W.J. JOHNSTON:** I am genuinely interested in those issues, because I believe that people in the suburbs that I represent would like to know. I know that a number of members have commented on the way in which graffiti affects their communities. As I said, I agree with their comments.

One of the matters that I will conclude on is the question of design. There is a proliferation of tilt-up buildings in the city. These cheap construction methods lend themselves to graffiti, particularly when there are buildings with very few windows in them. Once upon a time tilt-up technology was used for warehouses and so on that were away from people, but now these buildings are being put up all over the place. They are being used as shops and offices. Because they have very few openings—there are very few doors and very few windows in them—the design of these buildings encourages inappropriate behaviour, not just graffiti, but other petty antisocial behaviour. Because of their design, there is less traffic around the openings of them, and I think we need to look at those issues, as well as the layout of suburbs.

In my electorate we have a very, very large shopping centre—the Carousel shopping centre—and the great thing about it is that it has entrances on every side of the building. But there are many other large shopping centres in Perth that have a limited number of entrances; that is not sensible design. The other thing is the question of liveability. If there is a bit more population density, with more people around train stations, then there is less opportunity for vandalism. I note that the state government owns a block of land in Cannington at the corner of Cecil Avenue and Sevenoaks Street, which could be developed with the assistance of commonwealth government money. I hope that the opportunity to put some more social housing and mix of other business on that corner is taken up, because it will have an effect on reducing the opportunity for crime across the road at Cannington train station.

In conclusion, the Labor Party is happy to support the bill, but I am not sure that it will have as much effect as might be thought.

**MS R. SAFFIOTI (West Swan) [3.41 pm]:** I also rise to support this bill. Graffiti affects all communities, and all members of Parliament receive complaints and are trying to deal with this issue in their electorates. It is a very difficult issue because it is very hard to prevent. It can happen anywhere at any time and it is a very difficult law and order issue to tackle.

I would like to speak about the reports of experiences in suburbs in my electorate; I will start off with Ballajura. Over the past year there has been an increase in reported graffiti events, and from an answer given during

questions without notice it is clear that there has been an increase in the levels of property damage in areas that were formerly patrolled by police from Ballajura Police Station. Last October just over 30 cases of property damage were reported in Ballajura district; in June that had increased to over 50. Those figures demonstrate an increase in the level of graffiti and property damage throughout the suburb of Ballajura. It is something that people are becoming increasingly concerned about.

I understand that the Graffiti Taskforce has been re-established. Its return has been heralded by government members, and I welcome its re-establishment, but with all these initiatives the proof is really in how they tackle the problem. Will it actually tackle graffiti and law and order problems in our suburbs? That can be the only test of it: not that it exists or who is it on it, and not how frequently it meets and how long the minutes of meetings are, but does it actually result in reduced crime in the suburbs.

I held a Lansdale street corner meeting just a few weeks ago, and although Lansdale is a much newer suburb than Ballajura, as the population and the demographic has changed and the kids get older, there has been an increase in the amount of graffiti in the suburb. Given Lansdale's distance from a police station, increased graffiti incidents will occur throughout the suburb; some have already been reported to me.

The industrial commercial precinct of Malaga is in my electorate. The member for Cannington talked about tilt-up construction and the big cement walls that that creates, providing a canvas for wannabe graffiti artists. Industrial commercial precincts lay dormant at night and on weekends; Malaga is a definite hotspot for graffiti in the electorate of West Swan. Some good work is being done by local councillors and business groups, but the lack of a police presence means Malaga is missing one of the key deterrents to graffiti.

I will turn to some of the initiatives being implemented throughout the electorate. Local businesses and the police force are working together, and they were working very well with the Ballajura Police Station before it was closed by this government last week. Work is being done with some of the other police stations that provide officers to patrol suburbs within my electorate. There have been some very good initiatives implemented by local police in the suburbs in assessing and trying to control graffiti, one of which was the electronic collation of all the tags to try to find who is doing the graffiti. By collating and comparing the information on a computer, they can determine who the person is who is committing all these crimes. I think improvements to current technology, combined with local police initiatives, will help in addressing this issue.

As everyone acknowledges, the quick removal of graffiti is key. I do not know what the task force has been established to do, but I hope it will develop an initiative to ensure quick removal of graffiti throughout the suburbs; it will be good if it does. We all acknowledge that the quicker removal, the better, because people who graffiti want to see their names and tags on the walls for as long as possible.

It is important to support youth clubs and initiatives related to youth in the suburbs. I do not think we have got it right; I think every suburb, every council and every government department deals with things differently, resulting in an inconsistent approach to the running of youth centres and police and citizens youth clubs. I think an area of policy failure across government is that we do not have one department that looks after centres to assist youth. The Ballajura youth club performs a great function; it is a place where young kids can go and hang out. If they are not hanging out at a youth club, where will they be able to go with the lack of public transport? We need to support these youth clubs. The Ballajura youth club has not been well supported in the past, but it has recently received a little money from the Department for Child Protection. I know the Office of Crime Prevention is currently going through some sort of transformation, and we do not know whether it will exist in the future, but I think it should be exploring how to deal with young people in the suburbs who do not have worthwhile projects, and trying to ensure that they are in a dedicated environment with good resources in which they feel relaxed and where they want to hang out, which will possibly prevent them from going out and causing trouble across the suburbs.

I want to touch upon the closure of the Ballajura Police Station, the premises of which were closed by this government last week; the police officers moved out about a month ago. I have already received many reports from the community, such as the email I received this afternoon, about incidents that have occurred at Ballajura shopping centre, where Ballajura Police Station used to be located. There is a heightened sense of concern throughout the community. When I attended the Ballajura fair about two weeks ago, it was the number one topic of discussion as people came up to say that they had concerns and believed that they had seen an increased level of criminal activity throughout the suburb.

The closure of the Ballajura Police Station was a very big mistake. I do not think Ballajura can be adequately serviced by neighbouring police stations due to the area the suburb covers. I think it is creating a sense of insecurity for the people of Ballajura. It is a very bad thing, and I do not think a government that is trying to run the mantra of law and order can do that while it is closing suburban police stations. It closed one in Inglewood—I know that was a small station—I think it is closing Hilton, and now it has definitely closed Ballajura. It is no

use talking about being tough on law and order while cutting resources from the police and closing suburban police stations.

I wrote to the Minister for Police, and I am glad he is in the chamber. I know he is not listening, but I am glad he is here. I asked that four things be considered in relation to the closure of the Ballajura Police Station. I asked that we determine whether we can have a permanent police presence through a police post or police shopfront, just to ensure that there is a permanent police presence in the community. I asked, as has been requested by the principal of the Ballajura Community College, that the trial being implemented of having police officers stationed at high schools include Ballajura. I also asked for a formal and dedicated review of law and order in the suburb of Ballajura six to 12 months after the closure of the police station. I also asked for further funding for the Ballajura youth club to ensure that it could continue its activities and assist its movement to new premises. I received a no to the funding of the youth club, and I am still waiting for a response on those other three issues. I hope that the Minister for Police can respond to the letter I sent on 5 July.

**Mr R.F. Johnson:** You said five minutes.

**Ms R. SAFFIOTI:** The minister does not really care about police issues in Ballajura, does he?

**Mr R.F. Johnson:** I certainly do, and that is why I have asked the police to make sure there are extra patrols in Ballajura from the neighbouring police stations.

**Ms R. SAFFIOTI:** The minister was not even listening to my comments about Ballajura. It is an insult, frankly.

**Mr R.F. Johnson:** Yes, I was listening. You went to the local fair two weeks ago, and that was the biggest talking point. That is what you said, but we are actually supposed to be talking about graffiti.

**Ms R. SAFFIOTI:** What are the four key points I just outlined, that the minister is meant to be responding to?

**Mr R.F. Johnson:** I didn't hear that bit.

**Ms R. SAFFIOTI:** I sent the minister a letter in July.

**Mr R.F. Johnson:** If you sent me a letter, you would get a very good response, I am sure.

**Ms R. SAFFIOTI:** The minister responded to one of those issues, but not the other three. The people of Ballajura could not be more disgruntled with the Minister for Police and this government, given what they have done with the police station. As I said, and I will repeat this because the minister was not listening, I just had another email from a constituent about increased criminal activity around the Ballajura shopping centre as a result of the closure of the police station. He asked me to draw it to the attention of the minister.

**Mr R.F. Johnson:** What about graffiti? Do you want to talk about graffiti? All you are talking about is Ballajura Police Station.

**Ms R. SAFFIOTI:** I have been talking about graffiti. What does the minister think part of the role of the Ballajura Police Station was?

**Mr R.F. Johnson:** Serious crimes, obviously. The Commissioner of Police and senior officers in the police reckon that they can do —

**Ms R. SAFFIOTI:** So graffiti is not a serious crime?

**Mr R.F. Johnson:** Of course it is, but it would be great if you were to talk about graffiti, rather than everything surrounding the Ballajura Police Station. I know that you have been passionate about it since you have been the member for that area. You wouldn't have given a hoot before then. You probably didn't even know where Ballajura was.

*Point of Order*

**Mr W.J. JOHNSTON:** The incessant interjections from the Leader of the House are preventing the member for West Swan from participating in the debate. I would appreciate you calling him to order, Mr Deputy Speaker.

**Mr R.F. Johnson:** I would appreciate him throwing you out.

**The DEPUTY SPEAKER:** Minister, let the member continue.

*Debate Resumed*

**Ms R. SAFFIOTI:** One of the things I mentioned was that the Ballajura Police Station looked after local issues of law and order such as graffiti, so I believe that now it is a fact that the police station is now closed is relevant to the graffiti legislation.



The last point I was going to talk about, although it now may be the third or fourth last point, is the selling of implements to minors. This is a very significant issue. Someone from Ballajura has spoken to me about two stores that he knows of across the metropolitan area that regularly sell equipment to minors. That equipment is used throughout the suburb of Ballajura, including on the college premises and at the shops. I will be taking this issue up, but I might deal with the Attorney General because it seems that the Minister for Police does not care about anything to do with Ballajura. I might approach the Attorney General to see whether we can stop this happening. Apparently, it is well known throughout the community. There have been incidents in which my informant has been able to prove the sale of spray cans and other equipment to minors, who have then gone into Ballajura and used them. It is therefore an important issue. I understand that the two stores are well known throughout the community, including the tagging and graffiti community. If we address the sorts of stores that seem to be set up to attract graffiti artists, that is a very important issue.

The Labor Party supports the bill. Graffiti is an issue that is of concern throughout my electorate, particularly in the suburb of Ballajura. Landsdale is experiencing an increased amount of graffiti, although not to the same extent as Ballajura. It is also a significant issue in the industrial precinct of Malaga, because of its structure, with big concrete walls, and the fact that the area is deserted at night. I support any initiative that addresses the issue of graffiti, but the proof will be in what happens out there in the community. The task force is welcome, but what will be its impact in the suburbs and on the streets? That is the key. The opposition supports the bill. The closure of the Ballajura Police Station is the biggest mistake made in my electorate so far by the government. It has made a lot of other mistakes, but this is the biggest. I again ask that the minister consider undertaking a review of law and order in the suburb of Ballajura six to 12 months after the closure of the police station.

Debate adjourned, on motion by **Mr R.F. Johnson (Leader of the House)**.