

## 8. GRAFFITI VANDALISM: RESPONSE TO THOSE APPREHENDED

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Corporate Plan Output: Children's and Youth Advocacy 6.1.0	

The purpose of this report is to provide information regarding the police response to young graffiti vandals within the city.

### BACKGROUND

On October 28 1999 the following recommendation was passed by the Council.

“That Central Government be approached as to whether legislation can be enacted that gives the public and court the power to prosecute children who are known and proven graffiti artists.”

### CURRENT SITUATION

Sergeant Chris Roper of Police Youth Aid provided information stating that the statutory authority already exists to arrest children.

### APPREHENSION OF GRAFFITI VANDALS

Sergeant Roper is willing to discuss usual procedures with interested Councillors. However, a brief summary of what may happen when a graffiti vandal is apprehended follows.

- Aged 17+:            Arrested  
                          Appears in court  
                          Dealt with by judge
- Under 17:            Can be arrested. There are three tiers of response:
- Warning
  - Youth Aid involvement which may include alternative action requiring the graffiti vandal to paint out the graffiti
  - Youth Court  
    Family Group Conference
- Under 14:            It is likely that there will be warnings and alternative action such as paint out. Youth Aid Officers will be involved.

### YOUTH ADVOCATE'S PERSPECTIVE

Firstly it is important to differentiate between graffiti art and graffiti vandalism. Graffiti art may be on canvas or any other surface where permission has been granted. Graffiti vandalism involves unwanted painting or drawing on surfaces where no permission has been granted. Tagging is the most common type of graffiti vandalism currently apparent in Christchurch.

While acknowledging that graffiti vandalism is a crime causing expense and anxiety to many Christchurch residents, promoting the arrest of children would be in conflict with our own Children and Youth policies, and out of step with the United Nations Convention on the Rights of the Child (ratified by New Zealand in 1993). Alternative action which involves community service (such as paint out) avoids giving a child a criminal record yet ensures that the offence is not ignored.

- Recommendation:**
1. That the information be received
  2. That Sergeant Chris Roper (Police Youth Aid) be invited to meet with interested Councillors to brief them regarding child and youth offending and police procedures.

**Chairman's  
Recommendation:** For information.