

YOU CAN TALK TO A  
LAWYER FOR FREE AT  
TASMANIA LEGAL AID

To get free legal information call **1300 366 611** or use the Legal Talk chat from the bottom right-hand corner of our website. Legal Talk and our phone lines are available Monday to Friday, 9am to 5pm.

**A lawyer can help you:**

- work out if something is illegal;
- at Court if you have been charged.

## ? What is considered 'graffiti'?

Graffiti is a form of street art that generally involves the drawing pictures or writing words on walls or surfaces in public areas. It is often done without the permission of the owners of the spaces.

## ? When is graffiti illegal?

Street art which is done without the consent of the people who own the property is illegal. It is considered a form of vandalism.

If you are caught doing graffiti without permission you can be charged with marking graffiti and damaging or injuring property. You may also be charged with trespassing or burglary if you have entered someone's property or building to do the graffiti.

## ? What will happen if I get caught doing illegal graffiti?

If you are caught doing graffiti without permission you may:

- Receive a caution
- Need to attend a community conference
- Need to clean or repair the property you did the graffiti on
- Be charged by Police
- Need to go to Court
- Be convicted
- Be fined
- Be sentenced to community service
- Be sent to prison (in very serious cases)

## ? Is it illegal for me to have graffiti equipment in public?

Yes it is illegal for you to have graffiti equipment in a public place without a lawful excuse. This means that if the police catch you with equipment they believe is going to be used for graffiti you can be fined and have your equipment taken away.

Having the equipment with you in a car or other vehicle in a public space will still be considered to be in a public place.



## ? Can I have graffiti equipment at home?

You can have any graffiti equipment you like in a private space such as your home.

## ? If I'm under 18 can I buy spray paint or other graffiti equipment?

Shops can't sell you spray paint or graffiti equipment if you are not 18 years old. A shop or company can get a large fine if they do this. If you get an older person to buy it for you that person can also get fined by Police for supplying it to you. Someone can only provide it to you if they have a lawful excuse, such as it being part of a lawful job or recreational activity. If you think that there may be a risk of someone getting in trouble it is important that you check with Police before you take possession of the equipment.

## ? If I have permission can I do graffiti on private property?

You can do graffiti and possess and use graffiti equipment on private property in Tasmania but there can be issues with the local council in your area as there are generally rules about how properties can be painted or decorated.

If you wish to do graffiti pieces on private property and they will be easily visible to the public it is recommended you contact your local council to ensure they comply with any council rules.

## ? If I have an idea for some street art who should I talk to?

You should contact the property owners and seek their permission. If it is a public piece of property it is still important to get permission from the relevant authority. If you are not sure who owns a property you should contact the council or the land titles office to seek some guidance.

