

*Looking After
our Community*

DOCUMENT ON EXHIBITION

Policy Review – Vandalism

**Exhibition Period: 28 Days
21 June – 19 July 2024**

Please address any queries to:
Manager Recreation Services

**Please submit your feedback in writing
addressed to the General Manager.**

Email:
council@midwestern.nsw.gov.au

Post:
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

ADOPTED	
COUNCIL MEETING MIN NO	342/17
DATE:	15 NOVEMBER 2017

VERSION NO	2.0
REVIEW DATE	NOVEMBER 2021
FILE NUMBER	GOV400047; A0100021

Purpose

The purpose of this policy is to minimise both the unsightliness and the cost of vandalism and graffiti to Council and the community and to enlist the community's help in reporting instances of vandalism and graffiti as soon as possible.

The policy provides a reward where information regarding an offence results in legal action being taken against the offender.

Objectives

The objectives of this policy are to:

1. reduce acts of vandalism and malicious damage to public and commercial/retail property in the Mid-Western Regional local government area; and
2. encourage the public to report acts of vandalism and malicious damage and to offer a reward for the provision of such information.

Definitions

Graffiti

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 and includes any remnants of same such as adhesives, glues, tape, shadows or colour variations remaining after removal.

Incident

An incident refers to an offence of malicious damage occurring in one location or in a specific timeframe by the same offender or group of offenders, and as such may refer to more than one specific action.

Vandalism

The willful or malicious destruction, disfigurement, or defacement of any property, without consent.

Policy

Principles

Any person who witnesses, or has information regarding an act of graffiti or vandalism should in the first instance report the matter to the nearest police station or should contact the Police Assistance Line (13 14 44). What they need to provide is information such as:

- Time of incident
- Place of incident
- Description of damage
- Possible offenders details
- Photographs

The police will examine the information and may investigate the offence. Should an offender be identified, and either admit guilt or be found guilty, the informant should then write to Council seeking payment of the reward.

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

Rewards

Council will offer a reward on a sliding scale, for information provided by the public that leads to a conviction of the perpetrator(s) resulting from damage to public or commercial/retail property. The scale of the reward system is as set out below:

CATEGORY	DAMAGE AMOUNT	REWARD
1	UP TO \$2,500	\$500
2	\$2,500 - \$10,000	\$2,000
3	\$10,000 AND ABOVE	\$5,000

Responsibilities

Determination of the reward will be at the absolute discretion of the Mayor and General Manager.

Requirements placed upon persons providing information

Persons providing information must be aware that an appearance in a Court to give evidence may be required.

Recordkeeping, confidentiality and privacy

The following documents will arise out of the process:

- letter from applicant claiming reward
- response letter to applicant
- financial transaction records

All documentation held and created in relation to applications held under the scheme and which includes information which indicates the identity of the applicant shall be treated as confidential.

Any person who makes application for a reward under this policy will be deemed a complainant to Council.

For purposes of protecting the safety of individuals, the identity of complainants and public interest, documentation held and created in relation to applications held under the scheme, may not be subject to release to members of the public.

Breaches and sanctions

All applications for the reward will be verified with NSW Police and Mid-Western Regional Council records to ensure compliance with this policy. Fraudulent and/or misleading claims will be 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 or misleading.