GRAFFITI: THE FACTS

Is Graffiti a Criminal Offence?
Yes, graffiti is regarded as criminal damage and a prosecution maybe brought under section 1 of the criminal act 1971. A person who, without lawful excuse, destroys or damages any property belonging to another, intends to destroy or damage any such property, or is being reckless as to whether any such property would be destroyed or damaged, is guilty of an offence. It can lead to the decline of an area and a lack of respect for the place in which people live, work and play.

What is Graffiti?
Any informal or illegal marks, drawings or paintings that have been deliberately made by a person or persons on any physical element comprising the outdoor environment, with a view to communicating some message or symbol etc. to others.

What will happen if I am Caught Defacing Public or Private Property with Graffiti?

If the value of criminal damage exceeds £5,000:
- The maximum custodial penalty for those aged 18 or over is 10 years imprisonment,
- The maximum custodial penalty for those aged 12 – 17 is a detention and training order of up to 24 months
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If the value of the damage is less than £5,000:
➢ The maximum sentence for those aged 18 or over is three months imprisonment of a fine of £2,500
➢ For those aged 12-17 there is no custodial provision. A range of community sentences are available to the court such as Reparation Orders and the final Warning Scheme.

If the graffiti offence is minor:
➢ A fixed penalty notice of £80 may be issued for minor graffiti offences, to discharge your liability and court proceedings if payment is received within 14 days following the date of notice. This is discounted to £50 for early payment within 10 days.

Did you Know?
➢ It is estimated that graffiti costs the UK over £1 billion per year to clean up.
➢ The term graffiti is taken from the Greek word graphien, which means to write.

REPORT AN INCIDENT
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