

Graffitists drive their message home in court

By JOHN SLEE,
Legal Correspondent

A 23-year-old man charged with causing malicious injury to a poster advertising cigarettes told the jury at his trial yesterday he had painted the words "horses smell better, BUGA UP" on the poster "in an effort to stop malicious injury being done."

The man, Geoffrey John Coleman, a research officer, of Foucart Street, Rozelle, appeared before Judge Loveday in the Parramatta District Court, together with Neville Bruce Biffin, 31, a technician, of Marne Street, Vacluse.

Both pleaded not guilty to maliciously injuring a Marlboro cigarette advertisement, the property of Philip Morris Ltd, on January 6 last year at the Lidcombe railway station.

Both men made statements from the dock after the prosecution had presented its case against them.

Two police officers told the court they had been patrolling near Lidcombe station at about 12.25 am on January 6 last year when they saw the defendant Coleman on a ladder spraying the words "Horses smell better, buga up" on a Marlboro advertising hoarding. When they approached him the defendant Biffin shouted, "Quick, the police," and ran away.

The defendant Biffin was arrested and charged later when he was seen near the police station while Coleman was being questioned, the police witnesses said.

In a green station-wagon being driven by Biffin, police had found six cans of spray paint on the back seat, four cans in a box, seven cans in a grey satchel and two cans in a green satchel, as well as pamphlets published by the group calling itself Billboard Utilising Graffitists Against Unhealthy Promotions, or BUGA UP.

Addressing the court at the opening of the Crown case, Mr E. O'Loughlin, prosecuting, said the advertisement in question depicted a man seated on a horse, with a packet of Marlboro cigarettes.

Mr O'Loughlin said that the prosecution accepted that smoking was hazardous to health, but the issue before the court was one of damage to property, not, as the defendants might claim, whether the advertisement was itself damaging.

"Whether the jury accepts smoking is a disgusting and filthy habit which may cause cancer is completely irrelevant," he said.

Mr O'Loughlin called Mr Robert Ian Crockett of Sparman Crescent, Kings Langley, NSW sales manager for Philip Morris Ltd, who told the court the cost of replacing the 24-sheet advertising poster was \$70.



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Cross-examined by Mr Stuart Littlemore, for Biffin, Mr Crockett said advertising posters were usually changed every 12 weeks. He said he could not say how long the poster in question had been up.

Mr Littlemore: The poster could have been up for 13 weeks. Philip Morris could have suffered no loss at all. Do you know whether Philip Morris suffered any loss?

Mr Crockett: I can't say.

In his statement from the dock, the defendant Coleman said the jury would be given evidence of the harmful effects of smoking on health. "Perhaps adults can make up their own minds. My real concern is with children. They are very vulnerable to cigarette advertising."

He said the Drug and Alcohol Authority of NSW had found that the fastest growing market for cigarettes was in the 11-18 age group.

"My concern comes from my research and my own personal experience of talking with children about smoking," Coleman said.

He said he had been invited to schools to talk to children about cigarette and other advertising.

"They're not the slightest bit interested in being lectured to by a white-coated doctor," he said.

But in talking to children, discussing with them the techniques they thought were being used by advertisers to get them to smoke, he found children were aware of what was being done.

Coleman said the slogan "Horses, smell better" had been one of several suggested to him by children.

That is why he used it, on a slogan seen by many children on their way to and from school. Coleman said that on Tuesday afternoon he counted 787 children walking past the billboard in question in a 1½-hour period.

Biffin told the court his action was not malicious, nor an act of vandalism. "It's not an act like slashing train seats, it's an act of trying to save lives."

Judge Loveday adjourned the hearing to 10 am today.