

JAIL FOR GRAFFITI

By Brendan Roberts

A GRAFFITI vandal has been jailed after a judge overturned a court's decision not to convict him over a five-year wave of attacks that caused \$50,000 damage. Noam Jason Shoan, 25, was yesterday sentenced in the County Court to three months' jail over 42 counts of criminal damage carried out on Melbourne's public transport network between 2001 and 2006.

Judge Tim Wood said a magistrate's decision in March this year not to convict Shoan and to place him on a community-based order was "totally inadequate". Shoan's relatives cried loudly and one relative accused Judge Wood of "wrecking our family" as Shoan was led from the dock.

Judge Wood said Shoan needed to take responsibility for the destruction he caused.

"It's not a case of a young person in a moment of madness damaging property," he said.

"It was not your right, in the name of art, to damage the property of others."

The jail term was imposed after the Director of Public Prosecutions won an appeal against a sentence imposed on Shoan in Melbourne Magistrates' Court.

It is believed to be the first time in Victoria a graffiti vandal has been sent to prison for such a stretch.

This year, NSW vandal Derek Allen spent one day in custody after he was caught breaking into a Carrum Downs train holding yard and spray-painting anti-nuclear slogans on several trains.

Allen was fined \$1200 and freed the next day.

Residents Against Graffiti Everywhere president Steve Beardon praised Judge Wood for being tough on graffiti vandals, saying it would send them a clear message.

The County Court heard Shoan, of Mt Eliza, was part of a graffiti group dubbed 70k -- for '70s Kids -- that defaced Melbourne's train network and several CBD buildings with tags such as "Rens" and the notorious "Stan and Bonez" signatures.

The wave of vandalism, which included 8m murals of Shoan's markings sprayed on countless trains, caused more than \$50,000 damage.

He was arrested in July 2005 after police raided his father's St Kilda flat and found 46 spray cans and artwork featuring his "Rens" tag.

In March, magistrate Sarah Dawes chose not to convict Shoan because she said it would interfere with his prospects of working overseas as a graphic designer.

"You are a talented artist and I accept you are genuine in your remorse," she said.

Shoan was "a hard-working young man who pulls his weight at work and at home", Ms Dawes said back then.

She ordered Shoan do 250 hours of community service and pay \$30,000 restitution to companies, including Connex, Yarra Trams and V/Line.

Judge Wood yesterday overturned the ruling, saying it was far too lenient.

He said Shoan had set out to commit a "sustained and relentless project of damaging property" and deserved jail.

"(It was) so prolific that it required a special police unit to put an end to your activities," Judge Wood said.

Shoan was convicted on each of the 42 criminal damage charges.

Police set up the transit safety divisional response unit seven years ago to tackle the graffiti scourge and other transport safety problems.

The unit has been responsible for catching some of the state's most destructive vandals, including Shoan, ``Vosco" tagger Simon Nelsen and several interstate vandals in Melbourne on ``graffiti tours".

Mr Beardon said the community would welcome the tough stance against vandals. ``It shows this is a crime against the community that costs us a lot of money and will no longer be tolerated," Mr Beardon said.