Fear: How the Media Distorts Public Policy

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1. Crime and Contradictions

  If one were to take a cursory look at the crime-related policies passed in the recent years, most notably with introduction of "lockout"[1] and "one punch"[2] legislation, they would be justified in believing that Australia was in the grip of a crime wave. According to the Bureau of Crime Statistics and Research (BOCSAR) however, violent crime rates in Australia, including the assault rate in NSW, have steadily declined since 2003.[3] This contradiction between increasing number of harsher, more expensive crime policies while crime rates are falling is not easily explained, and while some may posit policies themselves as the determinant factor for the decline, research into the matter has shown the reality is different, more complex and involves various key players as will become evident in the following pages.

a. The Current State of Crime

  A common perceptions of crime, as shaped by news media, is that it is both a major problem and on the rise. This can be derived from the media's overwhelmingly event-driven focus on violent and/or sexual crimes over wider debates on causation and prevention.[4] It is therefore no surprise that Gordon and Heath's cornerstone 1981 study concluded that in all three cities they studied, readers of newspapers displayed greater levels of fear of crime than those who didn't.[5] This distorted view of the media is in direct contradiction to statistical evidence, which shows that American, British and French violent crime rates have been on the decline since 1991. In fact, the Economist points out that citizens in the developed world are safer today than at any point since 1970 while rates of non-violent crimes such as sexual offences and bank fraud are still undetermined due to lack of reporting. In Australia, crime statistics generated by BOCSAR and AIC show that violent crime offenses such as

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[1] *Tackling Alcohol-Fuelled Violence Legislation Amendment Act 2016* (Qld), *Liquor Amendment Act 2014* (NSW).

[2] *Crimes and Other Legislation Amendment (Assault and Intoxication) Act 2014* (NSW).

[3] Goh, D. Ramsey, S. *An update of long-term trends in property and violent crime in New South Wales: 1990-2014*, 4 April 2015, BOSCAR
<http://www.bocsar.nsw.gov.au/Documents/BB/BB104.pdf>

[4] Chadee, D. Ditton, J. 'Fear of crime and the media: Assessing the lack of relationship', (2005) (1)(3) *Crime Media Culture*, 322, 324.

murder, armed robbery and theft are at their lowest point in 5 years and are decreasing.[6]

b. Irrational Policy-Making

Incarceration rates in Australia have reached record highs, reaching 196 prisoners per 100,000 in 2015, a 6% increase from 2014.[7] This was largely due to more people being refused bail, more people receiving prison terms for minor crimes and more people staying in for longer. The media's purpose of serving the general welfare by informing the people and enabling them to make judgments on the issues of the time has led the public to appraise their needs from the information provided by the media and this, when unbalanced, has caused counter-productive initiatives to be passed by leveraging the relation between public opinion, based off public perception, and public service.

Thus, political actors seeking public support have championed initiatives that are contrary to the public's objective interest. Previous Inspector of Custodial Services, John Paget's statement, "Sound bites trumped sound science, again", in reference to the expansion of the NSW prison system, best reflects this. He further labelled policy "indefensible", on the grounds that it was not justified by research on the effectiveness of the prison system in reducing criminal behaviour in the short or long term. Instead, it provided proponents of the policy with the opportunity to build their public image by spreading a narrative that was amenable to their constituencies. This example is only one illustration of the ineffective and irrational policies that have been formulated for the sake of private interests, whether they are the private interests of politicians or the media channels themselves. More examples will be discussed below.

1.0 ANALYSIS OF MEDIA FORMS

Policies may be the result of inaccurate perceptions of crime and safety, however media channels actively serve to create these perceptions in absence of personal experience of crime. Television programs, films and news reports act as public sources of information through which individuals perceive the state of their environment as affected by crime and personal safety. Further, exposure to media coverage of crime, leads individuals to overestimate the risk of being personally targeted by criminals.[8]

The media cannot solely dictate the attitudes of its audience. However, it can instil fear through its portrayal of many aspects of crime, including prevalence, vulnerability and the expected consequences of crime, all of which result in the public's inaccurate personal assessment of risk. For example, a 2007 study by Reiner demonstrated that a higher risk of victimisation is reported, when the frequency of crime news reports was exaggerated.[9] Therefore, the media's sensationalised depictions of risk directly correlates with heightened feelings of public insecurity.

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[6] Goh, D. and Ramsey, S. 2015.

[7] *Prisoners in Australia 2015*, 11 December 2015, Australian Bureau of Statistics, < http://www.abs.gov.au/ausstats/abs@.nsf/mf/4517.0>

[8] Peter Grabosky, 'Fear of Crime and Fear Reduction Strategies' *Research Discussion Paper No 44, Australian Institute of Criminology* (1995)(2).

[9] Reiner, R. *The Oxford Handbook of Criminology* (Oxford University Press, 2007).

Within a highly modernised and globalised era, access to media outlets is prevalent. 'Real crime' depicted by the media mainly entails news reports through traditional forms of media, while fictional crime is displayed through films, television programs, and video games. However, as these sources have sometimes combined to produce a hybrid of media reporting, it is vital to address these issues to obtain a further understanding of how the media contributes to increased fear amongst members of the public.

1.1 Real crime

Regular exposure to news occurs through both traditional and online news platforms: it was recently reported that 64.9% of the 18-24 age bracket access online news platforms while 72.4% of the 55+ age bracket consume news via traditional platforms, including television and radio.[10] In fact, 53.9% of Australians consume news through televisions as their main source of information retrieval.[11] In a study on news access, Warwick Blood reported that participants were most interested in 'news about crime, justice and security' as well as local and international news. In fact, Becket and Sasson found that various types of crime -- including financial, property and environmental crimes -- were generally underrepresented, while violent crime was usually overrepresented and focused on the rarest of crimes, such as murder, rape, and robbery. This is reflected in Graber's study, which found that 35% of crime news stories in the Chicago Tribune newspaper concerned robbery and murder, whereas police statistics reported these crimes as accounting for less than 6% of all crimes committed in the area.[12]

In addition to the content of news reports affecting public perception, Scheufele and Tewksbury found that 'the way in which news reports portray a topic can influence the way in which an audience perceives it.'[13] In support, Hayward agrees that actual crime is ineffectual but images of crime are real and influential in people's appraisals of their own security or lack thereof.[14] Thus five 'frames' are used by the media to represent crime in reporting: crime as a result of a faulty criminal justice system, crime as a result of opportunities, crime as a result of family and community disintegration, the criminal system as agents of racially-fuelled oppression, and crime as a consequence of violence on TV. These frames assign blame to the involved parties and contribute to creating fear amongst the constituencies through the use of language and themes that reduce the perceived safety of individuals. This in turn influences policies and state actions through the democratic process. In fact, the Dart Centre for Journalism and Trauma found that the use of highly descriptive language

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[10] News & Media Research Centre, 'Key Findings: Digital News Consumption in Australia' (Media Release, 2016) < http://www.presscouncil.org.au/uploads/52321/ufiles/Fact_Sheets/digital-news-report-australia-2016.pdf>.

[11] Davis, B. Dossetor, K. '(Mis)perceptions of Crime in Australia' (Research Discussion Paper No 396, Australian Institute of Criminology, 2010).

[12] Graber, D. *Crime News and the Public* (Praeger, 1980).

[13] Scheufele, D. and Tewksbury, D. 'Framing, Agenda Setting, and Priming: The Evolution of Three Media Effects Models' (2007) 57 *Journal of Communication* 9.

[14] Hayward, K. and Young, J. 'Cultural Criminology: Some Notes on the Script' (2004) 8 *Theoretical Criminology* 259.

was a characteristic of articles that framed violence as a consequence of mental illness and sensationalized the article to detract from important information by using unnecessary descriptors, such as a 'spreading cancer.'

Interestingly, the British Journal of Forensic Science found that while there is not much scope for reporting of "socially acceptable" crimes, news of a gruesome criminal character involving dramatisation to provoke extensive coverage is more favourable. Thus the main task of media news to provide accurate information to publics is significantly impacted by its vulnerability to producing over-sensationalized content thereby damaging the social fabric through unnecessary fear mongering.

2.1.1 Media process of news selection

Mean-world syndrome is the view held by media consumers that they live in a world where crime is pervasive. This biased view of crime and offenses stems from the over representation of violent crime in the news, and has its origins in the process of news broadcasting. Several studies have attempted to elucidate on the traits that make news "newsworthy" particularly in the area of crime and offenses. They found that a small number of conditions generally accounted for the content which made it on to print or screen, these being crimes that stand out due to being "ingenious, vicious or audacious", such as those committed by children or youth; another category is that of crimes that affect communities; politicized crimes, and crimes that involve large sums of money or highly valuable items form the third and fourth kinds of content published in order of decreasing frequency. All of these factors boil down to capability of the story to get attention; petty crimes, for example, such as vandalism and street robberies are unlikely to make national or international press, as they are not perceived as serious enough.

The underlying trend for the publication of these stories seems to be their shock value. In fact, Nikki Usher, assistant professor at the George Washington University School of Media and Public Affairs, in an interview on the subject summarized the attitude of the media towards crime reporting as "If it bleeds it leads" and pointed out that the speed of the media and the vying for public's attention creates a new reality in which the most shocking news get the reader resulting in a circular pattern of news production: "You know you can get a reliable amount of web traffic if you post a crime story. Now, of course, this is sort of circular, right? If you keep posting crime stories and that keeps getting a reaction from people, you'll post more crime stories."

2.1.2 Sponsorship

As news drift towards entertainment, a new format of reality-based crimes show that entertaining by sensationalizing real stories about crime and justice are of particular interest. Concerns with this kind of programming are many fold, such as their claim to objective representation of reality, however, despite these claims, reality shows are 'thinly veiled' entertainment and the reality they construct is not consistent with the real world. Even though they do not portray the reality as they should some such shows have been co-opted by authority figures, allowing cameras and crews to accompany officials in the performing of their duty, raising the question - can these shows portray an objective picture of the reality on the ground or do they serve to manipulate viewers into a set view of the issue? Furthermore, are the resources used

on these shows by public agencies (police force) paid by taxpayer dollars? If so, to what end?

Australian Police Forces feature in documentaries, films, television series and reality TV shows etc., developed by commercial and public television channels and other production companies. It is purported that this media showcasing promotes corporate objectives to the community such as:

- Reducing the fear of crime by reassuring the public of the ability of police to prevent and solve crime and apprehend criminals
- Increasing community confidence in police and thus the reporting of crime, which provides a deterrent to crime by informing potential criminals of the consequences of crime.

Police departments are quick to note that police participation in approved film and television is not an endorsement of the production company or their product, but to promote policing objectives. The NSW Police Force proposes that "the production companies provide the medium through which the NSW Police Force endorses itself".[15] It is still debatable whether the resources used for this endorsement are absorbed by taxpayers via law enforcement agencies.

2.2   Fictional Crime

The public perception of crime as a constant threat to the social fabric of society and individual welfare is furthered by fictional media portrayals, most of which constitute books, films, and video games. As media violence is prevalent in such forms, society is impacted through the dangerous effects produced in viewers, which often contribute to further crime in a real-life setting.[16]

2.2.1   Film

Crime films enjoy wide consumption and include a wide array of better known genres which touch on the subject of crime including cops-and robbers, gangster films, pirate movies, westerns, private investigators, mystery, heist, anime, film noir, prison films and documentaries. These movies usually centre on a criminal, a victim and an avenger's exciting and tension-building dynamic between them.[17] It's been noted that another possible reason why people find crime movies so appealing is that they appeal to the audience ambivalence towards the police and other authorities. Consistent with findings of this study, an analysis by Jewkes showed that crime movies all happen in an inherently masculine universe, combining a self-confident and self-reliant protagonist with a 'tough guy' villain. The archetypal representation of crime in movies builds up the image of offenders as male, offenses as detached from purpose and any mundane moment as an opportunity to be victimized, contributing to the idea of vulnerability. The images of crime depicted in movies affect societal ideas of crime and offenders in a variety of ways since they gained

15 NSW Police Force Endorsement Policy and Procedures (22 September 2015) <http://www.police.nsw.gov.au/__data/assets/pdf_file/0009/175275/endorsement_policy.pdf>
16 Carnagey, N. et al, 'The Effect of Video Game Violence on Physiological Desensitization to Real-Life Violence' (2007) 43 *Journal of Experimental Social Psychology* 489.
17 Jewkes, Y. *Media and Crime* (SAGE, 2015).

popularity among publics by offering a variety of motivations for crime: Gangster, pirate and outlaw movies link crime to sociopathic alienation from a remote or uncaring society. Classic cop films blame institutional corruption or the malfunctioning of the system. Modern police films link criminal behaviour to psychopathy. Heist films and kidnap films peg it on simple greed; film noir blames sexual victimization by a predatory femme fatale and other films use class and race to explore how disenchantment of those who are economically and culturally at the margins of society can lead into aggressive and violent behaviour. Together, films that promote a view of crime provide a skewed view of offenders and their motivations that goes on to permeate social attitudes damaging the view of the public about crime.

2.2.2   Video games

Video games like Call of Duty and Grand Theft Auto enforce common practices, namely learning of acts and behaviours by viewers.[18] This leads to learning social norms, a long-term effect, which is related to learning behaviours since social norms such as violence in society become accepted from repeated exposure.[19] Imitation is also established in which viewers' thoughts and feelings are shaped after having had exposure to fictional media depictions. Furthermore, training behaviour can become implemented as a result of violent video games thereby increasing risk amongst the public.[20]

In this respect, it is imperative for these forms of fictional crime to be carefully considered in addition with the implementation of approaches that provide understanding as to the fear of crime perpetrated by these media portrayals.

2.3   Blurring the lines

The salient interest in crime and the impression of a rising crime rate from publics has spurred a series of crime-based programming. Reality-based police shows in particular have notably increased in popularity as they provide an integration of dramatized crimes, narration, and interviews with police officers. Certain television programs like Cops and RBT depict these factors however also include actual video footage of police officers investigating crimes and making arrests.

Despite the argument that such television programs aim to promote and improve lawful behaviour amongst citizens, this portrayal of crime-related topics in police programs intensifies the perception of the world as 'mean and dangerous' by increased symbolic racism, less support for civil liberties, and enhanced positive perceptions of law enforcement officials, particularly the police.

Media portrayals further over-represent the prevalence of violent crime as fictional crime programs, such as CSI and Cold Case, commonly portray violent actions. Potter and Ware reported that action-adventure television shows portrayed assault and murder at a rate of 8.6 times per hour thereby illustrating the prevalence of

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18 Potter, J. *The 11 Myths of Media Violence* (SAGE, 2002).
19 Potter, J. *The 11 Myths of Media Violence* (SAGE, 2002).
20 Anderson, C. 'An Update on the Effects of Violent Video Games' (2004) 27 *Journal of Adolescence* 113

such crimes in readily accessible media forms.[21]

In addition, race and ethnicity present conflicting depictions of criminal suspects as reported in news reports of crime and shown in fictional crime programs. Oliver states that such programs over-represent the proportion of white criminal suspects while news reports generalize criminal suspects as members of ethnic minority groups.[22] Entman (1990) reported some news stories as depicting degrading images of black suspects, particularly of 'their arms held by uniformed white policemen.' Furthermore, non-fictional and fictional media portrayals of crime present a dichotomy of good against bad, namely authoritative figures like police officers against perceived criminal suspects. As "reality-based" crime programs tend to over-represent violent crime and display the successes of police officers, the justice process becomes significantly impacted, particularly with regards to the separation and construction of imagined identities of offenders and other authoritative figures.

2.0 MEDIA, FEAR AND PUBLIC POLICY

Public policy making is a complex process, which involves a balancing act of different agendas, typically constituencies, and policy makers. However, the role of the media in this process is not unimportant as, like we have seen, it is the main source of information for publics to become cognizant of their surroundings and thus establish their agenda. This should make evident the importance of the media in public discourse as it may be noted that the policy - media – public continuum is not a way one conversation but rather all three discourses are mutually constituted with the media being leveraged by the political establishment to establish the priorities of the public through agenda-setting, which in turn react to this information to influence the direction of the policies being passed. The media's role then is not only a conduit for information but as galvanizer of social actors and policy makers into action. This makes it all the more concerning that the commercial and ideological interests of media outlets have bearing over public life.

2.1 Getting the public's attention (Media's commercial interests)

Yewkes asserts that the media constructs "moral panics" according to their criteria of news selection. This selective account of reality evolves naturally from the constraint of time, cost and space in dissemination channels. Likewise, the need to accommodate the needs and wants of the public in the search of profitability will guide the news that are selected and published; it should come as no surprise then, that media channels have been accused of pandering to the 'voyeuristic desires' of the audience by dramatizing relatively unusual crimes while downplaying the most common of them. On this note, the British Journal of Forensic Science found that space available for more 'socially acceptable' crime is less than that available for stories that are found particularly criminal or gruesome, which encourages dramatisation and sensationalism to provoke extensive coverage. Exaggeration and distortion thus become key elements of the required threshold to turn a potential story

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[21] Potter, J. and Ware, W. 'An Analysis of the Contexts of Antisocial Acts on Prime-Time Television' (1987) 14 *Communication Research* 664.

[22] Oliver, M.B. 'Portrayals of Crime, Race, and Aggression in "Reality-Based" Police Shows: A Content Analysis' (2009) 38 *Journal of Broadcasting & Electronic Media* 179.

into an actual story and the addition of visual cues such as images of crime and gruesome pictures of death are useful device to this end.

Similarly, it's been found that ideologically oriented media will refrain from publishing, or publish in a negative light those stories, which do not suit its particular philosophy. Thus, in short, the media responsibility to inform is not always the only aspect which is considered in deciding the publication of stories; in the search of ratings and sales, the interest of the public is forgotten, producing a selective image of reality which exaggerates the news which cause shock and anxiety while downplaying the mundaneness of offenses, encouraging publics to enter into a 'mean world' frame of mind where everything is a threat.

2.2 Effective Policy Making

John Paget, in his report "More NSW Prisons: evidence free public policy" cites Prof. Peter Shergold's observation that "good policy depends on good advice which is factually accurate and is backed by evidence". This method in which policies are designed based on facts and evaluated objectively has been defined as a method that helps people make well informed decisions about policies, programs and projects by putting the best available evidence from research at the heart of policy development and implementation. Crime policies based on research have been put to use in the US and the UK with positive results; however, this is not the case across the board. In Australia, for example the *Bail Act* 2013, which was designed by the Law Reform Commission based on evidence, was reviewed without any evidence or results briefly after its enactment because of media attention; the question of media's interference and influence on the policy process will be discussed more in depth later. However, the changes to the Act were neither evidence-based, nor in the best interest of the Act as the NSW Parliament would describe it, it was "bad public policy created by a panicked government trying to curry favour with a reactionary media." It can be inferred, then, that any policy-making process which is not backed by solid, objective evidence will be open to human error: inaccurate perceptions, subjectivities and the fear motivated attitudes of constituencies that culminate, more often than not, on bad policy.

2.2.1 Civil liberties and fear

People in the free world are guaranteed a certain number of freedoms and security. However, the security and order that enables the safe exercise of these freedoms is based on laws that strike a bargain between collective security and individual rights. In the discourse of threats, however, the liberties to which individuals are accustomed are sacrificed: the curtailing of liberties is necessary to respond to emerging threats, or so we are told. Since the 9/11 attacks on American soil, the stranglehold of state-of-emergency legislation has tightened around the world in an effort to feed a discourse of problem solving but effectively nullifying the civil liberties of Americans and the world. In fact American Justice Louis Brandeis was quoted as saying "experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding." In Australia, examples are aplenty and can be found easily in the group of laws proposed as part of the discourse of 'safety against terrorism' but

has resulted in an unprecedented amount of limitations placed on its citizens, criminalizing free speech, travel to certain countries and allowing the mass surveillance of Australians on the web and allow for the destitution of individuals. This "overreaction" is fuelled by fear, and seeps on to various aspects of public life as will be analysed next.

2.3 Fear and policy-making

There is an argument to be made about the usefulness of fear in any democratic society. Theory points out that the creation of laws and policies should occur in response to public concerns, such as the existence of threats.[23] However, the point has also been made that public policy making should consider more public opinion as public opinion is often times based off misleading information.[24] This is a significant consideration as we have discussed, since the public may gather information about crime and criminal justice from many sources, but many reference the media, with its biased representation, for information on these issues.

2.3.1 Public opinion and policy

Recent reflections by researchers on the influence of the media suggest that its portrayal of crime results in public fear disproportionate to actual risk as representations of criminal justice issues in the media are often inaccurate, to aggravate this issue, an examination of specific criminal justice policy innovations has suggested that policy is influenced by responses to public opinion rather than rationality. These arguments will be analysed presently.

2.3.2 Public fear and common law

Law in the developed world, should, as stated by Beckett, respond to the concerns of the societies they are to serve. Some research found that concern or fear of crime drives public attitudes, and that public attitudes influence policy.[25] In this regard the two leading theoretical perspectives on law-making and policy formation are relevant in that they aim to explain how these attitudes influence the formation of public policy. The one most widely supported, the consensus perspective, argues that lawmaking is a result of public consensus; the conflict perspective, alternatively, views policymaking as the result of decision-making by the political elite.[26] While the truth may lie somewhere in the middle, many scholars agree that policymaking is not a simplistic enterprise. Ruth and Reitz have identified some influential factors such as "contrary moral opinions, the tides of cultural change, the vagaries of politics,

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[23] Beckett, K. *Making Crime Pay: Law and Order in Contemporary American Politics* (Oxford University Press, 1997).

[24] Cullen, F. et al, 'Public Opinion about Punishment and Corrections' (2000) 27 *Crime and Justice* 1.

[25] Costelloe, M. et al, 'The Social Correlates of Punitiveness toward Criminals: A Comparison of the Czech Republic and Florida' (2002) 23 *The Justice System Journal* 191; Hough, M. and Moxon, D. 'Dealing with Offenders: Popular Opinion and the Views of Victims' (1985) 24 *The Howard Journal of Crime and Justice* 160.

[26] Gottfredson, M. and Hirschi, T. 'Science, Public Policy, and the Career Paradigm' (1988) 26 *Criminology* 37; Thomas, C. and Foster, S. 'A Sociological Perspective on Public Support for Capital Punishment' (1975) 45 *American Journal of Orthopsychiatry* 641.

emotionalism, and sensationalism."[27] Many also agree that public opinion can have a significant effect on policymaking (Beckett, 1997a; Petrunik, 2003; Roberts & Stalans, 1997). Sabatier (1991) proposes that the public seldom plays a role in specific policy development, but it will play a role in the general aim of the policy. Likewise, political concerns such as elections can set the objectives of criminal justice policy, and examination of specific criminal justice policy innovations has suggested that policy is influenced by responses to public opinion rather than by rationality (Beckett 1997a; Williams 2003).

The discussion thus far has indicated policy formation is dependent upon many factors, including emotion, political strategy, and public opinion. It is important to consider that in the context of widespread media-fuelled fear of crime, this feeling will invariably colour the discussions pushing for harsher punishments for criminals and increased policies to address the issue stemming from an erroneous appraisal of the gravity of the issue.

2.3.3   Political manipulation

The second model, the conflict perspective, which poses that policy decisions are made by the political elite is highly significant when considering the factors affecting politicians and the resulting proposals. According to this theory it is the values and perceptions of the elite in power that will result in the passing or rejecting of policies, in this view, the influence of the media isn't only as a passive influence but it encompasses both passive and active ways of influencing the outcome of decisions. On the one hand, the context exposed in the media will continue to inform policy makers' view of how salient an issue is and will propel action when a set of factors are present as politicians are affected by media in the same way as ordinary citizens.[28] On the other hand, they rely on media cues to prioritize information and to disseminate public opinion the media acts a check on the power of politicians by its ability to present their actions in a positive or negative light, often times causing significant changes on policies which would otherwise prove beneficial to the constituency.[29] One such example, the decision by the NSW Premier Mike Baird to reverse his ban on greyhound racing, has been qualified as responding to the resulting media onslaught rather than the interests of the people.

Furthermore, a study by global communications agency Edelmann has demonstrated the susceptibility of policy makers to new media. The study suggested that sixty percent of government staffers have gone online to learn about an important policy issue for the first time. And 33 percent have admitted to changing their opinion based on what they have read online – a nearly 200 percent change from 2009.

Moreover the media can, and often is, leveraged by policy makers to set an agenda, which is then adopted by the publics allowing political actors to control the

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[27] Ruth, H. and Reitz, K. *The Challenge of Crime: Rethinking our Response* (Harvard University Press, 2003).

[28] Eilders, C. 'Conflict and Consonance in Media Opinion: Political Positions of Five German Quality Newspapers' (2002) 17 *European Journal of Communication* 25; Rogers, E. and Dearing, J. *Agenda-Setting* (SAGE, 6th ed, 1996).

[29] Walgrave, S. and Van Aelst, P. 'The Contingency of the Mass Media's Political Agenda Setting Power: Toward a Preliminary Theory' (2006) 56 *Journal of Communication* 88.

debate. Agenda theorist Bernard Cohen observed that the mass media "may not be successful much of the time in telling people what to think, but it is stunningly successful in telling its readers what to think about" and work by Kingdon has cemented this notion by noting that bringing issues to public attention is a critical precursor of policy change.[30]

It is considerably obvious that the media plays an important part in the policymaking process, and a number of studies from agenda setting to frames support this claim. It can be concluded that the media is a key player in the development and passing of policies whether as a tool to garner support or as a challenger to the policy maker. The media matters in the process of policy making, but whether their contribution is constructive or destructive, is still debatable.

2.3.4   Public fear and spending

The erroneous appraisal of fear of crime and the security discourse that follows has resulted in increase of public spending for ineffective policies that do not propose viable solutions for the issue. In the case of incarceration, for example, the Nobel economist, Joseph Stiglitz: "the prodigious rate of incarceration is not only inhumane, it is economic folly". British policy maker Baroness Vivien Stern was quoted as saying it was a "sin against the future because it is consuming large amounts of public expenditure in non-productive negative ways and reducing the resources available for economic and social investment." A 2001 report of a roundtable conference in London convened by the International Centre for Prison Studies noted that, in Brazil, funds used to house non-violent offenders could have been otherwise deployed to build 23,900 homes or 504 schools; California from 1985 to 2001 built 21 new prisons, but only one new university. The costs associated with prison expenditure have been recognised in many US states where years after years of funding of corrections has resulted in significantly less money being available to make real investments in other priorities, such as public transport, education and infrastructure.

These policies' enactments are usually fuelled by public fear as a pervasive feeling that crime is increasing and violent is rampant, has led to a large majority of Australians to want more spent on police and law enforcement, and support movements to hand out harsher sentences to offenders.

4.0 PERCEPTION OF CRIME

4.1 Fear of crime

It has been established that publics form their perception of the world and their personal security from various sources, specifically the media. As the media acts as the main channel for assessing risk and criminality with little to no personal experience by its audiences, vicarious victimization is often the common outcome.

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[30] Kingdon. JB, and Ferland, G. 'Collisional effects in He I: An Observational Analysis' (1995) 442 *The Astrophysical Journal* 714.

Furthermore, there is evidence that this incorrect assessment of risk in accordance with the total amount of violent material available (up to 35% of all media content) is a central contextual factor affecting fear.[31] Therefore, news media reports and crime reality shows displayed higher levels of fear compared with other program types.[32]

The fear stemming from these conditions has become an important societal condition with the debate raging on how constructive this behaviour is. Commentators, such as Elin, argue that the "fear factor has certainly grown, as indicated by the growth in locked car and house doors and security systems, the popularity of gated or secure communities for all age and income groups, and the increasing surveillance of public space...not to mention the unending reports of dangers emitted by the mass media."

In present times, public anxiety and concerns are perceived as material factors that can have a decisive impact on people's health and wellbeing. In contemporary medical culture, commentators claim that stress and fear are likely to increase the risk of heart disease, cancer and chronic lung disease; there is also the inflated threat to personal security, which greatly reduces the general quality of life by prompting people to engage in 'risk-avoidant behaviours.'[33] An example is spatial avoidance, which has detrimental societal and economical effects, such as racism and anti-social behaviour stemming from distrust of others. These effects are attributed to the media's ongoing objective to build crime as a random act detached from context.

According to Garland, such issues are extremely problematic when it comes to fear of crime as "our fears and resentments, but also our common sense narratives and understandings, become settled cultural facts that are sustained and reproduced by cultural scripts" creating thusly patterns of behaviour, or norms, that become nestled and perpetuated in culture and lead to a variety of problems that materialize not from crime itself but rather out of fear of crime.[34] In fact, academics such as Garland, consider fear of crime as a problem separate from crime itself, and one which requires, aside from reducing crime, effective policies to mitigate.

4.1.1 Victim by proxy: imagined victimization

The Australian public appears to take an interest in crime news, and the supply of such news is abundant. Frequent exposure to news coverage of crime may lead one to overestimate the probability of personal victimisation, especially since the risk of becoming a victim of crime tends to be unequally distributed across Australian society.

This has been confirmed by the latest Australian Survey of Social Attitudes where results shows "crime is believed to be increasing, violence is thought to be widespread" when in reality crime rates have declined consistently and violent crimes

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[31] Eschholz, S. et al, 'Television and Fear of Crime: Program Types, Audience Traits, and the Mediating Effect of Perceived Neighbourhood Racial Composition' (2003) 50 *Social Problems* 395.
[32] Oliver, M.B. and Armstrong, B. 'Predictors of Viewing and Enjoyment of Reality-Based and Fictional Crime Shows' (1995) 72 *Journalism & Mass Communication Quarterly* 559.
[33] Brewer, N. et al, 'Meta-Analysis of the Relationship Between Risk Perception and Health Behavior: The Example of Vaccination' (2007) 26 *Health Psychology* 136.
[34] Garland, D. *Mass Imprisonment: Social Causes and Consequences* (SAGE, 2001).

are at an all time low. The predominant fear is wildly disconnected from any actual likelihood of being victimized, with consumers of some kinds of media being 2.5 times more likely to overestimate their risk of victimization, but it bears real effects in reducing individual wellbeing, promoting anti-social behaviours, garnering support for irrational policies, and reducing trust in the state apparatus, including the justice system and the police.

4.1.2 Issues in mental health

Several studies have shown that exposure to crime news increase anxiety and fear and, just as real victimization of crime; this has implications for mental health. In their study Cornaglia and Leigh for the Institute of Labor in Bonn, Germany found that crime affects a much wider audience than just the victim by increasing fear and "depressing their lives"; the study found a strong relationship between being a victim of a violent crime, and a decrease of 2.8 to 9.8 points on the Mental Component Summary Scale, a tool designed to measure wellbeing by considering tiredness, difficulties with work and social activities because of physical or emotional problems and nervousness and depression, in the 3-6 months following the incident. This was also the case on non-victims and those that were made aware of the crime through media coverage.

4.2 Media created identities

The media discourse has been theorised by critical theorists to build, reinforce and assign traits to identities of self, and in doing so, establishing what constitutes "otherness". In the context of crime this plays out in an interesting fashion as the media was found to construct heroes, villains, weak victims and evil monsters through its stories and portrayals of criminals and in the process creating very real consequences that change the social dynamics of communities.

4.2.1 Offenders in the media

Similarly, young black males were cast as criminals in 40-50% of all cases. Interestingly enough, in portraying offenders, both newscasts and entertainment content was found to portray the violent predatory criminal more often than other kinds of offenders. In this, the individual is shown to be animalistic, irrational and ready to strike at any innocent passer-by. In this the public is led to believe that crimes are removed from context and are perpetrated by an almost non-human which reinforces the public's own identity as a member of a vulnerable population which is removed from the predominantly young black male. Even in cases where the perpetrator is not of an ethnic minority, they are portrayed by animalistic desires and usually linked to a history of anti-social behaviours, mental illness or other individual deficiencies.

4.2.2 Making of a victim

Consistent with the misrepresentation of crime described in earlier in this paper, the representation of offenders is also considerably detached from reality, a 2004 survey of crime shows, for example, demonstrated that TV shows cast Caucasians as victims twice as much as they were casted to be offenders. While crime victims are rarely portrayed in the news and other media, when described, they tend to be Caucasian,

female, very young or old or a celebrity, as this increases the shock value of the report. Victims are also usually portrayed emotionally. Ever since the 1990's, for examples, stories of crimes against children have changed from focusing on the offender to emotional, soft-news stories about the impact on victim's family and community.

4.2.3 Making law enforcement

Furthermore, the media also constructs the justice system, particularly law enforcement agents in relation to criminals. While offenders are the minority "other", the enemy, cops and police are still portrayed as white heroes who battle the dark forces of evil motivated by morals and a commitment to doing the right thing. However, in contrast to victims, they are portrayed as possessing masculine attributes even if not explicitly gendered male, to be able to combat the male strength of the dark other.

These constructions don't just live on the abstract plane. The existence of "others" reinforces the identities of communities; of those things that are outside of the community norms (crimes), of what is acceptable and what isn't, of who is a member of that community and who isn't. In doing so, it justifies discriminatory practices, mistreatment and alienation of others. It should suffice to look at the current hostility towards Muslims worldwide, the Black lives matter movement or even the statements of American presidential candidate Donald Trump in regards to Mexicans in the US to understand how the construction of identities starting from crime can have significant societal consequences that stem beyond only crime.

4.3 Effects of fear

It is common knowledge that the effects of fear are detrimental to individual and societal welfare, however deeper analysis of these effects is necessary in order to diagnose and create awareness of the issue. According to widely acclaimed sociologist and author Stanley Cohen, fear is caused by moral panic that is merely 'part of the human condition' and 'operates outside the stable, patterned structures of society.'[35] In understanding the background of fear and its displaced effects, it is necessary to address the flexibility of the term 'panic' due to its diverse meanings in different contexts of fear. One understanding conveys images of a hysterical mob running and screaming for their lives after someone screams of a fire or a bomb in a crowded area.[36] In stark contrast, a stock-exchange panic may not elicit such a fearful reaction despite public anxieties and insecurities.[37] In both situations, the effects of fear are evident. However, without the 'stable, patterned structures' of the media, politics, and crime control, it is arguable that moral panics would not be produced.[38]

Despite this, McRobbie and Thornton argue that panic is 'a mode of representation in which daily events are regularly brought to the public's attention' as a standard response or unnecessary rhetoric instead of for its main purpose of emergency intervention.[39] Thus politicians, businesses, and mass media use fear

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[35] Cohen, S. *Folk Devils and Moral Panics,* (Routledge, 1972).
[36] Ibid.
[37] Ibid.
[38] Ibid.
[39] McRobbie, A. and Thornton, S. 'Rethinking 'Moral Panic' for Multi-Mediated Social Worlds' (1995) 46 *The British Journal of Sociology* 559.

mongering as a tool to orchestrate consent, promote sales, and construct newsworthy home and social affairs, respectively.[40] In fact, Moeller argues that as the thirst for audience attention has notably risen, the media is desperately 'ratcheting up criteria for stories that get coverage.'[41] These stories depict case studies such as the Ebola virus epidemic and the Rwandan genocide as formulated by the media to cause fear through repetitive chronologies and sensationalised language.[42] Thus in a society where beneficiaries of fear mongering consist of high-profile, power figures that give little regard to the utilitarianism of society and instead place priority on their goals of self-interest, fear continues to prosper and cause suffering.

This lack of consideration for individuals and society causes an array of issues that damage the social fabric and general welfare of society. As stated by Cohen, moral panic has become highly evident in communities as 'a condition, episode, person or group of persons', which have emerged as a threat to societal values and interests.[43] Since these acts are dramatized by the media, which further causes dependence on the media for knowledge about crime and justice, people become wary of each other, which causes isolation and ultimately damaging issues such as racism, discrimination, segregation, and xenophobia.

Fear of crime is dynamic and influenced by both demographic and contextual variables. Literature in this area argues that citizens become concerned with crime because the media reports a rise in crime and not because real crime rates increase.[44] It also confirms that minorities and women are typically found to be more fearful of crime.[45] Furthermore, this fear is also affected by contextual and structural characteristics such as level of social integration, and level of neighbourhood incivility, among other factors.[46]

4.4 Institutionalising fear

The institutionalisation of fear can be attributed to social constructionism in accordance with criminal justice public policy. This is because the media with its

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[40] McRobbie, A. and Thornton, S. 'Rethinking 'Moral Panic' for Multi-Mediated Social Worlds' (1995) 46 *The British Journal of Sociology* 559.

[41] Moeller, S. Compassion Fatigue: How the Media Sell Disease, Famine, War and Death (Psychology Press, 1st ed, 1999).

[42] Cohen, S. *Folk Devils and Moral Panics,* (Routledge, 1972).

[43] Ibid.

[44] Erikson, K. *Wayward Puritans: A Study in the Sociology of Deviance* (John Wiley and Sons, 1963); Scheingold, S. *The Politics of Law and Order: Street Crime and Public Policy* (Longman, 1984).

[45] Chiricos, T. et al, 'Crime, News and Fear of Crime: Toward an Identification of Audience Effects' (1997) 44 *Social Problems* 342; Chiricos, T. et al, 'Fear, TV News, and the Reality of Crime' (2000) 38 *Criminology* 755; Clemente, F. and Kleiman, M. 'Fear of Crime in the United States: A Multivariate Analysis' (1977) 56 *Social Forces* 519; Joseph Schafer et al, 'Fear of Crime and Criminal Victimization: Gender-Based Contrasts' (2006) 34 *Journal of Criminal Justice* 285. Mark Warr and Mark Stafford, 'Fear of Victimization: A Look at the Proximate Causes' (1983) 61 *Social Forces* 1033.

[46] John Crank et al, 'Fear of Crime in a Nonurban Setting' (2003) 31 *Journal of Criminal Justice* 249; Randy LaGrange et al, 'Perceived Risk and Fear of Crime: Role of Social and Physical Incivilities' (1992) 29 *Journal of Research in Crime and Delinquency* 311; Ralph Taylor and Margaret Hale, 'Testing Alternative Models of Fear of Crime' (1986) 77 *The Journal of Criminal Law and Criminology* 151.

crime and justice content influences the social construction of the reality of crime and justice through symbolic crimes, narratives, and information that corroborate factual and interpretative claims.[47] In order to understand the institutionalisation of fear, it is necessary to delve into the engines of social construction. Each individual's socially constructed reality is shaped by the media and personal experience, both of which are formed from the basic premises of social institutions and organisations.[48]

Therefore, the social costs of fear and freedom become impacted due to the media's portrayal of crime and justice to create further fear. As the media ultimately causes people to not do certain things, fear becomes entrenched within the social and cultural institutions of society.[49] Thus people's freedoms become significantly limited due to their perception of the world as 'violent, predatory and dangerous' since the media paints crime in its particular hue.[50]

5.0 LIMITS OF FEARMONGERING

5.1 Freedom or Free Speech: Regulating the Media

The fundamental rights and freedoms of individuals have become greatly impacted due to crime control as a result of what the media publishes and reports. Balanced reporting is vital for people's rights and freedoms to be respected in accordance with providing an accurate depiction of crime and justice in the current day. However, as increased surveillance has become a daily occurrence in most parts of the world, utilised by governments and authoritative figures, for the apparent purposes of ensuring society's welfare and public safety, it is arguable that the increase in surveillance is attributed to the advances in media technology as well as the perception of the world as a dangerous place.[51]

6.0 CONCLUSION

Throughout the preceding pages we have discussed the role of the media in creating a distorted image of reality about crime and personal safety. It can, by its very nature, control the discussion of crime and justice by allowing voices to be heard, but also by silencing others. Thus the unbridled media process will, due to external pressures, constantly lead to the marginalization of objective accounts of criminal events thereby releasing real life consequences that adversely affect the effective functioning of governments, the entitlement of civil liberties, and the continuous creation of fear through negative archetypes and separation. Available alternatives to the common modes of communication, such as the Public Health Model, allow the media to report highly unusual crimes and avoid misrepresenting patterns of violence in communities and creating misguided fear in the public.[52] This

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[47] Surette, R. *Media, Crime, and Criminal Justice.* 4th Edition. (Belmont, Wadsworth, 2011).
[48] Ibid.
[49] Ibid.
[50] Ibid.
[51] Ibid.
[52] Lori Dorfman et al, 'Reporting on Violence: Bringing a Public Health Perspective into the Newsroom' (2001) 28 *Health Education & Behaviour* 402.

has largely been put in practice in other areas stigmatized by the media such as the Mindframe Initiative for Mental Health and Suicide reporting awards that have received state funding for recognizing media coverage for non-stigmatizing reporting of mental illness. While crime does have a negative effect in communities, with the interest it garners it is time that society obtains a clearer, more informed picture of these often mystified events that can start to dispel myths and provide grounds for a true discussion on the best avenues to diminish crime and fear of crime, rehabilitate offenders and make the criminal system a more efficient one; as it stands right now, the media is not doing anyone, not even itself, any favours.

7.0 PROPOSALS

7.1 Public Health Model

As presented by Dorfman, Thorson & Stevens, this model of reporting approached violence as a public health issue.[53] This means applying the same tools as those used to reduce and control other epidemics: study the interaction among the victim, the agent of injury or death, and the environment; define risk factors; and develop methods to prevent injury or death. For more than 15 years, epidemiologists have been identifying violence risk factors, including the availability of firearms and alcohol, racial discrimination, unemployment, violence in the media, lack of education, abuse as a child, witnessing violent acts in the home or neighbourhood, isolation of the nuclear family, and belief in male dominance over females. Fundamentally, the public health perspective maintains that violence is not inevitable but preventable. But so far, journalists have not taken advantage of this knowledge.

The assumptions underlying this project are that crime and violence news coverage currently presents a distorted picture of violence to newspaper readers that lead them to fear their world. Consequently, public response to violence is punitive rather than preventive. But this theory was developed under the premise that if crime and violence reporting included a public health perspective, readers would be more likely to consider public health approaches when they deliberate solutions to violence. Below we discuss briefly the research on crime news content, its effects on readers, how violence news is typically framed, and what it would mean to reframe crime coverage.

Overall, the content of crime news and the public's response to it are likely to diminish support for public health approaches to preventing violence. The research literature demonstrates that crime reporting leads to four important effects on people: they overestimate the frequency of different classes of crime and violence; their levels of fear increase; they fail to register the fact that crime has decreased in the past few years; and they encourage support of punitive and discourage support for preventive crime policies. This is because typical crime stories frame crime as anti-urban, inevitable, random, and victim blaming by misrepresenting the frequency of crime and violence, exaggerating and sensationalizing crime, ignoring the causal and contextual processes producing crime patterns, and fostering stereotypes, especially racial stereotypes.

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[53] Ibid.

To address this, the public health model proposes reporters are given context and concrete examples of mechanisms for providing information about (1) the incidence and prevalence of different types of violence in a community, (2) the economic and psychological consequences of different types of violence for individual victims and perpetrators as well as their families and neighbourhoods, (3) the risk factors for violence, and (4) methods being developed to prevent violence, how successful they are, and whether the community is implementing them. A variety of other ways to disseminate this information and encourage a better understanding of crime and violence. This new mode of crime reporting, in which context was better understood and included in the article, was then tested in 2003 with positive effects. Individuals exposed to articles containing more context about the crime and the pervasiveness of it had vastly different attitudes about their own safety, risk of being victimized and attitudes towards crime, depending on which frame individuals were exposed to.

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