CRIME, MEDIA AND FEAR OF CRIME

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Gorazd Meško, Tom Cockcroft, Adam Crawford
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CRIME, MEDIA
AND FEAR OF CRIME

CITIZENS AND GOVERNANCE IN A
KNOWLEDGE-BASED SOCIETY

CRIMPREV

Gorazd Meško, Tom Cockcroft, Adam Crawford
and André Lemaître (eds.)
CRIME, MEDIA AND FEAR OF CRIME

CONTENTS

On Crime, Media and Fear of Crime

Gorazd Meško, Tom Cockcroft, Adam Crawford
and André Lemaître

This publication arises out of a meeting funded by the European Commission through Framework 6 as part of a coordination action project entitled 'Assessing Deviance, Crime and Prevention' (CRIMPREV). The central theme for the meetings in Workpackage 4 of CRIMPREV focused on *Perceptions of Crime and Insecurity*. The six seminars and conferences organised within this workpackage were concerned with a variety of allied topics related to the development of contemporary insecurities and fear of crime from a comparative perspective. As well as exploring the research into fear of crime and the causes of crime-related insecurities, the meetings considered and explored the extent to which perceptions of crime and insecurity inform diverse forms of governance, policy initiatives and social relations.

The first meeting - held in Hamburg on 16-17 March 2007 - focused on the state of empirical research on fear of crime across Europe, as well as the methodological and conceptual issues and problems raised by such research findings. The second seminar was held on 1-2 June 2007 in Esslingen am Neckar. It explored the role of social and cultural transformations in constructing contemporary insecurities. The third meeting, out of which this publication arose, was held on 11-13 October 2007 in Ljubljana and as this book testifies was dedicated to the topic of media, insecurity and the fear of crime. The fourth meeting in Liege on 11-12 April 2008 focused on questions about the implications of contemporary insecurities and perceptions of crime for social fragmentation, discrimination and segregation. The fifth meeting hosted by the University of Leeds on 19-20 September 2008 analysed the impact of perceptions of crime and insecurity on marginalised groups with particular reference to policing insecurities in the shadow of terrorism and political violence. The sixth and final meeting was held on 15-17 January 2009 in Porto and explored public policy responses to perceptions of crime and insecurity.

In essence, the presentations and discussions at the workshops revolved around three core concerns:

1. *Questions of measurement and conceptualisation*, including what we mean by public perceptions of insecurity and fear of crime, how we measure insecurity and interpret research findings, and how valuable these measurements are.

2. *The causes of perceptions of insecurity* involving the influence of the media, social and political transformations, cultural phenomena (including the role of specific cultural dramas and traumas).
3. *The consequences of perceived insecurity for policy, politics and social relations*, including the enactment of new laws, policing and criminal justice reforms, urban governance and allied developments as well as the implications of these responses for particularly marginal groups and social segregation.

Over the course of the six meetings of Workpackage 4, it is possible to identify two loose hypotheses that have informed (although not always been supported by) much of the discussion. They have prompted comparative insights and highlighted important correctives and countervailing tendencies. These working hypotheses are:

1. First, we are living in an age of increased insecurity and uncertainty in which public perceptions of crime and insecurity are becoming more prominent and more salient.
2. Second, perceptions of crime and insecurity are having a growing impact on social life and public policies, as a result of which societies are 'governed through' perceptions of crime and insecurity (Simon, 2007).

The deliberations and reviews afforded by the workpackage have shown that there remain important divergences in experiences across Europe. They have demonstrated the importance of local political trajectories, social transformations and cultural forces. They have also identified that much attributed to the role played by perceptions of crime and insecurity actually is informed and influenced by wider referents.

This volume comprises *ten chapters* which deal with a variety of crime, criminal justice and media related topics. All the chapters have been previously presented as draft papers in October 2007 on a CRIMPREV seminar in Ljubljana. Since then early draft papers have developed into insightful chapters of this book.

Tom Cockcroft finds out that one must also recognize the influence of the police as a communicator of knowledge around issues of crime, policing and security and, therefore, as implicit in the construction of fear of crime. Recent years have seen the police re-cast their role as one of

knowledge workers, and the emergence of knowledge management as a key strategic domain. However, police knowledge management is not merely concerned with the technical knowledge that is relied upon by an assortment of external bodies. Perhaps more importantly, the police remain perhaps the most adept communicator with the public on broader symbolic issues.

Gorazd Meško and Katja Eman state that myths about crime are the result of inventing "truths" about offenders of criminal offences and crime, as well as changes to and distortion of actual, real and important information. They are unique and are the result of social, political and economic conditions in a certain time and space. Myths are conditioned with criminal events and do not develop if there are not enough people to contribute to changing the actual story into a myth. Creators of myths do not just reveal crime and transfer information, but also structure reality with their choice and labelling (assessment) of criminal offences. This happens when information is prepared, rewritten and finalized by representatives of the government or NGO's, but most often the media create the myth themselves. According to all this, we have to be aware of the consequences that the creation of myths about crime can cause, especially if fear of crime occurs. The uniqueness of myths as regards origin, discovery, creation and consequences demands individual study and specific criminological research methods. Studying myths about crime and on their basis caused fear of crime are special challenges for criminology experts, especially in the developed society with modern public media, where stories spread faster as one can imagine. The question how to report crime without causing unwanted side-effects, as myths and fear, demands further analyses and studies.

A chapter by *David Wall* asks some critical questions about the key assumptions that currently underlie much contemporary thinking about cybercrime. In so doing it explores the various roles of the media in shaping conceptualisations of cybercrime before identifying tensions in the production of criminological knowledge about it that frequently confuse rhetoric with reality. The chapter then compares some of the mythologies surrounding cybercrime with what is actually going on. Not only does this approach facilitate an understanding of existing public concerns about cybercrimes, but it may also explain the reassurance gap that has opened between public demands for internet security and its provision. The final

section looks at the various challenges that cybercrimes pose for criminal justice and at how an application of the digital realism of cybercrime and policing cybercrime can contribute to closing the reassurance gap.

Aleš Bučar-Ručman presents an overview of Slovene research on media reports about crime and insecurity issues shows that the conclusions of Slovene authors support the conclusions from other western countries. The use of 'the universal reporting system' present in industrially developed societies can be explained by the common operative characteristics of mass media organizations, which are one of the economic components of the (global) business market. They sell to advertisers the opportunity to approach large groups of people or potential markets. The dependence upon the audience size directs media activities towards achieving bigger audiences and consequences are seen also in the media content. The media publish reports on crime and other security threats in a populist and sensational manner and use different techniques to attract people's attention. On the other side the mass media also represent the means of public control over institutions and individuals with power.

Dragan Petrovec states that the media companies maintain that they offer only what readers want. The more truth (violence) they present, the higher the ratings. Therefore the media can not be blamed because the reality is as it is. On the other hand, the task and the mission of the media do not require that they fulfill cosumer wishes as best they can. The media should be equally aware that they influence public opinion and should make contributions to the shaping of general culture. This task is difficult and, more importantly, not particularly profitable in the short run. "Are there media willing to take this road?" is the main question asked by the author.

Želimir Kešetović, Biljana Patić-Simeunović and Gorazd Meško state that it is crucial that both the police and the media in Serbia adopt a new system of values, and learn a lot about how to play the new role they should have as key institutions of democratic society, constantly bearing in mind the enormous responsibility they have. A necessary perquisite is a radical change in the way that the political leadership manages the process of transition towards a modern and open society based upon the rule of law and respect for human rights.

Dobovšek and Mastnak discuss the role of investigative media in curbing of organised crime. One of the most important factors in eliminating corruption and organised crime is to obtain public support and to encourage investigative reporting or journalism and freedom of the press. The job of an investigative reporter is distinct from apparently similar work done by police, lawyers, and other regulatory bodies. On the other hand, investigative reporters can and do to use methods and techniques similar to those used in formal crime investigation. Investigative reporting is characteristically limited to democratic societies (more so, than other types of journalism). With the democratization of political systems it is possible to have a special journalistic investigation called investigative reporting. Investigative reporting is therefore, or at least it should be, the final safetynet, catching the societal anomalies that elude formal controls such as the police, the legal system and the social control agents.

Reuband discusses about the fact, that what the media report about crime does not necessarily reflect the reality of crime. Trends in crime might go in quite a different direction. The average crime is much less violent than the media like to portray it. What kind of consequences this situation has for the media's audience is an open question. One has to take into consideration the respective media, their content and perceived trustworthiness, as well as one has to take into consideration the readers and viewers, their social backgrounds and orientation.

The editors wish you a joyful adventure into contemporary reflections on crime, media and fear of crime.

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Late Modernity, Risk and the Construction of Fear of Crime

Tom Cockcroft

1 INTRODUCTION

"The media carry strong notions of the universal citizen...Yet despite this overall commitment to social order, the very stuff of news is the opposite: disorder, breakdown, mayhem, injustice...The mass media is a spectacular noticeboard of exclusion... it stresses order, justice and inclusion (the backcloth of the news) yet it highlights disorder, injustice and exclusion (the foreground)". Young (2007: 33).

The worlds of the media and crime and disorder have converged repeatedly, in an academic sense, in the United Kingdom over the last half century and attracted considerable research and commentary. Any examination of print (both broadsheet and tabloid) or televisual media gives some support to the notion that we hold an innate fascination with matters of right and wrong, 'good' and 'evil' and the risks posed by everyday interaction. That news media, probably the most pervasive, immediate and accessible form of media, rarely fails to seize opportunities to exploit this fascination similarly fails to elicit much surprise. As Young (2007) suggests, the media helps to provides the narratives that allow the public to distinguish between different values, behaviours and their moral consequences. Kidd-Hewitt (1995) goes on to propose that sociological investigation of this relationship between the media and crime has generally concentrated upon the notion that the former has a crucial impact upon the way in which we construct our perceptions of the social world.

Correspondingly, criminologists have sought to explore the nuanced impact of media coverage of crime on public fear of crime. Specifically, the relationship between media reports of crime and public fear of crime, have been explored by scholars such as Gerbner (1970, 1995; in Reiner, 2007) who proposes a 'cultivation analysis' approach that highlights a worldview amongst consumers characterised by levels of fear of crime that greatly exceed the actual risk posed. Increasingly, however, Reiner (2007) suggests that there has been a trend within criminology to acknowledge the complexity of the relationships that exist between media reporting, its impact on crime and perceptions of crime and the wider context of criminal justice policy.

The purpose of this paper is to present an argument that seeks not to diminish the importance of such 'cultivation' analyses (or the comments

of scholars such as Young above). It will suggest, however, that positivist analyses of the relationship between fear of crime and media reporting of crime might negate the impact of other forms of knowledge about crime (and other providers of such knowledge) which, in themselves, may lead to fear of crime. In particular, I wish to argue that our understanding of the relationship between the media and fear of crime might be better understood through an acknowledgment of, a) changing social relationships in late modernity, and b) through an acknowledgement of the power of the police in transmitting information regarding crime, insecurity and risk.

2   COMMUNICATING RISK IN THE RISK SOCIETY

Crawford (2007) describes how, despite reductions in crime rates, the majority of the public perceived crime as increasing in recent years. Such findings suggest that it would not be unreasonable to assume, therefore, that fear of crime was similarly increasing. When explaining high levels of fear of crime, it would be unwise to deny the influence of the media. However, mass media in the form of newspapers and the radio have been widely accessible and widely consumed for most of the twentieth century, throughout those eras characterised by low fear of crime suggesting that consumption of the media is not necessarily synonymous with fear of crime. This begs the question, what has changed? In some respects, it is fair to suggest that media reporting of crime has changed in recent years. As Muncie (2009: 13) notes, "Since the late twentieth century it appears that there has been something of a shift from discrete panics to a perpetual period of moral crises in which the fact/fiction dichotomy has been dissolved. Crime-as-news has blended into crime-as-entertainment. 'Reality' TV, crime reconstructions, live newscasts and CCTV footage have fused 'facts' with institutional values and popular myths". However, it might be unrealistic to simply propose that changes to media reporting can explain increased levels of fear of crime. In particular, I would like to suggest that the impact of the media in this respect is merely one factor of several associated with wider changes to the structure of social relations related to the advent of late modernity, and that fear of crime has broader roots than purely the mass media.

Garland (2001), in his text 'The Culture of Control: Crime and Social Order in Contemporary Society', makes a powerful argument to suggest that the shift from penal-welfarism to high crime societies is fundamental to explaining heightened awareness of risk, and therefore heightened fear of crime. One such argument of Garland's, highlights the widespread consensus, under penal-welfarism, regarding issues pertaining to crime and its control. First, crime was unproblematic insomuch as it failed to provoke the levels of concern that it does nowadays. In the British context, at least, the focus was on the pathological rather than the mundane. For everyday crimes, motivated by rational decision-making or simple opportunity, there was little interest and the criminal justice system was geared towards expending its resources on those criminals whose behaviours hinted at long-term and dispositional criminal tendencies. As Garland (2001) notes, this accounts for the use of the fine as one of the most common punishments of the post-war years, despite the oft-stated rehabilitative ideals that underpinned our criminal justice system. In reality, the system failed to acknowledge the majority of illegal behaviour as 'criminal' in a moral sense and therefore portrayed crime as a social fact that was not considered worthy of fear. Despite perennial concerns over newsworthy crimes such as paedophilia (see Kitzinger, 1999), there is an over-riding, almost obsessive, concern with behaviours that years earlier had not been constructed as criminal. In the United Kingdom, under New Labour, over 3,000 new crimes (Whitehead, 2008) have been introduced in tandem with a net-widening processes that have served, not only to normalise crime, but to heighten awareness of crime. Such high crime societies, according to Garland (2001: 164) promote, "...a new level of crime-consciousness, a new depth of emotional investment, and a new salience of crime in our everyday lives".

Positivistic assertions regarding straightforward causal relationships between the media and fear of crime obscure the nuanced relationship between insecurity, moral panics and fear of crime in late modernity. Walklate and Mythen (2008: 213) suggest that fear of crime cannot be separated from the broader 'tapestry' of contemporary (and non-crime) insecurities that afflict us. One perennial example of this use of specific foci as legitimate targets for societal concern is described by Hall and Jefferson (1976: 9) who suggest that fear of crime mirrors concerns about the latent threat of young people and act as a 'cornerstone' of our constructed understandings of the world around us. In short, specific groups

and their associated values and behaviours act not only as a focus for ongoing and often unarticulated insecurities, but also serve as a target for legislation and increased formal social control.

The relationship between moral concerns and fear of crime is often portrayed as a seamless relationship although, as Young (2009) (drawing on Cohen, 1965) makes explicit, there is a considerable difference between moral indignation and moral panic (the latter of which might be seen as being more pertinent to a discussion of *fear* of crime). Moral indignation results in a will to punish those who do not pose a threat to our own personal feelings of security, yet who contravene moral norms regarding lifestyles and who offend our culturally engrained ideals of self-control and discipline. The point is an important one as contemporary Western society appears to have moved from one characterised by indignation to one of panic. As Muncie (2009) shows, social historians such as Pearson (1983) have long charted concern regarding the 'anti-social' behaviour of the young, yet until recent years that concern has not been translated into legislation that can potentially criminalise such behaviours.

However, what needs to be noted here is the ambiguity regarding both the notion of fear of crime and the causes of such insecurities. Ajzenstadt (2009) in a paper exploring a moral panic in Israel surrounding single mothers on welfare provides some interesting dimensions through which to contextualise Young's (2009) ideas. Simultaneously, Ajzenstadt (2009) highlights how moral panic can focus on non-criminal behaviour and be driven, not by the power of the media, but through the impact of neo-liberalism. A similar point is made by Garland (2001) who suggests that the post-World War II adoption of an amalgamation of neo-liberal and neo-conservative philosophies (evidenced by the respective administrations of Ronald Reagan in the United States and Margaret Thatcher in the United Kingdom) lay the foundations of new types of political and popular rhetoric that increased social division, not least by denigrating welfarism. As Young (2007: 106-107) suggests when describing the spirit of the period, "...far from the welfare state ameliorating the problems of a market society, it carried the diseases of 'welfarism' and dependency". To Ajzenstadt (2009: 83-84), the moral panic served a number of key purposes. First, it sought not to punish or reform individuals, but to regulate them. Second, it focused not on criminals but those whose risk stemmed from their non-adherence to the tenets of neo-liberalism. Third,

the moral panic functioned as a means of reassuring the public through evidencing the government's ability to manage risk. Simultaneously, it served to stifle the emergence of 'counter-narratives' that highlighted the importance of division and inequality in explaining 'deviance'. Fourth, it encouraged informal public surveillance. Fifth, it promoted a new form of active citizenry that would inhibit state intervention. Sixth, these measures formed the basis of guidelines (both real and symbolic) that would influence the conduct of the public and therefore enhance regulation. Finally, the moral panic therefore represents a 'government technique' consistent with neo-liberal rationality.

Such ways of envisaging the relationship between insecurity and the state renders questionable our unerring focus on fear of crime as a manifestation of the media's power over public sentiment. Obviously, the mass media are ideally placed to act as a conduit for such state agendas, however such an idea tends to play down the power of the media in terms of creating such agendas. Similarly, Ajzenstadt's work reminds us of the usefulness of resisting the urge to disaggregate our general late modern insecurities into those merely defined by their potential to constitute a breach of the criminal law. Indeed, in the United Kingdom context, as Reiner (2007) suggests, a 'shadow' form of criminal justice has evolved under the escalation of interest in anti-social, as opposed to criminal, behaviour and has become articulated at a formal level within the 1998 Crime and Disorder Act and the 2003 Anti Social Behaviour Act. The mechanisms enacted by such legislation have led, argues Smith (2007), to the possibility of such new lower end disposals leading to more young people entering the criminal justice system and receiving harsher sentences. Such changes to legislation and policy might be seen as a possible result of public opinion. Roberts and Hough (2005), for example, document the British public's continued perception of the youth justice system as too lenient, thus indicating an ongoing concern of the behaviour of young people and the response of the criminal justice system to such behaviour. As such, we appear to see, especially in periods of populist authoritarianism, a cycle of public perception of risk being translated into policy.

Evans (2005:14) states in an article investigating media coverage of young people that, "The belief, or perhaps more accurately, the *desire* to believe, that there is an unprecedented crisis in the state of our youth appears as strong as ever, and is particularly strong in the tabloid press. Crime

and anti-social behaviour are the strongest underlying themes, but the complaints and sweeping stereotypes also include binge drinking and drugs, bad language and insolence, slovenliness, computer games, offensive music and wanton underage sexuality". Interestingly, media coverage focuses on a range of behaviour not all of which is strictly criminal and this reflects an apparent belief amongst members of the public that anti-social behaviour (as defined by government legislation) is synonymous with criminal behaviour.

As we move into eras increasingly characterised by risk, it becomes ever harder to solely explain fear of crime in terms of media reporting. Media reporting may contribute to such perceptions, but I believe it would be mistaken to believe that the media are the only, or even the main, institution contributing to such perceptions. Furthermore, to continually regress to the disaggregated notion of fear of crime leads us to place insufficient attention to the issue that untangling criminal, anti-social or even, as Ajzenstadt's (2009) work shows, 'immoral' behaviour, from wider and often un-reported concerns is often a more difficult task than is apparently assumed. Young's (2009) conception of the move from moral indignation to moral panic leads us, perhaps inescapably, to the work of Ungar (2001: 9) that suggests that societies faced with 'real life catastrophe' do not fall into moral panic. This perhaps may be taken as a timely reminder that it is perhaps the state, rather than the media, that require a perceived problem through which to mobilise control over the public.

3   THE POLICE AS COMMUNICATORS IN THE KNOWLEDGE ECONOMY

In this section, I would like to present an argument that the broader forces highlighted above are not the sole alternative to the media in terms of driving agendas regarding crime or communicating with the public regarding crime. In particular, this paper will now focus on the police and the ways in which social changes (at an institutional level) have broadened their capacity to act as communicators of knowledge regarding crime, and thus as an agency whose knowledge-based (as opposed to operational) actions may have some impact on levels of fear of crime amongst the public. Furthermore, the paper will suggest that the police not only

communicate such knowledge at a technical level but also at a cultural or symbolic level.

Leishman and Mason (2003: 38) suggest that recent history has seen a shift in the voice of the police from one that addressed local issues to one that addressed national issues and go on to propose that the Press Bureau of the Metropolitan Police, under Sir Robert Mark, assumed a 'new strategic importance'. This evolution of the police institution as a commentator on social issues was further augmented by an increasingly vocal Police Federation which, during the 1970's, began a campaign of lobbying for more stringent penal policy. As the process of politicisation within British policing has gained momentum over the last 30 years, the police have increasingly looked towards developing their resources of management and dissemination of knowledge and positioning them as key strategic tools.

In part, this growing voice of the police may relate to what Levi (2008) claimed was the ongoing trend toward auditing the performance of public sector institutions, with the resultant concentration of efforts upon developing appropriate 'account ability' (Ericson and Haggerty, 1997: 302). In essence, therefore, the police are increasingly called upon to provide accounts of their actions, resulting in a commitment to effective modes of communication with external agencies. Leishman & Mason (2003: 41) note that;

> "Promoting the police has grown remarkably in sophistication since 1919 and the 'brands' on offer have developed far beyond the simple duality of bobby and detective of the 1850s. The police now offer a range of services to the media, who can, for instance, readily access ACPO's Media Advisory Group Guidelines on topics such as policy on naming crime victims and the investigation of 'cold cases' (www.acpo. police.uk) or look up the Police Federation's website to find out where the organisation stands on a range of contemporary policing and criminal justice policy issues (www.policefederation.org.uk). The Internet provides the police with many useful opportunities to promote their activities, not least in terms of updating press releases and 'controlling the context' of such information (Dykehouse and Siegler, 2000)".

An examination of the Metropolitan Police website proves a powerful reminder that new media forms can be used by police agencies not solely as a

means of communicating with the media, but of communicating with the public. On the 22nd April 2009, the homepage of the Metropolitan Police contained, inter alia, the following headlines: "Nine arrested following clubs and vice operation", "Family convicted of human trafficking offences" and "Greenwich Police Seek Bogus Callers". Further links to webpages included one to the Counter Terrorism Campaign. This included copies of posters, one of which shows an everyday town centre scene depicting members of the public going about their lives and accompanied by the caption, "A bomb won't go off here because weeks before a shopper reported someone studying the CCTV cameras". A further link allows people to check the level of reported crime in their neighbourhood. As Leishman and Mason (2003) note, this represents the acknowledgement of the police that, in their efforts to communicate with different groups, there is a real need to move beyond the restrictions of traditional media forms and to embrace emergent and more controllable communication technologies.

The exact purpose of such communication is open, of course, to interpretation. An orthodox interpretation might view such police-led media representations as a straightforward, and transparent, means of communicating useful knowledge to the public and to the media. However, a more critical view of media such as that of Hall et al (1978) suggests that an altogether less transparent process is taking place, namely, that the police become empowered to define what constitutes and what does not constitute crime news. To Hall et al (1978: 58), "This interpretation then "commands the field" in all subsequent treatment and sets the terms of reference within which all further coverage of debate takes place". This power of the police to define the boundaries of newsworthiness has traditionally been viewed in terms that emphasise its impact through the relationship between such agencies and members of the mass media (see Chibnall, 1977). However, the advent of new technologies have facilitated a broadening of the media whereby the traditional mass media no longer have a monopoly of the resources with which to communicate with the public.

Increasingly, this reflects what Ericson and Haggerty (1997) saw as a fundamental change in the role of the police in late modernity. In societies increasingly characterised by a heightened awareness of risk, the police have adopted a new way of dealing with the fundamental issue of order. Consequently, risk has succeeded deviance in becoming the guiding paradigm of criminal justice. "Risk is", according to Ericson and Haggerty (1997: 39),

"an invention based on imagined fears and on imaginative technologies for dealing with them", thus suggesting a utilitarian shift in the focus of the moral underpinnings of our governance of order. Crucial to this step change in the moral basis of order maintenance has been the emergence not of new technologies of punishment but of surveillance. The actuarial stance demanded by the risk agenda has succeeded in acting as a catalyst for the vast growth in surveillance mechanisms and systems and, correspondingly, has impacted upon the role of the police. Ericson and Haggerty (1997: 296) describe the 'Paper Burden' of the modern police force, evidenced by the findings of the authors that some patrol sergeants estimated that 80 % of their time was taken up by administration. Such data suggest that they are correct to cast the modern police officer as a 'knowledge worker'. The combination of an increased pressure to evidence accountability in the public sector is mirrored by the related shift towards risk-based policework and has ensured that police officers are now required to generate, analyse and present various forms of knowledge within ever-changing formats.

The change towards knowledge-based police work has further reinforced the generally ignored fact that policing is;

> "...a *cultural* institution and performance, producing and communicating meaning about the nature of order, authority morality, normality, subjectivity, and the like. Policing, in other words, has to be understood as a category of thought and affect – a 'condensing symbol' (Turner 1974) that enables individuals and groups to make sense of their past, from judgements on the present, and project various imagined futures" (Loader and Mulcahy, 2003: 39).

In this respect, Loader and Mulcahy (2003) provide a case not just to explain the power that the police wield, in a technical sense, over other players in the risk landscape such as insurance companies. They also provide a sense of the symbolic power of the police, and their ability to communicate with members of the public. As such the police communicate not just in terms of quantitative data but at a fundamentally more human and abstracted level, and, as such, help inform debates over the boundaries between 'good' and 'bad' and 'high risk' and 'low risk' behaviour. Only by understanding these less explicit forms of police transmission of knowledge, can we hope to fully explore the police's power to simultaneously shape and articulate public conceptions of fear of crime.

4   CONCLUSION

Debates surrounding fear of crime, and the role of the media in promoting such insecurity, are inescapably fraught with challenges. In particular, analyses are prone to imply that both fear of crime and the media are monolithic entities that cease to be affected by wider social, political, legislative and even technological change. This is, of course, not the case. The rise of high crime societies, according to Garland (2001), signify changes to the political context of crime, the language we use to communicate about crime and the ways in which the public perceive crime. Thus, not only have the nature and characteristics of fear of crime changed over time, but so too has the social backdrop against which it is experienced. Furthermore, the politicised nature of crime control means that, increasingly, opportunities arise for the state to use their legislative powers to articulate specific issues, behaviours or groups of people as legitimate targets of disapproval as a means of assuaging vague but widespread insecurities associated with late modernity. As Heather Shore (2003) implies in her description of the 'invention' of the juvenile delinquent in nineteenth century Europe, specific issues come to be seen as problems only when legislation defines them as such, when institutions are created to deal with 'new' problems and when we start to regulate the apparent causes of such problematic behaviours. We must also recognize the influence of the police as a communicator of knowledge around issues of crime, policing and security and, therefore, as implicit in the construction of fear of crime. Recent years have seen the police re-cast their role as one of knowledge workers, and the emergence of knowledge management as a key strategic domain. However, police knowledge management is not merely concerned with the technical knowledge that is relied upon by an assortment of external bodies. Perhaps more importantly, the police remain perhaps the most adept communicator with the public on broader symbolic issues. As Loader and Mulcahy (2003) highlight, the ways in which the police 'do' policing and the ways they interact with the public (be it through service or coercion) do not just represent a means to a particular occupational end. More than this, they represent a means of communicating with the public about the power relationships and dynamics of authority that structure our social world.

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Myths about crime – What is (Un)Real in the Real World?

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1   INTRODUCTION

At the outset, two aspects of social problems in relation to crime should be mentioned. The first aspect is one which we call "moral entrepreneurs", "political activists", "social pathologists" and "complainers". These individuals are above all motivated by the desire to get the attention of the public and to warn about their problems, which are, in their opinion, real, unique and could have severe, if not fatal, consequences for society.

The second aspect is that of experts, who are primarily interested in the study of social problems as a whole and are also interested in how these problems are construed, their meaning, composition and dynamics. They see social problems as a result of collective interactions and less as individual problems. In this way, they talk about social problems which are influenced by the mass media, urbanization, group hysteria, ideology, political power and latent social forces that control the attention of the public.

The concept of "myth" has been chosen in order to explain some social definitions used for the interpretation, explanation and resolution of crime related problems. The concept of "crime myth" or "myths about crime" mirror the aforementioned definitions of the concept myth in general. Myths about crime are created on an unscientific basis, on the basis of oral history – storytelling about perpetrators, crime, judgments, and punishments. For the most part, these are sensational stories, which gain new meaning as a result of continued story-telling and, for some people, they represent the only reality about crime as well as about the life and work of offenders of criminal offences. These stories are often very different from the truth and change with every story-telling. Kappeler et al (1996) defines myth as a traditional story without an author, with a historical basis and which is used to explain an event. The presentation of events in myths is exaggerated and events are given a more important role than in real life. The connotative meaning of the myth is also found in the unscientific "study of crime", oral history and crime literature. Verbinc (1991: 458) defines myth as a word derived from the Greek meaning a fable, story or tale. Its figurative meaning is a story, which is not real, but imaginary or fictitious. Dictionary of standard Slovenian (1994: 558) defines myth as (1) a tradition or tale about the origin of the world, (unusual) natural occurrences, gods and other mythological beings: myths reflect ancient experiences of a nation; (2) literary very positive, but unrealistic

imagining of certain events, occurrences, people: to preserve, tear apart, create myths about something.

Myths about crime are the result of inventing "truths" about offenders of criminal offences and crime, as well as changes to and distortion of actual, real and important information. This can lead to social and political problems. There are numerous problems in relation to crime, police work, the work of courts and prisons and the criminal justice system in general. When myths start to spread, it is no longer important if these are actual problems or not. The perception of these problems and the capability of convincing others that these are serious problems, incite politicians to start solving these apparent problems causing concern and the need for action targeted at people (Bromley, 1979: 44). Discussions of crime problems transform them into something completely different in relation to real life. Changed, repeated and re-stated, social problems, described in mythological terms, become part of the public consciousness. Later on in the article, we will deal with the processes through which criminal events and affairs in relation to the work of the police, the courts and prisons become distorted. This distortion of reality derives from the "collective" and sometimes also from the "unconscious" (Manheim, 1936).

2   FUNCTION OF MYTHS ABOUT CRIME

Myths about crime exist in the heads of people, who believe in them; therefore, they also have certain social consequences. Myths about crime have an impact on an individual's perception. People are not necessarily aware of the fact that they influence their opinions about crime, perpetrators of criminal offences, operations of police forces, judiciary and executions of sentences. Myths offer a conceptual framework for identification and comprehension of social problems in relation to crime, they influence opinions about what is right and wrong and of the best means of resolving social problems (Kappeler et al, 1996: 3).

The organization of views on crime in respect of myths contributes to the categorization of people into artificial groups and the defining of differences between those, who respect laws, and those, who disrespect them;

between those, who fight against crime and those, who endanger the social order; between victims and offenders.

The placing of certain parts of the society into categories "of crime" contributes to a more positive self-esteem of those who consider themselves law-abiding citizens. For the majority of people it is satisfactory and beneficial to comprehend oneself as individuals, who respect and abide by the laws. The capability of living in a society, to be as little involved in conflicts as possible, to be altruistic, is considered a virtue. Durkheim (as summarized in Masters and Robertson, 1990: 27) believes crime forms the criteria for the measurement of good and bad in a society. If nobody ever did anything prohibited, everyone would be the same. There would be no bad or good people. The following statement is worth of reconsideration: "Everybody plays a role – even the worst members of the family serve as a bad example."

Undoubtedly, we can find many exemplary people in society, but Bohm's research (1986: 200) shows that 90 percent of respondents in his American study reported the commission of a transgression, for which they could have been sentenced to prison. These findings imply the moral weakness of the majority of people. Myths also support and maintain the dominant views on crime, perpetrators of criminal offences, the police, judiciary and institutions for the execution of criminal sanctions as well as strengthening reliance on defined concepts and their support (on crime, offenders and institutions which "deal" with crime).

Myths also strengthen the perception of certain actions as criminal, support prevailing practices of social control and offer basic predispositions for the incrimination of certain acts in the future. When a myth is created and accepted by the public, it becomes a foundation for the creation of new myths. Myths are often related also to the intellectual blindness of a society, which overlooks real problems and relies on the mythological presentation of reality. The set conceptual framework (i.e. myth) can limit people and prevents them from making an exact definition of the problem, to search for solutions and alternatives to socially created labels and social control practices.

Myths offer information for the creation of "the social reality of crime" (Quinney, 1970), they fill gaps in knowledge and offer answers to ques-

tions which the social sciences cannot answer exactly or clearly (Kappeler et al, 1996: 4). They are strongest in areas where science cannot provide empirical evidence and reduce the concern of the public. Myths then replace the knowledge and information necessary for the efficient operation of social control.

Let us take into consideration American society, whose values are in the process of globalization, as are other societies world-wide. It is necessary to consider the following assumption regarding the relationship between social welfare and social problems. On the one hand, American society is one of the richest and technologically most developed in the world; but on the other hand, it is troubled by poverty, unemployment and crime. From a historic point of view, the myth of the welfare state, the country of great opportunities and pathologic individuals were developed in order to "settle" the contradiction of American society and emphasize that crime is an individual occurrence. If we start from this position, then we can conclude that we do not need to fight crime at a structural level, but only have to eliminate unadjusted, dangerous individuals (Bohm, 1986: 23). This myth does not explain merely the contradictions, but also communicates, where the problem of crime lies in society, who the perpetrators are, where we should look for solutions and which are acceptable measures against those, who do not respect laws. From the point of view of the collective, myths define the reality of crime, they are the source of emotional reactions and the channelling of emotions into anti-criminal activities. A myth imperatively leads the activity and defines the type of response to crime (Fitzpatrick, 1982: 20). Not only do myths general social emotions, they also direct (negative) feelings towards those labelled and marked as criminals.

In another part of the world, in Slovenia, myths about the Roma (Gypsies) exist. Roma are, according to the myths, poor, lazy, liars, beggars and offenders, and this is consequently reflected in their public image and isolation from the rest of society. Residents of a village called Ambrus (in the Southern part of Slovenia), were neighbours of the Strojan Roma family[1],

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1   Inhabitants of Ambrus village were so enraged that they first demanded action to be taken. Because they perceived that the major, police and Ministry of the Interior reacted insufficiently, local non-Roma inhabitants took the situation into their own hands, and undertook a demonstration in front of the Roma's house and tried to demolish it. The Roma family first ran into a nearby forest. After that the police protected them

and could not stand their violent and threatening behaviour, especially the continuing criminal behaviour of two brothers from this family. The brothers brutally beat up a local non-Roma resident and caused him severe injuries. Local inhabitants decided to solve the situation and asked the Roma to leave their village. This conflict developed to such an extent that the government of the Republic of Slovenia had to take action to protect the Roma family. The stigmatization of the Roma brothers has become generalised and made many conclude that myths about gypsies are not myths at all. Myths about crime justify social measures based on an emotional reaction by offering "intelligent" reasons for views on crime, social practice and institutional reactions to crime.

3   CREATORS OF MYTHS ABOUT CRIME

The mass media, government employees, police officers and NGO's have an important role in the defining of a social problem. They are the creators of myths on crime, and the mass media are the most powerful of these. Modern means of communication have substituted the old carriers of myths. Means of mass communication are a formalized and institutionalized system for the transfer of messages. Messages are conveyed to people through modern means and technology. The traditional process of communication and spreading of myths, based on the oral history or written word, is today based above all on electronic communications. This modern communication system enables the transfer of myths to a great extent and with exceptional speed. Fifty-eight years ago, E. H. Sutherland (1950: 143) said:

> "Fear of crime is in the modern society created much faster and more efficiently above all due to the increase of publicity. Technology provides the possibilities for the creation, selection, distribution and strengthening of myths on crime. Stories, which were once limited to small social

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and transported them to a safe shelter. After few days they wanted to return to their home, but neighbours undertook another protest and tried to prevent their returning. They even organised village vigilante watches. A consensus of any kind was impossible to reach, not even after an attempt at mediation by the President of the Republic of Slovenia. The Roma family was first moved to the former Postojna military barracks. After some time the responsible authorities wanted to move the family to different locations and gave them a substitute home, but the public stopped them settling. After more than a year the authorities managed to find a proper home for the family.

groups, are now accessible to millions of people around the world. This is enabled by modern public media."

3.1   Media as the creators of myths on crime

The media select and represent interesting examples of crime for "public use". The selection of the case depends on the journalist and who decided to present the case. The selection of the case or event is conditioned also with the competitive orientation of modern media and the market value of information. With regard to this, we must mention the creation of sensations and the marketing orientation of the media. Tunnell (1992: 300) emphasizes that "news about crime" as well as coverage of new forms of crime provide entertainment, enable the functioning of the film industry and allow for the creation of profit. Fishman (1976: 535) suggests that, "Journalists do not create reports exclusively with the purpose of presenting order and justice, social problems and crime to viewers. Editors actually demand from them information, raw material, which is then organized and presented. Editors receive raw material, from which they create several stories, every day. Editors are the ones, who decide, which contents and how it will be presented to the public."

Bad news pays! A daily newspaper *Slovenske novice* has in a very short period become seen as a "bloody press". This daily newspaper uses the most notorious criminal offences and other accidents to attract readers. Crime, sadness and unhappy victims are supplemented with pictures of semi-naked women, horoscopes and advertisements. The results of a national study on newspapers reading have shown, that this daily newspaper was the most read daily in 2006 (Slovenska oglaševalska zbornica, 2007). This newspaper causes fear of crime and spreads myths about crime, states Petrovec (2003) because of a very selective representation of crime reality.

With regard to responsibility for the presentation of events, Zuckerman (1994: 64) warns that events, which become public property, demand familiarity with circumstances, comprehension of the past and explanations of relationships. The presentation of news on the television is conditioned by visual presentation and time limitations, which means that it is virtually impossible to present the circumstances of an event; there is no time to explain the importance and different views of the problem.

The media thus play an important part in the identification and creation of myths on crime and are not just unbiased reporters of criminal events. The journalistic freedom of choosing the content depends on external factors and events; therefore, the media cannot be always blamed for sensationalist reports and intentional misleading of the public. Myths about crime can be deconstructed through the acknowledgement of different points of view.

3.2   Governments as creators of myths on crime

In the creation of myths on crime, it is in the interest of the government to preserve the existing definitions of crime and to convince people that the only incriminating acts are acts endangering the order and life of people in a society. The situation is similar as regards the role of the criminal justice system, which should carry out its mission successfully; therefore, it is not appropriate to change laws or practices. It also reflects the belief that judicial practice is the only appropriate reaction to crime and disorder in a society. Kraska (1985) believes that smaller "corrections of the system" are admissible, but the government does not allow considerable changes, because it not in the best interests of control agencies and the social elite. Pepinsky and Jesilow (1985: 10) start their book, entitled *Myths that cause Crime,* with the following statement: "The sooner we recognize that justice is a business respectively unfair activity under the full protection of the state, the better for us."

Some western countries are building more and more prisons, prolonging prison sentences, reintroducing the death penalty and processing trials more quickly. This is the case also in Slovenia. The majority of these changes are based on myths about punishment and social control and also reflect the interests of the ruling classes and the criminal justice system. The government assures and protects its interests by creating myths about crimes and those who commit criminal offences. It controls, directs and conveys messages on these occurrences thus assuring itself a place among the most influential creators of myths on crimes. People sooner accept information and assess them as relevant if they are presented by a representative of the government, ministry of home affairs, than if they are presented by a representative of a NGO. Similarly, public relations representatives are qualified experts, who mediate information through consultation with the leading representatives of ministries and the gov-

ernment. The government can limit the information given to the public because of the security interests of the state; it can punish the indecency and aggressiveness of the media and, on the other hand, praise the media for the presentation of official versions of myths on crimes; it can exert enormous pressure on those, who question its myths and who doubt official crime policy (Dickson, 1968: 147).

The Slovenian public was surprised by the proposition to change the Criminal code, namely to increase length of imprisonment for selective criminal offences in October 2007. The fact that it was prepared in strict secrecy for more than a year by legal experts, predisposed the public to view it negatively. Šelih (2007) states that crime policies in Slovenia show some signs of an increasingly punitive reaction to the dangerousness and frequency of crime. This reflects an increasingly politicised sphere of crime, which reflects the mythical nature of our perceptions of crime.

The government does not merely control and direct public media, but is also a type of media itself. The government controls many publications, committees for research projects, foundations, finances radio and TV stations, which transmit messages sponsored by the government. Reporters depend on the information provided by government representatives. Information, provided to them, can also be misleading or false (Hynds, 1990: 6).

The aggressive policy of the fight against crime in the USA is demonstrated in the increasing number of police officers, the widening role of the police, the use of the three strikes and you are out principle, in the correctional ideology and the increased number of death penalties. We can conclude that the media and the government are focusing on specific social problems regardless of whether they are real or fabricated. By informing the public, the media and the government create the impression of seriousness, concern and the need to solve the problem – thus, they start creating myths about crimes. The paper will continue by presenting examples on the creation of myths and their content.

3.3   Joint creators of myths on crimes

Shows about the search for perpetrators of criminal offences are common. In the USA, TV stations broadcast several shows with such content every

day. The most famous are: Unsolved cases, FBI Alert and America's most wanted.[2] In Slovenia the only such show, entirely dedicated to crime and offenders, is a show named *Dosjeji (Files)*. Actual social problems (and crimes) are the topics of debate in shows like *Trenja (Collisions)* and *Tarča (Target)*. Anchormen of both shows skilfully discuss the different dimensions of the issue and probably decrease the possibility of creating myths about crime but over-sensitise the public. Some unsolved criminal cases are addressed in the show *Preverjeno (Checked)*. This show more often presents only one view of the case being debated and usually lots of journalistic assumptions that can positively influence the formation of myths about crime.

Presenting crimes on TV also has a discriminatory character - above all because it is limited only to certain forms of crimes: street crimes, violent crimes in urban neighbourhoods and crimes committed by males. Instead of showing the "real" picture of crime, they spread fear of crime and spread the belief that crimes are the activity of only a few "rotten apples" which must be "taken out of the basket".

4   CREATING MYTHS ABOUT CRIME

Media attention to problems and the attention of the public do not create myths on crimes per se. In general, the concern of the public is closely related with the socio-economic situation in the society. Goode and Ben-Yehuda (1994: 49) stress that fear and concern are in most cases the con-

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[2]   They have, for instance, shown a photo of a suspect, added a description and the characteristics of a suspect. A call regarding the discovery of the individual was soon reported. The police apprehended a man, whom co-workers were convinced that he fitted the description of someone suspected of paedophile offences. The man was taken to a police station, where it was established that he only partially fitted the description and that it was a mistake. He returned to his workplace from the police station, but the employer had already fired him. The reason for his discharge was the arrest and the belief of all his co-workers that they had reported the right person. Descriptions of perpetrators in such shows tend to be reliable, but it turned out in this case that people had recognised the wrong person. The individual was suspected without foundation and eventually received justice and compensation. In another case, the picture of an innocent man was published on TV, accompanied by a story about a criminal fugitive. After the broadcasters realised their mistake, they apologized publicly, but we can only imagine what impact such a report has on the reputation and life of the individual (Kappeler et al, 1996: 13).

sequences of circumstances in social life. But they are not necessarily in proportion with the actual endangerment of the individual, who is afraid of something. In order to create a myth we must assure that a certain problem causes concern among the majority of people, it has to be appropriately "packed" and processed as regards marketing, which means that it must be portrayed as an epidemic, as something resilient, which is evasive and hard to control. Only by exaggerating the scale of the problem can we preserve the appropriate level of public attention for a longer period. There are appeals for action from responsible institutions and repressive responses (institutional practice receives support from the public) and these are components of a myth that enable its full realization.

The scope of the problem is exaggerated in several ways. First, the media suddenly start to devote more attention to crime, which until that moment was not considered particularly problematic or was completely neglected (Fishman, 1976). Second, the media gather information and choose crimes which they present to the public. The design of these presentations creates the image of the crime issue, which often has no relation with the geographic, temporal or social characteristics of the phenomenon. Third, myths are also created if the media reports about criminal events in an inappropriate manner. The reporting of a certain phenomenon may have no relation to the phenomenon or the interpretation may be completely false. Fourth, there are regulations to ensure accurate reporting of crime. An example of this is the reporting concerning an individual who allegedly killed several children. The media informed the public about numerous killings of children, although only two murders, carried out by the parents of children, took place in this period. They also prepared a psychological portrait of the murderer who was presented as a degenerate sociopath with a troubled childhood, a dominant mother who was likely to be an immigrant. In this case, the media followed the idea of the stranger as a source of danger, but never allowed for the possibility that someone else could have carried out the act. The fear, instilled by false and exaggerated reporting on murders and the assumption of strangers as perpetrators, did not impact only on individuals, but also the public and organizations that rely on such forms of media.

In the Slovenian media it is often possible to perceive exaggeration in crime reporting, which sometimes offer very unbelievable accounts of crimes, offenders and even victims. One example of such unfounded fear,

created as a consequence of exaggerated reporting about crime, happened in Ljubljana in 1984, when two women were killed and rumours spread quickly causing myths about crime to emerge, especially in respect of references to Ljubljana's 'Jack the Ripper'. Later on, it transpired that much of the reporting was incorrect. Similar processes took place surrounding the crimes of the brutal serial killer Silvo Plut.[3]

Marsh (1991: 67-68) tried to establish how the media change stories or exaggerate in their presentation of problems. He established that the majority of news about crime in newspapers represented violent or sensationalistic cases. A great percentage of violent crime presented in newspapers does not reflect the statistics on these occurrences. Excessive emphasis upon violent occurrences affects the consciousness of people and impacts upon preventive activities, which are ultimately based on the prevention of violent crime. Newspapers, for the most part, support the views, explanations and values of the police regarding crime and the perpetrators of criminal offences.[4]

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[3] He was sentenced to 15 years for the murder of a woman whom he raped and brutally cut to pieces. After he was released from prison, he travelled to Serbia and Montenegro, where he committed a number of robberies and another murder. He escaped back to Slovenia, where he was arrested for robberies in Slovenia but soon he was acquitted and released because of a lack of evidence. The public in Slovenia and in Serbia and Montenegro were indignant. According to the law, Slovenia could not extradite Plut to Serbia and Montenegro, so he has been convicted in absence to 40 years of imprisonment. Soon after the conviction in absence he committed another murder in Slovenia. He abducted a couple and brutally killed the wife of a male victim who survived. He was soon arrested and he was sentenced to 30 years of imprisonment, the maximum sentence according to the Slovenian Criminal Code. Before he was transferred to prison for his crimes, he committed suicide.

[4] Bohm (1986: 205) established in a meta-analysis study on media presentation of crime that the media presented the information on crime in the following way: "TV shows about crime represent one third of the entertainment program. Information, which the public obtains while watching these shows, are such that the viewers gets the impression (1) that there are by far more murders and physical attacks that in reality and that thefts and burglaries are far less frequent than shown by crime statistics; (2) violence is presented as planned, but violence is actually and most commonly conditioned with passion, quarrels, jealousy; (3) the use of violence in police work is overly emphasized; (4) the use of prohibited police methods was allegedly always sanctioned; (5) police officers are never arrested for violating laws; and (6) police officers almost always catch the villains, most commonly in violent fights, where the positive heroes win."

Kenneth and Tunnell (1992: 295) established that 96 percent of partici-
pants in the American national review study on crime answered that they
have learned most of their knowledge about crime from the public media.
49 percent of participants agreed that the public media reported about
crime appropriately. In this period, more than 50 percent of news and
shows on crime dealt merely with violent crime. Official data on crime
reveals that only six percent of all crime was violent. 88 percent of the
individuals in their study overestimated the amount of violent criminal
offences. Barlow, Barlow and Chiricos (1995) have studied news about
crime and established that the media intensified feelings of risk and fear
of violence. Media presentation of crime was the only social reality of
crime for the majority of the population.

The inaccessibility of statistical data for the public, misleading presenta-
tions and the use of inappropriate methods for the establishment of sta-
tistical significance and trends create myths about crime. Tunnell (1992:
300) states examples of a relation between fear of crime and the pre-
sented statistical data on crime:

> "Fear of crime depends on the accessibility of statistical data on crime.
> The crime trends are usually presented in the public media by rep-
> resentatives of the police with the help of the so-called crime watch
> (occurrence of crime offences in a certain time interval: for instance
> criminal offences with signs of violence take place every 24 seconds,
> property criminal act takes place every three seconds, etc). A better way
> would be the presentation of the annual statistics under the considera-
> tion of all regional, local, geographic and cultural special features. That
> is why the media often involuntarily manipulate with the public and
> cause fear of crime."

Selective reporting and selective representation of clear up rates can be
misleading. Therefore, official statistics can show a distorted picture about
reported crimes and police efficiency in investigation of crimes.

Orcutt and Turner (1993) also discuss organized crime, which can be pre-
sented in many ways. The most common way is to exaggerate the scope
and violence related of this type of crime. Something similar happens for
all changes in crime statistics concerning certain events, when a rapid
growth of perceived (reported) crime is not necessarily the consequence

of an increase in the number of occurrences, but caused by changes in the way we generate crime data. It often happens that media presentation of two separate violent criminal offences is presented as a 'wave of violence' and that criminal offences committed by foreigners are labelled as 'organized crime'.

Fear of crime is rarely related to statistical data regarding sexual offending trends (Sutherland, 1950: 144). Fear occurs as a consequence of a smaller number of spectacularly presented criminal offences. A small number of criminal offences (two to four) are enough for the media to start talking about a wave of sexual violence. Statistics and information often mislead the public, above all when they are taken out of context and when casual links, which do not exist, are sought. Casual links, which allegedly exist between different occurrences, lead to great concern among the public. In the past, in western societies, casual links between drug abuse and numerous other social problems have emerged in relation to factors such as non-attendance of lessons, reduced productivity, increases in the number of juvenile criminal associations, corruption in the police, the spread of HIV/AIDS, and violent crime. By themselves, drugs do not yet represent a threat for the society, but when accompanying phenomena occur, the perception of the problem is the same as the perception of the cholera epidemic.

5   EXPLANATION OF THE CHARACTERISTICS OF MYTHS ABOUT CRIME

Myths about crime must have some basic features in order to be preserved, receive public support and to have an impact on institutional practice. The first condition is the labelling of crime as a threatening phenomenon, which has such characteristics that it represents a threat to the majority of the population. Just like in Greek mythology, myths about crime are also stories about success. This is a place, where the brave and honest heroes, innocent victims and evil villains, which endanger people and their highest values, meet. Kappeler et al (1996: 18) established that the following are characteristics of myths about crime: identification and direction to a certain aberrant population, a completely innocent and helpless victim, brave and honest heroes and the endangerment of accepted norms, values and traditional lifestyles.

Myths about crime are formed about vulnerable and easily recognizable groups in society or because of them. These groups can be easily distinguished from the remaining population. Differences between the majority culture and these groups are based on race, skin colour, national or ethnical affiliation. We can also talk about migrants, minorities, and different religious or political beliefs and sexual orientations. Ryan (1976: 10) claims that we present the ones, who are different, as less competent, less skilful and less experienced – in short – less human. The ancient Greeks made conclusions on the basis of the language, spoken by barbarians, characterized as wild, uncivilized, dangerous, uneducated, greedy and more bloodthirsty than beasts. Fear of minorities, strangers, cultural differences and different religious values have led to the emergence of several myths about organized crime. The birth of the "mafia myth" was based on the fear of cultural differences. The murder of the head of police in New Orleans in 1890 is an excellent example. New Orleans is a city which many Italian immigrants moved to. One night, somebody shot the head of police. While he was dying, he said two words, which sounded Italian. The police later besieged the Italian settlement and arrested numerous suspects of Italian origin. Despite the efforts of the police, not enough evidence was gathered to prosecute the suspects. Citizens of New Orleans were not satisfied with this, they went to the city prison, where the suspects were held, broke into the prison and killed all nine suspects. The lynching and labelling of Italian immigrants as different, worthy of execution provided the foundation of the myth of the American mafia (Smith, 1975). Similar labels are used also for other "groups of hatred", such as proponents of prohibition, and those who support slavery or the death penalty. Such differences between people enabled governments to prepare crime policies, make certain acts illegal or even for start wars (Kappeler et al, 1996: 19).

In Slovenia, in addition to Gypsies, immigrants from the area of former Yugoslavia are labelled as potentially dangerous and unpredictable. Their language, religion, 'unusual habits', grouping and other particularities created countless numbers of myths about Albanians, Montenegrins and Serbians.

Myths cannot exist without an environment in which such stories take place - without places, where criminal offences happen and institutions deal with offenders. Offenders are the least wanted minority in a society, although they cannot be discerned by their appearance.

The next urgent feature of the myth is that of helpless or innocent victims, who must be represented as individuals suffering an enormous misfortune. The more the innocent are affected by the event described in a mythological way, the higher the probability that they will attain public attention and cause hatred towards unwanted groups. Women, children, police officers who were killed in service, prison officers who contracted HIV/AIDS while working with convicts, businessmen who become victims of organized crime, are usually presented as fair victims attacked by immoral, evil villains. The labelling of victims, as completely innocent, results in the execution of severe criminal sanctions against the accused, while the public and punishers experience feelings of moral superiority and satisfaction. The media contribute to the social exclusion of offenders by stressing the innocence and virtues of victims.[5] This does not mean that innocent people do not become victims of violence, but it points to the media presentation of victims of violence as not being responsible for the event. The irony is that "good" and "bad", "delinquents" and "conformists" are images of the same culture, images born from the same imagination (Messner and Rosenfeld, 1994: 2).

The kidnapping and abuse of children are not offences, commonly carried out by foreigners, but by those, who are close, by people, whom children trust and care about. Myths about crime are conditioned also with the endangering of values, norms and lifestyles of the middle classes. Myths about crime and justice intertwine with religious, political and economic beliefs and opinions about sexuality to create a highly flammable mixture that affects emotional reactions to crime (Kappeler et al, 1996: 21).

Ideas about "normal" life and its endangerment also have an impact on the perception of threats to social regulation, order and institutions. The myth on crime meets the concept "moral panic", which is characterised by negative emotions against those who endanger society and moral values and creates demands for the removal of the threat. There is a misunderstanding between the perception of the danger caused by the problem and the actual threat. It is anticipated that responsible individuals in society will do "something". "Something" in this case means the increase and reinforcement of social control, more laws, longer prison sentences, more

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[5]   Who does not like it when his child or a close person is presented as a good student, popular individual or ideal boyfriend or girlfriend?

police officers, more arrests and more prisons (Goode, Ben-Yehuda, 1994: 31). If a society is lacking morale, then traditional values must be revived; if the innocent are victimized, then the logical consequence is the elimination of criminals. Policies regarding organized crime testify to this.

6   TECHNIQUES FOR THE CREATION OF MYTHS ABOUT CRIME

Creators of myths do not just reveal crime and transfer information, but also structure reality with their choice and labelling (assessment) of criminal offences. The assessment of crime is often the consequence of partiality and of a distorted presentation of events. The distortion of information is often an unwanted consequence of the process of gathering, processing and preparing information for presentation. This happens when information is prepared, rewritten and finalized by representatives of the government, NGO's and the media. Research about the news media, show that the false and distorted presentation of information is not unusual (Tunnell, 1992; Bohm, 1986). The choice of a criminal event to be presented to the public most often depends on the reporter and his perception of the problem. Journalistic reports rarely reflect direct reporting or actual observation. Crime reporting generally relies upon second-hand information, gathered from eyewitnesses or official persons.

In the study of myths we must also consider the perception processes, namely the listening and performing of the interview. Conversations with eyewitnesses of an event or crime victims are often biased. Reporters usually do not ask the right questions and leave out key questions. Frequently, the pursuit of sensation is at the forefront and the news itself is the subject of competition between journalists, who are increasingly controlled by the market value of information. An unskilled observer or reporter journalist, motivated by the competitive orientation of modern public media, focuses more on the end product than on the act itself. Decisions and reports about the event can thus be determined even before all necessary information about the event has been gathered. If we consider the journalist's choice of event, then we must be aware that a journalist must pick a case which can be presented in a way that the users – readers, viewers, listeners and users of the internet - will accept.

In the process of preparation of material for distribution or presentation, many disturbing factors appear which can completely change a journalist's story. First is selective memory. Forgotten statements or observations can be supplemented later and the consequence is a completely different story. The journalist prepares the basic concept, which he submits to the editor for refinement. The editor can change (adapt) the story with regard to the time available for the presentation of the story, space for the publication of the article in newspapers and the sale value of certain information. Public and editorial ideology may have an impact upon decisions about what will be submitted and how. Editorial decisions are always in compliance with the recommendations of the journalist. The selection of stories for publication in a newspaper or presentation on the TV is often also based on the prior orders of the editors. Fishman (1976: 536) claims that the selection of news on the basis of selected topics represents an ideological production of news about crime. This procedure demands that the story or case is presented outside the real context and acquires a new symbolic meaning. The value of news depends on the topic, which could mean that the attention awarded to one problem could be too big, exceeds its importance and is not placed within an appropriate perspective; it can be based on a theory, which does not have a special meaning and relationship with the event itself in the given conditions. Therefore, a certain type of behaviour becomes "serious crime", not because it was perceived as such in the real life, but because it is presented as such by those, who create and produce news.

Nonetheless, we must also consider the selective observation and memory gaps of listeners, readers and viewers of news on crime in the presentation of news. The majority would like to remember only the most unusual or worrying parts and leave out the other, less striking, pieces of information. Since myths about crime do not have a long life span, myth creators soon divert their attention to new topics, which are more alluring for the public and can thus be sold better. Techniques for the manipulation of information are also used in the creation of myths. Hynds (1990: 5) represents techniques for the creation of myths about crime, which are used for propaganda purposes. Propaganda is an activity based on the intentional distortion and manipulation of information for mass communication. The majority of myths about crime were thus formed with the use of propaganda techniques. Every journalist has the possibility of selecting an event, and presenting the contents as he or she desires. He can

add or omit parts of information, use a variety of sources, and use different adjectives. The use of adjectives in the description of an event has an enormous impact on the assessment of the event and for the subsequent reaction against perpetrators. The most common techniques, used for the creation of myths about crime, are: creation of stereotypes of offenders, the presentation of opinion as fact, positivistic confirmation of opinion, use of terminology which includes value judgments, selective presentation of facts, information management, referral to authorities without argument, presentation of the fact without appropriate circumstances and selective interviews.

- ***Creation of stereotypes on offenders of criminal offences*** – this practice incorporates the presentation of crime as a one-dimensional and non-dynamic phenomenon. Phrases like "street crime", "crime to the detriment of the elderly", "organized crime" and "child kidnapping" are categories used by the media. The use of phrases, which designate stereotypes, affect the comprehension of crime as a problem of one part of society and not as a changing phenomenon, which depends on social conditions. For instance, organized crime incorporates the message about the well-organized and structured criminal activities of foreigners which endanger the state and the public.
- ***Presentation of opinion as fact*** – this practice includes the presentation of personal opinion in the media as a fact. Phrases used in this sense include: "The police did everything to prevent the wave of violence" and "the community is in a state of panic due to the increase in the number of attacks on elderly people".
- ***Positivistic confirmation of opinions*** – this activity includes the gathering of information which confirms someone's opinion about perpetrators of criminal offences, crime, and the work of the police forces, the judiciary and prisons. A journalist for instance, selects for interlocutors people, who suit his concept. He thus creates an image about the problem and submits it to the public.
- ***Terminology containing value judgments*** – serves for the labelling of perpetrators or victims of criminal offences. The following phrases are used: "The murderer set an ambush for the helpless victim", "crime family" and "crime association, which is stalking its victims".
- ***Selective presentation of facts*** – this form shows itself in the biased presentation of the problem. In the event of kidnappings of children,

they first state how many children were kidnapped, but they do not mention the fact that the majority of missing are runaways.

- *Managing information* – in the process of gathering information, the editor gathers alluring, sensationalist cases, which are more interesting for readers and refer more to serial killings, kidnappings of children, violent husbands and not as much to business crime, insurance fraud and other forms of crime, which official clerks censor.
- *Undocumented referral to authority* – questionable references, which include statements such as: "many police officers think", "many people support the idea of the death penalty" without an appropriate quotation of the source or proof about what someone actually thinks, speaks, supports or what "many" means. This is misleading the public with the help of indemonstrable sources.
- *Presentation of facts without stating appropriate circumstances* – this is a form of "hypothetic explanation" of the problem. For instance, the discussion on the problem of drugs is followed by the discussion on unjustified non-attendance of lessons, which points to the conclusion that the increased drug abuse is responsible for non-attendance.
- *Selective interviews* – performing of interviews with experts on the key issue, and for the opinions of one or two criminology experts to be presented as those of the entire professional public.

7   CONCLUDING REMARKS

It is difficult to talk about traditional or standard myths about crime. Myths are conditioned with criminal events and do not develop if there are not enough people to contribute to changing the actual story into a myth. Myths about crime are unique and are the result of social, political and economic conditions in a certain time and space. The public must be prepared to accept the myth as a truth. A criminal event, which has the potential to turn into a myth, can develop in one moment and not in the other. Myths about crime are thus formed in specific conditions, which are more or less favourable for their development. Creators of myths are different and show themselves in different ways. Sometimes, the leading creator of myths is the government, at other times it is the media, which respond to the myths of the government or NGO's, but most often the media create the myth themselves. Myths about crime differ with regard

to intention and consequences. Some myths result in the criminalization and stigmatization of certain forms of behaviour, while others die away without social and political consequences. Some myths serve the interests of the leading groups in society or the functioning of society in general, while some myths have no special function. The uniqueness of myths as regards origin, discovery, creation and consequences is difficult to investigate using common criminological research methods. There is also no universal model or recipe for the studying of myths about crime. Every myth about crime, perpetrators, justice and institutions for the execution of criminal sanctions demands individual study. This also demands from experts a lot of knowledge and familiarity with social conditions. Studying myths on crime is a special challenge for criminology experts as information on crime can be understood in several ways. The question about how to report crime without causing unwanted side-effects demands further analyses of media reports on crime.

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The role of the media
in generating insecurities
and influencing perceptions
of cybercrime

David S. Wall

1   INTRODUCTION

All too often claims about the prevalence of cybercrimes lack clarification as to what it is that is particularly 'cyber' about them. Indeed, when so-called cases of cybercrime come to court they often have the familiar ring of the 'traditional' rather than the 'cyber' about them. These offences typically comprise internet fraud, theft, pornography and paedophilia which are already covered by existing criminal codes. Perhaps more confusing is the contrast between the many hundreds of thousands of incidents that are reported by the cyber-security industry each year and the relatively small number of known prosecutions. Is this low prosecution rate - to paraphrase Donald Rumsfeld the former US Secretary of Defence (Barone, 2004) - evidence of the absence of cybercrime, or is it a simply case of the absence of evidence? Or, to follow with another Rumsfeldism, are we fully aware of cybercrime's 'unknown unknowns'? So, do we accept the given statistics, or should we be asking more fundamental and critical questions about what cybercrimes are? These contrasting positions of high reporting versus low prosecutions expose a large gap in our understanding of cybercrimes and beg many important questions about the quality of the production of criminological knowledge about cybercrimes. These questions fall into two groups.

The first group of questions challenge the reliability of the informational sources that mould public opinion and therefore expectations of the prevalence of cybercrime. Is the low prosecution rate actually *evidence of its absence,* or has the cybercrime issue simply been blown up out of all proportion by the media? Has, for example, the media news gathering process sensationalised cybercrime to such a point that a few novel and dramatic events can give the appearance of an apparent (cyber)crime wave? Alternatively, could we be witnessing a deliberately calculated attempt to peddle fear, uncertainty and doubt by the cyber-security industry to propagate their monopoly – governance through fear of (cyber)crime!

In contrast to the first, the second group of questions enquire whether the low prosecution rate might simply represent the *absence of evidence* of cybercrime. Could it be the case that the criminal justice processes are simply woefully inefficient at bringing wrongdoers to justice? Indeed, can we realistically expect two hundred year old criminal justice processes that were designed to counter the social effects of urban migration to re-

spond to an entirely new set of globalized 'virtual' problems? Alternatively could it be the case that we do not quite understand what the evidence is and that we are failing to understand the epistemological differences between the various legal, academic, expert and popular (lay) constructions of cybercrime.

This paper explores the various roles of the media in shaping the conceptualisation of cybercrime before identifying tensions in the production of criminological knowledge about it that frequently confuse rhetoric with reality. The paper then questions some of the mythologies surrounding cybercrime before comparing them with what is actually going on. Not only does this approach facilitate an understanding of existing public concerns about cybercrimes, but it may also explain the reassurance gap that has opened between public demands for internet security and its provision. The final part looks at the various challenges that cybercrimes pose for criminal justice and at how an application of the digital realism of cybercrime and policing cybercrime can contribute to closing the reassurance gap.

2   THE CYBERCRIME CONUNDRUM AND THE "CULTURE OF FEAR"

In September 2007 a BBC article covered a recent report by the cyber-security group Symantec which found that "212,101 new threats [of computer misuse] were reported during the first six months of 2007… a 185% increase over the previous six months" (BBC, 2007a). This finding continues a line of reporting that goes back a number of years, namely that the prevalence of cybercrime is very high. As a consequence of such revelations both media and public expectations of the existence of cyber crime are high. But, as indicated earlier, this expectation contrasts dramatically with the experience of cybercrime within the criminal justice system. In the UK there have only been about 200 prosecutions under the Computer Misuse Act 1990 since it was introduced about 16 years ago (see Hansard, 26 March 2002: column WA35; Wall, 2007: 54). This conundrum needs to be resolved. So, in answer to the questions posed earlier as to whether the disparity was evidence of the absence of cybercrime, or the absence of evidence, or a lack of understanding of what the evidence is, it will be

argued that the answer will contain elements of all three. Not only have our expectations been shaped by the conceptual construction of cybercrime, but there is also a common misunderstanding of it because our experiences have been shaped by conventional understandings of crime. Cybercrimes certainly do exist, but mainly outside the lay imagination and also the culture and understanding of the conventional criminal justice system. To develop this latter argument we must look at the phenomenon of cybercrime in greater detail.

The term 'cybercrime' is widely used today to describe the crimes or harms that result from opportunities created by networked technologies. Its origins lie in science fiction forums, novels and films which linked 'cyberspace' with 'crime' to describe crimes occurring in virtual environments. The term cyberspace, for example, was initially coined by William Gibson in his 1982 article 'Burning Chrome' (1982) which was published in *Omni Magazine*, a science fiction meets science forum that existed for twenty years between 1978 and 1998. The concept of cyberspace and virtual environments subsequently evolved through a range of *cyberpunk science fiction novels,* of which the most well known are probably Gibson's *Neuromancer* (1984), Stephenson's *Snowcrash* (1992) and Sterling's *Mirrorshades: The Cyberpunk Anthology* (1988) of short stories by Gibson and others. The linkage between 'cyberspace' and crime was always explicit because the cyberpunk 'hi-tech–low-life' theme framed most contemporary dramatic fiction narratives, even though the actual term 'cybercrime' seems to have emerged in either the late 1980s or even early 1990s in the later cyberpunk novels and comic books such as *Dark Avenger*, one of many of its genre. It is likely that the term 'cybercriminal' was probably used before 'cybercrime' (see further Wall, 2008b: 864). [Please note that the examples of books and films mentioned here and below are representative and not exhaustive.]

Cyberpunk became a very popular genre within the social science fiction community, but its audience was nevertheless relatively small and cliquish. The cultural fusion of cyberspace and crime into mainstream popular culture was largely due to the cultural impact of the second and third of three distinct generations of hacker films into which some of the cyberpunk ideas dripped. Whereas the first generation hacker movies were defined by a "hack" into an infrastructural system by a maniacal or comical individual, for example as in the *Italian Job,* 1969; *Die Hard,*

1988, the second generation of hacker films were defined by, and romanticised, the gender specific (male) "hacker". Of this genre, *War Games*, 1983 was probably the most influential. The later second generation films shifted the focus of the narrative from portraying hacks across communications networks to hacks within virtual environments. The hackers were still young, but less gender specific and less likely to adopt a moral high ground than in earlier films. The later second generation films were typified by the likes of *Johnny Mnemonic*, 1995. The third generation of hacker films linked the hacker and the hack within a virtual environment. They were epitomised by *The Matrix*, 1999 and its sequels and derivatives. The images and the conceptual links established by the hacker movies between youth, cyberspace and crime were subsequently reproduced in the many 'hacksploitation' TV movies, TV programmes, comic books, video games, novels that followed the popularisation of the hacker as a fiction genre. The significance of these various sources of visual, sound and textual imagery is that the "contemporary movie and media imagery subconsciously orders the line between fact and fiction" (Furedi, 2002) and these 'factional' images (fact and fiction) have crystallized 'the hacker' offender stereotype as the archetypal 'cybercriminal'" (see further Wall, 2007: 16; 2008b: 863-866).

The impacts of these 'factional' images are intensified by contemporary cultural reactions to technological change which combine to distort expectations of cybercrime. The dramatic exposition of the extra-human power that technology can bestow upon individuals and the social change it can create for both good and bad has long been a popular theme for both authors and readers. In the aftermath of social and geographical upheaval caused by the technological innovations of the industrial revolution, the late Victorian science fiction novels of H.G. Wells and others often described worlds transformed and threatened by dystopic new technologies. This literary tradition has continued through to the present day through the works of Brian Aldiss, Aldous Huxley and contemporaries. Interweaved with science fiction was the social science fiction novel, of which the classic was Orwell's dystopic *1984. 1984* combined social theory with concern over recent real life events and the potential perils of technological change (see further Wall, 2008b: 863-866).

These creative works symbolised a cultural reaction to contemporary technological change which also framed the social science response. Toffler's

Futureshock (1973), for example, showed how a fear of the future rears its head whenever a society experiences a significant period of technological transformation. Furedi (2002) and others have observed that a *culture of fear* arises as a by-product of technologically driven change. A series of cultural processes instil into individuals an overstated, even ideological, fear of risk that results in exaggerated expectations of crime and danger - regardless of whether any actually exist. Garland expresses a not dissimilar phenomenon in his 'crime complex', which is a form of public anxiety about crime that has become the norm and now frames our every-day lives (Garland, 2000: 367). In such a manner, relatively minor events can have significant impacts upon public beliefs compared with their actual consequences, especially when they result in panics and moral panics (on moral issues) (Cohen, 2002; Garland, 2008).

These cultural processes and interpretations of technological change contribute to the widening of the *reassurance gap* (paraphrasing Innes, 2004) between the overall level of perceived threats and the perceived lack of provision of security, as is displayed so graphically by the cybercrime conundrum illustrated earlier. The need for reassurance is typically expressed in terms of demands for more "police" action which, of course, the public police cannot give because for a range of cultural reasons outlined later and the more pragmatic fact that police funding models are usually determined by routine activities based upon the 170+ year old Peelian model of policing dangerousness (Wall, 2008b: 863-866).

3   RHETORIC V. REALITY - MYTH AND CONFUSION IN THE CONSTRUCTION OF CYBERFEAR

The main argument being made here is that the early science fiction driven conceptualisations of cybercrimes have shaped our expectations of them to be dramatic, futuristic and potentially dystopic. These expectations have, in turn, contributed to degrees of distortion in the reporting of incidents relating to cybercrime which have subsequent contributed to the distortion of public fear about cybercrime. News reporting tends to feed, and also feed off, the public's lust for 'shocking' information and this continual demand for news streams has sustained the confusion of rhetoric with reality - what Baudrillard called "the dizzying whirl of real-

ity", (1998: 34). By blurring predictions about 'what could happen' with 'what actually is happening' the impression is given to consumers of news that novel cybercrime events are far more prevalent than they really are. As in the terrestrial world, a 'signal event', an occurrence that captures the media's attention and heightens existing public anxieties, can artificially increase levels of public fear about cybercrime and subsequently have significant impacts upon levels of public perception and fear about the nature and size of the problem. In this way 'signal events' also contribute to the creation, sustenance and circulation of a range of folk myths about the internet. Myths which have, during the past two decades, become widespread and still prevail regardless of whether or not any factual basis that may have originally contributed to their creation still exist. Not only do they perpetuate the culture of fear about cybercrime and continue to shape responses to it, but their presence also distorts our understanding of, and even blinds us towards, a new range of threats that are emerging in their place. Below are listed some popular myths along with responses and also some of the new issues that are emerging.

- *Cyberspace is criminogenic - the internet is unsafe and cybercrime is everywhere.*

Activities within cyberspace will always carry risks, as they do in the terrestrial world, and as in the terrestrial world, such risks have to be identified and remedied. At a personal level the installation of a good quality security product and wise use of the internet will reduce risk to an acceptable level for most. Yet, because of the culture of fear there always remains the underlying concern, the nagging doubt that hackers can still make planes fall from the sky and interfere disastrously with aspects of the critical infrastructure. Yet, there are few examples and most are minor, perhaps due to longstanding critical incident management plans that leave very few aspects (if any) of critical infrastructure connected directly to the internet (SCADA system excluded, Leyden, 2008). If they are connected, then this is extremely problematic, if not negligent.

- *The myth of the omnipotent super-hacker*

Another common myth circulating is that hackers can get anywhere online. Whilst, the old-school hackers were noted for their expert knowledge of the workings of communications systems, it is nevertheless the case that at their height in the 1980s and 1990s overall levels of computer security were much lower than they are today. It was not uncommon,

for example, to find systems with a default user identity of 'Admin' being accompanied by the password 'Admin'. Where security was tighter, the majority of deep level penetration was and still is largely the result of 'social engineering' - persuading those in low level occupations within an organisation to reveal their legitimate access codes. The disgruntled insider within a system, is arguably more problematic than the 'outsider', the criminal 'other'.

Old style hacking, as characterised by the specialised and skilful penetration of computer systems, still exists and significant examples do occur (eg. Zetter, 2009; Goodin, 2009) and graphically illustrate vulnerabilities, however, they are still fairly rare in relation to the considerable volume and range of daily online transactions. However, old style hacking, has largely been replaced in recent years by a new style of automated hacking which casts a wide net for victims by using malicious software (Trojans) that installs remote administration software, key-stroke loggers and spyware. The Trojans are installed via spam attachments, deceptive emails and from fake www sites, many of which have been sent out from infected and remotely administered computers - see the example of 'Operation Bot Roast' mentioned later.

- *Hackers can take over your identity.*

Identity theft and account take-over is of great concern to many, though it is mostly related to collecting information as a precursor to credit card fraud rather than what we conventionally understand as hacking. Having said that, once the impact of ID theft moves beyond the bank's credit card guarantee it can become extremely invasive to individual victims. Identity theft is often the result of Phishing and its variants, which are fake emails purporting to be from banks asking for personal information. The major public concern about identity theft is whether individuals will be defrauded and whether or not their financial reputation will be damaged after an attack. There is also concern about when will the fraudsters strike, because once personal information has been obtained, the fraud could occur at some time in the future (sleeper fraud). Also, when a fraud does take place then how can the victim's financial reputation be wholly restored.

To confuse the rather normative debate over ID theft, the economic viability of Phishing as an activity and therefore its impact has been recently questioned (Herley and Florencio, 2008), plus empirical research on vic-

tims by Javelin found that stolen wallets (43 %) rather than hacks (11 %) were the main cause of ID theft that resulted in fraud (Javelin, 2009; Poulsen, 2009). To add to this confusion recent data losses in the UK have illustrated that it is human failings and not technology where the more significant risks relating to identity theft may be located. The main current area of concern about infrastructure is not hackers or even phishers, but the accidental release or even purposeful theft of vast amounts of critical information concentrated in one source (database). Whilst there appears little evidence that these losses of information are malicious or even result in criminal exploitation (though it may still be early days of course), their main impact has been the erosion of trust in commercial and governmental systems - highlighting the importance of informational protection policies. The recent information losses also raise important questions about the value of privacy and question the integrity of security policies when critical functions are increasingly being outsourced, especially the security of public data when it is shared across and between the various public and private sectors. This was the case in November 2007, when CD-ROM disks containing the personal information of 25 million child benefit claimants were lost in transit from one public agency to another (BBC, 2007b). From then until now many other instances of commercial, governmental and military data loss have been declared.

• *Criminals are anonymous and cannot be tracked.*
Whilst it is true that individuals can hide their true identities online, as they can in the physical world, one of the more stunning and frequently overlooked features about networked technologies is that every move online can be tracked and the 'mouse droppings' as they are called, leave a data trail behind. We are actually witnessing the "disappearance of disappearance" because we cannot hide any more, only disguise our immediate identity. Even our online behaviour patterns leave 'signatures' that can be traced with the right technology. The issue is therefore not anonymity, but one of having the human and technological resources available to follow the digital trail.

• *(Cyber)Criminals go unpunished.*
The computer misuse prosecutions presented earlier would appear to support the view that cyber-criminals largely go unpunished, but this is arguably a view that is shaped by the (false) assumption that there are high levels of victimisation. It is also the case that low reporting-to-pros-

ecution rates are to be found with nearly all aspects of crime, terrestrial or online. It is important to note here that the Computer Misuse Act 1990 was initially meant to be stop-gap legislation to catch computer related offences not caught by the main areas of criminal law. As a consequence some types internet offending may be prosecuted under other bodies of law, especially frauds, although research into offences reported to the police by the public found very few related to the internet (see Wall, 2007: 164). Furthermore, not only is the nature of cybercrime victimisation considerably different (see later) because there are more of them and over a broader area, but there are also relatively fewer offenders than at first appears because the technologies give criminals a wider reach.

• Hackers have become part of organised crime
The link between hackers and organised crime has long been alleged, but it has always lacked conclusive proof. It is a link that is hindered by differences in understandings and interpretations of organised crime. Legal definitions, for example, can range from three to four individuals temporarily working together to commit a crime, to international 'mafia' organisations with clearly defined lines of command and control - cyberpunk meets *The Godfather*. Predictably, the terminology of internet mafia, digital mafia, or hi-tech crimes gangs is frequently used to invoke imagery of the latter rather than the former (see Lewis 2007; Ward 2008).

In her study of organised criminal activity on the internet, Brenner predicted that organised cybercrime would more likely manifest itself in 'transient, lateral and fluid' forms, as networks of criminals (Brenner 2002: 1) rather than replicate the 'gang' and hierarchical American 'Mafia' models of organised criminal activity found offline in the terrestrial world. Mainly because crime organisations evolved largely in response to real world opportunities and constraints that are largely absent in cyberspace. In support of Brenner's 2002 prediction, there have since been a number of examples of the emergence of new forms of online criminal organisation, but they differ greatly from the mafia model.

The first example was the finding in 2004 by a German Magazine C'T, following the botnet explosion in 2003/04 that virus writers had been selling the IP addresses of computers infected with their remote administration Trojans to spammers (C'T, 2004). The second example occurred in June 2005 when the National Infrastructure Security Coordination Centre

(NISCC) warned users about 'a highly sophisticated hightech gang' reputed to be located in the far-East using various means, including botnets, to infect sensitive computer systems to steal government and business secrets (NISCC, 2005; Warren, 2005). A further example is 'Operation Firewall' which led to the investigation and prosecution of 'shadowcrew', an international identity theft network which hosted online forums that shared information about stealing, trading and selling personal information that could be used to commit frauds. The various reports of the investigation and prosecution illustrate how different the groups were in terms of their networked organisation. The head of e-crime at SOCA observed that the Shadowcrew worked 'remotely, without ever needing to meet', which is 'typical of how the new e-crime networks operate compared to the old-style "top down" organised crime groups' (Rodgers, 2007). These groups have a very detailed division of labour with specific skill sets rather than the 'usual pyramid structure'. One person would provide the documents, 'another would buy credit card details, another would create identities while another would provide the drop address' (Rodgers, 2007). Together both examples detail the relatively new forms of networked criminal organisation that depart from traditional thinking about hierarchically organised crime.

The key difference between cybercrime and traditional crime is its networked structure and global reach (see BBC, 2007c; Goodin, 2007a, b). See the description of 'third generation of cybercrime' later in this article for a description of tactics and methods. Cybercrime is increasingly becoming 'Wikicrime' (for want of a better description) as its organisation follows a Wiki model of online collaborations rather than the 'command and control' Mafia model that is assumed by many. In many ways cybercrimes, by their very informational, networked and global nature, go against the very grain of the traditional model of organised crime.

- *The internet corrupts normally law abiding individuals who use the internet.*
The internet certainly broadens internet users' life experience and exposes them to a range of social activity that may fall outside the confines of their everyday life. But the evidence of moral usage that does exist suggests that the greater majority of individuals tend to take their social values with them online. We can see the expression of these values operating in the many online reputation management systems that are becoming the

back bone of internet regulation. If you consider the sheer number of users and the volume of transactions that take place on it, then the internet is remarkably ordered.

The danger of myths triumphing over reason was succinctly described by Trevor-Roper: "... myths are not like truths: they are the triumph of credulity over evidence; there is a minimum of evidence with which it must comply, if it is to live; but once lip service has been paid to that undeniable minimum, the human mind is free to indulge its own capacity for self-deception" (Trevor-Roper, 1972: 259). Whilst Trevor-Roper was describing here the deliberate creation and manipulation of myths for malicious reasons by the Nazis, his observation about their effects is still very pertinent and reminds us how hard myths are to dissipate. In an information age in which technological development and its associated thinking changes very quickly we have to continually subject our conventional wisdoms to critical appraisal. What was an acceptable position, say, two years ago may have changed by the present time. Understanding change as it happens around us requires new forms of methodological thinking and is a challenge to be faced.

4   TENSIONS IN THE PRODUCTION OF CRIMINOLOGICAL KNOWLEDGE ABOUT CYBERCRIMES

One of the reasons for the persistence of internet myths is the existence of a number of conflicts that distorts the production of knowledge about cybercrimes. Already described are the origins of the term cybercrimes and their influences upon the public reaction to the changes they symbolize, below are the main tensions that exist in the production of knowledge about cybercrimes which currently impede our understanding of them:

• *Multiple discourses – legislative/ academic/ expert/ popular.*
Cybercrime means different things to different people so it is viewed in different ways for different purposes. Contemporary debates encompass a range of legal/ administrative: academic criminological and general academic; expert and the popular/ lay discourses that have led to some very different epistemological constructions of cybercrime. The *legal/administrative* discourse, for example, defines what is supposed to

happen by establishing and clarifying the rules that identify boundaries of acceptable and unacceptable behaviour, whereas the *criminological and general academic* discourse provides an informed analysis about what has happened, and why. Both contrast with *the expert* discourse which identifies what is actually happening and, from their perspective, what tactical solutions might be applied. More generally is *the popular lay* discourse which reflects what the person on the street thinks is happening.

- *Lack of reliable statistics / the disintermediation of reliable information.*

Just as the networking of information has disintermediated the reporting of news, because editors no longer exercise the levels of control over the news process that they once did, then so has it also disintermediated the ways that statistics about cybercrime are collected – perhaps more so. Without commonly applied standards there are arguably fewer checks on the quality of information and mis-information can be circulated. Not only are there disagreements about what constitutes cybercrime and therefore what is included in statistical compilations, but there are also no reliable centralised collection points, such as the police or courts. The main statistical sources tend to be the cybercrime security industry which has an interest in perpetuating the illusion of high levels of crime - to which end Rosenberger (2001) rather cynically stated: "[w]ould umbrella manufacturers predict good weather?" However, these statistics do exist and are often all that we have to work with. Therefore if we understand what the industry statistics represent, their limitations and how they were collected, then we can use them within that context. The "212,101" threats mentioned earlier in the cyber-co-nundrum (BBC, 2007a) is a very useful case in point. These data do not actually represent reports by net users of their victimisation. They are, in fact, infringements of scientific rules (not law) which are automatically reported back to the corporate mothership by proprietary brands of security software and then recorded on a database. If they are used to indicate levels of offending they are misleading, however, those same statistics may be of use when seeking to understand, for example, levels of potential online risk and for identifying change over a period of time. A major project for the future is to work out ways of using this data to indicate change as it is happening, rather than wait for it to happen as has been the traditional approach.

- Under-reporting by individual and victims.

Following on from the above point, some of the automatically reported threats mentioned earlier will, of course, eventually result in actual victimisations, for example, when personal information sifted by Trojans is eventually used to defraud the owner of the data. Yet there exist a number of distinct reasons why these offences remain under-reported. Individuals may be embarrassed to report their victimisation, or their loss may be small. Else the dangers posed may not be immediately evident, or not regarded as serious by the victim, or the loss may genuinely not be serious. Alternatively, it may be the case, as with credit card frauds, that police refer reportees back to their banks who are viewed as the real victims. Where the victims are corporate entities, such as banks, reporting losses may expose a commercial weakness and threaten their business model, which raises clear conflicts between the private v. public justice interest in the policing of cybercrimes.

Another explanation for under-reporting is that the consequences of being victimised may not be immediately apparent to the victims. For example, computer integrity cybercrimes such as hacking or identity theft are often precursors for more serious offending. The information gathered may later be used against the owner, or crackers may use remote administration Trojans to control the computers of others. Similarly, computer-related cybercrimes, such as internet scams, may seem individually minor in impact to each victim, but serious by nature of their sheer volume. Finally, computer-content crime may seem less significant because it is informational, but it may nevertheless be extremely personal or politically offensive, or could even subsequently contribute to the incitement of violence or prejudicial actions.

- *Low levels of knowledge about offenders.*

Because few cybercrimes are reported, relatively little is known about the profiles of offenders, especially those who commit the small-impact, bulk impact victimisations. Though, these profiles are being compiled as offenders get identified and apprehended. What is emerging, however, is that there are fewer offenders than anticipated. This is partly because of the over-anticipation of the problem (the subject of this paper) and partly because networked technologies gives offenders such a global reach.

- *Jurisdictionality a) definitions b) degrees of co-operation.*
Disparities in legal coding across jurisdictions can frustrate law enforcement efforts, despite attempts by the likes of the Council of Europe Cybercrime convention to harmonize laws (COE, 2001; 2003). Pan-jurisdictional idiosyncracies in legal process can also interfere with levels of inter-jurisdictional police cooperation.

- *Low level of public knowledge about risks.*
Because of the conflicting information and overall lack of public knowledge about the real risks of cybercrimes, those who are not discouraged from going online are often unable to make informed choices about the risks that they may face, especially where the threat is new. Yet, once a pattern of victimisations does begin to take place then knowledge about them does flow by 'word of mouse'. Because the window of opportunity is small, cyber criminals exploit novel events (see the progression from Phishing to Smishing to Vishing described later).

- *Lack of common definitions of cybercrimes.*
Despite there being a fairly common agreement that cybercrimes exist, there is a lack of consensus as to what they actually are, which enables confusion to thrive.

The above tensions in the production of knowledge about cybercrime cause media reportage to be focused upon the dramatic and, as stated earlier, we see a rise in the importance of the 'signal event'. A useful example of such an event was cyber-stalking, which became a matter of major concern a few years ago after news reports sparked of a viral flow of information across the 'blogosphere' to created a minor panic that, without any firm evidence, sparked off demands for legislative reform. Such concerns continue to be expressed today because cyber-stalking debates have become mixed with the debates over internet grooming and more general concerns over online vulnerability. A powerful recent example of the power of viral information flows across the blogosphere was the Northern Rock financial panic in September 2007. Queues of savers making withdrawals grew despite assurances being given to savers by the UK Government that their savings were safe. This example shows that once information results in social action it is then hard to stop it.

5   WHAT IS GOING ON THE REALITY OF INTERNET REALITY AND TRANSFORMATION OF CRIMINAL BEHAVIOUR

The reality of the reality of the internet as opposed to the assumed reality (with 'reality' being "the state of things as they actually exist" - Oxford Dictionary) is that network technologies have transformed crime in the following distinctly different and profound ways.

- *Networked technologies have contributed to the reorganisation of criminal labour online.*

Criminal labour, like labour in the traditional work process, has become prone to rationalisation in order to make it more efficient and effective. In most modern industrial, administrative and creative processes work is constantly reorganised into basic component tasks which, wherever possible, are automated. One of the impacts of this rationalisation of work through automation is that the work becomes deskilled (Braverman, 1976). Although Braverman was mainly concerned about the degradation of work in the manufacturing process, the deskilling hypothesis has become a very useful concept for understanding the impact of new information technologies upon the organisation of work. What is different in the 2000s, in an expanding information age, is that deskilling is also accompanied by significant reskilling of individuals who, through entirely computerised processes can control a whole process themselves, including a complete criminal process. A good example of this transformation is to imagine the complexities of organising a €50million bank robbery, then comparing it with the organisation of 50 million €1 thefts. The €50million bank robbery requires much organisation and takes place at very high risk to the participants for a relatively low return on investment. The 50 million online €1 thefts, however, take place at much low risk to the perpetrators and have a much higher return on investment. Furthermore, one person can theoretically control the whole process, which reduces the amount of criminal intelligence leaking about the offending.

Two very recent events emphasise the scale of this transformation in criminal labour. In November 2007, the US FBI's anti-botnet crime initiative, 'Operation Bot Roast', broke up botnets that exploited up to 2 million infected computers. An FBI report on this initiative claims that more that $20 million in losses were reported by victims (Goodin, 2007a). As part

of 'Operation Bot Roast', the New Zealand police questioned a teenager, known as 'Akill' who was thought to be the ringleader of an international cyber-crime group alleged to have infected more than one million computers and stolen millions of dollars from people's bank accounts (BBC, 2007c). In December 2007 an American computer security consultant, using the name "Acid" or "Acidstorm", pleaded guilty to using botnets to illegally install malware (malicious software) on more than 250,000 computers in order to steal online banking identities and later transfer money out of his victims' accounts. He was also found to have taken $19,000 in commission from a third party for installing adware on 110,000 end users' machines without their permission (Goodin, 2007b).

- *Cybercrime has evolved.*

We have experienced the evolution of cybercrime from traditional to *sui generis* cybercrimes through 3 generations of cybercrime. The first generation of cybercrimes were *traditional or ordinary* crimes that used computers (usually) to communicate or gather precursor information that assists in the organisation of a crime. Remove the Internet from these crimes and the behaviour continues because offenders simply revert to using other forms of available communication or information gathering. The second are the *hybrid cybercrimes*, or 'traditional' crimes for which network technology has created entirely new global and networked opportunities. Take away the Internet and the behaviour continues by other means, but mostly locally and now on such a global scale. In contrast to the earlier generations, the third generation are *true cybercrimes* and solely the product of the Internet - remove it and they vanish. True cybercrimes are, like cyberspace, informational, globalised and networked.

This last generation (true cybercrime) includes spamming, online identity theft and variations of intellectual property piracy. One of its defining characteristics is that it utilises crimeware (malicious software) introduced via Trojans and Drive-by-downloads (usually from infected www sites) to automate victimisation. Offenders with relatively low levels of IT skills can now employ spammers, who employ hackers and virus writers to write the scripts to do the spamming which launches the hacking software for them! Yet, there is some evidence that even the virus writers and spammers are being deskilled through the emergence of the 'crimeware wizard' - a software programme that enables offenders to compile their

own crimeware by selecting the characteristics that they wish it to have. In addition to compiling Trojans, the crimeware wizard can also distribute the crimeware through a botnet of illegally infected computers that can be remotely administered. Such means are now being used to commit a range of networked computer offences of which Phishing (stealing personal financial information) is perhaps the best known. But even Phishing is evolving very quickly, see for example, the evolution of Phishing (using emails) into Pharming (DNS cache poisoning that directly connects to the www page once the email is opened), then to SMiShing (using SMS texting) and then Vishing (using Voice over Internet Protocol). The impact of these transformations of criminal labour is a new world of low-impact multiple victim crimes that creates *de minimis[1] problems for law enforcement and for the policing of offenders.*

- *Cybercrimes fall into 3 groups of crime (integrity, assisted and content crime).*

The focus of cybercrime offending can either be the integrity of the system (hacking), or the computer can be used to commit an offence, else the content of the computer itself can be the object of the offending. Each group is represented by a specific body of law and generates specific crime and technology discourses. One of the problems with cybercrime reporting is that the three groups are regularly treated as if they were one, when they are the result of different motivations and causalities.

To summarise: when the activities often referred to as cybercrime are analysed, it is found that they are by nature of being informational, global and networked, mainly small-impact multiple victimisations. Usually, they do not pose a significant threat individually, but they become serious, even dangerous, in their aggregate. In contemporary writings on cybercrime there appears to be some confusion between (traditional) types of offending in which the perpetrators have used networked computers and which are already the subject of legislation, and those which are entirely new.

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[1]   *De minimism* is from *de minimis non curat lex*, where it means the 'law does not deal with trifles'. It is used in this book to describe low-impact, bulk victimisations that cause large aggregated losses spread out globally across potentially all known jurisdictions.

6   WHAT ARE THE CHALLENGES THAT CYBERCRIMES POSE FOR CRIMINAL JUSTICE

Despite the existence of applicable bodies of law backed up by international harmonisation and police co-ordination treaties, the characteristics of those cybercrimes that are considered serious enough to get reported still conspire to impede the traditional investigative process. Simply put, their informational, networked and globalised qualities cause them to fall outside the traditional localised, even national, operational purview of police. They are clearly different from the regular police crime diet, which is one reason why they can evade the criminal justice gaze. On the few occasions where cybercrimes are familiar to the routine police diet, then it is often the case that the computing misuse component of the offending gets dropped in favour of a charge for the offence for which the computer was used for, or is covered by another piece of legislation such as fraud, child pornography and so on. For the most part, however, cybercrimes tend to be too individually small in impact (*de minimis*) to warrant the expenditure of finite local police resources in the public interest. Also, by falling outside routine police activities then the police accrue little general experience in dealing with them as a mainstream crime. This becomes especially problematic when disparities in legal coding across jurisdictions conspire to frustrate law enforcement initiatives (Wall, 2007: 161-162).

7   THE DIGITAL REALISM OF CYBERCRIME AND POLICING CYBERCRIME

The direct impact of law upon the governance of behaviour is actually quite limited, but law is only one of a number of factors that can shape behaviour. Law is very important, but its regulatory effect has to be understood alongside the other influences, such as social values (behaviour shaped by information and education), market forces (behaviour shaped by manipulating the laws of supply and demand) and technological devices which - usually through software – can actually be used to implement rules and directly restrict some behaviours whilst enabling others (desirable behaviours). In other words, law plays an important role in the governance of behaviour but only alongside other factors (Wall, 2007: 192-201).

Another important aspect of the digital realism of networked technologies is that the same technologies that give rise to criminal opportunity can also be used to police it (Wall, 2007: 158-207). Examples of such technological methods, range from spam filters to honeypots (attractive www sites used to trap offenders), through to optical image/character recognition and sophisticated online surveillance techniques. However, once law is reduced to scientific rules and its policing is automated then the spectre of ubiquitous policing arises which coldly applies rules without the prospect of discretion. So, the application of technology has a number of ramifications, not least accelerating the onset of the actuarial control society away from the current disciplinary society. The concern here is that individuals may eventually be judged and disciplined (by exclusion or other punishment) by what they might do, rather by what they have done. An indicator of such a shift can been seen in the increase in the number of strict liability offences and the shifting burden of proof to the offender. In a less invasive form the increased use of technology to police populations creates added strain on finite police resources by drawing officers away from the primary police mission and creating a further division of policing labour. The onset of ubiquitous policing creates problems of not being able to call the police to account for their actions - *Quis Custodiet Ipsos Custodiet.* Yet, with a twist of irony the same networked technologies that create criminal opportunity and which can be used to police online behaviour, can also be used to police the police. They can assist in the implementation of police reforms by monitoring police work (see Wall, 2007: 206).

Clearly, cybercrimes are characteristically not compatible with traditional routine police practice. Despite being in the 21st Century information age, the police still continue to work mainly along the lines of their 170 year old public mandate to regulate the 'dangerous classes'. Hence the understandable focus upon policing paedophiles, child pornographers, fraudsters and those - including terrorists - who threaten the infrastructure. However, this is not to say that cyberspace goes un-policed. As Robert Reiner has observed of policing more generally: 'not all policing lies in the police' (Reiner, 2000: 63), nor is it necessarily the case that public police activity is either inefficient or ineffective. Rather, the public police role has to be understood within a broader and largely informal architecture of networked internet policing, which not only enforces laws, but also maintains order in very different ways. This broader architecture is constructed out of the following range of different policing processes.

Internet users and user groups, for example, maintain online behaviour through the application of moral censure. *Virtual environment security managers* are collectively a new strata of behaviour governors. They 'police' the behaviour of the online community according to its particular norms and can apply a range of sanctions from censure, to temporary or permanent withdrawal of rights. *Network infrastructure providers* (ISPs) draw upon the terms and conditions of their contracts with clients. The ISPs themselves, are also subject to the terms and conditions laid down in their contracts with the telecommunications providers who host their services. *Corporate security organisations* preserve their corporate interests through contractual terms and conditions; but also use the threat of removal of privileges or the threat of private (or criminal) prosecution. *Non-governmental, non-police organisations*, such as the *Internet Watch Foundation*, act as gatekeepers by accepting and processing reports of offending then passing them on (mostly related to obscenities), as well as contributing to cybercrime prevention and public awareness. *Governmental non-police organisations* use a combination of rules, charges, fines and the threat of prosecution. Not normally perceived as 'police', they include agencies such as Customs, the Postal Service, and Trading Standards. A higher tier of these agencies also oversees and enforces national Internet infrastructure protection policies. *Public police organisations*, as stated earlier, therefore play only a relatively small, but nevertheless significant, role in imposing criminal sanctions upon wrongdoers. Although located within nation states, the public police are joined together in principle by a tier of transnational policing organisations, such as Europol and Interpol (Wall, 2007: 157-185).

8   CONCLUSIONS – ABSENCE OF EVIDENCE OR EVIDENCE OF ABSENCE, OR ...?

The debates over cybercrime present us with a complex and potentially paradoxical situation in which rhetoric conflicts with reality. The science fiction origins of cybercrime, competing media processes and prevailing myths combine to articulate cybercrime in a language of prospective technological impacts which ultimately distorts our understanding of the facts - in the absence of the facts. The reporting of actual, and especially novel, events therefore become dramatised and perpetuate the various myths

that circulate about cybercrime and reinforce the resulting culture of fear. Combine this distortion with expectations of crime forged by Peelian concepts of policing and criminal justice and a commonly held view of cybercrime emerges of singularly dramatic, dystopic and catastrophic events that are highly prevalent. Events, that the police as governmental protectors of peace and enforcers of law are expected to deal with. In short, cybercrimes scare us and we expect to be scared by them and a gap has opened between our expectations of crime and our expectations of security. This 'reassurance' gap is widened by tensions in the production of our knowledge about cybercrimes which perpetuates both the culture of fear about cybercrime and also the various myths that have emerged about it.

Returning to the cyber-conundrum and to Donald Rumsfeld, the absence of evidence in the form of prosecutions is not evidence of the absence of cybercrimes. The digital realism of cybercrimes is quite different to that which is predicted by the mythology which means that the wrong evidence is often being sought. Cybercrimes certainly do exist and they are serious, but we are currently confusing crimes that use the internet with crimes of the internet. The latter are forms of offending that are not part of the routine police diet and most are policed by bodies other than the public police in a manner that serves the private rather than public interest. True cybercrimes are qualitatively different to the offending found in the criminal justice system's routine diet of crime. Also, because of the private and often blatantly commercial interests involved in the resolution of cybercrimes much of the active policing of cybercrimes takes place outside the public police and in different ways. Ways that include the use of technology, market forces and also education. Arguably these methods are helping to maintain order and, although fairly invisible, they are helping to narrow the reassurance gap and will continue to do so. They are also regulating forces that can be further used in cybercrime security policies.

We are gradually learning more about the impact of networked technologies on criminal behaviour through research findings that are yielding useful data; data which challenges some of the misinformation currently circulating. In addition, the public police are also establishing a corpus of policing experience in the field because of the maturation of the various hi-tech crime units at national and regional levels within the police services. Legislative reforms are addressing the problems of today and the UK computer misuse legislation has, for example, been revised to assist the

policing of cybercrime. But when formulating effective responsive strategies to cybercrime we need to have realistic expectations of what the police can and cannot do and we need to accept that not all policing lies with the police because much control also lies within other structures of order. The governance of online behaviour should therefore be designed to assist and strengthen the Internet's natural inclination to police itself, keeping levels of intervention relevant while installing appropriate structures of accountability. This latter point is important because the same networked technologies which empower criminals also provide the police with a highly effective investigative tool that enable police to investigate at a distance by capturing the data trails created by each network transaction. Indeed, much of the debate in past years about equipping a beleaguered and under-equipped police is rapidly being replaced by increased concerns about over-surveillance through the gradual 'hard-wiring of society'. We need to be clear about where we set the balance between the need to maintain order online and the need to enforce law, until this balance has been achieved the cybercrime 'reassurance gap' will not be closed.

Note

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An Overview of Research on Media Reports about Crime and Insecurity Issues in Slovenia

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1   INTRODUCTION

Crime, criminal justice institutions and threats to security are phenomena of interest to the wider public.[1] On one side, this interest is connected to peoples' desire to be informed especially about things that endanger them, and on the other hand to the voyeuristic attitude by which they follow these occurrences from a safe distance though they still feel connected to them. In both cases, the connection between the public (audience), repressive institutions, crime and security threats is recognized through mass media reports on these issues.

Mass media organizations are working in a competitive environment. Pratt (2007: 71) concludes that their programmes need to be packaged in such a way that they become more attractive to viewers than those of their rivals and competitors. They also have to be more attractive to advertisers, on whose revenue all independent broadcasting companies, and even some state owned broadcasting companies, are dependent. Leighley (2004: 72) argues that the primary function of privately owned newspapers and television stations is to make profit. Other possible roles, such as informing the public, representing the interests of the public, or acting as a government watchdog are of secondary importance in a privately-owned media arena. The consequences of this competition and economic drive are seen also in the media content and their report style. Curran and Seaton (1993: 4) conclude that the media have great power but no responsibility. Even though they have great influence on society they act as simply another business in the market.

Interrelationships among the above three elements of public security discourse are characterized by several parameters. First of all, the mass media have increasingly become the most effective means of informing the public in western societies. No person can get direct information about all events in the world. It is, furthermore, impossible to acquire all the information from interpersonal communication between significant others or people around us or from communication with other social groups or institutions. On the other hand, no one can get all the information about

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[1]   In this paper, the 'public' is perceived as a specific social category, which appears as a social element in relation to a specific issue. It is perceived in the context of Dewey's (in McQuail, 1983: 152) definition, which sees the public as a political group of individuals, joined together by the awareness of common problems and solutions.

all events through the mass media. However, the media retain their role as the main source of information within contemporary western societies that are characterized by affluent yet demanding lifestyles. If we want to stay informed, the simplest, and in some cases the only way to do it, is by reading, watching or listening to the news in a newspaper or on a television, radio or on the internet.

It is wrong to suggest that the media are only simple transmitters of messages from the sources to the recipients. They are much more than that. They construct social reality. The media direct public attention to different issues and although they do not directly shape peoples' opinion, they expose certain issues to people which will subsequently shape their opinion. By focusing on specific issues, specific crime phenomena and by using sensationalistic styles of reporting, the media can influence public opinion and contribute to the development of public debate in a pre-defined way. When reporting crime, the media use a specific approach. Roberts et al (2003: 76-83) argue that the primary purpose of crime news is not to provide a comprehensive and 'statistically correct' picture of crime. The media manipulate public perception by over-representing violent crimes, presenting crime events as if they were episodes and supporting the view that crime is the result of individual deviance rather than wider social problems. The media also simplify the crime problem and emphasize the law enforcement solutions. They focus primarily on stories about dramatic, unusual and violent crimes, with an emphasis on stranger-to-stranger offending. Pratt (2007: 74) argues that the media reports about crime punishment undermine respect for the criminal justice establishment and the authority of the state. The media present the widely held view that courts are too lenient, even when scientific evidence proves they have become considerably more punitive.

Surette (1998: 21) argues that crime news is portrayed as being objective and chosen for its newsworthiness. However, it is routinely created and pre-packaged by and for the news agencies, which then present the news within the framework of pre-established stereotypical themes. Furthermore, as technical capacity to cover crime news has expanded, media organisations have increasingly blurred news and entertainment. In the process, crime news has become the mainstay of new hybrid news-entertainment, or 'infotainment', shows. Despite being portrayed as valid, these programmes are produced by using entertainment techniques that

employ entertainment-style plot features of 'crime, chase and capture'. In addition, we can even identify some sort of reality shows where journalists are working together with policemen in order to chase suspects (Surette, 1998: 72). Some of these programmes bring to mind one of Foucault's (1991) descriptions of reactions to crime in the period prior to the 18th century when torture and punishment as public spectacle was used for the purpose of deterrence. The message of these programmes is, quite simply, 'the bad boys will get caught' (Surette, 1998).

The connection between the media and the public also works in reverse because, in many cases, the media create their agenda in accordance with public opinion. These characteristics are also typical for information about crime, activities of criminal justice institutions and different threats to security. The presentation of crime and security issues in the mass media is influenced by peoples' perception of the threat of crime and, at the same time, exerts a substantial influence on the public fear of crime. Pfeiffer *et al* (2005: 260), for example, showed how, in some cases, the media put policy makers under pressure to increase statutory punishments and tighten the rules of procedure for criminal prosecution. Roberts *et al* (2003: 85) conclude that the media may have more direct influence on crime policy through the common assumption that they reflect the true nature of public opinion. In addition to this, the media can influence policies against crime. The transformation that has taken place in the media in the last two decades of the twentieth century have provided a perfect fit for the rise of the populist politician and accelerated the politicization of crime policy (ibid: 88).

Another characteristic of the relationship between the media and criminal justice institutions is that in many cases the performance of criminal justice agencies relies heavily on the cooperation of the public with the police. It is crucial for many criminal justice institutions (especially for the police) to have a positive reputation among citizens that promotes trust and collaboration. One of the most important elements that can influence their reputation is the mass media. The media's ability to reach a large number of people can be used also for informing the public about different public safety campaigns, for example against driving while intoxicated or illicit drug abuse. Furthermore, the mass media can increase public awareness about threats to public safety and highlight police requests for information from people, for example in locating a fugitive

with the help of a sketch or photo presented in the media or for appealing to witnesses of a crime.

Mass media represent the 'fourth branch' of government – they exert public control over individuals with power and institutions such as government agencies and functionaries, police organisations and politicians. Chermak and Weiss (2005: 503) argue that news organizations are not, and cannot afford to be, perceived as simply a propaganda tool that government agencies use to manipulate public opinion. With the help of the media, the public becomes aware of illegitimate actions on behalf of government foundations. This is important especially with regard to institutions or individuals who are either funded by the state or local budgets, or hold considerable powers above and beyond those held by the public.[2] Since the police represent the strongest repressive instrument a country can use over a civilian population, the media act as one of the watchdogs that monitor the use of, what Giddens (2002) calls, the state monopoly of internally-directed violence. The legislation of democratic countries guarantees that human rights and fundamental freedoms are preserved. If these provisions are violated, the mass media can inform the public and by doing so exert external pressure in respect of legislation.

International comparison of research and the mere presentation of research activities in different countries is an important approach in science. In this way, scientists can compare different conclusions and approaches and try to specify the way in which important elements of social structure influence social phenomena. This is in many cases hampered by the language barrier which makes international comparisons impossible without translation to some international language. Only a few research publications on media reports about insecurity issues in Slovenia have been translated into English (and none into other international languages). Therefore, the objective of this paper is to overcome the language barrier and present Slovene research on media reports about insecurity issues to a wider international scientific community. The main focus is to evaluate which issues connected to media reports about insecurity were

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[2]   There have been a lot of cases in which media reports have helped to protect individuals or the public against different violations of rules and laws. A good example of this was the public presentation of footage detailing the brutal arrest and physical abuse of Rodney King by the Los Angeles Police Department.

most researched in Slovenia and to present the main findings of Slovene researchers in this field. The paper concludes by discussing research findings in Slovenia in light of relevant research results in other countries.

2   METHODOLOGY

To identify all relevant publications the online library database cobib.si was used. Selection was limited for the period 1991[3] to 2007. Selection was additionally categorized by using the following combination of root key words (without the suffixes): medi* (orig. medij*), medi*, crim* (orig. medij* krim*) and medi*, secu* (orig. medij*, varno*). Only scientific publications were retrieved and included in further analysis. All titles and then texts were examined in order to narrow the selection and eliminate inappropriate hits. Papers that potentially met the inclusion criteria were subsequently scrutinized for relevance. All published academic papers that dealt with media reports about insecurity issues were identified using Buzan, Weaver and de Wilde's (1998: 182) definition of 'internal security' which refers to 'law and order for the safety of the individual'. Furthermore, all publications that dealt with media reports about the field Buzan, Weaver and de Wilde (ibid.) described as 'merged internal and external security', a concept that especially in Europe is used to link a number of diverse issues like terrorism, drugs, organized crime, transnational crime and illegal migrations, were included. Excluded publications were mostly connected to research about the media presentation of military activities, the relationship between the armed forces and the public, and media coverage of wars.

3   AN OVERVIEW OF SELECTED PUBLICATIONS

The total number of selected publications is 21, among which 17 are published in Slovene, 3 in English and 1 in Slovene and English (both

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[3]   The starting point for this review was the year 1991 when Slovenia declared its independency. On December 23, 1990 a plebiscite about Slovene independency was held. On 25th June, 1991 the Assembly of the Republic of Slovenia adopted the Constitutional Act on the sovereignty and independence of the Republic of Slovenia. In the following year, Slovenia was officially internationally recognized as an independent state.

languages). Most of the presented publications were published by the Institute of Criminology at the Faculty of Law, University of Ljubljana; Faculty of Social Science, University of Ljubljana and Faculty of Criminal Justice and Security, University of Maribor. All publications, except one,[4] were published after Slovene independency was declared. On the basis of the research area covered by the articles, five different categories were created:

- Research on media reports about crime and violence,
- Research on the connection between the right to freedom of press vs. the right to privacy, personal life and personal dignity, honour and reputation,
- Research on the role of the media in building myths and contributing to moral panic,
- Research on media reports about the police,
- Other research on media and security issues.

In the following paragraphs, all publications are presented under the above categories. The literature is summarized in Table 1 (Appendix 1).

3.1   Research on media reports about crime and violence

Ten publications are included in this category, dealing with the question of media reports about crime and violence, recent trends in media reporting styles connected to crime news and the relationship between media reports and fear of crime.

The media with their reports on crime perform a variety of tasks among which the most important are informing people about crime and deviancy, the construction of the public image of crime, the promotion of social morality and the creation of an anti-criminal climate, the exercise of control over the administration of criminal justice and the mobilization of people for crime detection and investigation. For the majority of people the press and other media constitute the first and only source of information on crime and the work of criminal justice institutions (Sket,

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[4]   The exception is a research paper by Ivanka Sket (1991: 27-38) which was published in the transition period of Slovene independency (January-March, 1991).

1991: 27-38). Pečar (1993: 39) argues that it is impossible to deny the influence of mass media on the public and individual domain. Their reports on violence are often sensationalized, excluding certain types of negative behaviours and emotions such as wars, massacres, bombarding, cruelty, hatred and anger that do not need to be sensationally presented. There is a difference between presenting violence in movies and on TV, which is frequently stereotyped, and presenting armed conflicts, terrorism, demonstrations and violence on the streets, which are real occurrences.

All the other Slovene authors (Sket, 1991; Meško *et al*, 2000; Petrovec, 2001a, 2001b, 2003; Vodopivec, 1997) agree that the media report on crime in a sensationalist manner. Following popular demand, they focus on the most spectacular representations of violence, to the extent that their reports are totally out of proportion to the actual rate of committed violent crimes. On the other hand, the media sometimes do not touch upon the most extreme forms of violence in order to protect the illusion of integrity of certain individuals and social systems. The over exposure of violence in the media, accompanied by outraged commentary on the inefficiency and leniency of the justice system when dealing with violent offenders, makes the public feel that punitive policies are too mild and that there is a need for stricter measures to prevent crime. The public, feeling threatened and let down by the system, becomes more susceptive to vigilante initiatives and other demands for self-help (Petrovec, 2001a, 2001b, 2003). Meško *et al* (2000) conclude that the media over present specific crimes, especially murders and sexual offences, and this causes greater anxiety among the public. Therefore, as one of the elements of social power, the media (co)create a broader understanding of security and its assurance. The media construct the public perception of reality and also the reactions to social reality. Some experts argue that the media have great influence over public opinion while others conclude that the media only provide a public forum for discussions about specific issues. According to Pečar (1999) another drawback of media reports about crime is the presentation of crime statistics as a true picture of crime. In this way, they neglect the fact that the majority of crime stays unreported and uncovered.

However, media reports are not neutral. They intend to attract public attention and therefore it is not surprising that issues connected to security, especially crime, are often presented in the media. Sket (1991) argues that the negative functions of media reports about crime include providing in-

formation about criminal acts, distorting the true image of crime by the selective presentation of emotion-evoking, sensationalising events and, finally, generating fear of crime in general and of specific types of crime, which in reality represent only a small proportion of criminality. This specific reporting style of the media is also confirmed by Vodopivec's (1997) conclusions. She presents an example from Germany where some criminologists tried to publish a report about crime in one newspaper. After initial confirmation was received from the newspaper's editorial board, the authors started preparing the text but then the situation got complicated. Editors changed their mind and did not publish the researchers' contributions that focused on the fear of crime, questions about the extent of crime and its threat to the German society and the issue of reducing crime by adopting harsher punitive measures. The text criminologists prepared did not match with the views of media gatekeepers about crime and the way in which this phenomenon should be reported.

Sket's (1991) study, which was carried out on the basis of crime and deviancy news published in 1985 in two leading daily newspapers, concludes that the press devoted the most attention to news about traffic and other accidents (44.8 %), followed by reports connected to criminal offences (42.2 %). Among criminal act reports, the ones connected to property offences represented the biggest proportion (50.3 %). As far as criminal offences were concerned, the majority of news items concerned property offences (50.3 %), which reflected the true rates of criminal acts against property. Even though Sket's study was performed on the basis of data from the year 1985, when Slovenia, as part of Yugoslavia, had a socialist political system and the influences of the western capitalist system were limited, a discrepancy between the proportion of crime news and offences recorded by crime statistics was observed for many types of crimes, such as crimes against persons, sexual crimes and others. On the other side, her content analysis, which focused on titles of newspaper articles, descriptions of offences, descriptions of perpetrators/victims and possible penalties for particular offences, reveals that titles were mostly informative and reflected the offence, offences were not described in sensational style and, in some cases, the modus operandi was described. Some articles also presented demographic data about the perpetrator(s) and/or victim(s), for example their gender, age and in between a third and a half of cases also the nationality of the perpetrator.

Over the years, the media approach to crime reporting has changed. Approximately 25 years later Petrovec (2003) examined the most read Slovenian daily newspaper 'Slovenske Novice' and analysed it from the viewpoint of the quantity of violence reports, the method of reporting news and accompanying visual materials. Some published items in this newspaper were randomly chosen. The analysis of headlines and accompanying pictures indicated that violence is one of the most popular commodities. As many as 80 % of titles were associated with the violent stories presented in the newspaper. Violent news coverage made up 19 % of the content of the Slovenske Novice. Disregarding the supplements, the content of which is virtually always neutral or non-violent, violence made up 29 % of the entire content of the Slovenske Novice. The front pages of the Slovenske Novice showed an astonishing 66.7 % share of violent content. Comparatively, the daily newspaper Dnevnik contained 8.6 % and the Delo 3.1 % of violent reports.

Even though the research has shown an overwhelming amount of violence in the Slovene media, Petrovec (2003) argues that it is inappropriate to resort to censorship, arguing that in a world interwoven with electronic systems and networks it is impossible to stem the flow of information. There is a need for a cultural framework, within which the media audience will be able to distinguish between the good and the bad. The process is hindered by the audience's voyeuristic interest in violent content, as well as the economic interest of its providers. In addition to newspapers, similar conclusions about discrepancies in the proportion of crime news can be made for television reports. Results of a study on television reports about crime conducted by Petrovec (2003) reveal an important difference between national and privately owned television stations, the latter broadcasted nearly three times more violent programmes. However, national television is not far behind with some other programs in which violence exceeds the acceptable limit. Similar conclusions were drawn by Meško *et al* (2000). The authors concluded that both the Slovene public television (RTV Slovenija) and the private television (POP TV) place a lot of emphasis on security issues in their news presentation. In addition, the vast majority of crime reporting occurs in the most read Slovene newspaper 'Slovenske Novice'.

If we focus our attention on media organizations and ongoing processes inside these organizations, we can conclude there is a lack of experts in

the field of 'visualisation' of crime. The consequences of this lack of experts are seen in the deficient presentation of crime which, according to Pečar (1999), is nowadays the most important threat. The lack of experts can be overcome only with the education and training of individuals working in the media. Igor Prassel's (1995: 535-537) conclusions from the Joint Workshop on the Role of the Mass Media in Drug Demand Reduction, conducted in spring 1995, were mainly connected to the transfer of knowledge and experiences from Western to Eastern Europe, especially in the field of journalism and medicine. The workshop presented an attempt to educate participants in the field of ethical writing styles for articles connected to drug addiction, criminalisation of drug addicts, sensationalism in media reports, and lack of media attention for social problems.

Various authors (Sket, 1991; Pečar, 1995; Meško et al., 2000) conclude that the media won the position of the 'fourth branch' of government which controls the other three branches. Pečar (1995: 220) argues that the mass media in Slovenia have an important role in discovering various negative phenomena in the field of politics, culture, sports and in the general public sphere. The news presented in the media deal with the 'bad' side of Slovene society, therefore the attention is mostly focused on politics, crime and deviance, and the work of repressive institutions. Pečar (ibid.) estimates that the Slovene media in the period 1990-1995 did not neglect any form of corruption. Journalists discussed issues of morality and immorality, crime and deviance, relations between individuals and the state, the impact of punishment on people's behaviour and the state of institutions of social control. The media also did not overlook corruption in political campaigns, political responsibility for misuse of power, suspicious transactions and misuse of public funds. Pečar (1999) also argues that media reports on crime and security in 1998 overlooked the role of private security companies, which started selling 'safety' as merchandise to those who could buy it. The media also fail to notice and present the role of judicial authorities.

Sket (1991) also confirms the control role of media over criminal justice institutions. In addition to their formal control function, Sket concludes that the media act as a source of informal social control, through reports that judge, evaluate and stigmatize offenders' behaviours, thus promoting anti-criminal public opinion.

In addition to the presented conclusions, the authors also expose some other characteristics of media reports about crime. According to Pečar (1999), the police public image was threatened by certain 'political games' but at the same time the police tried to defend or (re)build their positive image through media reports. Another characteristic is the relationship between the freedom of press and personal liberties of individuals, for example the assumption of innocence (Sket, 1991; Pečar, 1995). Both of these characteristics are presented in detail in the following chapters.

3.2 Research on the connection between the right of freedom of the press vs. the right to privacy, personal life and personal dignity, honour and reputation

The following paragraphs include publications which deal with the question of the protection of the legal person against media attacks, the civil law protection of privacy, offences against honour and reputation and the characteristics of great criminal trials.

In a democratic society two different rights: the right of privacy and the right of information have a crucial meaning and it is therefore necessary to find the right balance between them. The work of journalists should be carefully evaluated according to the professional code of journalistic ethics. Theory has tried several times to define more specific criteria for balancing these two rights, however the joint conclusion is that it is impossible to find a uniform and abstract solution to the conflict between these two rights, however in each case elements of both must be evaluated. These two rights represent constitutional rights – the right of freedom of press (Article 39, Constitution of the Republic of Slovenia) and the right of personal dignity (Article 34, Constitution of the Republic of Slovenia). Some guarantees of individuals' reputation are defined in Chapter 18 of the Slovene penal code, which deals with criminal offences against honour and reputation (insult, slender, defamation, calumny and malicious false accusation of crime) (Polajnar Pavčnik, 1995; Drevenšek, Zajc, 1999). The number of cases brought before the court mostly by individuals (and not state prosecutors) because of libel and defamation procedures is increasing. And some of these cases have brought forward new questions – how to assess different kinds of news contributions such as value judgements, opinions, and political commentaries (Šelih, 1995). Where it is important

to draw a line between the public and private sphere, both objective and subjective criteria are important. The role and social standing of individuals are substantial elements in the evaluation process, since people from the public life sphere have narrower circles of privacy than anonymous individuals. It is argued that the individual's proven consent in one instance does not waive one's right of privacy indefinitely and that new consent must be given for additional interference (Polajnar Pavčnik, 1995).

Drevenšek and Zajc (1999) conclude that only transferrable rights apply to the legal person. Individuals and legal persons can demand compensation for material damage caused by media reports. This legal demand for compensation can be brought forward especially in cases of media reports that violate the principle of presumption of innocence and the precise terminology that should be used in accordance with it. Furthermore, there is the question of whether media reports surrounding crimes which were committed a long time ago, and for which legal rehabilitation and annulment of conviction is already applicable, are lawful (Drevenšek and Zajc, 1999).

For some criminal trials authors conclude that they represent great criminal trials. These trials do not constitute a legal category but they occur rather often in reality. It is hard to create the definition of a great criminal trial, though there are some common elements present in these trials, first of all is the type and severity of the criminal offence (special attention is given to violent, sexual offences and crimes with high material damage). Additional factors that determine the inclusion of a case in this category are the characteristics of the suspect and/or the victim and the fact that these may be public persons. It is another characteristic of great criminal trials that they consist of two parallel procedures – a formal one in a court and an informal one in the media. This can lead to some problems in respect of the human and civil rights of the suspect (presumption of innocence, equality before the law, and violation of the right of privacy). Typical for great criminal trials is also that defenders become known to the public, and can use this publicity to promote themselves. Defenders also participate in formal and informal trials. Although public attention focused on great trials causes the problems mentioned above, the exclusion of the public from these trials would eventually lead to the misuse of judicial power and therefore the presence of the public acts as a guarantee of legal security and personal freedom of every individual (Zakonjšek, 2006).

3.3   Research on the role of media in building myths

Research on media reports about insecurity issues presented in this category include two papers in which authors focus on the construction of myths and the creation of moral panics in societies and examine the role of mass media in this process.

Meško (2000: 307) argues that among all creators of myths, mass media have the biggest power. Modern communication technology replaced old fashioned transmitters of myths. The media select interesting cases and this selection is based on competition among media organizations that is driven by market oriented media activities. The mass media play an important role in the identification and creation of myths about crime. Media focus attention on problems; however public attention is not a creator of a myth on its own. To create a myth, a certain problem has to concern the majority of people and has to be properly 'packed' and processed for the market – presented as an epidemic, something obstinate and uncontrollable. In the majority of cases the media use four different strategies/elements when creating a myth: firstly, they suddenly focus much attention to a type of crime that was unproblematic or even neglected in the past; secondly, they carefully select the information they wish to present to the public; thirdly, they report about crime in an inappropriate and modified way; finally, they do not have to change or annul the myths they created.

All the above mentioned characteristics were present in the case of media reports about alleged cat killers. With the use of discourse analysis of media content in reports connected to killings of cats in the Slovene town of Tržič, Bulc (2003) analysed in detail the reports published on Slovene public television and in the most read Slovene newspaper, the Slovenske Novice. He concludes that, during only four days of media coverage of the cat killings, more than 20 articles and editorial comments, and at least 7 television reports were presented. Therefore, the first element of the strategy for the creation of myths, as defined by Meško (2000), was used. The media presented full names, photos and almost precise home addresses of all three young boys suspected of the killings of cats. Bulc (2003) exposes the use of different journalist techniques which were present in the analysed case: the use of police statements as additional and official confirmation of the committed crime. The police were the primary source

of information for the media. In addition, the media used various experts who provided expert opinion on the case such as psychiatrists, psychologists, veterinarians, representatives of animal protection associations and politicians. This represents the second step in the strategy for the creation of myths and, in addition, the third element was used – the media seemed to be competing to provide the most authentic case of connection between animal torturing and serial killings of people. In reporting about the killings of these cats, some media even presented videos of Slovene's most famous serial killer Metod Trobec. Furthermore, another myth about the vulgar and inhumane lifestyle of higher class youth was created, and in accordance to the fourth element of media strategy for the creation of myths, they never annulled myths they had created.

3.4   Research on media reports about the police

The fourth group consists of three publications that deal with the presentation of police activities in the media. They focus on the analysis of media reports about the relations formed inside the police organization, the importance of public relations for the police organization and the theoretical explanations of the connection between the public, media and the police. In this section of the paper, the analysis of media reports in a specific case of police activities is also presented.

The police performance of their duties, as defined in law, depends heavily on the cooperation of the public with the police. Out of all the criminal justice institutions that deal with crime, the police are the most visible. People view it as a guarantee of their safety but also expect that it will be able to both control and prevent crime. It is crucial for the police organisation that people place trust in it and to achieve this goal the police must have a positive reputation among citizens. One of the most important elements that can influence their reputation is the mass media. Therefore, reports connected to police activities and police procedures presented in the mass media have a crucial role in the development of peoples' attitudes toward the police organisation. Most people find out about the majority of crime events and police activities from the mass media with only a minority getting informed about such events through other sources (for example, through personal experience, of themselves or their acquaintances). Public estimation of police effectiveness also de-

pends heavily on media reports. In typical reports about crime, the police are usually mentioned in the initial bulletin and also in subsequent coverage. In the case of big stories where media focus their attention, police activities are evaluated in different phases and reports connected to some events may appear after a considerable time has passed since the crime was committed. The mass media do not present all crime events and police activities but select only those that are newsworthy. Similarly, they do not focus the same level of attention to all the crime events or police activities that are covered. Some of the reports appear on the front pages of newspapers or are presented as breaking news in the first minutes of evening news on television, while others are just mentioned somewhere in the middle. The same characteristics are typical in terms of the size of an article in a newspaper or the length of a report on television or the radio (Bučar, Meško, 2006).

The selective approach and evaluation of information according to its newsworthiness is clear also from the conclusions of Batis (1996). He reports about three different categories of news connected to the police organization. The first category consists of reports that mostly focus on presenting the difficulties policemen are facing and on their difficult social position, characterized, among others, by shortage of accommodation and lack of work space, badly equipped police stations at the southern border and threats to police safety. The second category includes reports connected to insufficient security measures for the protection of the pope during his visit to Slovenia in 1996. The third category of reports consists of news about the conflict between members of the police union and the presentation of letters of support by some commanders of special units sent to the Ministry of the Interior rather than to the police union.

A study among journalists shows that they mostly focus on the information presented at press conferences and less on public releases and reports from the operative communication centre. Journalists are most satisfied with press conferences. Journalists are above average satisfied with the objectivity of official information. Most of the information is gathered with the help of e-mail, fax or other mediums. Police internet pages are less favoured by journalists (Pipuš, Gorenak, 2004). In the case of media reports about police activities, consistent patterns of reporting can be identified. Media reports about the police are usually connected to specific crime events and explanations of police procedures in these

cases. Contrastingly, the media often publicly criticize the police and their misuse of power (Bučar, Meško, 2006).

On the other side, we can examine how media reports are evaluated and accepted by the police. Pipuš and Gorenak (2004) conclude that employees within the police directorate of Maribor mostly examined newspapers and electronic media. They were mostly satisfied with the objectivity of the national media, local radio, TV stations and daily newspapers; however they were below average satisfied with the objectivity of weekly magazines and other local newspapers.

Conclusions about discrepancies in media reports about crime can be confirmed also in cases of media reports about police activities. From the results of the macro-preposition analysis of the case study conducted by Bučar and Meško (2006) it is clear that differences in media reports were based upon the varied nature of each media organisation. Almost all media reported the analysed robbery in the same way, the only one that differed was the tabloid newspaper "Slovenske Novice". Differences in their reports were based on the tabloid nature of this newspaper and on the use of specific elements characteristic to the tabloid media.

3.5   Other research on media and security issues

The fifth category of media reports about insecurity issues in Slovenia includes two papers that could not be included into any other category, but were too important to exclude in the sense of presenting research on media reports connected to specific insecurity issues. These two papers focus on the characteristics that define the role of the media in controlling the security/intelligence services, and the role of the media in assuring overall security in society.

Besides the police there are also intelligence and security services (for example, Slovene security and intelligence service - SOVA, security/intelligence service of the Ministry of defence and military police) with powers that enable them to interfere with human rights and liberties. Therefore, they are the subject of institutionalized and uninstitutionalized control. In Slovenia, there is the dual control system according to which security/intelligence services are controlled by the judicial and legislative branches of govern-

ment. The first one is used before special measures are taken, whereas the second one exercises control through a special committee composed of the deputies of the National Assembly. In addition to these institutionalized control functions, control is also performed by the media. The media are interested in the activities of intelligence/security services especially because of their powers that give them the authority to breach human rights. In this way, the media act in accordance with one of the main roles of modern journalism – being watchdogs over government institutions. When misuse of power occurs the media are informed by sources within the security services. When secret information is revealed, the security/intelligence services try to prevent its public distribution and focus on finding the source of information, instead of dealing with irregularities. Public presentation of the information connected to misuse of powers also leads to intervention on behalf of institutional control mechanisms (Slak, 2002).

The media warn us about different threats and new types of endangerment. Professional, academic, public, commercial and daily media significantly differ in the quality of the information they provide about safety and crime. In research conducted by Ambrož (2002) on a sample of 457 respondents from Slovenia, the results revealed that the media are responsible to a large extent for constructing the 'culture of fear' in society. This liability is based on their reporting pattern as well as their ideological framework that is governed by economic and private interests. The media rely for their success on public emotions evoked by catastrophic events, regardless of the true impact they have on the safety climate in society. The creation of a climate of trust in society is dependent on such factors as the professional attitude and objectivity of journalists, the comprehensiveness of information, and the independency of the media. The responsibility for the creation of a safety climate relies strongly on television and the radio media because of their strong impact on shaping the public opinion.

4   CONCLUDING REMARKS

Based on the analysis of contributions in five presented categories, some conclusions about the scientific approach of research on media reports about insecurity issues in Slovenia can be drawn. The general conclusion is that all authors agree that the media have great power in contemporary so-

ciety. The media publish reports about various insecurity issues that attract peoples' attention. However their power is used in different ways. Some authors describe that the media use their power while acting as the 'fourth branch' of the government or, in other words, researchers argue that the media exercise control over the three branches of government by presenting breaches of the law to the public. The media focus especially on repressive institutions and institutions that use public budget resources and/or have special powers that can be misused to violate the human rights of individuals (for example, politicians, police, and intelligence/security services).

On the other side, authors warn about the disrespect the media show towards the individuals' right to privacy and the assumption of innocence as well as in cases of reporting about crimes committed a long time ago and in cases where legal rehabilitation and annulment of conviction is already applicable. The competition among the media organizations has developed and their drive to attract the biggest share of the audience influence media content. The media publish reports on crime and other security threats in a populist and sensational manner and use different techniques to attract people's attention. Their reports about crimes do not reflect the crime picture presented in official statistics and victimisation studies. They focus on the most spectacular crimes such as murders and sexual offences, and present them to an extent which is totally out of proportion with the number of committed crimes of this type. At the same time, the media are keen to present crime statistics as a reliable source of information about crime prevalence and neglect the fact that the majority of criminal acts stay unreported and uncovered. The media also often present the criminal justice system and institutions dealing with offenders as inefficient and lenient, thus making the public feel that punitive policies are too mild and that there is a need for stricter measures to prevent crime. Therefore, the media are considered one of the creators of myths about crime and contributors to the creation of moral panic and the construction of the 'culture of fear' in society.

The analysis of the methodological approach used in the reviewed publications shows that the most widely used method among all 21 publications is review. In 12 publications the authors used review as the only method, in 4 publications they used qualitative and quantitative methods,[5] in 3

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[5]   However among these four publications, three were conducted by Petrovec and represent basically only one study which was upgraded and in the end published as a monograph.

publications qualitative methodology only and in 2 publications quantitative methods only. Among 21 publications there are 6 original scientific articles and 3 monographs. Among the published papers that used a quantitative methodology, some relied only on descriptive statistics and some used also multivariate statistical methods. In research of higher quality, both qualitative and quantitative methods of data collection and analysis were used. Some studies, especially those based on qualitative methodology used small samples or analysed only a specific case study. Quantitative studies met more or less the criteria of sampling adequacy. Regarding the use of research methods we can conclude that there are two groups of researchers that investigate media reports about insecurity issues in Slovenia. Theorists who mainly use the review method are included in the first group and empirical social scientists that rely on quantitative and/or qualitative research methods are included in the second group.

The overview of Slovene research on media reports about insecurity issues shows that the conclusions of Slovene authors support the conclusions of researchers in other western countries. The media clearly follow similar patterns and use the same approach in all industrially developed societies. The use of the aforementioned reporting system can be explained by the common operative characteristics of the mass media organizations in these countries. Mass media organisations are one of the economic components of the global business market. They sell to advertisers the opportunity to approach large groups of people or potential markets. Larger audiences lead to bigger revenue from advertisements or from the retail price of media products themselves (for example, in the case of newspapers). This dependence upon the audience size directs media activities towards achieving bigger audiences[6] and consequences are seen also in the media content. Beside this economic explanation, similar patterns of media reports can be connected also to the same political system that is present in developed countries. Within western societies with democratic political systems, the mass media do not function as a propaganda tool but represent the means of public control over institutions and individuals with power.

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[6]   An exception is the public media – for example, for the Slovene public radio and television RTV Slovenija 70.7% of the income represents the obligatory monthly subscription paid by the public and only 18.2 % of the income is derived from advertising (Annual report 2004, 2005: 68; orig. Letno poročilo 2004, 2005: 68).

APPENDIX 1

Table 1: An Overview of Research on Media Reports about Crime and Insecurity Issues in Slovenia (1991-2007)

Category	Title, author, year	Publication and publisher	Methods	Type of publication according to cobib.si categorisation	Language
Research on media reports about crime and violence	Image of Crime and Other Deviant Phenomena in the Press (orig. Kriminaliteta in drugi odklonski pojavi v tisku) **Sket, Ivanka (1991)**	Journal – Revija za kriminalistiko in kriminologijo. Institute for criminology at Faculty of law, University of Ljubljana	Review, quantitative and qualitative (content analysis) methods	Professional article	Slovene
	Violence and Coercion (orig. Nasilje in prisila) **Pečar, Janez (1993)**	Journal – Revija za kriminalistiko in kriminologijo. Institute for criminology at Faculty of law, University of Ljubljana	Review	Review Article	Slovene
	Politicization of Resistance to Corruption (orig. Politizacija upiranja korupcijosti) **Pečar, Janez (1995)**	Journal – Revija za kriminalistiko in kriminologijo. Institute for criminology at Faculty of law, University of Ljubljana	Review	Original Scientific Article	Slovene
	Report from the Joint Workshop on the Role of the Mass Media in Drug Demand Reduction **Prassel, Igor (1995)**	Journal – Teorija in praksa. Faculty of social science, University of Ljubljana	Review - Conference report	Review, Book Review, Critique	Slovene
	Crime: Media and Researchers (orig. Kriminaliteta: mediji in raziskovalci) **Vodopivec, Katja (1997)**	Journal – Revija za kriminalistiko in kriminologijo. Institute for criminology at Faculty of law, University of Ljubljana	Review	Professional Article	Slovene

Title	Source	Methods	Type	Language
Second Thoughts about This Year's Reports on Last Year's Crime (orig. Pomisleki ob letošnjem poročanju o lanskem kriminalu) **Pečar, Janez (1999)**	Journal – Revija za kriminalistiko in kriminologijo. Institute for criminology at Faculty of law, University of Ljubljana	Review	Professional Article	Slovene
Fear of Crime, Police Preventive Work and Public Opinion about Slovene Police (orig. Strah pred kriminaliteto, policijsko preventivno delo in javno mnenje o policiji) **Meško, Gorazd, Umek, Peter, Gorenak, Vinko, Dobovšek, Vinko, Kolenc, Tadeja, Mikulan, Marija, Žaberl, Miroslav (2000)**	College of police and security studies, University of Ljubljana	Review	Monograph	Slovene
Mass Media in Slovenia and a Culture of (Non)violence (orig. Slovenski mediji in kultura (ne)nasilja) **Petrovec, Dragan (2001)**	Journal – Revija za kriminalistiko in kriminologijo. Institute for criminology at Faculty of law, University of Ljubljana	Review, quantitative and qualitative (content analysis) methods	Original Scientific Article	Slovene
Violence in the Media (orig. Nasilje v medijih) **Petrovec, Dragan (2001)**	Institute for criminology at Faculty of law, University of Ljubljana	Review, quantitative and qualitative (content analysis) methods	Treatise, Preliminary Study	Slovene
Violence in the Media: The Extent and the Influence of Violence in the Media in Slovenia (orig. Mediji in nasilje: Obseg in vpliv nasilja v medijih v Sloveniji) **Petrovec, Dragan (2003)**	Peace Institute	Review, quantitative and qualitative (content analysis) methods	Professional Monograph	Slovene and English

Category	Title / Author	Source	Method	Type of publication	Language
Research on the connection between the right of freedom of press vs. the right to privacy, personal life and personal dignity, honour and reputation	The Freedom of Expression and Civil Law Protection of Privacy **Polajnar Pavčnik, Ada (1995)**	In publication – Legal Problems of the Functioning of Media in a Democratic Society / A forum organized by University of Ljubljana, Faculty of Law and Council of Europe, European Media Law Forum	Review	Published Scientific Conference Contribution	English
	Media and Protection of Individual's Reputation by Criminal Law **Šelih, Alenka (1995)**	In publication – Legal Problems of the Functioning of Media in a Democratic Society / A forum organized by University of Ljubljana, Faculty of Law and Council of Europe, European Media Law Forum	Review	Published Professional Conference Contribution	English
	Protection of Legal Person Against Media Attacks (Orig. Zaščita pravne osebe pred medijskimi napadi) **Drevenšek, Mojca, Zajc, Borut (1999)**	Journal – Teorija in praksa. Faculty of social science, University of Ljubljana	Review	Original Scientific Article	Slovene
	Challenges for Defence in Great Criminal Trial (orig. Izzivi obrambe v velikih kazenskih procesih) **Zakonjšek, Emil (2006)**	Podjetje in delo: revija za gospodarsko, delovno in socialno pravo. Institute for Work at Law Faculty, University of Ljubljana	Review	Published Scientific Conference Contribution	Slovene
Research on the role of the media in building myths and contributing to moral panic	Myths about Crime in USA (orig. Miti o kriminaliteti v ZDA) **Meško, Gorazd (2000)**	Journal – Revija za kriminalistiko in kriminologijo. Institute for criminology at Faculty of law, University of Ljubljana	Review	Review Article	Slovene
	Serial Cat Killers (orig. Serijski morilci – mačk) **Bulc, Gregor (2003)**	Journal – Teorija in praksa. Faculty of social science, University of Ljubljana	Qualitative methods – content analysis	Original Scientific Article	Slovene

	Title / Author	Source	Method	Type	Language
Research on the media reports about police	Media Reactions at Protest of Special Police Units (orig. Medijski odzivi ob protestu posebnih policijskih enot) **Batis, Roman (1996)**	Ministry of the Interior of the Republic of Slovenia	Semi-qualitative content analysis	Monograph	Slovene
	Some Aspects on Public Relations at the Police Directorates **Pipuš, Drago, Gorenak, Vinko (2004)**	Journal – Varstvoslovje. Faculty of Criminal Justice and Security, University of Maribor	Quantitative methods (questionnaires among 28 journalists and 68 leading and administrative workers at Maribor police directorate)	Original Scientific Article	Slovene
	Presentation of Police Activities in the Mass Media **Bučar-Ručman, Aleš, Meško, Gorazd (2006)**	Journal – Varstvoslovje. Faculty of Criminal Justice and Security, University of Maribor.	Review and qualitative methods (content analysis)	Original Scientific Article	English
Other research on media and security issues	The Role of Media in Control Over the Intelligence and Security Services (orig. Vloga medijev pri nadzoru nad obveščevalno varnostnimi subjekti) **Slak, Uroš (2002)**	Conference -Protection of Human Rights and Liberties in the Procedures of Repressive Institutions. Ministry of the Interior of the Republic of Slovenia	Review	Published Professional Conference Contribution	Slovene
	The Role of Media at Assuring the Overall Security in Society (orig. Vloga medijev pri zagotavljanju splošne varnosti v družbi) **Ambrož, Milan (2002)**	Journal – Varstvoslovje. Faculty of Criminal Justice and Security, University of Maribor.	Quantitative method (questionnaire on the sample of 457 respondents from whole Slovenia)	Short Scientific Article	Slovene

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Violence in the Media (Selected Cases in Slovene Media)

Dragan Petrovec

1   INTRODUCTION

The world seems to be filled with violence. Reports on crime are found in all the various media, in newspapers, on television and recently also on the Internet. The mass media follow the imperatives of market laws. Since crime reports attract audiences, it often happens that the actual extent of crime is far less than one would conclude on the basis of the quantity of text and pictures dedicated to it.

Graef (1992) writes that in certain print media the share of reports on a specific type of crime may be as large as 50%, while the actual structure of that type of crime accounts for, say, only 6% of total crime. While it is obvious that the world is in reality imbued with violence, the media present only one part of it, the part that is most spectacular and sells best. This sensationalist approach may create an impression that the rate of certain crimes is much higher than statistical data actually show. It is also true that there are instances of extreme crimes which do not receive much attention. Moreover, these crimes are sometimes systematically overlooked in order to perpetuate myths and legends about the honesty of particular individuals or social systems.

According to Noam Chomsky (2001)[1], the media avoid writing about what should actually be written about to distort people's perception of what happens in reality.

Among the more recent works dealing with the subject of media violence mention is deserved of "On Media Violence" by James Potter (1999). Potter lists a number of theories which attempt to explain the influence of the media and their messages on the shaping of behavioral patterns in viewers. Among them are biological, environmental, cognitive and interactional theories. All of these lead to the same conclusion that media violence does have an influence upon the recipient. Three lines of influence are the most salient:

a) a viewer responds with aggressive behavioral patterns i.e. learns to react in the same way;

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[1] A Canadian documentary about Noam Chomsky featured on TV SLO 1 on August 1st, 2001, showed how media adapted facts about the events in East Timor, the site of some of the most horrible crimes in the past decades.

b) frequent confrontation with violence in the media reduces a viewer's sensitivity to violence;
c) many viewers become afraid (Potter, 1999: 25).

Many studies cited by Potter (1999) confirm the direct influence of media violence on the increase of violence in society. For example, when television content of an expressly violent character intruded into certain areas, the extent of real-word violence in those areas also increased (ibid: 41). A 1996 study Media Violence and Media Influence mentioned by Petersik (2009) found that 57% of all television broadcasts included violent content. In addition, almost a half of children watch television alone or with friends, without parental attendance. According to the National Television Violence Study, conducted in 1994, 95.57% is the norm for violent content in television programs. However, differences in the proportion of violence between programs are conspicuous, with the relevant share on certain channels being as high as 85%. Huesmann and Moise (1996) also mention a Scandinavian study in which five and six-year-olds were divided into two groups. The first watched violent content and the second non-violent. The researchers, who later observed both groups while playing, did not know who in the group had been exposed to violent scenes and who had not. But they could conclude this without much difficulty, because children who had been shown violent scenes beat other children, shouted at them, threatened them and intentionally destroyed their toys more frequently than other children (ibid: 2).

2   THE JOURNALISTIC CODE AND MEDIA VIOLENCE

It is obvious that basic acts do address the regulation of violence in the media, but provisions are extremely loose. As a result, editors have a free hand when shaping editorial policies and it seems that the latter could be restricted only by applying the provisions of criminal law. Penalties and legal force are generally not seen as suitable methods for regulating human relations, so both are considered to be the *ultima ratio*. However, in this case it is limited to the violation of the relatively well defined right of privacy. Yet criminal law does not include elaborate norms to determine at which point a certain type of violence in the media be-

comes dangerous for the individual or when it encourages the individual towards violent behavior.

A report by Manuel Encabo (1993) accompanying the resolution of the Parliamentary Assembly of the Council of Europe on ethics in journalism is also worthy of attention. Encabo (1993) writes about the close relationship between information and ethics. In his opinion, all mass media i.e. publishers and journalists, sooner or later confront an ethical decision of vital importance. They can convince viewers and listeners to switch to their transmitter or channel, or to read their newspaper by using all of their knowledge and power. But they can also choose to win their trust by providing carefully chosen and unbiased information and ethical opinion (ibid: 65). Thus, the choice between information as a means and information as an objective in itself, that is to say, between commodity and public service, is eventually reduced to the choice between man as a means and man as an objective. Those who treat humans as a means to achieve something exclude ethics from their acts or intentions (ibid: 65).

In Encabo's (1993) opinion, these are the reasons why information should not be treated as a commodity. Information is a fundamental right and it is not in the possession of the mass media or the ruling power. Yet freedom of information in the mass media is not unlimited. In accordance with the resolution of the Parliamentary Assembly of Europe in 1970 (r 248) the duty of the press and other mass media is to fulfill their tasks with a feeling of responsibility towards both, the community and individual citizens. The scope of this responsibility includes respect for human dignity and for the vulnerability of children and young people, who should be protected against programs, messages and images with violent content.

To resist an editorial policy that exploits violence means to resist the temptation to reap an easy, guaranteed and generous profit. So expectations once again prove to be illusionary. Those media that aim to attain high circulation or ratings without violent content would need to mobilize creativity and imagination in journalistic reporting and invest considerable effort in methods that go beyond cheap but effective recipes.

3   REALITY TV – DOCUMENTARY FOOTAGE OF VIOLENCE AND HORROR

On January 23rd, 1999, the Ljubljana daily Dnevnik featured an article about the editorial policies of US television stations entitled "Feeding the audience with other people's misfortunes". It said that American television viewers preferred live violence over expensive films. The subtitle ran, 'The more blood, the better' and it was presented as a motto of the editors and producers of local TV stations. The article summarized the footage about a young woman who died of an overdose.

It explained that viewers could see the investigators searching the apartment and her parents arriving at the site of the tragedy. This broadcast was described as one among many shown on local television channels whose camera crews are always the first to arrive on the scene. As a result, it often happens that relatives see the victim on television before they are informed about the event by the police.

Reality TV has been moving into Europe. For example, SAT1 shows documentaries about various types of violence in a program titled *Echt wahr* (Authentic). In November 1999 it showed a brawl in an American penitentiary between a group of prisoners and guards. The extremely brutal fight was shown twice in quick succession, so that each detail could become indelibly imprinted in the viewer's memory.

The next feature was about a boy who attempted to light a rocket, intended for home firework displays, but it went out of control, exploded in his hand and seriously injured him. The explosion was shown four times in slow motion (this broadcast had nothing to do with warnings against the use of fireworks during festive seasons).

POP TV employed a similar concept in its broadcast about dangerous animals. It showed an attack by a bull terrier which had been set on a visitor by its owner. The video was equipped with a notice that the scenes were unsuitable for sensitive viewers. On October 24th, 1998, Kanal A showed a documentary by Reality TV (recorded by an anonymous person using a video camera) in which the Mexican police seized a suspected drug trafficker in a street raid. After they had placed him in position for searching with the man leaning on the police car, a police-

man shot him in cold blood and then waved a gun, obviously not one belonging to the suspect, but intended for later use to prove that the man was killed in self-defense.

Of course, Reality TV is nothing but an attempt (a successful one) to attract mass viewers by offering something new and shocking, something that is not counterfeit or faked. Everyone knows that it really happened. Tragedy, blood and crime have never been so close to us.

4   THE INTERNET

The Internet is the first ever system to offer literally every home on the globe, among other things, the most horrible forms of crime richly illustrated with graphic material. The Internet is a space in which the human imagination feeding on base instincts knows no limits. It is true that certain pages with prohibited content are hunted and that providers of pornographic pedophile materials are occasionally tracked down. But it is also true that different countries have legislation of varying degrees of strictness. In addition, the principle of free expression in many places has priority over the potential harm to individuals, including vulnerable groups such as children or teenagers. It is not hard to find Internet pages whose authors boast content that would be banned from any other site. Another popular form of self-advertisement is claiming the most horrendous, odious, repulsive, violent or shocking images on the Internet. Since many page owners boast the same excess, this type of content is obviously abundant.

There is no imaginable form of extreme violence that is not represented on the Internet. Some pages exploit the tragic events and unspeakable cruelties that occur in conflicts. One can find documentary images of tortures and rapes committed by policemen and soldiers in East Timor, or photographs shot by American secret agents in Kosovo of the rape of young girls and children.

When real images run short, page owners resort to presumably faked scenes of violence, but their impact on users is no weaker than if one were viewing a documentary. Even with documentary images, one should

ask whether these are aimed at raising awareness among the public and prompting measures to be taken against violence in general. Unfortunately, it is much more likely that what we have here is a skillful marketing of evil which never seems to run short of consumers.

5   SEXUAL CRIMES AS FEATURED IN SLOVENE MEDIA

Sexual crimes attract special attention. As regards reports about sexual crimes, it is possible to argue that the manner of writing tells us a lot about the author as well as the editorial policy of a newspaper, which either encourages a special style of writing or simply allows it.

The question here is whether it is necessary, when reporting sexual abuse, to provide readers details of the act, and what purpose is served by giving such details. While one cannot but agree that sexual offenders follow the basest instincts, it is also possible to ask whether the descriptions of sexual abuse point to certain pathological instincts (of course, different from those pursued by sexual offenders). Or could it be that these authors are driven by a wish to elicit a specific (perhaps pathological) response in readers. Do morbid scenes hold special attraction for readers? Can one talk of a special kind of "voyeurism from a safe distance"? Whatever the answer states, it seems that reporting in this manner reveals a unique pathological state. In contrast to various crime experts, for example, medical staff, criminologists, prosecutors and judges, and reporters do not come into close contact with violence. While it is understandable that a part of the violent, criminal and morbid world should be exposed to the public eye, it also seems that the media find it extremely difficult to set the limits beyond which reporting should not go. There are several reasons for their inability to impose restrictions. Media democracy makes it difficult to accept any idea involving censorship (except in relation to classified information). But it also seems that by acting in the name of the right to be informed, many things that get the green light have far worse consequences than they would, had a minimal level of self-censorship been in place.

6 RESPONSE OF THE SLOVENE AUDIENCE TO VIOLENT CRIMINAL ACTS

The instance of reporting that triggered the greatest number of responses in the recent past was that about the torture of cats, dubbed the cat scandal, which filled the pages of all Slovene media for quite a long time. Once the journalists had communicated every piece of information they could get hold of, it was time for public opinion to be heard. It is difficult to recall any public outrage of the same proportion that was triggered by aggression against human beings. Most frequently, those who responded supported their arguments by saying that this was a case of violence against powerless beings who could not resist their torturers.

What was ignored was the fact that many violent acts are directed against people who do not have any chance to defend themselves, particularly children or adults, who cannot, for various reasons, resist the overwhelming force. In the above example of animal torture, the media was filled with heavily detailed reports. The perpetrators were three high school students who kept journals recording their acts. Responses varied with some stressing that these arrogant and aggressive perpetrators should be handled in a way that would bring to light the reasons behind their acts, particularly since none had the kind of difficult past that might explain their behavior. However, such voices were rare. More numerous were cries for lynching. Judging by journalistic reports, the atmosphere in the environment where the perpetrators lived matched the morbidity of public demands.

7 A COMPARISON OF PRIME TIME NEWS PROGRAM VIOLENCE ON POP TV AND TV SLO 1

We compared the shares of violent content on POP TV and TV SLO 1 prime time news programs. Our aim was to establish the differences in the extent of news coverage that brings into people's homes violence, crime, scandal, suffering and serious accidents. Our sample included 114 prime time news programs broadcast between February 7th, 2001 and April 27th, 2001, regardless of daily events. Each newscast on a specific channel was compared to a corresponding newscast on another channel

on the same day. This enabled us to establish similarities or differences in the coverage of the same events, as well as the various degrees of importance attached to these events. The average share of violent content on all POP TV news programs included in this sample was 40.3 %, compared to 18.2 % for TV SLO 1.

The focus of the research was on two categories of content: one was expressly violent content, or content related to crime or to scandals which arouse fear of crime, and the other was news about accidents. This required very careful assessment because a report about a criminal offense does not necessarily arouse fear of that type of crime.[2]

8   THE SHARE OF VIOLENCE, CRIME AND SCANDAL IN THE MOST POPULAR SLOVENE TABLOID

The most widely read daily is *Slovenske novice*. *Slovenske novice* has regular readership of 300,000 or 18 % of the total population.

8.1   Method

We selected criteria for assessing the violence content in *Slovenske novice* in a manner similar to that described above. The sample consisted of 100 randomly chosen issues in the period 1999-2000.

8.2   Results

The proportion of violent content in *Slovenske novice* is 26.9 %.

Our analysis of banner headlines (i.e. headlines printed in red or black, or those stretching across the front page, usually printed in italics in a separate frame) has shown that the front page features the most sensational, violence related titles intended to attract reader's attention. Headlines of

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[2]   For example, news about Slobodan Milošević's life in detention was categorized as neutral content. On another occasion when references to Milošević were illustrated with archive footage of protests and police beating the protesters the news item was categorized as »violent content«.

this type account for as much as 79 % of all headlines. The term "tragedy" appears ten times. Other terms frequently used in headlines are "horrible", "fearsome" and "bloody".

The front page often includes other titles pointing to violent acts other than the one that is highlighted and accorded the largest print. Some of the headlines below appeared on the front page following the main headline, while some were featured on the next page.

Rape and cruel killing in front of daughters
Sex with an underage girl and a pet dog on top
Brutal rapists
Monster - whimpering murderer killed one hundred innocent children
Rapes and killings
Gun blasts at children
Horde of special forces invaded the village
Wanton Ivone found mangled, hanging
Croats killed with machine guns
At least 100 rape victims
45 youths trampled
Naked teacher come running and forced student into sex
Postojna weapons for 200 terrorists
Man raped and strangled
Children kill children
Homeless son killed father
Blind with jealousy killed wife in front of daughter

8.3   The results of the comparison of Slovenske novice, Delo and Dnevnik

This sample included randomly chosen issues of Delo and Dnevnik. We compared the violence share in these two papers with the average calculated for 100 random issues of *Slovenske novice*.

Violence share in *Slovenske novice*, *Delo* and *Dnevnik:*

- Slovenske novice 26.9 %;
- Delo 3.1 %;
- Dnevnik 8.6 %.

9   CONCLUSIONS

The abundance of violence described in this study probably suggests the need for censorship. Even those foreign countries, which we justifiably consider as the most developed in terms of democratic principles and respect for human rights, and which we sometimes view with envy, occasionally make use of censorship to restrict violent content. For example, Sweden is known for its liberal approach to sexuality, but it banned the movie *"Bonnie and Clyde"* on the grounds of violent scenes. They obviously concluded that the showing of erotic or pornographic content is considerably less harmful for citizens than violence.

Since the censorship makes censored news even more attractive, it does not appear to be the proper solution. Furthermore, the process of education should not be based too much on forbidding. The final goal should be that the audience itself rejects choosing of violence.

In a modern world equipped with the most varied electronic systems, limiting access to violence-related information seems impossible. But striving for a culture that distinguishes the good from the bad, to use a hackneyed phrase, seems to be realistic. The shaping of such a cultural and civilized environment is not a short term project, but one that lasts for years or decades.

Media companies offer a number of variously convincing explanations. They maintain that the media offer what readers want, or rather demand, while referring to the right to be informed. In addition, the media present the truth, the naked truth, in all its various dimensions. Therefore, the media cannot be blamed because reality is as it is. On the contrary, it is only right that people know what happens in reality. It is not difficult to substantiate these claims, because the audience rewards the media with high ratings. The more truth (violence) media present, the higher are the ratings.

It seems that violence operates in the same way as radioactivity. Initially it is imperceptible, but once we begin to feel its effects, the consequences can already be serious. What should one to do resist the temptation? Does the struggle against violence lead to a puritanical society that will only conceal passions which will eventually erupt in some other, no less destructive, form? That is possible, but that is not what we advocate here. Expert panels

within television and newspaper companies could be of some help. These could address the problems of the presentation and marketing of violence. Such bodies should address violence as a general problem and define policies in addition to dealing with specific examples.

Many discussions accompanied the recent Balkan wars, in which the limits of documentary presentation were not clear. On the one hand, one could identify a wish to present the horrors and thus to prompt a suitable response from those who were able to prevent or limit these horrors, but on the other, sensationalism often prevailed. Furthermore, institutions related to the media or crime policies, ranging from scientific institutions to professional associations, should also participate in the discussion about violence in public forums. On this road, of course, assuming that some are willing to take it, one can expect a number of obstacles.

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On media, crime and policing in Serbia – Recent Developments

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1   INTRODUCTION

Mass media have a crucial role in defining the world we live in. Erikson (1991) points out that recent studies show the mass media to be more open, diverse, pervasive and influential than most scholars have appreciated. The mass media do not merely report on events but rather participate directly in processes by which events are constituted and exist in the world.

The media and its audience are obsessed with crime and deviance. Crime-related news is presented in newspaper and TV headlines, crime is ubiquitous in film genres, video and computer games. The internet, as a new global interactive media, has lead to increased interest in all things crime-related, playing an ambivalent role whilst simultaneously enabling an exchange of views on crime and facilitating new ways to commit crimes. While there is common agreement on those facts, opinions are different when it comes to questions like the nature and effects of this obsession. Is the media obsession with crime harmful? What are its effects on public fear about crime, what exactly is the relationship between mass media and crime? Research in the field of criminology and media studies has sought to understand and explain those relations for more than a century and has developed a number of theories from different theoretical perspectives (Jewkes, 2004).

Crime is not the only media obsession. According to Robert Reiner (1997; 2001), the media are fascinated with police and dramatizations of police action that provide sensational entertainment. It is almost impossible to deal with crime issues without mentioning the police. The existence of 'criminals' implies the existence of 'heroes' (police) on the other side. There are two sides of the coin. We can distinguish two main media approaches to the police: 'informative/factual' dealing with real events and facts, and 'fictional' referring to the mediation of real events.

Most people find out about the majority of crime events and police activities from the mass media with only a minority finding out about such events through other sources such as the personal experiences of ourselves or our acquaintances (Bučar and Meško, 2006). So, by presenting notions of security and images of the police, the mass media significantly influence perceptions of citizens and their attitudes towards crime and social capabilities for crime control. The media are also important creator of myths about crime (Meško, 2000).

Serbia has recently passed through three main phases: socialism (1945-1989), the period of personal rule of Slobodan Milošević (1989-2000) and the current phase (2000 onwards) which has striven to build democratic institutions and establish rule of law. We will in brief describe the social, political and professional position of the media in each of those phases. We will also outline how the media treated issues of crime and policing, and main characteristics of police–media relations in each of these periods of modern Serbian history.

2   THE MEDIA SITUATION IN SERBIA – SUBTLE RATHER THAN EXPLICIT PRESSURE

After WWII, Serbia, then part of the Socialist Federal Republic of Yugoslavia, was building a Soviet style socialist system in which the media functioned as a propaganda tool of the Communist party. Freedom of expression was limited, newsprint factories and printers were nationalized by the state, and press production was totally controlled. The gradual liberation of the Serbian media started in the 1960s with the introduction of a system of socialist self-management and some forms of market economy, the transformation of the Communist party into the 'ideologically ruling' League of Communists and the liberation of the cultural sphere from direct state/party control. While some features of the centralized media system were formally abolished, a state monopoly, political censorship, laws banning critical journalism, social ownership (by the Socialist Alliance of Working People, the SAWP) granted the right of control to political power centres. In addition to formulating editorial policy, control mechanisms financed and influenced the appointment of managers and editors (Matić, 2004). Journalists were still 'social-political workers' accountable to the socialist regime and political elite. Yugoslav laws consistently and comprehensively restricted media freedoms, in accordance with the political substratum. After the death of President Tito, party's control over the media slightly loosened and journalists gained certain freedoms. But, at the end of the 1980s, the disintegration of Yugoslavia, followed by a strengthening of nation states in all of the republics, stopped the process of decentralization and liberalization of the media. The media were put into the direct service of republican authorities in the "service of national interest" (Baćević, 1991) in order to support and legitimize state-building

projects of the nationalist elite. The Serbian leadership was the first to use the media for turning nationalistic rhetoric into socially desirable forms of public discourse.

Like all other socialist countries in the last decade of the 20th century, Serbia made the transition towards democracy. Despite formal changes to the political system, the newly-introduced democratic institutions were just a facade of the personal rule of Slobodan Milošević and his party (the Socialist party of Serbia, the SPS). During Milošević's rule (1989-2000) Serbian media were divided into two categories. On one side were state controlled (pro-regime) media which consisted of party bulletins. On the other side were independent newspapers, radio and TV stations which had close relationships with opposition parties and which were privately owned. These appeared in 1996, and operated in a totally unregulated environment and faced severe repression by the regime. They did, however, gain a considerable reputation for professionalism. The opponents of the main ideology, including media that were not under direct government control, were considered not as a viable political opposition, but as enemies of the state and the nation.[1] The independent media[2] played one of the crucial roles in the defeat of the regime and its overthrow in October 2000. However, since the democratic changes, the media have progressed little. They have failed in terms of professionalization, market functioning, privatization, transformation and legal regulation. The situation of the media has become increasingly chaotic (Radosavljević, 2004).

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[1] There are some examples: On June 2, 2000, journalists of the following dailies Danas, Blic, Glas javnosti, and agencies Fonet and Beta were not allowed to attend a session of the administrative committee of the Serbian Parliament. At the very beginning of this session, the President of the Committee, MP Dragan Ljubojević (Serbian Radical Party - SRS), accused news desks of "treacherous media" and "asked" their journalists to leave the meeting. Otherwise, the meeting would not begin. Ten days later, these journalists were forbidden from reporting from the session of federal assembly with the explanation that their requests for accreditation were late. Nikola Šainović, vice-president of the Government of FR Yugoslavia, stated, on June 6 2000, that the independent media were "traitors and NATO servants", adding that it is time for citizens to become "owners of the truth". At a meeting of the local committee of the Serbian Socialist Party (SPS) in Veliko Gradište, on June 29 2006, the Minister of the Interior, Vlajko Stojiljković, accused Otpor (an opposition organisation), media and NGO's of terrorism (*Dossier on repression No 4 for June and July 2000 in Serbia in media sphere, 2000).*

[2] We are fully aware that fully "independent media" is a Utopia, or, at least, an ideal. By this term we mean media that are not under direct control of Serbian government.

After the democratic changes of October 2000, the new Serbian government was constantly claiming the right for free access to information, and the need for an independent and critical media for society, criticizing the politics of censorship. Since the start of political changes in Serbia, the media in Serbia can be considered to be generally free, although often disoriented with regard to major events and occasionally servile towards the authorities and key individuals (Radosavljević, 2002). Political influence has become both more sophisticated and more discrete. A number of printed and electronic media have emerged and journalists are relatively free to write, search for information and criticize the policy-makers at both local and state levels. At the same time, the level of journalistic quality is low and there is a sense that objective reporting is declining.

After 2000, most media in Serbia became commercialized with a large-scale transformation to tabloid media. There are a lot of new and privately-owned media searching for sensational stories. Also, some media are owned by the 'nouveaux riches' some of whom have political ambitions. It is especially disturbing that some media are apparently owned by people with criminal records trying to misrepresent themselves and position themselves within the political establishment. The commercialization of independent media has resulted in a repositioning towards the prevalent public opinion, which is conservative and reactionary having been influenced by the propaganda of the regime's media for more than ten years (Spaić, 2005).

Nearly a decade after the democratic changes, the Serbian media is characterized by a lack of regulation[3], with existing laws failing to be implemented. The media market is not regulated and information about media ownership is not available. This allows the operation of a disproportional number of newspapers and radio and TV stations. In Serbia there are around 2000 radio and TV stations (in Belgrade alone there are 120) and in Belgrade there are around 15 daily newspapers. The consequences include a difficult financial position for many journalists due to a chaotic and crowded market, and a corresponding decrease in professionalism.

Information regarding ownership of the media is not available, and cases of defamation have become commonplace. In this state of disorder have

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[3]   In Serbia there are only three media laws – the Law on Radio diffusion, the Law on Public Information and the Law on free access to information of public importance, but they are not implemented.

emerged practices of threatening journalists, bribing editors, spreading political influence through the media and neglecting the basic ethical principles of the profession. Furthermore, in the area of electronic media there are still obvious monopolies and inherited privileges. The printed media are facing, on a daily basis, major infractions of journalistic ethics and numerous court trials against journalists.

The survey, within the regional research project of SEENPM *Ethics in media – did anything change* conducted by Media Centar from Belgrade (Medija Centar, 2005), comprised 30 journalists and revealed problems like the weak and insecure position of the journalist, politicians influencing media owners, journalism fluctuating between servile flattering[4] and sensationalism[5] and neglect of the ethical code.

Most interviewees thought that the fight for survival in the media marketplace is unscrupulous. Sensationalism in newspapers is considered necessary to sell the product, but condemned for moral reasons. It is obvious that the answer depends on the character of the media someone works in. Generally speaking, we can notice trends towards tabloidization, the use of scandals and necrophilic voyeurism ("readers love blood"). Causes of sensationalism are not only commercial but also political. In some cases they are motivated by political rivalry or the aspirations of individuals, particularly those with criminal backgrounds, to improve their position.

Under conditions where values are suspicious and bad taste prevails, criminals are portrayed as angels. Most of the journalists believed that fundamental professional principles have been violated and that people with suspicious biographies (let us use euphemisms) are often presented like modern heroes: "Tabloids are full of fairy tales with criminals described as angels", says a journalist with 12 years experience on a private TV station. But: "Unlike in the nineties, the media now publish much less of that stuff", says a journalist with five years experience in a weekly

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[4] Investigative journalism is on the edge of extinction and fundamental professional standards are being abandoned: nobody verifies information, journalists avoid resistance, journalism is very often reduced to merely transmitting political and official statements, especially those made by the police.

[5] Political infighting often leads to simulated investigative journalism ("affairs breaking out"). In some media this kind of investigative journalism is often combined with sensationalism, vulgar words and insults.

magazine. "State of the media is so dreadful that it's actually worse than during Milosevic's era. There is no repression as before, but after October 5th, 2000 the media went to the other extreme we now have the most liberal media scene where no one can be held accountable for published information. Responsibility depends on the goodwill of editors and owners. Nobody fears legal repercussions and it is erroneous because, in other words, there is no responsibility for published material. That's why it is even worse now." (Medija Centar, 2005).

3   MEDIA AND CRIME – FROM GOOD NEWS TO BAD NEWS

During the period of socialism in Serbia, the communist party was using the media as a tool in building a picture of a safe, just and harmonized society. Crime news was not used to sell papers and encourage fear of crime amongst citizens. Crime reporting was used to promote the ruling ideology and portray the state security system as efficient and effective. Crime and criminals were stigmatised in factual and fictional media images.[6]

During the Milosevic era, the media was primarily used as a tool of political propaganda. Changing social circumstances and the dramatic economic polarization of society following privatization[7] may have contributed to

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[6]   One of most popular exceptions is the Belgrade Phantom (Serbian: *Beogradski Fantom*), a nickname of the guy who night after night repeatedly managed to run away in a white Porsche from the cops who were driving their Serbian made cars. His real name was Vlada Vasiljević, a small time crook apparently very good at stealing cars and with a particular obsession for expensive sport cars such as Porsches. These stunts made him famous at a time when communist Belgrade was uninteresting and the public would gather every night around Slavija Square waiting for him to do his show and to escape from the police (*Narodna Milicija)*. The reason for doing this is also unclear. Some say that he hated the communist regime and wanted to beat it in this symbolic way, others that he simply hated cops and wanted to make them look bad, and some even say that he did it because he was bored. The most interesting version suggests that he did it for a girl and that he would pick one rose every night from the center of Slavija Square, while he was running from the cops. Vlada died few years after he left prison in an old Russian Lada – stolen. http://www.belgraded.com/blog/culture/urban-belgrade-myths-belgrade-phantom-beogradski-fantom

[7]   The convenience of privatization through the sale of 'social property' was used by the political elite. One piece of research from that time shows that two thirds of citizens perceived the beginning of privatization in Serbia as "pure theft" (Vuković, 1995: 198).

the acceptance of crime as a legitimate tool. The privatization process took place with few controls which produced a fast and very polarized collapse of the informal system of values. The situation was additionally worsened by war and the UN's economic sanctions against Serbia in 1992. These contributed to rapid impoverishment of the masses as well as to a continuation of the polarization of the warfare economic profiteers and transitional winners on the one side and losers on the other.

The willingness to take risks tore down moral barriers toward crime. The borders between the legal and illegal for the majority of citizens - forced to smuggle in order to 'survive day by day' - became blurred, and violation of the law 'justified'.

On the other side, there was a process of idolization and romanticization of criminals. It was partly relying on a revival of myths of a 'protector' of 'endangered groups' (and frustrated individuals).[8] In the Serbia of the 1990s, the protective function of the state was dramatically weakening. Under the pressure of the security crisis and in absence of the rule of the law, tribal perceptions of justice were reinvigorated. A return to the 'warrior tradition', a strengthening of violent values and the offering of 'legitimate' channels for outlet of accumulated frustrations, were the only appropriate means for diverting the this essential process. The nationalistic discourse and ideological passion of fighting wars was incorporated in the foundations of the social normative of 'masculinity'. Bloody texts about crimes of 'heroes' and 'protectors' were suppressed by sublime notes of odes for 'saving of the people'. Forgiveness for their destructive nature and legitimation of their crimes meant that they became martyrs who 'protected innocents', deserving fighters for the 'democratic renewal of Serbia', or as 'tough guys' capable to confront evil and injustice.

Since that was at the time when persons from the underworld enjoyed the support of the state, it was impossible to write about them objectively

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[8] Some criminals have recently become celebrities. One of them is Željko Ražnjatović Arkan, a criminal convicted in several European countries and a commander of Serbian paramilitary forces engaged in war crimes in ex Yugoslavia. He became a leader of a small political party (SSJ) and MP. His wedding with famous folk singer Svetlana Veličković in which he wore an old Serbian uniform was videotaped and cassette was sold in thousands of copies. He is a paradigmatic combination of a criminal, a patriot, a politician and a mass culture star in one person and a role model for the young generation.

without fear, so journalists portrayed these personalities positively. The media turned criminals into heroes. Tough guys from the street who were previously called thieves and criminals became idols, respected citizens with reserved tables in the best restaurants, they booked apartments in the best hotels, they became businessmen with bodyguards, owners of luxurious, often armored cars, and respected guests of talk show programs (Milošević, 2005).

Even after the political changes in October 2000, the situation concerning the idolisation of criminals has not essentially improved. For instance, various versions occurred about whether on October 5th, 2000 Milorad Ulemek Legija, in agreement with the Prime Minister Djindjić, stood on the side of the people, which contributed to an avoidance of bloodshed. Some media joined the creation and inflated of the myth of the October 5th`s savior role of criminals who 'stood on the side of the people'. Thus, Milorad Ulemek, who joined the overthrow with his people from the Special Operations Unit of the State Security, received romanticized publicity. "Almost until the warrant for arrest was sent after him under indictment for assassination of the Prime Minister of Serbia Zoran Djindjić, he was the hero of the media, especially of tabloids" (Milošević, 2005).

In fact, after the political changes of October 2000, the Serbian media generally played a dual role. On one hand, some media was on the side of the criminal elements, playing a role in the preparation for the assassination of Premier Djindjić,[9] while, on the other, some media had a leading role in the fight against crime (organized crime in particular), by launching the affairs.[10] Nikolić-Ristanović (2004: 687-688) observed that the

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[9]   A day before the assassination of Prime Minister Zoran Djindjić, on March 11th, 2003, a weekly tabloid *Identitet* published articles on the mafia's intention to kill the Premier. *Identitet's* front page heralded the Premier's death by the headline: "Laufer: Djindjić Target of a Freelance Shooter - Hague Serbs order Assassination". This tabloid exclusively published the first part of "original top-secret intelligence material of agents Laufer, Maksa, Milutin i others", published in the form of feuilleton indicating the Premier's "fear of liquidation". Gradiša Katić, editor-in-chief of the weekly *Indentitet*, was known as being close to Dušan Spasojević and Milorad Luković Legija, who had been directly involved in the Premier's assassination. Anastasijević, D., "Mafija i mediji: ubice i svedoci" (Mafia and the Media: Murderers and Witnesses) (*Vreme*, 2003)

[10] It should not be forgotten that the tabloid press revealed numerous affairs ("Bodrum" – false voting of MP whilst he was in Turkey, furnishing the VIP saloon at Belgrade's airport, export of sugar in EU etc). Thanks to this kind of media, the public

main features of media coverage in the period preceding the assassination of the premier were analyses of the crimes committed during Milošević's regime, and the pressure on the Government to undertake effective action against organized crime. Printed media coverage was "full of articles resulting from organized crime 'investigations' done by journalists [...] In that period, the reaction of state control, including both the police and judiciary, was slow, vague and contradictory...". After the assassination of the Prime Minister, however, particularly during and immediately after the state of emergency and police action 'Sablja' ('Sabre') launched in March 2003, the media focused primarily on the fight against organized criminal groups and all those involved in the assassination of Premier Djindjić.[11] But, upon 'Sablja' ending, focus centered on its selectiveness, other shortcomings and its political consequences, followed by certain relativization of criminal identity, involvement and responsibility of some actors, including those who played an important role in the assassination of Premier Djindjić.

Within the framework of the above research conducted by *Media Center* in 2005, the respondents, journalists, were asked if they knew of any instances when memoirs or narratives of a criminal were cited in their media outlet, and whether it has been of any use to them. They were also asked whether there were any political implications (whether any politicians or state institutions were mentioned). The answers included:

> "Some of them presented JSO (Special Operations Unit) members as heroes. I remember this captain Džo from Kurir, former Red Beret who talked about the Hague brotherhood, Djindjić, Legija. There's been a real fuss about that in the public...". (Journalist, 8 years of experience, public city TV station).

was in the position to learn about misconduct of officials. It is known that despite evidence of substantial corruption, not a single politician was convicted in a court of law (Đurković, 2009).

[11] It should be noted that the tabloid press was under pressure from the government during operation 'Sablja'. They were generally marked as "mafia owned". During the investigation, the weekly *Identitet* appeared to be financed by the notorious Zemun clan. However, the ruling political elite continued for some time to treat the tabloid press as an extended branch of Milošević's intelligence structures and criminal circles related to them. The motive was obviously a political one, bearing in mind that these dailies, as a rule, were "patriot oriented", and very critical in treating the policy of the regime (Đurković, 2009).

"Tabloids are full of fairy tales presenting all criminals as angels. I think these media outlets are trying to improve their public image for them. They are doing PR for them". (Journalist, 12 years of experience, private TV station).

"Not in my office. But criminals became heroes because of such stories. There were instances when Legija (indicted for the assassination of the Prime Minister) and Čeda (former Deputy Prime Minister) could be found on the same page and in the same level. Criminals are getting as much space as anybody else. One of them has published a book which could be bought together with daily newspapers. What else can you do to glorify them? Some media outlets tend to worship criminals". (Journalist, 3 years of experience, radio).

"Yes: Kristijan Golubović, Andrija Drašković, Čume... It may have improved their standing with young people...". (Editor, 12 years of experience, daily newspaper).

"Stories about criminals sell the papers and people read them. If you publish an interview with Kristijan, for example, every kid will buy them and say: 'Look at this!' That's not some kind of editorial policy, that's just the way it is". (Editor, 15 years of experience, weekly newspaper).

"Some time ago Vanja Bulic had some guests who said – yes, I did it, I stole that, I did some time in prison... that is somehow OK. Now you can make a nice story about someone like C..., he was a criminal, but run for an office anyway! Who is really a criminal here?" (Journalist, national radio, 10 years of experience).

The following crime-related observations of the journalists are also interesting:

"You can be rebellious journalist that discloses criminals, but you will lose your head." (Editor of private TV station, 22 years of experience).

"It is worrying that individuals with dubious or even criminal pasts have the opportunity to talk like businessman. One private media published an interview with the notorious criminal Dušan Spasojević presenting him like Mother Theresa. That was in 2001 when he was released from

jail. His image was improved, but the image of the media was spoiled." (Agency editor, 14 years of experience).

Media bias in Serbia includes ethnic bias and sensationalism, but also the overrepresentation of crime reporting, particularly in regard to violence against women and children, as well as school violence, that lead to moral panics. The practice is widespread of getting readymade materials from other actors, often the organizations dealing with particular issues. Responsible investigative journalism commonly requires more time, research and money and is still poorly developed. This problem is exacerbated by the widespread insecurity of journalists, given several attempted and completed murders of journalists in the past.

Certainly, the news media in Serbia, as elsewhere, deserve praise for rediscovering crime victims; by describing their plight - how they were harmed, what losses they suffered, what helped their recovery and how they were treated by the legal system. The media has allowed the public to better understand and empathize with those who suffered harm (Karmen, 2007: 31). On the other hand, there is much research evidence suggesting that the media importantly influences and shapes public perceptions of crime risks, while fear of crime is firmly related to the fear of the Other (Walklate, 2007: 98-101). Thus, media representation of crime victims influences both public perceptions and emotions concerning crime issues – the perception of crime range, structure and risks, as well as the targeting those who are perceived as the source of danger. These elements constitute a moral panic.[12]

The stereotypical representation of crime victims reflects the media's simplistic and sensationalistic approach to the crime problem with almost total neglect of structural victimization issues. This is particularly obvious with regard to information on trafficking in human beings and representation of trafficking victims – the media in Serbia is predominantly concerned with

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[12] As Stanley Cohen (2002) pointed out regarding 'moral panic', "people's perceptions of the relative seriousness of so many different social problems cannot be easily shifted. The reason is that cognition itself is socially controlled. And the cognition that matter here are carried by mass media. This is why moral panics are condensed political struggles to control the means of cultural reproduction. Studying them […] allows us to identify and conceptualize the lines of power in any society, the ways we are manipulated into taking some things too seriously and other things not seriously enough".

trafficking in women and girls for sexual exploitation (men as victims, as well as other forms of trafficking are almost invisible in the media)[13], while the victims are mostly presented in pornographic terms, as attractive sexual objects, stereotyping victims as 'credulous women' and sending mixed and contradictory massages to the public and potential victims, while encouraging perpetrators (Nikolić-Ristanović, 2005: 11-12).

The selection of real-life tragedies that are most likely to shock the audience is well observed in Serbian media. While the sensation is in the focus, the rights of both crime perpetrators and victims are often violated. As elsewhere, particularly endangered is victims' right to privacy, reflecting the present practice of comprehending the victims as 'objects'.[14] The research *Analysis of daily press in 2003*, conducted by the Child Rights Center in Belgrade showed that sensationalism was very much present in press articles covering cases where children emerged either as victims, or perpetrators of crimes of violence. This sensationalism aimed to raising the circulation, not to attach importance to the problem[15] (Stevanović, 2008: 55).

In the research conducted by Medija Centar from Belgrade (2005), respondents were asked if they remembered stories when victims of crime or accidents were publicly exposed or unnecessarily identified, especially if they were minors. Most of the journalists referred to the incident when a minor was thrown from one of Belgrade bridges by his peers. His nationality [Roma][16] was accentuated without any reason or justification. They also pointed out to a TV appearance by a Dr. Stajkovac who announced a story about the sexual abuse of a baby, which was not true, but parents'

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[13] This is primarily the consenquence of the common practice of getting 'readymade materials' from organizations that deal with victim trafficking issues (as a rule, those organizations concentrate mainly on the victimization of women and children). This is one more piece of evidence supporting the thesis that journalists explore too little by their own and commonly transmit knowledge generated by other actors.

[14] Discussing the treatment of refugee issues in the Serbian media, Grujić (2005: 20) pointed out that victims in general, including the refugees, have been predominantly treated as objects, not subjects of relevant political processes. "That is, therefore, conducting without respect to victims, and without essential understanding of the scope of tragedy of refugees; it is not relation toward those like Us, but toward Others".

[15] For instance, the papers included in the analysis contained headlines such as: „Monsters", "Children in the hell of pedophilia", "A retired man debased", "Debauched teacher" etc. (Stevanović, 2008: 55).

[16] The Roma nationality of four minor boys who perpetuated this crime was also emphasized in the media.

names were mentioned anyway. The name of a child infected with HIV/AIDS in a hospital was also published. Some interviewees pointed out the publication of photographs of soldiers killed in Topčider (Belgrade). Most of the interviewees believed that this situation was caused by the rush for bigger press circulation: "I think it's a result of competition. They're trying to attract more readers. Serbs are the kind of people that need only food and games to have fun in this crisis situation, the social and economic crisis". (Female journalist, 8 years experience, news agency).

> "They are constantly identified, either their names are published or so many details that everyone can identify them, especially in small towns like Kragujevac. For example, that girl who made a porn movie…" (Journalist, 6 years of experience, daily newspaper).

> "Legendary *Kurir* has just published children's names after some family tragedy. I still can't understand why" (Journalist, national radio, 10 years of experience).

Daily *Novosti* published, on the front page, a photo of a deceased person with the headline "Mother still does not know", while a radio reporter from Niš (10 years of experience) objected to her colleagues for interviewing the parents of a youngster who had been stabbed. Similarly, the editor of a private TV station stopped broadcasting a report of a suicide following a request by the family (Medija Centar, 2005).

There are many cases in the Serbian press that indicate a dangerous excess of zeal, when journalists assume the role of investigator, prosecutor and judge, even for minor cases. Persecution, tirade, ignoring the presumption of innocence, as well as a lack of elementary concern for the victim's dignity, is apparent in the press. It is not rare for drastic photographs of mutilated corpses of victims, or severed human heads so that every facial feature is recognizable, to be printed on front pages, even during the period of "truth, catharsis and reconciliation." Some promoters of the new values have even reached the rhetoric ferocity of the former fighters for national interests; the former use words such as "criminal," while the latter had used words such as "traitor" and "mercenary" (Milošević, 2005a). According to Milošević (2005a), part of this practice actually appeared as a consequence of the inertia of war propaganda that had engulfed the local media, and also because of a lack of consideration on the part of reputable foreign

media that reported from the Balkan frontlines. Such media treated the situation as a hunting ground for necrophiles, publishing enlarged photographs of the horrors in a manner not used when reporting about accidents in their own country. The local media had no trouble imitating this model, although they were already accomplished in this area.

Contrary to the principle that reporting (especially reporting on legal proceedings) must be unbiased, the Serbian media have for years violated presumption of innocence. Suspects are indicted, the indicted are convicted and the convicted are protected (because the media often glorify criminals). Such conduct was more pronounced during and after operation 'Sablja' (a state of emergency and mass raid against criminals after the assassination of Prime Minister Djindjić) and the trials that followed. During the mandate of Dragan Jočić as a Minister of Interior (2004-2008), TV coverage of arrests, including those of judges, prosecutors, famous football coaches and other celebrities were commonplace, and breached legal provisions of presumption of innocence. Some individuals were arrested in full view of the cameras, sometimes under humiliating circumstances, later to be released without charge. A former Co-minister of Interior stated: "I think that police and prosecution with to prove the quality of their work and their reactions, and that it is some kind of general prevention. The whole story begins so that someone from the police informs media, while the police shelter behind claiming that media by chance happened to be on the spot, which is totally impossible. And I think that until someone sues them they will not stop doing this" (Šta znači pretpostavka nevinosti, 2008).

Sensationalism and false reporting have inevitable consequences on a fair trial. There are two phenomena, different by aims, but with the same consequences: manipulation with media (by giving false information) and sensationalism, false or one/sided media reporting. Possible solutions could be in the training of journalists and restricted access to information in the phase of pre-criminal procedure and preliminary criminal procedure (Mrvić-Petrović, 2005).

Generally, the media in Serbia do not engage enough with criminologists regarding issues of crime and justice. As pointed out by Gregg Barak (2007: 192-193) while analyzing the situation in the USA, a few criminologists 'pop up' consistently. But, when they appear, "they rarely if ever drive the story. On the contrary, they are usually being 'used' as criminological

props to give some credence or legitimacy to an already decided upon news 'peg' [...] When public discussions about crime and justice occur, the mass media primarily rely on agents of the State [...] and, last but not least, on various politicos whether they be office-holders or seekers".

4   MEDIA AND POLICE – ENEMIES OR ALLIES?

During the personal rule of Slobodan Milošević (1989-2000) beside the media, the police were other important instrument of the ruling elite and pillar of the non-democratic regime. The only thing that was important to the police was to be seen in the eyes of the ruling elites as an efficient protector of the regime. The protection of the interests of the ruling elites was, with the help of the ideological mechanism, interpreted in terms of "constitutional order" and "national interest". The protection of citizen's lives and property were tasks of much less importance, a state of affairs which had tragic consequences for both police organization and public safety. As a consequence, public trust in the police significantly decreased. According to the survey done by Institute for Political Studies in January 1997 only 7.1 % had 'great' and 19.7 % 'partial' confidence in the police, while 33 % had 'low' and 33.7 % had 'no' confidence in the police (Kešetović, 2004).

The authoritarian regime exerted control not only through 'hard' power (police), but also with 'soft' power through defining reality and shaping peoples' thoughts. As already mentioned, state-controlled media and press agencies functioned as a propaganda machine, repeating official viewpoints and messages, mobilizing people for supporting the wars in ex-Yugoslavia or entertaining them with very low quality entertainment.[17] There were only a few newspapers, TV and radio stations[18] that were independent or critical of the regime. Even journalists and their professional associations were divided on lines of their support or opposition to the dominant regime.[19]

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[17] Turbo or neofolk war culture, kitsch patriotism. See more on http://everything2. com/title/turbofolk

[18] Newspapers "Naša Borba" and "Danas", radio stations "B 92" and "Index" and TV "Studio B", being the most popular and with the widest influence.

[19] In 1994, one large group of journalists have become independent from the Serbian Journalists' Association and established their own association – *Independent Journalists' Association.*

In this context, the police serving the regime and government-controlled media were natural allies. On the other hand, some police and the independent media were severe opponents. The government media were all speaking with one voice which produced a favourable image of the police, whilst critical media perspectives were less prominent. Police actions against the opposition, often brutal, were presented as quite legitimate. They were interpreted as something inevitable in circumstances where state integrity and sovereignty were endangered, while the opposition was described as a kind of extended branch of foreign intelligence agencies and a tool in the hands of western powers united against the aspirations of Serbian people.

The independent media did however focus its critique on the police and highlighted, first of all, its brutality in dealing with the opponents of the regime, its corruption, its nepotism and its politicisation. (Kešetović, Bajagić and Korajlić, 2006).

During this period, the Ministry of Interior, the police organization in Serbia, maintained relationships only with the government media and their journalists. This was mainly one-way communication through official statements and specially arranged 'events' for eligible reporters. Journalists from independent media organizations were excluded from police press conferences and other media events, being labelled as enemies, non-patriots, traitors, foreign payees and spies. The leading opposition journalists were under the surveillance of secret (state) police.[20] During the peaks of social and political crisis, like three month demonstrations of opposition in winter 1997 in Serbian towns, or the NATO bombing campaign of Spring 1999, independent media were banned, their broadcasting jammed with by Army technical resources, their facilities occupied, their equipment and recorded material seized. The explanations were sometimes incredible, like in the case of the intermission of broadcasting by the influential opposition radio B92 that was officially attributed to "waterlogged coaxial cable". Similarly, several journalists were imprisoned and subjected to police hearings. Following the George Bernard Shaw`s remark that "assassination is the extreme form of censorship", three journalists were even killed under circumstances which appear to imply the state.[21]

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[20] Notorious "Resor državne bezbednosti" - State security sector.

[21] Dada Vujasinović, a journalist for the magazine "Duga" who wrote about war profiteers and their crimes in the early 1990s, Slavko Ćuruvija Belgrade journalist and owner of

Bearing in mind the heavy burden of the past, after the democratic changes in Serbia (October 5th, 2000)[22] police reform was one of the priorities of the new government. The general aim of the police reform was to create a professional and depoliticized police force responsible for law enforcement and the protection of human rights and freedoms (Kešetović and Davidović, 2007).

For the same reasons, it was important for the Serbian police to improve its public image and establish good relations with the media. The Ministry of Interior opened up to the media to a greater degree and journalists were not discriminated against any more. Some organizational changes have been introduced in order to improve communications with the media, like establishing the Bureau for Co-operation with Media within the cabinet of the Minister of Interior. However, many of the problems from the previous period were still present and a coherent overall strategy for police-media relations was still missing. One important obstacle for a better public image of the police and improved relations with the media was the fact that the reform of the Ministry was slow due to political rivalry within the governing coalition. As a result, the Serbian police are still very centralized, politicized and unprofessional (Kešetović, 2008).

The Ministry of Interior recognized that partnership relations between the media and police are very important in transforming the police from a regime based on force to one based upon the notion of 'service'. The most systematic attempt to improve police and media relations was the joint project of the Serbian Ministry of Interior and the Organization for Security and Co-operation in Europe, the latter being the most important strategic partner in the police reform process. This organization (OSCE

The European, magazine and Dragomir Pantić from Jagodina, correspondent of Belgrade's daily *Večernje Novosti* whose murder is linked to his coverage of corruption and crime. The official investigation concluded that Dada Vujasinović committed suicide. Ćuruvija was under surveillance by the secret police one minute before he was killed near his flat in the centre of Belgrade during Easter 1999. Milošević´s wife prophesised this murder only a few days earlier. These cases were never solved in spite of pressure from Serbian and international NGOs and professional associations.

[22] On October 5th, 2000, due to electoral fraud, more than 600.000 citizens gathered in massive demonstrations in front of the Federal Assembly in Belgrade. Police refused Milošević's order to use force, so in the evening Milošević had to accept the fact that he had lost in his bid to be President. For Serbia this day was a turning-point towards a democratic regime.

Mission to Serbia and Montenegro - Media and Law Enforcement Departments) launched in February 2005 and the "Improvement of Communication between Media and Police" project aimed to improve the overall relations between the police and the media in Serbia. The basic aim of this project is to highlight the importance of mutual co-operation and good relations, to decrease the level of mistrust between the police and the media and to broaden the mutual knowledge of circumstances and limitations of both professions. The first phase of the project included the assessment of present media and police relations in Serbia, through a series of roundtable discussions organized in various regions of the country.

The most important criticisms made by the journalists refer to late and often insufficient data, excessive secrecy, the administrative style of police statements, centralized, time-consuming and mainly one-way communication, imprecise administrative procedures regarding information distribution, difficulties in obtaining approval for broadcast media to video/audio record police activities or crime scenes and police over-sensitivity to critiques of their work.

The police and prosecution representatives also had objections to the work of media representatives, claiming that journalists often have insufficient knowledge of criminal procedure and police *modus operandi*. The media often give more publicity to irrelevant rather than important information about police work. In many cases, legal terminology is misused (terms like criminal procedure, investigation, custody and arrest) and the jurisdiction of state authorities (police, prosecution, pre-investigative judiciary and Court of Law) is often confused in media reports. The necessity for training and specialization of journalists covering crime and police work was stressed in order to avoid turning the media into a 'school for criminals' through revealing criminal techniques and police tactics in full. At the same time, there are very few positive stories on police successes, risks and the sacrifices that police officers make while performing their duties. Representatives of the prosecution stressed that only the court trial is (usually) open to the public, so it is perilous to reveal information related to different phases of criminal procedure. Interests of investigation, interests of suspected perpetrators and victims limit the information that can be given to the media. Prosecutors support the transparency of the state authority's activities, when it does not jeopardize their work, but they also stress the personal and biased attitude that journalists have in some cases.

Prosecutors believe it is unacceptable that the media sometimes report on a case in which the prosecution still have not pressed charges. Journalists are also usually very interested in the charges, but rarely follow court procedure until the verdict. If charges are dropped, the media rarely report on that and the person who was suspected and presented as a suspect in the public inevitably suffers damage to their reputation.

So, the main problems in this field were and remain:

- Lack of strategy for police relations with the media,
- Vague operative procedures in everyday interaction with the media,
- Authority and responsibility of police officers at local and regional levels,
- Disorganization of unit for communication with the media,
- Lack of technical equipment,
- Imprecise regulations on secrecy of data,
- Irresponsibility regarding accurate reporting,
- Lack of educated journalists/editors covering police work,
- Lack of police officers informed about the essence, character and aims of the media (Kešetović, Bajagić and Korajlić, 2006: 221).

Although relations between the media and the police are much better than during the 1990's, they are still far from the ideal standards required by a democratic society. Mistrust is still present; the police are not sufficiently open and still in need of a strategy for their public relations and media policy. The present situation is marked by legacies from the past, including insufficient awareness of the necessity for co-operation and true partnership. Unevenness in the process of reform of the Ministry of Interior influences the lack of systemic solutions that would help improve communication between the media and the police and other linked stakeholders (e.g. community policing initiatives). This is best reflected in the centralized model of police structure, the absence of local and regional influence on police and safety related issues, the bureaucratic procedures and low capacity of ordinary police officers and local police chiefs in the decision-making process, partially caused by an overly hierarchical system inherited from previous times. It seems that the media and the police are still seen more as rivals or even enemies than partners in protecting the community and its democratic values. This certainly is a consequence of the slow pace of transition within Serbia. Getting to know each oth-

er better is the main precondition for the improvement of co-operation between the media and the police in the future (Kešetović, Bajagić and Korajlić, 2006).

5   CONCLUSION

Crime and police related issues are inevitable themes of all kinds of printed and electronic media. The manner in which those issues will be treated in the media is the consequence of the overall social and political framework of a society. These include, the nature of the political system, tradition, the strength of democratic institutions, the professional level of editors and journalists and the influence of their professional associations and the character and power of public opinion

The media in Serbia after WWII were under the strict control of the communist party. They served as very strong ideological mechanism in building a picture of a harmonious and equitable society. In the society that cares about the weak and the poor and which gives everybody a chance to work and earn a decent living there is no need for crime. It does not happen here. Or at least not as often as in the "rotten West". Crime does not pay. The people's police ("narodna milicija") are able to combat crime, criminals are stigmatized both in the media and in society.

During the decade of personal rule under Slobodan Milošević when Serbia was isolated from the international community and faced UN sanctions, was involved in wars in the neighbouring republics of former Yugoslavia, and had a grey economy, the lines between legal and illegal (black, grey and white) were blurred. The very concepts of crime and criminals in the society were also in a state of anomie. What is completely illegal, and what can be tolerated? Is a certain individual a war criminal or a national hero? Is someone who gained an enormous fortune during the war years a respectable citizen and partner of the government, a controversial businessman, a tycoon who finances media through advertising, or the subject of a lawsuit. It was quite a hardship for the media to understand what was happening. Existing sharp divisions in the society were also reflected in the media and in their attitudes towards crime and police issues. The government media were involved in war and nationalist propaganda,

praising the regime and its leader, and protecting the police and secret services involved in crime activities, mesmerizing the pubic with neofolk turbo culture. The opposition media were the critical conscience of society taking a risk to be blamed for apostasy, to be banned by politicians or financially ruined by tycoons. The police and government media were allies, while independent media were arch enemies.

When, after Milošević's defeat, Serbia made its first steps towards democracy, all the key institutions had to find their place in the new environment. The media were no longer under direct political pressure, but under a new kind of subtle influence of powerful social groups. They also inhabited the market, striving for profit and functioning in a vague legal ambient. In the society that is still looking for its referent value framework, Serbian media are stretched between social responsibility on one hand and sensationalism on the other. Thus, they play an ambivalent role in relation to crime and delinquency. They create anti-heroes, neglect presumption of innocence, are sensationalist, falsely report and represent crime victims stereotypically. They also reveal corruption, the incompetence of officials and institutions and critique their policy. The relations between the police and the media have improved, but still are loaded with a number of problems.

It is crucial that both the police and the media in Serbia adopt a new system of values, and learn a lot about how to play the new role they should have as key institutions of democratic society, constantly bearing in mind the enormous responsibility they have. A necessary perquisite is a radical change in the way that the political leadership manages the process of transition towards a modern and open society based upon the rule of law and respect for human rights.

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Investigative reporting versus transnational organised crime

Bojan Dobovšek & Matija Mastnak

1 INTRODUCTION

Post-modern society is characterized by the appearance of new and complex forms of intensive and far-reaching threats to individual and collective security. With police and prosecutors alone we cannot curb organised crime and corruption and that is why investigative reporting or journalism is proposed in international documents as an additional tool with which to fight transnational crime. Investigative journalism (to some extent a larger branch than others within journalism) performs watchdog activities. The job of an investigative reporter is distinct from apparently similar work done by police, lawyers, and other regulatory bodies. On the other hand, investigative reporters can and do to use methods and techniques similar to those used in formal crime investigation. The main paradox is a defused line between the private and the public aspects of people's lives. Clearly, every one is entitled to privacy, but in certain circumstances this right can be overridden in the name of "the public interests".

2 WHY INVESTIGATIVE REPORTING?

Post-modern society is characterized by unpredictable and explicitly contradictory economic, political and social developments. Capitalist society today is characterized by economic and political globalization, which is becoming increasingly similar to economic and cultural imperialism (Beck, 2007). One of its effects is to aggravate the polarization between the developed and the developing world by widening the gap between different cultures and civilizations, encouraging religious fundamentalism and, consequently, terrorism, increasing poverty (in both the developed and the developing world), excluding vulnerable social groups (such as minorities, youth, and the elderly), diminishing opportunities for individual countries developing their own economic and cultural strategies; neo-liberal capitalist economy, which is forcing its functional, market and profit logic upon different areas of social relations (including those where it has nothing to offer); political and economic integration efforts, in particular in European regions, which appeal to common goals and values, multi-ethnic cooperation, coexistence and tolerance yet simultaneously lead to increases in isolationism, xenophobia, populism, ideological and political (neo)conservatism; digitalization of social processes which are

changing the foundations of the modern world, as we are entering an era alternately referred to as the "information", "digital", "post-industrial", "post-modern" "hypermodern" "hyper-technological" or "cyber" age; a critical and sceptical approach in the field of social studies, which has undermined the authority of (social) studies and puts the emphasis on the relativity and limits of its potentials in search of the truth about man; the appearance of critical post-modern approaches in philosophy which stress the position that ratio should not be defined only as the central progressive force of historical development, but also as means and a tool that has been used throughout history in different, more or less subtle ways, by protagonists of different ideological and political backgrounds to dominate and to preserve the achieved social position (such trends have undermined the foundations of modern enlightenment's "big story" about the exclusive role of science and rationalism in the emancipation of mankind); transformation of social values and lifestyles, which has led to a greater experimentation with lifestyles resulting in increasingly flexible, plural and atomistic behaviours. This has also resulted in some individuals re-discovering ideological, religious and moral traditionalism; a number of dramatic discoveries in astronomy, physics, genetics, and medicine, which have sharpened the contrast between largely liberal ideas about the world and humanity on the one hand, and more or less dogmatic (conservative) ideas on the other; the appearance of new and complex forms of extremely intensive and far-reaching threats to individual and collective security (Kanduč, 2000).

Analysis (Dobovšek, 2008) shows that organised crime groups develop criminal activities in compliance with, and in parallel to, the development of a society. At the lowest level, there are street gangs, which work on maintaining criminal activities. The main characteristic is that one street gang can become dominant in one territory, so creating classic organised crime. In this phase it is possible to control criminal groups with police intervention and co-operation with the prosecution. In the next phase (the second phase) the criminal group acquires a monopoly over the whole area, which can be called economic organised crime[1]. They are trying to connect with, or are already connected with, local financial institutions and politicians through networks and are performing some services for financiers and politicians. The state authority can control criminal groups and their activities using legislation (as well as financial regulations), together with cooperation from the other state institutions. The state also

has to control financial flows, collect taxes and establish more police initiatives. In the third phase, economic organised crime has penetrated the legal sphere through their networks and is fighting for state authority. At this point, we can talk about elite organised crime or crime networks. In this phase both economic and political sectors become dependent on organised crime[2]. The only measures which might be effective are preventive, such as controlling the financial status of politicians and others in authority (making transparent sources of funds), increasing the transparency of state institutions and citizens, stimulating moral standards and education about the danger of engaging in criminal activities. Independent investigative journalists are the ones who can disclose the criminal and corrupt activities of criminal networks.

The cooperation between law enforcement institutions (police and public prosecutors offices) and the connection between these two institutions and financial institutions were indicated as the main problem in curbing organised crime. Crime can be reduced through the influence of independent media, and education can influence young people to examine their values. In this way, it can develop awareness that organised crime is not an appropriate way of life. In addition to civil society, educational institutions and investigative journalism also have major roles in combating organised crime.[1] We can also say that police should work closely with investigative journalists on organised crime issues in the future.

One of the most important factors is to obtain public support in eliminating corruption and organised crime and to encourage investigative journalism and freedom of the press. Printed media should be independent, free of censorship, organised as polycentric independent public media and should also be free of any kind of government supervision. All journalists, with no discrimination, should be able to obtain all relevant data and facts. Public officials are obliged to provide such data. Current legislation provides for such steps, but this does not take place in practice. The independence of the printed media should be encouraged by economic measures, but also by preventing monopolistic obstruction. Journalists and media must not be deterred by punishments. The protection of privacy should not include public officials. Punishment for possible cases of

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[1]   See more on Fakulteta za družbene vede (Faculty of Social Sciences) (http://www.fdvinfo.net/content.php) and Komisija za preprečevanje korupcije (Commission for Prevention of Coruption) (http://www.kpk-rs.si).

libel must be restitutive in the first place (an obligation to publish corrections) but not punitive.

One of the consequences of such a development is an increasing lack of transparency of the political process and of public communication. Even when the existence of organised crime and corruption is known publicly, participants still seek to cover up their involvement. The privileged access to the power of political decision-making, gained through bribery, requires secrecy, especially in order to preserve its distinctiveness from other channels of influence. This is a constituent part of "the game". The ones who suffer are not only those affected by the manipulation, but equally those who are interested in shedding light upon it. The consequences are that press freedom is interfered with and that journalists are hindered in their work by personal threats made with the complicity of state security agencies.[2] The control of political rule is just as much impaired by this lack of transparency as it is by the aforementioned breaking of the principles of the rule of law. The proof of bribery is made more difficult by the attempt to cover it up. Besides, case investigations which will continue to be vital, one such attempt to determine the overall extent of corruption being the initiative by Transparency International (TI) to compile an international Corruption Ranking (Eigen, 1997).

3   WHAT IS INVESTIGATIVE REPORTING?

The simplest definition of investigative reporting is the reporting of concealed information (Benjaminson and Anderson, 1990: 5). Therefore, the first task of the investigative reporter is to uncover concealed information.

But this definition cannot explain all most important aspects of the investigative reporting. Combining several definitions we get the following description of investigative reporting (Gaines, 1995: 1; Šuen, 1994: 25; Benjaminson and Anderson, 1990: 3-4; Ullmann and Honeyman, 1983: 5):

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[2] The fate of many reporters who investigated the illegal drugs trade, in which holders of public office were involved, provide graphic examples of this (Cf. *Press Freedom Survey,* 1999).

- It produces a story that is an original work of the reporter, rather than a report on a public agency investigation.
- It reveals facts which some deliberately try to conceal.
- Concealed facts are of relative importance to the public.
- Reporters or media investigate the story independently.
- Reporters use special methods.

On the other hand, if we are looking from above, than investigative reporting is dealing with contravention and pathology within society (Bešker, 2004a: 27).

3.1   The role of investigative reporting in society

According to Pečar (1994: 859) investigative reporting has an important role in social control. Investigative journalism (to an extent far larger than any other branch of journalism) performs watchdog activities.

The watchdog activities of investigative journalism are important especially when dealing with deviant, inappropriate, abnormal, illegal, and undesirable social behaviour. These activities influence tpublic opinion that creates criminal policy (especially the policy concerning criminal prevention).

Investigative journalism is an extraordinarily informal mechanism of control that deals not only with deviancy and deviants, but also watches over state mechanisms of control, government, and politics. On one side it can be, and often is very independent; on the other side it can be a tool of corruption. The latter happens when investigative reporters are acting in the service of politicians, the rich and powerful. While investigative journalism can have a very positive role in a society, we cannot ignore sensationalism, voyeurism, and abuse of human and civil rights; especially when reporters are intruding on the privacy of individuals and have unrestricted access and disposal of sensitive data (Pečar, 1994: 861-862). Therefore in good investigative journalism, a reporter or a media house, must conduct an independent investigation, free from any influences by state institutions. (Bešker, 2004a: 27)

Investigative reporting is characteristically limited to democratic societies (more so, than other types of journalism). With the democratization of

political systems it is possible to have a special journalistic investigation called investigative reporting[3] (Košir, 1995: 43). Democracy is founded on a number of principles, including the accountability of elected representatives and civil servants to the people. Ideally, a lot of mechanisms should guarantee this, but even the best systems may be abused. Experience shows that, when wrongdoing does take place, investigative journalists are among those best placed to expose it, and to ensure that justice is done (Knight, 2001: 1).

Investigative reporting is therefore, or at least it should be, the final safety-net, catching the societal anomalies that elude formal controls such as the police, the legal system and the inspectorate. Moreover, investigative reporting also watches over these formal controls and investigates irregularities made by them. In this sense investigative reporting is a watchdog watching over other watchdogs. One must therefore ask who is watching over the investigative reporters? This question is extremely current in view of the flood of modern media in which it is often hard to differentiate between investigative and yellow reporting. Clearly, the most efficient overseer of an investigative reporter can and should be the reporter himself. There is no meaningful oversight over investigative reporters (at least not in any successful fashion). Therefore, investigative reporting should only be conducted by persons of high integrity. We will revisit this idea later on, when we will discuss the ethics of investigative reporting.

We conclude this section by noting that the quality of investigative reporting is an important measure of the level of democracy.

3.2   Methods and techniques of the investigative reporting

An investigative reporter is a person whose job is to discover the truth and to identify lapses from the truth. The act of doing so is generally called investigative reporting and it is distinct from apparently similar work done by police, lawyers and other regulatory bodies in that it is not limited in scope, nor legally restricted or bound by public transparency (De Burgh, 2000: 9).

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2   It is believed, that investigative reporting in post communist countries became possible only after the system change (Košir, 1995: 43)

On the other hand, investigative reporters can and do to use methods and techniques similar to those used in formal crime investigations.

Gains (1995: 12-15) suggests four methods in investigative reporting[4]:

- Interviews (from interviews with persons who have been victimized by the particular injustice under investigation to interviews with the subject of an investigation in order to make sure that they also have an opportunity to explain all facts and/or allegations that may have been made against them).
- Documents (both formal and informal).
- Surveillance (including following a vehicle, watching a place of business and taking pictures).
- Survey. At first glance one might not be consider this as a method of investigative reporting. But, if the reporter takes an automobile to several repair garages to report on what they charge or takes a product to a laboratory to test it, then, he or she is conducting a survey.

We can find similar methods in books on criminalistics.[5] For instance, the techniques for conducting an informal interview in investigative reporting are very similar to those used in a formal interrogation (see 'Informal interview and Interrogation', Maver, 2004: 277-339).

One can take a parallel between the advice given to investigative reporters that different sources are best approached in different ways (different methods and techniques are used in interviewing friendly and unfriendly sources) (Benjaminson and Anderson, 1990: 102), and findings from the Slovenian practice of criminal investigation suggest that informal investigative interviews are often conducted like interrogations in which the police officers and detectives approach the interview with the authority of power (Maver, 2004: 282). As the journalists are usually more adept and used to having interviews with friendly sources, or victimized persons, the detectives are surely more used to interrogation (criminal investigation),

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[4] To be more exact, these are the steps and not the methods of investigation.
[5] We should keep in mind that criminalistics as a science does not exist in Anglo-Saxon states. Criminalistics, or rather we should say criminal investigation science in this states is approached from a practical view.

or, put in other way, to having interviews with targets of investigation (journalism investigation)[6].

A strategy of entanglement (the suspect becomes entangled with his own lies) (Malinowski and Brusten: 175) is one approach which is also quite common in investigative reporting. It is easiest to have an interview with someone who is obviously lying. It is better to just let the "target" tell his side of the story and become entangled with his own lies (Obad, 2004: 140).

It is interesting, that the following technique, which is the first step in the interrogation, is rarely used in investigative reporting; to confront the suspect directly with a statement that he or she committed the crime and then wait for a reaction (Brandl, 2004: 246). This step is part of surprise strategies, in which the investigators either accuse the suspect at once, or leave them unaware for a while, and then confront him with all of the evidential material (Geerds, 1976). The question is whether it is inappropriate for investigative reporters to use such a method, or is it merely that the method is not known to investigative reporters.

Many similarities between the works of investigative reporters and of detectives exist in the methods of surveillance (see above). Most authors on investigative reporting write about methods called Special Powers of Investigation that fall under the 150th Article of Criminal Procedural Law in Slovenian legislation. For example, following a vehicle is very reminiscent of one of many methods, which are described in the chapter "Undercover observation, following and recording" (Žerjav, 1994: 289-291); covert investigation by journalists is very similar to methods of undercover work undertaken by police officers or undercover collaborators[7] (Žerjav, 1994: 288).

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6   However, the purpose of "interrogation" is completely different for investigative journalists than it is for police detectives. Investigative reporters also do not have any legal authority to interrogate, except the principle of the public right to information. But, the techniques of interrogation are probably very similar.

7   The question is, what are the legal foundations of journalists undertaking such activities. The police may use certain methods only in very specific circumstances defined by law. Our thesis is that investigative reporters in Slovenia do not use methods, such as following a vehicle or a person. The question is: why? In Western countries those methods are not rare.

Similarities between investigative reporting and police work occur not in the use of specific methods, but also in the way investigations are planned. When a reporter receives a tip, the first thing to do is to check it. Before any real investigation is started, an investigative reporter as well as a detective must conduct a preliminary investigation. Of course, the preliminary investigation of a reporter is not the same as the preliminary investigation of a detective. While the preliminary investigation of an investigative journalist can be described as evaluating an object of investigation to eliminate obvious mistakes (we are taking about basic examinations, sometimes it is enough to visit a library) (Obad, 2004: 113), a preliminary criminal investigation consists of three sets of tasks: coordination, evidence collection, and other investigative tasks. Coordination refers to the overall supervision of evidence collection and other investigative activities on the crime scene. Evidence collection involves the processing of the scene and may include securing physical evidence and documenting the crime scene. Other investigative activities include interviewing victims and witnesses. (Brandl, 2004: 56)

Journalistic investigation is concluded when the reporter has collected enough facts to answer seven basic questions, which are the same as the golden questions in criminalistics (criminal investigation) (Šuen, 1994: 35; Žerjav, 1994: 42):

- What?
- Who?
- When?
- Where?
- How?
- With What?
- Why?

It is a fact that investigative methods are more strictly defined in criminal investigation than in the investigations undertaken by reporters. We now conclude this section by suggesting that good investigative journalism relies as much on reporters or media houses conducting an independent investigation, free from state institutions, as a reporter uses verifiable investigative methods (Bešker, 2004a: 27).

4   CRIMINALISTICS IN INVESTIGATIVE REPORTING

It is obvious, especially when investigative reporters investigate criminal phenomena, that investigative reporters should be familiar with criminal law, the sociology of deviance, the psychology of personality or social psychology, victimology, penology, and above all with criminalistics (criminal investigation science) and the process of law. Pečar (1994: 863) suggests: *"I think, that investigative reporting should not stay on the stage of "production for its own sake"; it should aim toward educating the public about the culture of safety, and carve a role for itself in the criminal policy making. Rather then disseminating only the news provided by the organs of government and political parties, it should strive towards explaining deviancy in the society, and assume a societal role that is not only informative, but also crucial in creating an anti-criminal public attitude".*

Pečar (1995: 54) introduces the terms "criminalistics in investigative reporting" and "journalistic criminalistics". He believes that just there is a criminalistics of economics, a criminalistics of youth, and a criminalistics of victimology. There should also be field of "journalistic criminalistics".

4.1   Ethics in investigative reporting

In general there exist journalistic ethical codes of conduct throughout the world. It is obvious that in investigative reporting, more so than in other types of journalism, ethical conduct is necessary.

The main paradox is the dividing line between the private and the public aspects of peoples' lives. Clearly, everyone is entitled to privacy, but in certain circumstances that right can be overridden in the name of "the public interests" (Belsey, 1992: 77). Each reporter, especially each investigative reporter, has to weigh his freedom of investigative reporting against the individual's right to privacy. Therefore, the reporter must collect, document, analyse, and publish reports on deviancy in a careful and suitable way. He can only do that if he is sufficiently educated about various disciplines such as criminalistics (Pečar, 1995: 53).

Many methods of investigative reporting could be labelled by some as dishonest, fraudulent, immoral, or even illegal. Because investigative reporting

aims towards bringing corruption, hypocrisy, and lawbreaking to public attention, it is crucial that investigative reporters act as ethically as possible.

Most reporters use deceptive methods to gather information. This is done on the premise that in a democracy the public's right to information outweighs a public official's right to expect complete candour from reporters. Deceptive methods are justified, however, only when greater harm would be done to the public if the information remained concealed. A reporter should never resort to questionable methods if the information can be obtained in other ways (Benjaminson and Anderson, 1990: 6-7).

The 10th Article of the Code of Ethics of Slovene Journalists states that journalists should avoid surreptitious methods of gathering information. If information vital to the public cannot be obtained otherwise, then the journalist's actions and the reasons for them should be made public and properly explained. The question remains regarding under what conditions is a journalist justified to use such surreptitious methods. In our opinion a journalist, when using such methods, should not break the law. Would, under some circumstances, a reporter be justified in doing so?

We should keep in mind, that there is no equality between ethics and laws, but, on the other hand, it would be good if the law was ethical. However, no ethical code can anticipate every situation. Journalists, even the most experienced ones, sometimes come to face to face with very difficult moral dilemmas. Therefore, it is wise to consult with colleagues and experts. Consulting with an expert does not mean that you are incompetent, but that you are responsible. And responsibility is one of the most important parts of the ethics of journalism (Bešker, 2004b: 48). We can conclude this section by adding integrity to the fundamental requirements of the ethics of journalism.

5   CONCLUSION

The main problem in curbing organised crime is in the cooperation between law enforcement institutions (police and public prosecutors offices) and financial institutions. The second problem lies in weak social development and that is why we should develop conditions for appropriate social relations. Civil society can, through NGOs, influence public mandate hold-

ers. Influence to reduce crime is shown in the independence of the media, education and pressure on youngsters to act appropriately. Civil society represents the interests of specific groups, and builds partnerships between society and institutions. In this way it can encourage people to view organised crime as wrong. Beside civil society, educational institutions and investigative journalism play a big role in combating organised crime.

Identifying common points between reporting and criminal investigation raises more questions than answers. To answer the question: "Do investigative reporters use similar methods to those of police officers and detectives," we should first precisely identify the methods of investigative reporting. In Slovenia serious research on the work of investigative reporters has not been undertaken yet.

The second question is: "Can cognitions from criminal investigation be useful in investigative reporting"? Similarly, one might ask: "Can the cognitions from journalistic work be useful in criminal investigation?"

If investigative journalists use the same methods as detectives, who are legally entitled to use them only under certain circumstances, are they breaking the law? It is a paradox, since while the investigative reporters are not authorized by the law to investigate, and are therefore in some way limited, they have more freedom with which to conduct an investigation.

Clearer lines should be drawn between criminal investigation and reporting investigation. In our opinion, because of swift technological process, societal control mechanisms in the modern world are unable to deal with modern pathology. The law is not the most efficient instrument to regulate the undesired conduct of a person or a society. For example, experience shows that ordinary law enforcement agencies are ineffective in deterring corruption while investigative reporters are probably among those best placed to deal with corruption.

However, they will be effective in doing that, only if they are sufficiently qualified and skilled. Are they? In our opinion, in Slovenia many of them are not. But, that is a speculative statement. If we would want to confirm this conjecture, then we would need to do a serious survey among investigative reporters in Slovenia.

And if the thesis that journalistic investigation starts when a criminal investigation comes to a dead end is correct, then we can ask ourselves, what forms does cooperation take between reporters and police officers or other members of law enforcement. Are they even allowed to cooperate? When are they allowed to cooperate, and how do they cooperate?

This article mainly discusses investigative reporting in general. So to this end, let us ask ourselves: "Who are the investigative reporters?"

Our thesis is that the personal characteristics of investigative reporter are very similar to those of detectives. According to Benjaminson and Anderson (1990: 3) uncovering information, particularly concealed information, requires a certain type of personality.

Investigative reporters share a faith that someone, somehow, is working against the public interest. But even reporters cynical enough to see plots where others see only plans do not always take the time to do the necessary digging. Therefore, they also share a belief, that many illicit acts cannot be covered up for ever, or even for very long. Just as there is no such thing as a perfect crime, there is no such thing as an airtight conspiracy. If a reporter digs hard enough, long enough, and with enough intelligence, the clues will always be found (Benjaminson and Anderson, 1990: 2-3). Criminal investigators think in a very similar way. Do they not?

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[1] Van Duyne (2006: 178) has pointed out the problem of organised business crime, quoting Sutherland who labeled economic crime as organised crime. He also refers to Levi who has described syndicate crime and networks and entrepreneurial crime which are based on illegal-legal connections. Even the organised crime assessments of the Council of Europe (2004) extended its attention to forms of economic crime in 2004 for the first time, reinforcing this in 2005.

[2] For example, the Cali cartel in Columbia.

Portrayals of Crime in the German Mass Media. Trends, Patterns and Impact on Fear of Crime

Karl-Heinz Reuband

1 INTRODUCTION

Mass media play an important role in making people aware of what goes on beyond the realm of their personal experiences. They constitute a "secondary reality" (Scheuch, 1970), on the basis of which conceptions about reality, risks and social changes evolve. Even though people usually make sense out of their experiences, they are hardly able to generalize beyond their personal sphere, since their experiences are normally too limited and specific to the individual. This is even more the case when it comes to events which are infrequent and do not concern everybody.

Crime is a rare experience that only few people are personally confronted with. Though many people – maybe even a majority – become victims of crime over their life span, it is only a small proportion, about a third or less, who personally become a victim within a year (see e.g. Kury et al, 1992; Reuband, 2008b; van Dijk et al, 2009). Even if we grant that indirect victimization – by knowing others who have become a victim – occurs and has an impact on personal attitudes, it still holds that these experiences are too few to allow generalizations. Under these conditions, the media acquire an important role in conveying images of crime and influencing attitudes and fears.

Media tend to present crime in two ways: either in the form of actual crime, as it occurs in one's own country or abroad, or in the form of fictitious crime. The latter is usually presented in TV programs and fulfils very much an entertainment function for the viewers. In the past, the public debate about crime and violence in the media has been predominantly tied up with the question of whether the media encourage violence (cf. Kunczik and Zipfel, 2006). Given this focus, the research has concentrated on fictitious depictions of violence. The analysis of portrayals of non-fictitious, ordinary crime has been neglected. Nonetheless, a number of studies do exist that shed some light on these issues.

In the following section we shall summarize some basic findings from studies on how crime is dealt with by the German mass media. We are especially interested in trends over time and types of crime. The main question is to what extent objective reality is represented in mass media depictions of crime and what the consequences are with regard to fear of crime in the population. In doing so, we focus on the role of newspapers and television – the main media of communication in present-day society. Most people make use of one or the other, and many use both.

2   MEDIA USE IN THE POPULATION

Media usage is widespread, but changing its character. New media are increasingly gaining prominence, older ones are partially being replaced. For a long period of time newspapers were the most popular source of mass communication, but with the spread of television and other media their readership has declined. The downward trend has affected above all the younger generation, but has also had an impact on older members of the public. Thus, according to a nationwide survey in 1980, 72 % of those between 14 and 29 years of age and 84 % of those aged 30 years and older had read a newspaper the day before. In 2006 the percentage had dropped to 44 % among the 14-29 years old and to 74 % among those 30 years and older. At the same time, in all age groups, the time spent on TV viewing increased remarkably: among those aged between 14 and 29 the percentage of people watching TV for three or more hours increased more than fourfold, from 10 % in 1984 to 47 % in 2006. Similar increases took place in the other age groups. In addition to this trend internet use has become more widespread and there is no doubt that it will continue to do so (Köcher, 2007).

When being asked how they informed themselves the day before about daily affairs ("das tagesaktuelle Geschehen") 73 % of the population in 2006 mentioned television, 55 % newspapers, 35 % radio and 8 % the internet. Among the younger ones, however, newspapers were mentioned by not more than 28 %. Even television in this age group did not reach more than half of the population and the internet was mentioned by just 12 % (Köcher, 2007).

The main reason why the younger generations cite mass media less often as a source of day-to-day information than older members of the public lies in the fact that they generally take less interest in day-to-day information[1]. Reduced political interest and the decline of political interest in recent years among young people is one part of the explanation. The others are to be sought in other forms and functions of media use.

In fact it can be shown that the younger people handle mass communication media in different ways than older generations. They are much

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[1]   Whereas 85 % of the general population informed themselves about day-to-day events the day before, the respective rate among the 14-29 years old does not exceed 65 % (Köcher, 2007).

more spontaneous when they decide what to watch on TV. Information on demand replaces the continuous intake of information (Köcher, 2007). Similar tendencies exist with the use of other mass media. Nonetheless, even if newspapers do not play a significant role in young people's lives, this does not rule out the possibility that they are indirectly affected by newspaper content: via other persons with whom they are in contact and who themselves follow the news. Seen from this point of view the role newspapers play might be greater than the readership data suggest.

3   CRIME IN THE MEDIA: EMPIRICAL STUDIES AND METHODOLOGICAL PROBLEMS

Crime represents a regular feature in newspapers. Whenever reading a paper one cannot avoid being confronted with incidences of crime. In a study of local newspapers in the Frankfurt area in the 1970s, depending on the newspaper, it was found that on average between 11 and 21 articles per day dealt with occurrences of a criminal nature (Kerner and Feltes, 1980: 94). A study conducted in three East German cities in the mid-nineties found on average between 11 and 16 articles (Reuband, 1999), and in a more recent study done in Düsseldorf in 2000 and 2004, the number varied between 10 and 20 (Reuband, 2007). These figures seem to be rather alike. But it would be erroneous to infer stability over time. Regions and newspapers are too different in this case. Rather than basing one's inferences on heterogeneous studies it is wise to stick to identical media and research methodology.

Studies which allow trend analyses in a stricter sense are sparse and limited in scope. One of the very few covering a long time span – from the fifties onwards until the mid-nineties - focuses on the three most important West German quality newspapers with national circulation ("Frankfurter Allgemeine Zeitung", "Süddeutsche Zeitung", "Die Welt") (Kepplinger, 2000). Articles on the first page and a few other pages were selected for the analysis. Though it might be argued that these elite newspapers set the tone for other newspapers and therefore reflect a general trend of reporting nationwide, some reservations have to be made. The agenda-setting function of the elite newspapers - if it works in the case of crime as a topic - will probably affect the prominence of

crime as a social problem, but it will have a lesser impact on the reporting of singular local crime incidences that occurred in Germany. The focus will be different from local newspapers where even trivial offences might be considered of interest simply because they occurred in the locality where the newspapers' readers live.

The longest time series of crime reporting on the local level exists for the cities of Munich and Frankfurt, covering the period from 1949 to 1999 (Schönhagen and Brosius, 2000). Unfortunately, the authors restricted themselves to short articles for their analysis, longer ones were omitted. Moreover, sampling of issues was on a five year basis (every fifth year was selected) and focused only on one month (September) in the respective year. Events that occurred in this month consequently exert a disproportionate impact on the findings. This makes it rather problematic to draw inferences about trends in crime reporting and shifts in selection processes.

No restrictions of this sort exist with regard to two other studies, focusing on the cities of Dresden and Düsseldorf. Both studies of newspaper content were based on random sampling across the respective years. Articles on crime, as evidenced by their heading, were included, regardless of size and placement within the paper. For Dresden, capital of the largest state in East Germany, data exists on a yearly basis for the period from 1988 to 1994 – i.e. covering the time before and after the change in the political regime – and, furthermore, for the years 1995/96 and 1999 to 2002 (Reuband, 2000; 2004). For Düsseldorf, capital of the largest federal state in West Germany, data are available for the years 1998, 2000 and 2004 (Reuband, 2007).

Finally, there is a study on juvenile crime, based on a small local newspaper, the "Schwäbische Tageblatt" (Saleth, 2005). It focuses on articles placed in the newspapers section on local affairs and covers the period between 1975 and 2000. The interest of the author is in comparing news reporting with statistics assembled by the social work section of the juvenile court ("Jugendgerichtshilfe") in Tübingen. The focus is on social characteristics of offenders, not on trends, but one can make use of this study also to shed some light on the relationship between crime trends and press reporting.

When it comes to television as a medium of mass communication the situation gets more complex. The research tradition is different from the research on newspapers mentioned above. The data basis is more heterogeneous, due to different methodologies. Moreover, since authors are often more interested in violent content in general than in crime in general their approach has often been rather broad and in some cases even included cartoons, accidents and natural disasters (see e.g. Groebel and Gleich, 1993; Bruns et al, 1997; Grimm et al, 2005). This strategy would not be a problem for comparative analyses if the findings were available in a form that allows a differentiation according to type of program and type of violence. But this is hardly the case. Trend analyses are sparse.[2]

4   TRENDS IN NEWSPAPER REPORTING

What do the available studies say about trends in crime reporting? And how is the reporting related to the development of crime as measured by police statistics? In the nationwide press, between the early fifties and the mid-nineties, the number of reports on crimes more than doubled (Kepplinger, 2000). Since the number of pages that entered into the analysis remained the same the change cannot be attributed to a change in newspaper size. The increase in crime reporting is not a linear one, however, but characterized by fluctuations. After remaining relatively stable until the end of the fifties, the number of reported crime incidences rose until the mid-seventies after which a downward trend set in. This downward trend then reversed in the second half of the eighties and an upward trend set in again. At the end of this period the number of crimes reported was much higher than in the beginning.

When compared with the police statistics for this period it becomes evident that press reporting has taken a somewhat different route than crime itself. According to police statistics, crime has been on the rise since the

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[2] One of the reasons for the lack of long-term analyses is that it is rather difficult to analyze the content retrospectively, given the lack of television archives in Germany. In view of this problem, some authors have taken refuge in analyzing the content of program schedules listed in newspapers or TV journals. Whether the titles provide sufficient information is doubtful in the case of some programs which present a mixture of different topics, but in general it should work.

fifties. And the rise was quite steep: in 1955 about 1.600.000 crimes were recorded by the police, in 1995 about 6.8000.000. If population size is entered into the calculation these figures are equivalent to 3.018 crimes per 100.000 inhabitants in 1955 and to 8.179 in 1995 (Bundeskriminalamt, 2008; 28). Fluctuations in the statistics, as occurred in terms of media coverage, did not exist in this period.

Interestingly, as can be seen in *Figure 1*, the reporting of overseas crime has followed the same trend as crime reporting about Germany. This also includes the short-lived upwards trend in the mid seventies. It was not until the early 1990s that the trends diverged. There is no doubt that in other western nations crime also increased during these years. But there is no reason to believe that an upward trend occurred there at the same time when it seemed to be the case in Germany (and turned out to be spurious). Other factors than crime development itself must have had an impact on press reporting in these years. And these factors must have had an impact on press reporting of crime in general, regardless of where the crimes in question were located.
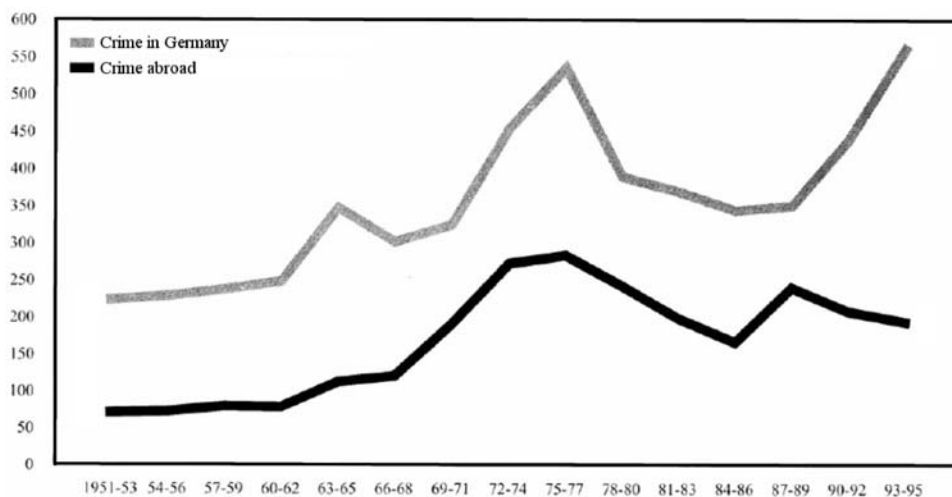
Figure 1: Reports in national newspapers 1951-1995 on crime in Germany and abroad (absolute figures) (Kepplinger, 2000).

Murder and manslaughter represent the most serious crimes in society. They have the greatest chance of becoming the focus of mass media attention as has been shown in several studies. So one wonders whether

the relationship between crime incidence and press reporting is closer with this type of crime than with crime in general. The analysis shows that this is not the case (see *Figure 2*). Compared with the crime statistics only the early and the late upward trend mirrors objective reality, but not the trend in between. The correspondence between objective crime risk, based on statistics, and media reports is rather loose.
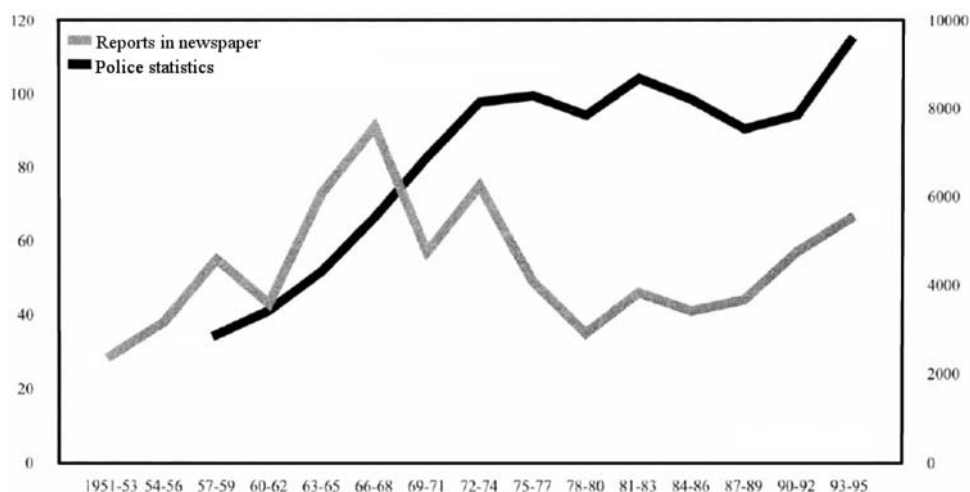
Figure 2: Reports in national newspapers on murder and manslaughter in comparison with official crime statistics 1951-1995 (absolute figures) (Kepplinger, 2000).

Does the situation differ when the object of study is not the nationwide press but the local one? One could argue that in this case there should be a closer link between crime incidence and reporting, given the fact that newspapers have a special focus on local affairs and a closer relationship to the local police. The study of local newspapers in Munich and Frankfurt (Schönhagen and Brosius, 2000), covering the period 1949 to 1999, is the only one with a very broad time perspective, similar to the study mentioned above. But the findings are quite different: the study documents a decrease in crime reporting (and a slight upward swing only in the 1990s). The trend is the more noteworthy since the number of pages per issue has increased and there should be more room available for crime reporting. The trend is in stark contrast to the development of officially registered crime, which is increasing during this period.

When broken down according to type of offence, similar to how it was done with the aforementioned study, it appears that the downward trend in reporting affects, above all, the less serious crimes, particularly property crimes. The more serious crimes, such as murder, tend to be less affected and more stable – despite the downward trends in recorded murder rates in these localities. The authors of the article interpret this finding as a sign of shifting frames of reference among the journalists who are paying more attention to violent crime at the expense of less serious property crime. However, given the fact that the selection of articles was restricted to short articles, no definite conclusion can be drawn about crime reporting in general. Focussing on longer articles might well have shown an increase.

Finally, it is worthwhile also to have a look at the study on juvenile crime in a small provincial town and how the newspaper dealt with it (see Saleth, 2004). The trend here is one of relative stability in number of cases reported (apart from fluctuations over time) until the mid 1980s, followed by a subsequent increase until 1996. Since then the number of articles fell again. When the statistics of the juvenile court are taken into consideration one can see (the author herself does not discuss these data) that the changes tend to go into the same direction as the press reports. But this relationship does not occur from the beginning, it occurs with some delay. Thus, the year 1995 marks the beginning of a steep rise in crime reporting, reaching its climax one year later. According to the juvenile court statistics, however, the number of cases started to rise a little bit later in 1996 and reached its climax in 1998 (see Saleth, 2004: 46, 102). Whether the similarities in change, albeit with delay, are accidental or systematically related, is difficult to say.[3] But one conclusion is certain: the above mentioned studies, especially those on crime in general, cast doubt on changes in the crime rate being the determinant of changes in crime reporting. Other factors must also exert an effect.

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[3]   One possibility is that the crime reports reflect the development of police-registered crime, which – with some delay – enters finally into the statistics of the juvenile court. In order to say anything about this relationship, however, one has to know about trends in juvenile crime in the respective locality and about the time that passes until a delinquent is brought before the court. Usually it takes some months, but how much it is in the case of this court is not mentioned in the monograph. Unfortunately no data on police-registered juvenile crime are included in the monograph.

Possible factors, that have an impact on the volume of crime in the newspaper, range from the supply structure of crime reporting to the demand side and "moral panics" that make crime an issue of public debate. With regard to the first factor, it is of interest that during the 1970s police departments in Germany increasingly set up their own police agencies in order to provide the media with a steady supply of news about crime and the police. The criteria applied by their staff encompassed both the interests of the police and the perceived interests of the journalists (cf. Reuband, 1978; Schäfer, 2002). This situation is likely to create a dynamic of its own. In fact, a comparison of changes in the number of offences in the press releases and registered crime figures, as was done for the city of Hamburg, revealed that the respective trends in the period of observation (1969 to 1977) did not correspond at all (Reuband, 1978).
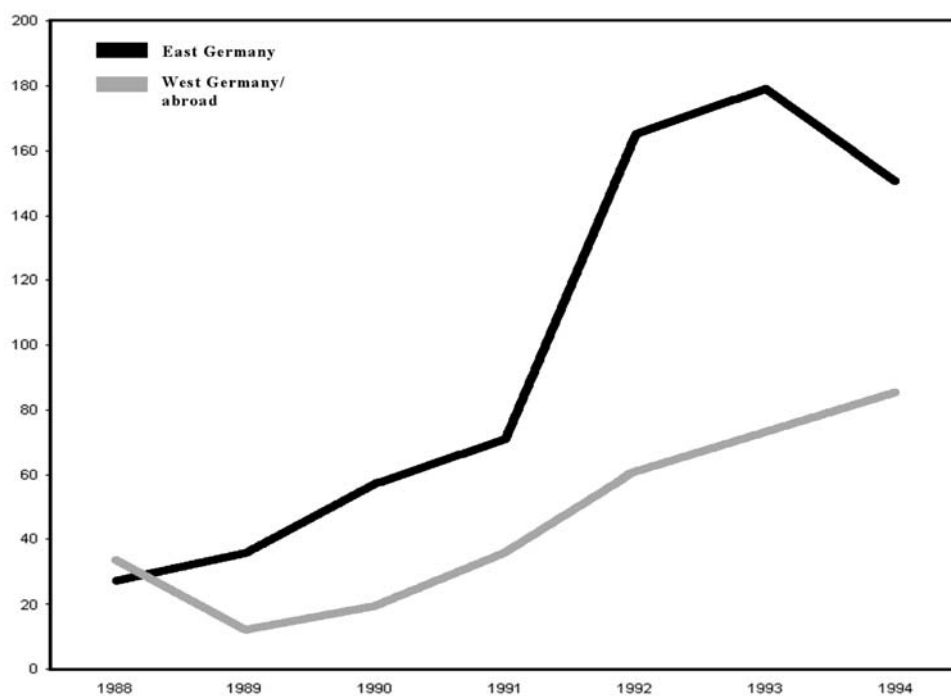
Figure 3: Reports in Dresden newspapers on crime in East Germany and West Germany/abroad 1988-1994 (absolute figures). Dresden newspapers: Sächsische Zeitung, Dresdner Neuste Nachrichten, Dresdner Morgenpost, Bild. (Reuband, 2000).

The kind of changes that might have taken place in respect of demand, represented by the newspapers' staff, is unknown. Many newspapers assign local reporters, who also deal with other subjects, to handle the crime reporting. Some newspapers, taking a more professional approach, let designated staff, who have access to news sources other than the police press agency, do the crime reporting. In addition, some newspapers deploy court reporters (see Ionescu, 1998: 76; Baumann, 2000). It is not known to what extent changes in the size, composition and outlook of this staff and its news sources took place over time.

Little is also known about the role of politics in crime reporting. Changes due to political influence have, until now, been shown clearly only in a very special case: in East Germany. Crime reporting there was discouraged by the communist state because crime was regarded as a characteristic of capitalism and a low crime rate was seen as a sign of the superiority of a socialist state. When the regime fell and the political and economic system changed, crime reporting in the newspapers increased (*Figure 3*). It increased both due to an actual increase in crime and to a greater willingness to make it a topic in the media. The most important impact of this was in press reports on East Germany. To a somewhat lesser extent, however, such increases were also witnessed in West Germany and other countries. Crime in general took a much more prominent place in press reporting than it had during the era of state socialism.

Table 1:   Number of articles per day on crime in Germany in Dresden Newspapers 1995-2001 (Reuband, 2004b).

Number of articles per day on crime in Germany in Dresden newspapers 1995-2001 (absolute figures)				
	1995/96	1999	2000	2001
Sächsische Zeitung	7.0	12.5	13.3	10.4
Dresdner Neuste Nachrichten	8.3	10.4	9.9	7.6
Dresdner Morgenpost	8.0	11.8	7.8	8.2
Bild	12.9	10.7	12.6	11.6
Dresden newspapers 1995/96: 62 consecutive issues in November 1995 – January 1996; 1999-2001: 14-16 issues per year.				

Table 2:   Number of articles per day on crime in Germany in Düsseldorf newspapers 1998-2004 (Reuband, 2007).

Number of articles per day on crime in Germany in Düsseldorf newspapers 1998-2004 (absolute figures)			
	1998	2000	2004
Rheinische Post	6.9	7.6	11.5
Westdeutsche Zeitung	7.4	11.5	9.2
Neue Rheinzeitung	6.9	7.4	6.7
Express	12.4	9.3	10.3
Bild	10.8	16.2	9.9
Düsseldorf: 1998 Rheinische Post and Westdeutsche Zeitung 19 issues, all other newspapers 20 issues; 2000 and 2004 15 issues per year.			

In the mid-nineties, the large differences in the volume of crime reporting between East and West finally had mostly vanished, as a comparison of newspapers from Dresden and Düsseldorf documents (Reuband, 1999b). Trends since then show mixed patterns in both parts of the country depending on type of newspaper *(see Table 1 and 2)*. Whereas the yellow press, both in Dresden and Düsseldorf[4], reduced its coverage of crime or kept it at the same level some of the more serious papers increased it. This is the case in Dresden with the "Sächsische Zeitung" until the year 2000, and this is also the case with the "Rheinische Post" in Düsseldorf until the year 2004. The upward trend among these newspapers might reflect an attempt to attract more readers in an otherwise shrinking market. Whether the reference group against which this measure is directed is the yellow press or television, especially the commercial broadcasters, who all have a relatively high quota of crime events in their programming is not known.[5]

Given the fact that the local newspapers differ in their trend of crime reporting one wonders what kind of "opinion climate" the average reader will encounter. In order to estimate it one has to look at the newspapers'

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[4]   In Dresden: "Bild" and "Dresdner Morgenpost", in Düsseldorf "Bild" and "Express"

[5]   Whatever may be the case, it is important to recognize as well that the increase in the number of reported offences in the serious local newspapers is largely restricted to short reports and hence not necessarily as dramatic as it might seem at first. Nonetheless, it means that the chances of finding a crime story when reading the papers have become greater than before, and this is what may count above all.

circulation figures or readership data. If one weights the crime content of the newspapers with the readership data one gets an index of the media's climate of opinion. Doing so gives the "Rheinische Post" in Düsseldorf a greater weight than the other newspapers because it has more readers. When the calculation is done one finds for Düsseldorf an increase in crime messages in the respective period. The trend is in accordance with the overall increase of crime in this city, but given the different trends depending on the specific newspaper one cannot conclude that reporting uniformly follows the development of crime (Reuband, 2007).

5   TRENDS IN TELEVISION PROGRAMS

With the advance of commercial TV stations, the proportion of crime-related and violent broadcast content has increased. Commercial broadcasters such as RTL and SAT 1, have a much higher proportion of violence in their programs than the public broadcasters ARD and ZDF. But there are also signs that the public broadcasters have increased their coverage of crime and violence subsequently, including news programs and political magazines (Bruns, 1998: 146). To some extent this development – which resembles the one among newspapers – might have arisen out of the desire to keep one's share of an audience which has increasingly turned to the commercial stations. To some extent, perhaps, the development also reflects a general change among news producers regarding the legitimacy of catering to entertainment needs rather than the need for information and education in public programs.

Whatever the case, the chance of being confronted with crime on TV has grown for the average viewer. Yet this trend is not a linear one but characterized by fluctuations. A content analysis of news programs and political magazines, covering the period from 1986 to 1994, documents that violent crime rose between 1986 und 1991 and then decreased. This decrease occurred among some public as well as commercial TV stations (Bruns, 1998: 140). A study based on the programs for the years 1985, 1995 and 2003 indicates that crime content increased in commercial programs such as RTL and SAT 1. The results for public TV stations differed depending on the station. For ARD the figure declined after 1995, whereas it increased for ZDF (Pfeiffer et al, 2004). Another study covering the period between

2000 and 2004 shows no systematic change in crime coverage on television in this period (Windzio et al, 2006).

Finally, a study of violence in TV news (mostly concerning crime), covering the period from 1996 to 2002 and differentiating between the frequency of violent episodes and their duration, showed an increase in the frequency of violent episodes for the public TV stations between 1996 and 1998, a decrease lasting until 2000 and a subsequent stabilization. Despite the initial decline, the more recent figures were still well above the starting point of 1996. For the commercial stations the rise, starting in 1996, even continued until the last point of observation, in 2002. However, the time assigned to the episodes declined in this period, both among public as well as private stations (Winterhoff-Spurk et al, 2005). Recent studies of the news program covering the year 2006 to 2008 indicate no distinct trend in the amount of time dedicated to crime as part of the news program in this period among the private broadcasters RTL and SAT 1. After an increase in 2007, there was a slight drop again. The slight increase in 2007 is also characteristic of the public broadcasters ARD and ZDF, but it also appears that the proportion of time that they dedicated to crime was usually less than half of the time than that of the commercial broadcasters (Krüger and Zapf-Schramm, 2009: 218).

So, all in all, the empirical data on TV programs, despite different methodologies, converge in the finding that crime and especially violence play a greater role than before. There might have been a certain stabilization within recent years, but given the fact that commercial TV stations have a higher share of crime and violence, and it is these programs that have gained increasing popularity in recent years, the average viewer of TV programs – including news programs – is nowadays confronted with such themes more often than in the 1980s or early 1990s.

6   TYPES OF CRIME AND PATTERNS OF CRIME REPORTING

Crime in the newspapers is mainly domestic crime. The majority of events reported take place in one's own country, but only a minority in the city where the newspaper readers reside. In our study of Düsseldorf newspapers from 2000-2004, for instance, about 20 % of the reports

focussed on Düsseldorf, 52 % on Germany and about 28 % on other countries. Newspapers did not differ very much from each other in this respect – except to a noteworthy extent the "Bild-Zeitung", a yellow press variant which has a national circulation with local elements. Here, non-local events figure prominently. Given its national orientation and its various local offices across the country it has a much greater pool of crime events to draw from.

In Germany, as in other countries, violent crime is heavily represented in the media's crime reports (see e.g. Lamnek, 1990; Scharf et al, 1995; Fröhlich, 1998; Handel, 1998; Baumann, 2000). In a study of East German newspapers, done in the cities of Dresden, Chemnitz and Leipzig in the mid-nineties, more than 40 % of all cases reported in the newspapers were violent ones (Reuband, 1999a: 106) and in our Düsseldorf study from 2000/2004 the violent offences account for more than 40% of the cases.

Table 3: Percentage of violent offences among reported offences in Düsseldorf newspapers according to newspaper and locality of event (unpublished data of the author).

Percentage of violent offences among reported offences in Düsseldorf newspapers according to newspaper and locality of event.			
	Location of event		
	Düsseldorf	Other part Germany	Other Countries
Rheinische Post	$40_{(120)}$	$47_{(160)}$	$51_{(127)}$
Westdeutsche Zeitung	$40_{(130)}$	$44_{(176)}$	$49_{(76)}$
Neue Rheinzeitung	$48_{(100)}$	$42_{(107)}$	$45_{(89)}$
Express	$35_{(91)}$	$43_{(190)}$	$54_{(69)}$
Bild	$41_{(85)}$	$43_{(294)}$	$56_{(99)}$
Data for Düsseldorf newspapers 2000-2004. Violent offences include murder, assault, rape, robbery, kidnapping. N in brackets.			

The farther away the crime took place the greater is the tendency to focus on violent crime. This tendency has been shown for East German newspapers based on street sales (Reuband, 1999a), and it can also be documented for West Germany: In the case of the "Rheinische Post" for instance, the paper with the largest circulation in Düsseldorf, 40

% of all cases reported for this city were violent ones. When crimes perpetrated in other parts of Germany were reported, violent crimes made up 47 %, and with crimes committed in other countries the percentage increased to 51 % (*table 3*). Similar tendencies are exhibited in the other local newspapers. As a consequence, it is possible that the propensity to feel safe in one's own environment due to familiarity is reinforced among readers and the greatest dangers are perceived to lurk elsewhere.

The tendency to focus on the more serious, violent crimes and to neglect the seemingly more trivial property crimes is not only found in the newspapers but also in German television programs focusing on real crime cases, such as "Aktenzeichen XY" or "Kripo live" (equivalent to "America's Most Wanted" in the United States and "Crime Watch" in Britain) (Reuband, 1999a; Pinseler, 2006). It is also typical of the TV news programs. Thus, in 2008 murder and manslaughter made up 22 % of the news time in public and private TV programs combined, an additional 12 % covered violence/rape and 18 % kidnapping – together totalling more than half of the time devoted to crime in the news.[6] In this respect the news program does not deviate very much from what newspapers report. As can be seen in *Table* 4 the differences are minor in character: Kidnapping and white-collar crime figure more prominently on TV news. "Other" types of crime, including vandalism, are given greater attention in the local newspapers.[7]

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[6] Further in-depth-analysis by type of program indicates that private TV stations not only devote more time to crime in general in their news programs but also focus more heavily on serious crimes. Thus in 2008 the public stations ARD and ZDF produced respectively 147and 257 minutes of news on crime, the commercial stations RTL and SAT1 produced respectively 741 and 319 minutes. Murder and manslaughter took respectively 14 % and 21 % of the time in ARD and ZDF, whereas it took respectively 31 % and 27 % of the time on the crime news of the private stations RTL and SAT 1. The figures refer to "Tagesschau" and "heute". In the late evening news "Tagesthemen" the rate was 12 % and in "heute" 7 % in 2008. If violence and rape is included the figures for ARD ("Tagesschau") are 28 %, ZDF ("heute") 30 % whereas for RTL they are 42 % and for SAT1 38 % (own calculation based on Krüger, 2009).

[7] These specific patterns can be seen as a combination of supply and demand structures. Kidnapping cases and white-collar crime, especially on a large scale, occurs infrequently enough to be covered in daily local reporting. Only if they are serious enough do they draw national attention. Vandalism, on the other hand, is most often only of local rather than national interest.

Table 4:   Types of crime covered in national TV news, and in local newspapers in Düsseldorf (Television news, Krüger, 2009 and calculation by the author on the basis of minutes, newspapers: unpublished data of the author).

Types of crime covered in national TV news, and in local newspapers in Düsseldorf (in percent).		
	TV News	Local Newspaper
Murder	22	20
Assault, rape	12	15
Child abuse	5	5
Kidnapping, hostage-taking	18	3
Drugs	2	5
Burglary, theft [1]	7	11
Robbery		6
White-collar crime [2]	18	7
Other crime	17	29
	100	100
[1] including fraud in "TV news" [2] including fraud in "newspaper" Basis: Television news nationwide 2008, Local newspapers in Düsseldorf 2000-2004 (see list in Table 3).		

Judging by the proportion of violent offenses in the police statistics, violent crimes are clearly overrepresented in the mass media. Thus murder and manslaughter account for 0.04 % of all crimes, but for 20-22 % of all offenses presented in the media. Kidnapping accounts for 0.003 %[8] of all offenses but 3 % in the newspapers and even 18 % in TV news! Assault and rape account for 8.4 % of all offenses, in the media between 12 % and 15 % (Bundeskriminalamt, 2008: 32, own calculations). Property crimes, on the other hand, are heavily underrepresented. What are the factors that make violence such a prominent topic? In case of non-fictitious crime it is a complex process of news filtering that mostly starts with the police. It continues in the police press agency and is further aggravated when journalists make violence the basis of their selection: the more violent the crime, the greater the chance of its being reported and the greater the

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[8]   The rate increases to 0.03 % when divestment of minors (usually by one of the divorced parents) is included.

chance that it will find its way onto the front page (*Table 5*). The criterion underlying the selection process is "newsworthiness" (see also Galtung and Ruge, 1973). It means that certain characteristics of the events – as represented especially in violent crime news – attracts greater interest than others and is therefore deemed to be more "noteworthy" than others. The journalists hereby apply a set of criteria which probably is not too different from that of the general public.

Table 5: **The composition of crimes in criminal statistics, police press reports, and newspaper articles taken from the press reports in Hamburg 1975 (Reuband, 1978).**

Processes of selection: The composition of crimes in criminal statistics, police press reports, and newspaper articles taken from the press reports in Hamburg 1975 (in percent).				
	Criminal Statistics	Police press Reports	Police press reports used in newspaper	
			Total	Front Page
Violent crimes	6	37	47	68
Property crimes	77	57	39	19
Drug crimes	1	2	4	-
Other crimes	16	4	10	13
	100	100	100	100
(N=)	(47.150)	(258)	(248)	(31)
Note: The figures refer to March, June, September and December 1975. Stories appeared in the Hamburg newspapers (Welt, Hamburger Abendblatt, Hamburger Morgenpost, Bild).				

7   EFFECTS ON FEAR OF CRIME

Crime has always been a subject of fascination to the public.[9] The long lasting popularity of thrillers on the book market attest to this as do the reading and viewing habits of the population: stories about criminal incidents in newspapers have a greater chance of getting attention than stories on other topics (see Donsbach, 1991), and crime series on TV usu-

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[9]   This was also the case historically, when no newspapers existed and flyers were sold on markets with stories about spectacular events. For an analysis of changes in newspaper content between the 17th century and the beginning of the 20th century see Willke (1984: 162). Some brief comments deal with the issue of crime.

ally attract a greater audience than other programs (Hoffmann, 2003: 50). There is no sign that this interest is vanishing: when the "Institut für Demoskopie", in a nationwide representative survey, asked what kind of stories were always read in newspapers in 1955, 41 % of the respondents mentioned "court cases" ("Gerichtsberichte, Berichte über laufende Prozesse") in the given list of topics. When the question was repeated in 1972, 34 % gave this answer. Since then the figure has fluctuated over the years between 31 and 39 % (Noelle-Neumann and Peters, 2002: 286).

In view of the fact that court proceedings are rarely the topic of crime reporting in the newspapers[10] one might argue that the percentage of people reading stories about criminal incidents must be higher. The chance of being confronted with crime news when using mass media will not be the same, however, in all subgroups of society. Younger people read newspapers less often than older people and are less likely to watch public TV. Instead they prefer the commercial TV stations with their bigger quota of crime and violence programs. This pattern of media use is mainly a generation effect and not an effect of age per se (Peiser, 1996).

The fact that violent crime is overrepresented in fictitious and non-fictitious crime reports distorts the picture of crime and conveys a bigger threat of being at risk than exists in reality. As a consequence it has been argued that fear of crime will increase among readers or viewers of crime news. And this might, under certain circumstances, also have repercussions on the aggregate level: the greater the volume of crime reported the more widespread fear of crime should become. Likewise, the tendency to watch commercial TV stations with their higher than average coverage of crime has been seen as a factor which leads to a situation where people perceive an increase in crime where this does not exist. Given the fact that commercial TV programs have widened their audience size over time (and will probably continue to do so, due to cohort effects) it has been suggested that misperception of crime trends will increase and will make people worry more than before (cf. Pfeifer et al, 2004; 2008).

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[10] In a study of Ionescu, 10 % of the articles on crime in the local press dealt with ongoing court cases, 16 % dealt with a court decision (Ionescu, 1998: 52). In our Düsseldorf study (2000-2004) 22 % of the articles on crime dealt with offenders before the court.

The reality is more complex, however. The link between the reading of newspapers with high coverage of crime and fear of crime is weak or negligible (Reuband, 1998; 2003) and where a relationship exists the causal pattern is not always clear. Causes and effects are intertwined and partially account for the relationship (Reuband, 1998). With regard to the effect of TV programs of private broadcasters it is true that there are misperceptions about the results of watching the programs. But a close look at the tables (e.g. in Windzio et al, 2008) also makes it evident that the relationship is weak. Under these circumstances noteworthy effects on the aggregate level are unlikely to evolve.

These assumption of minor or negligible effects on the aggregate level in fact pass the empirical test: an increase in crime reporting in newspapers on the macro-social level does not necessarily go hand in hand with increasing fear in the population, the trend might even go into the opposite direction. Thus, in the 1970s when newspaper reports on crime in the elite quality papers where on the rise (see *Figure 1*), fear of crime decreased (Reuband, 1995). Likewise, although private TV programs enjoy greater popularity nowadays than in earlier times and their use promotes erroneous perceptions of increasing crime, there is no sign of an increase in the fear of crime that follows this trend. Quite the contrary: fear of crime in Germany has decreased (Reuband, 1999b; 2006; Dittmann, 2006).

8   CONCLUSIONS

What the media report about crime does not necessarily reflect the reality of crime. Trends in crime might go in quite a different direction. And the average crime is much less violent than the media like to portray it. What kind of consequences this situation has for the media's audience is an open question. One has to take into consideration the respective media, their content and perceived trustworthiness. And one has to take into consideration the readers and viewers, their social backgrounds and orientation.

Though people, when questioned, often say that they get most of their information about crime from the media, the link is less evident than the answers suggest. One reason might be that people expect the media to misrepresent crime and to focus disproportionately on violent crime. They

might perceive crime news as some form of entertainment and therefore not take it seriously (cf. Steinert, 1978). In other words, they might process the messages in the same way they do when reading crime fiction. Another possibility is that the disparate reports about criminal incidents in the media do not make up a comprehensive picture for the average reader or viewer. What might be much more important are media accounts that explicitly deal with trends. But discussions about trends can hardly be found in the daily crime reports (Ionescu, 1998: 58).

The crimes most often seen on TV are the fictitious ones. They usually will not be taken seriously by the viewer and not be perceived as a reflection of reality. Yet these images nonetheless convey a stereotype of what is possible and could happen to anybody under certain conditions. To what extent this image interacts with one's own experiences, others' experiences or reports about non-fictitious crimes in newspapers and news programs is not known. It is conceivable that viewing fictitious crimes exerts no major impact on fear of crime but does so when reports about non-fictitious crimes mirror one's own or others' experiences.

Media messages reach audiences which are characterized by different interests and needs. Thus, for instance, younger people with a greater appetite for entertainment programs and action are the ones who, due to decreased vulnerability, are usually less fearful of crime than older people, even though they become victims more often (Reuband 2008b). Older people, on the other hand, are more fearful than younger people. Selective perception in agreement with one's own basic outlook on crime might be much more widespread. The preconditions for media effects might vary accordingly depending on the group.

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