University of Glasgow
School of Education

SCCJR
The Scottish Centre for Crime & Justice Research

Crime and the Media

Introduction

This resource contains an overview of the key criminological arguments about the relationship between the media and crime. It will cover the role of the media in portraying crime and justice as well as the direct or indirect influence on criminal cases and proceedings. Included here are case studies and discussions of specific criminological theories in relation to the media and crime to help explain the complex relationship between the two. Increasingly, celebrities and social media are playing a more prominent role in crime and justice – this relatively new development will be discussed along with a closer look at how crime is portrayed and consumed through TV, streaming services and film.

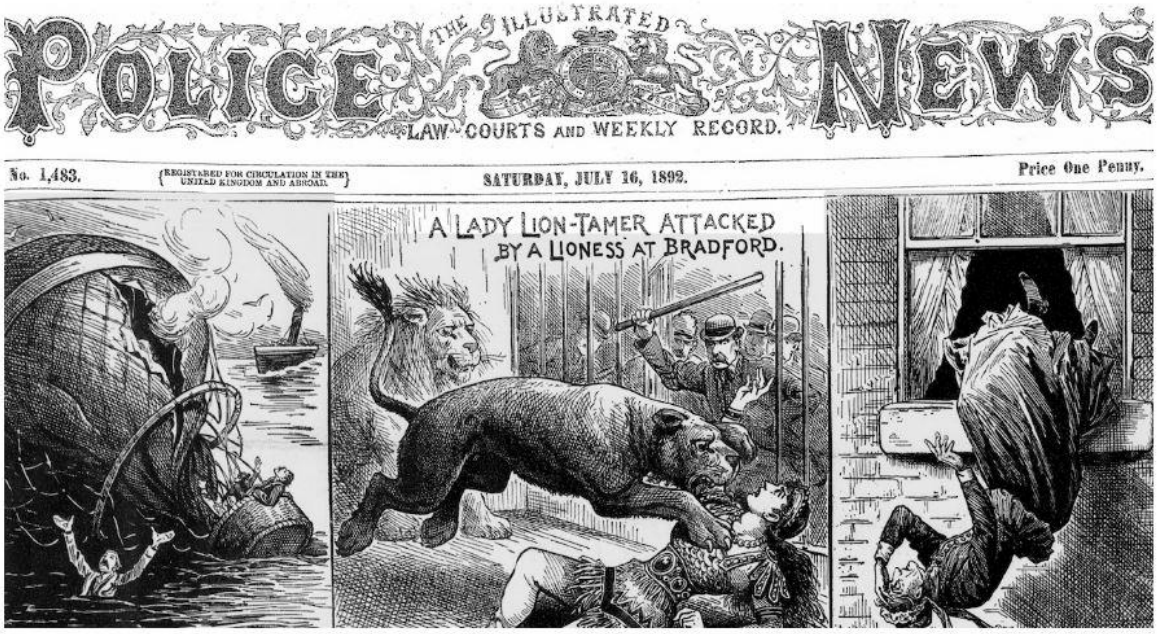
Who/what are 'the media'?

Media is an umbrella term for various mediums (forms) of mass communication. Mediums include the television, radio and newspapers (both in print and online). Social media is an umbrella term for websites and applications that allow subscribed users to create and share content, as well as interact with one another. Social media includes Facebook, Twitter and Instagram. Streaming services such as Netflix, Apple TV and Amazon Prime Video are newer forms of media where people can consume factual and non-factual content/entertainment for a monthly subscription.

Crime in the news

Crime has been a popular topic in the media – whether true or fictional – since the 17th century. Penny Dreadfuls were popular magazines targeted at ordinary working-class people who were becoming increasingly literate in the Victorian era. Although originally full of fictional tales, these publications proved popular and soon after the first 'true crime' publications appeared such as *The Illustrated Police News* (1864). They used artists impressions and sensationalised headlines to grab

the readers' attention and focused on unusual and far-fetched stories from the UK and further afield.


THE ILLUSTRATED POLICE NEWS
LAW COURTS AND WEEKLY RECORD.
No. 1,483. SATURDAY, JULY 16, 1892. Price One Penny.
A LADY LION-TAMER ATTACKED BY A LIONESS AT BRADFORD.

Illustrated Police News | 16 July 1892

In relation to the portrayal of crime in the media, the problematic phrase 'If it bleeds it leads' – meaning the most horrific and disturbing crime stories get top billing – was coined by William Randolph Hearst in the 1890's when he realised that gruesome crime stories were getting the most attention in his publications.

Despite changes in actual rates of crime, crime remains a consistent feature in the media. A review by Ipsos Mori found that the media plays a role in influencing public perceptions of crime as well as other factors such as:

- Demographic factors
- Political views
- Communication by the media, the government and opposition
- Perceptions of the police, criminal justice system staff advocacy and contact with the CJS
- Perceptions of anti-social behaviour and terrorism
- General levels of trust in government information

In Scotland between 2019 and 2020, 11.9% of the population were victims of some sort of crime – which is 2.4% lower than adults in England and Wales. However, those living in the most deprived areas were more likely to be victims of single and multiple crimes. Justice Analytical Services found that people living in Scotland viewed the risk of being a victim of crime as 2-3 times higher than actual risk, showing a large gap between reality and perceptions. A study by Harper and Hogue (2016) found that coverage around sexual offences made up 20% of news stories but only 2% of actual crime. Similarly, in Canada, a study showed violent crime accounted for 7% of actual crime but half of media stores. These distorted representations influence how individuals view crime and justice and contribute to the fear of crime.

The Scottish Crime and Justice Survey highlights the gap between actual nature and extent of crime and public perceptions of it. This is commonly referred to as the '*perception gap'*. See SCCJR 'Victimisation – key findings' for more information on the nature and extent of the perception gap in Scotland.

How do the media portray crime?

Criminologist **David Garland** suggests that public knowledge and opinion on crime and the criminal justice system are based upon *"collective representations rather than accurate information"* (Garland, 2000).

What are these representations?

Criminologist **Robert Reiner** summarises media representations of crime, and he includes representation of crime in popular fiction as a medium:

- News and fiction overwhelmingly focus on serious violent crime (though there are variations between sources). The proportion of different crimes represented is the opposite of those recorded in official statistics.
- In the media, offenders are older and hold higher socio-economic status than in reality.
- The risk of crime as portrayed by the media is "*both quantitatively and qualitatively more serious*" than is actually the case in recorded statistics >> Essentially, media portrayals suggest the risk of being a victim of crime is much higher than in reality and suggests the risk of being a victim of more serious crime (such as violent crime) is higher than that of being a victim of less serious crime. This is the opposite of what official statistics convey.
- Media portrayals of the police and criminal justice system are largely positive.
- Stories are often focused on victims. White, middle-class women and children victims are over-represented (compared to their representation in official statistics).

Recently, there has been a rise in popularity of true crime documentaries as well as fictional crime dramas due to the accessibility of various different streaming platforms. When these programmes are released, they often capture the attention of millions and become a global topic of conversation. Examples of this are *Making a Murderer, Tiger King, Abducted in Plain Sight* and *The Staircase* on Netflix with the latter documentary being turned into a drama series for HBO and Sky Atlantic. As well as true crime, there is an appetite for crime dramas with BBC and ITV releasing numerous this year such as: *The Responder, Sherwood, Karen Pirie and The Bay.* As well as dramas there are series based on true events such as *White House Farm* and *The Pembrokeshire Murders*. There are entire channels dedicated to the genre including *Crime + Investigation* as well as *Sky Crime*.

Whilst there seems to be a morbid fascination for the crime genre, the portrayal of crime and the justice system can be problematic. The organisation 'Color of Change' conducted a study of 26 scripted crime-based series between 2017-2018 and found that crime dramas play a role in,

'*…advancing distorted representations of crime, justice, race and gender in media and culture…The crime genre glorifies, justifies and normalises the systematic violence and injustice meted out by police.'*

This results in the public believing the justice system is working with a presumption of guilt towards those who end up on trial. The study also found that there is an over-representation amongst justice professionals who are people of colour committing wrongful actions in these programmes.

The Kardashian Effect

In recent years, more and more celebrities are becoming involved with justice issues and campaigning against mass incarceration – especially in America. This is not a particularly new phenomenon with activist celebs such as Jane Fonda campaigning for equality and justice for over 50 years. However, the concept of 'celebrity' has reached new heights with the advent of social media with A-listers such as Kim Kardashian garnering millions of followers online (Kim currently has 328million Instagram followers) meaning their involvement can draw a lot of attention to whichever cause they choose to endorse. Other examples include Jay Z, Meek Mill (there is also an interesting documentary series called 'Free Meek' all about his experience with the justice system in America), and John Legend.

However, Kim Kardashian has taken her campaign for justice reform a step further than most and is currently completing an internship at an established law firm and studying to become a lawyer. Kim first became involved in justice reform in 2017 when she heard the story of Alice Johnson who received life without parole for drug trafficking charges in 1993 (you can read more about the issues with sentencing policy in America and its links with institutional racism here). Kim then met with Jared Kushner – son in law and Senior Adviser of President Donald Trump at the time – and managed to persuade Trump to give Alice Johnson a full pardon. Following on from this, three other women Alice knew from prison were also pardoned. Kim was also instrumental in drawing Trump's attention to the **First Step Act** which helps support reintegration into the community after release as well as reducing mandatory minimum sentences. The **First Step Act** was passed by Trump and has resulted in a number of prisoners serving life for non-violent drug offences to be freed from prison.

Another well-known example of Kim Kardashian's justice campaigning is her involvement with Cyntoia Brown who was arrested at 16 for murder and robbery. Cyntoia had been the victim of trafficking as a child and was involved in an abusive relationship at the time. She was sentenced to life imprisonment and would be eligible for parole in 2055 – when she was 67 years old. Thanks to a campaign by a number of celebrities – including Kim and Rihanna – and the rise of the #MeToo movement, Cyntoia was freed from prison in 2019 at the age of 31.

These are just a few examples of cases that came to the attention of celebrities, however, there are 4 times more people serving life in American prisons now than there was 40 years ago – despite a decrease in serious violent crime in recent years.

Kim Kardashian's documentary *Kim Kardashian West: The Justice Project* was released in 2020 – you can watch the trailer here.

Discussion suggestion:

What do you think about the involvement of celebrities in crime and justice issues? Is this positive or negative?
Explain and give reasons why.

Trial By Media

Suresh and George (2021) have recently written about 'trial by media' and describe it as,

'*…a phrase popular in the late 20th century and early 21st century to describe the impact of television and newspaper coverage on a person's reputation by creating widespread perception of guilt or innocence before, or after, a verdict in a court of law. In recent times there have been numerous instances in which media has conducted the trial of an accused and has passed the verdict even before the court passes its judgement.'*

We have already seen above the reach and influence the media has on the public; therefore, it is easy to see how the way the media reports and frames crime can impact on public perception. The case study below is a prime example of the dangers of trial by media.

CASE STUDY: The Lost Honour of Christopher Jefferies

On Christmas Day in 2010, 25-year-old landscape architect Joanna Yates was found dead after being reported missing 8 days previously. Her neighbour and landlord was retired school teacher Christopher Jefferies and in the days that followed, Mr Jefferies was arrested, questioned by Police for 2 days and his house was searched by crime scene investigators. Mr Jefferies was then released on bail. The story of Joanna Yates' murder captured the nation and once the media caught wind of his arrest, the campaign against Mr Jefferies began with several exaggerated and often untrue stories printed about him and his past (see below). This example represents the sheer power of the media in shaping public opinion and influencing processes within the criminal justice system.

Fellow neighbour Vincent Tabak – the real murderer of Joanna Yates – lied to the police in an attempt to frame Mr Jefferies for the crime. He falsely claimed that Mr Jefferies had used his car the night Joanna went missing which contributed to his arrest. The media targeted Mr Jefferies with sensationalised headlines and stories calling him 'The Nutty Professor', 'weird' and 'creepy'. Stories on Mr Jefferies were front page news for weeks and coverage of the investigation could be seen and heard on every major news outlet. This created increased pressure on the police to find the murderer and was a contributing factor in Mr Jefferies initial arrest and subsequent treatment by the police.

Despite Vincent Tabak being arrested and charged with Joanna's murder in January 2011, the police kept Mr Jefferies on bail until March 2011 causing him great distress alongside the vilification of his

character in the press. In 2013, Mr Jefferies received a public apology from Nick Gargan who was Chief Constable at Avon and Somerset Police at the time. Gargan said to Mr Jefferies,

'I understand the length of time you spent on police bail caused you significant distress and inevitably prolonged the period of time when you remained in the public eye as someone who was still suspected of involvement in an appalling crime.'

In a public statement, Gargan added,

'*The media attention and vilification to which Christopher Jefferies was subjected to during the Joanna Yates murder investigation was unprecedented, and I understand how difficult it must have been for him.'*

However, Gargan then went on to say the police were justified in their decision to arrest Mr Jefferies. In the aftermath to the investigation, *The Sun* and *The Mirror* were both fined for contempt of court due to their coverage of the case and 8 newspapers awarded Mr Jefferies damages over their sensationalised coverage and false claims. Following on from this experience, Mr Jefferies provided evidence at the Leveson inquiry into press ethics with the Leveson Report stating that Mr Jefferies was, *'…the victim of a very serious injustice perpetrated by a significant section of the press.'*

Vincent Tabak was sentence to life in prison with a minimum of 20 years before parole will be considered.

The TV series based on these events is available via BritBox and is called *'The Lost Honour of Christopher Jefferies'*.

Cameras in courts have been a long-standing feature in American society but, interestingly, cameras were only allowed to begin filming sentencing in courts from 28th July 2022 in England and Wales. The recordings will be available on YouTube but unlike in the US, the entire trial will not be filmed and faces of victims, jurors and witnesses will not be featured. Scotland has allowed filming in criminal courts since 1992 but these are very rarely broadcast due to the rules surrounding this. The BBC interim director of news said,

'Justice must be seen to be done, so this is a crucial moment for transparency in the justice system – and for our audiences, who will be able to understand the judicial process better by witnessing it for themselves.'

This idea of justice must be '*seen to be done'* harks back to the Classicist school of thought where the public must witness swift and just punishment which will act as a deterrent to committing crime in the future.

Moral Panics

Norwegian criminologist **Nils Christie** suggested that in crime there are '*ideal victims*' and '*ideal offenders*'. Some of the characteristics of 'ideal victims' are that they are in some way (perceived as) weak: they are often young, old, women or sick. 'Ideal' victims do not know the perpetrator and are attacked as they go about their day. 'Ideal' offenders are male, are strangers to the victim and are visibly 'bad'.

Academics argue that the media tend to over-represent 'ideal victims' and 'ideal offenders' and under-represent those who do not fulfil these criteria. However, those who are the 'unideal' victims and offenders are those who are actually represented in official statistics.

The media can generate moral panics and the fear of crime

US Sociologist **Howard Becker** coined the term '*moral panic*' and UK sociologist **Stanley Cohen** continued to develop it.

Cohen studied the media response to the clash of the 'mods' and rockers' (two groups of adolescents, each group easy identifiable by members' distinct clothing) in the seaside resort of Margate (England) in 1964. Cohen observed that the media had a critical role in shaping how people thought about what had happened, and in stirring fear about the prospect of future clashes.

He argued that the media response here was a 'moral panic'. A moral panic is,

"*…the way in which the police, politicians, but especially the media, respond to a problem in such a way that the nature of the problem is so exaggerated that it has the effect of generating concern and anxiety out of proportion with the actual nature of the problem itself*"

(**Walkate,** *Criminology: the basics*).

Moral panics can have a far-reaching and damaging effect. They cover a range of (perceived) social problems, including problems surrounding offending and crime. They can lead to the groups in question (for example, the 'mods' and 'rockers' in the 1960s) being seen as "*folk devils*": they are 'othered'; they are seen to have negative influence on society; and they are seen as threatening societal values and morality.

Moral panics continue to appear today, albeit their focus is no longer on the 'mods' and 'rockers'. Other examples over the years include the Salem witch trials, punk rockers, football hooligans and video games.

According to **Cohen**, for something to be classed as a moral panic it must pass through these 5 stages:

1. An event, condition, episode, person or group of persons is perceived and defined as a threat to societal values, safety and interests.
2. The nature of these apparent threats are amplified by the mass media, who present the supposed threat through simplistic rhetoric. Such portrayals appeal to public prejudices, creating an evil in need of social control and victims.
3. A sense of social anxiety and concern among the public is aroused through these symbolic representations of the threat.
4. The gatekeepers of morality (editors, religious leaders, politicians and other 'moral' thinking people) respond to the threat, with socially-accredited experts pronouncing their diagnoses and solutions to the 'threat'. This can include new laws and policies.
5. The condition then disappears, submerges of deteriorates and becomes visible.

EXAMPLE: Hoodies

A more recent example of a moral panic in the context of crime is young people wearing 'hoodies'.

Hooded youths became associated with youth crime (and thus a threat to societal morality). Consequently, hoodies were banned in certain spheres (famously in the Bluewater shopping centre in Kent). Public fear of young people wearing 'hoodies', with an associated fear of these youths committing crime, was heightened.

*Can you think of an example of a **moral panic** and show how this has gone through Cohen's 5 stages?*

***The media can create more crime*?**

Some academics have argued that the media can be *criminogenic* (crime-causing).

- Since crime is ubiquitous (everywhere) in the media, the media might encourage more crime to occur, through imitation or causal effect.
- The media both normalises and glorifies violence.
- The media provides information on how to commit crime and spreads knowledge (this theory would be supported by rational choice theory, (see SCCJR 'Causes of crime').
- New forms of technology and new forms of media (e.g. social media) offer new ways to commit crime, for example: cybercrime.

However, the idea that the media can be criminogenic has been criticised by others. One criticism is that is rests on the assumption that readers, consumers or audiences of media are *passive* recipients of the information provided. Much research has suggested that this is not the case: people are *active* recipients: people consider, reflect on and question what they have seen, read or heard, and relate it back to their own views and values.

Reviewed 2022

FURTHER READING

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