

**CRIME NEWS
AS
PRIME NEWS
IN
NEW ZEALAND'S
METROPOLITAN PRESS**

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ACKNOWLEDGEMENTS

I am grateful to his Honour Judge F W M McElrea and to Bernard Brown for their advice on the writing of this paper. Not all the views expressed in it are necessarily shared by them, or by the Council of the Legal Research Foundation Inc.

INTRODUCTION

Crime news is prime news for New Zealand's metropolitan press. This study analyses crime news in five major newspapers throughout the country and concludes that crime news helps articulate the concept of order and is an ingredient in social control. The results show a high amount of crime coverage and point to an increase in crime reportage. The study suggests serious, violent crime is over-reported and that court reporting is pervasive. A homogeneity of crime news across the five newspapers is noted by the research. This indicates the role of New Zealand's press agency is that of an amplifier of crime news in addition to being a broker of crime news.

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FOREWORD

No one underestimates the power of the mass media in fashioning our and the society's attitudes to "deviant behaviour", including crime. In a highly literate country, newspaper representations of crime and offenders are probably more influential on our thinking than the increasingly abbreviated sight- and sound-bites of television and radio news broadcasts.

Since Young and Kelsey's early 1980s study of the reporting of gang-related activities, the New Zealand newspaper industry has experienced a burgeoning crime rate from which to select—as inexpensive copy—stories which accurately or inaccurately portray that phenomenon. The role of editors, and Judy McGregor has been one, clearly can be crucial in such issues as whether or not to emphasize certain types of offending, to play up or play down a simmering moral panic, or, simply, pragmatically, whether to fill an extra half-page (cheaply) with criminal trials.

The author's blend of empirical and theoretical contributions to the study of newspapers and crime is enhanced by a succinct lively style. This account, and works like it, also perform a valuable moral boundary-drawing exercise for the society. As Kai Erikson has put it, instances of publicity about crime and deviance, as in the newspaper reportage of them, constitute our main source of information about the normative contours of society. Readers wishing to conform, or to challenge, can learn how far at any time it is "acceptable to go".

Judy McGregor's monograph lets us see how editors' and journalists' views of the transactions between criminal acts and agencies of social control can help to plainly mark those parameters. Newspapers do a number of useful things, but that stands as one of the very few positive functions of crime.

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CRIME NEWS AS PRIME NEWS IN NEW ZEALAND'S METROPOLITAN PRESS

Introduction

Crime news is prime news.

(Mitchell Stephens)

Since the earliest days of journalism, crime news has been central to the news media. Matthias Shaaber in his study of printed news in England before the newspaper, found newsbooks and news ballads on:¹

doings of the court; murders and other crimes: miracles, prodigies and wonders; monstrous births and strange beasts; witchcraft; the plague; acts of god such as flood and fire, and the weather; and sporting events.

(Emphasis added).

The first English publication about a murder found by Shaaber was dated 1557. Stephens says as the sixteenth century progressed French printers began energetically exploring the journalistic possibilities of “wife murders, husband murders, mass murders and chopped up bodies”.²

In England, after 1575, most interesting homicides appear to have been recorded in print. And many of the sixteenth and seventeenth century newsbooks, precursors to the newspaper, indicate that sensationalism or yellow journalism, so often regarded as a contemporary excess, accompanied crime reporting from the outset.

This exuberant example is provided by Stephens about the murder of Mr Trat, the curate of a Somerset church, in which three men and a woman were convicted of the crime:³

... these butchers, with their hands already smoking in his blood did cut up his carcass, unbowel and quarter it, then did they burn his head and privy members, parboil his flesh and salt it up, that so the sudden stink and putrefaction being hindered, the murderers might the longer be free from (discovery).

And Scholefield⁴ writing about early New Zealand colonial journalism indicates that the strong political partisanship of early newspaper proprietors was reflected in sensational journalism which mixed libellous attacks on opponents with records of minor criminal activity like horse-whippings, tar-and-featherings and challenges to duels.

Crime news is inextricably linked to the commercial rationale of the news media. Crime

1 Shaaber, “Forerunners of the Newspaper in America” (1934) 11 *Journalism Quarterly* 339, 342.

2 Stephens, *A History of News* (1988) 113.

3 Ibid.

4 Scholefield, *Newspapers in New Zealand* (1958) 4.

news, states Grabosky and Wilson, is good for the news business because people read about it, listen to it or view it.⁵

Crime news sells newspapers or pulls in radio and television audiences, and thus increases the profitability of those who own media outlets. Nearly 150 years ago Benjamin Day's New York *Sun* hit the streets of New York and made Day a rich man. His success was partly based on graphic and occasionally lurid accounts of the exploits of criminals and their punishment (in particular, the hanging of a 'car-hood' murderer) and his formula of entertaining rather than illuminating his readers. *Some would argue that crime news is used by modern day proprietors in the same manner .*

(Emphasis added).

New Zealand barrister and journalist, Mike Behrens, is unequivocal about the linkage between crime and profitable newspapers. He states:⁶

... in the area of crime news, the primary interest is to use the news to sell the newspaper product.

In view of its traditional and central attraction as news, and the strong linkage with the commercial rationale of the news media, crime news could have been expected to attract strong interest from academic researchers. But Chibnall in his 1977 analysis of crime reporting in the British press states:⁷

In selecting law-and-order news to illuminate both newspaper ideology and the professional practices of journalists this study is at odds with much of the social science research tradition in the field of mass communications. Crime reporting has habitually been ignored by academic researchers or treated as essentially apolitical.

Since Chibnall's seminal study was published, the "Birmingham School", led by Stuart Hall, has dominated the sociology of deviance with the unifying feature of their work being the reproduction of order in capitalist Britain. This theme was researched and theorized in the context of youth deviance, such as examining the phenomenon of "mugging", and adult control.

Hall and others have used Stan Cohen's concept of "moral panic", developed when Cohen analysed press coverage of youth factions the Mods and Rockers in 1964, as a starting point for their research. Similarly in New Zealand, the concept of "moral panic" has been used to look at the way the news media cover deviance and social control in Kelsey and Young's⁸ 1982 analysis of press coverage of New Zealand gangs, and in an unpublished paper by the author of this research report analysing Auckland metropolitan newspaper coverage of the case of the missing Swedish tourists and the demonology of the man convicted of their murder, David Wayne Tamihere.⁹

5 Grabosky & Wilson, *Journalism and Justice: How Crime is Reported* (1989) 2.

6 Behrens, "Crime News..Whose Freedoms?" in Comrie & McGregor (eds), *Whose News?* (1992) 222.

7 Chibnall, *Law-and-Order News* (1977) 1.

8 Kelsey & Young, *The Gangs: Moral Panic as Social Control* (1982) 1-143.

9 McGregor, *Moral Panic and Over-reporting: the Case of the Missing Swedes* (1990).

But Chibnall's complaint of the paucity of academic research about the coverage of crime news remains true in New Zealand.

There are a number of compelling reasons for further research about the way crime is reported by the news media. Reiner¹⁰ indicates that while police activity bears heavily on people at the base of the social hierarchy—the complainants, the victims and the offenders — politically the most crucial sectors for determining police prestige, power and resources are the majority of the public further up the scale. For them, the mass media are the main sources of perceptions and preferences about policing. The news media, too, are the most common source of information which provide members of the public with their constructed views of the politically charged “law-and-order” issue. Crime and criminal justice may ebb and flow as issues in the public mind but they are never far from the top of New Zealand's political agenda and it is the news media which predominantly set the agenda for public discourse about them. An example of the role of the news media both in helping to create and to reflect public opinion was the Government's establishment in April 1992 of a Crime Prevention Action Group, which the *Dominion* reported on 29 March was:

... in response to a spate of 10 murders in the first three weeks of the year that left New Zealanders horrified and questioning what had happened to a formerly safe and relatively crime-free country.

A more particular reason for research and debate about crime journalism is rooted in the current New Zealand mediascape. This is the suggestion by several media commentators including Atkinson,¹¹ Edwards,¹² Tully,¹³ Lealand¹⁴ and McGregor,¹⁵ that the culture of journalism generally in this country has been altered both perceptibly and imperceptibly by the deregulation of the electronic media and by the global economic recession which has impacted on print media. At its most simplistic, the claim is made that these factors have meant an increased emphasis on entertainment as opposed to information as the central function of the news. It is further suggested that the lack of capital investment in journalism as opposed to investment in new broadcasting or print technologies, means that news that is easy for reporters to capture and gather is receiving priority in presentation and publication. It is acknowledged by commentators that crime news is easy to obtain. Grabosky and Wilson state:¹⁶

Modern newspaper organisations, for example, have established patterned and symbiotic relationships with major sources of crime news—the police and the

10 Reiner, *The Politics of the Police* (1985) 137.

11 Atkinson, *The State, the Media and Thin Democracy* (1992) University of Auckland Winter Lecture Series.

12 Edwards, “The Cootchie Coo News” in Comrie & McGregor (eds) *Whose News?* (1992) 15–25.

13 Tully, “Media Ethics ... Holding on to the High Ground” in Comrie & McGregor (eds) *Whose News?* (1992) 143–153.

14 Lealand, *Selling the Airwaves: The Impact of Broadcasting Deregulation on Local Content and Audiences in New Zealand* (1991). Paper delivered to the New Zealand Broadcasting Industry Summit, 30 September.

15 McGregor, *The News Myth Cover-Up*. (June/July 1992) THE WORD. Official Publication of the New Zealand Journalists and Graphic Process Union. Vol 59 No 3 p 2.

16 *Supra*, n2 at 2.

courts—and have routinized both the methods and the manner of reporting information about crime.

And provincial newspaper editor John Harvey, of the *Evening Standard*, in an unpublished 1988 interview, acknowledged that this routine and the symbiotic relationships mean that the news media elevate the police to an elite status as sources of news. The police alone, in the New Zealand context of daily reportage, dispense information which does not travel through the filters of traditional journalistic verification processes.

An additional reason for researching the way crime is reported in New Zealand is the nexus between the crime rate, which in the year ended 31 December 1992 rose nationally by three per cent, and the reporting of crime statistics. Previously critiques of crime statistics were largely confined to criminologists and academic commentators. Currently criticism of the manner of reporting crime statistics is more widespread. The Minister of Justice, Doug Graham, claimed in the *New Zealand Herald* on 3 March 1993 that the Dutch Justice Ministry's international crime survey report *Crime Victimisation in the Industrialised World* used an invalid method to reach its conclusion that New Zealand had the highest crime rate of thirteen countries. The same month in the *Dominion*, Mr Steve Anderton, a retired Wellington police officer of more than 36 years standing in the police force, wrote:

Crime statistics do nothing to give the public an accurate picture of the true situation, nor of what can be done to reduce crime and its effects on society.

An appraisal of the way in which major newspapers in New Zealand report crime is timely in light of a rising level of public debate about crime rates and the reporting of crime.

Crime news scholarship

Various commentators have emphasized that mass media images of the police are of primary importance in understanding the political significance and role of policing. They include British commentators such as Hall et al,¹⁷ Cohen,¹⁸ Fishman,¹⁹ Roshier,²⁰ Chibnall²¹ and Reiner;²² Canadian researchers Ericson, Baranek and Chan;²³ Australian writers Grabosky and Wilson²⁴ and Kelsey and Young²⁵ in New Zealand. Reiner²⁶ goes further and states that overall the treatment of the police by the news media has been such as to legitimate their role and activities.

In addition, many of the "radical criminology" school make the point that while much of the crime news we read, hear and see is dramatic and extra-ordinary much of it is in fact,

17 Hall, Critcher, Jefferson, Clarke & Roberts, *Policing the Crisis* (1978) 2–52.

18 Cohen, *Folk Devils and Moral panics: The Creation of the Mods and Rockers* (1972).

19 Fishman, "Crime Waves as Ideology" in Cohen & Young (eds) *The Manufacture of News* (1973) 98.

20 Roshier, "The Selection of Crime News by the Press" in Cohen & Young (eds) *The Manufacture of News* (1973) 40.

21 *Supra*, n 7.

22 *Supra* n 10, at 137.

23 Ericson, Baranek & Chan, *Visualising Deviance* (1987) 15.

24 *Supra* n 5, at 26.

25 *Supra*, at 136.

26 *Supra*, n 10, at 139.

“very mundane, a recurrent and uninteresting phenomenon in itself”.²⁷ Crime news, then, is significant symbolically. As Box states:²⁸

It serves to reinforce the world-taken-for-granted by restating social rules and warning subjects violators will not be tolerated. In this way the wayward are cautioned and the righteous are comforted.

And Chibnall²⁹ claims crime news provides a chance for a newspaper to appropriate the moral conscience of its readership.

To these research themes needs to be added Leslie Wilkins’ concept of deviance amplification.³⁰ One aspect of this concept is that during periods of rising crime, the feedback of media information about the rise increases public consciousness of crime which is reflected in increased reporting thereby amplifying the initial increase. The theory suggests increased reportage and media concern about crime is commensurate with rising crime rates. While it is important to acknowledge these general themes about the mass media and crime, this paper concerns itself with the coverage of law-and-order themes as a basic staple of news reporting.

Numerous studies, using various methods and measures, have established that crime news is a popular, significant and constant component of the total news, according to Surette.³¹ Crime news within newspapers has been stated to account for between four to twenty eight per cent of all the news reported, averaging about seven per cent overall. Different studies use different definitions of crime news, ranging from narrow to wide interpretations. Reiner³² refers in some detail to this research. He cites Dominick’s 1978 summarisation of American research. Dominick found that a typical metropolitan newspaper probably devoted around five to ten per cent of its available space to crime news. Reiner³³ cites Garofalo, 1981, as indicating that this overall proportion masks the special prominence given many crime reports, in terms of placement, story length and headlining. Dominick found the amount of attention given to crime news is much greater in popular than “quality” papers.

Doris Graber,³⁴ who in 1979, asked whether crime news coverage was excessive, used a broader definition of crime news and examined editorials, letters to the editor, features and cartoons. Graber found crime and justice topics appeared in twenty five per cent of all “stories” (using a wider definition of stories) in newspapers. In this study the categories of crime and justice topics were listed as police/security; judiciary; corruption/terrorism; and individual crime. Individual crime accounted for nine per cent.

Graber found crime news did not present crimes in the proportions in which they were actually committed, that there was a disproportionate emphasis on street crime as opposed

27 Kelsey & Young, *supra* n 8 at 7.

28 Box, *Deviance, Reality and Society* (1971) 40.

29 *Supra*, n 7 at xi.

30 Wilkins, *Social Deviance* (1964) 53.

31 Surette, *Media, Crime and Criminal Justice* (1992) 62.

32 *Supra*, n 10 at 139.

33 *Ibid*.

34 Graber, “Is Crime News Coverage Excessive” (1979) 29 *Journal of Communication* 91.

to white collar crime, and that there was a distorted image of the relative incidence of various types of street crimes by exaggerating murder, rape and assault and under-representing robbery, burglary and theft. Another American researcher, Jones,³⁵ concluded that readers would be mistaken if they thought that the more attention given to murders (or any other major crime) the more frequently that crime must be occurring.

Surette states besides making up a significant portion of the news, "crime news is well attended".³⁶

For example, in newspapers, crime news is read consistently by a greater percentage of subscribers (twenty four to twenty six per cent) than other types of news items.

It is possible to distil at least three major themes from these and other studies which have quantified the amount of crime news in newspapers. The first major theme is:

- 1 *There are substantial discrepancies between official counts of criminal activity and press reports of crime.*

Roshier's 1975 study of three English national newspapers and a large provincial newspaper relative to the official crime statistics, found the newspapers provided a distorted impression of the relative frequency of different types of crimes.³⁷ Davis' study of Colorado newspapers found changes in the amount of crime news tended to vary independently of official crime trends in the state, both for total recorded crimes and selected criminal activity.³⁸ A study of Houston's two newspapers by Antunnes and Hurley showed less than one per cent of crimes reported by Houston police were reported by either newspaper and the distribution of crimes reported by the press was markedly dissimilar from the distribution of crimes known to the police.³⁹

Thus the "facts" portrayed in news stories about crime differ from the "facts" as they appear in official criminal statistics. The official crime statistics are, of course, systematically different from the patterns implied by victimisation or self-report studies.⁴⁰ And Hall states that with regard to criminal statistics, "these are not—as one might suppose—sure indicators of the volume of crime committed, or very meaningful ones".⁴¹

The second theme which emerges from the newspaper studies is :

- 2 *The media over-report serious crimes, especially murder and crimes with a sexual element.*

Crimes against the person are emphasized as opposed to crimes against property. This

35 Jones, "The Press as Metropolitan Monitor" (1976) 40 *Public Opinion Quarterly* 243.

36 Supra, n 31 at 63.

37 Supra, n 20 at 45.

38 Davis, "Crime News in Colorado Newspapers" (1952) 57 *American Journal of Sociology* 325-330.

39 Antunnes & Hurley, "The Representation of Criminal Events in Houston's Two Newspapers" (1977) 54 *Journalism Quarterly* 756.

40 Mayhew, "The Effects of Crimes: Victims, the Public and Fear" (1985) In European Committee on Crime Problems, *Research on Victimisation*, 67-95.

41 Supra, n 17 at 10.

over-reporting can take the form of exaggerating the frequency of serious crimes, and by concentrating on some crimes only, particularly violent crime. Hall discusses the relationship between “violence” and the “news”.⁴²

Violence ... constitutes a critical threshold in society: all acts, especially criminal ones, which transgress that boundary, are, by definition, worthy of news attention. It is often complained that in general ‘the news’ is too full of violence: an item can escalate to the top of the news agenda simply because it contains a ‘big bang’. Those who so complain do not understand what ‘the news’ is about. It is impossible to define ‘news values’ in ways which would not rank ‘violence’ at or near the summit of news attention.

Paradoxically, the relative infrequency of violent crime in the real world in fact heightens its newsworthiness so it appears frequently in crime news. The rare crime event becomes a common crime news image. And Surette⁴³ states that besides over-emphasizing violent crime, crime news focuses heavily on the details of specific individual crimes.

Coverage of individual crimes has in fact been found to rank as the single most common news item for both newspapers and television.

Clearly from the pool of available crime news, the news media choose certain crimes because of their news significance. Soothill and Walby in a recent study have researched the reporting of rape and other crimes of sexual violence in British newspapers over the period from 1951–1985.⁴⁴ Their examination of the range and extent of sex crime reporting shows both how pervasive sexual violence has become as a news item, and also how only a very small number of cases are selected as being “newsworthy”. Their 1985 study was based on a reading of 3,015 newspapers, covering popular and quality dailies, national Sundays and local newspapers. The examination of rape coverage over time shows in particular that this topic has left the narrow audience of the popular British Sunday newspaper, the *News of the World*, and entered the daily press on a large scale. Much the same observation can be made in New Zealand where sex crime, once the almost exclusive preserve of the weekly newspaper *Truth* (now *NZ Truth*), has become a mainstream news item for the daily and Sunday press.

The question of press distortion relating to coverage of white collar or corporate crime versus violent crime against the individual or street crime is relevant here too. Graber⁴⁵ talks of the assumption that white collar crimes, particularly many business crimes involving threats to public health and safety, are of equal or greater social significance and newsworthiness than violent crimes against the individual. It follows that white collar crime which seriously damages the public should be covered proportionately to violent crimes against the individual. Graber,⁴⁶ states that if this assumption (acknowledged as debatable) is granted then crime and justice news is as badly distorted as its severest critics claim.

42 Supra, n 17 at 68.

43 Supra, n 31 at 63.

44 Soothill & Walby, *Sex Crime in the News* (1991) 32.

45 Supra, n 34 at 88.

46 Ibid.

The third theme to emerge from research is :

- 3 *The press concentrate crime reportage on events rather than issues, so crime incidents and specific crimes form the bulk of the crime news as opposed to analyses of the causes of crime or remedies, trends or issues.*

The “event orientation” of the news media is not confined to crime reporting as Galtung and Ruge⁴⁷ point out. Nor are the other professional journalistic imperatives such as simplification, titillation and the entertainment factor, dramatisation and immediacy identified by Chibnall.⁴⁸ These characteristics guide the construction of all news. But they have a heightened relevance in crime reporting. And the notion of “structured access”, whereby journalists are expected to ground their stories by reference to the authoritative pronouncements of “experts”, is also highly significant in the area of crime news. The police have a special status as a legitimated and elite source. They are at the top rung of Becker’s “hierarchy of credibility”⁴⁹ and have been identified by researchers such as Chibnall⁵⁰ and Hall⁵¹ as “over-accessed.” Ericson, Baranek and Chan stake a higher claim for the event-orientation for crime news:⁵²

The news media and law also share affinities in their techniques of policing and moral brokerage. They share an orientation to conflicts ... examining conflicts as they arise on a specific, case-by-case basis. They both address moral principles deemed applicable to conflicts that emerge during particular events.

Coupled with this event orientation in crime reporting is the news media’s concentration on crimes which are solved. Reiner⁵³ states that British and American research on crime reporting shows that offences which are reported by the news media at the time of their occurrence are disproportionately the serious offences of interpersonal violence which have the highest clear-up rates. Many other offences are reported after an arrest. Reports, too, are frequently court reports, based on trials, and rely often on opening addresses from the prosecution and on the judge’s summing-up and sentencing remarks. Kelsey and Young comment that there is something about “the court” which vests reports of criminal proceedings with a special quality of their own because symbolically the court is the arena in which the truth is arrived at. “Hence the importance attached by the media to judicial sentencing homilies and the language in which they are couched.”⁵⁴ It can be tentatively suggested, although conclusive empirical evidence does not exist, that this media concentration on solved crime can exaggerate in the public mind the police success in detection.

The relationship between the public’s “fear of crime” and the news media’s reporting of crime news has received no systematic approach from mass media researchers. Conse-

47 Galtung and Ruge, “The Structure of Foreign News: The Presentation of the Congo, Cuba and Cyprus Crises in Four Foreign Newspapers” (1965) 1 *Journal of International Peace Research* 64–90.

48 Supra, n 7 at 23.

49 Becker “Whose Side Are We On?” (1967) 14 *Social Problems* 239–247.

50 Supra, n 7 at 38.

51 Supra, n 17 at 69.

52 Ericson, Baranek & Chan, *Representing Order* (1991) 8.

53 Supra, n 10 at 140.

54 Supra, n 8 at 8.

quently, no prevailing view emerges from crime studies. For example, Roshier in his study found that public perceptions of crime and criminals appeared to be very much more influenced by the official picture of crime than by the newspapers studied.⁵⁵

This is more or less encouraging depending on how sceptically one views the meaningfulness of the official picture. However, there certainly seems to be very little evidence of any direct influence by the newspapers on their readers' views.

Roshier sent a postal questionnaire to a random sample of the adult population of Newcastle-upon-Tyne measuring the same variables as his content analysis. He asked respondents what crimes they thought were the most serious and to rate the relative frequency with which different types of offences occurred. Most of the crimes selected as serious were also those that were over-reported by the newspapers, but estimates of the relative frequency with which crimes occurred were closer to official statistics than to the frequency of reportage in the press.

By contrast, those writers who have explored moral panic as a concept tend to emphasize the effect of crime reporting on the public. Kelsey and Young⁵⁶ state the media amplify the frequency and importance of certain types of activity out of proportion to social reality. "In portraying the world of crime to us in this way, the media exercise an immense amount of power in influencing our interpretations of its form, extent and significance."

And Fishman⁵⁷ talks of "crime brought to public consciousness."

When we speak of a crime wave, we are talking about a kind of social awareness of crime, crime brought to public consciousness. It is something to be remarked upon at the corner grocery store, complained about in a community meeting, and denounced at the mayor's press conference. One cannot be mugged by a crime wave, but one can be scared. And one can put more police on the streets and enact new laws on the basis of fear. Crime waves may be 'things of the mind', but they have real consequences.

Reiner⁵⁸ divides into two opposing perspectives the political and social presentations of crime by the news media, and dismisses both the "subversive" and "hegemonic" views of the role of media images of law and order as simplistic. The "subversive" view holds that a responsible media ought to inculcate respect for legal and moral norms and their appointed guardians, but that commercial pressures operate so the news media cannot resist sensationalism, exploitative glorification of the criminal and denigration of the police. The "hegemonic" view which regards the news media as propagators of a dominant ideology has been central to radical criminology.

Mayhew more directly concentrates on the media and fear of crime and concludes that it is "very difficult to establish how far fear of (and concern about) crime are fed by media presentations."⁵⁹

55 *Supra*, n 20 at 50.

56 *Supra*, n 8 at 12.

57 *Supra*, n 19 at 98.

58 *Supra*, n 10 at 138.

59 *Supra*, n 40 at 79.

Extensive coverage of sensational crimes ... may, while it lasts, have a powerful effect on fear. Yet some research suggests that the public has more realistic images than those of the media, and that they distrust media portrayals. Studies of the effect on fear, of newspaper reading and television watching, moreover have faced difficulties in establishing any causal relationship and this must be partly because people get much information about crime from non-media sources: talking to neighbours about local incidents, for instance, has been identified as a good explanation of how fear arises.

Mayhew quotes Van Dijk's (1979) report to the Thirteenth Criminological Research Conference of the Council of Europe, in which Van Dijk concluded that women, the elderly and the poorly educated may be disproportionately influenced by reports of violent crime because they read relatively little other types of news.

While the influence of the media in relation to fear of crime remains problematic, other researchers are unequivocal about the effect of the news media's coverage of the criminal justice system in relation to policy. Surette⁶⁰ states the mass media have historically focussed on crime in their content and have used the popular appeal of the topic to satisfy their commercial needs. The media have focussed on violent interpersonal crime and explain crime as the result of individual choices and deficiencies. "The primary concern raised regarding these portrayals has to do with their effect on public attitudes and perceptions of justice." He says the media messages translate into support for law-and-order policies and existing criminal justice agencies. Crime control and punitive justice policies are seen as the answer by the public who receive their stereotypical picture of crime from the media which not only report but also define crime news.

Surette's⁶¹ 1992 examination of media, crime and criminal justice presents no major shifts in theory about crime reporting and the crime and justice content of contemporary news. Nonetheless this analysis makes additional points and is especially valuable for its topical theorizing about media technologies and crime coverage. Adding to the discussion about the influence of crime reporting, Surette⁶² refers to the "echo" effect of the news media in which a blaze of publicity about a case, very often in a trial situation, affects the processing and disposition of similar but non-publicized cases. The "echo effect" usually increases the punitiveness of the criminal justice system. The "echo effect" appears to be similar to Wilkins' notion of deviance amplification, but the sphere of influence is different, officials, rather than the public, being affected.

In Surette's⁶³ discussion of media technologies and crime he looks at the present and to the future acknowledging the new mass media environments and the subtle changes they have wrought on journalistic culture in relation to law-and-order-news.

He states:⁶⁴

As the technical capacity to cover crime news has expanded, media organisations have conversely increasingly blurred the news and entertainment media. In the

60 Supra, n 31 at 76.

61 Ibid.

62 Ibid, 73.

63 Ibid, 252.

64 Ibid, 249.

process, crime stories have become the mainstay of new hybrid news-and-entertainment or “info-tainment” programmes.

Surette says as the news media, led by television, have been able to cover backstage events and expose new information they have also been forced by industry competition to present these events and information in entertainment formats to maximize readership, ratings and listenership. This thesis contends that increased technological virtuosity in relation to crime news reduces, rather than enhances, public discourse about crime and is described by Surette as a “socially significant paradox.”⁶⁵

Media scholarship about crime news is scant in New Zealand and it is ten years since Kelsey and Young⁶⁶ examined gangs, the news media and the concept of “moral panic.” In part, the paucity of research reflects the low level of debate and scholarship about the news media generally in this country.⁶⁷ It is true that the coverage of crime news has been debated by interested parties such as the Auckland District Law Society’s Public Issues Committee, judicial and media law authorities, and journalists in relation to specific journalistic practices and the way they impinge on statutory restraints or in reference to particular legislation. Contempt of court, for example, is a subject which has provoked comment from the Public Issues Committee and more recently from Burrows. Harrison has recently commented on the intersection between the criminal law and the news media,⁶⁸ but has emphasized that he is concerned in his call for additional constraints on the media with “pre-trial publicity and with a narrow band of media activity”.⁶⁹ Harrison has consistently criticized the news media for what he perceives as an inexorable slide in standards by them in relation to prejudicing accused persons. Burrows,⁷⁰ on the other hand, while acknowledging a change in behaviour by the news media in relation to contempt of court, tends to minimize its significance.

The media have certainly begun to take more liberties than they used to in reporting crime. Many of these liberties have gone unchecked by the law. One detects that there is a certain element of risk-taking by some elements of the media, driven no doubt by the competitive edge.... Yet it is not true to say that the law of contempt is being flouted wholesale.

More recently press behaviour in relation to the arrest of former test cricket selector Bruce Taylor has prompted judicial admonition of the news media. The *New Zealand Herald* reported on 18 March 1993 that Judge G P Monaghan strongly criticized news services which broadcast details of the arrest of the sportsman subsequently imprisoned for two years. Judge Monaghan said he was considering handing his concerns to the Solicitor-General to consider whether the news services involved could be charged with contempt of court. He said that he and “a number of other judges are very concerned with the way

65 Ibid, 248.

66 Supra, n 8.

67 McGregor & Comrie (eds), *Whose News?* (1992) 9.

68 Harrison, “The Mass Media and the Criminal Process” [1992] *The New Zealand Law Journal* 271; and Hill, “Freedom of the Media and the Criminal Law” [1992] *The New Zealand Law Journal* 278.

69 Harrison, supra, n 68 at 277.

70 Burrows, “Media Law: Recent Developments” in *Media and Advertising Law*, Legal Research Foundation, October, 1992.

pre-appearance publicity is blasted through the media” and how that affected the passage of justice.

But despite concerns about specific areas of reportage, the way in which crime, policing and law-and-order news is portrayed is seldom scrutinized. Missing from any debate is a more general canvas of the way particular media cover crime. This is somewhat surprising in light of some contemporary public concerns. These include general anxiety about New Zealand’s international reputation in terms of crime rates, recent Governmental policy manoeuvres which have included nationwide seminars on crime prevention, and increasing publicity of child sex cases, white-collar crime involving both professionals and prominent sporting personalities, and mass homicides.⁷¹ Contemporary analyses such as that of Grabosky and Wilson’s⁷² picture of how crime is reported based on dozens of interviews with print, radio and television journalists, editors, and producers provide valuable and contemporary insights. But it is nonetheless an ethnocentric picture based on Australian experiences. Similarly Surette provides an essentially American perspective.

Behrens⁷³ provides anecdotal observations only about crime reporting within the New Zealand context which incorporate his personal experiences as a criminal lawyer and as a journalist. Incidental comment, too, has been made by Atkinson⁷⁴ about crime news following television deregulation and its impact on local programme content. Atkinson says content analysis of One Network News shows an increased morselization (shortening) and depoliticization (removal of serious discourse about public affairs) of content since deregulation. His results show that crime news, as a percentage of a week’s programme time, has risen from less than ten per cent in 1985 to twenty seven per cent in 1992. Crime has now supplanted economics as the third most significant item of news behind politics and sport. The research is the subject of a current debate in the popular press and the results and the general concept have been disputed by Television New Zealand news executives. Overall, however, the dearth of inquiry about the way crime is reported in this country opens the door to systematic empirical research.

Method

This study analyses the coverage of crime news by New Zealand’s metropolitan papers over a monthly print cycle in June 1992. The five newspapers in Auckland, Wellington, Christchurch and Dunedin provide an aggregate picture of metropolitan coverage from a regional sweep of New Zealand. The study follows at least part of Gitlin’s prescription.⁷⁵

It remains important to study variation among media (not only networks and newspapers but, importantly, wire services, radio and local television) and *among institutions within a single medium.*

(Emphasis added).

71 These observations have been made in Radio New Zealand interview material with Victoria University criminologist Dr John Pratt, and in a conversation with Massey University’s Director of Police Studies, David Burns.

72 *Supra*, n 5.

73 *Supra*, n 6.

74 *Supra*, n 11.

75 Gitlin, *The Whole World is Watching* (1980) 32.

The first concern of the study is the extent to which crime news is actually selected for publication in competition with other categories of news. Roshier⁷⁶ describes this process as one of two at work in the selection of crime news by the press. The process of selection of crime news in preference to other types of news is examined through content analysis, a quantitative measure of the amount of news space devoted to crime. A limitation of some quantitative surveys in this area is the lack of definition of what is meant by “crime news”. While Roshier’s⁷⁷ definition is unspecified, Graber⁷⁸ discloses four subject areas in the definition of crime news. A difficulty in comparing results across quantitative surveys and in making cross-cultural comparisons arises from the problem of contrasting like with like. For the purposes of this study, the distinction made by Hall *et al*⁷⁹ between “primary” accounts and “secondary” accounts, also employed by Kelsey and Young,⁸⁰ will be preserved. Crime news, therefore, has four areas for the purpose of this study which relate to:

- 1) news about crime incidents,
- 2) specific police operations and police activities,
- 3) legislative activity about crime and policing,
- 4) court reporting.

These were the categories used too, in a previous, unpublished analysis of a month’s crime reporting in a New Zealand provincial newspaper, the *Evening Standard*, in 1988.

The story inclusive of headline and accompanying photograph or graphic and picture caption comprises the unit of analysis. This acknowledges that the graphic image the public receives from the aesthetic presentation of crime-related news in the press may be as important in the public’s perception of law-and-order issues they receive from their newspaper reading, as the actual printed words themselves. This “holistic” approach recognizes the increased use in crime reporting of photographs and graphics by newspapers as a competitive response to the “visualness” of television’s aggressiveness in crime reporting. The stories were measured as a percentage of the total “hard news” space of the twenty six daily editions published by the five metropolitan newspapers in June 1992. The distinction between “hard” and “soft” news is accepted as valid in news media research. Hard news in the New Zealand context is often called spot news or news of the day and is distinct from feature news, magazine news or opinion and column material. Hard news is characterized by the inverted pyramid style of writing which means the story is fact-heavy at the top, with the foundation of the story containing the most important information coming first, and the rest of the information appearing in descending order of importance. The other principal requirement for basic hard news reporting is what is called the “5 Ws and the H” rule which means the opening sentences of each story contain the elements of who, why, what, where, when and how.⁸¹ The elements of hard news allow

76 *Supra*, n 20 at 40.

77 *Ibid*.

78 *Supra*, n 34 at 87.

79 *Supra*, n 17 at 57.

80 *Supra*, n 8 at 14.

81 Cappon, *The Word: An Associated Press Guide to Good News Writing* (1982) 36.

for attention-grabbing of the audience, and for the more pragmatic considerations of space allocation whereby the least important information can be cut out of a story from the bottom in the editing process.

In this study the methodology involved a square centimetre count of the hard “newshole”(news space) minus advertisements. Crime news was then measured as a percentage of the hard “newshole”. Features, editorials, opinion pieces and columns were not measured in this quantitative analysis of crime news. But they did provide information on qualitative aspects of crime reporting which will be referred to.

Other information was also compiled. This included a record of the page number to indicate news priority, placement of each story to indicate the importance attached to it as a story relative to other stories on a particular page, any proximate placement or adjacent association with other crime-related news, the headline, and whether the story was accompanied by a photo or graphic. In addition, content analysis was applied to the sources quoted in each story, and to whether the story was provided through the New Zealand Press Association or collected by local journalists.

The second principal concern of the study is the way in which particular types of crime are chosen for publication out of all the potentially reportable crime. What crimes are reported? Does the “factual” picture represented in this reportage correlate with the “facts” as they appear in the official statistics, the Police Annual Report for the year ended June 30, 1992? The official statistics were taken from the Police’s management information relating to offences and incidents.⁸² The methodology involved coding the crimes as reported by the five newspapers using the categories of types of offences identified in the official statistics and then comparing the two sets of figures—the number of violent crimes as reported by the metropolitan newspapers in June 1992 with the number of violent offences reported for the year ended June 1992. The types of offences used in the categorisation are offences of violence, sexual offences, drugs and anti-social offences, offences of dishonesty, property offences (including property damage and property abuses), administrative offences and traffic offences. These are the offence categories of reported crime used by the police. This methodology was aimed at determining the relative frequency with which different types of crime were reported and the relationship with the relative frequency in official crime statistics (acknowledging the limitations of official crime statistics).

A further point needs to be made in the New Zealand context about the issue of what is **not** printed from the pool of potentially printable news and news selection policies. A feature of the recent lack of investment in journalism is that newspaper “news tasting” has subtly altered. Fewer staff and (still) cramped newsroom resources mean news managers cannot afford to assign reporters to stories which will not be published. Almost all copy produced by reporters is published. Thus old research models looking at “gatekeeping” are largely outdated in the New Zealand context. The significance of the selection process now lies with the assigning of journalists to cover stories, rather than at some later processing point in the manufacture of news. When all the news that is covered has to be

used, editing becomes a series of choices about “where” in the paper, and “how” it will be presented, not “if” the story will make it at all. Of course, this has consequences for both the “primary definers” of news, accredited sources such as the police, and more importantly for the burgeoning class of information worker known as the “news manipulators.” The news manipulators are hybrid public relations practitioners with highly developed journalistic skills working on behalf of government, public agencies and private lobbies. They exploit scant journalistic resources and the need of news production for a continuous feed to fill print columns, and radio broadcasts and television sound bites.

It appears important to establish the proportion of total news content that involves crime and how this varies between and within media. Equally, it seems important to analyse how concordant individual stories are across the press. Without a foundation of quantitative content analysis providing a benchmark (however tentative or preliminary), other readings of crime news content are not complete.

The five newspapers chosen for the study comprise New Zealand’s total metropolitan press since the closure of the *Auckland Star* and the *Christchurch Star* in 1991. All five titles are daily newspapers (six times a week) and four are published in the morning, with Wellington’s *Evening Post* the only afternoon daily newspaper in the sample. Three of the newspapers, the *Dominion*, the *Evening Post*, and Christchurch’s *The Press*, are owned by Independent Newspapers Ltd, whose major shareholder is Rupert Murdoch’s News Ltd. The other major newspaper company in this country, Wilson and Horton, owns the *New Zealand Herald*. Dunedin’s *Otago Daily Times* is the only independently owned metropolitan newspaper in New Zealand. According to the Audit Bureau of Circulation figures for the six months ended December 1992 the circulation figures are: *New Zealand Herald*, 243,192; *Dominion*, 66,987; *Evening Post*, 72,514; *The Press*, 100,006 and the *Otago Daily Times*, 48,977. All five newspapers have lost circulation and metropolitan newspapers in this country are characterized by static or slipping circulations except for periods of promotional campaigns or as a result of new geographical distribution patterns. The *New Zealand Herald* circulates in a broad urban and rural sweep of the North Island concentrating on the Auckland urban area and from Taupo north. As well as its metropolitan Wellington patch, the *Dominion* covers Hawke’s Bay, Manawatu and Taranaki. Taupo is the cut-off point except for token copies into the Auckland market. The *Evening Post* primarily concentrates on the Wellington urban market although it flies several thousand copies into the Auckland market which is now without its own afternoon daily, and *The Press* stretches into Nelson, Marlborough, the West Coast, and mid Canterbury, but regards Christchurch as its circulation stronghold. The *Otago Daily Times* is part of Dunedin’s historic and cultural identity, and circulates out into Gore and Balclutha and other areas of central Otago.

Three of the newspapers, the Independent Newspapers Ltd titles, have computerized newsroom technology with each site linked electronically to each other (as well as other Independent Newspapers Ltd titles) and to the New Zealand Press Association. All of the newspapers are members of the New Zealand Press Association, a co-operative news agency funded by a circulation-indexed, yearly, subscription levy on its member newspapers.

The New Zealand Press Association acts as the central brokerage of news within and without New Zealand for the newspaper industry. Member newspapers must file spot news around the clock to contribute to the news gathering process to "surmount the obstacles of space, time, language and money in order to bring news of the world, of New Zealand and of neighbouring towns to readers."⁸³ The New Zealand Press Association has access to international news agencies and routes daily feed from these agencies to members as well as filing New Zealand national news back out to international agencies. Membership of the New Zealand Press Association by the five metropolitan newspapers analysed raises the important issue of the homogeneity of crime news published.

The metropolitan newspaper industry in New Zealand is duopolistic and is characterized by aggregation of ownership (Wilson and Horton and Independent Newspapers Ltd each own forty five cent of New Zealand's metropolitan circulation). In addition, there is increasing overseas ownership of one of the chains. While these trends of concentration of ownership and increased level of overseas ownership are not confined to New Zealand, unlike many other countries, the aggregation of the press appears to be a non-policy area in New Zealand. The concentration of ownership has, too, been paralleled by a dilution of legislative restraint, through successive amendments to the Commerce Act, relating to mergers and acquisitions.⁸⁴ These characteristics of the metropolitan newspaper industry, coupled with the external competitive pressures from the electronic media clearly have implications which warrant further study for editorial autonomy and crime reporting.

Prominence and uniformity of crime news

Crime news in New Zealand's five metropolitan newspapers in June 1992 totalled 182,432 square centimetres. It represented 16.44% of the "hard" news content of the newspapers which totalled 1,109,407 square centimetres.

The proportion of crime news in the individual newspapers studied ranged from thirteen point seven in the *Otago Daily Times* to twenty one per cent in the *New Zealand Herald*.

Table 1
Breakdown of crime news as a percentage of total "hard news"
content of five newspapers, June 1992.

Newspaper	"Hard news" in square centimetres	Crime news in square centimetres	%
Dominion	142,192	22,454	15.79
Evening Post	169,762	23,607	13.90
New Zealand Herald	229,918	48,399	21.05
Otago Daily Times	313,569	43,252	13.79
The Press	253,966	44,720	17.60
Total	1,109,407	182,432	16.44

83 Sanders, *Dateline-NZPA* (1979) v.

84 McGregor, "Who Owns the Press in New Zealand?" (1992) in Comrie & McGregor (eds) *Whose News?* 36.

The daily quantitative measures of individual newspapers show the highest daily content of crime news in the period studied occurred on 3 June 1992 in the *New Zealand Herald*, which published 2892 square centimetres of crime news representing thirty one point three per cent of the total "hard" news space of 9233 square centimetres. In that issue four crime related items appeared on the front page; three stories appeared on page two; and at least half of page three, 1140 square centimetres, was devoted to stories and photographs relating to the outburst during a court appearance of Stephen Matchitt, convicted of the Kaioua killings and subsequently killed while in prison serving his sentence. In addition, crime stories appeared on pages four and ten, and page twelve carried court reports. The lowest ratio of crime news to "hard" news occurred in the *Evening Post*, which published seventy four square centimetres on 22 June 1992 out of 5634 square centimetres representing one point three per cent.

Significant and on-going crime stories during the month studied revolved around incidents such as the Ratima killings, dubbed the "Masterton massacre" by the press; the police search for those responsible for the killing of a Christchurch pensioner; the discovery of the remains of a missing Auckland prostitute; and the controversy over the parole and release back into the community of a convicted rapist. One newspaper, *The Press*, in addition to its own reportage of crime news by staff reporters and sourced from the New Zealand Press Association, allocated news space to the police to provide copy presented under the headline "Crime Watch" and by-lined by the CIB reception officer. It comprised tidbits about minor incidents and sought public information to help solve the crimes referred to.

During the month one case only of corporate crime was consistently reported, that of the Equiticorp case. The newspapers studied adopted different approaches to the presentation of the Equiticorp case. The *New Zealand Herald*, for example, on Wednesday 3 June 1993, carried 760 square centimetres of story and a photograph captioned, "A grim-faced Allan Hawkins faces the cameras during a break in proceedings at the High Court in Auckland." By contrast, the *Evening Post* carried the Equiticorp case in its Business News section using New Zealand Press Association copy. The *Dominion* carried the case in both general and business pages, but the copy was written by a by-lined business news reporter based in Auckland. Both the South island newspapers moved the copy around between news and business news sections.

The coverage of white collar crime by the New Zealand press is problematic. Traditionally investigative reportage of corporate crime at the pre-trial stage has been regarded as high risk journalism. It is also resource intensive and few journalists have the commercial and legal knowledge required. Criticism of uncritical reporting by business journalists has been made periodically since the failure of the JBL group of companies. Former Prime Minister, Sir Robert Muldoon, highlighted the role of business reporters in fanning the feverish speculative activity by small investors prior to the 1987 stock market crash. And some debate has ensued about journalistic timidity in providing strong commentary on the rash of professionals, lawyers and accountants, convicted of offences involving dishonesty in recent years. The press generally wait until court proceedings have finished before publishing significant accounts of white collar crime. The *Dominion*, for example, published a detailed three-part investigation in February 1993 called, "The Missing

Millions: The Renshaw Report” examining the collapse of the Upper Hutt law firm Renshaw Edwards, some months after Renshaw and Edwards had been sentenced to jail for seven and six year terms respectively.

The *New Zealand Herald*'s proportion of crime news to “hard” news was bolstered by the newspaper's use of photographs accompanying text. The photographs included “hard” news photos such as accused persons leaving or entering court, and victims of serious violence, or their families. But, of all the newspapers studied, the *New Zealand Herald* also featured more “softer” human interest photographs of police in different situations. For example, the resignation of Auckland's District Police Commissioner, Brian Davies, featured in 931 square centimetres on page three on 2 June 1992. Much of the space was dominated by a posed picture of Mr Davies in front of the police helicopter. Again, Mr Davies featured in a posed photograph which comprised 456 square centimetres in another edition on 6 June 1992, on page five, at the time of a farewell function for him.

The *Otago Daily Times* was the one newspaper in the survey that published court news in stories with a reduced type size, which enables more news to be carried in the equivalent square centimetres of news space.

This report compared pre-trial coverage of murder and manslaughter to the official police statistics for the year ended 30 June 1992. There was a total of 537,295 reported offences during the twelve months ended 30 June 1992. Homicides, at 136, represented point nought two-five (.025%) per cent of the reported offences. There were 1547 separate crime stories (including court reports) published by the metropolitan newspapers during the period studied. Of these, 208 stories concerned murder or manslaughter at a pre-trial

Table 2
Comparison of overall pre-trial reports of
murder and manslaughter with reported homicide offences.

No of M & M Stories June 1992	% of Crime Stories	No of Homicides Year Ended June 1992	% Offences
208	13.44%	136	0.025%

Table 3
Individual newspaper pre-trial reports of murder and manslaughter.

Newspaper	Total No of Crime Stories	Stories about Murder and Manslaughter	%
Dominion	229	30	13.10
Evening Post	249	41	16.46
New Zealand Herald	338	48	14.20
Otago Daily Times	316	32	10.12
The Press	415	57	13.73

stage (excluding court). This represents thirteen point four-four per cent (13.44%) of the crime stories.

The results show that reportage of primarily, incident-based coverage of murder and manslaughter is much higher than the official “facts” as represented in the official statistics. The proportion of coverage of murder and manslaughter would be higher if court-based accounts of these areas of deviance were calculated into the percentages.

The study looked at court reporting in the five newspapers studied. Only one newspaper, the *Otago Daily Times*, attempts to publish accounts of all the criminal court cases in the newspaper’s circulation area, providing blanket coverage of Dunedin, Balclutha and Gore District Courts. All of the other metropolitan newspapers carry selective criminal court reportage. The study analysed the amount of crime news which was devoted to court reporting, what proportion it comprised of the total “hard” news coverage during the period studied, and what proportion of court news was sourced from New Zealand Press Association. Analysing court reporting helps provide a picture of what sort of crime interests the press, and the emphasis attached to stories at the post-arrest stage. The nature of court coverage has implications for newsroom resources. The study showed of the 182,432 square centimetres devoted to crime news in the five newspapers, 82,782 or forty five point three-seven per cent (45.37%) was devoted to court news.

Table 4
Court reporting as percentage of crime news in individual metropolitan press, June 1992.

Newspaper	Crime News	Court Reports	% of Crime News
Dominion	22,454	6,859	30.50
Evening Post	23,607	9,810	41.50
New Zealand Herald	48,399	29,789	42.90
Otago Daily Times	43,252	22,025	50.90
The Press	44,720	23,299	52.00
Total	182,432	82,782	45.37

The two South Island newspapers carried the largest amount of court news as a proportion of crime, with the *Press* at fifty two per cent (52%) and the *Otago Daily Times* at fifty point nine per cent (50.9%). The *Dominion* at thirty point five per cent (30.5%) carried the least amount of court news as a proportion of the crime news published.

Court reports accounted for seven point four-six per cent of the total “hard” news analysed. A table is also presented showing court reportage as a percentage of total “hard” news space in individual newspapers.

Table 5
Court reporting as percentage of total "hard news" space in individual newspapers.

Newspaper	Total Hard News	Court Reports	% of Hard News
Dominion	142,192	6,859	4.82
Evening Post	169,762	9,810	5.77
New Zealand Herald	229,918	20,789	9.04
Otago Daily Times	313,569	22,025	7.02
The Press	253,966	23,299	9.17
Total	1,109,407	82,782	7.46

The court stories published were overwhelmingly based on criminal court appearances. Only one newspaper, the *Otago Daily Times*, published a civil court story from the Dunedin High Court during the month studied. The absence of civil court coverage coupled with restrictions on reporting the Children and Young Persons and Family Courts means there is a narrow focus provided by court reportage in the metropolitan press.

A related question in the analysis of court reporting in this study was how concordant court reporting was across the metropolitan press. While the amount of New Zealand Press Association-sourced news copy published was examined in relation to court coverage in this study, similar results can be expected if an examination was made across crime coverage. Over a quarter of court coverage was sourced from the national agency, which has implications for the amount of local news (pertaining to the newspaper's geographic distribution area) as opposed to national court stories run by the five newspapers.

Table 6
New Zealand Press Association-sourced copy as a percentage of court reports.

Newspaper	Court Reports	PA Sourced Copy Within Court Reports	PA % of Court Reports Hard News
Dominion	6,859	3,018	44.00
Evening Post	9,810	3,505	35.72
New Zealand Herald	20,789	5,467	26.29
Otago Daily Times	22,025	6,125	27.80
The Press	23,299	5,854	25.12
Total	82,782	23,969	28.95

The study shows between a quarter and forty per cent of court reports published are sourced from the New Zealand Press Association. This degree of congruence results in a degree of homogeneity of news and impacts on a reader's perception of crime in the community from the news picture received.

Is crime news too plentiful?

The results raise the central question: is there too much crime news? Is crime coverage, as claimed by some commentators, bad for society because it exaggerates the frequency of some crimes, distorts the “reality” of crime, and displaces other more meaningful content which could aid public understanding of the criminal justice system? The amount of crime news reported is pivotal to the issue of the news priorities of the New Zealand press.

This study used a more limited definition of crime news than some overseas studies such as that of Graber which found twenty five per cent of topics mentioned in newspapers were crime-related.⁸⁵ In addition, this study limited the analysis to the “hard” news content of the metropolitan press. Yet clearly, the sixteen per cent of crime news from the total “hard” news content is higher than that indicated by the general observation that “the typical metropolitan paper probably devotes around 5–10% of its available space to crime news.”⁸⁶

The absence of previously reported New Zealand content analysis in this area robs the study of any historical dimension to the quantification of crime news and limits comparative discussion (while pointing ahead to future research directions). Nonetheless, it is possible to make some preliminary observations. In 1988 an unpublished study, using the same definition of crime stories, looking at crime reporting in a provincial newspaper, Palmerston North’s *Evening Standard*, found that ten and a half per cent (10.54%) of “hard” news in a month’s print cycle was crime reportage. Analysis in June 1992 undertaken by the newspaper’s editor for industry purposes, using the same definition of crime news, found that nearly fifteen per cent (14.77%) of “hard” news was crime stories. This represents a forty point one-three per cent (40.13%) increase in crime news in a four year period. While there are some differences between crime coverage in the metropolitan and provincial press, notably the amount of court news carried from the New Zealand Press Association and the singularly local focus, the increase provides tentative support for the suggestion that an increasing amount of news is devoted to crime reportage. It tends to support Atkinson’s⁸⁷ television study which suggested increased crime news, although it is important to note his study is related to the impact of the de-regulatory process on programme content. More empirical study is needed to confirm these preliminary indications that crime news has increased, and is increasing, in quantity within newspapers. If confirmed, the trend is in response to increased news media competition, the movement towards “infotainment”, organisational constraints such as fewer newsroom resources, and the ease of “capture” of crime stories from accredited sources like the police and the courts. The commercial rationale of the news media and the perception of “what the audience wants” is also important here. Graber⁸⁸ states that the question of whether crime news is excessive cannot be answered without reference to a number of factors underlying the judgment to be made. So while on a “hierarchy of social significance”, crime news may be regarded as excessive because it is not as

85 Supra n 34.

86 Reiner, supra, n 10 at 139.

87 Supra, n 11.

88 Supra, n 34.

important as, say, political news, environmental reporting or news of social and cultural events in society, a different judgment is made if the “hierarchy of audience preferences” is used. It is suggested that the audience preference criterion (referred to as the lowest common denominator factor by its critics) has assumed much greater importance for newsroom staff in a new environment in which editors are urged to be more “business-minded.”⁸⁹ The editor of the *Evening Standard* in an interview⁹⁰ offered as a rationale for continuation of a strong level of crime coverage, results from the newspaper’s most recent readership survey which showed strong audience preference for crime news. More compelling in the editor’s view, was that this audience preference was expressed by younger readers, the group of readers which is drifting from the newspaper “habit.”

The results do confirm Graber’s⁹¹ observation of a general “stability” in the number of crime stories both across the metropolitan press and against other categories of crime. So while the Ratina killings might increase the percentage of crime news on a particular day, it does so across the newspapers, and it disappears as a headline at much the same time. This study also confirms the trend noted by Soothill and Walby⁹² in their examination of sex crime coverage, that sustained coverage of a particular incident is not the norm. The general impression from studying five metropolitan newspapers over a month is that much crime reportage is based on crime incidents which receive a “one-off” treatment. Sustained coverage running over numbers of issues is confined to court reporting, the police’s need for public information in the “search for offenders” stage, or serious crimes of violence. There is little coverage of criminal justice issues and law-and-order debates which might prompt coverage of a right-of-reply nature. When issues were reported, they tended to be accounts of ministerial or government department press releases, parliamentary comment, or the release of official reports. Seldom did these published accounts provoke a running commentary that provided sustained coverage.

The results of this study show, that in relation to the violent crimes of murder and manslaughter, crime reporting in the metropolitan press in the month studied does not present those crimes in the proportions in which they are actually committed.

It reveals a disproportionate emphasis on crimes of serious violence and confirms the results of numerous other British, American, Canadian and Australian studies previously referred to. These have concluded that the news media exaggerate the frequency of serious crime, particularly violent crime, and place emphasis on individual crime. This focus of public attention on particular crime occurs without any evidence of an actual increase in victimization rates, as Surette⁹³ points out. There is debate about whether the media mirror, or ought to mirror, a statistical reality. Negrine⁹⁴ describes this concept as an erroneous assumption and says in fact, the media do not do so. The media may be articulating or feeding on public concerns about violent crime rather than creating them.

89 Underwood & Stamm, “Balancing Business with Journalism: Newsroom Policies at 12 West Coast Newspapers” (1992) 69 No 2 *Journalism Quarterly* 301.

90 Interview for the purposes of this study, November 1992.

91 *Supra*, n 34.

92 *Supra*, n 44 at 29.

93 *Supra*, n 31 at 62.

94 Negrine, *Politics and the Mass Media in Britain* (1989) 149.

Clearly, too, the figures reflect the news media's perception of their audience. It is assumed the public would not be interested in endless repetition of minor offences such as traffic offences.

The degree of concentration on murder and manslaughter in this study indicates that the metropolitan press are creating particular public images of crime and criminals which are skewed and ahistorical, stripped of any social or cultural context. The message perpetuated is that crimes are individual, largely perpetrated by predators who are different from us, that the crimes result from personal, individual problems, and that they are freely committed acts incomprehensible to most "normal" citizens. For example, in coverage of the Masterton killings on 29 June 1992 and 30 June 1992 all the metropolitan newspapers carried a particular profile of Ratima, the man responsible for the killings; that he was unemployed, that he was "disturbed" and had visited welfare agencies and his children's school in the preceding days. A separate story, presumably coming from a police tip-off, reported that Ratima had caused several road deaths in 1984. By contrast, family, civic leaders, Maori elders, school friends and teachers and the Masterton community were portrayed as a kind, caring, normal, provincial New Zealand community deeply shocked and stunned by the killings. The town "reeled" from the tragedy which was described as a "massacre." In addition, the Prime Minister, Jim Bolger, was reported as dismissing the notion that society as a whole had caused the tragedy. There was remarkably limited coverage of factors influencing Ratima's behaviour. The public image of the killings remains that it was an isolated, individual act which was so extreme and incomprehensible that it can only be seen in the context of one man's deviance.

The analysis of murder and manslaughter in this study analysed pre-trial reportage. If court coverage is added to the picture, it can be seen that the metropolitan press offer relatively simple explanations of murder such as jealousy, revenge, insanity, ferocious anger which again personalize and distinguish the crimes as individual episodes. These public images from the news media are reinforced by the nature of judicial homilies dispensed during sentencing, which focus on the individual.

In addition to what the news media actually cover, note needs to be taken of the biases of omission inherent in metropolitan press coverage of crime in New Zealand. Some newspapers have taken policy decisions not to report cannabis offences. So while the rate of reported cannabis offences between 1991 and 1992 increased by over four per cent, while other drug offences decreased slightly (1.32%),⁹⁵ this change in crime rate is not noted by the press. Only serious drug offences (cocaine, heroin, LSD, homebake, morphine etc) get over the threshold of newsworthiness and receive coverage at either the arrest or trial stage (with the exception of the *Otago Daily Times* court coverage). The only exception to the non-reporting of cannabis is when a case has additional whimsical or extraordinary characteristics to enhance its newsworthiness. Similar news selection policies operate in relation to alcohol-driving related offences. This study confirms other data which show neither the content nor the total amount of crime news reflects the crime rate or changes in the crime rate.

This study reveals the primacy of court reporting in press coverage of the criminal justice system in New Zealand. Nearly half (45.37%) of crime news in the survey was devoted to court news, and in two newspapers' court news it comprised half or more of the crime coverage. Court reportage made up between five and nine per cent of the total "hard" news coverage. The regularity of the court coverage, its allocation of space, the proximate placement of court story with court story, the fact that in some of the newspapers studied whole pages were often devoted to court and headlined as such, makes court reporting a systematic ingredient of the entire news selection process from allocation of reporting staff through to processing of copy. The pervasive presence of court reporting confronts the myth that the news process is dynamic and ad hoc, responding to spontaneous events and a moving parade of sources.

The pervasive nature of court reporting also creates an image for the public of the courts as a pre-eminent symbol of the criminal justice system. Surette⁹⁶ states that it is the courts that the news media most often show as system institutions. They therefore represent the criminal justice system as the social institutions charged with processing offenders and dispensing justice.

The heavy use of court reports in the metropolitan press accentuates the concentration on crimes which are solved. More research needs to be done to establish whether this media concentration on solved crime exaggerates in the public mind the police success in detection of crime. But the concentration on solved crime is occurring when the police clearance rate of reported offences is decreasing. Clearance of all offences decreased from forty one point two per cent (41.2%) in 1990–1991 to thirty nine point six per cent (39.6%) in 1991–1992.⁹⁷ This trend was evident across the eight major offence groups with decreases in clearances, except for administrative offences which had improved clearances.⁹⁸ Behrens also questions whether the press coverage of court reflects the high number of not guilty pleas in jury trials in the High and District Courts in New Zealand which end in acquittals.⁹⁹ Currently, there is virtually no reporting of District Court jury trials in Auckland, even though they are more numerous than High Court trials.

Coverage of court has traditionally been a print media preserve. Ericson, Baranek and Chan, in examining how media format requirements influence journalists in their selection and use of sources, state:¹⁰⁰

Through their procedures for controlling knowledge, different sources create different media environments, more suitable to one medium than others. For example, we found that, because of the nature of legal discourse the fact that electronic media were excluded from the courtroom, ... the court beat was primarily print-oriented.

In the New Zealand context, there has been frequent criticism of the "lottery syndrome" of court reporting by the press. The most recent complaint has been that of Behrens,¹⁰¹ a

96 *Supra*, n 34 at 67.

97 *Supra*, n 82 at 51.

98 *Ibid.*

99 *Supra*, n 6 at 229.

100 *Supra*, n 52 at 31.

101 *Supra*, n 6 at 226.

Palmerston North barrister who spent five years as a court reporter on the *Evening Standard*, before returning to court work. He states:¹⁰²

In recent years in all the metropolitan papers apart from the *Otago Daily Times*, and in many provincial dailies, the decision to publish a particular criminal case, be it a trial or guilty plea, has become a matter of editorial choice based on what is judged to be the newsworthiness of the story. Reporting of criminal proceedings lines up for the news editor to copy taste along with the latest famine or feast ... There are many examples of what can be seen as unfairness when 10 out of 50 people who appear in a District Court on a given day have their cases publicized simply because the court reporter decided they were the most interesting to fill the available space.

The *Otago Daily Times*, alone of the metropolitan newspapers studied, attempted to publish accounts of all the cases that go through the criminal court system in the newspaper's circulation area, including summaries of Dunedin, Balclutha and Gore District Court proceedings.

As well as the lottery syndrome of selected criminal cases only receiving coverage, the New Zealand press myopically covers almost entirely criminal court cases and then only selectively with little coverage of defended cases. In addition, statutory restrictions constrain or prevent reporting the Children and Young Persons and Family Courts but civil court cases are potentially reportable. Behrens states that civil cases can have just as much drama and interest.¹⁰³

A related question in the analysis of court reporting is the degree of homogeneity of the news as a result of the publication of New Zealand Press Association sourced copy. The analysis shows between a quarter and over forty per cent of court reflects crime which has occurred outside the geographical jurisdiction of the newspaper in which it is published. The congruence of court stories sourced from the New Zealand Press Association is shown in the data on days like 3 June 1992 when four newspapers carried New Zealand Press Association sourced copy relating to the Matchitt outburst and a story about the remains of the murdered Swedish tourist being sent home. These stories were provided to the New Zealand Press Association by the *New Zealand Herald* for wider dissemination under its obligations as an association member. On the same day, all five newspapers carried Press Association sourced court copy about the sentencing to preventive detention of a man convicted of the murder of a South Island girl. Dozens of other examples can be enumerated.

There is then, an important degree of concordant court reporting across the metropolitan press in New Zealand. While the rate and degree of crime might differ from community to community, readers of the metropolitan press in New Zealand receive a very similar picture of particular crime (violent, serious crime) from court stories. The homogeneity of court reporting is the result of a manufactured media picture which has more to do with organisational and bureaucratic processes of a news agency than with social reality. Not only are the same court stories carried, but the format of the words of the story (after individual headlining and placement) is much the same wherever it is published because

102 Ibid.

103 Supra, n 6 at 229.

the story has been edited by the New Zealand Press Association before being routed out to member newspapers.

The percentage of New Zealand Press Association sourced copy within the overall court reportage is highest for the two Wellington based newspapers, the *Dominion* and the *Evening Post*. Both these newspapers are owned by Independent Newspapers Ltd which has installed computerized technology into newsrooms. It is suggested here that the computerized technology makes both the transmission and the receipt of Press Association copy easier to process. Both these newspapers, too, have recently reduced reporting staff numbers. Court reporting requires the allocation of specific journalistic resources; reporters who understand the legal restraints, who have the time to sit through court proceedings and who want to report court which is acknowledged as being different from other “beats” or “rounds”. A reduced number of reporting staff leads to a greater reliance on supplied copy including New Zealand Press Association sourced copy, and dictates breaking with conventional staff allocations so that “court” receives an even more selective coverage than in the past.

The degree of congruence in court reports has implications for the social control function of the press, particularly when the courts are the dominant symbol in media images of the criminal justice system. Ericson, Baranek and Chan¹⁰⁴ observe that journalists are directly involved in the activities of law-enforcers, joining with them as agents of social control. The stigma attached to court report publicity, and the nation-wide reverberation effect provided by the New Zealand Press Association underlines this social control. The influence of news agency processes in transmission of court reports, and indeed of all crime news, suggests a new variation for Wilkins’ concept of deviance amplification. The agency becomes part of the instrument of amplification. The role of the New Zealand Press Association, as an amplifier as well as a broker of news, in a changing, more competitive press environment which has been marked by a reduction in the number of journalists, is worthy of further study.

“Bad” news and fallen heroes

Why some particular crimes were selected during the month studied, in preference to others, relates to the notion of newsworthiness. News values are problematic in journalism because while they are central to the selection and presentation of the news, they are nowhere formally codified nor universally agreed upon. They are, however, central to the long-running hostility between news practitioners and those who study the making of the news. Journalists refuse to articulate their notions of newsworthiness, fiercely protecting their professional imperatives from critical gaze. They claim news values are intuitively formed by informal socialisation within a newsroom culture and therefore defy objectification. Academic researchers, on the other side of the divide, believe identification and dissection of the criteria of newsworthiness are essential to understanding news manufacture. Most of the scholarship relating to news values follows or restates the seminal work in 1965 of Galtung and Ruge.¹⁰⁵

104 Supra, n 52 at 12.

105 Supra, n 47.

News values are not consistently applied nor always realisable. Selection and presentation is influenced greatly by the supply of news. An item that may make the front page lead one day could be relegated to page thirty nine down under on a day of dramatic or sudden happenings. Supply factors are pivotal in the current media environment. Coupled with the powerful role of police as source agents for the news media, is the lack of adequate resources for independent source verification. It can be theorized that the police are not alone amongst state agencies to be exploiting the continuing need for a supply of news at a time when news organisations have fewer journalistic resources to seek, verify and process news. This theory suggests the choice of what crime is reported from the potential pool of reportable crime has narrowed. This is an organisational restraint which impacts in the news process and affects the operation of news values. So only some news is worthy of publication according to the professional imperatives of journalists. But, also in this new media climate, only some easily captured news can be considered before the criteria of newsworthiness apply.

This study shows four particular news values have application in the selection and presentation of crime related stories in the press.

Clearly, the seriousness of the offence is a major factor in the selection of crime news stories. In the month studied, the supreme example of the news values of **bad news/violence** was the Ratima killing in Masterton which dominated press coverage on 29 June 1992 and 30 June 1992. Hall in his discussion of the news media and violence states that:¹⁰⁶

Violence represents a basic violation of the person; the greatest personal crime is 'murder'....

The amplitude of a crime which involved seven murders, by a father killing his family, and involving the additional ingredient of the death of an unborn baby, made this crime an "ultimate crime" with unique characteristics for the news media. The *New Zealand Herald* on 29 June 1992 devoted the whole of the front page to the tragedy with a nine column, near half page photograph of Ratima covered by a blanket being escorted by the police. Proximate placement, the grouping of related crime stories about the killings, emphasized the impact of presentation in all the newspapers studied. The language used in headlines and in text copy marked this crime out from others, too. The words "Masterton massacre" had irresistible, alliterative qualities for journalists and sub-editors alike. Nor were the newspapers constrained by the reporter's protocol of quoting sources. The *Dominion* clearly felt the story warranted the journalistic "voice" in paragraphs like:

The town was still trying to cope yesterday with the shock of mass killings with huddles of people talking in the streets and hundreds of supporters comforting grieving relatives at the marae.

Despite the fact the killings occurred in Masterton, the seriousness of the offence meant South Island newspapers needed to provide "local angles", the technique by which something in the national arena is made relevant to a local audience. *The Press* on 29 June 1992 carried, on page eight, three stories which provided local connections to the tragedy. They

were headlined; “Church leaders offer sympathy”; “Killings linked to male anger”; and “Slayings not only overseas—Moore”. These were in addition to the New Zealand Press Association sourced coverage accompanied by two colour photographs on the front page.

The metropolitan press coverage of the Ratima killings shows that in any given story of crime there is much more at stake than the resolution of a particular incident or tragedy. The criminal actions of Ratima provided the press with an occasion for primary definitions of what happened, but also the episode became a morality play featuring how what happened fits into society’s system of institutional authority and the order of things. The gravity of crime stories like the Ratima killings has market consequences. The increased amplitude of the “bad news” correspondingly lifts newspaper sales from casual outlets (as opposed to subscription delivery). Why is this? In addition to the repulsion, horror and fear (and for some, titillation) engendered by such a crime, is the need for readers to be reassured of their essential “goodness” as opposed to the “badness” symbolised by Ratima. The dislocation felt by readers during such episodes requires the imposition of order and authority, and the press play their role in that process. Ericson, Baranek and Chan¹⁰⁷ state:

In the face of signs of disorder, the news provides stable meanings that allow the individual to recognise, objectively, an order that stands outside of himself or herself as a source of authority.

So the press, as much as the law enforcement agencies they report on, are an agency of policing. The five newspapers helped in the delineation of order by publicizing the following in relation to the Ratima killings:

- 1) individual deviance through primary, “factual” definitions,
- 2) the procedures by which order is accomplished, through the arrest and police activity,
- 3) the organisational arrangements through which the procedures are invoked, again through police stories,
- 4) specific legal and policing provisions for the reproduction of social order, particularly through stories on court charges and court appearances,
- 5) the identity of human agents of this reproduction, the police, the mayor etc.

In addition, the press published a number of secondary accounts quoting family members, neighbours, kaumatua, and civic leaders. And a number of secondary definitions adopted a wider societal framework such as the Prime Minister’s repudiation of societal blame and church leaders offering sympathy. Surprisingly, few accounts, though, attempted any wider social/cultural analysis of the killings. The *Evening Post*’s editorial on 29 June 1992 published under the headline, “A Day of Mourning,” for example, reaffirmed human faith in the essential “goodness” of people, but declined to tackle cause and effect. It read in part:

The nation’s sympathy extends today to all those affected by the multiple killings:

to the families of victims and to the family of the accused, who in a wonderful and touching display of compassion have been welcomed to mournings on the marae: to the police, doctors and pathologists who have gone about their horrendous duties with efficiency and sensitivity.

The press treatment of the Ratima killings reflects the attraction for reportage of incidents in unambiguous ways. The ambiguities or shades of grey in an analysis of the complex social and cultural factors at work in the Ratima killings cannot be easily processed by the press, even if resources were available. Absent from any of the reportage was comment from the offender, Ratima. His inaccessibility to the press and his extreme marginalized status as a source excluded him from the chorus of comment. In general, the five newspapers presented images of institutional resolution of the Ratima killings through the rituals of morality and procedure.

In considering the issue of the public's perception of serious crime, the technique of the press to connect a snapshot of other similar but unrelated incidents needs to be noted. The *Evening Post*, for example, on 27 June 1992, published on its front page a table of other mass killings linking the Schlaepfer killings, the Aramoana killings and then retreating back to the Stanley Graham shootings in Hokitika. This press technique of "lists", linking unrelated, discrete events which have occurred over a long time span together in a coherent framework, is a bid in the absence of a sourced story to indicate to readers a "trend". The fact that quite powerful and individual motivations and different causes and effects lie behind each of the episodes is obscured in this type of presentation.

Coverage of the Masterton killings by the metropolitan press clearly continued on after June 1992, the month of press publication studied here. But, in general, looking at the overall coverage of the Ratima case, it tends to confirm the observations of Soothill and Walby in their coverage of sex crime, that sustained coverage is a rarity.¹⁰⁸ There was no hunt for an offender to sustain continuing press interest. The press relied on court proceedings for follow-up stories. The killings therefore fitted the formula of "high-concept" news, a big bang for several days and then disappearing quickly from newspaper columns. An interesting feature of the short frequency of the Ratima killings as a continuing news story is that the family themselves shut down publicity early by insisting they be allowed to grieve away from the full glare of the news media. It can also be suggested that the news media's poor performance in covering culturally sensitive events on marae, and their limited understanding of Maori protocol and marae etiquette in general,¹⁰⁹ contributed to the lack of sustained coverage of this incident. A direct comparison can be drawn with the news media's coverage of the Schlaepfer killings in which the media milked mawkishly the grieving process by publicizing both the funeral proceedings and subsequent interviews with the remaining children.

In the month studied it was apparent that **extra-ordinariness** was a dominant news value influencing both selection and presentation. Something unusual, something bizarre, something whimsical marked a story for reportage or elevated a potential crime news story to the front page. For example, on Tuesday 23 June 1992 the *Dominion* broke with

108 Supra, n 44 at 29.

109 McGregor, *Te Orenga Waha Ki*, 10.

the tradition of dismissing cannabis offences as too trivial to warrant reportage. On page one it carried a New Zealand Press Association story featuring a man who pleaded not guilty to a charge of supply on the basis that he had grown more cannabis than he had needed for his own personal use simply because of his green fingers. He produced a large onion in the court room to indicate his gardening talent and when asked if he had two leeks in his other hand, he said they were, in fact, spring onions. Other newspapers used the story too. The front page placement represents the news value of composition, the need for a front page on a normal news day to have a variety of ingredients including whimsy or humour. Very often such items are highlighted for readers by being presented as “briefs” or in boxed, bold type. A similar example of extra-ordinariness as a factor which is important in the selection of crime news, was the front page item reported by *The Press* and the *New Zealand Herald* on 13 June 1992. Under the respective headlines, “The arm of the law” and “Arm good only as exhibit” the story featured a man whose detachable false arm was to be used as an exhibit in his assault trial.

News values are of course inter-related and do not operate independently of one another. Thus the **bad news/violence** of the missing Auckland woman Leah Stephens combines with the **extra-ordinariness** of her prostitute status. Another murder reported by all the newspapers during the period studied involved a New Zealand heart transplant patient as the alleged offender. Again the two news values operate. The murder is reported because it is the “greatest personal crime” and the fact that the alleged offender is a heart transplant patient satisfies the news value of unusualness.

The news values of **status and personalization** are factors in the selection and presentation of crime stories by the newspapers studied. The involvement of an elite or high profile person either as a victim or an offender attracts press attention. In the New Zealand context, sportspeople appear particularly attractive. A dramatic example is the Keith Hancox affair in 1992. The first New Zealander to swim the English Channel and the second New Zealander to swim the Cook Strait, Hancox pleaded guilty to over 400 fraud and forgery charges totalling around \$1 million. The crimes were committed while he was executive director of the New Zealand Sports Foundation. The Hancox affair represented something of an apogee in terms of newsworthiness. His “fallen hero” status, combined with the nature of his dishonesty which cut to the heart of the fabled Kiwi sporting ethic, and the ensuing debate over his Sport’s Hall of Fame status and his subsequent expulsion, combined to single out Keith Hancox for special treatment by the news media. He was lead story material, the subject of endless feature profiles, photographed leaving and entering court on several occasions and, in addition, editorial judgment was pronounced by all.

During the period studied other examples surfaced. On 4 June 1992 the *Otago Daily Times* allocated 144 square centimetres to the conviction on a drunk driving charge of one of the Bracewell brothers, a cricketer. A relatively obscure boxer subject of an assault complaint to the police warranted 166 square centimetres in the *Dominion* on 8 June 1992, and stories in the *Evening Post*. A man who walked into a bank hold-up was described in the *Dominion*’s coverage as a “sportsman”, 27 June 1992. Even routine burglary becomes newsworthy when a high status person is involved. The burglary of Sir Michael Fowler featured in the *New Zealand Herald* on 24 June 1992. The representation of crime

news as being largely incident-based fits in well with the press' need to personalize stories and relate them to people. Individual crimes are reported usually in the context of personification. They are simple and unambiguous for the news media to gather and easy for the audience to understand and identify with.

A fourth news value identified from crime stories during the month studied is that of **dramatic tension**, the sentimental or dramatic circumstances usually associated with either the victim or the offender. Stories exhibiting dramatic tension were aimed at provoking some sort of emotional response, whether it be disgust, outrage or sympathy from the readers. Perhaps the supreme example of **dramatic tension** in the news media in recent years was the release by the police of the transcript of the tape between a young constable and the Schlaepfer grand-daughter of a poignant conversation held during her grandfather's tragic rampage. The police themselves know the impact of dramatic tension on public audiences and "play" the news media accordingly.

Some examples during the month studied were headed:

"Sentence disgusts bereaved family", a story quoting the relatives of a family killed by a drunk driver, 22 June 1992 in the *Dominion*;

"Family anger after drink case dropped," a similar type of story on 5 June 1992 in the *Dominion*;

"Theft of TV lifeline plunges Kris into misery", a story evoking disgust, about the theft of a television set from a twelve year old cerebral palsy sufferer, 17 June 1992 in the *Dominion*;

"Sex offender 'paid the penalty'", 26 June 1992 in the *Evening Post* featured a convicted sex offender who headed a school patrol pleading for compassion that he had paid the penalty for his wrong doing and should not be punished further.

Stories which evoke sympathy include examples such as, "Beneficiary stole from elderly father," 24 June 1992 in the *Evening Post*;

"Kindhearted recluse murdered", 2 June 1992 in *The Press*, featuring the killing of an elderly pensioner who gave his money away to street kids;

"Son cannot forgive mother's killer," 2 June 1992 in *The Press*.

Two stories which illustrate the allure of **dramatic tension** as a news value in the representation of crime stories were published in the *New Zealand Herald* on 3 June 1992, featuring convicted killer Stephen Matchitt. The newspaper devoted over half of page three to stories headlined; "Killer resented rich people of Kaiaraua", and "Cruel taunt directed at wife from dock."

The criteria of newsworthiness listed here are by no means an exclusive list of the factors which impinge on the selection and presentation of crime news. Traditional factors such as immediacy, topicality, event orientation, unambiguity and simplicity and cultural proximity also come into play in the news process. But the four factors identified have particular application in the representation of crime news by the press. When several, and

occasionally all, of the factors are apparent in the one story, this increases the likelihood that the story will be become published news. Crime news is by and large bad news. As such, it is compelling news for the press.

Conclusion

Learning about the criminal justice system from the news media is analogous to learning geology from volcanic eruptions.

[Ray Surette]

Crime news constitutes a constant, significant and perhaps increasing portion of the total "hard news" content of New Zealand's metropolitan press. This study shows the crime news itself is characterized by a reliance on court reportage, by a homogeneity of news, by an over-reporting of some serious, violent crimes and by a particular portrayal of crimes as acts of individual deviance.

In summary the main findings of this research are :

- 1) Crime news comprised sixteen point four per cent (16.44%) of the "hard news" content of New Zealand's metropolitan press during June 1992. By comparison with overseas research it appears that this percentage is higher than the crime news space of overseas metropolitan newspapers, although the problem of defining crime news needs to be noted. There are indications, too, which need to be tested by further research that newspapers have increased their crime coverage, partly as a response to a new, more aggressive, competitive news environment.
- 2) The question of whether crime news is too plentiful in the New Zealand metropolitan press may find different answers depending on the factors influencing the judgment. While crime reportage might be considered too plentiful in terms of the "hierarchy of social significance", a different judgment can be made in relation to "audience preference". Readership market research tends to confirm the status of crime news as one of the major categories of news for the press.
- 3) Crime reporting in the New Zealand metropolitan press does not represent the serious, violent crimes of murder and manslaughter in the proportion in which they are actually committed and officially reported. This study confirms overseas scholarship that serious, violent crimes, such as murders and manslaughters, have an irresistible attraction to the news media based on journalistic assumptions about public interest and linked to the commercial rationale of the press.
- 4) Over forty per cent of crime reporting by the New Zealand metropolitan press is devoted to court news, with the two South Island newspapers carrying more than fifty per cent of crime news as court reporting. Court news represents seven point four six (7.46%) of the total "hard news" content of the metropolitan press and is a systematic ingredient of the news process. Court coverage is almost exclusively that of criminal court. The pervasive nature of court reporting accentuates a concentration on solved crime.
- 5) While the rate and degree of crime may differ from community to community,

readers of the metropolitan press in New Zealand appear to receive a similar picture of particular crimes no matter where they live. The homogeneity of crime reporting is largely influenced by the New Zealand Press Association. The concordant nature of the stories is revealed in this study in the area of court reporting where twenty eight point nine-five per cent (28.95%) of copy published comes through the news agency. The role of the New Zealand Press Association as an amplifier as well as broker of crime news warrants further study.

- 6) The picture presented by the press of crimes like the Ratima killings is more than a canvas of a particular tragedy. Instead, through both primary and secondary definitions, the coverage becomes a morality play. As such the press are part of the policing process, just as much as the law enforcement agencies they report. Crime news helps articulate the concept of *order*, and can therefore be seen as an active agency of social control.
- 7) The question of what constitutes newsworthiness is thrown into sharp relief in crime reporting, with its particular emphasis on the “bad news”. Values such as bad news/violence, extraordinariness, status/personalization and dramatic tension were identified from the month’s reportage. Many of these news values operate together to heighten the newsworthiness of a particular story.

The study shows the press portrayal of crime is not a “factual” portrayal grounded in reality. Rather, it is a constructed social reality which is neither completely “factual” nor “fictional.” Phrases like “infotainment” and “high concept” news have been used by news researchers to describe current news media trends. The blurring of news and entertainment is most apparent in quasi-news programmes like *Holmes* which have a seeping, but subtle, influence on the press who adopt “catch up” techniques in crime reportage to maintain a competitive, commercial edge with the electronic media. It is true that the parameters of crime coverage have expanded, and the reporting has become more aggressive and intrusive as a result of expanded news technology and increased commercial pressures. But these trends do not fully explain the nature of crime news nor its status as a systematic ingredient in the news process. This study shows that the press portrayal of crime obscures and mystifies a realistic or knowledgeable understanding of the country’s criminal justice system. To what extent the public perception of crime, as gleaned from the press alone, influences the political response to crime is a matter of conjecture awaiting further study. But clearly there is some nexus between these perceptions of crime and broader notions about “law and order” and the social climate.

The research shows a marked emphasis on representations of criminality as a matter of individual choice and personal deviance, to the exclusion of any social, political, economic or structural explanations. Surette quotes Powers¹¹⁰ as stating the ritual of crime and punishment in newspaper headlines has become a great reality avoidance mechanism and an all-sufficient substitute for knowledge and thought: “let a scapegoat be found, let a culprit be punished, and the public relaxes, confident that the crisis has been sur-

mounted.”¹¹¹ Real, informed debate about New Zealand’s criminal justice system does not emerge from press coverage.

There is no unanimity about calls for a reassessment of the nature of crime reporting. Grabosky and Wilson¹¹² in their discussion of the future of criminal justice journalism pin some hope on a revitalized interest amongst reporters in following their code of ethics. Mayhew, on the other hand, adopts a less optimistic stance and states:¹¹³

It is questionable how much can be expected from the media. Crime sells newspapers and freedom of the press is jealously guarded. The best way forward may be for the police to be more careful about how they brief the press: giving full, lurid details of cases may promise a bigger story and a better chance of someone coming forward to give information, but there are clear risks in heightening fear and concern.

A change in the nature of crime reporting by the press is unlikely. In relation to the three parties who could influence change, the police (the state), the readers and the media themselves, the desire and ability to create change are questionable. The police extract information from the public via the press, and they heighten and sustain their image as law enforcers through the press. In addition, the press provide a conduit for police propaganda about law enforcement resourcing. While audience research is problematic, readers from the tentative evidence available appear to confirm through audience preference the priority accorded crime reporting in the press. The newspaper industry is perhaps the least likely to be an agent of change. It has an economic interest in the status quo—the portrayal of serious violent crime, court reporting and so on. The barriers to any reassessment of the way in which the criminal justice system is portrayed are deeply rooted in the commercialism and the bureaucratic and organisational structures of the news media.

And the metropolitan press in New Zealand has an immense power to resist change because it largely controls the means of expression of public criticism of its function. A reassessment of crime journalism is unlikely and there is no strong, self-regulatory ethic currently binding the press in New Zealand. Nonetheless, there is a need for stronger traditions of media monitoring and critical scholarship to prod the news industries into more robust journalism. Nowhere is the need more critical than in the area of crime reporting which is a pervasive and systematic component of the news.

111 Ibid.

112 *Supra*, n 5 at 138.

113 *Supra*, n 40 at 23.

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