

'What Works' with South Australian Newspapers?

Introduction

In July 2000 the *Sunday Mail*, the only South Australian Sunday newspaper, printed a 'Crime and Punishment survey' which was to be filled in and returned to the newspaper.¹ On August 13, the Mail published the results. The responses from 10,000 readers, and their interpretation by the newspaper, were sadly predictable. The survey indicated that over a wide range of offences – home burglary, home invasion, bag snatching or arson – more respondents felt that it was appropriate to sentence an offender to a prison sentence of over five years than to any combination of fines, community service or probation/suspended sentences.

Newspaper headlines screamed 'Get Tough, says SA'. In its editorial, the newspaper concluded that 'current sentences for criminals are grossly inadequate'. One columnist called for the state to become more 'redneck'. Punishments for offenders, he argued, were 'too low. If they get caught, what do they get? A bond, a fine, a suspended sentence, a slap on the wrist, a chance to hide behind a gutless suppression order? Some deterrent.'² Throughout the newspaper's coverage, the possibility that there might be some value in sentencing offenders to community-based programs was utterly ignored.

While depressing, these results and the newspaper's reaction were hardly surprising. Since the early 1970s, there has been considerable concern that little has been achieved by community corrections programs. The value of these programs has been questioned by academic researchers in North America, Europe and Australasia – most notably in the 'What Works' debate (Martinson 1974; McGuire & Priestley 1995) – and by professionals employed by correctional services. Their perceived lack of effectiveness has been roundly condemned at various times by political groupings and the public. The role that sections of the Australian media have played in this debate has rarely been explored within research on community corrections or the media. This seems both a curious and damaging failure and one that deserves our attention as criminologists.

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- 1 There have been significant methodological problems with the way in which newspaper-based polls are run. The questions asked may not be explicit, people may answer general questions about criminal justice with dangerous offenders in mind, the questions may focus on custodial rather than non-custodial offences, responses may depend on the accuracy of respondents' knowledge of crime and sentencing, respondents may be pushed towards expressing an opinion when they had none, and questions may be drafted to avoid neutral or tolerant responses.
 - 2 *Sunday Mail*, 13/8/2000, 'Get Tough, says SA'; 'Time to hand out tough jail terms'; 'Serious crime concerns'; 'Criminals in need of rough justice'.

Reporting Community Corrections

Of course, the omission extends well beyond the Australian context. Some explanation may be found within the more general criminological literature. The leading Canadian (Ericson et al 1987, 1989, 1991) and British (Schlesinger & Tumber 1994) research on media accounts of crime has been based on an appreciation that the production of information and its conversion into knowledge had become key aspects of organisational power and social stratification. In this environment, the role the media plays is ideologically structured. Through their construction and articulation of news, the media offer partial knowledge – in the sense of being both limited and interested (Israel 1998).

For example, the media offer a distorted picture of the levels and kinds of crime committed. Like their North America and British counterparts, the Australasian media seem to place relatively little emphasis on common crimes such as larceny, while putting much heavier emphasis on less common violent and sexual crimes (Lippman 1978; Pawson & Banks 1993). As a result, the majority of the sentences reported in the media concern imprisonment despite the fact that the vast majority of sentences are non-custodial (see, for example, the Canadian Sentencing Commission 1987).

One of the more important studies of media coverage of crime in Australia was undertaken by Grabosky and Wilson (1989). They suggested that journalists were indifferent towards corrections, ill-informed about correctional issues and saw good news about corrections as no news (Brown 1987; Wilson 1988; see also Chermak 1998, in the United States). Although the authors did not discuss community-based programs, they did point out that coverage of prison issues was hindered by: ‘...the ignorance displayed by many journalists concerning the prison system... [which] reflected the views of top management on the newsworthiness of prison issues... [and] a lack of interest on the part of reporters’ (Grabosky & Wilson 1989:64).

As Wayne Matthew, then the South Australian Minister for Correctional Services, also observed in 1995: ‘Correctional services is not usually an area of government that is looked upon with any great interest for good news stories. It is often regarded by the media as only an opportunity to raise a negative story...’ (House of Assembly Hansard, 16/1/95, p 577).

Matthew was only partly correct. South Australian newspapers have discussed community corrections. Indeed, much of the coverage of community service orders in South Australian newspapers has been positive. The press has covered stories about how the work undertaken by adults serving community service orders – making toys for sick children, cleaning local waterways and city streets, rehabilitating outdoor recreational areas, upgrading a steam railway, constructing boat ramps for country towns – was worth about \$4 million per year to the state.³

However soon after the Minister’s statement, South Australia’s daily newspaper, the *Advertiser*, and its sister paper, the *Sunday Mail*, published articles that questioned the use of community service orders as a sentence in particular cases. Drawing support for their views from victims’ advocates, the papers condemned sentences imposed in cases involving arson by a 14 year-old boy who caused \$400,000 damage to a school, and an intoxicated driver who caused death by dangerous driving.⁴ These articles were followed by coverage of the release of reports that highlighted the high rate of failure to complete community service orders by adults and juveniles. Although never advocating the abolition of community service orders, one year later, the *Advertiser* claimed that orders were being seen as a ‘soft option’ by offenders who regarded the orders as ‘ignorable or blithely negotiable’.⁵

3 Electronic search of *Messenger*, *Advertiser* and *Sunday Mail* newspapers, January 1995-May 1998.

Most South Australian newspaper stories about parole, a program run by community corrections, also raised concerns about community safety. For example, the Advertiser and the Sunday Mail launched a campaign against the impending release on license of a man who had served 14 years in prison for sexual offences committed against children between 1960 and 1978 as well as for breaching previous parole conditions on the four previous occasions that he had been released. The release was ordered by the Supreme Court despite the recommendation of the Parole Board. Citing the outrage and despair felt by 'past victims and their families', victim support and child protection groups, towards the parole of 'the State's most notorious paedophile',⁶ the Advertiser lamented:

Why has the system been allowed to fail, just when we need it to work for the community's protection? Instead of keeping danger off the streets, it has permitted the release of a man known to the courts as a chronic child molester.⁷

The Advertiser asked its readers to ring and say whether they were in favour of the release or not. Reporting the results as a telephone poll, the newspaper announced that almost 98 per cent believed that O'Shea should remain in jail. The campaign drew the support of a Federal Member of the House of Representatives who circulated a petition demanding changes to the laws governing parole so that community safety would become the 'paramount concern' of any court. Presenting the 6200 signature petition to state parliament, the Liberal MP expressed shock that O'Shea had been released: 'If I had my way I'd lock him up and throw away the key'.⁸ Following the campaign, O'Shea was released under stringent conditions designed to limit his contact with children. His neighbours were warned, anonymously, where he was living and the director of the charitable Prison Fellowship, who helped O'Shea on his release, received threatening letters and calls. So, the Sunday Mail's campaign to increase use of prisons is connected to a broader dismissal of alternatives to custody.

Of course, the views that South Australians have of community corrections are not based simply on what they read in the South Australian press. Even if we acknowledge the findings of surveys (Broadhurst & Indermaur 1982; Indermaur 1990; Victorian Community Council Against Violence 1997) that indicate the importance of the media to local views of safety, crime and justice, we also have to appreciate that a significant part of the crime news and infotainment that Australians encounter originates either from intrastate or overseas (Schwartz & Israel 2000). Consequently, local concerns about the effectiveness of community corrections in Adelaide may be ignited or at least fuelled by stories about reported breaches of parole in the United States, the pointlessness of fining wealthy broadcasters in New South Wales, or abuse of community service in Western Australia. Yet, the newspapers could tell a different story about public perceptions.

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- 4 Sunday Mail, 7/1/96, p 48 'We should fight fire with fire'; Advertiser, 17/10/95, p 2 '320 hours' community service not completed – Death driver 'too busy' for sentence'; 5/3/96, p 1 'Death driver "too busy" to pay for his crime'; 19/3/96, p 5 'Work orders for some offences under attack', p 10 'Orders should not be pious hopes'; 28/3/96, p 3 'Jail sentence stays suspended for man who failed work order: Mother's anger over death driver', p 10 'The man who got away?'
 - 5 Advertiser, 18/3/96, p 1 'Offenders in snub to court'; 3/4/97, p 8 'Playing games with the law'; 4/4/97, p 7 'Offenders "allowed" to dodge orders'.
 - 6 Sunday Mail, 3/5/98, p 32 'The O'Shea release; Outrage over paedophile'; Advertiser, 9/5/98, p 1 'State acts after DPP drops O'Shea appeal; Watch his every move'.
 - 7 Advertiser, 4/5/98, p 16 'The system fails us, absolutely'; Sunday Mail, 3/5/98, p 32 'The O'Shea release; Who'll guard our children'. Cecil Greek (1994) noted similar media coverage of parole and probation matters in Florida.
 - 8 Advertiser, 15/5/98, p 15 'Paedophile case leads to petition'; Sunday Mail, 12/7/98, p 5 'Throw away the key: MP'.

Public Satisfaction with Community Corrections

Based on research on public attitudes to sentencing, a case could be made that under particular circumstances the general public in Australia does not wish to abandon community-based penalties. For example, Walker and his colleagues (1988) surveyed a randomly selected cross-section of 2,551 people and asked them to select appropriate sentences for 13 different offences. The researchers concluded that significant numbers of Australians were willing to contemplate community-based alternatives to imprisonment. In response to case studies involving Medicare fraud, income tax evasion or injury following industrial negligence, over 70 per cent of those sampled advocated the use of a fine, probation or community service order.

Further support for community corrections programs can be found in Indermaur's study (1990). Indermaur asked a sample of Perth residents what they thought should be done about prison overcrowding. Forty-five per cent suggested that alternatives to prison such as probation, restitution, community service orders and fines should be pursued. Thirty-four per cent were in favour of building more prisons while 18 per cent suggested that the government should pursue both possibilities. Indermaur found that there was considerable support for specific proposals for community-based sentencing options: 70 per cent preferred fine defaulters to undertake community service rather than go to prison; 75 per cent wanted offenders with prison sentences of under three months to do a special course instead.

It seems that the level of information available is critical to public attitudes to sentencing. In general, the less information people have about any particular case, the more likely they will adopt a punitive attitude. Tomaino (1998) found that when members of the general public in Victoria were provided with further information about various sentencing options, they were far more willing to prefer non-custodial to custodial sanctions in a broad range of hypothetical cases. The reduced preference for imprisonment occurred even in cases involving murder or armed robbery.

The evidence on public reactions to community-based programs is therefore not quite as clear-cut as the *Sunday Mail* indicated. There is evidence that suggests that the vast majority of Australians support the use of such programs in specific circumstances. In addition, particular communities might support such programs if they are consulted properly, kept informed about the programs or are allowed to take some control over the organisation of the programs (Israel 1999). These signs are significant because community-based offending programs must be viewed as credible by the public if innovative programs are to survive.

Conclusion

We have little detailed understanding of the impact this type of media coverage might have on the credibility of community corrections in Australian jurisdictions. However, we do know enough about the impact of 'get-tough' law and order electoral rhetoric on subsequent sentencing policies (Hogg & Brown 1998) to make a shrewd prediction and it does not augur well for community-based penalties. Within the United States, various critical criminologists have called upon colleagues to intercede in the public debate by developing a 'replacement discourse' – deconstructing prevailing structures of meaning and generating alternatives (Henry 1994; Henry & Milovanovic 1996). Several Australian criminologists have been engaged in this work for a substantial period of time. The demand from newspapers that the legislative agenda should be framed by poorly conducted readership surveys makes this work even more important.

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