Chapter 2
Politicians, Media, and Society's Perception of Crime

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Abstract This chapter deals with three important issues for countries of Central and Eastern Europe, which are going through political transformation, associated with society's perception of crime: fear of crime, politicization of crime, and the impact of the media on public perception of crime. The authors set out the main characteristics of these phenomena since 1989 in the countries of the region, with a view to performing a more detailed analysis of them in the context of Poland. Despite the numerous differences among the countries going through the transformation in the past 20 years, they are beginning to fall within the ambit of the same rules as the "mature" democracies of Western Europe. In evidence are the same processes associated with the behavior of politicians in relation to troubling social phenomena and their use of populism as a method of wielding power, similar media reactions to criminality, and the recorded drop in the fear of crime.

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2.1 Introduction

One of the more important effects of the political transformation in Central and Eastern Europe is the emergence of the problem of criminality in the social awareness of the inhabitants of these countries. After a long period in which information about the risk of crime was controlled (unless it concerned crimes against the Socialist state) the societies of this part of Europe were deluged by information about criminal incidents and by opinions and discussions on the subject of criminality. Crime in itself became an article "sold" in the media and a political football. Fear of crime, which had scarcely existed prior to the transformation, appeared as a phenomenon in the social consciousness. Influencing the heightened fear of crime to a certain extent was a rise in criminality and a change in its nature, but more importantly a general state of uncertainty brought about by the deconstruction of life as it used to be and the established rules on which society functioned. Criminality and the related feeling of danger is already probably a permanent element in the public face of politicians mainly, but not exclusively, from populist parties.

2.2 Changes in Society's Perception of Criminality in the Countries of Central and Eastern Europe

The process of changes occurring since 1989 in Central and Eastern Europe encompassed not only a change of political systems, from various forms of totalitarianism to democracy, but also and perhaps above all an evolution within the societies of these countries. Every big change, and especially one as comprehensive as a change in the political system of the state, leads to an upsurge in anxiety at the level of the individual. Evidently, this fear will be significantly lower if the change is positive in nature rather than resulting in negative consequences (e.g. loss of employment). Nevertheless, the state of anxiety is unavoidable.

The political changes in the countries dealt with in this book took place more peacefully in Poland, the current Czech Republic, Slovenia, and Hungary than in Bosnia–Herzegovina, Serbia, and Croatia. However, in every case the change was accompanied by society being stripped of its feeling of relative stability, which had been provided by the socialist state through a developed system of social welfare and, above all, of guaranteed employment.

The embracing of normal, free-market rules, driven primarily by the pursuit of profit from business activity, resulted in a raft of social changes. A group of entrepreneurial people appeared, or rather came to light, who knew how to take advantage of the new conditions and increase their wealth rapidly. Equally, there was a group of excluded people who could not find their way in the new times and for whom the period of rampant capitalism, as the 1990s are sometimes referred to, in which the foundations of the democratic system in the particular countries were

laid, was incredibly difficult. It was the latter group that bore the brunt of the process of change. It was they—often the least educated, with absolutely no professional qualifications—who were the first to lose their jobs, and the state—preoccupied with its own problems linked to the transformation process—did not find sufficient resources (or will, in the case of politicians) to provide adequate help.

No wonder then that the 1990s in the countries undergoing political transformation were a time of rise in criminality, worsening of public safety, and a decline in the perceived public safety in society.

Research conducted by Imre Kertész and József Stauber concerning Hungary showed that the doubling of crime rates per 100,000 of population took 15 years in most Western European countries; in Hungary this process took 21 years (between 1971 and 1990), only for the crime rate to double again during the subsequent 5 years (1990–1995) (Kertész Stauber 1996, p. 520). Moreover, the transformation also affected the structure of criminality—in the first period of changes a significant rise was recorded in crimes against property, with the perpetrators being largely persons of low education, inadequate social conditions, lacking professional qualifications, and employment of any kind (Lévay 2007, p. 26). A similar process was observed in what is now the Czech Republic, where the greatest increase in recorded crime occurred in the years 1990–1993, stabilizing in the second half of the 1990s at an annual level of 400,000 (Válková and Hulmáková 2007, p. 112).

Siemaszko (2007a, p. 68) notes that most of the countries undergoing transformation that he surveyed (Slovenia, Estonia, Lithuania, Latvia, Poland, Romania, Croatia and the Czech Republic) experienced a positive dynamic in general criminality. This trend contrasted with the tendencies in Western European countries, where crime rates fell over the same period. Hungary and Slovakia were exceptions. However, it is in Hungary where—despite the negative dynamic in criminality—the greatest increase in general criminality occurred in the surveyed period, which is quite unexpected. Higher crime rates should not be associated exclusively with social factors arising from mass unemployment. This assertion would be profoundly untrue. The increase was caused by a whole array of factors including a greater readiness of the public to report crime (despite a negative assessment of policing, resulting from a greater fear of crime) and—associated with economic changes—the emergence of a group of anti-market behaviors that was new to Central and Eastern Europe.

The past 20 years were also a time of great change in the ways media had been working. The policies of the governments preceding the regime change aimed at using the media to create an image of safety and harmony in society. It was also a time when information about crimes was presented in a way that stigmatized perpetrators and often victims too, showing them to be the effect of the loss of an individual's social morality; frequently the information was prepared in such a way as to promote the prevailing ideology and show proof of its effectiveness in fighting social evil.

Criminality as presented by the media was used to divert the attention of society from current economic problems.[1]

The transformation gave the mass media, which was previously under tight state control, the opportunity of unrestrained growth. It seemed that, in tandem with the democratic changes, the media would become completely independent and constitute a pillar of support for the building of the new social order. In fact, however, apart from a few exceptions (Serbia under the rule of Slobodan Milosevic—see Copic et al. 2011, p. 296), in the first years of the transformation the press, radio, and television were safe havens for reformers. In some countries (Romania), the democratic changes started from seizing control of the television stations.

However, with the passing of the years the changes in the media, the influx of the private capital, often accompanied by the privatization of media hitherto under state control, and the emergence of an unusually competitive market led to the media fishing for topics to boost their attractiveness to viewers, and indirectly advertisers, who—by paying for media campaigns—would increase the profits of their owners. This explains the existence of newspapers offering their readership high dosages of sensationalist reporting (e.g. *Fakt* and *Super Express* in Poland, *Slovenske Novice* in Slovenia and *Novosti* in Serbia).[2]

Analyzing the content of these newspapers leads one to the conclusion that their high violence content is justified solely by the profit motive. Research carried out in Slovenia (Petrovec 2009, p. 114) showed that information featuring various forms of violence accounted for as much as 26.9% of the content of *Slovenske Novice*, regularly read by c. 300,000 people, whereas in other dailies the figures range from 3.1% in *Delo* to 8.6% in *Dnevnik*.

It could be said that in the past 20 years the media in the countries undergoing transformation have grown similar to its counterparts in Western Europe (see Reuband 2009, p. 161). In the Internet era the only way information has a chance of entering the social awareness is if it is sent quickly and wrapped attractively for the recipient and, preferably, triggers extreme reactions (shock, anger). This emotional charge is often present in information about crimes of the most extreme variety, with brutality blazoned across screaming headlines.

The media-created image causes an increase in feelings of danger and artificially engineered fear of crime in societies. It would naturally be an over-simplification to blame the media entirely for the heightened feeling of fear among the public. Surveys conducted in the Czech Republic in 2001 indicated a

[1] A striking example of this was the 'meat scandal' arising out of irregularities in the meat trade in Poland in the 1960s. This was a time when Poland experienced serious shortages in the shops of food and other goods. Among those accused of stealing meat, substituting goods, and falsifying invoices were directors of the state-owned meat chain store, shop managers, and the owner of a private meat processing factory. One of the accused was condemned to death and executed, four others were sentenced to life imprisonment, and others received long sentences. Interestingly, this was the only case in Poland of an execution for an economic crime.

[2] These daily newspapers modeled themselves on *The Sun* (UK) and *Bild* (Germany).

permanent, deep-seated fear among the general public about the possibility of becoming a victim of crime and that they attached too much importance to this fear—to the detriment of other values (Válková and Hulmáková 2007, p. 123).

A Slovenian survey conducted in 2001 has shown that fear of crime is lower among participants with a higher socio-economic status and a higher education level. Well-situated participants have no difficulties to ensure themselves a satisfactory level of safety. They can choose a safe living environment and provide themselves better technical equipment or a security service. A typical representative of persons with the highest level of fear is females, aged 21–55, employed and outgoing. The lowest level of fear is perceived among outgoing and well-situated men (Meško et al. 2004, p. 8).

In turn, research of fear of crime in Central European capitals (ICVS 2000) exhibited that inhabitants of Ljubljana, Budapest, and Warsaw feel safest, although their level of fear is much higher than in Western European countries (Siemaszko 2007a, p. 73).[3]

The existence of a heightened fear of crime might be justified by, for instance, the very poor assessment of policing in the initial period of transformation. This is a typical feature of former Eastern Bloc countries, where the police was viewed for years more as a formation that safeguarded the socialist system and constituted a tool of repression rather than as a service to protect the public and fight crime (Siemaszko 2007a, p. 73).[4]

It is worthwhile noting the results of a crime victims survey conducted in Hungary in 2003–2004, with a population of 10,020 respondents, which showed that criminality is not the main source of fear for Hungarians. It was listed only in sixth place behind factors such as: unemployment, social tensions, economic situation, political situation in the country, and quality of life. When analyzing the factors affecting the fear of crime, an exaggerated concern was noted with respect to crimes such as: robbery, car theft, murder, and corruption. This might be explained by the influence of the media, which distorts the actual frequency of these acts in society (the actual number of these types of crime is lower than presented by the media) (Papp and Scheiring 2009, p. 103).

Maintaining the state of threat from criminality can also be an element of politics. A particularly clear example of this was Serbia, as cited earlier, where during Slobodan Milosevic's rule (1989–2000) the pro-regime media supported and legitimized the plans of building a state based on nationalism and chauvinism. The leaders of the Serbian state ably exploited the media to spread the nationalist rhetoric in a socially acceptable and even expected fashion (Kešetovic et al. 2009, p. 121).

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[3] Percentage of people who do not feel safe during a walk in the neighborhood after dark was 35 in Ljubljana, 46 in Budapest, and 48 in Warsaw.

[4] The International Crime Victims Survey 2000 showed the highest levels of satisfaction with police work to be in Slovenia, where 62% of respondents said the police was effective in the fight against crime, whereas in Estonia the figure was only 26%. In Western Europe this figure ranged between 60 and 70%.

Serbia is not the only example of a country in the transformation era where politicians used crime data to build or strengthen their popularity. They often sought to justify populist solutions to problems by citing incomplete data or interpreting it in a convenient way (e.g. the slogan of chemical castration for pedophiles as put forward by the Polish Prime Minister Donald Tusk on the back of a wave of media reports on police activity against people showing pedophile tendencies or distributing or possessing child pornography). In this context it is interesting to analyze the programs of the main political parties from the angle of these types of slogans.

Politicians also exploit for party political gain the problem of criminality among ethnic minority groups, who are accused of committing numerous crimes and sponging off the rest of society. Sloganizing of this type can be seen in the more ethnically diverse countries of Central and Eastern Europe (e.g. Slovakia and Romania with their large Roma minorities).

The penal populism of politicians manifests itself in the taking of one-off actions with a spectacular social and media impact, supported by declarations of absolute war on social ills and the perpetrators of crime which are followed by—often poorly thought-out—draft legislation fast-tracked through parliament.

2.3 Politicians and Criminality

In the Polish general elections of 1997 all political parties campaigned on a ticket of improved safety and better protection for the public against crime (Widacki 2002, p. 95). The leftist party *Sojusz Lewicy Demokratycznej* (Democratic Left Alliance) promised that if they won the elections they would "improve the law, increase the effectiveness of law enforcement agencies and the workings of the justice system, in particular through simplifying and expediting court procedures." The center-liberal party *Unia Wolności* (The Freedom Union) declared in its program the necessity of improving the functioning of the police and the justice system. The right-wing grouping[5] set forth the need for harsher punishments, the return of the death penalty, and tougher prison conditions. The party which won the 1997 elections—*Akcja Wyborcza Solidarność* (Solidarity Electoral Action—right-wing party)—declared in its political program that the basic duty of the state is to ensure public safety. They also formulated a slogan of fighting corruption and stopping the spread of mafia-like structures.

Similarly, in the parliamentary elections of 2005 all political parties included in their programs slogans and pronouncements on the subject of crime rates, threat of crime, and the response to criminality in terms of penal policies applied by the

[5] Comprises the parties: *Unia Prawicy Rzeczypospolite* (The League of the Republic), *Unia Polityki Realnej* (Union of Real Politics), *Ruch Odbudowy Polski* (Movement of Reconstruction of Poland)—none of which are currently represented in parliament.

courts and the functioning of the justice system (Bulenda 2005, pp. 41–64). In the program of *Platforma Obywatelska* (Civic Platform Party, center-right party) there was talk of the bad state, where criminals walk free, courts are more lenient on criminals than their victims, and access to the courts exists on paper only—due to overly long court proceedings. The program of the populist party *Samoobrona*[6] (Self-Defense) wrote of the inequality between citizens in the eyes of the law, court room corruption, use of arrest and holding on remand against poor people and avoidance of the same by the rich and politically well-connected. In its program, *Prawo i Sprawiedliwość* (Law and Justice, a right-wing party) spoke at great length on the subject of criminality and penal policies applied by the courts. Its assertion was that the level of criminality in Poland was high and the public felt threatened by crime. It laid the blame for this state of affairs on liberal penal policies and poor functioning of the police, courts, and public prosecutors. The new Polish Criminal Code of 1997 (still in force today largely unamended) was branded as liberal and permissive of such lenient sentencing as it outraged the fundamental feeling of social justice. The program of *Prawo i Sprawiedliwość* proposed: raising the cap on terms of imprisonment to 25 years, the possibility of a life sentence without parole, reinstating the punishment of confiscation of assets, tougher punishments for re-offenders, tougher punishments for offences against the person. The criticism of the new Criminal Code was completely devoid of foundation. From the crime policy point of view, the Code is so constructed as to allow for appropriately measured punishments: ranging from mild to harsh and very harsh (including life sentences).

In November 2006 local elections took place in Poland. During the election campaign the extreme right-wing party *Liga Polskich Rodzin* (League of Polish Families), which was languishing in the opinion polls, put forward an extreme measure: introducing the death penalty for child sex killers.

On September 7, 2007 parliament voted to dissolve itself. After that, a very short election campaign followed—the President of the Republic called for parliamentary elections on October 21, 2007. In the campaign all political parties highlighted the inadequate level of public safety, the threat posed by serious crime, corruption, terrorism, need to improve the functioning of law enforcement agencies and security services. *Prawo i Sprawiedliwość* proposed an overhaul of the Criminal Code, along the lines of the draft legislation they had presented prior to the election campaign. The bill called for the toughening up of punishments for crimes against the person and all crimes of violence, crimes against the family, and terrorist crimes. Also proposed was a widening of the right of self-defense, a lowering of the age of criminal responsibility—responding to the need to fight serious crime rates among minors—cracking down on re-offenders, limiting the use of suspended custodial sentences, introducing life sentences without the possibility of conditional early release (Bulenda 2010, p. 25–49).

[6] Now a marginal party with no seats in parliament.

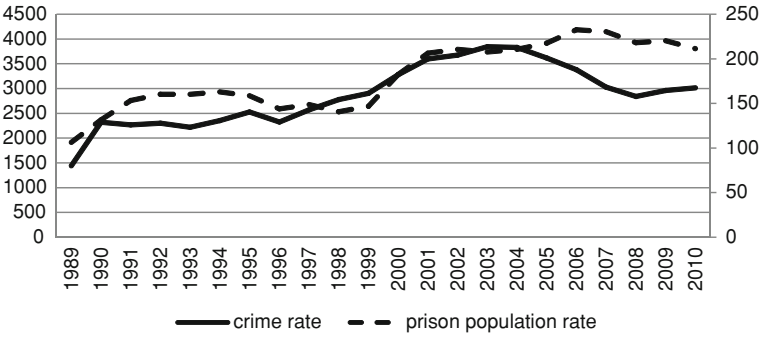


Fig. 2.1 Crime rate and prison population rate in Poland in the period 1989–2010 (per 100,000 population) [Data for 1980–2007 from: Siemaszko 2009, pp. 12–13; 164–165. Data for 2008–2010 from the information bureau of the Centralny Zarząd Służby Więziennej (Central Executive of the Prison Service) and Komenda Główna Policji (Police Headquarters), own calculations. Crime rate on the left, prison population rate on the right of the chart]

Against this backdrop of political ideas, a closer look at crime rates in Poland over the past 20 years is in order. Police crime statistics show that the number of all reported crimes was on the increase throughout the 1990s—883,346 in 1990 rising to a peak of 1,466,643 in 2003 before falling gradually to 1,151,157 in 2010. See Fig. 2.1 for details.

The crime victims survey which, along w's′s ith the police crime figures, presents data showing the state and extent of criminality, showed falling overall numbers of victims of crime from 1992. The crime rate was also falling according to information and assessments coming from victims of crime (Siemaszko 2009).[7] At the same time there was a gradual increase in the reporting rate, which means that the aggrieved had a greater propensity to inform the police about crimes they had fallen victim to. So the fall in registered crime is not associated with under-reporting.

Safety in society, including criminality and control thereof, is one of the most important issues facing governments and one where they are held accountable for their actions. In one election campaign after another, as shown above, the issue of threat of crime and the legal-penal reaction was clearly presented, discussed, and proposals for change put forward. Political parties talked about criminality in a characteristic fashion: they showed criminality as a dangerous phenomenon which has to be fought, which constitutes a permanent threat to the public, and in face of which the correct reaction from the authorities should be harsh, uncompromising punishment.

In all campaigns the tone used in pronouncements on the subject of crime and the fight against crime was the same, whereas the rate of registered crime fluctuated. Although criminality trended downwards, this had no bearing on

[7] Crime statistics available at: http://www.statystyka.policja.pl/.

politicians: they viewed crime as a serious threat, scared people with rising crime rates, and only proposed "medicine" in the form of increasingly harsh measures. It seems there is a relationship here between treating criminality as "goods" in political marketing, in electioneering, where none of the competitors wants to be "worse", and there is an accepted belief that only scaring the public with crime (even by misrepresenting the current state of affairs) can pave the way to political victory (Garland 2001, pp. 203–205).

Politicians propose to society only one type of reaction to perpetrators of crime: harsh punishments. In this way they teach the electorate only one manner and type of reacting, and yet we have at our disposal a variety of sanctions, including supervision in the community and fines, and criminality is varied by nature, being mostly minor and medium tier. By the same token penal policy should be differentiated.

On the web sites of the two major parties in Poland, the opposition right-wing *Prawo i Sprawiedliwość* and the ruling right-wing *Platforma Obywatelska*, we find stances taken on dealing with criminality and the correct reaction to this problem.

In its program *Prawo i Sprawiedliwość* declares that a safe Poland is a country in which zero tolerance is applied to lawbreaking, and the courts function efficiently and hand down fair sentences. The most important actions are: decisive and immediate reactions by the authorities to infringements of law (even relatively minor ones), fighting corruption, combating the causes of crime (such as youngsters staying out at night in dangerous places without adult supervision), setting up a Fund to Help the Victims of Crime, reinforcing protection for persons suffering domestic violence, toughening up criminal responsibility and improving the efficiency of procedures to confiscate the proceeds of crime, public naming, and medical treatment for dangerous sex offenders, and improving the efficiency of the system for delivering punishments.[8]

In *Platforma Obywatelska's* program we can read that freedom of citizens and a safe state constitute two core values for the party. The state should be efficient and sympathetic to honest citizens and harsh on criminals. This aim is to be pursued through: fighting threats to state security including: organized crime, corruption, espionage, terrorism and preventing common crimes. *Platforma Obywatelska* declares that it will deliver a reasoned compromise between widening the authorized field of operation of the law enforcement agencies and limiting the rights of the citizen.[9]

In recent times, two incident-related issues have given rise to discussions between politicians and reactions from the authorities: amendment to the Act on

[8] Program of *Prawo i Sprawiedliwość of* 2009: http://www.pis.org.pl/download.php?g=mmedia&f=program_pis_2009.pdf; downloaded 28.05.2011.

[9] Supplement to the program of Platforma Obywatelska: http://www.platforma.org/download/(gqWYZ57YrXailKWWZ0Xf32iiqWVaIypo4HQW52fll2frq-hVKbXZ1mmrWjaltvQkpDd56XGgN3Tp4fp3KfGgOPNjILO6rXTj9TDnIXo6qfbhtfJjJrO1avhkdTJkJ3d7LPGkczSoJfm3KuVkc_KT17s)/pl/defaultopisy/3/4/1/suplemnt_rozdzia_xi_wolni_obywatele_w_bezpiecznym_panstwie.pdf; downloaded 28.05.2011.

fighting drug addiction, including the problem of designer drugs (modified narcotics) and the reaction to hooliganism in soccer stadiums.

In mid 2010 there were confirmed cases of young people being hospitalized following the use of modified narcotics resulting in life-threatening poisoning (including several confirmed deaths). They provoked a strong, decisive reaction from the Prime Minister. Shops hitherto selling legal highs were closed and modified narcotics were classified as stupefacients (so-called substitute substances in the amended Act on fighting drug addiction). It was only a partial success for the authorities. The sellers of designer drugs relocated to the Czech Republic, where trade in these substances is not banned, and purchasers from Poland started ordering the goods over the Internet. The dispatch of substitute substances from abroad is tantamount to marketing them in Poland and supplying them to third parties and is defined as a crime. Hence, Customs officers checked parcels from the Czech Republic and any designer drugs found were sent to Sanepid[10] for analysis and (after being confirmed as toxic) they file a motion for confiscation to court. In the Warsaw Customs office alone, during 2 months, 200 parcels with banned substances were intercepted. However, journalists are still criticizing the government for its partial success in the fight against new narcotics (Kręskawiec 2011).

Meanwhile, legislative works were underway in parliament to reform Polish drugs law, and these resulted in the promulgation (on April 2, 2011) of the amended Act on fighting drug addiction. Attracting the greatest controversy was the change in the provision of the Act which mandated custodial sentences for the possession of drugs irrespective of the amount or category. After the change, proceedings for possession can be discontinued. Discussions in parliament on these changes became the stuff of political infighting. The government was suspected by opposition MPs of collaborating with the drugs mafia, because it was liberalizing the possession of drugs. But this time the "shrill cries" of the opposition seemed to fall on deaf ears. The changes proposed by the government and prepared by experts garnered public support, in particular from non-governmental organizations working with addicts and addicts groups (Kalinowski 2011). This time round a reasonable liberalization of law prevailed over a toughening up.

The second incident dealt with soccer hooliganism. In early May 2011 during and after a soccer match in a regional city in Poland fighting broke out between rival fans, they attacked the players, ground security, and the police. Those involved used sharp weapons. The Prime Minister in heated words talked of the need to close stadiums to the public. This met with strong criticism—his proposed penalties were criticized by the owners of sports clubs, journalists, and opposition politicians as ineffective and heavy-handed. The opposition judged the Premier's actions to be purely grandstanding gestures aimed at gaining support in the upcoming general elections (October 2011). And yet the critical stance shown by the opposition surely must raise eyebrows. Their party's program speaks only in terms of a tough, relentless fight against lawbreaking, but in this case the

[10] Stacja Sanitarno-Epidemiologiczna (Regional Disease Control Centre).

opposition sided with the lawbreaking fans. The opportunist actions by opposition politicians and their attempt to win the votes of fans were all too transparent (Chlebowicz 2011).

The two examples above illustrate how problems involving unlawful behaviors are used for political purposes and can be turned into smart tools for attracting voters.

2.4 The Media and Criminality

There seems to be an unbreakable bond between the mass media and criminality. The media are the primary source for the public's knowledge on the subject of criminality (70% of Poles gain it from television, 15% from the press, and just over 7% from the radio) and the justice system (Błachut et al. 2000, p. 420; Daniel 2005, p. 95). The mass media are also without doubt more than willing to report on criminality, mainly because it is an attractive subject for the audience, pandering to the emotions, often sensationalist and an easy way to grab the attention of readers, TV viewers, and radio listeners. Researchers state that people react positively to news about prohibited actions. Hearing information about the subject of criminality evokes a positive reinforcement of feelings of self-worth and allows the individual to distance himself from people who fall into conflict with the law and as a consequence bolster his conviction of his own normality (Błachut et al. 2000, p. 414). Thanks to a few manipulative techniques, of which more later, information about crimes is easily accessible and can be used to achieve various sorts of political goals (cf. Wójcik et al. 2006).

It is beyond doubt that the media portrays criminality selectively, concentrating on brutal, sensational incidents and scandalous oversights by the justice system. They rarely address positive or useful aspects of discussions on criminality, such as the causation of deviant behaviors, the role of the victim in originating crime, the issue of prevention, appropriate protection of property and safe behavior in everyday life, or the possibility of cooperating with the bodies of the justice system.

2.4.1 The Media Before and After Regime Change

In the case of Poland there is a great difference between the influence of the media on public opinion over the past 20 years and the influence it had before the political changes in 1989. In the times of socialism all media activity was subject to censorship. The *Główny Urząd Kontroli Prasy, Publikacji i Widowisk* (Central Office of Control of the Press, Publications and Events) in Warsaw issued a "Book of Notes and Instructions" ordering censors to eliminate certain information concerning, for example, alcoholism, pollution, and even information about road

traffic accidents. Any criticism of how state agencies and the justice system worked was banned (Strzyżewski 1977, p. 11).

A similar situation occurred in all countries of the former Soviet Bloc. In all of these countries, publishing or broadcasting of any material was strictly controlled by communist parties which supervised the national media, directed the propaganda organs, and censored all media content and literary works: both fiction and the news in the newspapers and television.

The Central Office of Control of the Press, Publications and Events was abolished in April 1990[11] and the media was freed from preventive, political censorship. Filar (2007–2008, p. 490) remarks that it was at that time that the media split into two camps: the tabloid-style and the serious. The tabloid press is guided by market principles, namely to present information in such a way as to maximize newspaper sales, whereas in the case of TV stations the goal is to maximize viewing figures. Meanwhile the serious media, on more than one occasion, threw in their lot with certain political groupings, towing the party political line.

The freeing of the press, the journalists reveling in free speech, and simultaneously starting a cut-throat circulation war gave rise to a need to write about shocking events. The media concentrates on reporting only headline-grabbing crimes: the extremely shocking, the cruel and the dramatic, creating a false impression of the scale and type of criminality.

Crimes are written about not only by the daily press but also by specialist periodicals dealing exclusively with crime reporting. Various TV stations put out programs dedicated wholly or mostly to crime, under titles such as: 997 (the police number), *State of Danger*, *Traffic Cops*, *Police Station* and *Prison Cell*.

2.4.2 How the Media Portrays Criminality

The picture of criminality as portrayed in the mass media is distorted and never reflects reality. The media reports certain incidents in a selective way or even over-reports them. They relay the fact of the crime itself, but only rarely (more often with serious crimes) report further proceedings or verdicts. Sometimes the accused is found not guilty, but this is not held to be information worthy of media attention and so is not widely reported. The public might be fed news about a controversial verdict of a trial court, but much less often, and several months later, information emerges about the verdict being overturned by the appeal court.

The mass media, especially those parts of it appealing to a less demanding audience (TV and tabloids), use a number of techniques to present information in such a manner as to attract the attention of the listener, viewer or reader. To wit: immediacy, dramatization, personalization, simplification, and credibility through

[11] Act of April 11, 1990 on revoking the Act on control of publications and events, abolishing the bodies of control and amending the Press Act (Journal of Laws 1990, No. 29, item 173).

authority (Jones 2006, pp. 80–82). Certain topics are guaranteed to grab attention, e.g. sex, violence, spectacular events and crimes featuring famous people, celebrities or children (Jewkes 2010, pp. 47–58). This process is called agenda setting and consists of journalists selecting those problems they want to give coverage to and those which will be omitted. This is the result of the chase after public interest (and hence high viewing or reading figures) on the one hand and, on the other, certain commissions—including political requests. "The publisher—and consequently the journalist—is interested only in the sort of 'truth' that increases profit. (…) In practice the journalist chooses from the whole range of topics only those that guarantee sales, overwhelming the recipient with stories that are sensationalist either from a human interest or political angle, or those which reinforce the position of the powers on which the paper is dependent, or to which it is sympathetic or serves. Topic selection conducted in this way has little in common with the public interest and the importance of the facts themselves and becomes pure manipulation of the public, who believe in journalistic good will, professionalism and integrity" (Migaczewska 2006, p. 97). This result in excessive publication of negative facts and events, accompanied by a simplified problem explanation provided by "experts" who are determined to prove a particular thesis—the one the journalists base their material on.

The phenomena of overinformation and underinformation are present in news involving criminality. Overinformation is when one shocking event unleashes a whole avalanche of information about a similar topic. For example, when there is a news item on a mother who kills her child while under the influence of alcohol, the audience is inundated for the next few weeks by stories about other mothers who to varying degrees neglect their children. A tragic coach accident with fatalities results in follow-up reports about other (often relatively minor) accidents involving buses or technically unsound vehicles and coaches driven by over-tired drivers. Overinformation can also engineer a "crime wave". A certain topic becomes "fashionable" in the media and keeps cropping up. Increased reporting of subjects such as crimes by minors or women may lead to an increased belief in "being swamped by crime" of a certain type, which is usually not based on fact (Błachut et al. 2000, p. 415).

Underinformation consists of the media refraining from reporting crime or certain types of crime. It could be a conscious process (as it was during communist times) or stem from the fact that at any given time priority is given to another, more attractive topic or that certain types of crime are rarely reported because they fail to arouse any emotion from the audience (e.g. petty shoplifting or complex business crimes, which are hard to understand for a public used to simple messages). It is hardly surprising then that the picture of criminality as portrayed in the mass media deviates significantly from the actual statistical picture. Various criminological materials make the point that the mass media over-represent, compared with the statistical data, crimes involving violence and under-represent property crimes (Maguire et al. 2002, p. 383). This affects how Poles perceive criminality. One in four respondents of Zawadzki (2002, p. 32) stated that criminality in Poland was dominated by crimes against the person (while in reality they

account for 3.5% of all crimes), and one in three said the same about business crimes (which in reality constitute c.7.7%—see Policja 2011b). Respondents showed similarly baseless beliefs in relation to murders committed by minors. Over 83% of respondents stated that in the last 2 years (survey carried out in 2002) the figure rose "shockingly" or "significantly", whereas in reality it fell (from 28 in 1999 to 16 in 2000 and 20 in 2001 (Zawadzki 2002, p. 35)). In 2010 only 7 murders were committed by minors.[12]

The only factor where media reporting reflects statistics is the gender of the perpetrators: criminality as illustrated in the media and the statistics is dominated by men (Maguire et al. 2002, p. 385). However, audiences show more interest in crimes committed by women. Researchers in the subject note that female criminality is presented differently in the media than male criminality. In the case of crimes involving women the protagonist is often presented as a person who has emotional problems or is mentally ill. Violence by women is commonly portrayed as irrational and emotionally driven.

Through conscious manipulation journalists sometimes miss out quite important facts when preparing material. Most crimes of violence take place between people who are known to each other, but this aspect is often omitted in media reports and the incident is presented as an event between complete strangers.

For example, press reports on rapes usually present a dramatic attack by an unknown perpetrator in a public place, whereas in reality women mostly fall victim to rape in a private place and the perpetrator is known to them (Williams 2004, p. 45).

Another manipulation used by the mass media is to create an impression that the media represents the whole of society and speaks on their behalf. Newspapers use expressions such as: "the public demands that" and "public opinion is shocked by" without seeking any basis for this in any research, even the most cursory (Jones 2006, p. 99).

2.4.3 Media Representation and Society's Perception of How the Justice System Works

The media representation also plays a key role in molding society's perception of how the various bodies of the justice system function (cf. Daniel 2005, pp. 80–99). In the literature one sometimes encounters calls for the mass media to go beyond cheap thrills and present the work of policemen, public prosecutors, judges, and prison officers as well and urge society to show respect for these professions and support them in their work (Sławik et al. 2003, p. 268).

[12] Police statistics at: http://statystyka.policja.pl/portal.php?serwis=st&dzial=942&id=50256&sid=c5eac4ddeca7918dab4e2ab8e0b2805b, maj 2011.

Information about the workings of the justice system is usually given a negative slant in the media, appearing alongside malfunctioning in the various justice bodies (prolonged court proceedings even in trivial cases, prisoners held on remand for unjustifiably long periods, and rulings repeatedly overturned) and instances of corruption, drunken driving by judges, public prosecutors, and policemen, and private dealings by them with the criminal world. It is undeniable that the average Pole receives a rather negative impression as to the functioning of the various parts of the justice system. In recent years politicians too have very often spoken critically in the media of the courts, sometimes going as far as to criticize individual judges themselves and the verdicts they hand down. This deluge of critical information has undoubtedly been a factor in the serious loss of public trust in judges.

Nowadays the various bodies of the justice system are increasingly aware of the need to build their own media image. Fully aware of this the police are trying to completely professionalize their contacts with the media. For example, the Chief of Police issued an order on the method and form of conducting press-information activities in the police service,[13] which sets out the type of information that can be passed to journalists, and the attendant conditions. The police place enormous emphasis on the presence of press officers in regional police stations (Skibińska 2007, p. 167). It is possible that these moves have resulted in the relatively high trust ratings in the police in Poland which for a number of years have hovered around 70%. The courts' press service is not as effective or well developed. Moreover, research shows the apprehension of representatives of the justice system in respect of dealings with society, in particular when it comes to good PR for courts. This is precisely because it could lead to judgments founded in populism. There is a danger that judges could give priority to society's expectations for harsh punishments rather than being guided by evidence and the law. That way they would issue judgments that would satisfy the public's opinion on the work of the justice system (Markov 2009, pp. 18–19). Faced with that danger, they prefer to keep their distance from the media.

Figure 2.2 shows the changes in Polish society's opinions as to the work of the police and the courts over the last few years. Whereas the police have gone up in the public's estimation, trust in the courts is significantly lower and is subject to massive fluctuation; this could be a result of the aforementioned difference between these institutions in terms of how they handle their media image. In a 1993 survey, 54.7% of Warsaw inhabitants trusted the courts (Bieńkowska et al. 1993, pp. 35–37), while in a national survey of 2002, as much as 29% of Poles believed that the verdicts handed down by the criminal courts were unjust (against 17% in the case of the civil courts), and one in three respondents thought that the workings of the courts had worsened in the last 5 years. The injustices according to respondents stemmed primarily from corrupt judges, difficulties with evidence

[13] Order no. 13/2000 of the Chief of Police of September 25, 2000 regarding the method and form of press-information activities in the police.

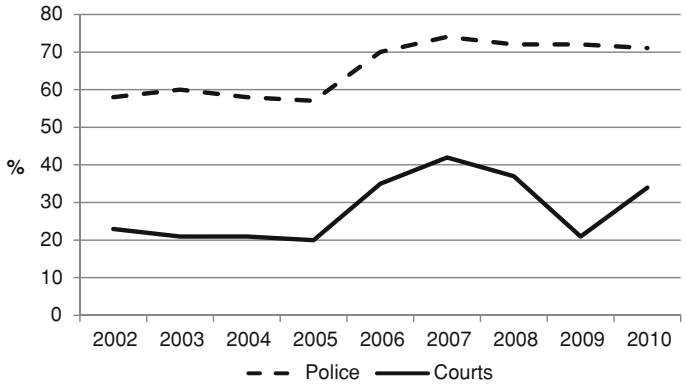


Fig. 2.2 Positive opinions on the functioning of Polish courts and the police in the period 2002–2010. *Source*: Policja 2011a

making it impossible for parties to prove their point in court, bad and unjust laws and also a lack of access to lawyers; 78% of respondents believed that judges were not independent and were subject to undue influence in their rulings (including 12% who thought this happened often) (Czapska 2003, p. 15, pp. 38–43).

Despite the low degree of trust, most respondents (59%) said that if they fell victim to an unlawful act they would take it to court in the belief that their case would be dealt with appropriately. The courts, as institutions protecting the rights of the individual, were rated second only to the Polish Ombudsman and ahead of the public prosecutor and the police (Czapska 2003, p. 25). It is also worth noting that people who had dealings with the courts in recent years assessed them relatively positively—57% of respondents were satisfied with their contacts with the courts (the courts came third in the public ranking of institutions of the justice system—ahead of the police and lawyers). The least well-disposed towards the work of these institutions were the ill-educated, old, and low-income groups, which doubtless reflect the difficulty judges have in communicating with these people. The exclusive nature of the language used by lawyers is particularly poorly understood by these parts of society, hence they often do not know what is happening in their case and accordingly have a low opinion of their contact with the court (Kojder 2008).

One must bear in mind that society's trust in the justice system can in no way be separated from the individual's faith in democracy and assessment of the public decision-making process by politicians. If society does not trust politicians and does not have faith in the quality of law, it will not have trust in the courts and will have a low opinion of its ways of functioning (Markov 2009, p. 16). In Poland, public opinion is very critical towards parliament—about 60% rate its works poorly (Kowalczuk 2010a). Similar opinions are expressed about the workings of the law—63% of respondents assessed it negatively. Three quarters of respondents

believe that people are not treated equally and parliament gives priority to the interests of politicians and the ruling elite over "normal people" or the Polish state when framing laws (Cywiński 2010, pp.170–173).

2.4.4 Legal Journalism: Risks and Opportunities

Returning to the heavily criticized (see above) authors of media news, most journalists state boldly that sensationalist reporting increases the attractiveness of the particular media for which they work (Łojko 2005, p. 113). Hence it is not unjustified for legal circles to allege that journalists who write about crime and report on court cases are unprofessional and seek sensational tidbits and moreover, they present a one-sided, simplistic and unobjective image of the functioning of the courts (cf. Daniel 2005, pp. 89–99, Łojko 2005, pp. 101–115).

Another serious allegation that lawyers level at journalists is their lack of knowledge of the law and the egregious errors they make when reporting court cases (Daniel 2005, p. 97). Again, this is not an unfounded accusation since barely one in five Polish legal journalists is a law graduate; additionally there is a general belief in journalistic circles that the most important aspects of the profession are: innate talent, "self-teaching", and experience rather than a thorough grounding in the profession (Łojko 2005, pp. 104–105). Demands to raise the level of professionalism among legal journalists apart, their role in public life is undoubtedly very important. Journalists spread knowledge about the law and how the justice system works, often playing a large role in uncovering crimes and in the fight against irregularities in the workings of the justice system. Their very presence in the courtroom encourages self-discipline on the side of the judges and is a form of societal oversight (Łojko 2005, p. 111). Another key role of the media is the part played by journalists in detecting and pursuing crimes. The active role of investigative journalists as opposed to the sometimes passive approach of the law enforcement agencies means that it is the media that often unmasks the perpetrators of many crimes, often including financial and economic wrongdoings (Sławik et al. 2003, p. 268). Sometimes the police intervene only after dramatic footage is shown on TV when the aggrieved talk openly about how their complaints about crimes were simply ignored by the authorities.

Journalists and by extension the information they convey are trusted by a large group of Poles—57% of respondents in 2006 trusted journalists and believed that most of them were reliable (up 11% on the figure of 2003) (Wenzel 2006). This shows that journalists are held in higher esteem by the general public than politicians or judges. The media should not abuse this overwhelming degree of trust.

However, the fact remains that criminality as manna for the media is already somewhat overexploited. The press, radio, and TV have recently been on the hunt for bogeymen other than criminals, such as swine flu, or even the end of the world.

2.5 Society's Perception of the Risk of Crime

As mentioned above the media often make use of violence in the materials they prepare to generate a sense of fear among their audience. This is evident in journalists' reports and in various types of programs and films—"the media present reality to us in a way that differs little from dramatized events. We are left in a position where it is difficult to easily tell fact from fiction" (Alexander 2006, p. 77). This level of fear is not without effect on our view of the world, including how we relate to the risk of crime.

Surveys of society's fear of crime encounter many problems of methodology. The answers of respondents can vary widely depending on how the questions are put. Most often, questions about the level of safety are put in the most general of terms, e.g. "Is Poland a safe country?" or "Are you scared of crime?" Also impacting on answers is the point in time at which the survey is conducted, which is contingent on current events, e.g. recent brutal crimes which received extensive media coverage. Here, the question arises of the extent to which public opinion polls reflect the actual attitudes of individuals, or whether they are just a mirror of society's mood (Kury 2002, pp. 135–136).

As a matter of fact, the level of fear of crime in the society is similar across all Central and Eastern European countries. Countries of former Yugoslavia (Serbia and Montenegro at that time) are a notable exception, where citizens feel safest. Ukrainians and Bulgarians feel most unsafe (Table 2.1).

2.5.1 Fear of Crime in Poland

Surveys show that in recent years society's general opinion on safety in Poland has improved significantly (cf. Fig. 2.3). Whereas in the 1990s only c. 25% of respondents believed that Poland was a safe country to live in, this figure has now risen to 70%. Alongside the rise in feelings of safety, there is a corresponding decrease in the fear of becoming a victim of crime—from almost 70% to around 40%. Hence one can say that public opinion has grown used to criminality and has adapted to life in a society where criminality is a permanent and normal phenomenon.

If one contrasts the perception of respondents with the picture of criminality based on police statistics (information about reported crimes) and compares it with the level of victimization experiences by respondents, it becomes apparent that public opinion in a shockingly accurate way senses the changing picture of crime in Poland. The trends depicted in Fig. 2.4 show that varying levels of intensity of criminality over the years (supported by statistical and victimization data) correlate surprisingly closely to the fear of crime. Similar correlations appear in the Polish Crime Survey of 2007 (PBP). Respondents living in provinces with higher crime levels generally had a greater fear of criminality than people in safer provinces (Siemaszko 2007b, p. 111). However, such correlations were not

Table 2.1 Fear of crime in selected countries of Central and Eastern Europe (responses to question: "how safe do you feel alone after dark?")

	1992	1993	1994	1995	1996	1997	2000	2001
Estonia	2.44	–	–	2.29	–	–	–	–
Poland	2.42	–	–	–	2.30	–	2.41	–
Czech Republic	2.37	–	–	–	2.36	–	2.61	–
Slovakia	2.41	–	–	–	–	2.80	–	–
Slovenia	2.07	–	–	–	–	2.16	–	1.99
Latvia	–	–	–	–	2.80	–	2.64	–
Romania	–	–	–	–	2.63	–	2.67	–
Hungary	–	–	–	–	2.34	–	2.68	–
Yugoslavia	–	–	–	–	2.39	–	–	–
Macedonia	–	–	–	–	2.10	–	–	–
Croatia	–	–	–	–	–	2.05	2.06	–
Ukraine	–	–	–	–	–	2.91	2.79	–
Bulgaria	–	–	–	–	–	2.84	2.83	–
Lithuania	–	–	–	–	–	2.61	2.86	–

Review of Scientifically Evaluated Good Practices for Reducing Feelings of Insecurity or Fear of Crime in the EU Member States, European Communities 2004, p. 11, available at: http://www.eucpn.org/pubdocs/review_reducing_feelings_insecurities_fear_crime_en.pdf [downloaded 07.09.2011]. Data shown in the table are the average values from the respondent's statements, where: *1* very safe, *2* fairly safe, *3* a bit unsafe, *4* or very unsafe



Fig. 2.3 Fear of crime in Poland in the period 1993–2010 (Questions about fear of victimization were first put only in 1996). *Source*: Kowalczuk 2010b

observed in the long-running International Crime Victims Survey (ICVS, cf. for example Siemaszko 2007–2008).

In criminological surveys fear of crime is most commonly measured by questions about the feeling of fear that accompanies a walk after nightfall in one's

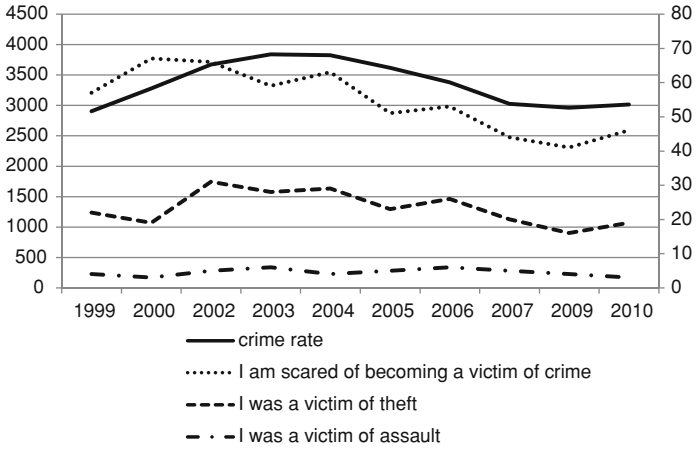


Fig. 2.4 Fear of crime in Poland against a backdrop of victimization and statistical data in the period 1999–2010 (The figure does not contain data for the years 2001 and 2008—because those sorts of survey were not conducted at that time. The crime rate per 100,000 inhabitants was presented on the basis of police statistics (Policja 2011b) calculated as per the population data published by the Central Statistical Office. The victimization data was given in percentage terms). *Source*: Kowalczuk 2010b, own calculations

neighborhood.[14] It appears that one in four respondents does not feel safe in that situation, and one in three when moving around town avoids certain places and streets out of a fear for his safety. Polish respondents are most scared by macho drivers (36%), becoming a victim of assault or mugging (24%), being accosted by groups of youths behaving aggressively (24%), burglary (23%), or damage to property by vandals (22%) (Siemaszko 2007b, p. 110 et seq). However, the greatest fear felt by society relates to crimes which are relatively rare. A total of 5.7% of respondents were victims of violent crime, 7.2% burglary, 4.6% theft (non-auto) (Siemaszko 2008, pp. 19–32).[15]

In the international context the crime rate in Poland is mid-ranking and is accompanied by an exceptionally high level of fear of crime (cf. van Dijk et al. 2007). In an international survey conducted in 2002,[16] respondents from Cracow felt the least safe compared with their counterparts in other countries (their level of fear was four times higher than in other cities). The belief of respondents as to the risk of crime did not correlate in this case to the actual danger, seeing as crime

[14] This is how the question was formulated in PBP and the International Crime Victim Survey (ICVS).

[15] The survey was conducted in 2007 and respondents were asked about their previous year's experience.

[16] The survey was also conducted in four other major European cities: Budapest, Amsterdam, Vienna, and Hamburg.

rates in Cracow (as measured by victimization data) were average in comparison to the other cities (Krajewski 2008, p. 125 et seq.).

Extremely insightful is the fact that, irrespective of the high level of subjective risk of crime, Poles do little in the way of precautions to safeguard against the risk of becoming a victim of a prohibited act. The method most often used to minimize the risk is avoiding certain places believed to be dangerous. However, only a small percentage of respondents (compared to the declared level of fear and measures taken by inhabitants of other countries) decide to install extra locks (18% against the international average of 45%), alarms (3% against an average 16%) (van Dijk et al. 2007, pp. 135–139).[17] This fear of Poles was picked up on by property developers who in recent years have offered practical isolation of dwellings in gated communities (although only about 20% of purchasers of such dwellings stated that security was one of the deciding factors in their choice of real estate). The marked increase in gated communities is especially apparent in Warsaw. Surveys of the fear of crime show that inhabitants of gated communities more readily view Warsaw as a less safe place than their counterparts in non-gated residential developments (the difference in the declared fear of crime between inhabitants of the two types of development is as high as 50%). Nevertheless, they do feel extraordinarily safe "behind their walls" (Waszkiewicz 2006).

A high fear of crime is accompanied by preventive actions taken by the police. This primarily consists of an increased number of patrols, efforts to raise their profile in the local community, and the installing of CCTV in public spaces. Surveys show nevertheless that levels of activity do not translate into higher levels of feelings of safety. Equally, increased patrolling of the neighborhood and installing of CCTV cameras did not cause a decrease in the reported fear of crime. The ineffectiveness of these actions is also confirmed by international analysis and the results of Polish surveys (Siemaszko 2008, p. 104; Waszkiewicz 2011, pp. 116, 171).[18] Segregating yourself off causes a permanent increase in fear of the world "beyond the walls" and a perception of it as hostile, which leads in turn in a desire for even greater isolation and heightened security measures against outsiders.

Researchers into the fear of crime highlight the fact that the declared fear of becoming a victim of a prohibited act is a general reflection of fears in society—

[17] These percentages were higher in large cities although they are still lower than average indicators internationally. In Warsaw in the same survey 46% of respondents declared they had extra locks and 5% had alarms (van Dijk et al. 2007, pp. 135–139). Similar results were obtained in Cracow in 2002. Around half of the respondents declared they had extra locks or grills on windows. However, most commonly, respondents avoided certain places (80%), exceptionally taking self-defense courses (12%) or carrying weapons in self-defense such as mace, knives, or sticks (8%). Interestingly, victimization surveys did not correlate with the choice of security measure aimed at increasing safety (Czapska 2008, pp. 155–158).

[18] The problem of building ever-increasing numbers of gated communities was also noted by Bauman (2007). He posits that closing people off within fenced areas separate from all others is to fall into a vicious circle.

feelings of lack of safety and permanency as well as uncertainty about the future in a rapidly changing environment.[19] People convinced as to the high risk of crime around them organize their life so as to avoid risk of victimization. On the other hand, one can observe the phenomenon of safety utopia, where a strong need to feel safe coexists with a desire to lead a free life, unrestricted by prohibitions (Kossowska 2006). This leads to a certain dichotomy—we want to be as free as possible ourselves, but in order to do so we seek to limit the freedom of other people we see for whatever reason as "strangers" and "endangering" our society.

2.5.2 Degree of Punitivity in Poland

As shown above, the Polish media displays a high level of punitivity. We have to address the question: does this stance of the media reflect the attitudes in society? The fact is that Poles truly manifest a rather high level of punitivity compared with other European countries. In ICVS 2004/2005 where respondents had to state what punishment should given to a juvenile re-offender who stole a color TV during a burglary, Poles came fourth in Europe in terms of severity (after the UK, Ireland and Greece). 34% of respondents opted for mandatory imprisonment (Siemaszko 2007–2008, pp. 189–190).

The question should be asked: Is the high level of punitivity in society reflected in harsh legislation, or is the reverse true—does the severe penal policy mold social attitudes? Krajewski (2002, pp. 181–182) supports the latter. He argues that the high level of punitivity in Polish society is a consequence of the totalitarian system which held sway in Poland for years (as it did elsewhere in Central and Eastern Europe). It gave rise to conservative, rigid, and intolerant social attitudes resulting in very punitive criminal laws and accordingly frequent recourse to custodial sentences and a high prison population (for more on this subject see: Klaus et al. 2011). This leads to a devaluing of the punishment of imprisonment, which is currently seen by society as the basic penalty in Poland—therefore public opinion views prison as the only just punishment for criminals. It is a natural tendency, and one which can be seen in many countries of the world. In countries

[19] It is evident when looking at the anxieties of Poles that their fear of crime is a fixed part of their consciousness (although it fell 10% between surveys conducted in 1993 and 2006). Respondents reported that the factors posing the greatest risk to their personal security were: unemployment (33%), crime (30%), poor health (26%), and bad government (22%) (Szymanowska 2008, p. 54). Poles are on the whole pessimistic when asked about their general mood. In a survey in early 2011 a majority stated that the general situation in the country was going in the wrong direction (c. 60%); similarly, many had a negative assessment of the Polish economy (over 40%). At the same time in direct questions concerning their personal situation only a small number considered the material conditions of their household to be bad (over 10%), around 40% of respondents thought their family had good living standards, and on average one in two persons had a positive assessment of their employer's business situation (Feliksiak 2011).

where custodial sentences are common, more people support them, seeing them as a natural and obvious consequence of committing a crime.[20] Here, the opinion-forming nature of the media[21] and politicians is not without significance, promoting certain patterns of thought and behavior in society, in the case of Poland a univocal demand for the only "just" punishment: imprisonment (Kury 2002, p. 123, pp. 130–131).

The mass media is largely responsible for the punitive attitude of Poles, in particular frequent demands to imprison criminals. In all news items the only "fitting" penalty is precisely mandatory imprisonment. When the media reports on a criminal incident it unfailingly finishes with the words: "the perpetrator faces up to X years in prison", giving the maximum possible sentence and never mentioning whether other forms of punishment are available.

Almost 100% of Poles surveyed in 2006 expressed the utmost condemnation for serious crimes such as: murder, rape, and abuse of a family member, usually demanding a mandatory prison sentence for the perpetrator. Nevertheless, after a case was presented to them, setting out the details of the crime, their assessment was influenced by both the nature of the act itself and the surrounding circumstances: a terrorist would be punished one way, and an abused wife who killed her husband another way (Szymanowska 2008, p. 299). The media rarely makes the effort to present a crime from various angles.[22] No wonder that presenting a simplified picture of the villain and an idealized victim ineluctably leads to demands for harsh punishment. For many people the only truth is that given by the media. On more than one occasion media crime reports have triggered such public outrage and demands for harsh punishment that a not guilty verdict (based on a detailed consideration of the case by the court, painstaking analysis of the evidence and taking of expert opinions) has sparked a general outcry and protests. In consequence, 70% of Poles surveyed in 2002 on their general assessment of criminal court judgments thought they were too soft with regard to verdicts. Public opinion also thinks that it is easy for criminals to avoid punishment (one-third of respondents even think this about murder), and that the Polish penitentiary system is too lenient (Czapska 2003, pp. 46–47).

[20] The prison population indicator in Poland is one of the highest in the EU (cf. Probant 2008) and in recent years has reached on average c. 220 per 100,000 inhabitants (cf. Fig. 2.1).

[21] It should be noted that the media plays only an auxiliary role in many cases—acting as a catalyzer, reinforcing certain attitudes which are already present in society. Surveys show that people select the sort of media material that reflects their outlook and view of the world (Kury 2002, p. 113).

[22] Surveys show that respondents assessing the same case fall into two groups: the first base their opinion on information coming from media materials, the second from court files, and they are diametrically opposed in terms of their attitudes to the verdict of the court. While 61% of the first group viewed the verdict as too soft, only 19% of the second group was of the same opinion (Kury 2002, pp. 139-140).

2.6 Conclusions

In light of the tough attitudes manifest in Polish society, supporting harsh punishment, it is unsurprising that politicians are quick to include punitive slogans in their election programs in hopes of boosting their opinion poll ratings. Their calls for the toughening up of criminal responsibility are founded on related public expectations. It is not a new phenomenon. It was also present in the communist years when "the will of society, to which communist politicians referred to when justifying their increasingly absurd ideas about penal policy, was (…) to a significant degree a propaganda creation made by the media they themselves controlled" (Krajewski (2002, p.182). It is still the same today, the only thing that has changed is how the media is "controlled" or shall we say "influenced" by the politicians.

While there are many differences between the countries that in the past 20 years experienced the transformation from communism to democracy, they are starting to be subject to the same rules as "mature" Western European democracies. The same processes can be seen in the behavior of politicians with regard to troubling social phenomena and similar reactions by the media to crime and the reported fall in the fear of crime.

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