

THE INFLUENCE OF MEDIA ON PUBLIC PERCEPTION OF CRIME AND THE CRIMINAL JUSTICE SYSTEM: AN INDIAN PERSPECTIVE

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ABSTRACT

Media has a vital influence in molding public opinion of crime and criminal justice administration. The media has a significant impact on public views, policy-making, and even judicial procedures in India, as it touches millions of people every day. Using recent Indian case laws and media restrictions as a guide, this abstract research article investigates the relationship between public opinion, media portrayals of crime, and the operation of the criminal justice system. Sensationalism in crime reporting, its effects on public anxiety and stereotyping, and the role of social media in spreading unreliable information are some of the main topics covered. The research also discusses journalistic accountability, ethical issues, and striking a balance between press freedom and the right to a fair trial. By analyzing landmark cases such as Tejpal v. State of Goa (2021), Shreya Singhal v. Union of India (2015), and Sahara India Real Estate Corp. Ltd. v. SEBI (2012), this paper highlights the evolving jurisprudence on media's influence on criminal justice. The results highlight the necessity of strong media laws, increased public media literacy, and adherence to journalistic ethics. In the end, this paper makes the case for a reasonable strategy that upholds the values of justice and equity while using the media as a tool for responsibility and awareness.

Keywords: *Vital Influence, Criminal Justice, Landmark Case Laws, Media Laws, Journalistic Accountability, Ethical Issues, Justice and Equity.*

Introduction

Media has controlled a significant amount of our lives from the beginning of time. Even though it was still in its early days, the media had been the general population's main source of news prior to the development of contemporary technologies. Where news used to be sent by ship, it now travels the world at the velocity of light and is accessible at any time of day. Our perceptions of politics, the economy, investments, and what is and is rather than "in" are all influenced by the media. However, the way an incident is reported drastically changes society's perceptions, to the position that we are nearly compelled to make assumptions about the crime, the perpetrator, and the victims-estimates that are frequently wrong.

Crime and the criminal justice system are recurrent themes in public conversation, frequently extensively mediated by news sources, entertainment, and social media. In India, where varied media channels have considerable reach, public awareness of crime rates, the efficacy of law enforcement, and the fairness of the judicial process is regularly informed by media depictions. The accuracy and objectivity of media representations, as well as their subsequent impact on public opinion and policy, are seriously called into question by this discrepancy. The media's power is exacerbated by its relationship to judicial rulings and case laws that shape public opinion. Public opinion and perception about the law-and-

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order institutions and the system of governance are quite crucial issue for any democratic society as this issue also involves the level of order, threat and security prevalent in the society and the way an ordinary citizen thinks about the institution of law and order and governance. Media representation of crime events is a very powerful way of forming public views on the crime world, institutions of laws and order and system of governance.

Crime and justice are topics of great interest to modern culture. High crime rates and a great deal of worry about crime have become "normal" in our day and age. Crime "talk" permeates everything we encounter, including movies, novels, newspapers, magazines, television shows, and casual conversations.

India's criminal jurisprudence is founded on the idea that a defendant has the right to a fair trial and is presumed innocent until proven guilty beyond a reasonable doubt. Due to exclusive coverage, the media goes to great lengths to interview witnesses, victims' families, members of the legal community, and others, which could potentially sway the outcome of a trial, especially the judicial mind. Since the media quickly reaches the masses, this actually influences how the general population perceives the situation. Over the past ten years, the media's impact on the legal system has grown significantly in a number of cases involving corruption, rape, murder, sexual harassment, terrorism, and other issues.

In the modern world, media freedom is seen as akin to public freedom. Furthermore, it is superfluous to stress that every citizen has a right to be informed about all issues that impact them through the media. The fact that the media now is such a strong force that it shapes and shapes public opinion is thought-provoking, though, because the information it spreads is taken for granted without examination. The fundamental principles that underpin Indian trials—"Guilty beyond reasonable doubt" and "innocent until proven guilty"—are ignored by the media. The media ultimately tarnishes the reputations of additional suspects and labels them as guilty before the verdict is rendered in an effort to draw in more viewers.

Literature Review

- **Differential Media Exposure and Perceptions of Fear and behavior Change in China and Israel during the COVID-19 Pandemic**

In this research article the author describes how the media coverage affects the mental and behavioral outcomes of the people because nobody knows about covid at that time and media and news channels create a basic fear in peoples rather than information.

- **Crime and its Fear in Social Media by Prieto Curiel, R., Cresci, S., Muntean**

The findings indicate that social media has a significant bias towards violent or sexual crimes, much as conventional media like newspapers. Moreover, there is little evidence linking social media posts to criminal activity. Therefore, it has been demonstrated that social media is not very helpful in identifying patterns in actual crime, but rather that it reflects the degree of fear of crime.

- **200th Report on Trial by Media Free Speech and Fair Trial Under Criminal Procedure Code 1973 August 2006**

As the words in report its relying on investigation journalism is allowed, we believe that if it is carried out after criminal proceedings are "active" and someone has been arrested, and if the results of the private investigation indicate that the person is guilty or innocent, such a publication may be considered contempt and may harm the public, witnesses, and courts. When witness interviews are published, it may be considered contempt to disclose the testimony that a witness may subsequently provide in court. This does not imply that a witness's statement cannot be made public while the case is before trial. We believe that witness statements that have not been subjected to cross-examination give a biased view of the situation.

- **J. Glascock's Research on the Relationship between Media Consumption and Attitudes toward Police**

It examines how a large portion of society learns about crime, policies, and the criminal justice system through the media rather than firsthand experience. It looked at how exposure to news and entertainment media has influenced people's unfavorable perceptions of police.

Research Gap

The media serves as society's eyes, ears, and nose, just like it affects the human body in the same way that our sense organs do. Wrong interpretation affects our society's environment. As a result, the influence of media impact on public perception of crime and criminal justice system views is

significant, and there is a risk that it may be widely misapplied and misunderstood going forward. Before accepting the news of the crime, it is important to exercise caution and verify the source because it's not only affecting Indian societies, and the world as we live in a globalized world; no news is hidden from public outrage.

Research Methodologies

Doctrinal research is the methodical process of monitoring and characterizing a subject's actions without exerting any influence over them. Surveys, interviews, case studies, and observations are all included. It seeks to provide detailed information on the title and answers to the questions of what, when, where, and how. It works well when gathering objective data that shows patterns or reoccurring phenomena.

Report of survey analysis is in the last page with questionnaire.

Diagnostic research identifies the underlying source of an issue and identifies the best course of action. It is employed to focus on areas that require improvement and possible areas for expansion. It is employed to determine the root causes of problems and the best course of action.

Examine and Accumulate

Indian media outlets, driven by the imperative of viewership and ratings, often prioritize stories that evoke strong emotional responses. Sensationalism, particularly in the coverage of violent crimes and high-profile cases, leads to a disproportionate focus on rare but dramatic incidents. This creates a distorted perception of crime among the public.

Selective Coverage and Prejudice

In India, the focus of crime reporting frequently shifts from underreported crimes like embezzlement and domestic assault to significant incidents involving politicians or celebrities. The demographic representation of perpetrators and victims can contribute to the perpetuation of prejudices and shape public perceptions of particular groups.

- **Relevant Case Law:** *Madhayamam broadcasting v. Union of India (2022)* demonstrated how accused people's reputations are impacted by unfair reporting. The court underlined how crucial it is to uphold journalistic integrity in order to guarantee impartial proceedings.

Context Preparation and Framing

Context preparation theory reflects that matters to the public is influenced by media outlets. In India, public opinion and policymaking agendas are frequently influenced by the media's emphasis on dramatic criminal cases.

Framing influences how problems are presented, which has an impact on interpretations. Media representations of particular populations as "prone to crime" for instance distort public opinion and judicial viewpoints.

- **Relevant Case Law:** In *romilla thapar versus Union of India AIR SC 4683 2018* it has been recognized by the court that any publishing that may negatively affect the accused person's fair trail is unacceptable.

Social Media and Modern Implications in India

Social media's ascent in India has democratized the spread of knowledge while simultaneously magnifying false information. User-generated material, hashtags, and viral videos frequently eschew conventional journalistic norms, resulting in divisive views of justice and crime.

- **Case Studies:** Social media campaigns such as #JusticeForNirbhaya and 2019 veteran doctor disha case illustrate how grassroots movements can challenge mainstream narratives while influencing judicial outcomes.

Hyderabad police encounter in veterans Dr. Disha case where media outrages in Blood lust the anchor of Daily News & Analysis and editor-in-chief and CEO of Zee News, WION, Sudhir Chaudhary, gave an hour-long presentation about the purported encounter. He stated in his introductory remarks, "Our ancient traditions say that the one who relishes murdering should be executed instantaneously. Police in Telangana killed four of these creatures today.

Acoustic Chambers

When people are only exposed to material that supports their preexisting views on crime and justice, algorithms that are intended to enhance interaction may produce acoustic chambers.

- **Relevant Case Law:** The 2015 case of *Shreya Singhal v. Union of India* dealt with online content regulation, striking a balance between the right to free speech and the necessity to stop the harm that false information may do.

Representation

The way that crime is portrayed in the media greatly affects how the general public views crime and justice, influencing attitudes, convictions, and actions. Promoting media literacy, dispelling preconceptions, and cultivating more sophisticated understandings of crime and its intricacies all depend on acknowledging how media depictions influence public opinion.

- **Partial depiction:** Media organizations may choose certain crimes involving particular groups of people or categories of charges to cover, which can result in an erroneous representation of crime trends.

For instance, despite evidence to the contrary, the media may give the impression that immigration is strongly linked to criminality if it disproportionately reports on crimes perpetrated by immigrants.

- **Overestimation of Danger and Violence:** Media coverage of dramatic or violent crimes has the potential to inflate the frequency of such occurrences and foster a sense of increased social risk. Even if general crime rates are dropping, this can still make people feel anxious and afraid.
- **Lack of Context and Cause Exploration:** Media portrayals of crime sometimes concentrate on the incident's specifics without going into the incident's larger background or underlying reasons. Because of this, the general population may have a simplified or misinformed view of the problem due to a lack of knowledge of the socioeconomic, political, or systemic variables that influence crime. The way that crime is portrayed in the media can have an impact on public perceptions of criminal justice laws, crime prevention tactics, and social services.
- **Effect on Legislation and Community Transparency:** How crime is portrayed in the media can affect how the general public feels about social interventions, criminal justice laws, and crime prevention tactics. Sensationalized, biased reporting can result in punitive reactions that put punishment above prevention or rehabilitation, which feeds the cycle of crime and incarceration.

Traditional Media Miss-Represents Criminal Reality

The vast majority of crimes lack these characteristics; many are either attempted crimes or have little repercussions. With a strong predisposition toward violence, traditional media presents a skewed picture of urban crime. As a result, even though non-violent crimes are far more common, less than one out of every 400 crimes gets reported in the traditional media, and these are typically crimes involving violence or sexual content. Similarly, it was discovered that, out of 25 newspaper editions from Indian cities, almost 30% of crime articles featured killings, even though, in reality, just 0.02% of crimes involved murder.

Result of Survey Report

Impact on Public Opinion and Policy in India

- **Public Fear of Criminal Activity**

Even when crime rates are constant or falling, Indian media frequently feeds the "mean world syndrome," which is the idea that increased coverage of violent acts makes people more afraid. The overuse of arrest powers in reaction to public uproar over crime, influenced by media pressure, was brought to light by the Supreme Court in the 2014 case of *Arnesh Kumar v. State of Bihar*.

- **Encouragement of Punishing Measures**

Public support for "tough-on-crime" measures, such strict anti-rape legislation, is influenced by media representations that emphasize violent crime and recidivism. Public outrage stoked by media coverage of the Delhi gang rape case led directly to the Criminal Law (Amendment) Act, 2013 (often referred to as the Nirbhaya Act).

- **Faith in the Criminal Justice System**

Public confidence in the system's efficacy and justice can be damaged by inaccurate depictions of court mistakes, jail conditions, and police misbehavior. Concerns about media criticism eroding public confidence in the judicial system were addressed by the judiciary in *Prashant Bhushan v. Supreme Court of India* (2020).

- **Biasness by Media**

Here is a term called confirmation biasness in which it referred confirmation bias is the propensity for people to look for and analyze information in a way that supports their own prejudices or opinions. Confirmation bias in crime reporting has the potential to greatly affect public opinion in the following ways:

- **Selective Data Channelization and Interpretation**

Media information that supports people's preconceived notions and attitudes around crime is more inclined to be consumed by them. For instance, a person who thinks that particular demographic groups are more likely to commit crimes can look for news reports that support this opinion while disregarding or denying data to the contrary. People may perceive information about crimes in a way that supports their preexisting biases, even when they are given the identical facts. Based on their preexisting ideas about the race, socioeconomic background, or motivations of the offender, two persons reading a news report about a crime may have quite different perceptions.

- **Public Opinion is being Politicized**

As people grow more firmly committed to their own opinions and less open to considering different points of view, confirmation bias can exacerbate polarization of public opinion on crime-related topics. This may make it more difficult to have productive discussions and reach agreements on issues pertaining to community safety, criminal justice reform, and crime prevention.

Challenges and Ethical Considerations

- **Ethical Responsibility**

Indian journalists have to strike a balance between the ethical requirements of context and truth and the demand for gripping stories. Storylines that are too simplistic run the danger of deceiving the people.

- **Spreading Misinformation**

Reducing the impact of bias and sensationalism requires actions to increase media literacy and encourage critical information intake. The Information Technology Regulations of 2021 offer a structure for dealing with false information on online platforms.

Numerous Media Outlets that are Essential in Influencing the Public

Ministry of Information and Broadcasting, Government of India

- **Press Council of India:** It instructs the media to avoid revealing any sensitive information that might impede or sway the course of the inquiry and to refrain from providing excessive publicity in relation to the victim, accused, and witnesses.
 - Telecom Regulatory Authority of India (TRAI)
 - Broadcasting Regulatory Authority of India (BRAI)
 - Indian Broadcasting Foundation (IBF)
 - Indian Newspaper Society (INS)
 - Indian Federation of Working Journalists (IFJW)
 - Indian Journalists Union (IJU)
 - The news Broadcasters Association (NBA)

Case Laws

- **Siddharth Vashish @ Manu Sharma v. State NCT Delhi (Jessica Lal Murder Case)**

During 1999, Manu Sharma, the son of Congress former Union Minister Venod Sharma, shot and killed Jessica Lal, who was working at a restaurant owned by socialite Boma Ramani in Mehrauli, South Delhi, when she refused to offer him and his companions alcohol. The trial in the media acquitted Manu Sharma. This case rose to the top of the list of examples when the media and public pressure forced the legal system to reconsider.

- **Delhi (Nirbhaya Rape Case), 2012**

On the evening of December 16, 2012, a 23-year-old physiotherapy intern was brutally raped by a gang. In addition to the rape, she was also tormented and assaulted while riding in a private bus with a male companion. Six males on the bus, including the driver, sexually assaulted her and her companion.

After 11 days of hospitalization, she was sent to an emergency hospital in Singapore, but she passed away two days later. This event sparked widespread national and worldwide media attention. The event received a lot of criticism, both domestically and internationally. Subsequently, there were several demonstrations around the nation against the federal and state governments for not providing adequate protection for women. As a result of this case, several laws were amended, such as the Indian Penal Code and the Juvenile Justice Act, which lowered the age of punishment for severe crimes from eighteen to sixteen.

- **Vikas Yadav. State of U.P (Nitish Katara Murder Case)**

This case involved the ruthless murder of Nitish Katara by Vikas Yadav, the son of well-known politician DP Yadav. Bharti Yadav, Vikas Yadav's sister, was the object of Nitish's romance; Vikas disapproved of their relationship. Vikas and Nitish were both there at the mutual friend's wedding when Vikas murdered Nitish by passing him on a motorcycle. Vikas was given a life term in jail. In certain media trials, the accused did not receive the correct conviction to which he was entitled.

- **M Siddiq (D) Thr Lrs vs Mahant Suresh Das & Ors on 9 November, 2019**

In India, it is among the most well-known and talked-about cases. The case has deep historical, theological, and political origins. A plot of land at Lord Ram's birthplace lies at the center of the conflict. The main points of contention in this case were the Hindu and Muslim communities' disagreements about this plot of land that had religious significance for both groups. The media has covered this issue extensively, highlighting minor disagreements and unrelated details that only served to highlight the conflicts between the two groups across India.

Future Research Scope

Future studies should keep examining how media power is changing, especially in the digital era. Future study has a lot of room since there are still many instances when the media has shaped the public's perspective of crime to the point that they are no longer able to think critically and examine it. People's minds have been blocked by the big social media sites, making it easy for them to get enamored with the content that is shared there. People need to be educated, made aware of the difference between fake and true news, and encouraged to allow the court handle its duties.

Conclusion

In India, the public's opinion of crime and the criminal justice system is greatly influenced by the media in a variety of ways. Although the media may be a useful instrument for increasing knowledge and encouraging responsibility, it also runs the danger of misrepresenting the truth and reinforcing negative stereotypes. For the media to accurately, nuancedly, and constructively depict crime and justice, policymakers, journalists, and educators must work together. In the past, the media helped individuals learn and become aware of global events. It took on the job of public educators and made education feasible on a global scale by providing both formal and informal education, especially in underdeveloped nations where not all segments of society have access to contemporary communication tools like television. By disseminating facts and ideas, the press aims to increase public attention, as a democratic electorate cannot make responsible decisions without them. Public administration is impacted by newspapers, which disseminate In India, the public's opinion of crime and the criminal justice system is greatly influenced by the media in a variety of ways. Although the media may be a useful instrument for increasing knowledge and encouraging responsibility, it also runs the danger of misrepresenting the truth and reinforcing negative stereotypes. For the media to accurately, nuancedly, and constructively depict crime and justice, policymakers, journalists, and educators must work together. News and public opinion. They also often publish content that is unpopular with governments and other authorities. The media utterly ignores the crucial distinction between the accused and the convicted by upholding the fundamental ideas of "guilt beyond reasonable doubt" and "presumption of innocence until proven guilty." What is being seen now is a media trial, which is a distinct probe conducted by the media itself.

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