

The value of data rather than dogma and belief

41. Crime has fallen yet, as noted, the public perception often differs from this reality.⁷ Like other issues where scientific evidence is debated, misused or discounted and complex issues are reduced to simple, contradictory positions, law-and-order issues—and the ways to manage imprisonment—are infused with advocacy and political posturing.
42. Populist, ‘eye-for-an-eye’, retributive justice calls often relate to deeply distressing events.⁴⁶ This militates against restorative justice efforts, which are often more complex, and have less easily derived slogans or media appeal.
43. Most victimisations (around two-thirds) are not reported to authorities (such as family violence and sexual crime).⁶ Even more so, of those crimes that are reported, media coverage focuses primarily on homicides and other rare, drug-, sex- or violence-related crimes, especially involving high-profile or high-status individuals, or children (whether as victims or perpetrators).⁴⁷
44. The longstanding media tradition of, ‘if it bleeds, it leads’⁴⁸ highlights the ‘newsworthiness’ of crime events that are violent (bloody), extraordinary (and yet implying risk of such harm to us all), personified, emotional and local.⁴⁹ It is noteworthy that mainstream media in New Zealand have appeared to follow this trend, with crime reporting making up 70% of some day’s news coverage in a 2016 sample of the *New Zealand Herald*, and averaging 31% of daily news coverage (up from 21% in 1993).⁵⁰ Coverage style has also changed, as resources for specialist crime reporters or in-depth journalistic inquiry dwindle, to emphasise ‘celebrity victims’, single source stories, and social-media reports.⁵⁰
45. News coverage portrays crime as caused by individuals who need harsh punishment, rather than as a complex issue with multiple driving factors related to individual, social and systemic contexts.⁵¹ Although highly unusual cases may be portrayed as if they reveal general truths about the state of society (‘youth of today...’), data on the actual patterns and causes of crime are rarely covered⁴⁷ nor communicated by officials in ‘newsworthy’ ways.⁵²
46. As people have limited personal experience of crime, news media depictions can disproportionately influence their views.⁵³ For example, NZ survey respondents in 2016 reported they relied on news media coverage for information about crime (e.g., online and hardcopy newspaper reports were the main source of information for 81%), whereas only 12% had had a personal experience of crime.⁷ Lobby groups responding to specific cases also engage with media directly, providing vivid images and experienced media spokespeople for victim’s stories, and developing alarming themes such as ‘killer kids’ in relation to rare events.⁵⁴
47. Groups who are *less* likely to experience crime (such as those aged over 50 years) can be more likely to think it is increasing. In fact, crime is concentrated among at-risk groups, with 3% of victims experiencing more than 50% of all crime.⁶
48. Victimisation and offending behaviour are closely linked, and strongly correlated to low socioeconomic status (e.g., high rates of victimisation for Māori).⁶
49. A feature of countries with low prison populations (e.g., Sweden, Norway, Finland, Germany) includes their adherence to ‘expert’ knowledge and robust evidence to influence policy, and consequent rejection of populist-driven and emotive criminal-justice politics.^{55, 56, 57} In Finland, for example, 3 out of 4 respondents endorsed a general survey question, typical of populist ‘research’ that, ‘Offenders should be given harder sentences than they currently are’. Yet more nuanced research, which used vignettes to explore the sentences that laypeople and a sample of judges would recommend, saw more diverse endorsements of community and preventive measures, not just imprisonment.⁵⁸ There was also strong support by laypeople for judges to make decisions independent of public opinion, and trust that they were capable of doing so.⁵⁸

50. International evidence from countries that have managed to reduce their prison populations includes shifting the emphasis of the criminal-justice system from primarily punishment to more rehabilitation and reintegration, and therefore expanding rehabilitation and reintegration options, e.g., intensive community supervision.³⁷
51. Diverting more offenders into community-based alternatives (based on certain requirements) has been successful in Finland (with a 28% reduction in people sentenced to prison over a 13 year period).⁵⁹ A particular emphasis on the diversion, rather than incarceration, of youth offenders has also been effective; for example, in Germany, young adults until the age of 27 (and routinely between 18 and 21 years old) can still be sentenced under youth criminal law, not adult sanctions.⁶⁰
52. Also, agreeing on principles to guide criminal-justice policy (often led by an independent working group that engages the public) can be effective.⁶¹