

## MEDIA, CRIME AND URBAN SECURITY\*

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*This paper will analyze the influence of the media on the prevention and control of crime and the general safety of society. All those who study crime have a very important place, as vector communication, in the explanation and interpretation of the causes and consequences of the occurrence of crime. The expansion of the Internet has become such an important part of our lives that it is impossible to imagine a time when we did not have it. Daily life relies more on social media, thanks to the advancement of technology, the rapid spread of mobile information and the popularity of social media platforms such as Instagram, Facebook and Twitter.*

*The media is one of the main sources of information about crime and the safety of society, because, in the age of modern technology, all information is available on a global level. According to surveys conducted in Canada, 95% of respondents use the media as their primary source of information on crime and urban safety. There is no doubt that technology is useful, but it can also put people at risk. As a result, certain media deal with black chronicles to a significant extent, thus promoting the perpetrators of criminal acts, and thus the number of crimes that take place in cyberspace increases. Therefore, the information communicated through the media significantly affects, both positively and negatively, the formation of attitudes and opinions of public opinion, and above all, they affect both prevention and stimulation-encouragement of criminal behavior in the case of certain criminals.*

*Very often, discussions are held in the media and, in most cases, conflicting and contradictory information is presented from the very act of the committed act, at the stage of investigation, trial and pronounced sanction, which causes confusion of public opinion and especially affects the delay of the investigative and judicial process. A lengthy court process is obscured by a new, interesting case for the media, so the imposed sanction after several years of duration has no effect on prevention.*

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*The essence of crime prevention is reflected in the rapid detection, processing and imposition and execution of criminal sanctions. The success of prevention increases both general and urban security. Unfortunately, in a good part of court processes, that efficiency is not there.*

**KEYWORDS:** *media, crime, security, crime prevention.*

## INTRODUCTION

“The internet is becoming the town square for the global village of tomorrow.”

Bill Gates

Allies of society that have always pointed out the prevalence of the problem are the media, which even today in Serbia represent the only publicly available source of information about public events. Active Citizen Reporting (ECR) is an online platform that helps the media gather information from citizens on various topics, but it is also a tool that citizens can use to submit any questions that concern them in a safe and secure manner. This tool also allows the media to analyze the information and data they have collected before using it for reporting. Through the functions of mass media: information, entertainment, education and persuasion, they influence people, and this influence can be positive or negative. With the development of telecommunications and the advent of high-speed, wireless connections and mobile technologies, media and their content have become ubiquitous and therefore inevitably affect people's lives. People form, among other things, an opinion about how the state and society in which they live should be designed and which political decisions they support or reject.

The vitality of the Internet in our lives is expanding so much that it is hard to imagine a time when we didn't have it. Our daily lives rely more and more on social media, thanks to the advancement of technology, the rapid spread of mobile information, and the popularity of social media platforms such as Instagram, Snapchat, Facebook, Twitter, and TikTok. Although these platforms are designed primarily for entertainment and education, they also serve to report crimes, but also disrupt the normal investigation process. As a result, social media becomes a haven for criminals and misdemeanors, making the media space a crime scene. Cyberspace provides anonymity, as well as the ability to create a virtual world where individuals can communicate virtually without ever having met, to exchange information, photos, and other media. Media settings can positively or negatively influence perceptions of crime-related issues and hinder the implementation of

crime prevention strategies and policies. Media promotion of crime can be false, inaccurate, biased, and promote harmful crime control policies. Media coverage of such content leads to an understanding of justice and crime through public policies that seek simple solutions to complex problems (Yanich, 2001: 221). In our society, the media has a huge influence. Television, radio, newspapers and new media, in addition to disseminating information, help determine the topics people are talking about. Numerous crimes receive wide coverage, thereby increasing additional challenges for prosecutors, defendants, defense attorneys, and judges when it comes to court proceedings. Although jurors are supposed to be impartial in deciding the case, they often have information about the case through social media even before the trial.

Misuse of personal information such as name, address, location and photos has become all too common, especially for women and children. Pornographic material, peer violence, and even murders are often content that is presented through the media. The security, privacy and dignity of individuals are at risk. Law enforcement in detecting and preventing cybercrime committed through the increase in online violence that affects people of all ages and is a global issue, as well as a crime prevention issue.

It is feared that the practice is becoming more widespread, and will develop and intensify, for litigants (suspects, accused, accused or accused, civil parties, etc.) and their lawyers to use the media, especially television. It is their practice to state their case, their defense, their point of view and, even before the start of the trial or during the trial itself, and outside the courtroom, they seek a kind of parallel justice. It is envisaged that, in order to avoid the spread of fragmented and inaccurate information, or to put an end to the disruption of public order and peace, the public prosecutor could, ex officio and at the request of the court or the parties, publicly publish objective elements extracted from the procedure that do not include any assessment of the merits of the accusations against the accused. Although, despite the existing system, many legal cases are already polluted by media treatment.

Will it be necessary to adopt new measures and sanction violations, under conditions that will probably not fail to be declared contrary to freedom of expression and information and the rights of individuals? To avoid this, everyone should show more self-discipline and sense of responsibility. Otherwise, the development of additional provisions, necessarily and equally dangerously and unfortunately limiting the freedom of expression, would be necessary to guarantee the independence and authority of justice, free from any influence, and respect for the rights of the parties. Although the media have clear guidelines on use and public information in order not to disrupt the flow of legal cases, many of their provisions are violated and misused. The proper functioning of the judiciary risks being compromised, to the detriment of all. Obviously, it is necessary to adopt new measures and sanction

violations. Everyone should show more self-discipline and a sense of responsibility, because otherwise, the development of additional, necessarily and equally dangerous and unfortunately limiting freedom of expression, would be necessary to guarantee the independence and authority of justice, free from any influence, and respect for the rights of the parties.

## 1. THE INFLUENCE OF THE MEDIA ON SOCIAL CURRENTS

With the development of information and communication technologies, the influence of the media is today a reality in our societies. Antoine Garapon underlined that “the press never stops revealing the last secrets of democracy, starting with that of justice: what is hidden from it arouses curiosity, and what resists it provokes its power” (Garapon, 2001: 267). The media has power, and therefore it raises concerns and questions. Accordingly, the question of the relationship between social networks and justice is also justified and whether judges can “tweet”, express their opinion via Facebook, Tik Tok, Instagram? We believe that participation in computerized social networks is a personal choice, but requires great caution in order not to question the independence of the judge. Separating professional and private life is the only solution, because on social networks, we don’t always control the connections or the information that circulates there. Critical coverage of judges in the press can affect their reputation both among colleagues and decision-making regarding the issue of a certain type of punishment (e.g. lenient or severe punishment).

If we look at the law and the media, we see that the relationship is extremely complex and complicated, precisely because the law has two bases, namely, the right to a fair trial, which is connected to the independence of the court’s decision, and freedom of expression. Freedom of expression is linked to the freedom of information of the media, and accordingly conflicts with the independence of the judicial process, which operates according to the principle of the secrecy of the investigation and the presumption of innocence.<sup>1</sup> For the performance of the media function, the right to freedom of expression is of fundamental importance, which is a fundamental right and the cornerstone of every free and democratic society, and which finds a foothold in all instruments for the protection of human rights.<sup>2</sup>

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<sup>1</sup> Secrecy allows the judge to be protected from external and internal pressures, while the media very often forget the existence of this principle of “presumption of innocence” when they are interested in the case before the court.

<sup>2</sup> In the European system for the protection of human rights, Article 10, paragraph 1, of the European Convention on Human Rights provides for freedom of expression as a fundamental right <https://rm.coe.int/5-mne-protecting-the-right-to-foe-under-european-convention-on-human-r/16809691b1,20.7.2023>.

Judging by the results of scientific research, it can be said that the media has an impact on education. Given that the media has a significant influence in creating opinions and behavior patterns, the media can be dangerous for education, which is why a critical approach to the messages they convey is necessary.

Research done in America indicates that a certain aspect that indicates that print media causes fear of crime in society, but that such a causal relationship is difficult to assess. Furthermore, the research points to the way in which media coverage is revealed, which contributes to the increase of victimization and the feeling of insecurity, in terms of crime location, moral decline, physical and social deficiencies of modern urban life, embodied by symbols of disorder and crime, teenagers on the streets, abandoned buildings, graffiti, illegal drugs, public drunkenness and vandalism, which increase urban discomfort and consequently the fear of crime. European Convention on Human Rights Art. 10, paragraph 1, provides for freedom of expression as a fundamental right.<sup>3</sup> Accordingly, the European Court of Human Rights (ECtHR)<sup>4</sup> has declared that the protection of freedom of expression must apply not only to positive information and ideas, but also to those that offend, shock or disturb in the name of respect. The position is that pluralism, tolerance and openness are the basis of a democratic society.

Fear of crime changes the perception of public opinion, strengthens criminal policy and introduces repressive measures. Excessive focus of the media to publicly expose illegal behavior, especially of young people, exposes individuals to violence. We have witnessed that youth crime has gotten out of control not only in the world but also in Serbia. Peer violence, organized fights in schools, murders among peers are the main news in all media, both on the Internet and in print media. There are ongoing debates about the extent to which the media play a role in the “production” of violence. Psychologists and criminologists indicate that brief exposure to violence on television or film produces a short-term increase in aggressive behavior, and the effects are particularly greater in young people with aggressive tendencies.

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<sup>3</sup> Article 10 of the Convention - Freedom of expression 1. Everyone has the right to freedom of expression. This right includes the freedom to hold one's own opinion, to receive and communicate information and ideas without interference from public authority and regardless of frontiers. This Article does not prevent States from requiring licenses for the operation of television, radio and cinema enterprises. 2. Since the exercise of these freedoms entails duties and responsibilities, it may be subject to formalities, conditions, restrictions or penalties prescribed by law and necessary in a democratic society in the interest of national security, territorial integrity or public safety, for the prevention of disorder or crime, the protection of health or morals, to protect the reputation or rights of others, to prevent the disclosure of information obtained in confidence or to preserve the authority and impartiality of the judiciary. [https://ks.echr.coe.int/documents/d/echr-ks/guide\\_art\\_10\\_srp](https://ks.echr.coe.int/documents/d/echr-ks/guide_art_10_srp), 13.9.2023.

<sup>4</sup> ECHR, *Handside v. United Kingdom*, 7 December 1976, No. 5493/72, § 49. , IACHR, Olmedo Bustos *et al.* (The Last Temptation of Christ), 5 February 2001, Series C no. 73, § 69. , IACHR, Report on the Conformity of the Law on Contempt of Officials [desacato] with the American Convention on Human Rights, report. annual report for 1994, , 197, 204-205.

Scientists Srivastva, S. K. and Sweta Agarwal already in 2004<sup>5</sup> put their focus on Indian cinematography and television, in which the photos of violence against women are desensitized to the rape and murder of women. They also believe that the media has a very influential role, and that by removing such content, photos of women as victims and helpless women, violence against women will decrease.

Media reports should not be accompanied by photos/videos that portray violence, survivors/victims and perpetrators in an inadequate and stereotypical way. They should clearly indicate that violence against women is a social problem based on unequal power relations between men and women. In particular, media reporting should not contain information that could justify the act of violence by external circumstances or personal characteristics of the perpetrator.

Several studies indicate that the media can increase the stigmatization of certain groups (youth, ethno-cultural communities) and certain geographic locations. Bernard Schissel (1997: 220) warns of this problem because most people learn about the judicial system mainly from the media. Cultural understandings of young offenders develop in a complex interaction between the media, political players, and the public. Thus, inaccurate or inappropriate media coverage of certain individuals and places can lead to harmful policies and create stereotypes of certain groups as criminals (Hall, 1978). For example, media coverage of youth crime has increased over the past decade, yet the incidence of violent crime among youth has remained stable. This phenomenon as the “storm of juvenile crime” or the stigmatization of young people, with the increasing tendency of the media to exaggerate the crime of young people and to associate images of crime with young people, is the portrayal of young people as criminals on the rise. As a result, there is a need for a tougher criminal policy in relation to youth crime with an increase in the number of imprisoned youth, as well as other target groups such as ethnic and cultural minorities such as foreigners, immigrants and refugees.

It is precisely these attitudes that have led to an increase in repressive criminal sanctions in Switzerland and France, especially against foreigners who have committed a crime. The law states that “any foreigner who undermines security and public order will be sanctioned” or deported (“Nouvelle loi sur les étrangers”). The bill aims to cancel the stay of foreigners who pose a serious threat to public order, by expelling foreigners in legal circumstances, regardless of their status (job, length of stay, family ties). If they have been convicted of crimes or misdemeanors punishable by at least ten years in prison or five years. In the case of a repeated criminal act, murder, rape, the judge will order deportation from the state territory. On September 11, 2023, the Minister of the Interior explained to journalists that

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<sup>5</sup> Srivastva, S. K. and Sweta Agarwal, (2004), *Do the Visual Media Contribute to Violence Against Women?*, [https://www.researchgate.net/publication/321218968\\_Do\\_the\\_Visual\\_Media\\_Contribute\\_to\\_Violence\\_Against\\_Women](https://www.researchgate.net/publication/321218968_Do_the_Visual_Media_Contribute_to_Violence_Against_Women), 15.9.2023.



the draft law should be examined by the Senate on November 6, 2023.

In the African human rights protection system, freedom of expression is enshrined in Article 9 of the African Charter on Human and Peoples' Rights (ADHP Charter) which provides that "1. Every person has the right to information. 2. Everyone has the right to express and disseminate his opinion within the framework of laws and regulations." The ADHP Charter, in its aforementioned Article 9, separates the right to information from freedom of opinion. This is a notable difference from other regional texts for the protection of human rights (European and Inter-American) in which freedom of opinion and the right to information are in fact two aspects of the right to freedom of expression. Accordingly, the right to freedom of expression, as well as the principle of judicial independence, are both important and essential rights.

## 2. COURT DECISIONS AND THE MEDIA

A key component of any justice system is that the accused should receive a fair trial. Information processed by the media about crime is based on short-term, quick and "surface" research, which can limit the types of information disseminated and ignore key issues. Often, crime news reads like a police report including information about the perpetrator, crime scene and victim, with little context given to how victimization occurs. In addition, rapid media analysis and assessment of crime trends and the outcomes of public policy implementation at the local level can hinder effective and successful prevention. Practitioners of crime prevention emphasize the importance of prevention strategies that are characterized by long-term action, and are based on a solid diagnosis that takes into account the complexity of the causes of crime and their interactions. Trial by the media is a phrase that is equivalent to the statement that whoever controls the media, controls the mind that has been popularly used in the last few decades to describe the influence of television and print media coverage on a case by an attempt by the media to find the accused guilty both before the trial and regardless of any court judgment.

The right to a fair trial is a fundamental right given to every accused and victim, unaffected by any external source, and thus recognized as a fundamental right to justice. Between freedom of speech and a fair trial, boundaries are sometimes crossed and rules are broken, leading to devastating consequences for individuals and institutions. Tele terror should not be allowed to interfere with due process of law. Digital violence itself is a breach of the peace. The media is institutionalized anarchy, in the liberal and positive sense. Media trial definitely falls under contempt of court, and should be punishable. The right to a fair trial must not be affected by

newspaper publications or even news headlines. But what happens when leading news channels decide to go against the contemptuous code of ethics? Then you decide to sabotage the accused's career even before his guilt is proven in court? They show him as an evil person in prime time when all the viewers are mostly turned in front of their televisions. It is important to note that the idea of democracy is fair play and transparency, and that the notion of democracy is at stake with this act of the media. Therefore, any attempt to sabotage the other pillars of democracy, by one of them, must be regarded with contempt. We speak of journalists as the fourth branch of government, which stands out from the other three in that it is the only one that is realized within economic enterprises. For this branch of government, justice is a raw material like any other which, once transformed, creates a salable product: information! When they have information, they have power, but then they impose their values on society.

Traditional mass media can play a positive role in this context. This positive one the role of the mass media is their ability to influence the public's perception of crime as a harmful social phenomenon. They can also collect information about crime, influence the efficiency of processing criminal cases and have a controlling role in investigative activities police and monitor the work of institutions that fight crime. Mass media can also highlight programs that educate the public about crime prevention and techniques that can prevent it, as well as promote the policy of "discouragement" of individuals from engaging in criminal activities. (Igrački, Stepanović, 2017).

The media began to interfere in court proceedings to pronounce their own verdict even before the court. It completely ignores the vital gap between the accused and the convicted, it violates the principle of presumption of innocence until proven guilty and guilty beyond a reasonable doubt. What we are actually watching is a trial by the media, where the media themselves conduct a special investigation, build public opinion against the accused and before the court receives the case. This causes prejudice to the public, as a result of which many times it could happen that the accused, who should be presumed innocent, is considered a criminal, leaving all his rights and freedoms invalid.

### **3. RESEARCH ON THE INFLUENCE OF THE MEDIA ON COURT DECISIONS**

Ninety percent of international news published by the world's media originates from the four major Western agencies. These are: United Press International (UPI), Associated Press (AP), Reuters and Agence France Presse (AFP). Two are American,



one British and one French. Transnational giants also help them: from Murdoch, through Time Warner, to CNN. Almost all of them are American. We can freely say that the Americanization of reality is reflected in the subtle implementation of the agenda of information that is obtained by the media and that is marketed to the public in a transnational framework. This is confirmed by UPI data, 71% of reports are dedicated to the United States; 9.6% to Europe; 5.9% to Asia; 3.2% to South America; 3% to the Middle East and 1.8% to Africa (Quinn, 2000:312). Discourse and interpretation of news increasingly depend on centers of power. Fairy tales about media abundance as a barrier to any form of monopoly serve to mislead the uninitiated, as market mergers and integrations create a fenced area controlled by an ever-increasing number of families and individuals.<sup>6</sup>

The consequences of the Covid-19 pandemic are also reflected in the number of users of social networks, especially Facebook, from 2.45 billion monthly users in 2019 to 270 billion monthly active users by June 2020, with an increase rate of 12% during the year. The International Telecommunications Union estimates that almost 40% of the world's population and over 76% of people in developed countries are now Internet users. According to NIA (National Investigation Agency) chief Alok Mittal, "one in six cybercrimes in India is committed through social media." In 2016, there were about 150 cases of cybercrime on social networks in our country, and in 2017 it increased to about 300 cases. The number of fraud cases on social media also increased by 43% in 2018. crime leader in 2019 compared to 27,248 cases in 2018. Thus, the National Crime Reporting Bureau recorded a 63.5% increase in cybercrime. One of the advantages of the Internet is that it gives individuals the ability to say what they want while remaining anonymous. Anonymity on the internet has been proven to encourage people behind the screen to say things they would never say in real life (Brown, 2018: 300).

All jury decisions are recorded by the National Criminal Records Service for each individual and databases are created. According to these records: acquittals, which are few in jury courts (less than five percent of cases) and are not recorded in the records, each year about 2,500 people are found guilty before jury courts, cases judged to be very serious: murder (16.9 percent of cases), extreme violence (11.9 percent), rape (48 percent), armed or violent robbery or property damage (21.8 percent), the sentences imposed are on average about ten years. The cases conducted in the period between 2004 and 2010 indicate: there were a total of 3,008 convictions for murder in French courts, which represents 16.9 percent of those conducted by these courts, and the average duration of the proceedings was about 3.5 years.

<sup>6</sup> Ben Bagdikian states that the 29 largest media houses hold more than half of newspaper publications and most of the sales and audience of magazines, electronic media, books and movies. There are about 25,000 media companies in the US alone, but you'd be wrong if you thought there were that many owners. When the data is analyzed more seriously, it can be seen that this amount of media fortresses is in the hands of only twenty families. He claims that they "constitute a new private ministry of information and culture" (1992).

The murders of women in Ciudad Juárez, Mexico (Monarerez Fragoso, 2008: 78) received widespread global media attention, mainly due to the recognized inaction of the government in preventing the murders and punishing the perpetrators. The 1993 femicides in Ciudad Juarez, Chihuahua, Mexico, are a subject of discussion and a paradigm of violence against women in both national and transnational spheres. That year, 400 young women, aged 16 to 24, mostly immigrants and blacks, primarily students in trade schools or computer centers and workers in free trade zones, were mutilated, tortured, raped, killed, and their bodies were left in the desert around of the city. According to a 2003 Amnesty International report in Ciudad Juarez, of the 370 women killed, 137 women survived sexual violence before death. These crimes are qualified as “serial murders” in a region characterized by a high level of violence against women, murders of women, kidnappings, domestic violence. Most of the women came from poor families, and the risk of being abducted and killed were particularly exposed to waitresses, students, women who work in the gray economy, that is, women who have no power in society and whose disappearance and murder have no political value for the local authorities.

It is unthinkable that the press waits for the public phase of the trial to report on a case, but only at that moment is the situation resolved, which was uncertain until then. It is only at this stage of the trial that full transparency can occur, because the case is ready for trial, which means that what is not factually proven or admissible is dismissed. The only time when justice and the media are radically opposed is time. Because in order to end the proceedings, time is needed, and the media does not have that. They need speed, immediacy, affair. Given that publicity in the trial proceedings cannot be prevented, the only thing left is for the courts to find a way to minimize the media's influence on the fairness of the court proceedings.

#### 4. JUSTICE AND THE MEDIA IN SERBIA

Freedom of expression, pluralism, equal access to information and content quality of the program are the basis for creating a value system of the community. Power over the media also means power in society, because by ideologically filtering reality we color the image that the majority of citizens will carry in their heads. Mass media are no longer just a means by which other subsystems, such as political parties, spread their messages, but in modern polyarchies are independent centers of power in reciprocal competition with other centers of power (Mancini and Swanson, according to Street, 2003:195).

Since television is the most popular of all media, we can also talk about the category of television culture in a different way. Due to its active role in the

household, television is present in everything 24 hours a day and is available to everyone. Thus, it is an important factor, both in the creation of everyday life, and in the process of socialization of all ages. It offers a lot of cultural information and interesting things, but also unnecessary, marginal non-creative content. Unfortunately, in our conditions, television is the most popular, but also the only possible “entertainment” and organization of free time for the majority. Related to this is the fact that all political content is given too much importance. Namely, as we live in a society overloaded with socio-economic problems and political turmoil, every piece of information, that is, a political broadcast, is perceived as “fateful”. Media reporting in Serbia is sensational and stereotypical. Reporting is mostly about specific cases, without a significant number of media announcements that are of a preventive and educational nature. Print, electronic or digital media are full of content about domestic violence<sup>7</sup> violence against women and children, partner violence, femicide<sup>8</sup> about the specifics of violence against certain groups of women, such as minors, Roma women, women with disabilities... Nevertheless, in addition to the important role of the media, drawing attention to the existing problem and reporting on it, they would have to report carefully in accordance with the Code of Journalists of Serbia, and for the document to be the basis for their preparation of the report.

13 women have been killed in Serbia since the beginning of 2022, announced the commissioner for the protection of equality, Brankica Janković, on the Day of Remembrance of Women Victims of Violence, May 18, and on the occasion of remembering the victims of femicide, and in memory of the seven women who were killed within 72 hours, between May 16 and 18, 2015, were killed by their partners. Despite the Convention on preventing and combating violence against women and domestic violence which was also ratified by Serbia, in less than five months, almost not a week passed without a woman losing her life at the hands of a partner, usually a former one, and the number of 17 women killed reminds society to solve this problem. In order to improve the systemic response to violence and better prevention, the Commissioner, among other activities, in accordance with

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<sup>7</sup> In the Criminal Code of the Republic of Serbia, as a special qualified form of the crime of domestic violence (Art. 194), domestic violence resulting in the death of a family member is provided, and as a form of aggravated murder (Art. 114 of the CC) the deprivation of the life of a pregnant woman (item 9) and a family member who was previously abused (item 10). This means that in the valid Criminal Code of the Republic of Serbia, there is no special incrimination of the criminal offense of femicide. Femicide, defined as the murder of a woman committed out of hatred for the female sex, can be treated as a serious murder committed for other low motives from Art. 114th st. 1st point. 5. CC.

<sup>8</sup> The term femicide dates back to 1801, when it was first used in the British publication *The Satirical Review of London at the Commemoration of the Nineteenth Century* to denote the killing of women (eng. the killing of a women, Russell, 2008:28, cited according to Batričević, 2016: 434) The term was also used in 1827 in the title of the book “Confession of uncommitted femicide”, by William McNish, who wrote about the seduction, impregnation, abandonment and murder of a young woman (Lacmanović 2015: 63).

his competences in the previous period submitted numerous initiatives to amend regulations, of which we single out initiatives to amend the Criminal Code, the Law on the Execution of Criminal Sanctions, of the Law on Public Order and Peace, etc. We also supported the initiative sent to the National Assembly to establish a National Control Mechanism for monitoring cases of femicide. This mechanism would help faster and better coordination, reaction and support, it would provide insight into all important elements for case analysis, which includes looking at causes and omissions, whether and who failed in the protection system, the commissioner emphasizes.

In practice, the situation is very complicated. From sensational news that there has been domestic violence, murders to differences in the understandings of the courts. The question arises: are the goals set for both the media and public officials fulfilled?

The Autonomous Women's Center (non-governmental organization) warns, precisely because of the large number of femicides, as many as 17 victims in 2023, of which 15 women and 2 girls, in 2022 there were 25 women and one girl, and in 2022 there were 44 women murdered, of which 26 femicides in family-partner relationships, due to inadequate treatment by institutions and failure to react.

The murder in Novi Sad is the 17th femicide in 2023, and the girl was killed on May 10, in a beauty salon, after her ex-partner shot her and then committed suicide. RTS (Radio Television of Serbia - national television) previously announced that the man was reported for domestic violence at the end of April, and emergency restraining orders were imposed on him. The man is a hunter by the way, he owned six legal weapons, and with those weapons he threatened to kill her, and they were confiscated after the report. There was information that he was employed in a gun shop. From all the known data, it was clear that that the young man will complete the threat he started. Unfortunately, the public prosecutor did not understand all these elements as a threat and did not determine a police detention of 48 hours or a detention measure, which is directly related to the failure in work and risk assessment, which resulted in the execution of a murder.

A similar omission was made in Pirot on March 5, 2023, when the man M.M. killed his ex-partner Sanja M. from Pirot with a gun. Although M.M. a restraining order was imposed due to persecution, he was not detained. After that, the Basic Court in Pirot issued a press release after the murder, in which they stated that they had taken all measures and actions within their jurisdiction, adding that "a tragic event in the center of Pirot could not have been avoided."

Is it possible to improve the quality of reporting on this topic, to resolve the dilemmas often encountered by the media, which report on this problem, but also to avoid or at least reduce the level of traumatization of women who have experienced violence, which occurs as a result of exposure to the public, but also do

the bearers of justice agree? Are there disciplinary procedures that are conducted against responsible persons, police officers, public prosecutors, judges who, by their actions or inactions, caused the death of the injured person?

Of the social networks, young people use Instagram the most, of the communication applications Viber, while Facebook is in the limelight. The media, with their ubiquity, indirectly or directly influence the formation of the so-called modern personality, its value system, attitudes and preferences, manner of behavior, consumption of cultural and social content. and in general lifestyle construction. The influence of social networks on various aspects of life is an increasingly frequent subject of study by experts, but also a topic in the public and popular culture. We are approaching a period in which the youngest youth (15 years old) will not know the world without social networks. In this context, we asked young people to rate the impact of social networks on their lives. While communication, education and work are rated mostly positive or neutral, there is a significant number of young people (40.5%) who negatively assess the impact of social networks on their free time. The largest number of young people use the phone as a device for information (up to 98.4%), followed by a laptop (58.4%) and television (43.6% – a slight drop). We also asked them if they use the installed news applications (mobile news applications) on the phone. Only about a third of them use them.

Internet portals, newspaper articles, television news that begin with: Teenager beat a peer in the school yard (Bor),<sup>9</sup> Teenagers were beaten with bats in the school yard (Valjevo),<sup>10</sup> Attacked teenager (14) in the school yard, beaten by three people (Niš),<sup>11</sup> He was crushed head: Young man beaten with a baseball bat in the schoolyard (Belgrade).<sup>12</sup> By ratifying the United Nations Convention on the Rights of the Child, the Republic of Serbia undertook that in all activities concerning children, regardless of whether they are undertaken by public or private institutions of social care, courts, administrative bodies or legislative bodies, the best interests of the child will be of primary importance (Article 3 paragraph 1 of the Convention).<sup>13</sup> Therefore, all state bodies are obliged to pay special attention to the best interests of children within the framework of their regular activities. It is rightly pointed out that children, given their physical and mental characteristics, are very vulnerable, so they rightly need special protection. This is especially reflected in the proceedings before the police,

<sup>9</sup> *A teenager beat a peer in the school, yard* <https://www.atvbl.rs/cir/hronika>, 25.10.2023.

<sup>10</sup> *Teenagers were beaten with bats in the school yard*, <https://redportal.rs/vesti/palican>, 25.10.2023.

<sup>11</sup> *A teenager (14) was attacked in the schoolyard, beaten by three people*, <https://informer.rs/hronika/vesti>, 25.10.2023.

<sup>12</sup> *They crushed his head: A young man was beaten with a baseball bat in the school yard*, <https://www.dnevno.rs/ufokusu>, 25.10.2023.

<sup>13</sup> The Convention on the Rights of the Child was adopted by the UN General Assembly in New York on November 20, 1989. The Republic of Serbia ratified the convention with the Law published in the *Official Gazette SFRJ-International Agreements*, number 15/90 and the *Official Gazette of FRY-International Agreements*, number 4/96 and 2/97, preamble, 1.

prosecutor's office and court, where, in addition to their natural characteristics of sensitivity, they are additionally traumatized by the situation in which they found themselves (Igracki, 2012). Children participate in proceedings before the court as defendants and witnesses, and very often as injured parties, i.e. direct or indirect victims of criminal, misdemeanor or other illegal acts. (Igracki, 2012). Violent behavior is most often explained by the psychopathology of the abuser or as a consequence of a learned pattern of behavior in the family. Many studies show that adult abusers were themselves victims of abuse in childhood, that is, that abusive behavior patterns have the character of intergenerational transmission. According to social learning theory, violent behavior is learned by observing the aggressive behavior patterns of individuals who serve as role models (Igracki, Brasovan Delic, 2022).

Finding the most effective social response to juvenile delinquency is a much more demanding task than simply applying the norms of juvenile criminal legislation. It seems that in no social area is the role of prevention and comprehensive consideration of all criminogenic factors as important as in the case of juvenile delinquency, because juvenile delinquents, due to their age and the life ahead of them, usually have enough time to adopt correct patterns of behavior and life in the society of regulated relationships, if the same society helps them in this in the right way (Stevanović, Ilijić, Igrački, 2015: 375).

The question arises, Where have we failed as a society? Has the far West and what is happening there come to our backyard? Example from O.Š. Vladislav Rybnikar shook the entire public and warned that we have stepped deeply into the lapses, and passed quite a few regulations, procedures and protocols even though we are still in a state of shock.

## CONCLUSION

Those who rule and those who are ruled verbally agree that the media should be accessible to everyone, as well as justice, but disagreements appear already when the question is asked: what should they do? In every society, there are more or less refined mechanisms of influence on public opinion, and through that - attempts at manipulation. The more a society is marked by ethnic, religious, linguistic, ideological or cultural differences, the greater the chance for the disintegration of the political system. The media can increase the stigmatization of certain groups (youth, ethno-cultural communities) and certain geographic locations, because most people learn about the justice system mainly from the media.

Media coverage of the case can put pressure on the justice system. The independence of the judiciary is essential to achieving a fair trial. When it is



missing, all fundamental rights are threatened. That is one of the reasons why this independence must be protected from outside influences, especially from the media and social networks. However, judicial independence is not the only fundamental right that enjoys a privileged status. Freedom of expression forms the basis of every democratic society and every rule of law. The media are the main beneficiaries of this freedom, which is necessary for the performance of their professions and has de facto power that can threaten the independence of justice. Whistleblowers and investigative journalists fully participate in freedom of information by allowing topics on the public policy agenda to be discussed. The right to freedom of expression, which is a basic right and the cornerstone of every free and democratic society, and which finds a foothold in all instruments for the protection of human rights, is of essential importance for the performance of the media function.

The European Court of Human Rights is the one whose position is best known regarding the relationship between media freedom of expression and the requirement of judicial independence. The right to freedom of media expression may be subject to restrictions if possible excesses are observed in its exercise, including particular behavior, attitude or comments that would undermine the independence of the judiciary. Participation in computerized social networks is a personal choice, but requires great caution so as not to call into question the independence of the judge. Separating professional and private life is the only solution, because on social networks, we don't always control the connections or the information that circulates there.

The media should adapt their reports and comments on the issue of violence, precisely because of the high percentage of probability that the same commentators cause secondary victimization and retraumatization – either the survivor who is being written about, or women who have gone through or are going through the same experience, and can turn them away from reporting abusers. The level of attention should be increased during the administration of comments (e.g. on Facebook and YouTube, while on Twitter, due to the impossibility of moderation, it is preferable not to upload such news, unless the media company has a person who deals exclusively with social networks and which can reply and/or block problematic commenters).

The International Telecommunication Union estimates that almost 40% of the world's population and over 76% of people in developed countries are now Internet users. According to NIA (National Investigation Agency) chief Alok Mittal, "one in six cybercrimes in India is committed through social media." In 2016, there were about 150 cases of cybercrime on social networks in our country, and in 2017 it increased to about 300 cases. The number of fraud cases on social media also increased by 43% in 2018. crime leader in 2019 compared to 27,248 cases in 2018. Thus, the National Crime Reporting Bureau recorded a 63.5% increase in cybercrime.

Better cooperation between institutions is necessary, in order to provide the most reliable objective elements from the very beginning and prevent abuse. In matters of judicial information, a fair balance must be struck between seemingly conflicting rights and, in reality, the contribution to the establishment of a true rule of law and respect for fundamental principles. It is up to the media to inform about the operation of justice, and even to play its role as a counter-power and to monitor the way in which it is carried out. However, they must do so in accordance with the rules. It is undeniable that the media system is sinking into populism. The question that must undoubtedly be asked is: how long will justice withstand the enormous pressures it is exposed to?

The majority of young people are informed by phone, and more than half of them are not informed daily. Almost three-quarters think they encounter fake news, and four-fifths think they know how to recognize fake news. Of the television channels, young people mostly watch film and documentary channels, followed by RTS and N1, while over 60% do not read the press. It is indisputable that the institutions must find an answer, why citizens turn to the media in the first place. Is it a lack of trust due to the behavior of the institutions? The way the media presents crime often includes “sensational” aspects of crime, where “newsworthy” acts more on emotions than on facts and focuses on negative images of crime. Not only recommendations, regulations, guidelines, but also their practical application are sufficient. Given that the consequences of crime and violence can be permanent, or last a long time, from mental, emotional to physical disorders, procedures should be arranged in order to avoid secondary victimization and protect the victim.

## REFERENCES

1. African Charters on Human and Peoples' Rights (ADHP Charter) [https://au.int/sites/default/files/treaties/36390-treaty-0011\\_\\_african\\_charter\\_on\\_human\\_and\\_peoples\\_rights\\_e.pdf](https://au.int/sites/default/files/treaties/36390-treaty-0011__african_charter_on_human_and_peoples_rights_e.pdf), 23.10.2023.
2. Alternative report on the position and needs of the youth in the Republic of Serbia, 2021, <https://koms.rs/wp-content/uploads/2021/11/Mediji-drustvene-mreze-i-aplikacije-1.pdf>. 23.10.2023.
3. A teenager beat a peer in the school yard <https://www.atvbl.rs/cir/hronika>, 23.10.2023.
4. A teenager (14) was attacked in the schoolyard, beaten by three people <https://informer.rs/hronika/vesti>, 23.10.2023.
5. Brown, A. (2018) “What is so special about online (as compared to offline) hate speech?” *Ethnicities*, 18(3), 297-326.
6. Batrićević, A. (2016) “Criminal law reaction to femicide”, *Temida*, No. 3-4, Belgrade.

7. Convention on the Rights of the Child, *the Official Gazette of the SFRJ-International Agreements*, number 15/90 and *the Official Gazette of the FRY, International Agreements*, number 4/96 and 2/97.
8. Council of Europe, Convention on preventing and combating violence against women and domestic violence, Istanbul, 11/05/2011, <https://rm.coe.int/1680462540>, 23.10.2023.
9. European Convention on Human Rights <https://rm.coe.int/5-mne-protecting-the-right-to-foe-under-european-convention-on-human-r/16809691b1>, 23.10.2023.
10. Garapon, A. (2001) *Judge well, An Essay on Court Ritual*, Odile Jacob.
11. Igracki, J. (2012) "Policija kao subjekt u prevenciji zlostavljanja dece", *Zbornik Instituta za kriminološka i sociološka istraživanja*, broj 1, 259-275.
12. Igracki, J. & Brasovan Delic, M. (2022) "Protection of Victims of Psychological Abuse as Type of Domestic Violence in Criminal Procedure", *International Biennial Conference – XIVth Edition, Criminal Sciences Section – "Protection of the Victims of Crimes"*, Timișoara 20<sup>th</sup>-21<sup>st</sup> October, Faculty of Law – West University of Timisoara, Center for Research in Criminal Sciences, Journal of Eastern European Criminal Law, no. 2, 74-92.
13. Igracki, J. & Stepanović, I. (2017) "The Influence of Media on Crime Prevention", In: *Međunarodni naučni tematski skup "Pravosuđe i mediji"*, Palić, 8-9. jun 2017. Beograd: Institut za kriminološka i sociološka istraživanja, 257-264.
14. Janković, B. (2023) *Announcement on the occasion of the day of remembrance for women victims of violence*, <https://ravnopravnost.gov.rs/rs/saopstenje-povodom-dana-secanja-na-zene-zrtve-nasilja/>, 23.10.2023.
15. Lacmanović, V. (2015) Femicide - who kills us, *Socijalna politika*, no. 3, 61-78.
16. Milenković, D. (2010) Human and minority rights, freedom of expression and the role of the media in conditions of conflict and tension [Human and minority rights, freedom of expression and the role of the media in conditions of conflict and tension], Manual for work of local media, Niš, <http://mirc.rs/wp-content/uploads/2012/11/dr-Dejan-Milenkovi%C4%87.pdf>, 23.10.2023.
17. *Projet de loi pour contrôler l'immigration, améliorer l'intégration* <https://www.vie-publique.fr/loi/287993-projet-de-loi-immigration-integration-asile-2023>, 23.10.2023.
18. Strategy for the development of the public information system in the Republic of Serbia for the period 2020-2025. 1.7.2021. [www.srbija.gov.rs](http://www.srbija.gov.rs), 23.10.2023.
19. Stevanović, Z., Ilijić, Lj. and Igracki, J. (2015) "Izvršenje kazne maloletničkog zatvora", *Maloletnici kao učinioci i žrtve krivičnih dela i prekršaja*, Beograd: Institut za kriminološka i sociološka istraživanja, 365-377.
20. Suppressing violence against children: six strategies for action, <https://childhub.org/sh/materijali-namjevani-djeci/suzbijane-nasilja-nad-decom-sest-strategija-za-delovanje>, 23.10.2023.

21. Srivastva, S. K. and Sweta Agarwal, (2004), *Do the Visual Media Contribute to Violence Against Women?*, [https://www.researchgate.net/publication/321218968\\_Do\\_the\\_Visual\\_Media\\_Contribute\\_to\\_Violence\\_Against\\_Women](https://www.researchgate.net/publication/321218968_Do_the_Visual_Media_Contribute_to_Violence_Against_Women), 15.9.2023.
22. Vučković, J. & Lučić, S. (2023) "Hate Speech and Social Media", *Teme*, Vol. XLVII, No 1, January – March 2023, 191-207, <http://teme2.junis.ni.ac.rs/index.php/TEME/article/view/1713>, 23.10.2023.
23. Vučković, J. (2022) *Media law*, Niš: Medivest.
24. Vučković, J. (2021) "Digitalni mediji i medijsko zakonodavstvo Republike Srbije" [Digital media and media legislation of the Republic of Serbia] *Zbornik radova Pravnog fakulteta u Nišu*, god. 60, broj 92, 195-217, doi: 10.5937/zrpfno-33993, 23.10.2023.
25. Yanich, D., (2001) "Location, Location, Location: Urban and Suburban Crime on Local TV News." *Journal of Urban Affairs*, vol. 23, no. 3-4, 221-241.
26. ECtHR, CASE OF HANDYSIDE v. THE UNITED KINGDOM, 7 December 1976, No. 5493/72, § 49. <https://globalfreedomofexpression.columbia.edu/cases/handyside-v-uk/>, 23.10.2023.
27. IACHR, Olmedo Bustos et al. (The Last Temptation of Christ), 5 February 2001, Series C no. 73, § 69. [https://iachr.ils.edu/sites/default/files/iachr/Cases/The\\_Last\\_Temptation\\_Of\\_Christ\\_v\\_Chile/mccormick\\_last\\_temptation\\_of\\_christ\\_olmedo\\_bustos\\_et\\_al.\\_v.\\_chile.pdf](https://iachr.ils.edu/sites/default/files/iachr/Cases/The_Last_Temptation_Of_Christ_v_Chile/mccormick_last_temptation_of_christ_olmedo_bustos_et_al._v._chile.pdf), 23.10.2023.
28. IACHR, Report on the Conformity of the Law on Contempt of Officials [desacato] with the American Convention on Human Rights, report. annual report for 1994, 197, 204-205. <https://www.actu-juridique.fr/administratif/la-relation-entre-les-medias-et-la-justice-au-regard-du-droit-regional-des-droits-de-lhomme/>, 23.10.2023.
29. ECtHR, Gormus *et al.* c/ Turkiie, 19. januar 2016, No. 49085/07, file:///C:/Users/Institut/Downloads/Judgment%20G%EF%BF%BDrm%EF%BF%BDs%20and%20Others%20v.%20Turkey%20%20Measures%20to%20identify%20journalistic%20sources.pdf, 23.10.2023.
30. ECtHR, Kabis v. Russia and Elvira Dmitrijeva v. Russia, 30. April 2019, IRIS 2019-7:1/1, Human Rights Centre, Ghent University and Legal Human Academy. <https://merlin.obs.coe.int/download/8606/pdf>, 23.10.2023.
31. *Teenagers were beaten with bats in the school yard*, <https://redportal.rs/vesti/palicam>, 23.10.2023.
32. *They crushed his head: A young man was beaten with a baseball bat in the school yard*, <https://www.dnevno.rs/ufokusu>, 23.10.2023.

## MEDIJI, KRIMINAL I URBANA BEZBEDNOST

*U ovom radu analizira će se uticaj medija na prevenciju i kontrolu kriminala i opštu bezbednost društva. Svi koji se bave proučavanjem kriminaliteta ističu veoma značajno mesto, kao vektor komunikacija, u objašnjenju i tumačenju uzroka i posledica pojave kriminala. Ekspanzija interneta postala je toliko važan deo naših života da je nemoguće zamisliti vreme kada ga nismo imali. Svakodnevni život se sve više oslanja na društvene medije, zahvaljujući napretku tehnologije, brzom širenju mobilnih informacija i popularnosti platformi društvenih medija kao što su Instagram, Facebook i Twitter.*

*Mediji su jedan od glavnih izvora informacija o kriminalu i bezbednosti društva, jer su, u vreme savremene tehnologije, sve informacije dostupne na globalnom nivou. Prema sprovedenim anketama u Kanadi, 95% ispitanika koristi medije kao svoj primarni izvor informacija po pitanju kriminala i urbane bezbednosti. Nesumnjivo je da je tehnologija korisna, ali, ona takođe može dovesti ljude u opasnost. Kao rezultat toga, pojedini mediji se bave u značajnom obimu crnom hronikom, te tako promovišu izvršioce krivičnih dela, i tako dolazi do povećanja broja zločina koji se dešavaju u sajber prostoru. Samim tim, saopštene informacije preko medija bitno utiču, kako pozitivno tako i negativno na oblikovanje stavova i mišljenja javnog mnjenja, a pre svega utiču kako na prevenciju tako i na stimulaciju-podsticaj na kriminalno ponašanje, kod određenih prestupnika.*

*Veoma često se u medijima vode rasprave i iznose, u većini slučajeva, suprotstavljeni i kontradiktorni podaci od samog akta učinjenog dela, u fazi istrage, suđenja i izrečene sankcije, što izaziva zbunjenost javnog mnjenja a posebno utiče na odugovlačenje istražnog i sudskog procesa. Dugotrajan sudski proces biva zamagljen novim, za medije interesantnim slučajem, pa izrečena sankcija posle višegodišnjeg trajanja, nema efekat na prevenciju. Suština prevencije kriminala se ogleda u brzom otkrivanju, procesuiranju i izricanju izvršenju krivične sankcije. Uspešnost prevencije povećava i opštu i urbanu bezbednost. Nažalost u dobrom delu sudskih procesa te efikasnosti nema.*

**KLJUČNE REČI:** mediji, kriminal, bezbednost, prevencija kriminala.