

# Media, Evil and Society

## Media use and its impacts on crime perception, sentencing attitudes and crime policy

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In democratic societies, crime policy and its management by parliaments and ministries largely depends on trends in crime. If, over a prolonged period, the media report strong upward trends in the number of crimes committed and if the public debate on crime focuses on spectacular, serious crimes, policymakers come under heavy pressure to increase statutory punishments and tighten the rules of procedure for criminal prosecutions. The courts in turn feel duty bound to hand out tougher sentences – passed in the name of the people, their judgements are meant to reflect public opinion. The question thus arises as to whether long periods of either dwindling or stable crime figures allow policymakers and the courts to soften punishments for specific offences and to place, for example, the notion of offender-victim compensation and offender resocialisation at the forefront.

There is thus every reason to raise awareness of the relationship between the media and perceptions of crime. The German Police Crime Statistics for the last 10 years indicate a strong downward trend in the number of crimes that people perceive as very threatening or generally worrying. There has been a 45 per cent reduction both in the number of break-ins in private homes and in bank robberies. In the past 10 years, the number of murders has dropped by around 41 per cent. Car thefts are down by as much as 70 per cent. While other offences like fraud have increased, there has been a slight overall reduction in the num-

ber of crimes recorded since 1993. In the light of our ageing society, this hardly comes as a surprise. In the past decade, the 18 to 30 age group – a group which in 1993, for example, made up almost half of all crime suspects – has shrunk from 9.4 to 7 per cent of the population. Conversely, there has been a strong increase (from 20.4 to 24.4 per cent) in the number of people aged 60 and over – a group that accounts for less than 3 per cent of all violent crime suspects. Germany's ageing society is evidently good for domestic security.

Another significant preventive effect is the stabilisation in migration since 1993. This is largely a result of the asylum compromise reached in 1992, the end of the civil war in former Yugoslavia and the phased reduction in repatriation of ethnic Germans from the former Soviet Union. Accordingly, the number of foreigners involved in crimes investigated by the police during the period 1993 to 2003 dropped from 26.7 to 19.0 per cent. Another aspect to be considered is the marked rise in the likelihood of a crime being detected. The police success rate in solving most types of crime has increased significantly over the past decade, from 43.8 to 53.1 per cent overall. This can also be seen as a causal factor in the reduction in crime.

Positive trends of the type indicated for the last 10 years can, of course, only influence crime policy if they shape the public debate on crime and are made known to a broad majority of the population. But this is not always the case. Whether or not crime is on the increase or the decrease is not usually something most people are aware of. Unlike the rise and fall of fuel prices that we can all observe at local filling stations, crime is a social phenomenon that often happens out of public view. Even when crime occurs

Whether or not crime is on the increase or the decrease is not usually something most people are aware of.

### 1 Crime trends 1993-2003 (selected crimes) according to German Police Crime Statistics and respondents' estimates

| Crime               | PCS 1993  | PCS 2003  | Δ%     | 2003 (mean estimate) | Δ% (mean estimate) | Percentage over-/under estimate |
|---------------------|-----------|-----------|--------|----------------------|--------------------|---------------------------------|
| All crimes total a) | 6,750,613 | 6,572,135 | -2.6%  | 7,962,506            | +17%               | +21%                            |
| Fraud b)            | 419,834   | 700,013   | +66.7% | 622,026              | +48%               | -11%                            |
| Bodily harm         | 295,005   | 467,944   | +58.6% | 451,660              | +51%               | -3.5%                           |
| Domestic burglary   | 227,090   | 123,280   | -45.7% | 316,049              | +39%               | 156%                            |
| Motor vehicle theft | 214,836   | 36,240    | -70.5% | 316,070              | +47%               | 400%                            |
| Handbag theft       | 7,916     | 5,986     | -24.3% | 9,495                | +20%               | 59%                             |
| Murder              | 666       | 394       | -40.8% | 842                  | +27%               | 114%                            |

a) Excluding road traffic offences; stimulus: 5,800,000  
 b) Excluding fare-dodging



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in public, even those who regularly observe such events can at best estimate their frequency based on the world they see. In assessing the situation, members of the general public must rely entirely on what is reported by the mass media. The question arises, therefore, as to how people perceive current trends in crime and what role the media play in influencing their judgement.

**Public perceptions of crime trends**

At the beginning of January 2004, the Criminological Research Institute of Lower Saxony (KFN) commissioned social scientists from TSN Infratest to conduct a representative survey of 2,000 people in Germany on perceptions of crime trends. Respondents were first shown the 1993 Police Crime Statistics. They were then asked how many crimes they thought had been committed in 2003 overall and what their general views were regarding trends in specific crimes. Additionally, respondents were asked if they felt personally threatened by crime and what measures they took to protect themselves. The survey also looked at where people received their information on crime and how they thought crime should be punished.

The left-hand side of **Table 1** shows trends in selected crimes and groups of crimes identified by comparing the Police Crime Statistics for 1993 and 2003. The right-hand side of the table shows the figures estimated by survey respondents. We have omitted the top and bottom one per cent of the stati-

stical distribution of responses to eliminate distortions due to a small number of extreme results. The second column from the right shows respondents' estimates for the percentage increase in each crime. The far right column shows by how many per cent these estimates exceed or fall short of the actual crime statistics.

The table shows that people think there has been a sharp increase across the board. The only crimes for which their estimates come anywhere near the police statistics are fraud and bodily harm. With all other crimes, the table shows respondents' estimates to be wide and in some cases extremely wide of the mark. For example, respondents put the number of domestic burglaries at two-and-a-half times the figure recorded in 2003. They estimated that there had been twice as many murders, five times as many motor vehicle thefts and no less than nearly six times as many sexual murders as were actually recorded. Their 21 per cent overestimate for the all crimes total was relatively moderate in comparison. However, this was partly due to a typing error as a result of which respondents were told the 1993 figure had been 5.8 instead of 6.8 million. Based on the figure they actually had before them, respondents estimated the 10-year increase in all recorded crimes to have

**2 Respondents' assessment of trends in selected crimes for the period 1993-2003, as percentages of all respondents**

| Crime                    | Recorded trend |             |         | Respondents' answers |                |                 |           |                 |                |                     |      | N |
|--------------------------|----------------|-------------|---------|----------------------|----------------|-----------------|-----------|-----------------|----------------|---------------------|------|---|
|                          | PCS 1993       | PCS 2003    | Δ%      | Very large increase  | Large increase | Slight increase | No change | Slight decrease | Large decrease | Very large decrease |      |   |
| Total crimes             | 6 750, 613     | 6, 572,135  | - 2.6%  | 27%                  | 39%            | 25%             | 7%        | 2%              | 0%             | 0%                  | 1977 |   |
| Fraud                    | 419, 834       | 700, 013    | +66.7%  | 30%                  | 38%            | 21%             | 10%       | 1%              | 0%             | 0%                  | 1980 |   |
| Bodily harm              | 295, 005       | 467, 944    | +58.6%  | 26%                  | 36%            | 25%             | 11%       | 2%              | 0%             | 0%                  | 1988 |   |
| Domestic burglary        | 227, 090       | 123, 280    | - 45.7% | 18%                  | 35%            | 27%             | 16%       | 4%              | 0%             | 0%                  | 1989 |   |
| Motor vehicle theft      | 214, 836       | 63, 240     | -70.5%  | 25%                  | 34%            | 21%             | 11%       | 7%              | 2%             | 0%                  | 1982 |   |
| Handbag theft            | 7, 916         | 5, 986      | -24.3%  | 22%                  | 30%            | 24%             | 21%       | 3%              | 0%             | 0%                  | 1985 |   |
| Murder                   | 666            | 394         | - 40.8% | 16%                  | 24%            | 27%             | 28%       | 5%              | 1%             | 0%                  | 1974 |   |
| Sexual murder            | 32             | 20          | - 37.5% | 19%                  | 26%            | 28%             | 23%       | 4%              | 1%             | 0%                  | 1988 |   |
| Total theft              | 4, 151, 087    | 3, 029, 390 | - 27.0% | 29%                  | 37%            | 22%             | 8%        | 1%              | 0%             | 0%                  | 1980 |   |
| Bank robbery             | 1, 624         | 903         | - 44.4% | 13%                  | 22%            | 25%             | 29%       | 10%             | 2%             | 0%                  | 1983 |   |
| Drug dealing             | 37, 212        | 68, 701     | +84.6%  | 37%                  | 31%            | 18%             | 11%       | 3%              | 0%             | 0%                  | 1977 |   |
| Murder and robbery       | 140            | 74          | - 47.1% | 12%                  | 25%            | 27%             | 29%       | 7%              | 1%             | 0%                  | 1977 |   |
| Sexual abuse of children | 15, 430        | 15, 430     | 0%      | 40%                  | 31%            | 18%             | 10%       | 1%              | 0%             | 0%                  | 1944 |   |

Above all severe crimes were clearly overestimated in their frequency by the population.

been 37 per cent and not 17 per cent as shown in **Table 1**. In recognition of the fact that many people find it hard to give a numeric estimate, we additionally let respondents rank their assessment of crime trends verbally on a predefined ordinal scale. We also added four more offences and one more group of offences to the questionnaire: bank robbery, murder and robbery, sexual abuse of children, and the total for all crimes involving theft.

The right-hand portion of **Table 2** shows the percentage distributions of assumed crime frequency changes on a seven-point ordinal scale. The distributions are heavily skewed to the right; that is, a large majority of respondents assumed that there had been large or very large increases in crime rates. Of the added crimes, answers were mostly accurate only for drug dealing. Only two per cent of the population rightly responded that there had been a marked decrease in bank robberies over the last decade, and only one per cent guessed the downward trend in theft indicated by the police statistics. Overall, fewer than 10 per cent of respondents correctly identified the trend in the seven selected examples of sinking crime rates.

From another representative survey of 1,500 respondents conducted by KFN with the help of TNS Infratest in early 2004, it is clear that the lion's share of the blame for the imagined crime increase is apportioned to foreigners. On average, people estimate that the percentage of foreigners among police-registered suspects has increased from 26.7 per cent to 36.5 per cent over the last 10 years. In fact, as mentioned earlier, the figure has actually fallen to 19.0 per cent.

rious crimes in the USA over the period 1991 to 1995 inclusive. An analysis of the evening news broadcast by all major television stations, on the other hand, showed the number of televised reports of spectacular violent crimes to have increased fourfold.

As media research teaches us, the selection, presentation and even the construction of what is deemed newsworthy are subject to certain rules. News and other information about human society is a marketed according to its 'news value' (Reuband 2000: 51). Crime is not just a staple of general news reporting, but (...) also a conscious choice of subject for the purpose of competing with other media" (op. cit.: 43). For the consumer, news is not only there to provide information, but also excitement and entertainment (Schulze 1992). A factor in Germany might also be the nationwide spread since the mid-1980s of private television stations funded entirely by advertising. These are more dependent than public television on the kind of news, including crime news, that is capable of boosting the ratings.

To shed light on this question we conducted an analysis – in conjunction with the Department of Journalism and Communication Research at Hannover University of Music and Drama – of the television listings published in a German tabloid newspaper, **Bild**. The analysis covered the second week of October in 1985, 1995 and 2003. **Table 3** shows how the relative shares of fiction and non-fiction programming featuring crime, investigation and prosecution changed over the three sampling periods.

The German television stations **NDR, MDR, arte, 3Sat, RTL2, SuperRTL, Kabel1, VOX, 9Live** were

### 3 Crime-related programming as a proportion of all listed programming for selected television stations and as a proportion of all programming

The increase in programming featuring crime is not only due to private television stations.

| Station/<br>Year | ARD<br>(n=31 broadcasts)<br>Share (%) | ZDF<br>(n=37 broadcasts)<br>Share (%) | RTL<br>(n=44 broadcasts)<br>Share (%) | SAT.1<br>(n=50 broadcasts)<br>Share (%) | PRO7<br>(n=31 broadcasts)<br>Share (%) | All programming<br>(N=309 broadcasts)<br>Share (%) |
|------------------|---------------------------------------|---------------------------------------|---------------------------------------|---|--|--|
| 1985             | 4,7                                   | 8,5                                   | 3,6                                   | –                                       | –                                      | 3,5  |
| 1995             | 11,3                                  | 8,5                                   | 13,1                                  | 11,4                                    | 32,9                                   | 15,4   |
| 2003             | 9,0                                   | 12,3                                  | 18,7                                  | 19,5                                    | 2,4                                    | 11,0   |

#### Crime in the media

Studies from the USA and Canada whose starting point is the observation that people think crime to have risen despite falling crime rates in reality (Roberts 1992: 116-117; Roberts and Stalans 1998) tend to link this misconception with mass media representations of crime. Morris (1997: 108 ff.) argues along very similar lines with reference to a media study. There was a slight decrease in the number of se-

coded and included in the 'all programming' figure in addition to the stations shown. The period 1985 to 1995 saw a marked increase in the crime broadcasts as a share of all programming. The increase from 3.5 to 15.4 per cent is primarily due to the fact that from the time private television began in the mid-1980s, private stations initially focused on the broadcasting of American fiction programming (feature films and series). There was a slight overall reduction in crime

programming over the period 1995 to 2003. This by no means reflects a uniform trend, however. The two private stations with the largest audience, **RTL** and **Sat.1**, and also one of the main public stations, **ZDF**, further increased their share of crime programming from 1995 to 2003. As the other major public station, **ARD**, only reduced its crime share slightly from 11.3 to 9.0 per cent, the overall decrease in crime broadcasts as a share of all programming is primarily due to a reduction at the smaller (by market share) public and private television stations. Another trend revealed by the analysis is a shift in crime presentation from fictional (crime series and feature films) to non-fiction genres (court shows and 'docu-soaps' showing the police at work). That is, genres that give the viewer the impression that they present a true-to-life picture of crime, crime investigation and prosecution.

An analysis of different scope and methodology conducted for **ARD** and **ZDF** since 1985 reports the proportion of all programming featuring crime for five major German television stations – **ARD**, **ZDF**, **RTL**, **Sat.1** and **Pro7** – from 1997 onwards. Firstly, there is a steady tendency for crime to feature significantly more strongly on private than on public television (Krüger 2000: 278-296; Krüger 1999: 322-339). Secondly, a marked tabloid television divide is seen to have emerged over the same period (Krüger 1996: 362-374; Krüger 2000: 278-296; Krüger and Zapf-Schramm 2001: 326-344). Private television stations are incorporating tabloid elements into the style and content of their reporting. In short, crime is dramatised as the force of evil.

These findings accord with those of **MedienTenor**, a Bonn media research centre that has been undertaking precise surveys of changes in news content for many years. The **MedienTenor** surveys show that private television stations tend to present crime in a dramatised setting. Also, private television stations account for no less than 70 per cent of crime reporting in the context of news broadcasts (**MedienTenor** 11/2004: 33). The third trend described by the authors of the **ARD-ZDF** analysis is, on the other hand, a growing tendency for public television stations to match their reporting to that of private stations (Krüger and Zapf-Schramm 2003: 534-548).

As the above findings clearly show, the increasingly competitive television market since the mid-1980s has seen significantly more air time given over to crime in news and entertainment genres alike. The described trend is in line with findings from news value and news selection research, according to which negative information in a news item is a key factor in its being preferred over other news items (Galtung and Ruge 1965). Then there is the growing amount of air time dedicated to entertainment genres that com-

bine apparent realism with a strong element of suspense, where crime often provides a background for playing out interpersonal conflicts. This has further raised the profile of crime in the media. The question arises whether this emphasis shift in the media is a cause of or at least a factor in the popular misconceptions about crime rates.

### Crime perception and sentencing attitudes

The strong influence of private television on perceived crime trends leads us to enquire whether the same distorted public perceptions are behind harsher sentencing attitudes. This avenue of enquiry is supported by the findings of two representative surveys done by KFN in 1992 and 2004 that again touched upon sentencing attitudes. Comparison of the data shows a marked increase in the proportion of respondents calling for tougher sentences. Streng's continuous study of punitivity and preferences as to the purpose of sentencing among first-year law students produced very similar findings. Apparently, the period 1989 to 1999 saw a marked change in the attitudes of lawyers-to-be. They are decreasingly likely to consider offender resocialisation as the purpose of sentencing, and increasingly likely to prefer harsh punishments and a toughening of criminal law (Streng 2000: 422 ff.).

Streng, too, explains the increasing rigidity of prospective lawyers with the dramatisation of crime in the media and in politics. But he rightly puts up another factor for debate. The relatively stable 1980s were followed in Germany by a decade of growing poverty and unemployment, a surge in immigration that many found threatening, the unification of Germany with the vast problems that it produced, and now the acts of terror perpetrated by Al Qaeda. Possibly, many people are unsettled by these changes and wish for a strong state able to take a hard line on law and order.

In view of these findings, respondents' sentencing attitudes are made the dependent variable in the analysis phase of our study, to be explained among other things by subjectively perceived crime trends. **Table 4** shows the estimated factors affecting indicators of sentencing attitudes, i.e. affecting stated opinions regarding the appropriateness of the sentences generally handed down for each type of crime.

The strongest factor affecting sentencing attitudes overall proves to be the perceived trend in each crime. This predictor was incorporated in the model as a dummy variable, where 1 corresponds to 'very large increase' or 'large increase' and 0 corresponds to all other categories. For example, assuming there to have been a large or very large increase in all crimes over the last 10 years raises the odds of the sentencing at-

titudes shifting to the next higher category by 136 per cent. Taking men in former East Germany with lower secondary education and an average age of 46, one child under 14 living in the household and average fear of crime: Of this group, those who think there has been a strong or very strong increase in crime are 60 per cent likely to consider sentencing to be too lax. For those who think crime has risen only moderately or not at all, this probability falls to 39 per cent.

Because these empirical findings were not obtained by the ideal method of direct experiment, analysis of the causal relations between the various constructs requires further research. For example, it would be necessary to investigate in greater detail the factors that influence preferences for different types of tele-

vision programming. It may be assumed that other unobserved personality traits are linked with viewing frequency for each genre and that these traits are not fully subsumed under fear of crime. They may themselves correlate with subjective perceptions of crime trends and with punitivity. All the same, the findings must be taken as a clear indication that widespread perceptions of crime trends are significantly affected by media reporting.

**Changes in crime policy, investigation and prosecution since 1990**

These findings raise the question of how popular calls for tougher sentencing have affected crime policy. Schott recently surveyed criminal law enacted

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**4 Determinants of sentencing attitudes: ordinal logistic regressions**

| Dependent variable   | Sentencing attitudes <sup>a)</sup> by type of crime: |                     |                         |                    |
|--|--|---------------------|-------------------------|--------------------|
|  | Thefts/<br>break-ins                                 | All crimes<br>total | Rape/<br>sexual assault | Bodily<br>injury   |
| $\tau_1$   | 0.56   | -1.85               | -3.74                   | -0.64              |
| $\tau_2$   | 1.58   | -0.13               | -2.74                   | 0.95               |
| $\tau_3$   | 2.52   | 1.26                | -1.42                   | 2.20               |
| Realschule/POS year 10 <sup>b)</sup> (Yes 1, No 0)<br>[lower secondary school]       | -0.151<br>(1.27)                                     | -0.362**<br>(3.05)  | -0.238<br>(1.53)        | -0.026<br>(0.23)   |
| (Fach-)Abitur <sup>b)</sup> (Yes 1, No 0)<br>[upper secondary school]                | -0.104<br>(0.63)                                     | -0.495**<br>(3.11)  | -0.520**<br>(2.62)      | -0.118<br>(0.76)   |
| (Fach-)Hochschule <sup>b)</sup> (Yes 1, No 0)<br>[tertiary education]                | -0.052<br>(0.29)                                     | -1.096**<br>(6.08)  | -1.029**<br>(4.99)      | -0.048<br>(0.27)   |
| Child under 14 at home (Yes 1, No 0)   | -0.083<br>(0.76)                                     | 0.221*<br>(2.04)    | -0.064<br>(0.45)        | 0.081<br>(0.77)    |
| Age  | 0.017**<br>(5.08)                                    | 0.011**<br>(3.42)   | -0.008<br>(1.83)        | -0.020**<br>(6.20) |
| Female (Yes 1, No 0)   | -0.549**<br>(5.26)                                   | -0.227*<br>(2.18)   | -0.236<br>(1.75)        | -0.231*<br>(2.29)  |
| Former East Germany (Yes 1, No 0)  | 0.181<br>(1.60)                                      | 0.437**<br>(3.80)   | 0.437**<br>(2.80)       | 0.062<br>(0.55)    |
| Fear of crime:<br>Precautions taken  | 0.273**<br>(4.89)                                    | 0.329**<br>(5.94)   | 0.337**<br>(4.64)       | 0.382**<br>(7.04)  |
| Perception of crime trend <sup>c)</sup><br>'large/very large increase' (Yes 1, No 0) | 0.825**<br>(8.14)                                    | 0.861**<br>(8.30)   | 1.099**<br>(8.13)       | 0.611**<br>(6.35)  |
| Observations   | 1,597  | 1,600               | 1,603                   | 1,605              |
| LR Chi-sq (df=9)   | 219.12   | 254.04              | 160.48                  | 195.86             |

Absolute z values in brackets  
a) "I think the sentences handed down for ... are generally..."  
1 = far too harsh to appropriate 2 = somewhat lax 3 = lax 4 = far too lax  
b) Reference category: No school leaving certificate, Hauptschulabschluss/Volksschulabschluss/POS year 8/9 (lower secondary education)  
The proportionality assumption is not met for the independent variable 'perception of crime trend' in the 'thefts/break-ins' model. However, a binary logistic regression (DV: lax/far too lax = 1, otherwise 0) produces almost identical results.  
c) With the DV 'sexual assault/rape' the IV is the perceived frequency of sexual murder.  
\* Significant at 5%; \*\* Significant at 1%  
Source: KFN survey of crime and sentencing 2003; own calculations

over the last two decades (Schott et al. 2004). He found that the last example of a substantial reduction in criminal law penalties was in 1990, when the Bundestag enacted a Juvenile Courts Act (*Jugendgerichtsgesetz*) increasing the scope for alternatives to incarceration, abolishing open-ended sentences and restricting the use of remand for juvenile offenders. After that – apart from certain minor adjustments – the five reform acts passed since 1992 brought nothing but tougher penalties. In total, the legislature has significantly raised the penalties for some 40 offences over the last twelve years.

Comparing the genesis of these five pieces of criminal law legislation with criminal law reforms adopted during the three decades that preceded them reveals a key difference: As Maelicke (1999) and Albrecht (2004) emphasise, there is now less of a tendency to consult academics. Albrecht (2004: 491 ff.), in his discerning analysis of the links between crime policy and public opinion, rightly highlights a change in the underlying focus of crime policy, which “has become more responsive to feelings of uncertainty and is being co-opted as a way of establishing a sense of security” (Albrecht 2004: 496; see also Sack 2003: 3 ff.). Formerly, policymakers’ efforts centred around the quest for a rationale that could be communicated; they were required to supply verifiable arguments and provide empirical support for their proposals based upon extensive practical experience and clear research findings. Today, however, there is less demand for academically well-founded knowledge on crime trends, offenders and the effects of prosecution strategies. Increasingly, expert reports are being replaced by opinion polls designed to test the water and see what goes down best with the public. And politicians increasingly tend to spout populist demands, presenting themselves as warriors in the fight against evil. David Garland comes to similar conclusions in his in-depth study of crime policy trends in the UK and the USA (2001).

Given the significant hardening of sentencing attitudes among the German population and the changes in crime policy described above, it comes as no surprise that German courts are handing down harsher sentences. According to the sentencing statistics, the share of tried suspects given an unsuspended prison or juvenile detention sentence for actual and grievous bodily harm rose from 5.7 to 6.9 per cent over the period 1990 to 2002. The average sentence also grew by almost a third, from 1.10 to 1.45 years. Both taken together boosted the total sentence handed down by the courts from 6.2 to 10 years per 100 tried suspects between 1990 and 2002 – an increase of about three fifths. The change in sentencing would be understandable if the average severity of such

offences had increased over the period. In fact, the opposite appears to be true. This is the conclusion of two case analyses on juvenile sentencing performed at the Criminological Research Institute of Lower Saxony (Delzer 2004; Schott et al. 2004). Comparisons of sentencing by selected courts for 1990 and 1996 and in two German Länder for 1991 and 1997 show a marked decline in the number of such crimes resulting in hospitalisation of the victim. Conversely, there was an increase in the percentage of cases where the victim did not obtain any medical assistance. At least here, then, the average severity of offences has tended to decrease.

Based on these data, we worked out the total number of prison years that would have been imposed had court sentencing practices remained at their 1990 level of 6.2 years per 100 suspects tried for actual or grievous bodily harm. The comparison shows that, as a result of the change in sentencing over the 12-year period, 7,945 more years’ prison were handed down than would have been under 1990 conditions. This has major implications for western German prison budgets. Taking €80 as the daily cost of accommodating an offender in prison, the additional cost over the 12 years was €232 million.

We also investigated the change in the number of years’ prison per 100 suspects tried for all types of crime. There was a rise of about 40 per cent – from 5.2 years in 1990 to 7.3 in 2002. This accords with data from the Länder penal statistics. In former West Germany, prisoner numbers swelled from 37,468 to 51,881 between 1991 and 2003 – an increase of 38.5 per cent – yet the number of tried suspects had increased by only 1.7 per cent between 1990 and 2002. Again assuming a cost of €80 per day, the states comprising former West Germany had to find some €421 million more to finance their penal systems in 2003 alone than they did only twelve years earlier. Add to this the fact that a nationwide construction programme begun in 2000 will create 12,000 new cells at a cost, according to research by Suhling and Schott (2001: 27), of some €1.4 billion.

Even if the available data do not allow us to show the precise extent to which this added expense is due to harder penalties imposed by legislation, it is still clear that, influenced by media dramatisation of crime, the need for cost-benefit analysis has taken a back seat in crime policy over the last twelve years. Politicians have largely met calls for tougher sentencing in order to calm the waters rather than objectively asking what benefit to society there was to be had from the sharp rise in costs.

*Translation into English by Carol and Robin Stocks, Bonn, Germany.*