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Media as pillory: the power to ‘name and shame’ in digital times

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Australia’s “human headline” Derryn Hinch built his fame in radio and television by - often controversially - “naming and shaming” those he subjected to the media blowtorch.

But today, Hinch, as do many others, prefer to use social media tools to publicly humiliate people for behaviour they find unacceptable. There are recent examples of people filming racist behaviour on public transport. There’s even footage of people urinating in public places. Citizens upload their shame files into

In today’s digitised world people are able to be ‘named and shamed’ in an instant through social media, which is then picked up on by the mainstream press. AAP/Richard Wainwright
digital space and traditional media lap up the content.

Take the case of Brisbane NRL fan Kerry Ann Strasser. After a few drinks at a State of Origin game in 2011, Strasser pulled down her pants and urinated on her seat. A spectator captured the act on his phone camera and uploaded the footage to YouTube.

The video went viral within hours, scoring 30,000 hits, but was removed a day later as part of the site’s policy on inappropriate content. But just as the footage disappeared from YouTube, traditional media intensified her shame by reporting the incident across Australia and the globe. And while her face is not recognisable on the YouTube clip, Strasser was named in mainstream media coverage.

Melbourne radio station 3AW took the lead, reloading the content back onto YouTube and to its own website. Its report included a short piece to air from journalist Seb Costello, who said:

> I’m all for sitting on the edge of your seat at the footy, but surely this is taking the piss!

The Brisbane Magistrates Court heard Suncorp Stadium was alerted to the YouTube footage and provided police with CCTV evidence used to identify her seat. Strasser admitted to being the person in the clip, but instead of issuing an on-the-spot fine, police summonsed her to court on one count of urinating in a public place.

Strasser did not attend, but a number of journalists did. Her lawyer, who entered a plea of guilty on her behalf, told magistrate Wally Ehrich of her client’s humiliation and suffering. She said Strasser’s family had also been affected “with anyone who knows her being aware she was the woman in the clip”. The magistrate acknowledged her “worldwide embarrassment” and fined her A$100 without conviction.

But Strasser’s walk of shame continues. Type her name into Google today, and the top results continue to reveal details of her antisocial behaviour. There are also links to web pages that describe her as a “feral bogan”.

Our research examines the intensified role of the media in shaming ordinary people when they commit minor crimes. Unlike some North American jurisdictions, Australian courts do not consider public shaming when sentencing. It is the news media that decides if a person who appears before the court will also be brought to wider public attention and the degree to which they will be shamed.

Our research is also particularly concerned with the role of the media in reporting non-convictions. When someone like Strasser receives a non-conviction it means they are given a “second chance” at keeping their criminal record clean. For example, they are not required to reveal their misdemeanour when applying for a job.

However, they can still have an indefinite “media record” imposed on them. We have uncovered numerous examples of people who received non-convictions for minor offences, like stealing a tea towel from Kmart or jaywalking. But they still had their names plastered across Google by traditional and social media outlets. We question whether the unfettered power to impose this punishment fits the nature of the crime.

In western societies, shaming has always been a popular and arguably effective means of social control. Up until the 19th century, shaming penalties were popular punishments for
minor crimes. It was a common custom to put offenders in the stocks at a public market and it was not unusual for an angry crowd to pelt them to death.

When these brutal punishments were eventually phased out, the practice of shaming became the domain of the news media – and it’s been that way in Australia ever since. However, the practice of shaming is changing again. The “mob” is making a resurgence, but where they once hurled stones, they now use new media tools to inflict indelible marks of humiliation.

Traditional news outlets step in and use their power to further “name and shame”. Cases such as Strasser and others that we have encountered provide rich examples of how the fusion of new and old media intensifies the pillorying effect on ordinary people who commit minor crimes.

The old saying that “today’s newspaper is tomorrow’s fish ‘n’ chip wrapper” no longer applies. Content is archived across digital spaces from news websites to Google and internet blogs, which means for people like Strasser that their shame is only ever a mouse click away.