



The Current State and Legal Issues of Online Crimes Related to Children and Adolescents

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There are two categories of online crimes related to children and adolescents: those committed by adolescents and those committed against children and adolescents. While recent trends in criminal law show consensus on strengthening punishment in cases of crimes against children and adolescents, there are mixed stances in cases of juvenile delinquency. One perspective emphasizes strict punishment, whereas the other emphasizes dispositions aligned with human rights. While various forms of online crime share the commonality in that the main part of the criminal act occurs online, they can be categorized into three types: those seeking financial gain, those driven by sexual motives, and those engaged in bullying. Among these, crimes driven by sexual motives are the most serious. Second-hand trading fraud and conditional (sexual) meeting fraud fall under the category of seeking financial gain and occur frequently. Crimes driven by sexual motives include obscenity via telecommunication, filming with discrete cameras, child and adolescent sexual exploitation material, fake video distribution, and blackmail/coercion using intimate images/videos (“sextortion”). These crimes lead to various legal issues such as whether to view vulgar acronyms or body cams that teenagers frequently use as simple subcultures or crimes, what criteria should be applied to judge whether a recorded material induces sexual desire or shame, and at what stage sexual grooming becomes punishable. For example, sniping posts, KakaoTalk prisons, and chat room explosions are tricky issues, as they may or may not be punished depending on the case. Particular caution should be exercised against the indiscriminate application of a strict punishment-oriented approach to the juvenile justice system, which is being discussed in relation to online sexual offenses. In the punishment case of online crime, juvenile offenders with a high potential for future improvement and reform must be treated with special consideration.

Keywords: Online crimes; Digital crimes; Children; Adolescents; Sextortion.

Received: July 24, 2023 / Accepted: August 2, 2023

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INTRODUCTION

Online crimes related to children and adolescents can be categorized into two types: those committed by adolescents, i.e., cases where they are the offenders,¹⁾ and those committed against children and adolescents, i.e., cases where they are the victims. Recent trends in criminal law show a consensus on strengthening the punishment for crimes against children and adolescents under laws such as the Act on the Protection of Children and Juveniles Against Sexual Abuse. However, no consensus has yet been reached regarding juvenile delinquency, with two opposing stances coexisting: one emphasizing strict punishment and the other emphasizing a disposition aligned with human rights. These varying trends are more pronounced in crimes that include both categories; that is, crimes committed by adolescents against children and

adolescents.

These varying trends are illustrated using hypothetical scenarios. Suppose that a male middle school student has committed a sexual assault against a female elementary school student; two distinct dispositions may result from this act, depending on the stance adopted. From a human rights perspective, attention should focus on the offender’s distorted sexual perception, or urges, and young age. Recognizing these factors, this view would not necessarily hold him fully accountable for his actions but rather emphasize educational and therapeutic measures to correct his distorted perception or urges. Conversely, a perspective emphasizing strict punishment focuses on the physical and mental harm brutally inflicted on young victims. This stance calls for punishment in proportion to harm, along with measures to protect the

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1) Hereinafter referred to as “juvenile crime.” Conceptually, it would be more accurate to call it child and adolescent crime, but since our criminal law does not punish the actions of children under the age of 10 due to their so-called absolute unaccountability, it is appropriate to exclude “child.” Furthermore, since the legal concept corresponding to the general concept of “adolescent” refers to “juveniles” from the age of 10 to 19, “juvenile crime” is a more accurate expression than “adolescent crime.”

victim. Although it defies any definitive conclusion, these contrasting trends lead to the interpretation that attitudes favoring rigorous punishment are more prevalent in criminal cases, whereas those leaning toward human rights considerations are more evident in adolescent protection cases.

This article first examines the current state of online crimes related to children and adolescents, which have recently been on the rise, and then discusses the debates related to criminal punishment and juvenile protection measures of each type.²⁾ While various forms of online crime share the commonality that the main part of the criminal act occurs online, they can be categorized into three types depending on their patterns: seeking financial gain, sexual motives, and bullying. Of these, online sexual offenses, especially those targeting children and adolescents, are considered the most serious types of crime.

CRIMES SEEKING FINANCIAL GAIN

Overview

Crimes committed by adolescents for monetary gain account for a significant proportion of all juvenile offenders, similar to all crimes. Although traditional juvenile crimes typically involve theft or threats, fraud is the most prevalent issue in online crimes. Particularly, recent years have seen a surge in online crimes, such as fraud related to online second-hand trading, easy access to teenagers, and conditional meetings where being a teenage adds to commodity value.

Second-hand trading fraud

1) Online second-hand trading on platforms such as the Second-hand World, Lightning Marketplace, and Carrot Market has recently gained popularity. The convenient accessibility and anonymity of these platforms have led many teenagers to use them, causing a surge in online second-hand trading fraud. While adults also commit these crimes, teenagers, who are generally more familiar with the online environment and spend more time there, tend to commit them more easily. This trend is supported by the fact that the items traded for fraudulent purposes are often minor goods that are popular among teenagers. This situation is further complicated because many victims of juvenile crimes are teenagers themselves. An even bigger problem is the failure of teenage fraud victims to properly report incidents. This reluctance to report can be attributed to the desire to hide the fact of trading second-hand goods from their parents or because

2) If a boy aged 10 to 14 years commits a crime, it is handled exclusively as a juvenile protection case. However, if a boy aged 14 to 19 years commits a crime, a serious crime is handled as a criminal case, and a relatively minor crime is treated as a juvenile protection case. Criminal cases may result in punishments such as imprisonment, while juvenile protection cases may lead to protective measures such as detention in a correctional facility.

the traded goods themselves are related to status offenses such as alcohol, cigarettes, motorcycles, and ID cards.

2) Although not classified as an online crime in itself, another phenomenon indirectly connected to online crime is secondary victimization, which follows fraud. When dealing with goods related to status offenses, victims may suffer threats or physical assaults in their attempts to contact the perpetrator and recover the money lost in the scam. Additionally, there are cases in which teenagers who have committed online fraud are threatened by adult victims and coerced into paying sums greater than the original amount scammed. In online transactions, particularly those involving parcel delivery, there is a persistent risk of secondary victimization, as certain personal details such as addresses, mobile phone numbers, and bank account information are often inevitably exposed.

3) The most common type of online second-hand trading fraud is posting fraudulent items and swindling money by having the buyer transfer payment, a tactic that is often linked to parcel trading. Conversely, there are instances in which the seller dupes the buyer to ship the item first by feigning the intention of transferring money. This is particularly common with sought-after items, such as idol fandom merchandise or concert tickets, where a single item can be used to perpetrate multiple scams. Regardless of the situation, the crime of fraud is evident when a deceitful transaction is carried out without the intention of sending the item or money.

4) As the amount of damage is often low in online fraud committed by teenagers, most incidents are handled as juvenile protection cases. However, even if the damages amount is insignificant, it may be handled as a criminal case if repeatedly committed. In relation to punishment for online second-hand trading fraud, it is also important to consider other factors, such as the recovery of the victim's losses, that is, whether the scammed money or goods have been returned. Most cases where the victim's losses have been recovered result in lighter punishment or disposition compared with cases where they have not. However, since damage recovery is usually achieved through parents, some argue that it should not be considered in juvenile protection cases aimed at behavioral correction. The presence of parents willing to pay attention to and bear the cost of victim recovery is considered a positive factor in another essential aspect of juvenile protection cases, specifically the parents' willingness and ability to provide protection. Therefore, it ultimately makes little difference in the outcomes.

5) With the revitalization of Carrot Market, a platform primarily for offline second-hand trading, juvenile crimes involving direct transactions are on the rise. A typical crime of this kind involves accomplices waiting at the transaction lo-

cation and then threatening and extorting money from the victim who comes to the location for the trade. Although online second-hand trading is used as a means of committing such crimes, its connection to online crimes is tenuous, making it difficult to categorize them. These offenses are also distinguished from online fraud in the legal sense; they are not considered fraud, but rather robbery offenses and, in cases involving multiple accomplices, the charge of special robbery may apply.

6) There are crimes that occur not in the transaction itself, but during the process leading up to it. A typical example includes instances in which an offender responds to a sales post for women's clothing (particularly if it is revealing or provocative), sends a request for a transaction, and then requests a picture of the seller wearing the clothing. After receiving the picture, the offender may continuously send messages that could be considered sexual harassment or assault, such as commenting on the victim's body,³⁾ making inappropriate sexual remarks,⁴⁾ or even threatening to post the picture elsewhere. This behavior can overlap with crimes driven by sexual motives, as discussed later. It is important to note that while criminal punishment can be readily imposed on explicit crimes such as sexual harassment or threats, this is not the case when the incident only involves coaxing the victim into sending a picture. Usually, the offender impersonates a female to obtain the photograph. This makes establishing fraud difficult unless the photo itself has monetary value and, if the exposure in the image does not equate to sexual exploitation, it may also be challenging to penalize under laws related to sexual violence.

Conditional meetings fraud

1) Fraud related to conditional meetings is mediated through open chat apps, such as AngTalk and ZeulTalk. This typically involves a teenage girl posting her profile on a chat app, luring in a man looking to purchase sex, and accepting money without actually engaging in prostitution. The offender takes advantage of the fact that the man paying for sex is unlikely to report the fraud,⁵⁾ and reported cases are rare. Consequently, detected cases are only a small portion of fraud actually committed, and mostly remain hidden crimes.

2) A "conditional meeting" itself equates to the "act of selling sex," and as such constitutes a crime under Article 20(1)1 of the Act on the Punishment of Arrangement of Commercial Sex Acts. However, in practice, it is difficult to detect such

3) Consider this example: "you have a beautiful body"; in Korea, the comment itself about the body can amount to sexual harassment.

4) For example, "big breasts," "you seem to be good at it."

5) The act of purchasing sex is subject to punishment under the Act on the Punishment of Arrangement of Commercial Sex Acts. However, those involving a child or adolescent are strongly punished under the Act on the Protection of Children and Juveniles against Sexual Abuse, instead of the aforementioned law.

meetings if they do not escalate into outright fraud; therefore, punishment cases are rare. When such a crime is detected, it may be punished as fraud, but seldom leads to criminal proceedings. Since most fraudulent conditional meetings are committed by runaway or vulnerable female adolescents, improvements in their environment and behavioral corrections should be prioritized over punishment, with most cases being referred to juvenile protection proceedings.

3) Conversely, there are instances in which the victim is a child or adolescent. These cases typically involve an adult or minor male posting a profile picture on a chat app, luring a female adolescent into engaging in sexual relations, and then refusing to pay. Since this act equates to purchasing the sex with an adolescent, it is commonly dealt with under the Act on the Protection of Children and Juveniles Against Sexual Abuse (hereafter, the "Child and Youth Sexual Protection Act"), leading to significantly more severe punishment. In these instances, it is likely that many crimes go undetected, as female adolescent victims frequently do not report such incidents.

CRIMES DRIVEN BY SEXUAL MOTIVES

Overview

Traditionally, sexual crimes have primarily pursued direct sexual satisfaction through physical violence, including rape and coercive harassment. However, the rapid advancement of the digital industry has introduced a provocative and diverse array of sexual content, previously unseen in terms of quantity and quality. Those accustomed to such stimuli now seek sexual gratification online. In the context of this societal shift, crimes involving children and adolescents have taken various forms, including online sexual harassment; unauthorized filming using discrete cameras; possession, purchase, and distribution of materials for sexual exploitation; dissemination of fake video content; and extortion using recorded materials. Recently, crimes corresponding to what are commonly termed "grooming sexual offenses" have increased, posing significant challenges in terms of detection and punishment.

Online sexual crimes and digital sexual crimes

1) The term "digital sexual crime," utilized in the sentencing guidelines issued by the Supreme Court Sentencing Commission [1], distinguishes this crime from "online sexual crime." Online sexual crime conceptually emphasizes the location of the crime, whether online or offline. Contrastingly, digital sexual crime focuses on the means by which the crime is committed, specifically utilizing digital devices rather than physical violence. This distinction is made because special laws

governing the punishment of sexual crimes, such as the Child and Youth Sexual Protection Act and the Special Act on the Punishment of Sexual Violence (called the “Sexual Violence Punishment Law”), include behaviors that may not neatly fit the traditional definition of online sexual crimes [2].

2) The types of digital sexual crimes defined as punishable under the Child and Youth Sexual Protection Act and the Sexual Violence Punishment Law include child and adolescent sexual exploitation materials, filming using discrete cameras, distribution of fake videos, blackmail/coercion using intimate images/videos (“sextortion”), and obscene communication using media. Among these behaviors, neither filming using discrete cameras nor sextortion necessarily fall within the conventional definition of online crime. However, both have significant connections to online sexual crimes, given that filming using discrete cameras can easily lead to online distribution, and sextortion may be associated with grooming sexual offenses online, tying them closely to the realm of online criminal activity.

3) The subsequent subsection provides a more detailed examination of digital sexual crimes as defined in the sentencing guidelines. It examines filming using discrete cameras and sextortion, focusing on the part related to online sexual crimes.

Obscenity using communication media

1) The most common type of online sexual crime is lascivious acts that use communication media and online sexual harassment. These crimes involve using social media to send sexual chats, pictures, or videos to a chatting partner, which may cause sexual humiliation or disgust (Sexual Violence Punishment Law, Article 13). These acts can occur unilaterally from the beginning, or suddenly emerge during chatting. In chat rooms where relatively few participants engage, especially in open chat rooms. These crimes mostly occur because of sexual motives when engaging in one-on-one chatting with the opposite sex. Many juvenile crimes occur in in-game chat rooms rather than general chat rooms. However, in chat rooms with numerous participants, particularly in school or workplace group chats where offline relationships exist, these acts are mostly committed for bullying purposes rather than for sexual motives.

2) Among the common abbreviations used by teenagers, SS (acronym of sex in Korean: 섹스 → 스스) and tgen (transgender) are problematic as they are used broadly without resistance, even though they can cause strong sexual shame or disgust. The recent trend of so-called “body cams” is similarly problematic. The legal issue here is that there are many ambiguous cases for discerning whether such sexual expressions are subject to punishment. For example, if “스스” is used dur-

ing a chat, it might not constitute a punishable obscene act or sexual harassment, depending on the context before and after uttering that acronym. Similarly, it is challenging to classify a substantial number of offenses related to body cam images as punishable. This determination often depends on various factors such as the context of the conversation, gender of the individuals involved, and the specific part of the body that was photographed. However, some view these abbreviations or body-cam images as expressions of youth culture. In cases involving peer delinquency, there is an opinion that the situation should be resolved by respecting the autonomy of youths to the greatest extent possible.

Filming using discrete cameras

1) Due to the widespread presence of mobile phones, and most teenagers now possess one. In this context, the hidden camera crime, known as “molka” in Korean, has rapidly increased. This crime involves illegally filming with “a camera or other similar device,” as defined in Article 14(1) of the Sexual Violence Punishment Act, typically capturing parts of another person’s body that could provoke sexual desire or shame. Common scenarios include filming under a woman’s skirt in locations like toilets, stairs, or escalators. Punishment is more severe if the footage is distributed, and even moreso if it is distributed for profit.⁶⁾ Molka is a highly secretive crime, making it extremely difficult to detect, particularly when filming is done solely for personal possession, without the intention of distributing it.

2) When committed by teenagers, these crimes often demonstrate a pattern of perpetration by those with little to no history of delinquent behavior. Teenagers entrenched in delinquent subculture may satisfy their desires through more overt methods, while some so-called “model students” who are unfamiliar with this culture might resort to secretive crimes to fulfill their needs. This inclination is particularly pronounced under pressure, compounded by ongoing stress related to academic performance in entrance exams and the emotional burden of living up to parental expectations. In such cases, protective measures rather than punishment might be a more appropriate disposition if the crime was of short duration. However, if the offense has been committed covertly and repeatedly over a substantial period without detection (frequent occurrences with secretive crimes), deciding the proper course of action becomes complex. Even if the perpetrator is a so-called “model student” with no prior delinquent acts, and the crime has been committed against dozens of victims over several months, it might be fitting to consider criminal punish-

6) The sentencing standards, depending on the degree of offense, are as follows: 8 to 12 months in prison for filming; 1 to 2.5 years in prison for possession, 1 to 2.5 years in prison for distribution without profit, and 2.5 to 6 years in prison for distribution for profit (Supreme Court Sentencing Committee, 2023 Sentencing Guidelines [1^{p708}]).

ment or institutional juvenile protection measures. Nonetheless, the potential adverse effects of such punishment or action on an individual's healthy development must be carefully weighed and judged with prudence.

3) The primary concern in punishing illegal filming of offenses is whether the filmed material has the capacity to "provoke sexual desire or induce shame." A well-known precedent in this context is the so-called "leggings ruling." In this landmark decision, the Supreme Court held that the covert filming of a woman wearing leggings, regardless of the leggings being considered everyday wear, was a crime since it constitutes an infringement upon "the victim's sexual autonomy and the right not to be filmed without consent."⁷⁾ This ruling carries significant importance, as it sets a standard for adjudicating illegal filming cases. Nonetheless, in specific instances, relying solely on this standard for judgment can often prove difficult.

Regarding child and adolescent sexual exploitation materials

1) The so-called "Nth Room Case" is a crime that has attracted significant condemnation. This crime was of an especially serious nature, in which victims who were psychologically oppressed were forced to film intimate parts of their bodies or scenes of masturbation that were then received, distributed, or sold. The victims were continually sexually exploited through blackmail. Most victims of this sexual exploitation crime were psychologically vulnerable children and adolescents who were helpless against the perpetrators. Notably, a significant percentage of the suspects arrested in connection with the Nth Room Case were minors.⁸⁾ The Nth Room Case epitomizes online sexual crime, as the initial targeting of the victims, reception, distribution, and sale of sexual exploitation materials occurred online.

2) Child and adolescent sexual exploitation material refers to "Visual materials involving sexual intercourse and similar sexual acts performed by children and adolescents or persons who can be clearly recognized as such" (Article 2 of the Youth Sexual Protection Act). All actions related to the production, sale, distribution, and mediation, and purchase of such materials are subject to punishment. The main issue concerning juvenile crime is purchase (including possession and viewing). Owing to the strengthened penalties after the Nth Room Case, caution must be exercised when acknowledging these crimes. If this acknowledgment is made without careful consideration, concerns may arise that punish-

ment for juvenile offenders could be disproportionately heavy. Recent investigative practices such as tracking IP addresses to trace the distribution routes of sexual exploitation materials make it relatively easy to prove that teenagers possess such materials. The challenge is to determine whether teenagers knew they were purchasing child and adolescent sexual exploitation material when buying videos colloquially referred to as X-rated videos. People often purchase large quantities (usually hundreds) of videos at once at a low price of 10000–20000 KRW on file-sharing apps, like torrents. If only a few of these are child or adolescent sexual exploitation materials, it might be ambiguous whether they should be recognized as such. Naturally, this can be judged differently, depending on the specific situation.

3) When producing child and adolescent sexual exploitation materials, children and adolescents are often victimized. Children and adolescents are financially and psychologically vulnerable, which makes them easy crime targets. Child and adolescent pornography not only inflicts persistent psychological wounds on victims but also fosters distorted perceptions and abnormal values regarding sexuality among viewers. With the advancement of the Internet and information, with the relevant communication media, once such material is produced, there is always the potential for indiscriminate and unrestricted distribution, regardless of the content producer's intentions. Therefore, producing such content must be strictly prohibited. The Supreme Court has considered this necessity and ruled that the act of producing such content is subject to punishment, regardless of whether there was consent from the victim; since it was produced for personal possession or storage only and not for distribution or sale, and it was only received and neither viewed nor stored.⁹⁾

Distribution of fake videos

1) The term "fake videos" refers to "films, videos, or audio recordings of a person's face, body, or voice that have been edited, synthesized, or processed in a manner that can induce sexual desire or shame against the person's will" (Article 14-2 of the Sexual Violence Punishment Act). This type of crime is becoming increasingly dangerous with the advancement of deep fake technology. Currently, the development of deep fake technology allows the synthesis of photos to such an extent that it is difficult for an ordinary person to notice that they have been synthesized. The quality of videos is not yet on par with that of photos; however, it is expected that high-quality synthesis will soon be available to the same degree as photos. When such fake videos are disseminated, the victim not only suffers extreme mental anguish but also sustains serious damage to their social reputation.

2) If juvenile offenders themselves produce synthesized

7) Supreme Court Ruling, December 24, 2020, Case No. 2019Do16258.

8) Despite divergent reports among media sources, it appears that approximately 60% of the victims and 30% of the suspects were minors.

9) Supreme Court Ruling, September 13, 2018, Case No. 2018DO9340.

photos, the quality is often so poor that ordinary people can easily discern their falsifications; therefore, they usually do not pose a significant problem. Recently, however, there has been growing concern over the underground activities of professional falsifiers who synthesize so-called “friend insult” photos. A typical scenario where children and adolescents become victims involves underage celebrities, especially female celebrities engaged in “idol activities.” This issue is relatively well-known in the media. However, as previously noted, the existence of clandestine companies means that even ordinary people can suffer severe damage from this crime, and such damage may be far more serious than for celebrities who may have some anticipation of becoming targets of these crimes.

Sextortion

1) This crime involves using visual materials (e.g., video clips and footage) that can arouse sexual desire or shame with the purpose of blackmailing or coercing someone into performing something that they are not obligated to do. This type of crime may be relevant to online activities, given that blackmail often involves disseminating files online or occurs primarily on social media platforms. However, as previously observed, this crime does not fall under the category of online sexual offense.

2) Various methods are employed in the crime of grooming, making clear definitions challenging. However, these crimes can be provisionally defined as “actions taken during the preparatory stage to psychologically oppress the victim with the intent of sexual exploitation.” Some level of coercion beyond the preparation stage may be displayed in grooming behavior; however, distinguishing between coercion and the preparatory stage itself is a subtle task, making differentiation even more complex. The challenge lies in the fact that grooming behaviors that do not lead to actual sexual exploitation are difficult to punish. However, since victims of grooming crimes often become psychologically dependent on their offenders, they find it difficult to escape and may suffer severe physical, emotional, and sometimes financial damage over time. This underscores the urgent need to prevent these crimes.

3) Most grooming crimes were committed by adult male-to-female adolescents. However, older adolescents have recently targeted younger adolescents, such as male middle school students committing grooming crimes against female elementary school students. A case was reported in which a male middle school student who met an 11-year-old girl through a game groomed her to initially send simple body pictures and then progressively send more explicit ones. When the victim refused, he threatened to share the photos he had received with her social media friends [3]. Subcultures,

such as so-called body cams, perceived as mere play or entertainment, also facilitate adolescents committing these crimes.

4) Legally conceptualizing the crime of grooming itself is difficult, and it becomes punishable only after at least a mild form of coercion is exercised. For example, if the victim is exposed for the purpose of creating sexual desire during the grooming process, the act may be convicted as “obscenity through communication media.” If the victim is forced to photograph her private body parts, it could lead to punishment for the production of sexual exploitation material and, if the video clip is received, for possession or viewing of such material. Only when the process reaches a stage where the victim is coerced into providing more explicit material or money using sexual exploitation materials can the offender be convicted of sextortion.

BULLYING-RELATED CRIMES

1) This type of online crime has emerged with the increase in teenagers’ use of social media platforms. The crime of bullying itself, such as peer exclusion, cannot be directly regarded as an online crime. However, this becomes a problem because bullying occurs online, and the damage caused by cyberbullying is not necessarily milder than that in offline settings. Recent tragic cases in which students took their own lives after enduring school violence beyond their maximum capacity demonstrate this well, with signs of online violence often found in these situations. Such problems may also arise among adults as workplace bullying. However, extreme choices leading to serious harm primarily occur among teenagers [4,5].

2) Recently, teenagers have perceived online spaces as social areas where they can hang out and play with friends, in tandem with physical spaces such as schools, classrooms, and private academies. They sometimes carry conflicts from offline to online and continue to argue online, and vice versa, bringing online conflict into offline fighting. In other words, conflict among friends does not distinguish between online and offline activities. In the past, when only offline spaces existed, spatial separation, such as leaving school or going home, could reduce conflicts among friends; however, in the 24/7 connected online space, such conflicts could even be amplified.

3) Cyberbullying can take various forms. It may involve insulting the victim directly or using contemptuous expressions, and even extend to parental cursing (colloquially called “패드립(padlib),” with “패” standing for the Korean word for immorality and “ad libitum”), involving slandering or using contemptuous expressions against the victim’s parents. In these cases, defamation or insult can easily be identified,

leading to a conviction for defamation or insubordination charges, and even punishment under the Act on Promotion of Information and Communications Network Utilization and Information Protection, since it occurred online.

4) Recently, the following types of bullying have emerged online: first, “sniper posts” refer to messages that may not overtly mention the victim or use contemptuous expressions but are easily recognized by the victim and others in the chat room as targeted attacks against the victim. “KakaoTalk prison” refers to a situation in which the majority in a group chatroom continually attacks a minority of victims or repeatedly invites them back after they leave the room to escape the attacks. “Chat room explosion” describes a situation in which the victim is left alone in the chat room, with other participants exiting simultaneously. These cases present challenges when deciding whether to impose punishment or protective measures, as no explicit factual indication or contemptuous expression was revealed. Because of these issues, investigation agencies secure statements from witnesses regarding the attackers’ intentions to harm or show contempt, which is problematic, as witnesses often interpret these intentions differently. For example, chat participants may have various understandings regarding the meaning of specific sniper posts. In such cases, even if attackers intend to engage in cyberbullying, the actual punishment may not be straightforward.

CONCLUSION

This article examines the current status and legal issues related to online crimes against children and adolescents, categorizing them into three types, depending on their revealed patterns: seeking financial gain, driven by sexual motives, and bullying. Online crime has expanded and evolved with technological advancement. Consequently, the subject matter that must be criminally regulated and punished has also expanded and changed, and no definitive standards have been established regarding the extent to which punishment should be applied to newly emerging types of crime. There are opposing stances regarding the standards of emphasizing strict punishment and strongly leaning toward measures

that balance human rights with appropriate enforcement, which further complicates matters.

This author opines that when attempting to determine who is responsible for handling juvenile protection cases, applying new standards to juvenile delinquents committing new types of crimes is undesirable. Particular caution is warranted against the indiscriminate imposition of the zero-tolerance principle in the juvenile justice system, particularly in relation to online sexual crimes. I would like to conclude this modest piece of writing with the assertion that even in cases of online crimes, the traditional values pursued by juvenile justice—namely, the understanding that juveniles are still immature and possess significant potential for future improvement and reform—must be seriously considered.

Availability of Data and Material

Data sharing not applicable to this article as no datasets were generated or analyzed during the study.

Conflicts of Interest

The author has no potential conflicts of interest to disclose.

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Funding Statement

None

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