

## **For the Protection of Infant Life Development and Support of Social-Linked App**

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### **Abstract**

*This study focused on social connection apps and support among various measures to prevent 'killing and abandonment of infants', which has recently become a social issue. The research method attempted to show the necessity of a social-linked app by analyzing the contents of 12 cases with peculiarities in the infant murder process in the judgment after 2021. Infanticide mothers were found to be economically and socially vulnerable, and they killed infants to continue their lives. Focusing on the mind of human respect rather than the judicial meaning of punishing crime, the development of social connection apps and support services that allow both mothers and infants to be healthy and socially protected were proposed. The first is a great transformation of economic support and awareness for pregnancy, childbirth, and parenting. Second, it is necessary to develop a confidentiality counseling and information app that can comprehensively support medical directions and social welfare in consideration of the health status of the fetus and women and the socio-economic situation. Third, it is proposed to promote the use of the Internet such as joint childcare facilities of social communities, child protection institutions, and adoption systems. The government should investigate the reasons for not being able to register birth, the root causes of killing and abandonment of infants, and come up with practical plans and policies for them.*

**Keywords:** *Infant life protection, Confidential birth, Baby shelter, Social connection app, Internet promotion*

### **1. Introduction**

From 2021 to the present, cases of infanticide and abandonment have been frequently reported, and 1,379 cases of abandonment of infants, 116 cases of murder, and a total of 1,495 cases were investigated in the last 11 years in 2022 (Police Agency, 2021). The act of a woman who has an unwanted pregnancy and childbirth killing and abandonment of an infant has a conflict between the woman's right to pursue happiness (right to self-determination) and the protection of the infant's right to life. Under our criminal law, if a direct ancestor kills an infant during or immediately after delivery for a particular reason, he or she will be sentenced to up to 10 years in prison for up to 2 years in prison or a fine of up to 3 million won for abandoning an infant, and if an infant is abandoned and causes an injury, he or she will be sentenced to up to 7 years in prison, but on July

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13, 2023, the crime of infanticide by parents (Article 251 of the Criminal Code) and the crime of abandonment (Article 272 of the Criminal Code) were abolished in 70 years, and the maximum death penalty for general murder and abandonment was allowed. In some cases, a child died while searching for umbilical cord treatment, and in some cases, a high school girl cut an umbilical cord with a key in a public restroom, and a baby died and a female student was taken to the emergency room due to excessive bleeding. There are many cases in which even minors in their families and school fences after receiving sex education have not been informed, judged, information, counseling and asked for help about their right to pursue happiness and the right to life of the baby[1] [2].

As a result of analyzing 19 cases of infanticide over two years, more than 68% died in places where they were born outside the hospital. Among infants and toddlers in 2022, 2236 were not registered for birth, but it did not include out-of-hospital births, and it is estimated that the number of out-of-hospital births will be about 100 to 200 annually[3]. In accordance with the revision of the "Special Act on Adoption" in 2011, an adoption permit system was introduced so that the child adoption process could be centered on the welfare of children, but it was a key cause of the rapid increase in cases of murder and abandonment because it was possible only with a birth registration[4].

We was conducted to propose a confidentiality app development and support service, which is one of the practical preventive measures that can protect the life of infants by safely giving birth to a woman who has failed contraception based on human dignity, rather than approaching it by law, institution, and punishment in various fields.

## **2. Experiments**

### **1. The crime of infanticide**

It was in the early 20th century that infant murder began to be classified temporarily, unlike child murder. In the 19th century, 150 infants per 1,000 died, and at that time, the poverty of the social health environment, the ignorance of the mother, the lower the class, the higher the infant mortality rate in industrial areas or densely populated cities. Many working families who had to live a busy working day in urbanization were a colder place for life and health, and were perceived as a burden that threatened their livelihoods[5]. Infanticide was a crime in which the punishment was reduced by acknowledging the reduction of responsibility due to disgraceful concealment (Rape, Birth of an Illegitimate Child of a Single mother), economic difficulties, childbirth of a disabled child and postpartum depression. Murder crimes are death penalty, life imprisonment or imprisonment for more than five years, but infanticide has only been sentenced to imprisonment for less than 10 years. General abandonment crimes are imprisonment for not more than three years or a fine of not more than 5 million won, but abandonment of infants was imprisonment for not more than two years and a fine of not more than 3 million won. In Korea, it has never been revised since it was introduced when the Criminal Law was enacted in September 1953, shortly after the Korean War, and many countries, including the UK, have reduced the sentence compared to ordinary murder crimes if there is a reason to take into account. However, on July 18, 2023, the abolition of the crime of infanticide (Article 251 of the Criminal Act) and the crime of abandonment of infanticide (Article 272 of the Criminal Act) passed the National Assembly (251 of the 260 seats in favor, abstention 9), and the enforcement of the revised regulations was announced on February 9, 2024, as the crimes of infanticide and abandonment were applied.

## **2. A Baby Shelter**

The baby shelter, called Baby Box in Korea, was first established in 2009 by The Love of the Lord Community Church in Gwanak-gu and has been operating for 14 years. Due to the revision of the Special Adoption Act in 2012, a birth registration is required for adoption (to the effect that if an adopted child, such as overseas, tries to find his or her biological parents as an adult, there is no birth record, so he or she cannot find his or her parents), and most mothers who do not want to report their birth and want anonymity have chosen to secretly abandon or kill their children rather than go to child protection facilities or adoption institutions, which can be attributed to the increase in infant abandonment and murder. With the installation of baby boxes, the use of baby boxes can be evaluated as being protected by the biological mother's right to self-determination, while the protection of the infant's right to know the biological mother or the right to be raised from the biological parents can be sacrificed[6]. Given that the real mother's right to self-determination, the right to know and raise the child's real mother is a relative right, and that infants can also have the freedom to choose a more suitable parenting environment through guardians and legal representatives if parental rights are given up due to unavoidable circumstances that cannot be raised.

## **3. Results**

This study summarized the contents of 12 cases with specifics in the post-2021 ruling (2021-2023 final trial sentencing-Korea courts, Internet access to public service rulings), excluding 16 cases without specifics of the infant killing process. We will analyze and classify media reports and related cases by subject to in-depth analysis of the process and environment of the mother's killing of the infant. Through the judgment and case analysis, we will focus on the mind of human respect rather than the judicial meaning of punishing crimes, and propose practical app development and support services that allow infants to be protected without being killed or abandoned.

### **1. Disgrace**

Usually, humiliation appeared in childbirth caused by rape and sexual violence, which were done without agreeing on unwanted sex, but according to the recent analysis of the judgment, disgrace and cover-up murder were carried out in a non-legal relationship or when an unmarried woman did not know who the child's father was.

Five of the above 12 cases were analyzed as incidents related to disgrace. Case 3 was a case in which the disgrace that the family would be disappointed and the economic reasons overlapped, and it was a case in which an abortion was delayed because there was no hospital fee and then gave birth to the toilet and abandoned it on the street. The most fundamental cause of infanticide in Case 6 was economic power, but maintaining a relationship with a boyfriend until the child of an unknown person was born, and giving birth in a hotel bathroom after breaking up can be considered to fall into the category of disgrace. The infanticide woman in Case 7 also had a relationship between a friend she was dating while unmarried and a co-worker, so she kept her pregnancy a secret because she was afraid her family and boyfriend would be disappointed, giving birth and covering it up in the bathroom.

Case 11 is a case in which two daughters were 36 years old, pregnant with another man, and hid their pregnancy so that their families would not know them, and they were killed by leaving them on the street after childbirth to keep them out of fear of social condemnation. He cited the fact that he did not take any action even though he had given birth and raised two daughters at the age of 36 at the time as an inevitable reason for

imprisonment. Case 12 is also a case in which a 19-year-old single mother killed her child because she was afraid of shame for giving birth and blame from her family members who did not know her father.

## 2. Minors and Unmarried

Except for 3 of the 12 cases, most of the cases were underage and unmarried women. Case 1 is a case in which an infant was killed because a single mother did not want to give birth, and Case 4 is a case in which a parent concealed it as an accomplice. As previously discussed, Case 7 killed and abandoned an infant in order to cover up the birth of a child without knowing the biological father. Case 12 is also a case in which a 19-year-old strangled an infant out of shame and fear of family reproach for not knowing the biological father, and the mother was an accomplice. In this case, it was specifically stated that she was extremely excited immediately after delivery. Many single mothers are often difficult to become economically self-reliant, but they are not well aware of the relevant support policies. In this environment, single mothers feel the burden of having and raising children without help and fear social prejudice against single mothers.

## 3. Economic Difficulties

In Case 6, it is said that the infanticide woman became pregnant without knowing her biological father and hid the pregnancy because she had no financial power. Case 8 is a case in which two other children other than the murdered infant were left unattended in a human environment, gave birth to them in the toilet, drowned them, and abandoned the used clothes collection box, which seems to be the biggest reason. Case 3 tried to abort because of fear that the family would be disappointed and because it would be difficult to raise the fetus for financial reasons, but after delaying due to lack of medical expenses, they gave birth and abandoned them in the toilet. Case 9 was a situation in which lover's ex-wife son was raised while living with a physical therapist as a nursing assistant, but lover did not want children other than her ex-wife's son (for economic reasons), so one of the three pregnancies was sent to nursery, and two had abortions before the murder. In this case, after hiding the pregnancy for eight months, her husband found out and bought her termination medicine, but failed to give birth, and the body was also abandoned.

**Table 1. List of Judgments (2021-2023)**

**- South Korean Court Reads Public Service Ruling Online 2022.11[7]**

Case	The date of sentencing	Content and specificity
1.Seoul	2023.4	Do not want to give birth as a single mother
2.Seoul	2023.4	Do not want to give birth as a single mother
3.Daegu	2023.4	Taking illegal abortion pills for a considerable period of time/Leaving the toilet without taking them out after giving birth
4.Suwon	2023.3	I tried to get an abortion because I was afraid

n		that my family would be disappointed and that it would be difficult to raise the fetus for financial reasons, but I delayed it because there was no hospital fee, but after giving birth to the toilet for three minutes, I left it in a black plastic bag and abandoned it on the street
5.Daegu	<b>2022.12</b>	From elementary school days, parents were not protected and had an unfavorable childhood, but they relied on their biological father to make abortion decisions, and were mentally unstable. He took abortion pills for eight months, gave birth to a toilet, and died unattended
6.Suwon	<b>2022.11</b>	Having a child from a stranger to a motel with an acquaintance. He hid his pregnancy due to lack of financial resources, went to a hotel, broke up with his current boyfriend, gave birth in the toilet, and killed him by covering his mouth
7.Seoul	<b>2022.8</b>	I don't know my biological father because of the relationship between a friend I used to make as a single mother and a co-worker. I kept my pregnancy a secret because I was afraid of getting disappointed in my family and knowing my boyfriend, and I gave birth in the bathroom, wrapped it in a towel, and put it in a garbage bag to abandon the dead body of the hill/ hide shame
8.Suwon	<b>2022.7</b>	2 other children are not in human condition/ abandoned used clothes collection box after drowning due to toilet birth
9.Jeongju	<b>2022.6</b>	As a nursing assistant, she did not want a child with a physical therapist/her ex-wife son, so she sent one of the three pregnancies to the nursery, two had abortions, and found out after hiding the pregnancy for eight months, but failed to give birth and abandon the body
10.Suwon	<b>2022.4</b>	Killing immediately after delivery without childbirth preparation, abandonment/ lack of sexual discernment and respect for life, limiting the ability to make correct decisions and risk acting to the extreme if the accused faces a problem situation
11.Changwon	<b>2021.11</b>	36-year-old with two daughters, concealing pregnancy with another man/walking in case of being exposed to family members/Maternity/Filming 6 degrees No one in winter weather, throwing them in the leaves

		and dying of hypothermia/Covering up childbirth humiliation due to extramarital murder
12.Seo	2021.10	Nineteen-year-old strangled to death/minutes due to shame over the birth of an unknown father and fear of family reproach, and abandoned his mother

#### **4. Disability of Mother and Infant and Mental Health of Mother**

In the judgment of Case 10, a woman who was killed immediately after delivery without preparation for childbirth was at risk of acting in the extreme due to a lack of sexual discernment and respect for life, and limited ability to make correct decisions when facing a problem situation. In Case 12, it can be seen that the mental health status of the mother at the time of infant murder is not normal enough to contain the expression of extreme excitement immediately after delivery.

#### **5. An Abortion Failure**

Case 2 was a case of killing a child after taking illegal abortion pills for a long time. Case 5 was also an incident in which the mother took abortion pills for 8 months and gave birth and left unattended in a mentally unstable situation after spending a deprived childhood without parental protection from elementary school. Abortion drug-related issues are constantly being reported.

#### **4. Discussion**

Infanticide is a countermeasure for some women under the macroscopic and microscopic pressures of family relationships and social atmosphere. There are limited strategies available to women who are inexperienced in judgment, mentally ill, disabled, or in financially difficult situations. The government should investigate the reasons for not being able to register births, the root causes of killing and abandoning infants, and prepare practical plans and policies for them. Policy and service suggestions according to the analysis results of this study are as follows.

First, it is a great transformation of economic support and awareness for pregnancy, childbirth, and parenting. There is a need for education on the importance of life and self-esteem. From elementary school onwards, the part of women's pregnancy and childbirth in the social education network of all citizens is strengthened, and contraception and parental responsibility are recognized. Among the factors of infant killing, the problem of maternal depression and mental health, and the problem of maternal and fetal disabilities cannot be overlooked. It can be seen that comprehensive social welfare support, such as whether the family is protected safely from the mother's childhood to the present, as well as education, health, and sexual assault, should be provided. Public relations, education, and intervention are needed for investigation and counseling by community health centers and integrated case management teams. As the Corona period passes, the era of nuclear personalization is becoming more and more rapidly. It is necessary to use virtual reality programs or apps that allow individuals to sufficiently find information and receive counseling even if they are not face-to-face in the pregnancy stage. For single mothers, from immediately after pregnancy, society should provide checkups and nutrition for the mother's health, and transform social perceptions that can increase their dignity and self-esteem. In any situation, pregnant women should be aware that they should be valued in society, and face-to-face and non-face-to-face social welfare services should be provided so that the government can

mediate the economic activities of mothers and receive economic support.

Second, a comprehensive medical and welfare support plan is needed in consideration of the health status of the fetus and women, and the socio-economic situation. The baby shelter can be directly linked to the life and safety of infants because it is a device designed to allow people with unavoidable circumstances who cannot raise infants to leave them in an environment where they can raise infants without abandoning them. The issue of abandonment of infants in baby shelters is a matter of protecting the right to life of children, and the basis for protecting infants abandoned in baby shelters is also based on the basic right to life under the constitution. The operating entity of the baby shelter should be designated hospitals, fire stations, public institutions, and child protection facilities that can immediately provide systematic medical support and care services to infants rather than churches, religions, or charities. In addition, improvements are needed in areas related to abortion pills and abortion surgery. In the case of Miffin, which is currently visited by the most women, it is necessary to provide accurate information and where to purchase it, and manage drug and abortion surgery to be performed safely by the government. It can be seen that there is a need for an Internet and SNS information system that can provide confidentiality. Currently, 'OKTOPOSU' and 'PUUM' are supporting crisis pregnancy support and crisis parents' independence. As a platform for motivating, it can create a practical job network to create conditions for safely raising children[10][11].

Third, we propose the development of apps for joint childcare facilities and child protection institutions and adoption systems in social communities, and promotion of online and SNS. General child care facilities are prohibited from easily accessible publicity, so most of them do not know where they are well, and anonymity is not guaranteed, making the choice of infanticide even higher. As the psychology of women concerned about the negative gaze around them leads to childbirth outside the hospital, a 'Blind Spot' that deviates from the social system is formed, and at that moment, they are becoming perpetrators without even knowing that they are perpetrators.

## **5. Conclusion**

Currently, the number of children in child protection facilities across the country is plummeting, and as a result, child protection facilities and workers are on the verge of being kicked out. From the Japanese colonial period to the Korean War period to the economic development period, many infants, infants, and children were protected due to abandonment or missing children. Recently, more children were sent to divorce and violence, economic problems, mental health, and criminal acts. However, the number of infants referred to child protection facilities is decreasing day by day. It is a phenomenon that occurs due to a decrease in the fertility rate, but if the anonymity and official promotion of birth registration are well carried out in a situation where infanticide and abandonment are increasing, child protection facilities will also be able to find their original role. Currently, it is not possible to publicize it, so many students and local residents are not aware of it. It is difficult for a mother who is about to give birth or has given birth to a child to properly know the information on child protection facilities in Korea. We suggest to inform the institution by using various publicity measures that can communicate with local schools, public institutions, and notifications, and to further develop it into a joint childcare facility that can be of interest in the social community by supplementing it from the existing system.

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