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The Problem of Protecting Child and Youth Victims of Online Sexual Exploitation and Policy Response

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Korean Women's Development Institute

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Youth Victims of Online Sexual
Exploitation and Policy Response**

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The Problem of Protecting Child and Youth Victims of Online Sexual Exploitation and Policy Response¹⁾

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I . Introduction

1. Necessity and Objective of Research

Due to the distribution of mobile devices, the expansion of the Internet, and individualism, it is has become difficult to supervise the online behavior of children/youth, and the risk of them being targeted for sexual exploitation is increasing (Seong Yoon-sook, Song Byeong-deok, 2014). In South Korea, 96.4% of middle and high school students own mobile phones, 42.6% of middle and high school students spend 3 hours or more

1) This is a summary of the 2021 report, “Online Children and Youth Sexual Exploitation Victims Protection Problem and Policy Response Plan” from Korea Women’s Development Institute (Research Report 8).

using them every day, and 4.6% spend 8 hours or more (Seong Yoon-sook, Song Byung-deok, 2014).

In this situation, the phenomenon of children and youth producing and distributing pornography is proliferating (Lee Chang-Hun, 2016; Huh Kyeong-mi, 2017), and online child and youth sexual exploitation cases are being reported in the news. However, research showing the route of victimization, the response afterwards, or related difficulties, is insufficient.

The brutality of the “Nth Room” sexual exploitation case, which was widely reported in the news beginning in early 2020, and the fact that more than half of the victims involved were teenagers (SBS, May 7, 2020), shocked our society. Children and adolescents in the “Nth Room” case became crime victims due to sexual images or videos sent “voluntarily” or by force, and the perpetrators had approached them through private information that was posted on SNS by children and youth, through sexual messages, or random chatting.

Since then, demands for effective legal and policy responses to this have increased, and as a result, follow-up measures and legislative efforts regarding sexual exploitation crimes against children and youth have been expedited.²⁾ As a result of active policy efforts to protect children and adolescents from sexual exploitation after the Nth Room incident in 2020, provisions of the law to punish the purchase and viewing of materials exploiting children and youth were introduced, as well as provisions for undercover investigation.³⁾

2) On September 14, 2020, the Supreme Court Sentencing Committee confirmed the sentencing criteria for the online crime of sexual exploitation of children and youth to a maximum of 29 years and 3 months in prison for sexual exploitation crimes (Sentencing Committee, September 14, 2020).

3) These provisions of the law were introduced through a revision of the “Act on the Sexual Protection of Children and Youth,” and through the 2020 revision of the Criminal Act to Strengthen the Sexual Protection of Children and Youth, the age at which statutory rape is applied was raised from under

According to media reports, there were many cases where perpetrators approached the victims after seeing the personal information or sexual content that the victims had posted on SNS (Kookmin Ilbo, March 9, 2020). Serious crimes revealed in the Nth Room case tended to begin with sexual images or videos sent by the victim voluntarily or by force.⁴⁾

News reports about incidents involving children and youth random chatting and sexting on social networking services (SNS) such as *Twitter* continue. There is a lack of research on the routes of their online sexual exploitation and responses after victimization. Sexting can be a process of exploring sexuality for children and youth, but a comprehensive policy response is necessary, as there is not a small number of extremely painful causes caused by sexual exploitation.

The rapid revision of relevant laws is an amazing achievement, but this alone is not enough to smoothly solve the problems of children and adolescents caused by sexting. It is necessary to grasp the real conditions and aspects of children and adolescents who are sexting, and the difficulties faced by victims in the process of reporting and receiving support.

In this study, we attempt to understand their perceptions and the current status of sexting and sexual exploitation through interviews with children and youth, parents, victim support organizations, and investigative officers. We intend to concretely understand what route children and adolescents become sexually exploited through online and

13 years old to under 16 years old.

4) The act of transmitting and receiving sexual messages, images, and videos online using devices such as mobile is called sexting. The term sexting is a combination of the words “sex” and “texting,” and is regulated as the act of giving and receiving sexually explicit or implicit messages, images, and videos through chatting apps, SNS, etc. utilizing smartphones or the Internet (Gowen, 2017; Ostrager, 2010, Stone, 2011). Concretely, it means sending nude or partially nude selfies, videos of sexual activity, or proposals for sexual activity, or text messages that have the meaning of sexual acts.

how they respond after their victimization. Based on this, we point out relevant problems and propose relevant crime responses and measures to protect victims.

2. Research Method

In this study, in-depth interviews were conducted with 11 youth, 11 parents, 29 workers at victim support institutions, and 11 workers at investigative institutions to grasp the current status related to the online sexual exploitation of children and youth.⁵⁾ Each interview took a minimum of 25 minutes to a maximum of 1 hour and 40 minutes. Before the start of the interview, the contents of the research were introduced, and the guarantee of anonymity for the interviewee was explained. It was explained that the interview could be stopped at any time if the interviewee felt uncomfortable during the interview. The interview contents were recorded with the consent of the interviewer, and a transcript was prepared based on this.

We asked youth questions about their use of smartphones, online gaming and chatting and those conversations, and experiences with sending body images. In addition to this, we surveyed whether they had ever been asked to send photos of their bodies or had been asked to have sex online, and their experiences and perceptions of countermeasures or preventive measures at the time of victimization.

In interviews with parents, we surveyed their awareness about and degree of intervention into their child's smartphone use, and their concerns about their child's smartphone use. We also asked about their

5) The in-depth interview data was collected during the course of research and the contents quoted in this manuscript from the totality of those in-depth interviews had originally been presented in the original report as case numbers in a table, which were categorized according to each group.

perceptions and opinions about countermeasures and preventive measures regarding the problem of online sexual exploitation of children and youth. In the case that their child had been victimized, we also listened about the difficulties of relieving the psychological pain of the child and parents, or coping with conflicts between the child and parents, after they recognized what had happened.

In interviews with victim support workers in private organizations and in the Sunflower Center, operated by hospitals, we asked about the contents of the support for child and youth victims of online sexual exploitation. Among the interviewees who experienced supporting a victim, one lawyer who supported a victim was included.

Through interviews with police, we tried to understand the investigation experience and problem points of victim protection measures. The interviewees were members of regional offices of the nationwide Cyber Sexual Violence Investigation Team, which has extensive experience in investigating cases of online sexual exploitation of children and youth.⁶⁾ We also surveyed their opinions about the experience of investigating cases of online sexual exploitation of children and youth, the prevention of secondary victimization during the investigation process, improvements in education and training, effective investigations, and ways to strengthen victim protection.

6) The Cyber Sexual Violence Investigation Team is an investigation team that established at each provincial police station in March 2018 to professionally investigate sexual violence crimes that use information and communication networks, such as the distribution of illegally filmed pornography and child pornography. It is in charge of receiving and investigating cases of sexual violence crimes using information and communication networks, and performs duties such as counseling victims, guidance on deletion and blocking, and cooperative investigation (National Police Agency, press release dated March 6, 2018).

II . Existing Discussion

1. Online Child Sexual Exploitation and Abuse Concepts

According to the Interagency Working Group in Luxembourg, (2016),⁷⁾ child sexual exploitation is inducement or coercion to participate in sexual behavior. According to them, “online child sexual exploitation” is the act of being sexually exploited, or if images of those acts are produced, bought, sold, possessed, distributed, or transmitted through ICT.

Online child sexual exploitation is having child to perform sexual behavior in front of a webcam through the online grooming, enticing, manipulating, or threatening of children. It also includes distributing, selling, owning, and accessing the materials of child sexual exploitation online.

Sexting refers to the act of producing sexual photos or video by oneself; acts of exchange, such as exchanging sexual messages or photos or video; or producing, exchanging, and delivering nude photos or sexually suggestive videos through smartphones or the Internet (ECPAT International, 2018: viii-ix). Sexting using mobile phones is spreading among children and youth. These acts or the images produced may lead to sexual exploitation.

In Korea, the term “child sexual exploitation” has recently begun to be used in law and policy, but there is not enough discussion about it. The law provides a definition of the materials of sexual exploitation of children and youth. Article 2, Paragraph 5 of the Act on the Sexual Protection of Children and Youth, revised in June 2020, defines it as

7) Interagency Working Group in Luxembourg, 2016, Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse.

materials that sexually exploit children and youth as acts or products where “children or youth appear, or it can clearly be recognized that the person who appears is a child or youth, or any act falling under any of the items of subparagraph 4; 8) and outside of that, images, videos, games, or images, videos, etc. sent through computers or other telecommunications with content expressing sexual acts.” The acts falling under each item of subparagraph 4 above are sexual intercourse, acts similar to sexual intercourse, exposure or contact with all or part of the body, and masturbation.

The “Nth Room” incident confirmed not the danger of pornography being distributed through information and communication networks, but also that threats and coercion based on such filming lead to crimes of sexual violence offline. Meanwhile, this was an opportunity to address the reality that a tolerant atmosphere regarding pornography can destroy someone’s life and reputation.

Reflecting this, the Act on the Sexual Protection of Youth agrees with the unconventional term “materials that sexually exploit children and youth,” and in response to the need to prevent digital sex crimes, stipulates that undercover or camouflaged investigations may be conducted, as investigations to trap criminals had been limited. In addition, as the public has been outraged every time a legal sentence for sexual violence crimes targeting children and youth was handed down, the statutory punishment was revised upward with the hopes that it will be effective in preventing crime.

8) This includes sexual intercourse, acts similar to intercourse, exposure of, or contact with, all or part of the body, and masturbation.

2. Dangers of Sexting and Online Grooming

Sexting refers to the acts of transmitting and receiving sexually explicit or implicit messages, images, and videos using information and communication technology. Sexting is classified according to the objective, whether aggravated or experimental. Experimental sexting is produced by mutual consent between minors and exchanged between them, or it may be for the purpose of attracting attention from other minors (Wolak & Finkelhor, 2011:2-3). On the other hand, the act of an adult exchanging such materials with a minor, or having the intention to hurt the other person, or the act of distributing images or videos without consent from the other person is sexting for aggravated purposes (Wolak & Finkelhor, 2011:2-3). Sexting made for experimental purposes can also be abusive.

Online grooming is occurring during adults approach minors for sexual purposes through Internet chatting or SNS, and this is the main channel for online sexual exploitation. Article 15-2 of the Act on the Sexual Protection of Children and Youth, which was established on March 23, 2021, newly established clauses to punish people aged 19 or older who engage in online grooming. Punishable are the acts of continuously or repeatedly engage in conversations with children and youth causing sexual desire, shame, or disgust through information and communication networks for the purpose of sexual exploitation; the act of making the child continuously or repeatedly participate in such conversations; and the act of inducing or encouraging sexual behavior. Considering that the start of brutal online sextortion stems from trivial conversations, sexual conversation for sexual purposes is punishable.

In a 2019 study of middle and high school students, 267 (1.3%) middle

school students and 490 (2.1%) high school students had been asked to film and send videos of themselves doing sexual acts or exposing their bodies over the previous year (Kim Kyung-hee et al., 2019:42-43). The percentage of people who did not know anything about the other person who was asking them to do online was 46.7% for middle school students and 43.7% for high school students, while the percentage whose boyfriend or girlfriend either now or in the past was asking was 3.3% of middle school students and 5.3% if high school students (Kim Kyung-hee et al., 2019:110), showing that the rate of strangers asking for sexting is much higher.

Lee Chang-Hun (2016:108-109) emphasizes that youth should be careful when sharing personal information, photos, and videos with other people online. He said that children and youth should be taught about the seriousness of online sexual exploitation victimization against children and youth, and of course, not give into the peer pressure of those who are sexting, or who think that it's something to be proud of, and to keep a distance from it.

III. Perception and Experience of Youth and Parents

Based on in-depth interview data collected from children and youth and parents with minor children, we will discuss the perceptions and experiences of children/youth and their parents about online sexual exploitation.

1. Adolescents' Perception and Experience Regarding Online Communication

Today, it is natural for teenagers to talk to strangers online, and they make efforts to reveal themselves to attract others' attention. It is common for them to utilize mobile devices and the internet in the process of exploring sexuality.

In middle school, some of my friends used a chatting app to meet the opposite sex. These days, among friends, they often introduce each other as blind dates. They start with *Kakao Talk* and exchange messages, but they didn't know each other's faces, so they meet and watch movies together; it develops like that lot of the time. When I asked my friends who have boyfriends or girlfriends how they met them, most of them say that they met through online blind dates. (Case 1_Youth)

Teenagers use online game rooms or chat rooms to communicate with strangers, and when this happens, there are also requests for the transmission of personal information or body photos. Such information, photos, and images can be misused by others.

Do you know *Among Us*? It's like a mafia game. There are people who name their rooms, and if you go in, they ask for your phone number ... They ask for your phone number and ask you to take a picture of your body and send it. I said I'd go into that room, and nothing was stolen from me, everyone who sends pictures send them voluntarily. (Case 2_Youth)

Online communication and self-promotion are a lot of fun for youth, but there is also a great element of risk. Other people pirate posted on SNS, which may damage the reputation of the owner of the photo.

I took a screenshot of that person's picture on Facebook and random chatted with her, then (using the photo as if it were a photo of myself) uploaded it and asked for money, so I did it like that, or I used my friend's photo as my profile photo on another account that I made and pretended to be that friend, but I acted badly, which gave others a bad perception about that friend, there was stuff like that. (Case 6_Youth)

Children and youth chat online, and they are groomed by adults and sometimes asked to send pictures.

Now that I think about it, it wasn't his picture, he took a picture of his car and sent it, and his car was a good one and his face was also handsome, and as he sent it, suddenly, he said, "I live in a place like this, but what about you?" He asked for a picture, and I said I wouldn't send him a picture, so he said, "If you're shy about showing your face, send me a picture of your body." I think I clicked "Leave" right away because it was weird. (Case 10_Youth)

Youth know that chatting with strangers online can be dangerous, but they think they can avoid danger if they keep the right mindset. They know there is a risk to online chatting, but youth think that they can control it.

Once, I saw another case on the Internet and thought, "Wow, that can happen," and that was the extent of what I thought about it. I think it's possible to exchange racy pictures or conversations a little if they don't show your personal information, but I think it's a little dangerous to go farther than that and meet in person. (But) I'm more toward thinking that a person who just uses a chatting app can be safe if they just keep their head on straight. (Case 5_Youth)

They meet friends through mainstream SNS, but they also encounter people who approach them with sexual intentions. Some youth block

these people, but if they continue to talk to them, they can be groomed online.

(Transmission of photos of genitalia) happens a lot on regular Instagram, and on Facebook, more than photos, they will say, “Do you want to have sex with me? Do you want to have phone sex with me?” There are a lot of things like that, and I know that they hardly ever send photos... There are so many requests for sex, and those came to me a few times. There’s a lot of that, but I know that there are so many calls coming because they just want to become close. I usually block (the ones where people make a sexual request) but in the case of those who don’t block them, I know that if the other person replies but the youth doesn’t respond, the other person usually curses or say things like, “Don’t live like that,” and eventually, the youth blocks everything. (Case 6_Youth)

Youth meet people who approach them for sexual purposes after having chatted online. They say that they will pay them money and request a meeting. Some youth say yes and take the money.

It’s a trend, and everyone says that they use random chatting apps. My friend was talking to someone she didn’t know, and he suddenly asked, “How old are you?” At that time, she was in middle school, so she said that. He asked how much he should give her to meet and date, so after he said that, she left the chat room. So I have this memory of her saying that there are a lot of crazy people. (Case 9_Youth)

Well, there are also a lot of cases where youth meet adults (through online chatting). Yes, there are a lot. There were times when I was surprised because there were more than I thought. Because there are many cases where minors and adults date. I think there are also a lot of cases that are not good. Even if it’s not someone who is close to me, I don’t think it’s very good. There are hardly any adults who meet with good intentions. There are also sexual requests. I think there were gift certificates, game money, cash, and things like that. As they give those things, they make sexual demands... (Case 1_Youth)

We asked how they would deal with online sexual exploitation through SNS or chatting apps if their friends or they were victimized. Some youth think that if they are sexually exploited online, they should ask their parents for help and report it to the police, but not everyone thinks that way.

If my friend comes across a situation like that... I think they would block them and tell their parents. If you are a minor, your parents will find out somehow if you report it to the police, so wouldn't it be better to tell your parents directly? Even so, sometime the parents will tell the police, but rather than the police having to tell your parents, wouldn't it be better to tell your parents directly? It's also so much easier when it's solved to talk to the police. (Case 3_Youth)

Report it to the police and find out things like where the person lives and his name or phone number. It seems like it would be better to tell my parents first... Since I'm a youth, if I report it, my parents will find out anyway, so I think it's right to tell parents first and let parents solve it, even though that would be hard. (Case 11_Youth)

Some youth recognize that it is not easy to inform parents right away about victimization by online sexual exploitation. When they see youth who are asking for help from counseling centers and who are gathering information, and that there is a guarantee of anonymity given to them over reporting to police, they seem to think that asking for help from parents and police is not simple.

If my friend doesn't want to let their parents know, then I won't tell them. (Case 1_Youth)

Was that phone number for youth 1388 (Youth Cyber Counseling Center)? I'm a youth, so I'm going to ask for counseling there... There's a perception that things that happen online are not easy to catch, right? Frankly, I think that I'll

think that too (even if it's possible to make a request there)... Calling the counseling center before the police is anonymous, right? Of course, I'll tell my name, but I think I'd rather call the youth (counseling center) and ask for help and do it the way they tell me than go to the police directly, face-to-face. (Case 10_Youth)

2. Parents' Perception of and Experience with Online Sexual Exploitation

Today, the use of online and mobile devices by children and adolescents is universal. Parents also recognize that these are an important means of play and education for children and youth, and their interest in their children's online lives is not small.

I used to play games a lot until I was in the upper grades of elementary school. These days, I play calm games and I chat, and I know people I meet in the game, and I see them again. Right now, I'm talking with friends who follow me on TikTok and having conversations with online friends. (Case 3_Parent)

As far as I know, they mostly play games. Games, social media. They don't do things like blogs or Instagram, but it looks like kids these days talk more on Kakao Talk than on the phone. (Case 8_Parent)

Kids these days all have all their own phones, so they use them a lot, but I haven't gotten involved a lot. So, for this interview now, my child was asked, "What do you do on your phone?" And they wrote that they are playing games, doing things like chatting, and watching Netflix. (Case 10_Parent)

Since she's a middle school student, she does things like Facebook Messenger, Twitter, watching YouTube, and the video-sharing site TikTok. She does that and online games. And she spends that much time as well on online classes and online homework. (Case 11_Parent)

However, unlike other safety issues, parental influence and intervention related to online risks is not significant. Parents can understand and manage their children's offline lives to some extent, but they understand their online lives superficially, and it is difficult to know concrete details or intervene. They are worried, but they cannot know their children's online world, and they just hope that nothing bad happens to them.

I don't know exactly (what my children are doing with their smartphones). I think they do things like chat while playing games. But I don't think that they're going so far as to look at pornography, as the issue has been in the news. I believe that. (Case 2_Parent)

I know that there Kakao Talk is basic, and there are SNS, DM, and they can independently make separate chat rooms amongst themselves and so on, but I don't know all of them. Because my child doesn't show me. (Case 6_Parent)

I'm curious, but kids these days don't like to answer those kinds of specific questions. When my child was young, I managed their phone, the length of time, what they could enter, disabling something on an application so they could do it, but now that she's in middle school, she hates that. So now she is in middle school, and I am still managing the phone like that for the younger one, but when the little one gets to be in the second year of middle school, she will also not let me touch her phone. (Case 2_Parent)

Parents are worried and afraid that their children will talk with strangers and get to know them online, and then suffer sexual exploitation.

It's completely different than when we were chatting on Facebook Messenger or Twitter, when I see this generation that is having conversations through messenger with complete strangers online, I'm worried that there will be victimization due to that spreading (Case 11_Parent)

Like other adolescents, my son prefers to talk chat inside games rather than talking to me because he's in puberty. If he's on the phone, he tells me, "You're

disturbing me,” and tells me to leave. And he doesn’t let me in his room. Thinking about that, I thought, “If you get too close to those people, you might also meet them and fall into something really bad.” (Case 9_Parent)

(With strangers, she chats) a lot. I think that’s a big problem because she does Instagram and exchanges DMs with strangers. I’m worried about things like sexually abusive photos and threats. A problem could arise because of that. Since she’s a girl, I’m really worried about that. (Case 10_Parent)

In this study, we could hear about the experience of parents who sued the perpetrator by making a report to the police with the help of a victim support agency after their children were victimized by online sexual exploitation. A mother found out that her child was also a victim when the cases of online sexual exploitation in the Doctor’s Room was reported in the media.

She was very surprised to learn about the victimization of her child, but she felt grateful for the agency’s role and help, saying that the perpetrator could be sentenced to prison because of reporting to the police with the active help of the *Teenaged Women’s Human Rights Center*, which is an agency supporting youth victims.

It is the natural and right duty of guardians to protect and support their child when they learn about the victimization, but in reality, parents are shocked when they discover that their children have been sexually exploited online and are angry at their children. This is because their child does not appear to have been unilaterally victimized, having voluntarily transmitted sexual videos to others. Grooming and intimidation make their children, who is a child or youth, engage in sexting.

In the virtual space, there is a little bit of a perception that in online chatting, regarding the victim, that “the child provides to some extent a reason or a pretext.” Although I’m furious about the situation because my child was treated like that, I also have thoughts like, “Why did you do that and make this situation happen...” Once parents are in such a situation, they first have to abandon that kind of perception (that their child is the cause because of offering the materials), and then the conversation can start, and then it seems like the situation is such that the child can also speak. In this situation, I was so shocked and enraged that I even hit my child once. Since I got counseling at the counseling center, my perception has changed. Now I think that it’s not that there’s a problem with children, it’s a problem with systems or adults who can’t protect them. So I think in this situation, I want to say that shouldn’t the parents get rid of the perception that it’s a little bit the child’s fault? Shouldn’t that be our point of departure? (Case 11_Parent)

The child victim also expects that their parents will be disappointed and angry, so they think it will be very difficult to inform their parents about their victimization and ask for help. For the smooth handling of cases and the recovery of victimized children, it is necessary to stop moral criticism and focus on the fact that the child is a victim. To this end, counseling and education for parents are important.

Criticism and anger against children are obstacles to investigation and the progress of the case. It is important to leave the case to appointed public lawyers, victim support assistants, and police, and parents should keep some distance from their children, collect their emotions, form a positive relationship with their children, and support them.

I wanted to go along with the police officer, but maybe that’s why the police officer didn’t want me to, without saying that... I asked several times because as a mother, I should absolutely be there. I was worried that there might be a disadvantageous situation for my child because it was my first time, and I

thought I should support my child psychologically because my child was shocked, so I accompanied my child for the first testimony even though it was a hard situation for me and a hard situation for my child... I just listened without making any interference. Before I went, I know pretty much everything, but listening to all the specific details, I collapsed and could only weep. (Case 11_Parent).

I went before I asked for help from a lawyer for the investigation or giving testimony, but after that, the child went with the lawyer who supported us at the center. The lawyer did it like that because the child had to make a detailed statement, but didn't want to tell me. (Case 11_Parent)

IV. Perception and Experience of Victim Support Workers

This chapter attempts to understand the current status based on data collected by employees working at support institutions for child and youth victims of online sexual exploitation.

1. Difficulty in Recognizing Online Grooming

The path for children and youth to become victims of online sexual exploitation mainly begins when they use open chatting on *Kakao Talk*, *Facebook*, *Line*, *Telegram*, games, etc., or receive a note from the perpetrator after the perpetrator watches a video that the youth posted on *TikTok*, etc. Victims think that they can control the situation because out of the many people whose attention they got, they themselves are choosing who to chat with, and out of the many messages that they get, they choose with whom they want to continue chatting.

Perpetrators of online grooming also lure children and youth offline

and sexually exploit them. If the level of sexual photos demanded by the perpetrator goes up and the victim expresses refusal, the perpetrator pressures the victim with blackmail, such as threatening to distribute photos of their body that they previously sent. Then, the victim responds to the perpetrator's request because of fear of blackmail, and the perpetrator's demands gradually get more and more severe, so there are also cases where they meet offline and demand sex or money.

Kids would be able to know if they saw the reality, but they didn't know they were going to be harmed, whether it's mainly open chatting or Facebook or places like Line, or when they play games, random chat, or Telegram. At first, the victims would gain access and chat, and then when they chatted with the perpetrator, they chatted as if they were friends, or because the perpetrators were older males, the victims would approach them as if they were a trustworthy, older male university student. At first, if they were grooming the child, they would talk as if they were friends, and after a while, the perpetrators would send pictures, and then ask the other person to send pictures. When they first send the pictures, they kids are so surprised, but when the perpetrators send it, they say, "I'm very curious about you, too." It's just between us. "They say," After a few days of chatting, I'm curious about you. "My heart is fluttering." They go on like that, and finally they say, "Exchanging photos is just between us." They do it like that, and that's how they induce them to send pictures. The child is ashamed, but the other person sends photos first, and they don't know it's fake, and then the child sends their pictures. (Case 11_Victim Support Worker)

But as this is going on, the level is getting higher, and if the child hesitates and says, "I won't send it to you," the next time, the perpetrator threatens to distribute the photos they already have. "I already know all your personal information, and I'll spread it on Instagram and everywhere online, so give me more." This kind of thing keeps repeating, so they demand and threaten the child with distribution, and then the next thing they demand is sex. They tell the child that if they meet and have sex, they will delete their videos. They

do it like that, or they demand money. (Case 11_Victim Support Worker)

2. Severity of Victimization from Distribution

The secondary victimization suffered by victims of online sexual exploitation is caused by the distribution of the victims' photographs or the disclosure of their personal information and the fact that they were victimized. As a result, the victim experiences a break in their friendships at school and takes a leave of absence. The perpetrator uses the personal information of the victim whose video was distributed as bait and contacts the victim for the purpose of sexual exploitation.

The case that I mentioned was posted on social media, and because of that, there were rumors, not just in the victim's grade, but the older students also found out. So, the victim had a hard time in relationships with friends. Little by little, friends didn't answer the victim's phone calls, and the friends and their parents viewed the victim in a bad light. If the victim called their friends, they wouldn't answer, and friends who used to be really close, who called every day and would come over to their house to meet and play, don't answer calls anymore, and little by little the victim is getting isolated. Because people around the victim know. (Case 1_Victim Support Worker)

3. Service to Support Deletion

The service that the victims want the most is the deletion of their photos online and the continuous monitoring of the distribution situation.

The first thing that person being counseled wants when they come in is support for deletion, that is basic, and that is the #1 priority. If they say that a picture is needed because of the investigation, the counselor should write it down as pending deletion. Then, after seeing that, I collect evidence, put the deletion on pending, and if the complaint filing is completed and they say that I can delete it, then I delete it. (Case 4_Victim Support Worker)

What kids ask for a lot, is for materials to be deleted without their parents knowing. That's the biggest request. If they're almost adults, those kids will come in for counseling, saying, "Can't you just delete it without my parents knowing?" (Case 16_Victim Support Worker)

In the case of children, the deletion support is the same, but even if the situation is that there has been no distribution, they have a hard time because of their anxiety that it will be distributed. Psychologically, when giving counseling regarding the anxiety that it will be distributed, we find out if there actually has been distribution, or if they are anxious because they're afraid that there will be an opportunity for it to be distributed, and then we guide the person by saying that there are organizations that can help the victim by being next to them and making them safe, that they can ask for deletion support, and there are places that can support them like that. (Case 19_Victim Support Worker)

4. Situation related to Notifying Parents

Some youth notify their parents after the victimization, but most of the victims are extremely reluctant to let their parents know that they have been victimized. If the victim thinks that parental notification is required for the police investigation, they may give up on reporting. Therefore, at the victim support agencies, they emphasize the importance of respecting the victim's opinion when proceeding with the case.

Children are most afraid of their parents finding out, so the first thing we do is make them feel safe. We make them feel safe by telling them that just because they get counseling doesn't mean that their parents or their school will find out. Whether or not the parents know, it is necessary to help their child, and I worry about problems regarding guardians when it comes to victim support and legal support, but I tend to follow the child's decision. (Case 7_Victim Support Worker)

When they go to the police to make a report, that's a big deal. When they decide to make a report, they have to have the will to do it. When they go there and report it, the police tell them that if they make a statement, their guardians will be informed, so they give up there. (Case 15_Victim Support)

The thing that makes child and youth victims of online sexual exploitation suffer the most is how people they know from their surroundings look down on them. As discussed earlier, there can be a delay in asking for help from support agencies because they are afraid that their parents will find out about their victimization. The child or youth victim may be revictimized due to the shock of their parents when find out about the victimization of their child, and they may also be revictimized during the investigation, counseling, and psychological treatment process as their parents criticize them. In order to support victims, it is necessary to clearly recognize that children and youth do not voluntarily provide sexually exploitative material, but were targeted for sexual exploitation crimes, and above all, it is necessary to prepare preventive measures so revictimization does not occur.

Parents have diverse reactions to learning about their child's victimization. Some parents do not want to know the specific details of the victimization of their children, while others are even more shocked and have a harder time than their children, and some others criticize or physically attack their children as if they are criminals. Workers who support victims say that parents' attempts to know the details of the case and intervene into everything negatively affects the progress and outcome of the case.

Some parents are more shocked than the victim, and because they can't control themselves, they are more depressed, so seeing this every day makes it harder

for the child. So, I don't talk about it more. When I'm appointed as a child's lawyer, I don't go into details about the case (when talking with the parent) if the child does not give consent. I tell them that if they try to know too much, their child can be hurt, and the mother can also be hurt, and because of this, I hope that they can understand that I will only explain about things like the process, and nothing outside of that. (Case 5_Victim Support)

Counseling and psychological treatment for parents, not just child and youth victims, is important. Because just like children and youth, parents are greatly shocked by the victimization of their children by crime, parents they need the advice of experts to help them understand the characteristics of the crime and stabilize their emotions.

We're primarily saying that it's not the child's fault, but rather the child was exposed to such an environment, and it seems right to not view the child as if she were the perpetrator, so we tend to side with the child. So, the situation is that I calm down the parent first, and I say that the child was in a situation where they could not exercise their own will, and from there, I try to make it so they can have a little more rational judgment. I tend to do counseling in that way. (Case 7_Sunflower Center)

In addition, counseling focuses on improving the relationship between parents and children. In other words, rather than controlling or blocking the mobile usage environment where victimization can occur, counseling focuses on the method of getting children to be able to recognize risk factors through appropriate parental intervention and forming a normal, trusting relationship between parents and children.

V. Perceptions and Experiences of Police Officers

1. Youths' Reluctance to Inform Parents about Victimization

Most children and youth who are sexually exploited online are extremely afraid and reluctant to let their parents know about the victimization. In particular, victims of the type of crime where they had filmed and transmitted materials themselves tend to suffer from self-reproach, asking themselves if their wrongdoing is bigger, or if they are also responsible (Lee Mijeong et al., 2020:55-56). Due to the act of transmitting sexual videos or photos of themselves “by their own accord,” victimized children and youth and adolescents regard themselves not as “victims,” but “participants,” and victimized children and youth easily tend to perceive their experiences not as “crime victimization,” but rather as “something that happened because I made a mistake.” This brings about deep guilt and remorse for one’s actions, and fear of criticism, rebuke, and disappointment from their parents, making it difficult to actively make a report or ask for help.

Usually, child and youth victims are extremely reluctant to let their parents know, as their parents will be very worried, and in addition, they worry about their parents scolding them or pushing them for details during the investigation process, and sometimes they have difficulty testifying if parents are present. (Case 10_Police)

Almost all kids aged 13 and under are elementary school students. Elementary school students often take sexually exploitative pictures of themselves and send them, and if we tell their parents about that reality, the children say that they feel like their lives are over, the burden is that big to them (Case 11_Police).

The fact that most of the cases investigated by the police officers who participated in the interview started with reports filed by parents implies the existence of many, many child and youth victims who have not been exposed, hidden underneath the surface.

In particular, victims of the type of crime where they filmed and transmitted materials themselves feel extreme embarrassment and humiliation, and even while making statements, they say that it seems like they made a bigger mistake, and they are also responsible for themselves, so isn't it their fault too? The work of taking testimonies was like that sometimes. The crime of grooming, anyway, is training the victim. When we look at it like that, the victim thinks that at first, she was also curious and it was fine, so she took the photo and sent it, and about this part, the victim is worried that she can get punished, or, she thinks that she is also responsible, and she is worried that others will look at her badly and not well, so for this reason, there are many cases in which the victim will not give a concrete testimony accounting for how the victimization happened. (Case 5_Police)

2. Not Viewing the Victimization as Victimization

Also in cases where peers have been dating, and videos or photos exchanged during that time are leaked and there is a victimization, they consider this to be a small incident in an intimate relationship and don't think of it as criminal damage. This is a tendency that mainly appears in children and youth who lack awareness about the seriousness of distributing sexual photos and videos and have an insufficient understanding of the formation of respectful relationships with another person. If the victim does not cooperate with the investigation because they simply consider it to be a mistake that occurred in a relationship, it becomes difficult for the police to proceed with the investigation.

They're already extremely reluctant to make a statement. There are things that the victim told the parent, but it seems like they are thinking – I don't know for sure because I'm not in their minds -- but it seems like they're wondering if the crime was so big that it's worth punishing the other person. It seems like they have that kind of thought. Because middle school and high school students think they are simply dating, I say OK, I'll throw it out, and then there is no statement from the victim. There's absolutely nothing, only the circumstances. So I say, just hand over your cell phone, we'll do forensics to see what happened and proceed with the case that way, but eventually the victim calls and says that she, as a daughter, doesn't want to die. If that happens, then we cannot do anything about it. (Case 6_Police)

3. Reasons for the Police to Notify Guardian

The police who participated in the study had made considerable efforts to persuade reluctant victims to notify their guardians that they had been victimized. If the investigation is conducted without informing parents, problems with civil complaints and inspection investigations may arise in the future, and because there is no special protection or system for this, the police's perspective is that the only choice is the safe choice. Because of this, the police who participated in this research chose to somehow inform the parents about the incident and then start an investigation.

We had done everything up to that point. But the kid is still a minor. If the child is a teenager, they all say not to tell their parents. However, if it becomes a case later, or if a public attorney is appointed and the parents didn't know about it -- for example, they find out later because the perpetrator wants to make an agreement – from the parents' perspective, they ask, why didn't you tell me? I am the guardian of the child. So, we persuade the child as much as possible and say, "We will not tell the concrete details of the case, only that there was an incident that happened and we have to investigate." And then

we proceed with the case. (Case 3_Police)

Because minors don't have the ability to take responsibility, you have to go through their guardians. But even though it's like that, the minors ask if we have to get consent from their parents. From the parents' perspective, most of them they think it's correct that they have to be informed about things pertaining to their child. On the other hand, if they hear about the case through another channel later, after the incident is wrapped up, then they will ask, why didn't the police inform me? We're worried about that kind of that complaint coming up. (Case 3_Police)

4. Passive Testimony of Children and Youth

The sensitive and private inner experiences that are the special characteristics of the criminal act of online sexual exploitation of children and youth have to be discussed. However, it is not easy for children and youth to talk about such things in front of their parents. Since most children and youth do not want to tell their parents the details of their victimization, when their parents are sitting together with them for the investigation, a tendency can be seen of making passive statements, such as downplaying the damage, not mentioning concrete details, or giving only short answers.

When parents are next to them, most of them make passive statements or are not able to actively make statements about the act in which they were victimized, and their own actions. There are so many cases when they make specific statements when the parents leave their seat for a few minutes. It continues to be like that all the time. The victims don't want to open a case. So it is difficult to identify the victim and inform their parents, and as a result, there are now so many cases where it's very difficult to proceed with the investigation. It's harder than arresting the suspect (Case 6_Police)

Police who participated in our interviews said that there is a significant difference in the victims' statements depending on whether the parents are present for the investigation or not. At that time, after starting the investigation in the presence of the parents out of principle, the police then separate the parents during the investigation to conduct an investigation only with the victim, to try to get a smooth victim investigation.

If the parents are there and I talk frankly, the parents scold the child or say, "Why did you do that?" and blame them, and because the child can hear this and they can feel like they have said the wrong thing, I'll talk with the victim and their parents for awhile and then say that I want to talk with just the victim for a minute. Then, I talk with just the victim a lot. If I do that, they talk a little bit more. Anyway, the way I'm doing the investigation is that the guardian is together with the victim at first, and then during the investigation, I separate them. (Case 4_Police)

5. International Cooperation

Police who participated in this research said that international cooperation was well underway before and after the Nth Room incident. Although it's not possible that all Websites cooperate, famous overseas sites are more actively cooperating than in the past, and for the sake of international investigation, the National Police Agency is also using procedures such as translating warrants into English, so requests for cooperation in investigation with overseas agencies overseas are handled smoothly. Participants in the study said that expanding the scope of international cooperation and cooperative agencies in the future will greatly help investigate and solve related crimes.

In the case of Twitter, international cooperation is taking place, but they only use international cooperation for crimes against children and youth, and international cooperation is not conducted at all for Line and Telegram. They don't apply it for child and youth cases. They don't do any international cooperation. These kinds of crimes are occurring, so if not only Twitter, but also Telegram and Line, would use international cooperation, the investigations would be much more effective. (Case 4_Police)

6. Necessity of Improving the Investigative System

In order to achieve a conversion where the purpose of investigation is focused on the victim, the investigative system should be in alignment with a focus on the victim. Currently, the National Police Agency's investigations of the online sexual exploitation of children and youth are operated using a dual system which is spread out between the Women and Youth Division and the Cyber Investigation Division, and measures for victim protection, support, etc. are also operated in a scattered way. In order for victims to receive a stable investigation and support, it is necessary to review how victim investigation and protection and support measures are being operated.

There is a dedicated crime investigation department for children and youth. The functions are for offline investigations and cyber investigations. I think what is being done in online investigation has a dual structure. In addition, the police are also in charge of victim protection and support, and victims' security in case of retaliation from the perpetrator. We have various functions like that, so I think that not quibbling over whether it was an online or offline incident, but rather operating them both in an integrated way would be effective. So, the investigation would be just investigation, and then the victim support and protection would be from the dedicated department. Actually, because the person in charge of the case is also in charge of investigation and protecting the victims – that person is in charge of all of the work -- I think these should

be integrated and the work divided up, and that way it can be done professionally. (Case 2_Police)

VI. Measures for Improvement

1. Revision of Regulations for Criminal Investigation

The situation should be stopped where children and youth give up on reporting because of the regulation that their guardian has to be notified if they make a report about their victimization.

A revision of the National Police Agency's regulations for criminal investigation that requires the guardian to be notified that an investigation concerning a minor is proceeding, is requested. Under the criminal law, the age of statutory rape is divided into under 16 years old and under 13 years old. Referring to the provisions of the law, guardians of victims under age 13 unconditionally have to be notified, while there are measures that can be considered for those aged 13 and over, as they can get assistance from a trusted person, such as an attorney or legal counselor, even if they do not notify their guardian. If the guardian of the minor victim is not notified, it is necessary to make sure the minor's rights are exercised through a trusted person.

2. Improvement of Relevant Police Investigations

It is necessary to align the system and the purpose of investigation, which centers on victim support, protection, and recovery. Currently, the investigation system for online sexual exploitation crimes against children and youth are divided into district police stations and provincial police stations, and cyber investigations and women/children

investigations depending on the age, whether or not there is a disability, and whether or not there has been distribution of sexually exploitative materials. It is necessary to discuss the direction of an investigation system that can further reduce victims' grievances and difficulties from a mid to long-term perspective.

It would be desirable to change the way this is currently being handled, with many reporting channels and insufficient publicity for them, into a reporting system that is simplified as much as possible, and one reporting channel that is widely promoted. In addition, it is expected that the burden on the victim would be reduced if the investigation, deletion, and blocking of re-distribution were done all at once, just with the evidence submitted, at the same time the police report is made. Moreover, it would be more actual support to the victim if after they report, the deletion support, legal support at the investigation stage, and victim support including medical support and economic support, can be linked to a single report.

Since the police departments for women and children are also in charge of sexual violence, domestic violence, child abuse, and cases of missing people, if a secret investigation or an undercover investigation is conducted with limited manpower, the support network of related private organizations should be well utilized. Currently, various private organizations are active for the monitoring of digital sex crimes, online grooming, and sex trafficking. It is necessary to construct a cooperative system with private organizations and, through mutual exchanges, periodically collect and review information in order to select high-risk areas that will be the focus of undercover and secret investigations. In cyberspace, anyone can perform surveillance and monitoring, so it is necessary to maintain cooperative relations through close exchanges with

these private organizations.

The performance of undercover investigations should not be evaluated only by the number of arrests and the number of people involved, but by evaluating the rate of cases sent to the prosecution, the prosecution rate, and the conviction rate. If, as in other cases, we bring the number of arrests and the number of people into the performance evaluation of undercover investigations, then people who accidentally visit a place under investigation would be arrested.

3. The Role of Value-Added Telecom Businesses

Accordingly, the Telecommunications Network Act allows information and communication service providers to set and implement guidelines for self-regulation, such as monitoring to prevent pornographic information from being distributed on information and communication networks, and the government has set up a foundation so it can support communication service providers' self-regulation activities (Telecommunications Network Act, Article 44, Paragraph 4).

The Korea Communications Standards Commission announced that through self-regulation, operators have blocked and deleted 6,806 cases of illegal information, including 604 cases of videos concretely describing sexual acts and pornography that was mediating and inducing prostitution. The activation of information and communication service providers' self-regulation is an efficient instrument to prevent victimization, so the government should strengthen their self-regulation and make it take root.

The main task of the "Digital Sexual Crime Victim Support Center," which is operated on government budget, is to delete sexually

exploitative contents. To this end, it is operated by confirming the original file and requesting deletion from the added value telecommunication business operators. In the Telecommunications Business Act (Article 22 Paragraph 5) it is stipulated that when they receive a request, value-added telecom businesses have to immediately delete and block illegal videos, such as materials that sexually exploit children, that are open to the public on the telecommunications network in order to prevent circulation. ⁹⁾ There is hardly any way to check whether value-added telecom businesses have recognized illegally uploaded videos, so the only way is to depend on monitoring or reporting by public institutions or women's organizations. If a request for deletion or blocking goes through a deliberation process, the victimization from the distribution of sexually exploitative materials will also spread during the time it takes for a decision to be made.

With regard to searching, deleting, blocking, and reporting illegal or sexually exploitative videos, active effort from value-added telecom businesses is requested. Because the spread of sexually exploitative materials online is rapid, it is not easy for ordinary people to respond as individuals. Because of this, it is the internet service providers who can most effectively cope with this.

It is necessary to strengthen their responsibilities by making it mandatory for them to report. It is necessary to report sex crimes against children and youth that they recognize while performing their duties working with investigative agencies, and to take active measures, such as sending warnings to people if it is discovered that they are engaging

9) If this is intentionally not carried out, the value-added telecom business operator may be fined an amount of 3 percent or less of the applicable sales, as decided by Presidential Decree (Telecommunications Business Act, Article 22, Paragraph 6).

in activities such as the sexual exploitation of children or youth, or if they are suspected of online grooming.

4. Support for Parental Monitoring

Parental monitoring and management of their children's mobile phones is requested as a way to prevent the online sexual exploitation of children and youth. According to Article 37, Paragraph 8 of the Enforcement Decree of the Telecommunications Business Act, when telecom businesses that provide mobile telecommunication services sell smartphones to youth and their guardians, they provide and inform the customer about means for blocking, such as software to block terminals that have media that is harmful to youth. Based on these regulations, mobile carriers regularly inform youth who subscribe to mobile phone service or their parents to install applications (hereafter, apps) to block harmful media.

However, the result of parent interviews in this study showed that finding a case where these apps were used is not easy. Since installing these apps that block harmful media is not required, there were not many parents who actually monitored their children's mobile phone use through these apps.

When considering this situation, in reality, some parental intervention into mobile phone use is possible with young children, but older youth who use mobile phones want more privacy, so parental intervention is not easy. Even in cases where parents could intervene in the use of mobile phones, it was at the level of limiting the time spent playing mobile games, and it was rare for parents to accurately grasp the real conditions of what apps their children were mainly using and what

activities they were doing with their mobile phones.

However, as much as there is an issue raised about infringing on the rights of children and youth, a tailored, discriminating approach to children's ages is needed regarding the means of blocking pornography and content harmful to youth.

According to the aforementioned decision of the National Human Rights Commission of Korea, referring to cases in the U.S. and Australia, the Korea Communications Commission is proposing to produce, distribute, and promote guidelines that include advice for parents and a process for consent to use means of blocking. In addition, as much as the online sexual exploitation victimization of children and youth occurs frequently through chat apps, measures are needed so that mandatory blocking of certain harmful apps can be realized.

References

In Korean

- Huh Koung-mi. (2017). A study on the issue of criminalization and punishment of sexting and revenge pornography. *Korean Police Studies Review* 16(4): 361-388.
- Kim, Kyeong-hee, Kim, Soo-ah, Kim, Eun-kyeong (2019). Study on the current status of sexual violence against students in the digital environment and policy measures for improvement. Ministry of Education.
- Kookmin Ilbo (March 9, 2020.) [Tracking the Nth Room ①] There are rape slaves on Telegram.
<http://news.kmib.co.kr/article/print.asp?arcid=0014327469> (Date accessed: May 16, 2021).
- Lee, Chang-Hun (2016). Prevalence, causes, and policy implications for criminal justice system for youth sexting *Korean Journal of Correctional Discourse* 10(2): 297-324.
- SBS (May 7, 2020.) “Vitalization of police ‘undercover investigations’ of digital sex crimes.”
https://news.sbs.co.kr/news/endPage.do?news_id=N1005778076 (Date accessed: May 16, 2021).
- Sentencing Commission (2020.9.14.) News release, “Results of the 104th Plenary Session of the Sentencing Commission.” Supreme Court Sentencing Commission, Department for Operational Support (Sept. 14, 2020)
<https://www.scourt.go.kr/portal/news/NewsViewAction.work.jsessionid>
 (Date accessed: May 14, 2021)

Seong, Yoon-sook and Song, Byeong-deok. (2014). Study on measures to respond to the sexual commercialization of youth through mass media in the smart era. National Youth Policy Institute.

In English

ECPAT International (2018). Towards A Global Indicator on Unidentified Victims in Child Sexual Exploitation Material Technical Report, Interpol.

Gowen, L. Kris. (2017). Types of Sexting: Identifying Types of Abusive Cases and Responding. 2017 KWDI International Conference on Preventing Gender-based Violence. Conference paper.

Intragency Working Group on Sexual Exploitation of Children. (2016), Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, Luxembourg: Intragency Working Group, 2016.01.28.

https://www.ohchr.org/sites/default/files/Documents/Issues/Children/SR/TerminologyGuidelines_en.pdf (Date accessed: July 16, 2021).

Ostrager, B. (2010). SMS, OMG! LOL! TTYL: Translating the law to accommodate today's teens and the evolution from texting to sexting. *Family Court Review* 48(4): 712-726.

Stone, N. (2011). The sexting quagmire: Criminal justice response to adolescents' electronic transmission of indecent images in the UK and the USA. *Youth Justice* 11(3): 266-281

Wolak, J., & Finkelhor, D. (2011). *Sexting: A Typology*. Durham, NH: Crimes against Children Research Center.

