



Crimes and Criminal Justice Policy in Korea (2016)



FORWARD

The Korean Institute of Criminology has published the annual report, *Crime and Criminal Justice Policy*, since 2006 for the public, practitioners and experts to comprehend crime trends and criminal policies. This report has comprehensively analyzed various government statistical data sets annually collected by criminal justice institutes to provide effective criminal justice policies.

For easier comparison, this paper contains similar contents to its previous publications. This book classifies its contents into three parts. Part I compiles and analyzes data on crime rates and criminal case processing data from 2006 to 2015 and the trends & characteristics of the major categories of crimes. Part II examines juvenile crimes and sex crimes. Part III explains criminal policies in Korea with a focus on the trends in correctional and rehabilitation policies, the protection of crime victims, and policy trends in criminal justice agencies including the police, the prosecution and the courts. Furthermore, this book provides a summary of trends in criminal and criminal procedure laws as of 2015.

I would like to take this opportunity to thank all of the researchers involved in this annual report for their hard work.

2018

Korean Institute of Criminology

President In Sup Han

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PART 1



Crimes in Korea

Kim, Ji Sun · Hwang, Ji Tae · Choi, Soo Hyeong

Chapter 1



Trends and Characteristics of Crimes

Kim, Ji Sun

Trends and Characteristics of Crimes

This chapter examines the total number of crimes¹⁾ reported over the past decade (2006~2015) in Korea: the status of both criminal offences committed under the Criminal Act and the response measures and the basic characteristics of offenders and victims in each criminal case. The Crimes and Criminal Justice Statistics Information, a statistical database system designed by KIC to conduct scientific statistical analyses and create a specialized index predictive of a criminal justice policy by processing the source statistics related to the occurrences and phenomena of the crimes in Korea, was used for a reference and data resource. In Crimes, this chapter adopted the official crime statistics, a statistical system based on the *Crime Analysis* published by the Supreme Prosecutor's Office. As of December 2016, the *Crime Analysis*'s data from 1991 to 2015 are available to the public.

1) Total number of crimes refer to all the offences known to law enforcement that are committed under the Criminal Act and/or various special criminal laws.

Section 1. The Numbers, Responses, and Trends of Crimes

1. Numbers and Trends of Crimes

A. The Total Number and Trends of Crimes

The total number²⁾ of crimes and the crime rate³⁾ reported over the last 10 years in Korea are described in Table 1-1-1. First, the number of crimes known to the law enforcement in 2006 was 1,829,211 in total. Year 2007 and 2008 both witnessed a continuous increase in the total number of crimes from 1,965,977 to 2,189,452. However, the total number of crimes decreased for 3 consecutive years from 2009 to 2011: 2,168,185 reported in 2009, 1,917,300 in 2010 and 1,902,720 in 2011, respectively. In 2012 and 2013, the number increased slightly to 1,934,410 and 1,996,389, yet it declined marginally to 1,933,835 in 2014. Although the total number of crimes known to law enforcement in Korea had increased since 2006 and reached its apex in 2008, the crime rate has declined since 2010 and leveled off at an estimate of 1,009,000 total number of crimes committed a year. However, crime rates increased again in 2015, and reached a total of number of 2,000,000.

2) The number of crimes in this paper refers to the crimes known and charged by the police for a duration of one year. It does not, therefore, reflect all the criminal offences that actually occurred for the set period, but only the ones either reported by victims to the police or booked by the police on its own discretion. To be more specific, the 'number of crimes' indicates the crimes for a base statistics table prepared by the police in each event and approved by the proper authorities (Tak, Jong-Yeon, 2011:248).

3) Crime rate refers to the number of crimes per a population of 100,000.

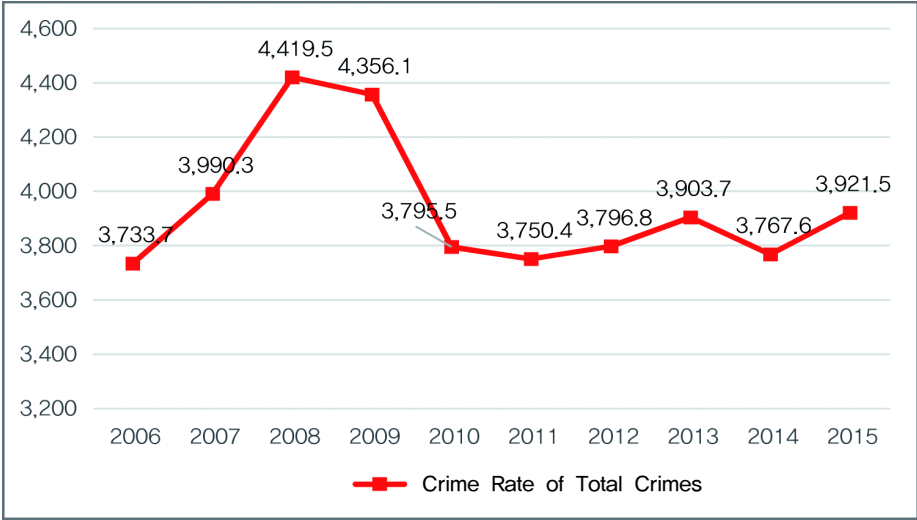
〈Table 1-1-1〉 Number and Rate of Total Crimes (2006~2015)

Year	Number of Crimes	Crime Rate	Increase Rate (%)
2006	1,829,211	3,733.7	100.0
2007	1,965,977	3,990.3	106.9
2008	2,189,452	4,419.5	118.4
2009	2,168,185	4,356.1	116.7
2010	1,917,300	3,795.5	101.7
2011	1,902,720	3,750.4	100.4
2012	1,934,410	3,796.8	101.7
2013	1,996,389	3,903.7	104.6
2014	1,933,835	3,767.6	100.9
2015	2,020,731	3,921.5	105.0

* Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

The crime rate, number of crimes reported per 100,000 population over the past ten years, reached its lowest point of the decade in 2006 at 3,733.3. The crime rate increased over the next two years. In 2008, the crime rate peaked during the past decade at 4,419.5. Then, it declined again for three years consecutively: 4,356.1 in 2009, 3,795.5 in 2010 and 3,750.4 in 2011. The crime rate increased slightly in 2012 (3,796.8) and 2013 (3,903.7); however, it declined in 2014 to 3,767.6 and increased once more in 2015 to 3,921.5.

The crime rate of the last decade, in sum, displayed an upward trend from 2006 to 2008. The crime rate over the past decade climaxed in 2008 and then decreased until crime rates rose again in 2012. The total number of crime trends are found in Figure 1-1-1.



[Figure 1-1-1] Annual Trends in the Total Number and Rate of Crimes (2006-2015)

B. The Criminal Offences committed under the Criminal Act and the Special Criminal Laws

In this section, we will delve into crimes by dividing them into two categories, criminal law offences and special criminal law offences, and examine their trends. Criminal law offences will include following: (1) the offences prescribed under the chapters of the Criminal Act as well as the criminal events which fulfill the elements of larceny; (2) trafficking of stolen goods; (3) kidnapping or abduction; (4) unlawful arrest and confinement; (5) currency crimes; (6) the abandonment of duties under the Act on the Aggravated Punishment, etc. of Specific Crimes; (7) fraud, embezzlement, and breach of trust under the Act on the Aggravated Punishment, etc. of Specific Economic Crimes; (8) destruction, violence and inflicting bodily injury on others; (9) extortion, unlawful arrest, and confinement under the Punishment of Violences etc. Act; (10) rape and indecent act by compulsion under the Act on the Punishment of Child Abuse Crimes, the Act on Special Cases concerning the Punishment, etc. of Sexual Crimes, and the Act

on the Protection of Children and Juveniles against Sexual Abuse; and (11) the facilitation of gambling under the Special Act in Prevention and Return of Damages incurred from Telecommunications Financial Frauds, the National Sports Promotion Act, and the Korea Racing Authority Act. (Supreme Prosecutor's Office May, 2015:5).

The trends are described in Table 1-1-2. The number of crimes from 2006 to 2015 was 828,530 in 2006, 848,573 in 2007, 902,501 in 2008, 998,594 in 2009, 943,585 in 2010, and 1,000,849 in 2011, 1,037,166 in 2012, 1,056,704 in 2013, 1,016,209 in 2014 and 1,047,761 in 2015, respectively. Except for a slight decline in 2010 and 2014, the number of crimes had increased since 2006.

The crime rate (number of crimes committed per 100,000 population) indicates the overall crime trends of the past decade. From 2006 to 2009, crime rates steadily increased and then declined in 2010 at 1,867.9. In 2011, the rates increased for 3 consecutive years: 1,972.7 in 2011, 2,035.7 in 2012, and 2,066.2 in 2013. The crime rate declined in 2014 at 1,979.8 and slightly increased in 2015 with a total number of 2,033.3.

Except in 2010 and 2014, where slight decreases were observed respectively, crime rates have increased as a whole since 2006. Figure 1-1-2 describes the crime trends illustrated in Figure 1-1-2, especially in the bottom line of the line graph.

〈Table 1-1-2〉 The Number, Rate and Composition Ratio of Criminal and Special Criminal Law Offences (2006~2015)

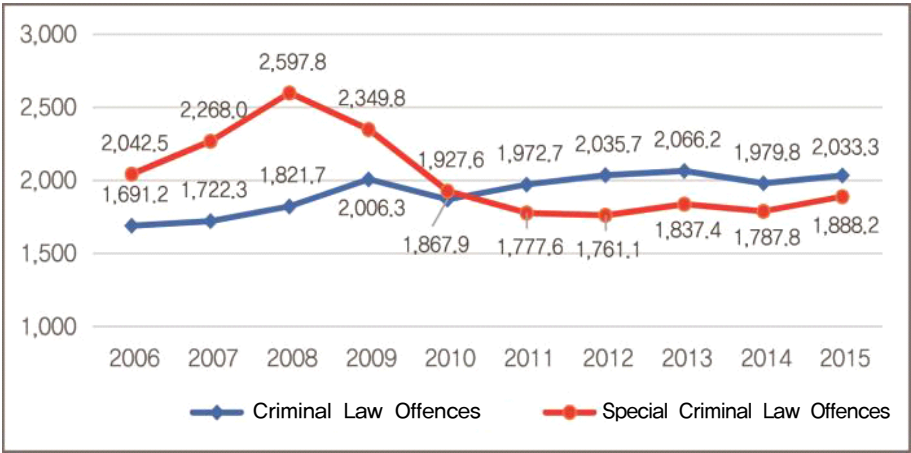
Year	Criminal Law Offences			Special Criminal Law Offences		
	Number	Rate	Composition Ratio	Number	Rate	Composition Ratio
2006	828,530	1,691.2(100.0)	45.3	1,000,681	2,042.5(100.0)	54.7
2007	848,573	1,722.3(101.8)	43.2	1,117,404	2,268.0(111.0)	56.8
2008	902,501	1,821.7(107.7)	41.2	1,286,951	2,597.8(127.2)	58.8
2009	998,594	2,006.3(118.6)	46.1	1,169,591	2,349.8(115.0)	53.9
2010	943,585	1,867.9(110.4)	49.2	973,715	1,927.6(94.4)	50.8

Year	Criminal Law Offences			Special Criminal Law Offences		
	Number	Rate	Composition Ratio	Number	Rate	Composition Ratio
2011	1,000,849	1,972.7(116.6)	52.6	901,871	1,777.6(87.0)	47.4
2012	1,037,166	2,035.7(120.4)	53.6	897,244	1,761.1(86.2)	46.4
2013	1,056,704	2,066.2(122.2)	52.9	939,685	1,837.4(90.0)	47.1
2014	1,016,209	1,979.8(117.1)	52.5	917,626	1,787.8(87.5)	47.5
2015	1,047,761	2,033.3(120.2)	51.9	972,970	1,888.2(92.4)	48.1

* Source : *Crime Analysis* (2006–2015), Supreme Prosecutor’s Office. Reproduced.

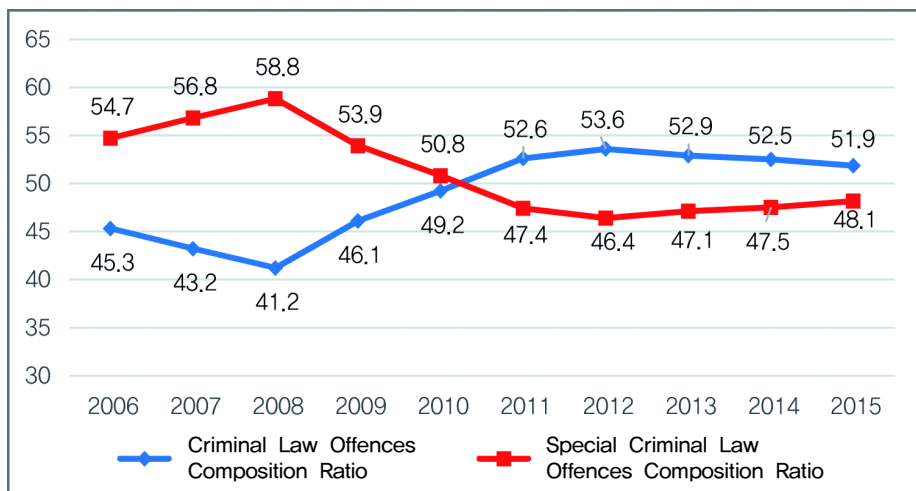
** () refers to the rate of change using 2006 as base year.

As for the number of crimes committed under the various special criminal laws in the last ten years, a narrow-range of fluctuations were found throughout the observed period with 1,000,681 in 2006, 1,117,404 in 2007, 1,286,951 in 2008 and 1,169,591 in 2009. However, the numbers decreased from 2010–2012, 973,715 in 2010, 901,871 in 2011 and 897,244 in 2012. It rose in 2013 to 939,685, and it decreased again in 2014 to 917,626. In 2015, it increased once more to 972,970.



[Figure 1-1-2] Annual Trends of Criminal and Special Criminal Law Offences' Composition Ratio (2006~2015)

Crime rates (the number of crimes reported per 100,000 population) of the special criminal law offences allow us to understand the trends more concretely. The rate was 2,042.5 in 2006 and increased in 2007 to 2,268.0 and 2,597.8 in 2008. From 2009 through 2012, the rates declined to 2,349.8 in 2009, 1,927.6 in 2010, 1,777.6 in 2011, and 1,761.1 in 2012. A slight increase occurred in 2013 at 1,837.4, but it decreased in 2014 to 1,787.8, and rose again in 2015 to 1,888.2; however, the overall trends of the crime rates under the various special criminal laws were defined as a continual decrease as displayed in Figure 1-1-2, especially in the upper line of the line graph.



[Figure 1-1-3] Annual Trends of the Composition Ratio (2006~2015)

Through the trend analysis of the criminal and special criminal law offences and their rates, we can gradually see increasing trends of the criminal law offences, while the special criminal law offences were decreasing. The rising trend in the criminal law offences and the decrease in the special criminal law offences are found in the composition ratio as well (see Figure 1-1-3). In 2006, the criminal law offences accounted for 45.3% of total crimes, while the special criminal law offences accounted for 54.7%, having a 9.4% higher composition ratio than the

criminal law offences. However, the special criminal law offences' composition ratio of total crimes gradually decreased to the point where the special criminal law offences were higher than that of criminal law offences in 2011. In 2015, the special crime ratio was marked at 48.1%, and criminal law offences reached 51.9%.

2. Response Measures and Crime Trends

A. The Number and Rate of Arrests by Law Enforcement

The arrest rate, the number of arrests made by law enforcement⁴⁾ against the accused in proportion to the number of total crimes known to law enforcement⁵⁾, fluctuated within a narrow range of 80% between 2006 and 2010: 85.9% in 2006, 87.7% in 2007, 87.6% in 2008, 89.3% in 2009 and 84.8% in 2010. In 2011, the rate dropped to 78.8% and 77.0% in both 2012 and 2013, which marked the lowest point in the past decade. Then, it rose to 78.5% in 2014 and to 81.1% in 2015. The trends are represented by the line graph in Figure 1-1-4, especially in the upper right-hand side of the lines.

4) The number of arrests refers not to the number of arrests made by law enforcement among the crimes which occurred in the given year, but the number of arrests made by law enforcement in the given year regardless of the year when the crime actually occurred. In addition, in the crime cases committed by multiple offenders with accomplices or accessories, each arrest by law enforcement is counted separately. Due to this counting system, in which a different base year is applied to the occurrence and arrest of a crime and a single arrest in a multiple offender crime is counted as one cleared case, the total clearance rate often exceeds 100%.

5) The number of arrests is meaningful only in relation to the number of crimes. Therefore, we will look into the changes in arrest rate without the changes in the number of arrests made by law enforcement.

〈Table 1-1-3〉 Number and Rate of Arrests by the Law Enforcement (2006~2015)

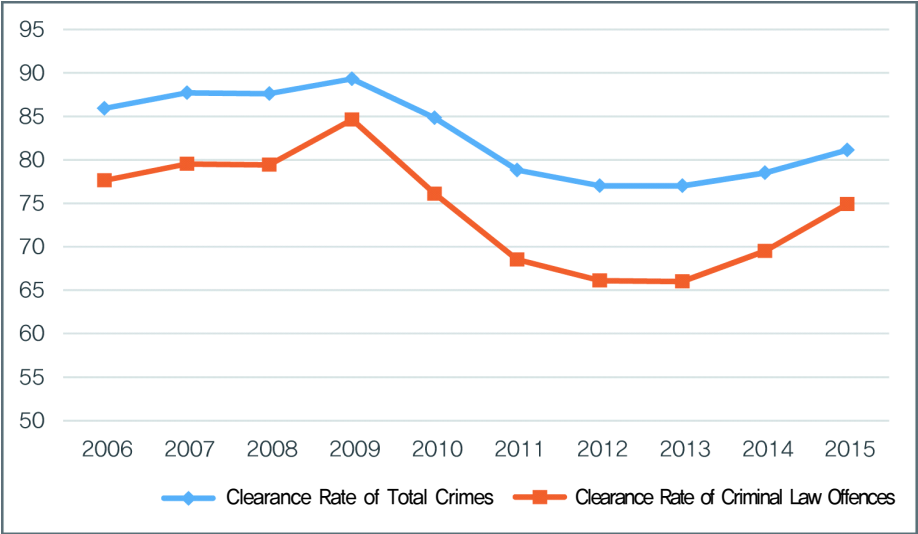
Year	Total Crimes			Criminal Law Offences		
	Total Number	Number of Arrests	Arrest Rate	Total Number	Number of Arrests	Arrest Rate
2006	1,829,211	1,572,074	85.9%	828,530	643,273	77.6%
2007	1,965,977	1,723,355	87.7%	848,573	674,467	79.5%
2008	2,189,452	1,917,528	87.6%	902,501	717,011	79.4%
2009	2,168,185	1,936,637	89.3%	998,594	844,563	84.6%
2010	1,917,300	1,625,241	84.8%	943,585	718,183	76.1%
2011	1,902,720	1,499,675	78.8%	1,000,849	685,536	68.5%
2012	1,934,410	1,488,756	77.0%	1,037,166	685,707	66.1%
2013	1,996,389	1,536,442	77.0%	1,056,704	697,444	66.0%
2014	1,933,835	1,518,792	78.5%	1,016,209	705,861	69.5%
2015	2,020,731	1,638,549	81.1%	1,047,761	784,441	74.9%

*Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

** Arrest rate = the number of arrests by the law enforcement / number of crimes × 100

Meanwhile, the arrest rate of criminal law offences of the last ten years, excluding the special criminal law offences (the majority consists of the offences under the Act on Special Cases concerning the Settlement of Traffic Accidents and the Road Traffic Act), displayed small fluctuations without significant upward or downward pattern: 77.6% in 2006, 79.5% in 2007, 79.5% in 2008, and 84.6% in 2009. It also showed gradual decreases since then: 76.1% in 2010, 68.5% in 2011, 66.1% in 2012 and 66.0% in 2013. Especially in 2013, the ratio marked the lowest in ten years. In 2014, it increased slightly to 69.5% and 74.9% in 2015.

In summary, the arrest rate of criminal law offences was lower in proportion to the total amount of crimes. Also, during the last ten years, the arrest rates for the total crimes and criminal law offences have generally declined, while the degree of the decreasing rate in the criminal law offences was significantly larger than the total number of crimes since 2009.



*Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

[Figure 1-1-4] Annual Trends of the Clearance Rate (2006~2015)

B. Disposition of Criminals by the Prosecutor's Offices

Disposition of criminals by the prosecutor's offices during the last ten years is displayed in Table 1-1-4 and Figure 1-1-5. Approximately, 44.5% of the total number of criminals was indicted by the request of formal or summary trials, while 53.2% was not indicted or decided as a stay of the indictment, and the remaining about 2.3% was transferred to the juvenile or family protection courts. In detail, indictment by request of a formal trial accounted for 6.8% of the total and 15.2% of the indicted cases, while indictment by request of a summary trial accounted for 37.7% of the total and 84.8% of the indicted cases. The result is that the proportion of indictment by summary trials, which the majority was sentenced to pay a fine, was approximately six times higher than that of an indictment by formal trials. As for the unindicted cases, stay an indictment accounted for 16.7% of the total and 31.3% of the unindicted cases, while a non-indictment accounted for 36.5% of the total and 68.7% of the unindicted

cases due to a lack of prosecutorial right or suspicion.

The composition ratio of the criminals indicted by a formal trial request stayed in the range of 5-6% between 2005 and 2011, 5.7% in 2006, 5.9% in 2007, 6.1% in 2008, 6.1% in 2009, 5.8% in 2010 and 6.1% in 2011. It increased slightly to 7.2% in 2012, 7.8% in 2013, 8.9% in 2014 and 8.6% in 2015.

The composition ratio by the request of summary trial was in an overall decline at 43.6% in 2006, 46.5% in 2007, 45.2% in 2008, 39.7% in 2009, 39.0% in 2010, 36.8% in 2011, 32.9% in 2012, 32.1% in 2013, 29.3% in 2014, and 28.2% in 2015.

In the meantime, the composition ratio of the criminals, whose indictment steadily increased from 13% in 2006 to 18.5% in 2009, began to decrease gradually in 2010 and reached 17.3% in 2014. However, it slightly increased in 2015 at 18.5%.

The composition ratio of the criminals who were not indicted or acquitted accounted for 36.7% in 2006 and gradually decreased until 2008 at 32.6%. In 2009, it increased slightly at 34.2%, 35.4% in 2010, 37.3% in 2011, 39.3% in 2012, 40.5% in 2013, 42.8% in 2014 and 35.5% in 2015, respectively.

〈Table 1-1-4〉 Criminals Disposition from the Prosecutor's Office (2006~2015)

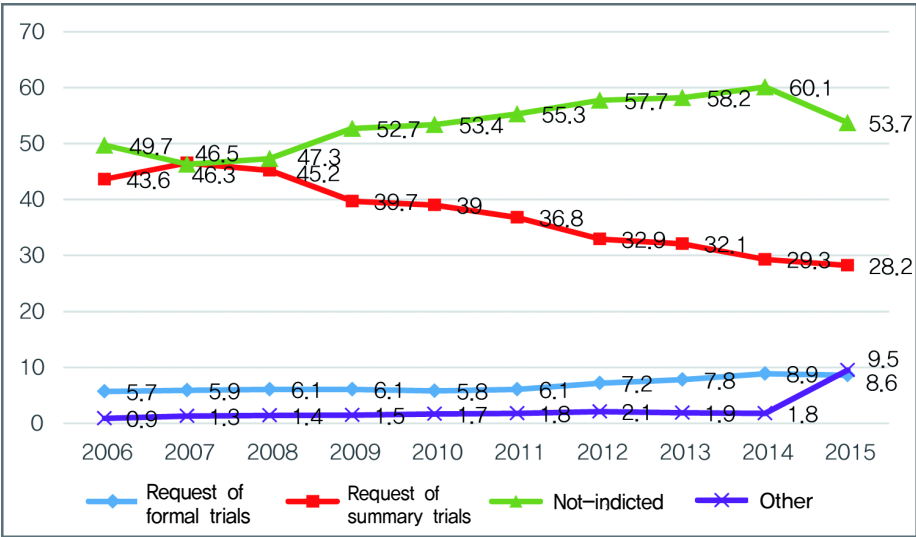
(Unit : person(%))

Year	Total	Indicted			Unindicted			Transferred or Other
		(Subtotal)	Request of Formal Trial	Request of Summary Trial	(Subtotal)	Stayed	Unindicted	
2006	1,932,725 (100)	954,249 (49.4)	110,635 (5.7)	843,614 (43.6)	960,421 (49.7)	250,343 (13.0)	710,078 (36.7)	18,055 (0.9)
2007	1,989,862 (100)	1,042,477 (52.4)	116,833 (5.9)	925,644 (46.5)	921,457 (46.3)	253,615 (12.7)	667,842 (33.6)	25,928 (1.3)
2008	2,472,893 (100)	1,268,627 (51.3)	151,675 (6.1)	1,116,952 (45.2)	1,170,081 (47.3)	362,760 (14.7)	807,321 (32.6)	34,185 (1.4)
2009	2,519,236 (100)	1,154,371 (45.8)	154,496 (6.1)	999,875 (39.7)	1,326,413 (52.7)	465,455 (18.5)	860,958 (34.2)	38,452 (1.5)
2010	1,954,331 (100)	877,420 (44.9)	114,298 (5.8)	763,122 (39.0)	1,042,862 (53.4)	351,939 (18.0)	690,923 (35.4)	34,049 (1.7)

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Year	Total	Indicted			Unindicted			Transferred or Other
		(Subtotal)	Request of Formal Trial	Request of Summary Trial	(Subtotal)	Stayed	Unindicted	
2011	1,907,641 (100)	817,289 (42.8)	116,077 (6.1)	701,212 (36.8)	1,055,221 (55.3)	343,233 (18.0)	711,988 (37.3)	35,131 (1.8)
2012	1,907,900 (100)	766,287 (40.2)	137,852 (7.2)	628,435 (32.9)	1,100,736 (57.7)	351,441 (18.4)	749,295 (39.3)	40,877 (2.1)
2013	1,886,147 (100)	752,411 (39.9)	147,570 (7.8)	604,841 (32.1)	1,097,535 (58.2)	333,483 (17.7)	764,052 (40.5)	36,201 (1.9)
2014	1,846,606 (100)	704,387 (38.1)	163,969 (8.9)	540,418 (29.3)	1,109,005 (60.1)	318,686 (17.3)	790,319 (42.8)	33,215 (1.8)
2015	1,914,233 (100)	704,160 (36.8)	164,382 (8.6)	539,778 (28.2)	1,028,481 (53.7)	354,805 (18.5)	673,676 (35.3)	181,592 (9.5)
Total	20,331,574 (100)	9,041,678 (44.5)	1,377,787 (6.8)	7,663,891 (37.7)	10,812,212 (53.2)	3,385,760 (16.7)	7,426,452 (36.5)	477,685 (2.3)

*Source : *Crime Analysis* (2006–2015), Supreme Prosecutor's Office. Reproduced.



[Figure 1-1-5] Annual Trends of Criminals Dispositions by the Prosecutor's Office (2006~2015)

Section 2. The Characteristics of Criminals and Victims of Crime

This section examines the characteristics of criminals and victims of a crime.

1. The Characteristics of Criminal Offenders

A. Sex

In the following section, we will examine the sex of the offenders in some of the major crimes including property crimes⁶⁾, violent (heinous) crimes⁷⁾, and violent (assault inflicting bodily injury) crimes⁸⁾. For the last ten years, male offenders arrested for property crimes constituted 79.5% of the total 3,641,955 arrests, while female arrests constituted only 20.5%. Female representation in property crimes gradually decreased between 2006 and 2015 from 21.5% to 20.6%.

In violent (heinous) crime cases, a total of 237,516 arrests over the last ten years, males represented a vast majority, 96.4%, while the female rate continued to stay at an approximate 3.0%.

In violent (assault inflicting bodily injury) criminal cases, out of the total of 3,457,033 arrests for in the given period, males constituted 83.8%, and females comprised 16.2%. In this type of crime, the female rate increased between 2006 and 2008 as it reached 16.7% in 2006 and 2007, respectively, and 17.0% in 2008. However, the rate decreased in 2011 to 15.6% and then remained at a similar level with small fluctuations, although it rose to 16.0% in 2015, a slight increase from 15.5% in 2014.

6) Property crimes include larceny, trafficking of stolen goods, fraud, embezzlement, breach of trust and destruction.

7) Violent (heinous) crimes include homicide, robbery, sexual violence and arson.

8) Violent (assault inflicting bodily injury) crimes include violence, assault inflicting bodily injury on others, extortion, kidnapping and abduction, unlawful arrest and confinement.

〈Table 1-1-5〉 Female Crime Rate in Significant Criminal Law Offences (2006~2015)

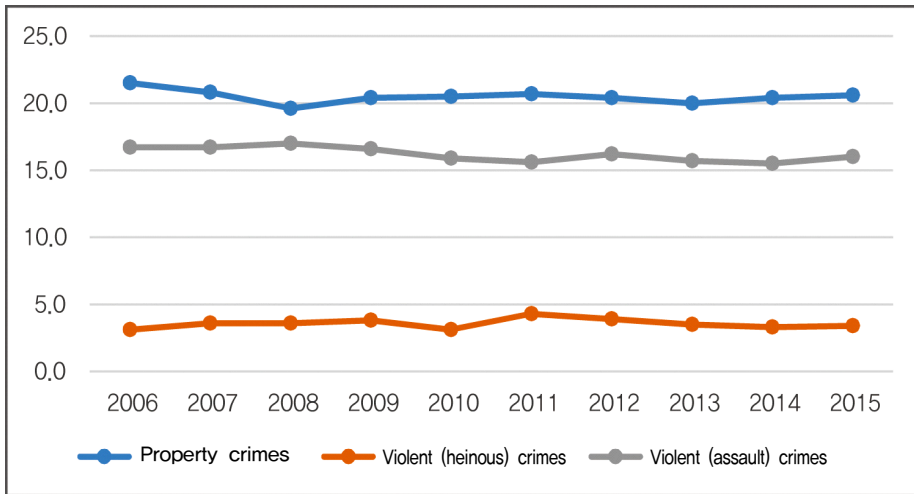
(Unit : person(%))

Year	Property Crimes		Violent (Heinous) Crimes		Violent (Assault) Crimes	
	Male	Female	Male	Female	Male	Female
2006	238,969 (78.5)	65,488 (21.5)	14,617 (96.9)	472 (3.1)	233,508 (83.3)	46,908 (16.7)
2007	229,137 (79.2)	60,309 (20.8)	13,859 (96.4)	521 (3.6)	252,929 (83.3)	50,843 (16.7)
2008	263,315 (80.4)	64,357 (19.6)	19,278 (96.4)	719 (3.6)	333,341 (83.0)	68,218 (17.0)
2009	307,375 (79.6)	78,617 (20.4)	21,705 (96.2)	861 (3.8)	333,905 (83.4)	66,602 (16.6)
2010	265,426 (79.5)	68,375 (20.5)	21,891 (96.9)	708 (3.1)	288,613 (84.1)	54,634 (15.9)
2011	263,919 (79.3)	69,067 (20.7)	23,745 (95.7)	1,057 (4.3)	284,399 (84.4)	52,549 (15.6)
2012	325,065 (79.6)	83,539 (20.4)	25,904 (96.1)	1,062 (3.9)	313,669 (83.8)	60,613 (16.2)
2013	343,919 (80.0)	85,750 (20.0)	28,721 (96.5)	1,042 (3.5)	290,058 (84.3)	54,104 (15.7)
2014	321,496 (79.6)	82,235 (20.4)	28,747 (96.7)	968 (3.3)	278,475 (84.5)	51,139 (15.5)
2015	336,445 (79.4)	89,152 (20.6)	30,552 (96.6)	1,087 (3.4)	287,441 (84.0)	55,085 (16.0)
계	2,895,066 (79.5)	746,889 (20.5)	229,019 (96.4)	8,497 (3.6)	2,896,338 (83.8)	560,695 (16.2)

*Source : *Crime Analysis (2006-2015)*, Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavaible data.

In significant criminal law offences, female rates were found highest in property crimes, followed by violent (assault inflicting bodily injury) crimes. On the other hand, the rates were lowest in violent (heinous) crimes remaining at around 3.6%. For the last ten years, the female crime rates generally declined in both property crimes and violent (assault inflicting bodily injury) crimes (see Figure 1-1-6).



[Figure 1-1-6] Female Crime Rates by Types of Major Crimes (2006~2015)

B. Age

Table 1-1-6 and Figure 1-1-7 displayed the age distribution of the offenders arrested for property crimes over the last ten years. First, if we look at the age of the offenders arrested in this category, persons in their 40s represented the highest percentage, 27.6%, followed by persons in their 30s, 20.9%, persons in their 50s, 17.7%, persons in their 20s (ages 19 to 30), 16.4%, and persons younger than 18, 10.7%. Persons older than 61 comprised the lowest percentage out of all age groups, 6.6%.

If we look at the composition ratio more closely by year, persons in their 40s, who constituted the highest percentage in property crimes, continuously decreased over the last ten years, 31.2% in 2006 and reached its lowest point of 24.8% in 2015.

The composition ratio of offenders in their 30s, who constituted the second highest percentage among all age groups in property crimes, gradually decreased from 26.0% in 2006 to 18.0% in 2015, which was the lowest point during the last ten years. On the other hand, the composition ratio of offenders in their

50s gradually increased from 12.9% in 2006 to 22.2% in 2015. Meanwhile, the composition ratio of offenders in their 20s (ages 19 to 30) fluctuated within a narrow range during the given period marking at 16.1% in 2006 and a slight increase to 17.9% in 2015.

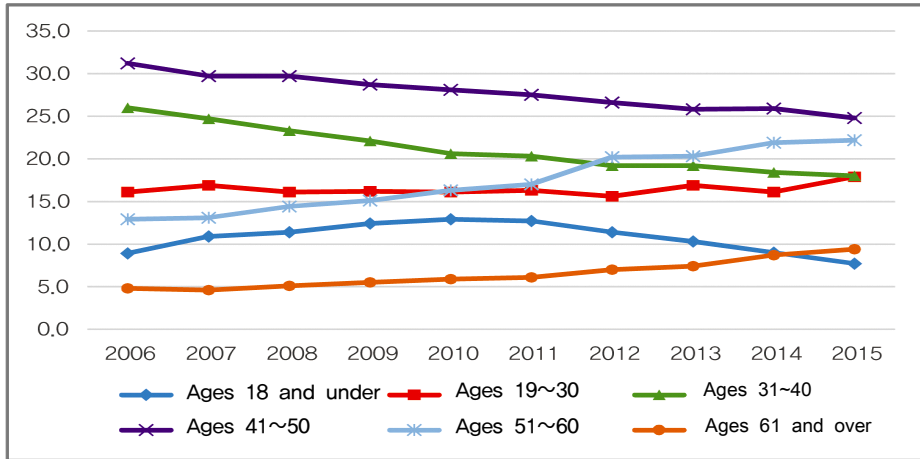
The composition ratio of juvenile offenders (ages 18 and under) increased gradually between 2006 and 2010, with 8.9% in 2006 and 12.9% in 2010, which was the highest point in the last ten years; yet since then, it declined continuously, marked 7.7% in 2015. As for the seniors aged 61 and over, the ratio steadily increased from 4.8% in 2005 to 9.4% in 2015, which was the highest point in the given period.

〈Table 1-1-6〉 Age Distribution of Property Crime Offenders (2006~2015)

(Unit : person(%))

Year	Ages 18 and under	Ages 19-30	Ages 31-40	Ages 41-50	Ages 51-60	Ages 61and over	Total
2006	27,309 (8.9)	49,237 (16.1)	79,449 (26.0)	95,222 (31.2)	39,412 (12.9)	14,560 (4.8)	305,189 (100.0)
2007	31,708 (10.9)	49,196 (16.9)	71,805 (24.7)	86,415 (29.7)	38,011 (13.1)	13,471 (4.6)	290,606 (100.0)
2008	37,540 (11.4)	52,937 (16.1)	76,907 (23.3)	98,029 (29.7)	47,605 (14.4)	16,777 (5.1)	329,795 (100.0)
2009	48,249 (12.4)	63,298 (16.2)	86,224 (22.1)	112,108 (28.7)	58,981 (15.1)	21,428 (5.5)	390,288 (100.0)
2010	43,599 (12.9)	54,273 (16.1)	69,475 (20.6)	94,855 (28.1)	54,953 (16.3)	19,900 (5.9)	337,055 (100.0)
2011	42,851 (12.7)	54,811 (16.3)	68,511 (20.3)	92,666 (27.5)	57,312 (17.0)	20,564 (6.1)	336,715 (100.0)
2012	46,039 (11.4)	62,704 (15.6)	77,294 (19.2)	107,128 (26.6)	81,627 (20.2)	28,387 (7.0)	403,179 (100.0)
2013	43,698 (10.3)	71,819 (16.9)	81,606 (19.2)	109,350 (25.8)	86,049 (20.3)	31,452 (7.4)	423,974 (100.0)
2014	36,269 (9.0)	64,880 (16.1)	74,433 (18.4)	104,520 (25.9)	88,562 (21.9)	35,198 (8.7)	403,862 (100.0)
2015	32,068 (7.7)	74,537 (17.9)	75,125 (18.0)	103,263 (24.8)	92,454 (22.2)	39,168 (9.4)	416,615 (100.0)
Total	389,330 (10.7)	597,692 (16.4)	760,829 (20.9)	1,003,556 (27.6)	644,966 (17.7)	240,905 (6.6)	3,637,278 (100.0)

* Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.



[Figure 1-1-7] Trends of the Composition Ratio of Property Crime Offenders by Age (2006~2015)

Table 1-1-7 and Figure 1-1-8 displayed the age distribution of offenders arrested for violent (heinous) crimes during the last ten years. First, if we look at the age of offenders arrested in this category, persons in their 20s (ages 19 to 30) represented the highest percentage of all age groups, 26.4%, followed by persons in their 30s, 22.6%, persons in their 40s, 21.1%, person aged 18 and under, 13.3%, and lastly, persons in their 50s, 11.6%. The age group of 61 and over constituted the lowest percentage, 5.1%, among all groups.

In detail, the composition ratio of offenders in their 20s (ages 19 to 30), who constituted the highest percentage in violent (heinous) crimes, slightly increased from 26.0% in 2006 to 27.0% in 2015.

The composition ratio of offenders in their 30s, who constituted the second highest percentage among all age groups in this category, gradually decreased from 27.7% in 2006 to 20.7% in 2014, which was the lowest point during the last ten years. However, the ratio marked 21.4% in 2015, which slightly increased compared to the previous year. The composition ratio of offenders in their 40s decreased from 22.3 in 2006 to its lowest point of 20.2% in 2012, yet increased slightly to 20.3% in 2013, 21.0% in 2014 and 20.5% in 2015.

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Meanwhile, the age groups of the 50s and 61 and over the ratio showed an upward trend. In detail, the composition ratio of offenders in their 50s was 7.8% in 2006 and increased gradually to 15% in 2015. The 61-and-over age group also showed a gradual increase. The rate marked 3.6% in 2006 and steadily increased to 7.4% in 2015, almost doubling the rate within the given period.

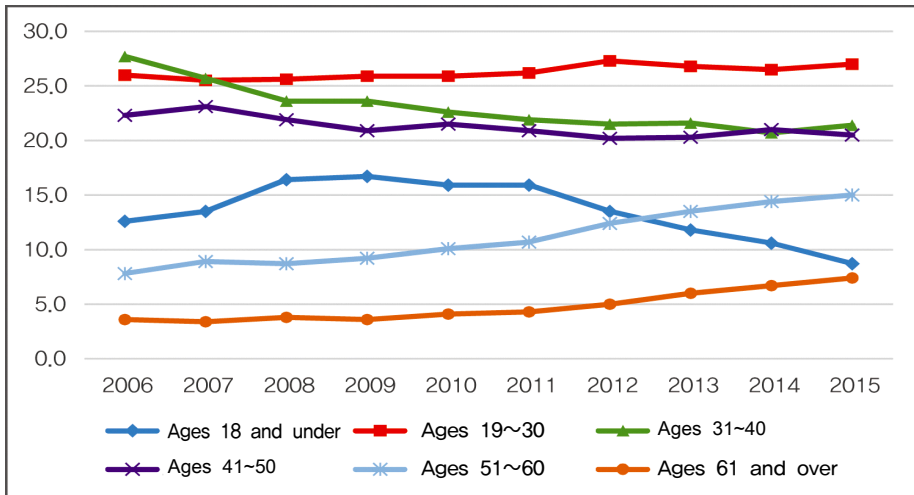
〈Table 1-1-7〉 Age Distribution of Violent Crime (Heinous) Offenders (2006-2015)

(Unit : person(%))

Year	Ages 18 and under	Ages 19-30	Ages 31-40	Ages 41-50	Ages 51-60	Ages 61and over	Total
2006	1,920 (12.6)	3,947 (26.0)	4,205 (27.7)	3,388 (22.3)	1,191 (7.8)	551 (3.6)	15,202 (100.0)
2007	1,967 (13.5)	3,701 (25.5)	3,734 (25.7)	3,358 (23.1)	1,288 (8.9)	490 (3.4)	14,538 (100.0)
2008	3,316 (16.4)	5,186 (25.6)	4,772 (23.6)	4,429 (21.9)	1,771 (8.7)	778 (3.8)	20,252 (100.0)
2009	3,847 (16.7)	5,971 (25.9)	5,441 (23.6)	4,821 (20.9)	2,127 (9.2)	833 (3.6)	23,040 (100.0)
2010	3,665 (15.9)	5,970 (25.9)	5,215 (22.6)	4,947 (21.5)	2,327 (10.1)	935 (4.1)	23,059 (100.0)
2011	4,049 (15.9)	6,665 (26.2)	5,561 (21.9)	5,318 (20.9)	2,713 (10.7)	1,098 (4.3)	25,404 (100.0)
2012	3,609 (13.5)	7,282 (27.3)	5,720 (21.5)	5,378 (20.2)	3,316 (12.4)	1,339 (5.0)	26,644 (100.0)
2013	3,488 (11.8)	7,901 (26.8)	6,351 (21.6)	5,984 (20.3)	3,967 (13.5)	1,775 (6.0)	29,466 (100.0)
2014	3,158 (10.6)	7,875 (26.5)	6,151 (20.7)	6,230 (21.0)	4,288 (14.4)	1,993 (6.7)	29,695 (100.0)
2015	2,713 (8.7)	8,414 (27.0)	6,689 (21.4)	6,382 (20.5)	4,671 (15.0)	2,321 (7.4)	31,190 (100.0)
Total	31,732 (13.3)	62,912 (26.4)	53,839 (22.6)	50,235 (21.1)	27,659 (11.6)	12,113 (5.1)	238,490 (100.0)

* Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavaivable data.



[Figure 1-1-8] Trends of the Composition Ratio in Violent Crime (Heinous) Offenders by Age (2006~2015)

The age distribution of the offenders arrested for violent (assault inflicting bodily injury) crimes over the last ten years is represented in Table 1-1-8 and Figure 1-1-9. First, the ages of the offenders arrested in this type of crime are listed in the following order: the persons in their 40s (ages 19 to 30) represented the highest percentage of all age groups marked 27.7%, followed by the 30s, 22.1%, 20s (ages 19 to 30), 21.5%, 50s, 16.1%, and the minors (ages 18 and under), 7.2%. The age group of 61 and over comprised the lowest percentage with 5.5%.

If we look at the age distribution more closely by the year, the composition ratio of the offenders in their 40s, who constituted the highest percentage in this category of crimes, marked 30.3% in 2006. However, it gradually decreased to 25.2% in 2015, which marked the lowest point over the last ten years.

The composition ratio of the offenders in their 30s, who constituted the second highest percentage among all age groups in this category, gradually decreased from 26.0% in 2006 to 19.7% in 2015, which was the lowest point in the last ten years. The composition ratio of the offenders in their 20s (ages 19 to 30) also decreased to 22.6% in 2006 and 20.5% in 2015, the lowest point in the given period.

Meanwhile, the age group of the 50s and 61-and-over showed an upward trend. In particular, the composition ratio of the offenders in their 50s was 11.2% in 2006, but gradually rose up to 21.2% by 2015, doubling the rate at the end of the given period.

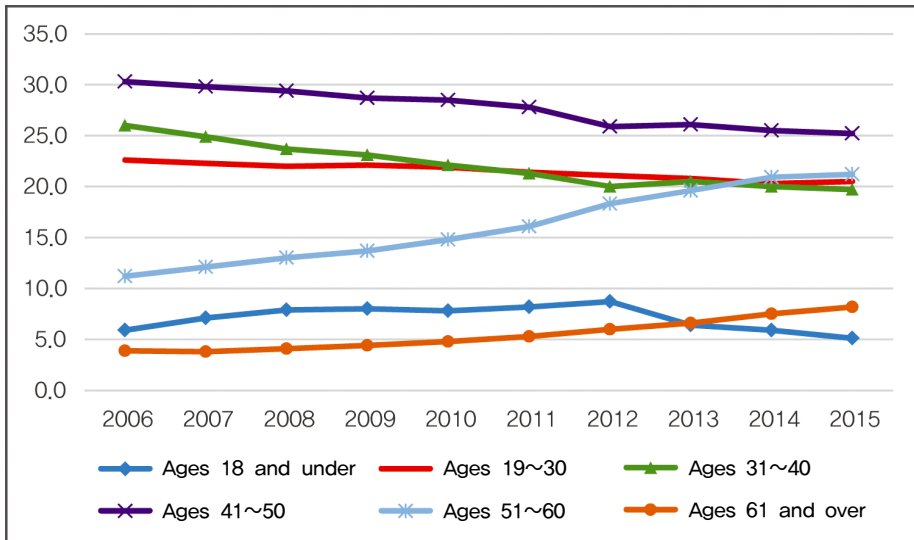
〈Table 1-1-8〉 Age Distribution of Violent Crime (Assault) Offenders (2006~2015)

(Unit : person(%))

Year	Ages 18 and under	Ages 19-30	Ages 31-40	Ages 41-50	Ages 51-60	Ages 61 and over	Total
2006	16,661 (5.9)	63,484 (22.6)	73,247 (26.0)	85,350 (30.3)	31,563 (11.2)	11,023 (3.9)	281,328 (100.0)
2007	21,675 (7.1)	68,075 (22.3)	75,970 (24.9)	91,036 (29.8)	36,993 (12.1)	11,668 (3.8)	305,417 (100.0)
2008	31,878 (7.9)	89,236 (22.0)	96,076 (23.7)	119,151 (29.4)	52,532 (13.0)	16,471 (4.1)	405,344 (100.0)
2009	32,423 (8.0)	89,712 (22.1)	93,798 (23.1)	116,468 (28.7)	55,854 (13.7)	18,038 (4.4)	406,293 (100.0)
2010	27,264 (7.8)	76,328 (21.9)	77,225 (22.1)	99,616 (28.5)	51,644 (14.8)	16,888 (4.8)	348,965 (100.0)
2011	28,193 (8.2)	73,619 (21.4)	73,434 (21.3)	95,636 (27.8)	55,469 (16.1)	18,227 (5.3)	344,578 (100.0)
2012	32,261 (8.7)	78,448 (21.1)	74,378 (20.0)	96,121 (25.9)	68,069 (18.3)	22,213 (6.0)	371,490 (100.0)
2013	21,840 (6.4)	70,835 (20.8)	70,049 (20.5)	89,180 (26.1)	66,890 (19.6)	22,400 (6.6)	341,194 (100.0)
2014	19,352 (5.9)	66,930 (20.3)	65,792 (20.0)	83,952 (25.5)	68,775 (20.9)	24,581 (7.5)	329,382 (100.0)
2015	17,473 (5.1)	69,846 (20.5)	66,854 (19.7)	85,878 (25.2)	72,091 (21.2)	27,975 (8.2)	340,117 (100.0)
Total	249,020 (7.2)	746,513 (21.5)	766,823 (22.1)	962,388 (27.7)	559,880 (16.1)	189,484 (5.5)	3,474,108 (100.0)

* Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavaivable data.



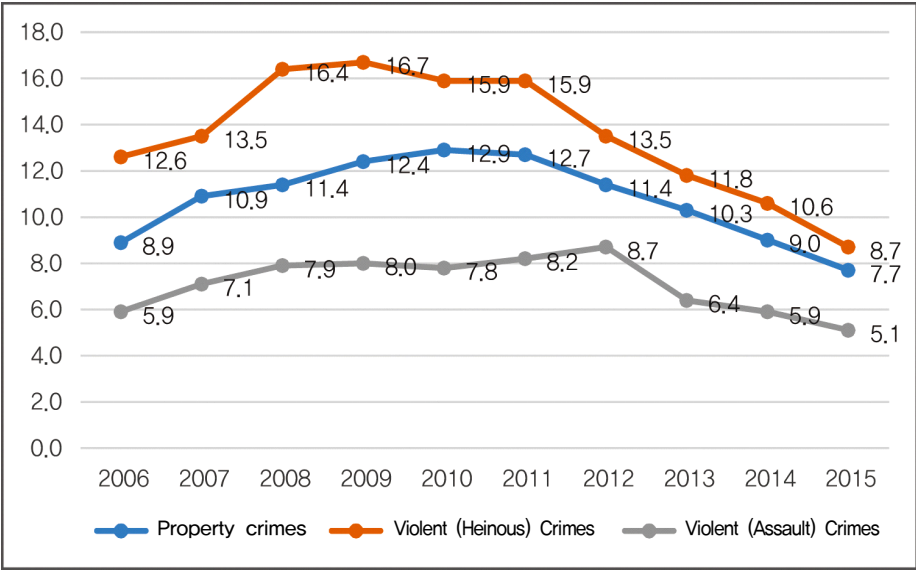
[Figure 1-1-9] Trends of the Composition Ratio of Violent Crime (Assault) Offenders by Age (2006~2015)

In all three types of crimes, that is, property crimes, violent (heinous) crimes and violent (assault inflicting bodily injury) crimes, there was an increase in the composition ratio of the offenders in their 50s and 61-and-over, whereas the ratio of the offenders in their 20s and 30s declined. It suggested that an increase in criminal activity by senior citizens in their 50s and 60s, particularly in significant offences, is due to the baby boomer effect. The population in these age groups has a higher demographic proportion than the rest of the population.

Lastly, we will look at the changing trends in the composition ratio of young offenders (ages under 19). Figure 1-1-10 below showed that the rates of juvenile crimes are the highest among violent (heinous) crimes, followed by property crimes and then violent (assault inflicting bodily injury) crimes. The reason that juvenile rates are higher among violent (heinous) crimes is that robbery and sexual violence is included in this crime category.

If we look at the trends in the composition ratio of juvenile offenders by the types of crimes, the juvenile ratio in property crimes and violent (heinous) crimes

declined from 2010 onward, and violent (assault inflicting bodily injury) crimes declined from 2012 onward, respectively.



[Figure 1-1-10] Trends in Juvenile Offender's Composition Ratio by the Type of Crime (2006~2015)

C. Previous Convictions

In the following section, we will examine previous convictions and repeated offences committed by criminal offenders. Generally, the terms “previous conviction” and “repeated offence/crimes” are used interchangeably; however, the *Crime Analysis* published by the Supreme Office commission distinguishes the two words. According to the *Crime Analysis*, a previous conviction refers to the criminal event in which the court determined the guilt of the accused of the charge(s) and sentenced him/her to pay a fine or a more severe penalty if needed. Therefore, cases that are undergoing an investigation, pending, or sentenced to detention, probation, or pay a minor fine, and cases that stayed of an indictment, stayed of arraignment and stayed of prosecution are all

excluded from the previous conviction.

On the other hand, a repeated offence includes the criminal cases regarding which investigation was conducted, pending cases brought before a judge, cases that are sentenced to detention, probation or pay a minor fine, cases that are stayed of either indictment or arraignment, and cases that are stayed of prosecution. A repeated offence is, therefore, a more comprehensive concept than previous conviction with regards to the criminal records of the offenders.

Of the total 6,480,798 criminal law offenders arrested over the last ten years, ex-convicts accounted for 67.5%. In detail, the ratio of ex-convicts among the total offenders arrested for property crimes was 66.2%. The ratio of ex-convict among the total offenders arrested for violent (heinous) crimes and violent (assault inflicting bodily injury) crimes was 76.0% and 76.2% respectively, higher than that of the total criminal offenders.

Furthermore, the ratio of crimes committed by ex-convicts tended to rise for over the last ten years. The ratio, which was 63.9% in 2006, steadily increased and reached 70.7% in 2013, the highest point in the given period. However, the ratio of crimes decreased slightly to 70.2% in 2014 and 69.4% in 2015. The ratio of ex-convicts in property crimes increased from 62.3% in 2006 to 68.5% in 2015. The ratio of violent (heinous) crimes decreased to 64.5% in 2006 and 59.1% in 2015, the lowest point in the given period. Lastly, the ratio of violent (assault inflicting bodily injury) crimes increased from 67.7% in 2006 to 70.6% in 2015, the highest point in the given period.

In sum, over the last ten years, there appeared to be an upward trend in the ratio of crime committed by criminal law offenders, ex-convicts in property and violent (assault inflicting bodily injury) crimes, with the most significant increase in violent (assault) crimes. On the contrary, the ex-convicts' ratio in violent (heinous) crimes displayed a downward trend.

〈Table 1-1-9〉 Ratio of Ex-Convicts among the Total Offenders of Significant Crimes
Crimes (2006~2015)

(Unit : person(%))

Previous Conviction Year	Criminal Law Offences (Total)		Property Crimes		Violent Crimes (Heinous)		Violent Crimes (Assault)	
	Total	Ex- Convict	Total	Ex- Convict	Total	Ex- Convict	Total	Ex- Convict
2006	604,532 (100.0)	386,170 (63.9)	234,206 (100.0)	146,022 (62.3)	13,459 (100.0)	8,686 (64.5)	239,848 (100.0)	162,451 (67.7)
2007	588,570 (100.0)	384,916 (65.4)	218,658 (100.0)	138,406 (63.3)	12,595 (100.0)	8,051 (63.9)	250,326 (100.0)	170,377 (68.1)
2008	713,793 (100.0)	469,036 (65.7)	240,081 (100.0)	154,316 (64.3)	17,325 (100.0)	11,299 (65.2)	323,515 (100.0)	218,294 (67.5)
2009	770,321 (100.0)	505,290 (65.6)	277,973 (100.0)	177,058 (63.7)	19,250 (100.0)	12,541 (65.1)	317,003 (100.0)	216,538 (68.3)
2010	630,792 (100.0)	429,414 (68.1)	238,008 (100.0)	157,790 (66.3)	18,624 (100.0)	12,030 (64.6)	263,900 (100.0)	183,602 (69.6)
2011	606,170 (100.0)	413,506 (68.2)	230,687 (100.0)	152,507 (66.1)	20,688 (100.0)	13,380 (64.7)	249,188 (100.0)	173,802 (69.7)
2012	662,807 (100.0)	455,180 (68.7)	254,684 (100.0)	171,009 (67.1)	22,006 (100.0)	14,003 (63.6)	271,186 (100.0)	187,318 (69.1)
2013	640,692 (100.0)	452,728 (70.7)	260,809 (100.0)	182,162 (69.8)	25,463 (100.0)	15,829 (62.2)	243,142 (100.0)	173,551 (71.4)
2014	621,282 (100.0)	435,841 (70.2)	252,854 (100.0)	174,950 (69.2)	25,823 (100.0)	15,614 (60.5)	225,507 (100.0)	160,429 (71.1)
2015	641,839 (100.0)	445,646 (69.4)	269,152 (100.0)	184,411 (68.5)	27,133 (100.0)	16,031 (59.1)	227,598 (100.0)	160,777 (70.6)
Total	6,480,798 (100.0)	4,377,727 (67.5)	2,477,112 (100.0)	1,638,631 (66.2)	167,765 (100.0)	127,464 (76.0)	2,371,605 (100.0)	1,807,139 (76.2)

* Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavaible data.

Concerning the ratio of previous convicts among the criminal law offenders arrested over the last ten years, in the following, Table 1-1-10 and Figure 1-1-11, described the number of prior convictions of the ex-convicts.

As for the composition ratio of the number of previous convictions, we found that offenders with one prior conviction accounted for 13.6%, offenders with two prior convictions accounted for 9.9%, offenders with three previous convictions accounted for 7.7%, offenders with four previous convictions accounted for 6.0%, offenders with 5 prior convictions accounted for 4.8%, and offenders with six or

more previous convictions accounted for 25.5%, which was the highest ratio of all.

While the composition ratio of the offenders with one to five previous convictions appeared to be in a moderate decline over the last ten years, the ratio of the offenders with six or more prior convictions gradually increased. The rate marked at 21.2% in 2006 and 28.7% in 2013 and 2014, which was the decade highest point, but slightly decreased to 28.5% in 2015.

As for the criminal law offences, it is clear that not only the ratio of ex-convicts in the total of all criminal law offenders but also the ratio of habitual offenders with six or more previous convictions were increasing.

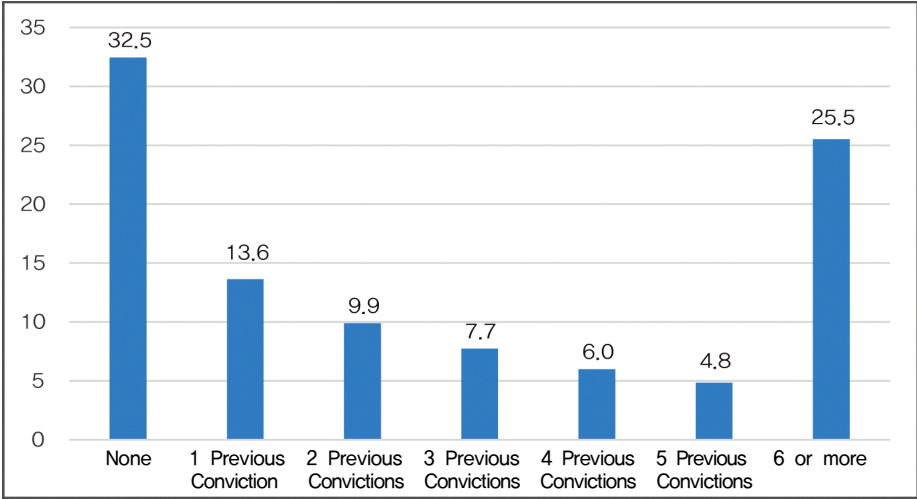
〈Table 1-1-10〉 Criminal Law Offenders' Record and the Number of Previous Convictions (2006~2015)

(Unit : person(%))

Year	Total	None	1 Previous Conviction	2 Previous Convictions	3 Previous Convictions	4 Previous Convictions	5 Previous Convictions	6 or more
2006	604,532 (100.0)	218,362 (36.1)	83,222 (13.8)	61,300 (10.1)	47,650 (7.9)	36,740 (6.1)	29,214 (4.8)	128,044 (21.2)
2007	588,570 (100.0)	203,654 (34.6)	81,346 (13.8)	59,723 (10.1)	46,559 (7.9)	35,825 (6.1)	28,424 (4.8)	133,039 (22.6)
2008	713,793 (100.0)	244,757 (34.3)	97,692 (13.7)	70,949 (9.9)	56,177 (7.9)	43,026 (6.0)	34,103 (4.8)	167,089 (23.4)
2009	770,321 (100.0)	265,031 (34.4)	104,880 (13.6)	76,082 (9.9)	59,808 (7.8)	45,825 (5.9)	36,951 (4.8)	181,744 (23.6)
2010	630,792 (100.0)	201,378 (31.9)	86,634 (13.7)	63,323 (10.0)	49,691 (7.9)	37,780 (6.0)	30,661 (4.9)	161,325 (25.6)
2011	606,170 (100.0)	192,664 (31.8)	82,870 (13.7)	59,703 (9.8)	47,352 (7.8)	36,199 (6.0)	28,964 (4.8)	158,418 (26.1)
2012	662,807 (100.0)	207,627 (31.3)	91,308 (13.8)	63,938 (9.6)	50,672 (7.6)	39,061 (5.9)	31,723 (4.8)	178,478 (26.9)
2013	640,692 (100.0)	187,964 (29.3)	86,345 (13.5)	63,293 (9.9)	49,160 (7.7)	38,192 (6.0)	31,776 (5.0)	183,962 (28.7)
2014	621,282 (100.0)	185,441 (29.8)	82,982 (13.4)	60,704 (9.8)	46,733 (7.5)	36,942 (5.9)	30,125 (4.8)	178,355 (28.7)
2015	641,839 (100.0)	196,193 (30.6)	85,889 (13.4)	61,503 (9.6)	47,449 (7.4)	37,148 (5.8)	30,760 (4.8)	182,897 (28.5)
Total	6,480,798 (100.0)	2,103,071 (32.5)	883,168 (13.6)	640,518 (9.9)	501,251 (7.7)	386,738 (6.0)	312,701 (4.8)	1,653,351 (25.5)

* Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavailable data.



[Figure 1-1-11] Distribution of the Criminal Offenders' Previous Convictions (2006~2015 total)

Table 1-1-11 displayed the types of repeated offences and the intervals between the commission of each crime per type. In regards to offenders' recidivism over the last ten years, 32.3% of ex-convicts committed the same kind of an offence as their first crime, and 67.7% committed an offence different from their first crime.

During the given period, the percentages of the offenders who committed the same type of crime as the first one fluctuated within a narrow range: 33.2% in 2006, 33.1% in 2007, 32.8% in 2008, 32.2% in 2009, 34.6% in 2010, 34.3% in 2011, 32.6% in 2012, 31.6% in 2013, 30.1% in 2014, and 29.0% in 2015; it was an overall declining trend.

As for the time interval between the commissions of the same type of crime as the first crime, over a three year period accounted for the majority at a 27.7% rate, followed by a 1-3 year period (within three years), 26.0%, a 6 months - 1 year period (within one year), 25.1%, and then less than a six month period, 21.0%. As for the time interval between the commissions of a different type of crime than the first one, over three years accounted for the majority at a 47.8% rate, followed by a 1-3 year period (within three years), 25.0%, a 6 months -1

year period (within one year), 16.8%, and less than a six month period, 10.4%, in this order.

As for the repeat offenders of the same type of crime, the rate of the recommitment of a crime within 6 months increased: 16.2% in 2006, 16.7% in 2007, 17.8% in 2008, 20.6% in 2009, 21.8% in 2010, 22.6% in 2011, 25.0% in 2012, 23.0% in 2013, 22.5% in 2014, and 22.8% in 2015. The rate of the recommitment of a crime within one year slightly increased during the given period from 24.9% in 2006 to 25.9% in 2015. However, the rate of the recommitment of crime within three years decreased during the given period from 29.1% in 2006 to 24.6% in 2015. The rate of the recommitment of crime over three years also decreased steadily, although moderately, from 29.8% in 2006 to 26.8% in 2015.

Meanwhile, as for the repeat offenders of a different type of crime, the rate of the recommitment of crime within six months was at 8.7% in 2006, which continued to increase to 10.2% in 2015. Generally, the rate of the recommitment of crime within six months was increasing. On the contrary, the rate of the recommitment of crime within one year was 17.7% in 2006 and appeared to be declining since then. The rate of the recommitment of crime within three years was 28.2% in 2006 and decreased as well, recording in at 22.7% in 2015. Lastly, the rate of the recommitment of crime over three years was 45.4% in 2006 and increased to 51.0% in 2015.

Overall, the rate of the offenders who committed a different type of crime than the first crime is approximately twice the rate of the offenders who committed the same kind of crime as the first crime. However, the rate of the offenders who committed the same type of crime appeared to decline in recent times. Additionally, the offenders who committed the same type of offence as the first crime are more likely to reoffend within six months or 1 year than the offenders who committed a different type of crime.

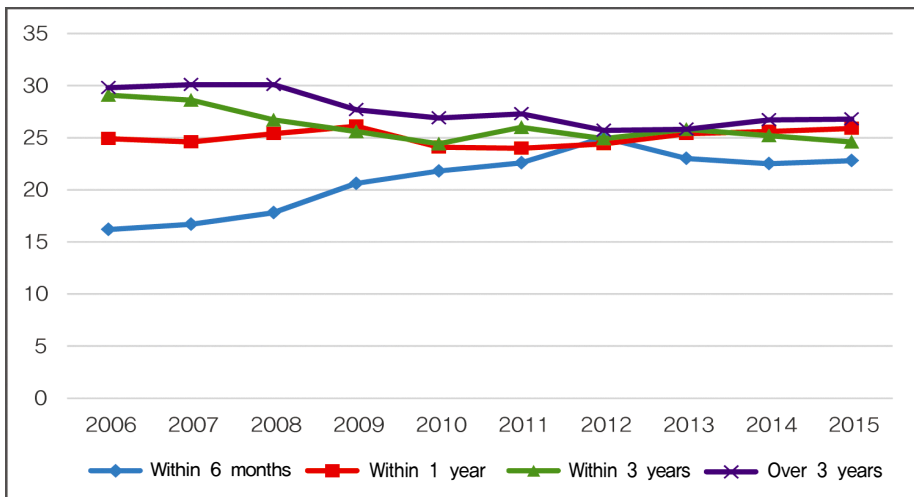
〈Table 1-1-11〉 Types of the Recommission of Crime and the Time Interval per Type
(2006~2015)

(Unit : person(%))

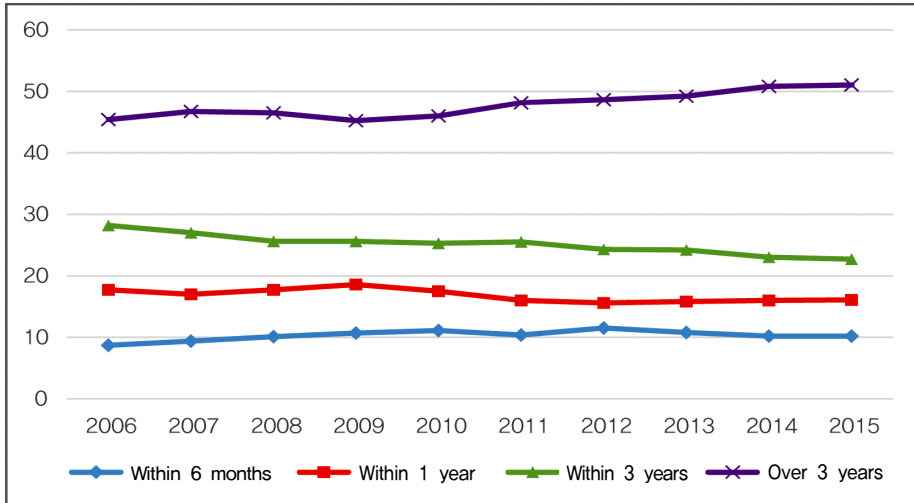
Year	Recommission of the Same Crime					Recommission of a Different Crime				
	Subtotal	Within 6 months	Within 1 year	Within 3 years	Over 3 years	Subtotal	Within 6 months	Within 1 year	Within 3 years	Over 3 years
2006	127,445 (100.0)	20,673 (16.2)	31,673 (24.9)	37,060 (29.1)	38,039 (29.8)	256,186 (100.0)	22,319 (8.7)	45,329 (17.7)	72,215 (28.2)	116,323 (45.4)
2007	126,637 (100.0)	21,132 (16.7)	31,207 (24.6)	36,159 (28.6)	38,139 (30.1)	256,172 (100.0)	24,041 (9.4)	43,457 (17.0)	69,049 (27.0)	119,625 (46.7)
2008	153,337 (100.0)	27,335 (17.8)	38,917 (25.4)	40,979 (26.7)	46,106 (30.1)	313,762 (100.0)	31,835 (10.1)	55,574 (17.7)	80,379 (25.6)	145,974 (46.5)
2009	162,221 (100.0)	33,386 (20.6)	42,411 (26.1)	41,532 (25.6)	44,892 (27.7)	340,916 (100.0)	36,363 (10.7)	63,309 (18.6)	87,267 (25.6)	153,977 (45.2)
2010	141,515 (100.0)	31,667 (21.8)	35,138 (24.1)	35,542 (24.4)	39,168 (26.9)	275,053 (100.0)	30,455 (11.1)	48,264 (17.5)	69,688 (25.3)	126,646 (46.0)
2011	137,055 (100.0)	31,011 (22.6)	32,946 (24.0)	35,691 (26.0)	37,407 (27.3)	262,717 (100.0)	27,259 (10.4)	42,061 (16.0)	67,119 (25.5)	126,278 (48.1)
2012	151,753 (100.0)	37,872 (25.0)	37,015 (24.4)	37,806 (24.9)	39,060 (25.7)	314,202 (100.0)	36,274 (11.5)	49,052 (15.6)	76,214 (24.3)	152,662 (48.6)
2013	145,434 (100.0)	33,491 (23.0)	36,913 (25.4)	37,534 (25.8)	37,496 (25.8)	315,304 (100.0)	34,111 (10.8)	49,755 (15.8)	76,346 (24.2)	155,092 (49.2)
2014	132,003 (100.0)	29,738 (22.5)	33,742 (25.6)	33,326 (25.2)	35,197 (26.7)	306,404 (100.0)	31,159 (10.2)	49,054 (16.0)	70,543 (23.0)	155,648 (50.8)
2015	130,544 (100.0)	29,738 (22.8)	33,818 (25.9)	32,109 (24.6)	34,935 (26.8)	319,302 (100.0)	32,637 (10.2)	51,464 (16.1)	72,364 (22.7)	162,837 (51.0)
Total	1,411,944 (100.0)	296,043 (21.0)	353,780 (25.1)	367,738 (26.0)	390,439 (27.7)	2,960,018 (100.0)	306,453 (10.4)	497,319 (16.8)	741,184 (25.0)	1,415,062 (47.8)

* Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavaivable data.



[Figure 1-1-12] Annual Trends in the Recommission of the Same Type of Crime (2006~2015)



[Figure 1-1-13] Annual Trends in the Intervals of the Recommission of a Different Type of Crime (2006~2015)

2. The Characteristics of Crime Victims

A. Sex

In the following section, we will examine the characteristics of crime victims. Although crime victims are a crucial part of criminal process, since the crime statistics base table, a form which officially opens a case at the local law enforcement level by the frontier police officers, does not require victim-related information to be entered as mandatory, not all victims of crimes are reflected in the official crime statistics. Moreover, where there are multiple victims, the base table needs only the most representative entry for all the victims. Given that, the number of crime victims and information in the official crime statistics is not, in fact, accurate data. Nonetheless, the statistics about the crime victims in the official crime statistics offers valuable insight to understand the general trends concerning the characteristics of crime victims, especially since it is the only statistical source which represents the features of the victims in the socio-demographic aspects.

If we look at the distribution of the crime victims' sexes over the last ten years (see Table 1-1-12), we can find that the male victims accounted for 65.5% and female victims comprised 34.5%. As for the annual composition ratio between the two sexes, the male ratio was 65.5% in 2006 and fluctuated continuously but within a narrow range. The female ratio was 34.5% in 2006 and remained at a range of mid-30% onward.

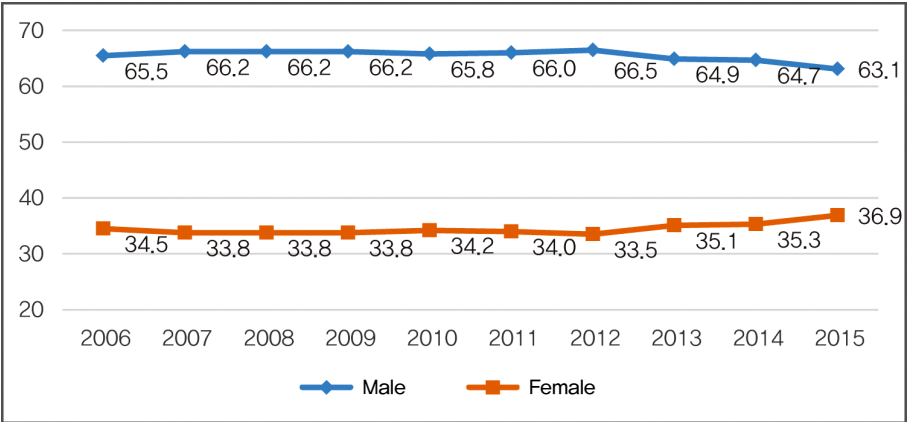
〈Table 1-1-12〉 Distribution of Crime Victims by Sex (2006~2015)

(Unit : person(%))

Year	Total	Male	Female
2006	691,581(100.0)	453,266(65.5)	238,315(34.5)
2007	753,002(100.0)	498,511(66.2)	254,491(33.8)
2008	797,289(100.0)	527,583(66.2)	269,706(33.8)
2009	860,782(100.0)	569,771(66.2)	291,011(33.8)
2010	763,841(100.0)	502,794(65.8)	261,047(34.2)
2011	673,700(100.0)	444,559(66.0)	229,141(34.0)
2012	961,295(100.0)	638,970(66.5)	322,325(33.5)
2013	939,780(100.0)	610,129(64.9)	329,651(35.1)
2014	905,094(100.0)	585,547(64.7)	319,547(35.3)
2015	924,694(100.0)	583,621(63.1)	341,073(36.9)
Total	8,271,058(100.0)	5,414,71(65.5)	2,856,307(34.5)

* Source : *Crime Analysis* (2006~2015), Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavaible data.



[Figure 1-1-14] Annual Trends in the Distribution of Crime Victims by Sex (2006~2015)

B. Age

Table 1-1-13 and Figure 1-1-15 displayed the distribution of crime victims by age. First, persons in their 40s had the highest percentage of all age groups with 27.2%, followed by the 30s with 21.8%, the 50s with 19.0%, the 20s with 16.1% and then 60 or over age group with 8.8%. Young victims aged 15 or older to less than 19 accounted for 5.2%, and child victims of less than 15 years of age accounted for 1.9%. The age groups of the 30s and 40s forming the majority of both criminal offenders and crime victims is common.

If we look at the age distribution of crime victims more closely by year (see Table 1-1-13 and Figure 1-1-15), the composition ratio of child victims of less than 15 years of age increased in a small scale from 1.2% in 2006 to 1.9% in 2015. However, the composition ratio of the age group between 15 and 20 more than doubled from 3.3% in 2006 to 6.7% in 2015.

The annual composition ratio of victims in their 20s was 16.0% in 2006 and continued to decrease until 2008 when the ratio reached with 15.3%, the lowest point in the given period, however, rose once more to a similar level, 17.5%, in 2015. In the meantime, victims in their 30s continuously decreased from 25.4% in 2006 to 19.6% in 2015, the lowest point in the given period. The composition ratio of victims in their 40s also decreased to the lowest point in the given period from 31.2% in 2006 to 23.3% in 2015.

The annual composition ratio of victims in their 50s was 15.4% in 2006, continued to increase to its highest point (20.7%) in 2015. The ratio of ages 61 and over increased gradually between 2006 and 2015 with 7.4% in 2006 and 10.3% in 2015.

In sum, the past decade's trend in crime victims demonstrated that victims in their 30s and 40s generally comprised a majority of the total number of crime victims in the past ten years, and the percentage of victims in their 20s, 30s, and 40s in the total number of crime victims decreased. Contrastingly, the

percentages of younger victims of the ages 13 to under 20 and the victims in their 50s and 60s represented an upward trend during this period.

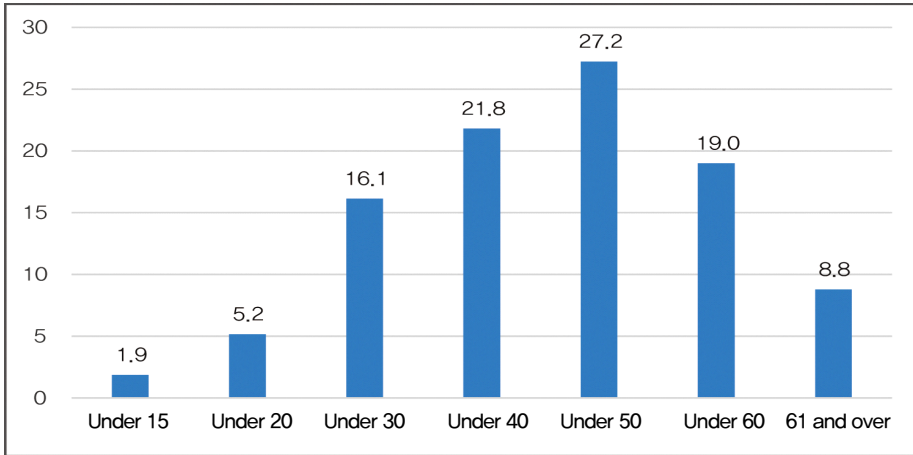
〈Table 1-1-13〉 Annual Trends of the Distribution of Crime Victims by Age (2006~2015)

(Unit : person(%))

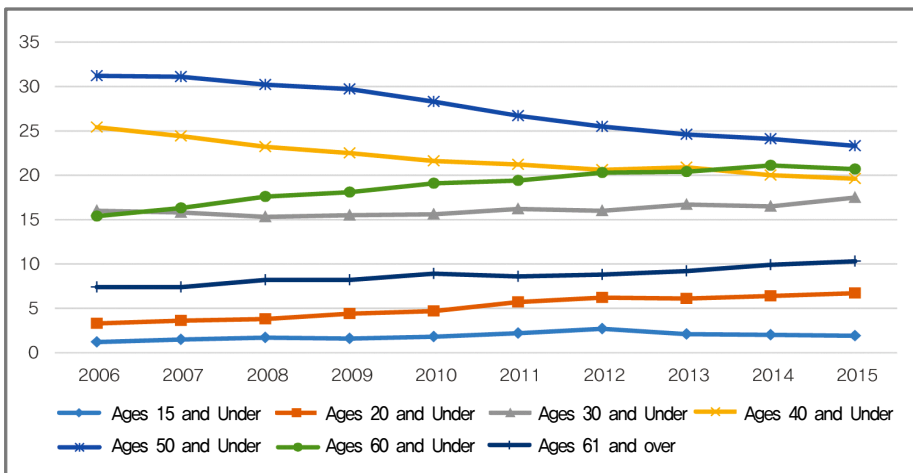
Year	Total	Under 15	Ages 15-20	Ages 21-30	Ages 31-40	Ages 41-50	Ages 51-60	61 and over
2006	691,581 (100.0)	8,380 (1.2)	22,725 (3.3)	110,772 (16.0)	175,911 (25.4)	215,995 (31.2)	106,739 (15.4)	51,059 (7.4)
2007	753,002 (100.0)	11,000 (1.5)	27,071 (3.6)	118,886 (15.8)	183,400 (24.4)	234,168 (31.1)	122,657 (16.3)	55,820 (7.4)
2008	797,289 (100.0)	13,285 (1.7)	30,303 (3.8)	121,853 (15.3)	185,201 (23.2)	240,944 (30.2)	140,188 (17.6)	65,515 (8.2)
2009	860,782 (100.0)	13,979 (1.6)	37,554 (4.4)	133,167 (15.5)	194,032 (22.5)	255,422 (29.7)	156,067 (18.1)	70,561 (8.2)
2010	763,841 (100.0)	13,881 (1.8)	35,801 (4.7)	118,920 (15.6)	165,140 (21.6)	215,961 (28.3)	145,903 (19.1)	68,235 (8.9)
2011	673,700 (100.0)	14,654 (2.2)	38,444 (5.7)	109,118 (16.2)	142,731 (21.2)	179,782 (26.7)	130,826 (19.4)	58,145 (8.6)
2012	961,295 (100.0)	25,630 (2.7)	59,568 (6.2)	153,338 (16.0)	198,143 (20.6)	245,573 (25.5)	194,824 (20.3)	84,219 (8.8)
2013	940,419 (100.0)	20,045 (2.1)	57,077 (6.1)	156,641 (16.7)	196,519 (20.9)	231,072 (24.6)	192,111 (20.4)	86,954 (9.2)
2014	905,094 (100.0)	17,888 (2.0)	57,735 (6.4)	149,395 (16.5)	181,265 (20.0)	218,036 (24.1)	190,749 (21.1)	90,026 (9.9)
2015	924,694 (100.0)	17,153 (1.9)	61,702 (6.7)	162,149 (17.5)	181,420 (19.6)	215,380 (23.3)	191,647 (20.7)	95,243 (10.3)
Total	8,271,697 (100.0)	155,895 (1.9)	427,980 (5.2)	1,334,239 (16.1)	1,803,762 (21.8)	2,252,333 (27.2)	1,571,711 (19.0)	725,777 (8.8)

* Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.

** The figure does not include unavaivable data.



[Figure 1-1-15] Distribution of Crime Victims by Age (2006~2015)



[Figure 1-1-16] Annual Trends in the Distribution of Crime Victims by Age (2006~2015)

Section 3. Conclusion

A total of 2,020,731 crime cases 3,921.5 cases per 100,000 population were known to the criminal justice system in 2015. The number and rate of total crimes increased between 2006 and 2008 and peaked in 2008, but it decreased since

then. However, the number of total crimes increased to 86,896 in 2015. If we divide the total crimes into criminal law offences and special law offences for a detailed review, the criminal law offences showed a continuous upward trend throughout the last ten years with a total of 1,047,761 cases recorded in the system in 2015, while the special criminal law offences were declining with 972,970 cases.

As for the arrest rates, while the criminal law offences' arrest rate was slightly lower than the rate of the total recorded crimes, the overall rates decreased in criminal law offences with the margin of decline being far greater in the latter than the former. Of the criminal law offenders arrested and charged by law enforcement for the last ten years, 36.8% were indicted by the prosecutor's office, 53.7% were not indicted, and 9.5% were transferred to juvenile or family protection courts. The indictment rate during the given period appears to have been decreasing in general, while the unindicted rate was steadily increasing, except in 2007. In 2015, this figure dropped by 6.4%, yet raised in comparison to the base year in 2006.

In 2015, 81.6% of the total criminal law offenders were male, and 18.4% were female. No significant change occurred in the distribution of criminal offenders' sexes over the last ten years. In all three major crime types- property crimes, violent (heinous) crimes and violent (assault inflicting bodily injury) crimes- the composition ratio of offenders in their 50s and 61 and over displayed an upward trend, but the ratio of offenders in their 20s, 30s, 40s indicated a downward trend. Out of the three types of crimes, the highest ratio of juveniles under the age of 19 was found in violent (heinous) crimes. The ratio of juvenile delinquents in all criminal offenders represented a slight upward trend between 2006 and 2009, but later it started to decline in all three types of crimes, particularly from 2009 in property crimes, 2010 in violent (heinous) crimes, and 2012 in violent (assault inflicting bodily injury).

As for the previous convictions of criminal law offender during this time, only 30.6% was a first offender, and the remaining 69.4% were repeat offenders or ex-convicts. During the last decade, the ratio of first-time offenders generally decreased, while repeat offenders increased, especially the offenders with six or more previous convictions. Out of all of the repeat offenders during this period, the ratio of the those who committed a crime different from his/her first crime was twice as high compared to those who committed the same type of crimes as his/her first crime. The ratio of the offenders who committed the same kind of offence as the first decreased steadily, and the time interval between the commissions of crimes by repeat offenders of a different type of crime was shorter than the others.

As for the sexes of the crime victims, 63.1% of the total crime victims reported in 2015 were male, which indicated that males are more likely to become a victim of a crime than females. No noticeable changes have been observed in the distribution of victims by sex. In regards to age, persons in their 30s to 40s had a higher percentage, the 40s age group was at 27.2%, the 30s age group was at 21.8%, and the 50s age group was at 19.0%, respectively. It appeared that the ratio of minor victims and the age of 50 and over had increased.

Chapter 2



Trends and Characteristics of Major Index Crimes

Hwang, Ji Tae

Trends and Characteristics of Major Index Crimes

Index crimes refer to the most representative types of crimes of all criminal events occurring in society. Although the public consensus regarding which types constitute the index crime varies depending on the society or the country in question, a serious crime such as homicide and more common crimes, such as larceny, is generally agreed as an index crime. In other words, despite the non-existence of a fixed standard for what should be included in an index crime, significant crimes which enable observers to assess the crime level of the society by and large are often listed in the index. Homicide, robbery, arson, larceny, sexual violence, and assault inflicting bodily injury violence are the six major index crimes that we are going to discuss in this chapter. The list is the same as the previous year.

This chapter follows the reference sources limited to the Crime Statistics by the Korean National Police Agency and the *Crime Analysis* by the Supreme Prosecutor's Office, both of which carry more specific statistics of crime occurrence and have the same form of data collection. An occurrence of a crime in the official data means that law enforcement authorities recognize the event of a crime. Therefore, crimes which are not seized by the police or prosecutors, such as a hidden crime, should be omitted.

The *Crime Analysis* comprises more than 95% of the police statistics included in the official crime statistics with additional materials from the prosecutor's

offices. The discrepancy in these two sources is relatively lower for the major index crimes discussed in this chapter. In contrast, the data on crimes directly supervised and investigated by the Supreme Prosecutor's Office had a wider gap in the data collected by the police.

Table 1-2-1 below presents the summary of the supporting materials which will be used to capture the occurrence of trends and the characteristics of the major index crimes.

〈Table 1-2-1〉 The Total Number of Crimes, Criminal Law Offences, Estimated Population over the last 10 years (by sex and age)

Year	Total Crimes		Criminal Law Offences		Estimated Population (by sex and age)
	Number	Crime Rate*	Number	Crime Rate*	
2006	1,829,211	3,776	828,021	1,709	48,438,292
2007	1,965,977	4,038	845,311	1,736	48,683,638
2008	2,189,452	4,463	897,536	1,830	49,054,708
2009	2,168,185	4,397	993,136	2,014	49,307,835
2010	1,917,300	3,869	939,171	1,895	49,554,112
2011	1,902,720	3,810	997,263	1,997	49,936,638
2012	1,944,906	3,874	1,038,609	2,069	50,199,853
2013	2,006,682	3,979	1,057,855	2,098	50,428,893
2014	1,933,835	3,811	1,016,209	2,003	50,746,659
2015	2,020,731	3,961	1,047,761	2,054	51,014,947

* Crime rate: Number of crimes reported per 100,000 population (Calculation formula: Number of crimes reported to have occurred ÷ Estimated population (By sex and age × 100,000))

※ Source: *Crime Analysis* (2006–2015), Supreme Prosecutor's Office. Reproduced from the Statistics Korea webpage.

※ Note1 : The crime rates in this table are slightly different from the rates presented in *Crime Analysis* as the former is calculated based on the most recent statistics of the mid-year population provided by the Statistics Korea.

※ Note2 : The number of criminal crime, an overall criminal offence, and all of the *Crime Analysis* statistic data suggested below is based on *Crime Analysis* PDF files posted on the Supreme Prosecutors' Office webpage. Although the number of criminal action in 2012 and 2013 are changed in the part of criminal rate for last ten years in *2015 Crime Analysis* and *2016 Crime Analysis*, this table quotes the figure from the original one from the PDF files by Supreme Prosecutors' Office.

※ Note3 : Current estimated population is different from the population by sex, age, and the administrative district since Korean Institute of Criminology has used the estimated population by administrative district which 'Crime & Criminal Justice Statistics System' has accepted expect for this year (the one by sex and age).

The total number of crimes and criminal law offences in this table are used to calculate the composition ratio of each six major index crimes among the total and criminal law offences. The estimated population is used to calculate the number of crimes reported per a population of 100,000 or the crime rate. Although the occurrence rate of some criminal offences is calculated in *Crime Analysis*, the census is required to estimate several types of criminal offences without any obstacles. Hence, the rate does not embrace all types of crime.

Meanwhile, the estimated whole population is likely to be modified following method, hence the data is based on the resident registration or a five year period in the Population and Housing Census. The prosecution appeared to use the estimation based on resident registration, unlike this page which used a national-wide census based on the administrative district by the National Statistical Office. The *Crime Analysis* of Supreme Prosecutors' Office, therefore, contains some of the difference from the occurrence rate attached on this page. On the other hand, the estimated population announced by the National Statistical Office is slightly different from the nation-wide estimated population by the administrative district, gender, and age, and the estimated population by gender and age showed a higher number than the administrative district's. In the past, the gap was narrow, yet, it depicted that foreigners who frequently changed his or her residency contributed to widening the gap. Nevertheless, the figures based on gender and age seemed more accurate. As a result of last year, the estimated population by the administrative district of the Crime & Criminal Justice Statistics System of the Korean Institute of Criminology determined to use the standard for the occurrence rate calculation. However, the estimated population by gender and age was used for this year. Consequently, it is necessary to note the relatively changed figure (especially larceny, assault, injury) compared to the average year. It is also essential to note the potential issues of the overall trend- regardless of the accepted type of estimation since the calculated occurrence rate would contain a tenuous difference.

Section 1. Homicide

The official crime statistics in Korea includes murder, infanticide, the killing of the ascendant, murder upon request or with consent, aiding and abetting a suicide, killing by fraudulent means or by a threat of force in the scope of homicide in the scope of homicide. Attempt, preparation, and conspiracies of murder are also included in this scope. On the other hand, manslaughter, death by negligence or by inflicted bodily injury, is separated from the category of homicide or murder by robbery and categorized under robbery or murder by rape.

First, Table 1-2-2 displayed the trends of homicide that occurred over the last ten years, which was provided by the *Crime Analysis* of the Supreme Prosecutor's Office.

〈Table 1-2-2〉 Homicide by Number and Rate (2006-2015) (Supreme Prosecutor's Office data)

Year	Homicide		Ratio of Homicides in Total Crimes	
	Number	Crime Rate*	Ratio of Total Crimes	Ratio of Criminal Law Offences
2006	1,064	2.2	0.058%	0.128%
2007	1,124	2.3	0.057%	0.133%
2008	1,120	2.3	0.051%	0.125%
2009	1,390	2.8	0.064%	0.140%
2010	1,262	2.5	0.066%	0.134%
2011	1,221	2.4	0.064%	0.121%
2012	1,029	2.0	0.053%	0.099%
2013	966	1.9	0.048%	0.091%
2014	938	1.9	0.049%	0.092%
2015	958	1.9	0.047%	0.091%

* Crime rate: Number of crimes reported per 100,000 population (Re-calculate with the contemporary estimated population based on gender and age in 2017 by National Statistical Office)

** Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.

※ Note : The crime rates in this table are slightly different from the rates in the *Crime Analysis* as the former is calculated based on the 2017 statistics of the population provided by the Statistics Korea.

The number and rate (the number of crimes reported per 100,000 population) of crimes in homicides presented by the Supreme Prosecutor's Office in its *Crime Analysis* were 1,064 and 2.2 in 2006 and remained at a similar level until 2009, when a relatively sharp increase occurred with 1,390 and 2.8 for the number and rate, respectively. For the last five years, the number and rate of homicides appeared to decrease each year steadily with 1,262 and 2.5 in 2010, 1,221 and 2.4 in 2011, 1,029 and 2.0 in 2012, 966 and 1.9 (1.92) in 2013, and 938 and 1.9 (1.85) in 2014. The latest figure displayed a similar level with the previous year; 958 of the occurrence number and 1.9 (1.88) of the occurrence rate in 2015. It is feasible to say that the occurrence rate of murder declined over the past ten years.

Table 1-2-3 displayed the annual trends of the number of homicides; the National Police Agency presented both consummated and attempted (aiding and abetting included) in the *Crime Analysis*. For your reference, this is the outcome of the collaboration between the National Police Agency and KIC (2011~2013) when they corrected the errors in the statistical data concerning the consummated/attempted homicides dated back to 2007. The total number of homicides provided by the police's data is slightly smaller than the one presented in the *Crime Analysis*, but the two are very much alike overall. The lack of coverage in the police statistics in the cases investigated by the prosecutor's offices directly caused this phenomenon.

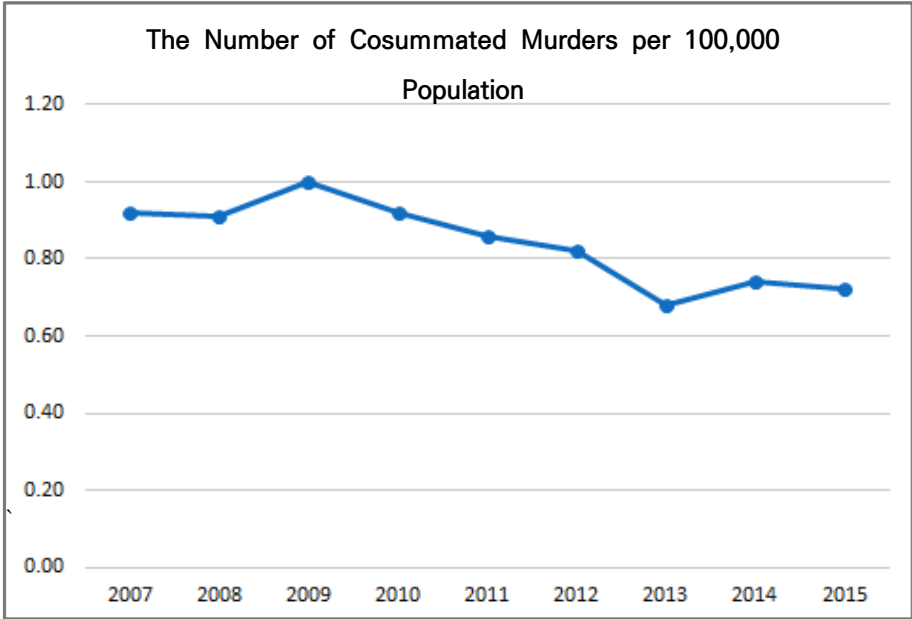
The table below shows that the ratio of the consummated and attempted homicides was steady year to year throughout the given period at an approximate four to six ratio.

〈Table 1-2-3〉 Annual Trends in the Number of Consummated/Attempted Homicides (2007-2015) (National Police Agency data)

Year	Total Homicides	Consummated			Attempted etc.		
	Number*	Number	Rates	Crime Rate	Number	Rates	Crime Rate
2007	1,113	446	40.1%	0.92	623	56.0%	1.29
2008	1,111	443	39.9%	0.91	668	60.1%	1.37
2009	1,374	494	36.0%	1.01	880	64.0%	1.79
2010	1,252	453	36.2%	0.92	799	63.8%	1.62
2011	1,204	427	35.5%	0.86	777	64.5%	1.57
2012	995	411	41.3%	0.82	584	58.7%	1.17
2013	929	342	36.8%	0.68	587	63.2%	1.17
2014	913	372	40.7%	0.74	541	59.3%	1.07
2015	929	365	39.3%	0.72	564	60.7%	1.11

* Since there are cases investigated by the prosecutor’s office directly without going through the police investigation, it is not unusual that the figures in police data are smaller than the ones in the prosecutor’s data (see Table 1-2-2).

※ Source: *Crime Statistics* 2011-2015: “Trends in Major Index Crimes”, National Police Agency. Reproduced.



[Figure 1-2-1] The Trend in Consummated Murder (the calculated figure based on the National Police Agency's data)

The number of consummated homicides in 2007 was 446 (number of crimes reported per a population of 100,000, or crime rate being 0.92), 443 in 2008 (0.91), 494 in 2009 (1.01), 453 in 2010 (0.92), 427 in 2011 (0.86), 411 in 2012 (0.82), and 342 in 2013 (0.68). After 2009, it continued to decrease but slightly increased to 372 (0.74) in 2014. It increased to 372 (0.74 of the occurrence rate) again in 2014 but decreased to 365 (0.72 of the occurrence rate) in 2015. The occurrence rate of murder over the last decade seemed to decrease similar to the total murder rate. However, it seemed to decrease more sharply compared to the overall rate.

To understand the characteristics of homicide, Table 1-2-4 adopted the homicide classification table presented in the police statistics (*Crime Statistics*) of 2015.

〈Table 1-2-4〉 The Summary of Homicide Characteristics in 2015 (National Police Agency data)

Classification of Homicide		Number	Arrests	Arrest Rate	Number of Arrests by Sex			
					Subtotal	Male	Female	Unknown
Consummated	Murder	312	304	97.4	347	276	60	11
	Infanticide	13	12	92.3	14	2	12	-
	Killing ascendants	24	24	100.0	24	20	4	-
	Murder upon request* with consent	1	1	100.0	1	1	-	-
	Aiding and Abetting Suicide	15	16	106.7	21	8	13	-
	Murder upon request or with consent through fraudulent means or threat of force	-	-	-	-	-	-	-
Subtotal		365	357	97.8	407	307	89	11
Attempted etc.	Murder	518	508	98.1	554	487	58	9
	Infanticide	3	3	100.0	4	-	4	-
	Killing ascendants	31	30	96.8	34	29	5	-
	Murder upon request* with consent	-	-	-	1	1	-	-
	Aiding and Abetting Suicide	11	10	90.9	11	9	2	-
	Murder upon request or with consent through fraudulent means or threat of force	1	1	100.0	1	1	-	-
Subtotal		564	552	97.9	605	527	69	9

※ Source: *Crime Statistics* (2014), National Police Agency.

The table above showed that infanticide (Article 251 of the Criminal Act), killing an ascendant (under Paragraph 2 in Article 250 of the Act), and murder upon request or with consent (Article 252 of the Act) took a relatively small proportion, while murder prescribed under Paragraph 1 in Article 250 of the Act held the majority of homicides cases. The number of murder cases is 830 (312 consummated and 518 attempted), which accounted for 89.3% of the total cases of 929 (365 consummated and 564 attempted). Killing an ascendant accounted for 5.9% (55 cases with 24 consummated and 31 attempted), aiding and abetting suicide accounted for 2.8% (26 cases with 15 consummated and 11 attempted), infanticide accounted for 1.7% (16 cases with 13 consummated and 3 attempted), and murder upon request or with consent accounted for 0.1% (one case was all consummated).

As for the sex of the homicide offenders arrested by law enforcement, out of a total of 1,012 offenders (407 consummated, 605 attempted), males were 834 (82.4%), females were 158 (15.6%), and unknown were 20 cases (2.0%). Compared to the consummated homicides in which female offenders accounted for 21.9% (89 of 407 offenders), female offenders in attempted homicides accounted for 11.4% (69 of 605 offenders), resulting in a considerable difference between the two sexes regarding the consummated and attempted homicides.

Section 2. Arson

The act of arson listed in the *Crime Analysis* by the Supreme Prosecutor's Office and in the *Crime Statistics* by the National Police Agency includes setting fire to a present dwelling structure, any structure either public or others, and general goods and the spread of fire and obstruction of firefighting. Attempts, preparation, and conspiracies of each act are also included in the act of arson. The table below displays the official statistics of arson reported over the last ten years

accompanied by the statistics of fire caused by negligence.

The rate of arson offences appears to remain almost the same each year. In the years following 2008, it fell relatively slowly. For instance, the rate fell to 3.9 and continuously declined in the following years (3.8 in 2012, 3.5 in 2013, 3.4 in 2014, and 3.2 in 2015) in 2011. The rate in 2015 was a record low.

Also, the rate of fire caused by negligence declined steadily since 2011 after it reached its peak that year (5.4). The crime rates in 2012 (4.9), 2013 (4.5), and 2014 (4.1) increased slightly in 2015. It appeared that the rates of arson and fire caused by negligence fell incrementally since 2011.

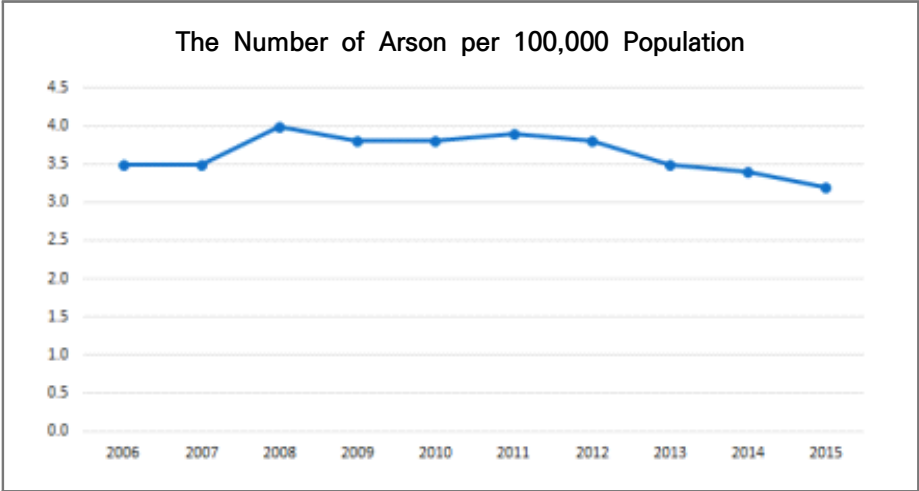
〈Table 1–2–5〉 Arson by the Number, Volume, and Rate (Supreme Prosecutor's Office data)

Year	Arson		Volume		Ref. Statistics 1 Fire by Negligence		Ref. Statistics 2 Arson+Fire by Negligence	
	Number	Crime Rate*	Out of Total Crimes	Out of Offences under Criminal Act	Number	Crime Rate*	Number	Crime Rate*
2006	1,685	3.5	0.092%	0.203%	2,163	4.5	3,848	7.9
2007	1,694	3.5	0.086%	0.200%	1,908	3.9	3,602	7.4
2008	1,946	4.0	0.089%	0.217%	1,902	3.9	3,848	7.8
2009	1,866	3.8	0.086%	0.188%	1,889	3.8	3,755	7.6
2010	1,886	3.8	0.098%	0.201%	2,072	4.2	3,958	8.0
2011	1,972	3.9	0.104%	0.198%	2,696	5.4	4,668	9.3
2012	1,897	3.8	0.098%	0.183%	2,437	4.9	4,334	8.6
2013	1,744	3.5	0.087%	0.165%	2,266	4.5	4,010	8.0
2014	1,707	3.4	0.088%	0.168%	2,070	4.1	3,777	7.4
2015	1,646	3.2	0.081%	0.157%	2,134	4.2	3,780	7.4

* Crime rate: Number of crimes reported per 100,000 inhabitants (recalculated using the estimated population released by the Statistic Korea in 2017).

※ Source : *Crime Analysis* (2006–2015), Supreme Prosecutor's Office. Reproduced.

※ Note : As rates shown in the above table were based on the most recent demographic data released by the Statistics Korea, they can be slightly different than the one presented in the *Crime Analysis*.



[Figure 1-2-2] The Number of Arson per 100,000 Population
(Supreme Prosecutor's Office data)

The table below illustrates the number of casualties inflicted by arson offences in the past decade. The number of victims with bodily harm was approximately 200 in 2006. It diminished sharply from 2007 to 2011, increased again in 2012 onwards (recording 42, the lowest point, in 2011, 86 in 2012, and 131 in 2013), and then fell sharply to 60 in 2014 and 61 in 2015.

The reliability of the arson statistics is somewhat questionable because the data discussed here is not regarded as a mandatory entry to the system⁹⁾. Therefore, the majority of the results may be the outcome of an inconsistent entry. Nevertheless, it is still likely that the frequencies of the victims who suffered from bodily injuries or harm declined during the period.

9) The frontline police officers are responsible for entering the relevant information of a crime into the crime statistics base table. Since this task often overburdens them, some items have been made optional.

〈Table 1-2-6〉 Number of Injuries and Deaths of Arson Victims
(Supreme Prosecutor's Office data)

Year	A Number of Arson	Bodily Harm Caused by Arson (Person)			Ratio of Bodily Harm (B+C)/A × 100
		B Injuries	C Deaths	B+C Subtotal	
2006	1,685	222	67	289	17.2%
2007	1,694	160	30	190	11.2%
2008	1,946	74	27	101	5.2%
2009	1,866	48	21	69	3.7%
2010	1,886	48	11	59	3.1%
2011	1,972	14	28	42	2.1%
2012	1,897	79	7	86	4.5%
2013	1,744	106	25	131	7.5%
2014	1,707	46	14	60	3.5%
2015	1,646	46	15	61	3.7%

※ Source : *Crime Analysis* (2006–2015), Supreme Prosecutor's Office. Reproduced.

Section 3. Robbery

The act of robbery recognized by various official crime statistics in Korea includes robbery, special robbery, quasi-robbery, quasi-special robbery, robbery by a hostage, piracy, bodily injury or death resulting from robbery, robbery, and rape under the Criminal Act. Attempts, preparations, and conspiracies under each of these are also included in the category of robbery. Also, the types of robbery prescribed in the Act on the Aggravated Punishment, etc. of Specific Crimes are occasionally discussed under this category.

The table below displays the number and crime rate of robbery based on the government data collected over the past decade.

〈Table 1-2-7〉 Robbery by the Number, Volume, and Rate (special robbery and rape exclusive)
(Supreme Prosecutor's Office data)

Year	Robbery		Volume (%)	
	Number	Crime Rate*	Out of Total Crimes	Out of Offences under the Criminal Act
2006	4,684	9.7	0.26%	0.6%
2007	4,470	9.2	0.23%	0.5%
2008	4,827	9.9	0.22%	0.5%
2009	6,379	13.0	0.29%	0.6%
2010	4,395	8.9	0.23%	0.5%
2011	4,021	8.1	0.21%	0.4%
2012	2,643	5.2	0.16%	0.3%
2013	2,013	4.0	0.10%	0.2%
2014	1,618	3.2	0.08%	0.16%
2015	1,472	2.9	0.07%	0.14%

* Crime rate: Number of crimes reported per 100,000 inhabitants

※ Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.

※ Note : As rates shown in the above table were based on the most recent demographic data released by the Statistics Korea, they can be slightly different than the one presented in the *Crime Analysis*.

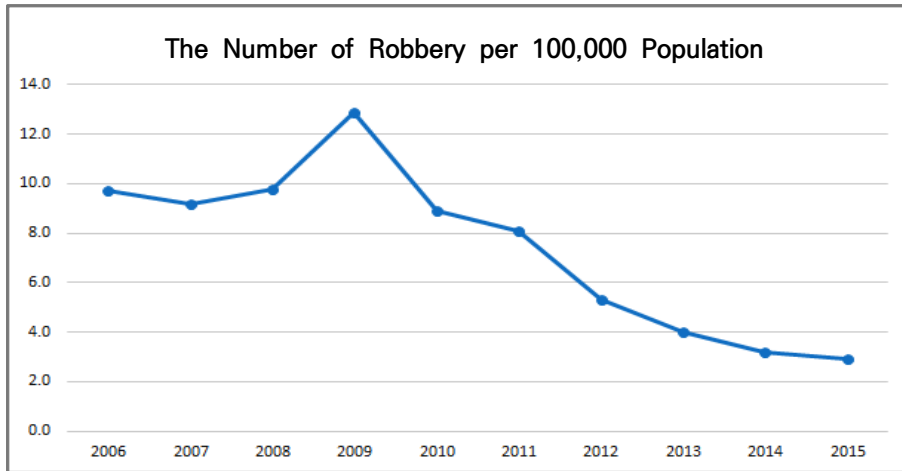
Except for a brief increase in 2008 and 2009, the rate of robberies demonstrates a downward trend in general as well as its volume. The rate in 2015 (1,472 cases with a 2.9 rate) stood apart since it was the lowest figure recorded in the past decade, almost one-third of the previous decade.

The table below illustrates the crime statistics on robbery by volume and rate. The robbery rates, in all three different categories, fell over the last five years. From 2006 to 2015, the break-in robbery rate fell from 4.4 to 1.2, the street robbery rate fell from 1.6 to 0.4, and other types¹⁰⁾ of robbery dropped from 3.7 to 1.3. Street robberies drastically fell while other types of robbery dropped slowly.

Regarding the volume, in 2006, 45.3% of the total robbery offences were break-in robberies, 16.6% street robberies, and 38.1% of other types of robberies.

10) Other types include all the other crime types except break-in robbery and street robbery. The types do not mean "Other" in the *Crime Analysis* of the Supreme Prosecutor's Office.

In the next decade, the percentages of the three categories of robberies changed to 40.3%, 12.6%, and 45.4%, respectively.



[Figure 1-2-3] The Number of Robbery per 100,000 Population
(Supreme Prosecutor's Office data)

[Table 1-2-8] Robbery by Number, Volume, and Rate (Supreme Prosecutor's Office data)

Year	Total (A)	Break In Robbery			Street Robbery			Other Types of Robbery***		
		Number (B)	Volume B / A × 100 (%)	Crime Rate*	Number (C)	Volume C / A × 100 (%)	Crime Rate*	Number (D)	Volume D / A × 100 (%)	Crime Rate*
2006	4,684	2,123	45.3%	4.4	778	16.6%	1.6	1,783	38.1%	3.7
2007	4,470	1,875	41.9%	3.9	819	18.3%	1.7	1,776	39.7%	3.6
2008	4,827	1,687	34.9%	3.4	855	17.7%	1.7	2,285	47.3%	4.7
2009	6,379	2,127	33.3%	4.3	1,068	16.7%	2.2	3,184	49.9%	6.5
2010	4,394	1,391	31.7%	2.8	803	18.3%	1.6	2,200	50.1%	4.4
2011	4,021	1,298	32.3%	2.6	684	17.0%	1.4	2,039	50.7%	4.1
2012	2,404	998	41.5%	2.0	479	19.9%	1.0	927	38.5%	1.8
2013	1,826	808	44.2%	1.6	285	15.6%	0.6	733	40.1%	1.5
2014	1,618	682	42.2%	1.3	226	14.0%	0.4	640	40.0%	1.3
2015	1,472	593	40.3%	1.2	185	12.6%	0.4	668	45.4%	1.3

* Crime rate: Number of crimes reported per 100,000 inhabitants

** The sum of different categories of robbery that include robbery inside vehicles, piracy, robbery by vehicle, robbery by kidnapping, robbery by anaesthetic substances, robbery by hostage, rape and robbery, abrupt robbery, and others.

※ Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.

In other words, although break-in robberies accounted for the largest share of total robbery offences in 2006, other types of robberies increased more rapidly over the last ten years and held the most significant share. It should be noted that the volume of break-in robberies at some point between 2006 and 2015 fell to an approximate 30% and then bounced back in recent years at the same time when the volume of other types of robberies rose to near 50% and then recently fell. Regarding the last four to five years, street robberies fell every year from 19.9% in 2012 to 12.6% in 2015.

Section 4. Larceny

Larceny is the most traditional form of offence with a large number of hidden crimes, compared to other types of crimes. The official crime statistics included larceny under the Criminal Act. Larceny is the act of stealing by trespassing upon another's residence at night, special larceny, and unlawful use of automobiles robbery, and the crime of larceny under the Act on the Aggravated Punishment, etc. of Specific Crimes. The official crime statistics in Table 1-2-9 demonstrates both the number and rates of larceny, which increased steadily and peaked in 2012 (a total of 293,074 with the rate of 583.8) but continued to decrease for four consecutive years onwards: the rate being 576.7 in 2013, 525.7 in 2014, 483.0 in 2015. It should be noted that the crime of trafficking of stolen goods, despite its close relatedness to larceny, does not increase or decrease the proportion of the trends in larceny.

〈Table 1-2-9〉 Larceny by the Number, Volume, and Rate (Supreme Prosecutor's Office data)

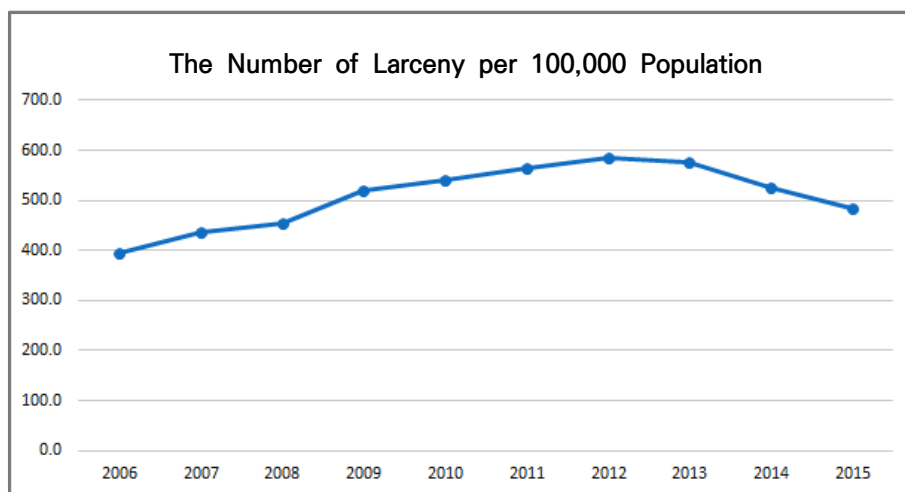
Year	Larceny		Volume (%)		Reference : Trafficking of Stolen Goods	
	Number	Crime Rate*	Out of Total Crimes	Out of Offences under Criminal Act	Number	Crime Rate*
2006	190,745	393.8	10.4%	23.0%	2,432	5.0
2007	212,530	436.6	10.8%	25.1%	3,050	6.3
2008	223,264	455.1	10.2%	24.9%	2,212	4.5
2009	256,680	520.6	11.8%	25.8%	3,381	6.9
2010	268,007	540.8	14.0%	28.5%	3,206	6.5
2011	281,561	563.8	14.8%	28.2%	2,606	5.2
2012	293,074	583.8	15.1%	28.2%	3,856	7.7
2013	290,841	576.7	14.5%	27.5%	6,491	12.9
2014	266,784	525.7	13.8%	26.3%	3,668	7.2
2015	246,424	483.0	12.2%	23.5%	4,263	8.4

* Crime rate: Number of crimes reported per 100,000 inhabitants

※ Source : *Crime Analysis* (2006–2015), Supreme Prosecutor's Office. Reproduced.

※ Note : As rates shown in the above table were based on the most recent demographic data released by the Statistics Korea, they can be slightly different than the one presented in the *Crime Analysis*.

Both of the frequencies and a proportional change in larceny offences followed a similar pattern. Both peaked in 2012, accounted for 15.1% out of the total offences and 28.2% out of the offences under the penal code. Then, it fell for three consecutive years from 2013 to 2015 (14.5 and 27.5% in 2013, 13.8 and 26.3% in 2014, and 12.2 and 23.5% in 2015).



[Figure 1-2-4] The Number of Larceny per 100,000 Population
(Supreme Prosecutor's Office data)

The table below illustrates the crime statistics on the number, volume, and rate of various larceny offences.

〈Table 1-2-10〉 Types of Larceny by the Number and Rate (Supreme Prosecutor's Office data)

Year	Number (A)	Traditional Larceny*			Other Types of Larceny***		
		Number (B)	Volume B/A × 100(%)	Crime Rate**	Number (C)	Volume C/A × 100(%)	Crime Rate**
2006	190,748	87,323	45.8%	180.3	103,425	54.2%	213.5
2007	212,531	94,676	44.5%	194.5	117,855	55.5%	242.1
2008	223,262	93,451	41.9%	190.5	129,811	58.1%	264.6
2009	256,681	103,418	40.3%	209.7	153,263	59.7%	310.8
2010	267,994	99,393	37.1%	200.6	168,601	62.9%	340.2
2011	281,534	106,370	37.8%	213.0	175,163	62.2%	350.8
2012	274,660	129,001	46.9%	257.0	145,659	53.0%	290.2
2013	273,068	122,211	44.8%	242.3	150,857	55.2%	299.1
2014	266,784	96,862	37.1%	190.9	163,688	62.9%	322.6
2015	246,424	82,000	33.3%	160.7	163,877	66.5%	321.2

* The sum of break-in larceny, pickpocketing, snatching, shoplifting, larceny using automobile, larceny by trickery

** Crime rate: Number of crimes reported per 100,000 inhabitants (recalculated using the estimated population release by the Statistic Korea in 2017).

*** Figures quoted directly from the *Crime Analysis* of the Supreme Prosecutor's Office.

※ Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.

In the process of composing a more legible table, we simplified the data by combining and placing the most common types of larceny, such as break-in larceny, pick-pocketing, snatching, shoplifting, larceny using an automobile, and larceny by trickery into two categories- traditional larceny and others- and compared the two. From 2005 to 2011, the general trend showed that the ratio of traditional larceny decreased, while the ratio of other types of larceny steadily increased. In 2012, traditional larceny increased by a relatively large margin but then decreased slightly in 2013 onwards. Over the last four years, traditional larceny continued to fall in volume and rate. Other types of larceny, on the other hand, increased in volume and rate.

Section 5. Sexual Violence

Sexual violence is the most under-reported crime. Therefore, it is the most difficult crime to accurately analyze from the data collected by the official crime statistics, even with assistance from other sources. The figures in the official data itself can lead readers to false information on the trend of sexual violence. The reported rate is low and inconsistent due to its contextual condition. Moreover, the relevant laws are revised almost every year to extend the application of sexual violence. All of these make it, fundamentally, a challenge to assess the actual trends in the crime of sexual violence. To worsen matters, not only because we have complex special law systems, but also because the data classification often lacks consistency, the official crime statistics on sexual violence is largely untrustworthy. To make a comprehensive and accurate assessment on the issues, frequent data collection and updating the existing data are the best method to accurately collect the occurrences of sex crimes. Otherwise, we would probably only see a grossly distorted reflection of our real society.

The scope of sexual violence defined in this section includes both the crime of rape and the incident act by compulsion under the Criminal Act and sexual violence-related crimes under the special criminal laws. Crimes concerning rape under the Criminal Act include Rape (Article 297), Imitative Rape (Article 297-2, Article 299), Indecent Act by Compulsion (Article 298), Quasi-Rape (Article 299), Quasi-Indecent Act by Compulsion (Article 299), Inflicting or Causing Another's Bodily Injury by Rape (Article 301), Killing Another or Causing Death of Another by Rape (Article 301-2), Sexual Intercourse with Minor and Feeble-minded Person (Article 302), Sexual Intercourse Abuse by an Occupational Authority (sexual abuse of a person who is under his/her protection or supervision for his/her business, employment or other relationship) (Article 303), and Sexual Intercourse or Indecent Acts with Minor (Article 305). The Act on the Special Cases Concerning the Punishment etc. of Sexual Crimes covers sexual crimes in its contents including aggravated rape, quasi-aggravated rape, special indecent act by compulsion, special quasi-indecent act by compulsion, sexual intercourse through abuse of a consanguineous or marital relationship such as rape, quasi-rape, indecent act by compulsion, quasi-indecent act by compulsion, rape or commission of indecent acts by compulsion on persons with disabilities including fraud and indecent acts by compulsion, indirect sexual intercourse, rape or indirect sexual intercourse on minors under the age of 13, indecent acts through threat of force by an occupational authority, fraud and adultery on persons with disabilities, adultery on persons with disabilities, fraud and adultery on minors under the age of 13, robbery and rape, adultery with housebreaking, quasi-rape on persons with disabilities, killing another by rape, causing death of another by rape, and inflicting another's bodily injury by rape. The Articles of the Act on the Protection of Children and Juveniles against Sexual Abuse classifies sexual violence into rape, indirect sexual intercourse, indecent act by compulsion, fraud and an indecent act, indecent act on persons with disabilities, fraud and adultery, adultery on

persons with disabilities, quasi-rape, killing another by rape, inflicting another's bodily injury by rape, causing death of another by rape, and causing death of another by rape. In addition, the Former Act on the Punishment of Sexual Crime and Protection of Victims states sexual attacks as sexual intercourse or indecent acts with minor, sexual intercourse through abuse of a consanguineous or marital relationship, killing another by rape, causing death of another by rape, and inflicting another's bodily injury by rape. Lastly, the Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes also describes sex crimes as repeated rape, repeated indecent act by compulsion, repeated adultery, and sexual harassment by persons engaged in child welfare facilities.

Table 1-2-11 presents the number and rate of sexual violence crime by year. In the table, a gradual upward trend is observed for the last ten years, except in 2012 when a slight decrease was noted compared to 2011¹¹⁾. The year of 2015, the most recent data set, topped the record.

Unlike other types of serious crimes, most of which appear to be a steady downward trend, sexual violence had a steep upward trend. Nevertheless, it is difficult to conclude that the statistical growth in the figures reflects the actual increase in sexual violence. First, a continuous revision and the enactment of special acts related to sexual violence have extended the scope of legal application of the relevant laws in this category of crime. We also need to consider the possibility of the changes in the crime report rate due to the factors, such as the weakening of women's traditional roles and the growth in women's rights as well as the changed perception of the judiciary toward sexual violence. Given these factors, it is difficult to identify the actual changes in the trends by interpreting the data on the table alone.

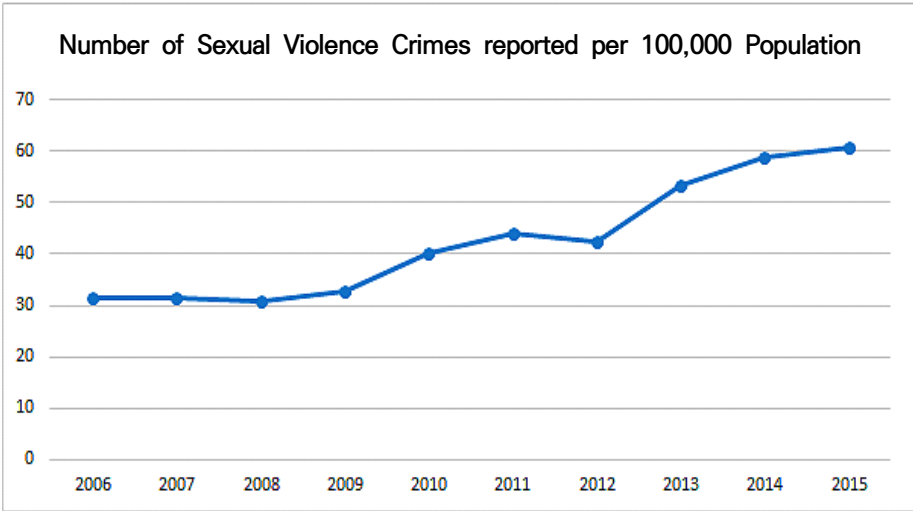
11) However, the downward trend in 2012 was not so much a substantial decrease as a result from the statistical changes of a few of the crimes reported under the Act on the Protection of Children and Juveniles from Sexual Abuse were excluded from that year's statistics on sexual violence.

〈Table 1-2-11〉 Crimes of Sexual Violence by the Number and Rate
(Supreme Prosecutor's Office data)

Year	Number of Sexual Crimes	Crime Rate*	Ratio of the Total Crimes	
			Total	Criminal Law Offences
2006	15,157	31.3	0.8%	1.8%
2007	15,386	31.6	0.8%	1.8%
2008	15,094	30.8	0.7%	1.7%
2009	16,156	32.8	0.7%	1.6%
2010	19,939	40.2	1.0%	2.1%
2011	22,034	44.1	1.2%	2.2%
2012	21,346	42.5	1.1%	2.1%
2013	26,919	53.4	1.3%	2.5%
2014	29,863	58.8	1.5%	2.9%
2015	31,063	60.9	1.5%	3.0%

* Crime rate: Number of crimes reported per 100,000 population (Recalculate the estimated population of Statistics Korea 2017 by gender and by age)

※ Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.



[Figure 1-2-5] Trends in the Crimes of Sexual Violence (Supreme Prosecutor's Office Data)

One possible approach to solve this problem is to limit the data collection on a particular crime and follow its trend. For example, we can separate the

crimes of bodily injury by rape from crimes causing bodily injury on another by rape (or simply rape) and examine each trend.

The *Crime Statistics* published jointly by KIC and the National Police Agency in 2011 subdivided the crimes of sexual violence into rape, quasi-rape, indecent act by compulsion, and others since 2013.

In Table 1-2-12, among the total 21,286 sexual violence cases collected by the National Police Agency (*Crime Statistics*) in 2015, the actual number of rape cases is 5,151. There are 15,059 cases of an indecent act by compulsion, and 518 are quasi-rape cases. The remaining 558 are the uncertain cases; it could have been rape or indecent act by compulsion.¹²⁾

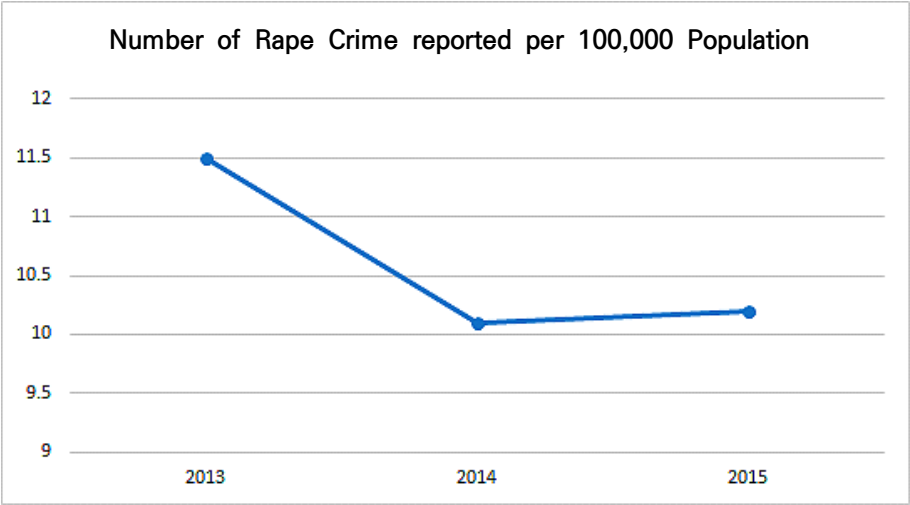
〈Table 1-2-12〉 Sub-categories of Sexual Violence in 2015 (National Police Agency data)

Sexual Violence	Number of Sexual Crimes	Arrest	Arrest Ratio to the Number	Number of Offenders Arrested			
				Subtotal	Male	Female	Unknown
Rape	5,151	5,101	99.0	5,710	5,612	57	41
Quasi-rape	518	514	99.2	539	527	10	2
Indecent Act by Compulsion	15,059	14,355	95.3	14,701	14,306	261	134
Other Rape • Indecent Act by Compulsion etc.*	558	555	99.5	703	665	31	7
Total	21,286	20,525	96.4	21,653	21,110	359	184

* Cases that cannot be clearly identified whether they are rape or indecent act by compulsion.

※ Source: *Crime Statistics* (2015), National Police Agency

12) The uncertain cases are mainly due to lack of details in legal category. More recent statistics make it possible to clearly classify categories due to modified coding system.



[Figure 1-2-6] Trends in Rape Crimes (Supreme Prosecutor’s Office data)

The third year on the statistics of rape has shown that 5,753, 5,078 and 5,151 cases occurred in 2013, 2014 and 2015 respectively, which are recalculated as 11.5, 10.1 and 10.2 case reported per 100,000 population for the same years. Figure 1-2-6 presents the number of rape crimes reported per 100,000 population and demonstrates the differences between the gradual changes in the trends of rape crimes and the rapid increase in sex crimes.

However, the most remarkable difference existed in the total number of sexually violent crimes in Table 1-2-11 and Table 1-2-12. In 2015, the *Crime Analysis* of the Supreme Prosecutor’s Office claimed that the total number of crimes of sexual violence reached 31,063 cases. The *Crime Statistics* of the National Police Agency stated that the number of the crimes were 21,286, which would result in a gap of as many as 10,000 cases. Why did a difference occur? The answer to this question can be found to some extent in Table 1-2-13, which shows the latest crime classification of the Supreme Prosecutor’s Office. In the past, the *Crime Analysis* of Supreme Prosecutor’s Office had no information on the detailed crime statistics on sexual violence, and it had included sub-categories of sexual

violence within the crime statistics after partnering with the Korean Institute of Criminology in 2015. The table demonstrated that “Taking Photos by Using Cameras, etc.” (7,730), “Intrusion upon Places with Intent to Satisfy Sexual Urges” (543), and “Obscene Acts by Using Means of Communication” (1,139) are new additions apart from the basic information in the *Crime Statistics* of National Police Agency, such as rape (including sexual intercourse with minor) and an incident act by compulsion (including incident act in public place). The difference in the number of cases is about 10,000 cases and is caused by whether the three listed types above are included in the crimes of sexual violence or not.

One more remarkable thing is the rates of those three crimes (Taking Photos by Using Cameras, etc., Intrusion upon Places with Intent to Satisfy Sexual Urges and Obscene Acts by Using Means of Communication) have sharply increased recently. According to the *Crime Statistics* of the National Police Agency, except those three types of crime, the number of the sexual violence crimes reached 22,310 in 2013, 21,055 in 2014 and 21,286 cases in 2015, respectively; it is not fair to say that there is an actual increase. However, as shown in Table 1-2-11, the Sexual Crime Statistics of the Supreme Prosecutor’s Office included the three crimes mentioned above and have noticed that the criminal cases had dramatically increased from 26,919 in 2013, 29,863 in 2014, and 31,063 in 2015. The new types of criminal cases have mainly led to a steep increase in sexual violence.

〈Table 1-2-13〉 Sub-categories of Sexual Violence in 2015 (Supreme Prosecutor's Office data)

Classification of Sexual Violence	Number		Arrest		Number of Arrests			
	Number of Crime	Crime Rate	Number of Arrest	Arrest Rate	Subtotal	Male	Female	Unknown
Rape	5,023	9.7	4,956	98.7	5,431	5,357	56	18
Incident Act by Compulsion	13,266	25.7	12,670	95.5	12,801	12,522	248	31
Adultery	251	0.5	251	100.0	302	298	4	-
Rape etc.(Rape, Quasi-rape, Adultery, Incident Act by Compulsion, Quasi-incident Act by Compulsion)	283	0.5	283	100.0	357	340	17	-
Inflicting Another's Bodily Injury by Rape	276	0.5	273	98.9	295	284	9	2
Causing Another's Bodily Injury by Rape	573	1.1	570	99.5	649	635	11	3
Killing Another by Rape	5	0.0	5	100.0	8	8	-	-
Causing Dearth of Another by Rape	1	0.0	1	100.0	1	1	-	-
Special Robbery, Rape	72	0.1	75	104.2	75	74	1	-
Taking Photos by Using Cameras, etc.	7,730	15.0	7,543	97.6	4,023	3,924	94	5
Intrusion upon Places with Intent to Satisfy Sexual Urges	543	1.1	515	94.8	473	471	2	-
Obscene Acts by Using Means of Communication	1,139	2.2	1,073	94.2	1,004	964	38	2
Incident Act in Crowded Public Place	1,901	3.7	1,766	92.9	1,780	1,773	6	1
Total	31,063	60.3	29,981	96.5	27,199	26,651	486	62

※ Source: *Crime Analysis* (2016), Supreme Prosecutor's Office. Quoted as a booklet.

Section 6. Violence · Assault Inflicting Bodily Injury

The violence and assault inflicting bodily injury as mentioned in this chapter include the crimes of violence and assault inflicting bodily injury under the Criminal Act. They are seldom considered as cases of violence under the special criminal law: the Act on the Punishment of Violence, etc., Violence under the Criminal Act including violence, special violence, habitual violence, violence on the lineal ascendant, injury/death resulting from violence, and the injury/death resulting from violence on the lineal ascendant, and violence under the Act on the Aggravated Punishment, etc. including violence against drivers operating automobile and retaliatory crimes. As for assault inflicting bodily injury, bodily injury, bodily injury on the lineal descendant, death resulting from bodily injury, and death resulting from bodily injury on the lineal descendant are included. Recently, death resulting from child abuse, abuse of aggravated bodily injury on children and habitual child abuse as mentioned in the Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes also fall into assault inflicting bodily injury cases.

Table 1-2-14 shows the number and rate of violence and assault inflicting injury from 2006 to 2015. In this table, a steady upward trend is found in the crimes of violence, and a gradual downward trend is observed in the crimes of assault inflicting bodily injury since 2007. When it comes to the combination of the two data sets (Figure 1-2-7), the overall trends will be an upward trend due to the relatively higher portion of violent crimes.

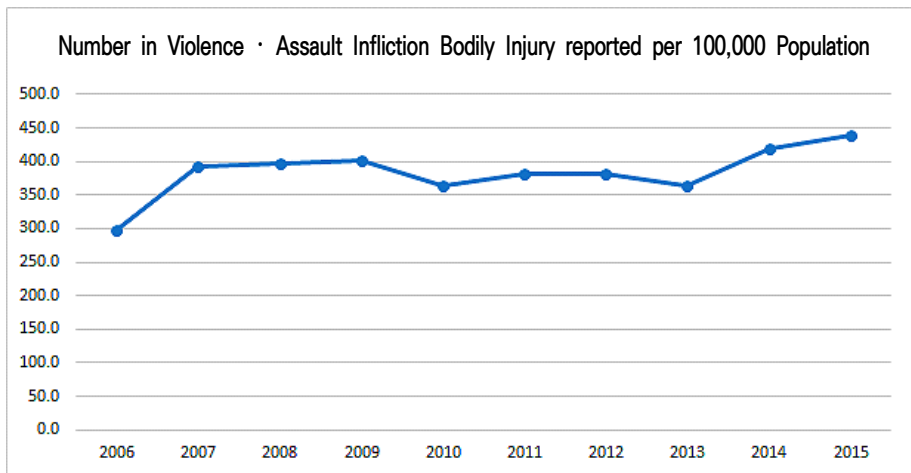
〈Table 1-2-14〉 Violence · Assault Inflicting Bodily Injury by Number and Rate

Year	Violence (A)	Assault (B)	Violence · Assault		Ratio to Total Crimes	Ratio to Criminal Law Offences
			Number* (A+B)	Crime Rate**		
2006	64,235	79,542	143,777	296.8	7.9%	17.4%
2007	97,598	93,178	190,776	391.9	9.7%	22.6%
2008	107,947	86,924	194,871	397.3	8.9%	21.7%
2009	115,524	82,686	198,210	402.0	9.1%	20.0%
2010	109,580	70,785	180,365	364.0	9.4%	19.2%
2011	123,304	67,719	191,023	382.5	10.0%	19.2%
2012	128,110	63,242	191,352	381.2	9.8%	18.4%
2013	126,520	56,653	183,173	363.2	9.1%	17.3%
2014	146,625	65,840	212,465	418.7	11.0%	20.9%
2015	161,636	62,700	224,336	439.7	11.1%	21.4%

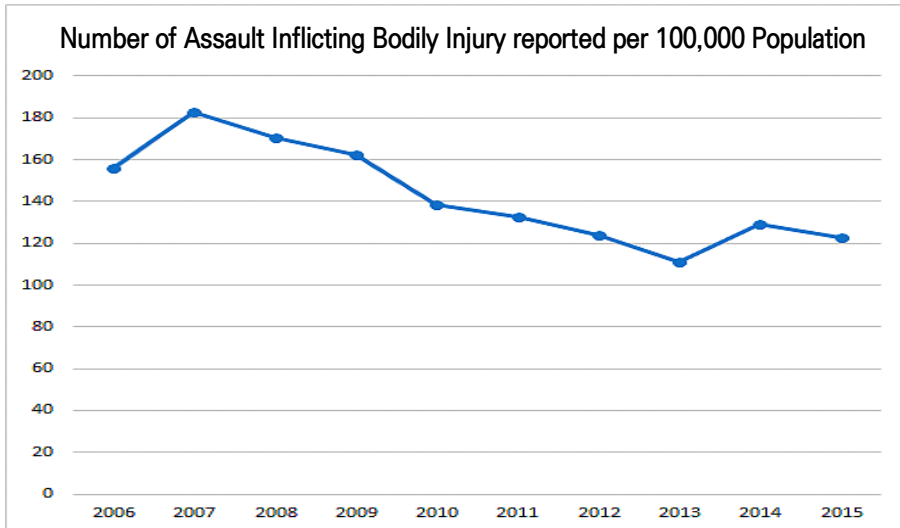
* Combination of violence and assault inflicting bodily injury, which include the violations of the provisions of the Act on the Punishment of Violence etc.

** Crime rate: Number of crimes reported per 100,000 population (Recalculate the estimated population of Statistics Korea 2017 by gender and age)

※ Source : *Crime Analysis* (2006-2015), Supreme Prosecutor's Office. Reproduced.



[Figure 1-2-7] Trends in Violence/ Assault Infliction Bodily Injury Crimes
(Supreme Prosecutor's Office data)



[Figure 1-2-8] Trends of Assault Inflicting Bodily Injury Crimes
(Supreme Prosecutor's Office data)

In the case of violence, if victims do not want offenders to be punished, the offenders cannot be charged with a crime. However, an assault inflicting bodily injury crime is still not the case. Therefore, the statistics of assault inflicting bodily injury is relatively objective. In other words, the increased number in violence is not caused by the increasing rate of crime. The rates can potentially increase by victims who do not to forgive crime offenders even though the crime occurrence rate is stable or has dropped. Table 1-2-15 presents the relationship between victims and perpetrators in violence and assault inflicting bodily injury.

〈Table 1-2-15〉 Regrouping of the Victim-Perpetrator Relationship in Violence and Assault Inflicting Bodily Injury Cases

Year	Victims (Person)*	Acquaintance of All Sorts**	Unacquainted***
2006	167,682 (100.0)	46,184 (27.5)	121,498 (72.5)
2007	215,840 (100.0)	54,314 (25.2)	161,526 (74.8)

Year	Victims (Person)*	Acquaintance of All Sorts**	Unacquainted***
2008	275,714 (100.0%)	65,632 (23.8)	210,082 (76.2)
2009	274,513 (100.0)	63,688 (23.2)	210,825 (76.8)
2010	245,062 (100.0)	55,220 (22.5)	189,842 (77.5)
2011	241,895 (100.0)	49,082 (20.3)	192,813 (79.7)
2012	255,490 (100.0)	57,097 (22.3)	198,393 (77.7)
2013	244,308 (100.0)	53,882 (22.1)	190,426 (77.9)
2014	305,051 (100.0)	66,143 (21.7)	238,908 (78.3)
2015	314,033 (100.0)	76,882 (24.5)	237,151 (75.5)

* Combination of violence and assault inflicting bodily injury.

** Combination of friends, girl/boyfriends, cohabiting and other relatives, employers, employees, workplace colleagues, business counter parties, neighbors and acquaintances.

*** Combination of strangers, others, unknown, the state and public servants.

※ Source : *Crime Analysis* (2006–2015), Supreme Prosecutor's Office. Reproduced.

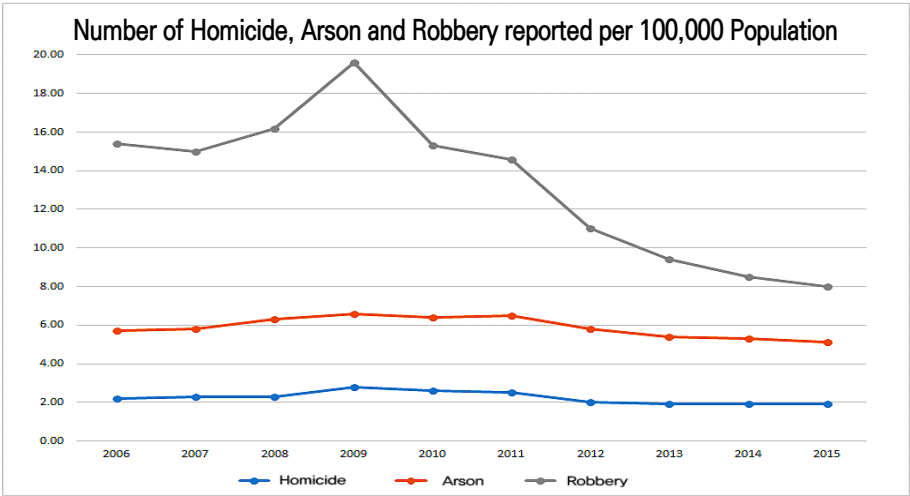
The table summarizes the statistical data presented in the *Crime Analysis* by the Supreme Prosecutor's Office in a simplified manner by reorganizing it into two categories. It initially classified the crime into 15 subcategories: the crimes committed by friends, girl/boyfriends, cohabiting relatives, neighbors, strangers, etc. In this table, not only the victims' family members, friends, or girl/boyfriends (individuals who are in an intimate relationship with the victim), but also the victims' work colleagues and neighbors (individuals who are acquainted with the victims and placed into a category titled, "acquaintance of all sorts"). On the other hand, complete strangers or an unknown relationship, the State, and public servants are put into the other category titled, "unacquainted."

The table demonstrates the percentage of victims and their perpetrators who knew of each other was at 20.3% in 2011, and the percentage of victims who did not know their perpetrator was at 79.7%. The incidences of violence and assault inflicting bodily injury crimes committed against an acquaintance was at

20.3% in 2011, a significant decrease compared to 2006 when the percentage was at 27.5%. Naturally, it corroborates with the finding that the percentage of violence and assault inflicting bodily injury committed in an unacquainted relationship has been gradually increasing. In 2012, however, the percentage of the crimes committed in an acquaintance relationship between the victim and perpetrator had slightly increased.

Section 7. The Summary of Recent Trends

Korea has six types of index crimes to explain crime trends such as homicide, arson, robbery, larceny, violence, sexual assault. Figure 1-2-9 presents the types of crime which have increased or decreased in the crime statistics of the past decade.



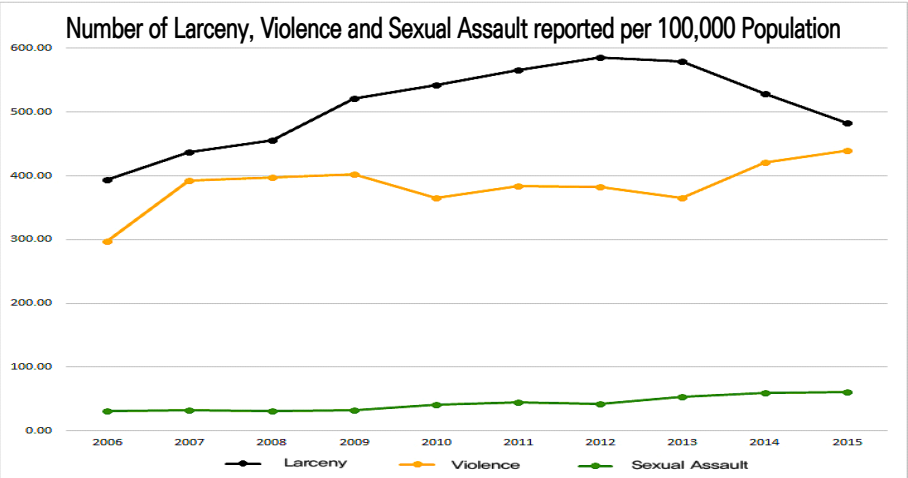
[Figure 1-2-9] Crimes Decreasing over the Decade

The rates of homicide, arson, and robbery by percentage of the population have been decreasing over the decade. The data of homicide showed 2.2 cases occurred per 100,000 population in 2006 and 1.9 cases in 2015. Arson reached 3.5 cases per

100,000 population in 2006 and had slightly gone down to 3.2 cases in 2015. Robbery represented 9.7 cases in 2006 and dramatically decreased to 2.9 cases in 2015.

The rate of larceny, violence, and assault inflicting bodily injury crimes (the combination of violence and assault inflicting bodily injury crimes) and sexual violence crime (the combination of rape and indecent act by compulsion) by percentage of the population have been increasing for ten years. The data on larceny showed 393.8 cases per 100,000 population in 2006 and 483 cases in 2015. Violence and assault inflicting bodily injury crimes increased from 296.8 to 439.7 cases during the same period. Crimes of sexual violence more than doubled from 31.3 cases per 100,000 population in 2006 to 60.9 cases in 2015.

Among the six index crimes, the more egregious offences such as homicide, arson, robbery had decreased, while the less notorious offences such as larceny, violence/ assault inflicting bodily injury crimes and sexual violence crime had increased. Homicide, a more serious crime of manslaughter, drastically dropped. Assault inflicting bodily injury, a more malicious offence among the violence and assault inflicting bodily injury crimes, decreased. Rape, the most serious crime among all sex crimes, declined as well.



[Figure 1-2-10] Rising Crimes over the Decade

From the midterm review of the last ten years, robbery remarkably reduced among the other crimes, while sexual violence increased substantially. The reduction in robberies was related to the decrease in the adolescent population and the increase in the elderly population (concerning the fact that robbery is committed by physically adventured motivation). The steep rise in crimes of sexual violence was potentially caused by the net increase in sexual violence itself. However, the effects of the enactment/ amendment of sexual violence-related laws over the last ten years (e.g., the cases of the legal activities which have recently fallen into illegal areas after the amendment of the laws) and the increasing public awareness on reporting crimes of sexual violence cannot be ignored.

Chapter 3



Trends and Characteristics of Victimization of Major Crimes

Choi, Soo Hyeong

Trends and Characteristics of Victimization of Major Crimes

Section 1. The Criminal Injury Rate of Major Crimes

This chapter examines the rate of total damage of major crimes reported during 2014 in Korea. A statistical system was designed to discern the overall results of crimes and criminal injuries.¹³⁾ In general, the type of criminal injury is divided into two categories: criminal injuries caused by violence and property crime. The criminal injuries caused by violence are specified as robbery, simple or aggravated assault, rape or sexual assault, whereas the property crime can be categorized by burglary, fraud, destruction, and trespass. This chapter analyzes the overall criminal injury rate along with damage and its consequences. Meanwhile, property crime was divided into two categories: housebreaking crime (robbery, larceny, damage to a household, etc.) and other property crime (burglary, theft, damage to motor vehicles, motor vehicle theft, damage to property, etc.).

1. Crime Victimization Rate

Table 1-3-1 displays the number of respondents, 511 among 14,976, who have suffered from criminal injuries in 2014. Assuming the victims are over the age of 14 years old (44,039,786 population), 3.4% of victim rate was estimated among 3,380.6 victims per 100,000 population, a decreased rate (4.0%) compared to 2012.

13) Refer to *Korean Crime Victim Survey in 2014*

〈Table 1-3-1〉 Crime Victimization Rate

Type		Total Crimes	
		2012	2014
Number of Respondents		13,317	14,976
Victims	Number (person)	519	511
	Rate (%)	3.9%	3.4%
	Weight (%)	4.0%	3.4%
Reported Victims	Number (per case)	601	555

To be exact, the number of victims in this table was calculated by the number of respondents and the reported number of victims. Since the survey has categorized the types of criminal injuries by the investigation of each crime, it is difficult to measure the types of criminal injuries when respondents did not answer to the criminal case investigation table. Therefore, this table shows only the number of victims who answered the survey. Also, the total number of crime victims was determined by if there was more than one criminal injury case, without regard to the type of crime. It means that the total number of victims is not the sum of the victims who suffered from the categorized criminal injuries. In this sense, we need to look at Table 1-3-2 for apprehending the exact number of victims.

As Table 1-3-2 below presents, compared to 2012, the rate of a victim of a criminal injury decreased to 0.3% (the estimated number of victims as 144,374 persons) for violent crimes and 3.1% (the estimated number of victims as 1,360,697 persons) for property crime in 2014. In other words, the rate of victims of violent crime decreased from 0.7% to 0.3%, and the rate of victims in property crime decreased from 3.4% to 3.1%. Meanwhile, the reported number of victims showed that there were 82 victims from 95 violence crime cases, such as robbery, sexual assault, and assault in 2012; there were 50 victims from 57 cases in 2014. ¹⁴⁾

14) In 2014, 57 cases of violence crime victim were 18 sexual assaults, 7 robberies, 28 assaults and bodily harm, and four harassment.

Moreover, there were 455 victims from 506 property crime cases, such as burglary, larceny, and destruction in 2012, and there were 465 victims from 498 cases in 2014.¹⁵⁾

〈Table 1-3-2〉 Victim Rate Per Type of Criminal Injury

Type		Types of Criminal Injuries			
		Violence		Property	
		2012	2014	2012	2014
Number of Respondents		13,317	14,976	13,317	14,976
Victims	Number (person)	82	50	455	465
	Rate (%)	0.6%	0.3%	3.4%	3.1%
	Weight (%)	0.7%	0.3%	3.4%	3.1%
Reported Victims	Number (per case)	95	57	506	498

Table 1-3-3 showed the number of criminal injury cases by the types of crime. In 2014, among the victims of violent crime, the victim rate per one criminal injury case was 91.9%, 5.3% for three cases, and 2.8% for two cases. In 2012, the victim rate per one criminal injury case was 90.3%, 7.6% for two cases, and 2.1% for three cases; it was a decrease in the number of criminal injuries compared to the year of 2014.

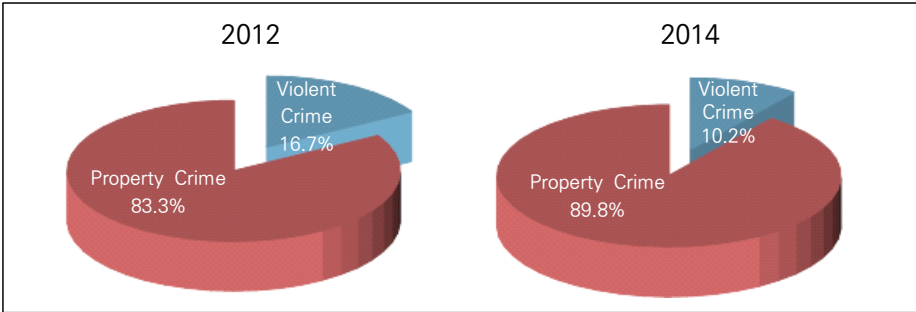
〈Table 1-3-3〉 Number of Criminal Injuries Per Type of Crimes

		Criminal Injury from Violent Crimes			
		2012		2014	
		Frequency	Weight (%)	Frequency	Weight (%)
Number of Criminal Injuries	1 case	72 persons (87.8%)	90.3%	45 persons (90.0%)	91.9%
	2 cases	7 persons(8.5%)	7.6%	3 persons(6.0%)	2.8%
	3 cases	3 persons(3.7%)	2.1%	2 persons(4.0%)	5.3%
Subtotal		82 persons (100.0%)	100.0%	50 persons (100.0%)	100.0%

15) In 2014, 498 cases of property crime victim were 236 theft cases, 132 larceny cases, 113 damage to property cases, and 17 others (housebreaking).

		Criminal Injury from Property Crimes			
		2012		2014	
		Frequency	Weight (%)	Frequency	Weight (%)
Number of Criminal Injuries	1 case	414 persons (91.0%)	90.9%	439 persons (94.4%)	95.1%
	2 cases	32 persons (7.0%)	7.1%	20 persons (4.3%)	3.5%
	3 cases	8 persons (1.8%)	1.5%	5 persons (1.1%)	1.3%
	4 cases	1 persons (0.2%)	0.4%	1 persons (0.2%)	0.1%
Subtotal		455 persons (100.0%)	100.0%	465 persons (100.0%)	100.0%

As described in Table 1-3-2 and Table 1-3-3, in both violent crime and property crime cases, the number of victims and criminal injuries decreased from 2012 to 2014. Figure 1-3-1 displayed the differences in the rates of violent crime and property crime in 2012 and 2014. In 2014, the rate of violent crime decreased to 10.2% from 2012 (16.7%), whereas the rate of property crime increased.



[Figure 1-3-1] Rate of Criminal Injuries in Major Crimes

2. Household Crime Victimization Rate

Table 1-3-4 displayed the number of households who have suffered from housebreaking crimes and burglary in 2014. Among the 6,960 households, 117¹⁶⁾

16) Among the number of household victims, there were 2 victims of housebreaking robbery,

were victims of a housebreaking crime such as robbery, larceny, damage to the household, etc., and 110 were victims of burglary such as motor vehicle theft or damage, theft, etc.¹⁷⁾ According to the figures, among the total of 18,705,004 households, 296,261 (1.6%) are victims of housebreaking crime, and 260,036 (1.4%) were victims of burglary. Meanwhile, the rate of housebreaking victimization was decreased to 1.6% in 2014 from 2.2% in 2012, and the rate of burglary victimization reduced to 1.4% in 2014 from 1.6% in 2012.

〈Table 1-3-4〉 The Victimization Rate of Households Per Type of Crime

Type		Types of Household Victimization			
		Housebreaking		Others	
		2012	2014	2012	2014
Number of Respondents (Households)		6,300	6,960	6,300	6,960
Number of Victims (Households)	Number (Households)	141	117	89	110
	Rate(%)	2.2%	1.7%	1.4%	1.6%
	Weight(%)	2.2%	1.6%	1.6%	1.4%
Reported Victimized Case	Number (per case)	155	123	96	120

Table 1-3-5 presented the number of victimization of a crime per household. In regards to the housebreaking crime, a household who suffered only once from a housebreaking crime was at 96.2% in 2014 compared to 90.8% in 2012. However, the number of households which suffered from the offense twice decreased to four households (3.4%) in 2014 from 12 households (8.8%) in 2012. On the other hand, regarding a burglary, the single household victimization rate was at 91.2%

93 victims of housebreaking theft, 6 victims of housebreaking and damage to property, 16 victims of only housebreaking. There was no overlapped case of victim.

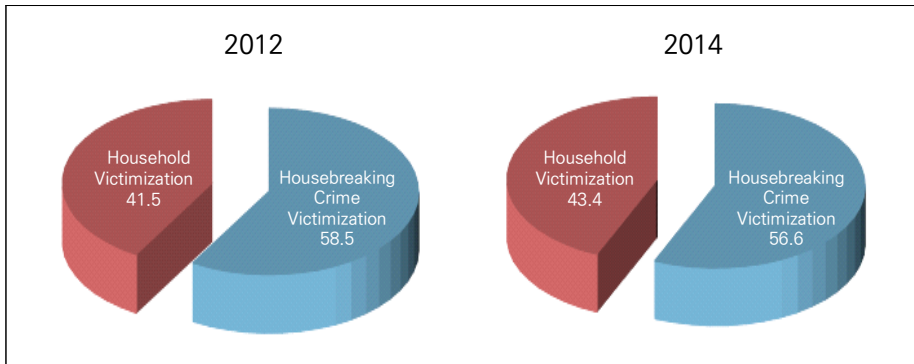
- 17) The number of other types of victim was 13 household victims of motor vehicle theft, 88 household victims of damage to motor vehicles, 10 household victims of damage to property crime, including one case victim in which motor vehicle damage and simple damage happened simultaneously.

in 2014 compared to 93.1% in 2012. For two occurrences of victimization, it has shown a reversed result, an increased rate: ten households (9.1%) in 2014 from 5 households (5.0%) in 2012.

〈Table 1-3-5〉 The Number of Crime Victimization per Household

		Housebreaking Crime Victimization			
		2012		2014	
		Frequency(%)	Weight(%)	Frequency(%)	Weight(%)
Number of Victimization	1 case	128 households (90.8%)	90.8%	112 households (95.7%)	96.2%
	2 cases	12 households (8.5%)	8.8%	4 households (3.4%)	3.3%
	3 cases	1 household (0.7%)	0.4%	1 household (0.9%)	0.5%
Subtotal		141 households (100.0%)	100.0%	117 households (100.0%)	100.0%
		Household Crime Victimization			
		2012		2014	
		Frequency(%)	Weight(%)	Frequency(%)	Weight(%)
Number of Victimization	1 case	83 households (93.3%)	93.1%	100 households (90.9%)	91.2%
	2 cases	5 households (5.6%)	5.0%	10 households (9.1%)	8.8%
	3 cases	1 household (1.1%)	2.0%	0 household (0.0%)	0.0%
Subtotal		89 households (100.0%)	100.0%	110 households (100.0%)	100.0%

Figure 1-3-2 displayed the victimization rate of housebreaking crimes and household crimes in 2012 and 2014. In 2014, the victimization rate of a housebreaking crime (robbery, larceny, and damage to a household) decreased to 56.6% from 58.5% in 2012. However, household victimization (burglaries, theft, damage to motor vehicles, and motor vehicle theft) increased to 43.4% in 2014 compared to 41.5% in 2012.



[Figure 1-3-2] Household Crime Victimization Rate

〈Table 1-3-6〉 General Characteristics of Households Crime

Type		Household Crime			
		Housebreaking		Others	
		2012	2014	2012	2014
Housing	Single Family House	54.9	57.7	25.4	18.3
	Apartment Building	18.1	20.3	47.8	59.2
	Multi-household Dwelling/ Multiplex House	21.0	18.2	22.5	21.3
	Non-Resident Building (Store, Factory, Hotel, etc.)	2.8	2.9	3.2	1.1
	Studio Apartment	3.1	1.0	1.1	0.0
Residential Type	One's Own House	57.7	63.4	52.0	68.2
	Lease	16.1	20.3	18.4	19.2
	Monthly Rent with Variable Deposit	9.1	11.1	5.3	8.0
	Monthly Rent	11.0	3.0	19.7	3.7
	Free of Charge	6.1	2.1	4.6	1.0
Family Household	Single Household	27.3	26.1	22.4	15.8
	Couple	20.3	24.5	12.0	13.6
	Parents and Children	35.0	40.7	49.2	58.4
	Single Parent and Children	11.3	2.8	12.4	6.9
	Family with 3 Generation or More	2.7	4.5	2.6	1.2
	Sibling	0.7	0.0	0.0	0.0
	Grandparents and Grandchildren	1.0	1.4	1.3	0.0
	Unrelated Family/Others	1.7	0.0	0.0	0.0

Type		Household Crime			
		Housebreaking		Others	
		2012	2014	2012	2014
Household Total Income	Monthly Average Under KRW 1 Million	27.2	21.6	9.8	6.8
	Monthly Average between KRW 1 Million ~ 2 Million	19.6	16.5	13.2	8.2
	Monthly Average between KRW 2 Million ~ 3 Million	15.7	15.6	32.9	26.7
	Monthly Average between KRW 3 Million ~ 4 Million	22.8	26.3	23.6	26.6
	Monthly Average between KRW 4 Million ~ 5 Million	5.1	6.9	4.8	15.1
	Monthly Average between KRW 5 Million ~ 6 Million	1.4	9.7	11.5	9.2
	Monthly Average between KRW 6 Million ~ 7 Million	5.2	1.3	1.5	0.9
	Monthly Average between KRW 7 Million ~ 10 Million	1.5	2.2	2.8	5.4
	Monthly Average Over KRW 10 Million	1.5	0.0	0.0	1.1

As displayed in Table 1-3-6, households of a family type with parents and children living in a single family house and earning a monthly average between KRW 3 million to 4 million were the most vulnerable to housebreaking crimes in 2014 and 2012. Furthermore, the housebreaking crime happened more often at households who earned less than KRW 1 million (27.7%) a month and those who earned between KRW 3 million to 4 million (22.8%) in 2012. Whereas in 2014, households with a monthly average between KRW 3 million to 4 million (26.3%) experienced more home break-ins than those who earned less than KRW 1 million won (21.6%).

Meanwhile, in regards to the other types household crimes, the most vulnerable type of household was an apartment style household shared with parents and children and earned a monthly salary between KRW 2 million to 3 million in 2014. Therefore, the household most prone to a housebreaking crime was the single-family household. It is far easier to break into one's home located in an apartment building, which is also the household most prone to victimization by

other crimes, such as burglary because there are more vehicles and residents in a densely populated area.

3. The Major Criminal Damage Report Rate

A. The Criminal Damage Report and the Report Rate

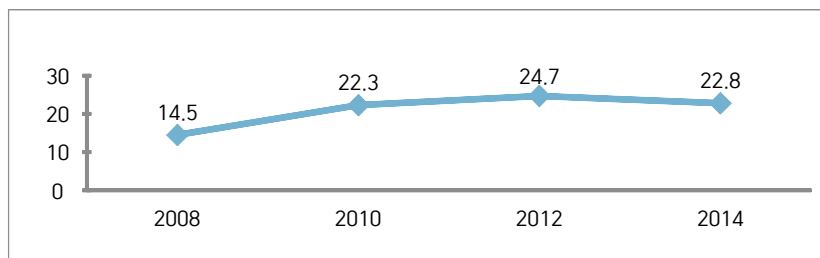
Table 1-3-7 lists the total number of reported criminal damage from the Korean Crime Victim Survey and the report rate from 2008 to 2014. The response of 'reported,' among the 555 cases of criminal damage reported during 2014, was 123 cases, and it was at 22.8%, which was the weighted rate and reduced compared to the year of 2012.

〈Table 1-3-7〉 The Criminal Damage Report and the Report Rate

	Damage Cases	Reporting Number(%)	Weighted Report Rate
2008	972	142 (14.6%)	14.5%
2010	1,056	238 (22.5%)	22.3%
2012	601	157 (26.1%)	24.7%
2014	555	123 (22.2%)	22.8%

* Source: Soo-Hyeong Choi et, Korean Crime Victim Survey 2014, 2015, pp.224

According to Figure 1-3-3, the report rate continuously increased from 2008 to 2014 but reduced in 2014. Thus, an analysis of the type of criminal damage by category is necessary for a more accurate comprehension.



* Source: Soo-Hyeong Choi et, Korean Crime Victim Survey 2014, 2015, pp.224

[Figure 1-3-3] Transformation of the Criminal Damage Report Rate

Table 1-3-8 showed the criminal damage by the types of crimes. The response of ‘reported’ for violent crime was 31.8% in 2012 and sharply reduced to 16.3% in 2014. In the cases of property crime, the rate does not show the remarkable transformation (23.3% in 2012 and 23.6% in 2014). Consequently, it is required to understand why victims failed to report their violent crime experiences.

〈Table 1-3-8〉 The Number/Rate of Criminal Damage Report by Types

		Violent Crime			
		2012		2014	
		Frequency (%)	Weighted Rate	Frequency (%)	Weighted Rate
Did you report the incident to the police?	Reported	34 (35.8%)	31.8%	10 (17.5%)	16.3%
	Not reported	61 (64.2%)	68.2%	47 (82.5%)	83.7%
	Subtotal	95 (100.0%)	100.0%	57 (100.0%)	100.0%
		Property Crime			
		2012		2014	
		Frequency (%)	Weighted Rate	Frequency (%)	Weighted Rate
Did you report the incident to the police?	Reported	123 (24.3%)	23.3%	113 (22.7%)	23.6%
	Not reported	383 (75.7%)	76.7%	385 (77.3%)	76.4%
	Subtotal	506 (100.0%)	100.0%	498 (100.0%)	100.0%

* Source: Soo-Hyeong Choi et, Korean Crime Victim Survey 2014, 2015, pp.225. Reproduced.

B. The Reason of Unreported Crimes

Most of the respondents said that the reason was ‘the damage of assault was not severe’ or ‘it was a dishonor and a shame to reveal the damage.’

〈Table 1-3-9〉 The Reason of Unreported Crimes

	Violent Crime				Property Crime			
	2012		2014		2012		2014	
	First	Second	First	Second	First	Second	First	Second
The damage was not severe	51.8%	9.6%	35.5%	8.4%	50.8%	14.6%	43.2%	19.5%
Treated individually or with another way	5.8%	30.0%	4.1%	10.4%	7.1%	13.5%	10.0%	13.5%

	Violent Crime				Property Crime			
	2012		2014		2012		2014	
	First	Second	First	Second	First	Second	First	Second
No evidence	12.9%	9.2%	2.6%	15.1%	21.6%	26.9%	23.3%	21.7%
The police does not seem to take an action	8.5%	12.0%	6.1%	13.4%	8.1%	17.0%	8.5%	16.4%
The policed was considered to bother even fail to arrest the criminal	6.9%	11.2%	0.0%	14.3%	4.1%	17.1%	7.4%	19.4%
The perpetrator was the acquaintance	5.8%	5.4%	11.5%	11.1%	4.1%	4.4%	5.1%	5.1%
Feared the avenge	3.9%	8.4%	17.8%	12.8%	1.0%	0.9%	0.2%	0.7%
It was a dishonor and a shame to reveal	3.1%	8.8%	22.4%	11.4%	1.1%	2.3%	1.3%	2.2%
Others	1.4%	5.3%	0.0%	2.9%	2.0%	3.3%	0.9%	1.6%

*Source: Soo-Hyeong Choi et, Korean Crime Victim Survey 2014, 2015, pp.226-227

Among all of the violent crimes committed in 2014, the overall damage rate predominantly reduced, yet severe bodily harm and sex crimes displayed a high damage rate. In particular, the former one weighted in the cases of commission by his or her acquaintance including those who are in the relationship of a family member or relatives. In synthetically analyzing the context of violent crime, the low reported rate in 2014 could be considered as the victims accepting his or her damages because of their relationship with the assailant, although there were not many cases as reflected in the crime method of violent crime, or the perpetrator did not employ a perilous weapon. Additionally, the victims' experience revealed to be similar to the case of a sex crime.

Section 2. The Summary of the Criminal Damage Trend and Its Characteristics in Korea

The scale of significant criminal damage and its context in Korea, based on the information from the National Crime Victimization Survey that was conducted with national sample survey by Korean Institute of Criminology, will be discussed in this chapter. The National Crime Victimization Survey redeems the limitation of the official crime statistics with eliciting the following: (1) a penetrative grasp of the actual criminal damage, (2) the causes of vulnerability in criminal damages, and (3) the public awareness and attitude toward a criminal investigation, the understanding of the criminal damage, and the context of the crime. Moreover, it fulfills the role of a baseline data for establishing a crime prevention policy and a crime victim protection and support policy. The types of criminal damages revised in the National Victimization Survey in 2009 are determined by the distinguished methods and context of criminal damage, which are documented in the offence's investigation.

1. The Occurrence Rate of Criminal Damage in Major Crimes

When surveying 14,976 public participants about personal victimization experiences in 2014, 511 people responded 'have experienced.' Out of the total number of victims in the population of 14 years and older (44,039,786 people), 1,488,824 people are victims, a 3.4% occurrence rate of victims (a reduced figure compared to 4.0% in 2012). When examining the types of criminal damage, both violent crime and property crime showed a reduced occurrence rate compared to 2012: 0.3% of violent crime (144,374 of estimated victims) and 3.1% of property crime (1,360,697 of estimated victims) — the occurrence rate of damage reduced from 0.7% to 0.3% in violent crime and from 3.4% to 3.1% in property crime. Meanwhile, among the overall criminal damage which occurred in 2014 (including

robbery, sexual violence, and assault and the rate of property crime such as fraud, theft, and destruction to the ones in 2012) the percentage of violent crime in the overall occurrence rate of criminal damage reduced to 10.2%. However, the rate of property crime increased to 16.7% in the year 2012.

2. The Characteristics of Damage for Major Crimes

First, the socio-demographic characteristics are examined to determine the characteristics of criminal damage which occurred in 2014. The demographics of the victims of violent crimes are the following: (1) female (59.0%), (2) in the 20s (38.3%) age group, (3) a 'less than a university' educational background (40.9%), and (4) a single status (58.9%). When examining the average monthly income of a household of violent crime victims, 'more than KRW 1 million and less than KRW 2 million' group showed the highest rate 38.6% and, 'student' presented the highest rate 35.8% in the job group. The demographics of the victims of property crime are the following: (1) female (59.2%), (2) in their 40s (24.0%), (3) a 'less than a university' (43.4%) educational background, and (4) a 'contemporary with spouse' (65.3%) status. On the other hand, the percentage of females who are victims of crime increased in 2014 from 2012 in both violent crime and property crime.

The time and season of when the damage of significant crimes occurred are examined next. Spring, the season where violent crime is committed the most, comprised 32.9% of all violent crimes committed in 2014. In 2012, a violent crime occurred the most at 'night time' (21:00 to 24:00), and 'afternoon' or 'evening' was the most frequent times for property crime.

Third, the place and city size of the place of where the criminal damage of major crimes occurred are to be examined. Small and medium-sized cities show the highest percentage of 35.4% for violent crimes committed in 2014. The others in order were a 'metropolitan city' (30.1%), '-eup/-myeon' (23.6%),

and 'Seoul' (10.9%). Considering property crimes, small and medium-sized cities rank at the top of 32.4%, followed by metropolitan city (28.2%) and Seoul (22.5%) at the same year.

Houses comprised the highest percentage of the site which criminal damage occurred the most for both violent crime (33.5%) and property crime (32.0%).

Fourth, crime methods are to be examined. Respondents who answered "yes" for the question, "Did the perpetrator have a weapon or anything threatening when the crime occurred?", occupied 7.8% of the total respondents, a reduction compared to 2012. Among all violent crimes, "the case of where the perpetrator was drunk" occupied 43.8% of all cases and "the case of where the victim was drunk" occupied 19.6%, which showed a relative increase compared to 2012 (18.3% to 19.6%). Meanwhile, when analyzing the method of fraud of property crimes, "plausible speech" (51.0%) occupied more than half of the total percentage and "fraud throughout online shopping mall" doubled in 2014 compared to 2012 from 8.0% to 18.6%.

Fifth, grievous bodily harm by a criminal damage experience and psychological and property damage are to be examined. When checking whether the victims suffered from physical damage or not, the response of 'experienced physical damage' occupied 49.0%, and 'experienced no physical damage' had 51.0%, an increase from 2012. (23.2% to 49.0%). The average amount of property damage is KRW 169,200,000, a considerable reduction compared to 2012. It is infeasible to conclude that since property crimes mentioned in the previous sentence include larceny, burglary, and fraud; it is still feasible to comprehend the increase of crime for a better livelihood, which becomes a social problem. On the other hand, most of the victims who experienced a violent crime responded that they had fears such as panic or shock (30.6%). For property damage, the response of 'impotentness or depression' occupied the highest percentage (30.2%). Thus, it would be possible to conclude that the difference

between the damages from the victims' experience due to the characteristics of violent crime created variances in the psychological damages. This should be reflected when establishing policies for victims.

Lastly, the characteristics of significant crimes in Korea are to be examined by the criminal damage report rate in 2014. The full report rate is 22.8% which reduced compared to 2012. When reviewing the report rate by the types of criminal damage, the rate for violent crime decreased from 31.8% in 2012 to 16.3% in 2014, and the rate for property crime showed no remarkable changes (23.3% to 23.6%).

Therefore, unlike property damage, the report rate for violent crime dramatically reduced. The primary reason for 'unreported' for violent crime was 'the damage was not critical' and 'it was a shame to be revealed.' Meanwhile, the occurrence rate of damage for violent crimes committed in 2014 generally reduced, but grievous bodily harm or a sexual violation which contained physical damage showed a high rate. In addition, for most of the grievous bodily harm offences, the victims and perpetrator were in a relationship with the acquaintance, including relatives. Thus, it resulted in a low report rate for violent crime because the victims accepted his or her damage as not critical since the perpetrator was someone familiar even though they experienced physical damage. Otherwise, it is also feasible that the damage was not significant since there were only a few of cases which the perpetrator possessed a weapon or an item that could potentially cause an injury. Moreover, it is likely that the result of the hesitation was from the victims' reluctance to reveal the damage.

In this chapter, the tendency of the occurrences and the characteristics of significant crimes committed in Korea in 2014 were examined throughout the "National Criminal Damage Investigation" by the Korean Institute of Criminology. The result claims that the level of criminal damage occurrence and the quantitative damage in property crime (property damage amount) reduced. However, it is

difficult to say that total criminal damage occurrence rate decreased even though the overall damage occurrence rate lowered in violent crime; hence, grievous bodily harm or sexual violation showed a relatively intensified level in the various types. It would have a greater possibility of error due to relative standard error depending on the type used to examine the criminal damage rate by the types of offences. It is necessary to analyze and focus on the qualitative transformation in a criminal damage investigation and establish a sample that is at least seven times bigger than a contemporary sample model to sufficiently estimate the criminal damage occurrence rate of significant crime in a criminal damage investigation.

Nevertheless, it is infeasible without considering practical obstacles such as a budget. As a result, various types of criminal damage investigations are to be conducted to complement it. Thus, it is necessary to comprehend the context of the criminal damage on a qualitative level with doing a routine in-depth investigation on the crime experiences of victims through a victimization survey except for a national criminal damage investigation, which is national broad large-scale sample survey aimed for the general public. Furthermore, it is necessary to figure out the various methods of criminal damage and the characteristics of the accumulated data conducted by the regular criminal damage investigation.

PART 2



Crimes and Response Measures

Lee, Seung Hyun · Kim, Ji Young

Chapter 1



Juvenile Crime

Lee, Seung Hyun

Juvenile Crime

Section 1. Introduction

Under the Juvenile Act, juvenile crime is criminal offences committed by persons aged 10~18 (under 19 years old of age), and crimes committed by juveniles aged from 14 to under 19 are held accountable for criminal liability. Crimes committed by juveniles of the ages 10-14 and juvenile offenders of the ages 10-13 who commit a violation against the law are not found criminally liable due to their age under the Juvenile Law Article 4-2 as well as crimes committed by pre-delinquents of the ages from 10 to under 19. Pre-juvenile delinquent refers to juveniles who cause uneasiness around people near them by roaming in groups, juveniles who stay away from home without a justifiable reason or juveniles who tend to drink alcohol, create a disturbance or become exposed to harmful environmental influences. Therefore, the scope of pre-delinquents is too broad to be collected for statistical purposes. This paper will examine the trends and characteristics of juvenile crime by focusing on government statistics except for pre-juvenile delinquents.

For this goal, I have reviewed data collected over the past decade on the occurrences of juvenile crime and the response measures based on various statistical sources, such as the *Crime Analysis* published by the Supreme Prosecutor's Office, the *White Paper of Crime* published by the Institute of Justice, and the *Judicial Yearbooks* published by the National Court Administration. The statistics

related to juvenile protection agencies and correctional facilities, which do not appear in formal statistics, was obtained through the Juvenile Department of Crime Prevention Policy Bureau and the Head Office of Corrections at the Ministry of Justice. In the following section, the characteristics and response measures to juvenile crimes will be examined based on official statistical sources.

Section 2. Status of Juvenile Crime

1. Current Status

If we take a look at juvenile crimes over the past decade, juvenile crimes demonstrated an increasing trend from 2006 to 2008, especially in 2008. The increase in juvenile crime that year was due to the revisions in juvenile law and the change in the legal juvenile age. Since then, the number of juvenile offenders declined until 2012. The number of juvenile criminals increased by 29.4% to 107,490 from the previous year. The increase was due to the establishment of school violence measures and harsh punishments on the perpetrators following those measures. The number of juvenile offenders decreased in 2013 to 91,633 (a decrease of 14.8% from the previous year) and again in 2014 to 77,594 (a reduction of 15.3% compared to last year). The number dropped to 71,035 in 2015, an 8.5% decrease from the previous year. Despite the differences in the declining rate, there was an overall decrease in juvenile crimes in addition to a reduction in the juvenile population.

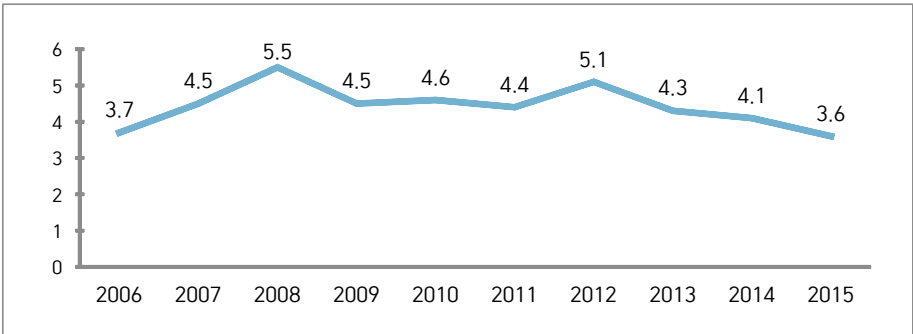
〈Table 2-1-1〉 Status of Juvenile Crimes per Year

(Unit : person(%))

Year	Number of Juvenile Offenders			Increase Rate compared to Previous Year	Proportion in Total Criminal Offenders (%)
	Criminal Law Offenders	Special Criminal Law Offenders	Total		
2006	50,846 (73.5)	18,365 (26.5)	69,211	2.6	3.7
2007	60,426 (68.6)	27,678 (31.4)	88,104	27.3	4.5
2008	79,766 (59.1)	55,226 (40.9)	134,992	53.2	5.5
2009	81,378 (72.0)	31,644 (28.0)	113,022	-16.3	4.5
2010	70,045 (78.0)	19,731 (22.0)	89,776	-20.6	4.6
2011	66,240 (79.7)	16,828 (20.3)	83,068	-7.5	4.4
2012	87,779 (81.7)	19,711 (18.3)	107,490	29.4	5.1
2013	74,509 (81.3)	17,124 (18.7)	91,633	-14.8	4.3
2014	63,145(81.4)	14,449(18.6)	77,594	-15.3	4.1
2015	56,962(80.2)	14,073(19.8)	71,035	-8.5	3.6

* Source : *Crime Analysis*, Supreme Prosecutor's Office.

If we examine juvenile crimes by dividing them into criminal offences committed by juveniles and the special criminal law offences committed by juveniles, the ratio of the former to total juvenile crimes was at its lowest in 2008 with a rate of 59.1%. It increased each year gradually and marked at 80.2% in 2015. Juvenile special law criminals peaked at 40.9% in 2008, but fell afterwards and averaged at 20%.



[Figure 2-1-1] Annual Proportion of Juvenile Crimes to Total Crimes

If we compare juvenile crimes with all crimes, except with the remarkable increase from 2008 to 2012, the proportion of juvenile crimes out of the total of all crimes is a declining trend. In 2015, the number of juvenile criminals from the sum of all criminal offenders was 71,035 out of 1,948,966 (3.6%).

2. Characteristics of Juvenile Crime

A. Characteristics of Juvenile Offences by Types of Crime

If we categorize juvenile crimes over the past decade by type, there are differences in each type of crime. We discovered that all of them generally demonstrated an increasing trend from 2006 to 2008, followed by a decreasing trend, then a sharp spike in 2012, and fell after its peak. The most frequent juvenile crimes are property crime and violent crime. Despite its fluctuations over the past decade, property crimes such as theft, pilferage, fraud, embezzlement, malpractice, and property damage were at a high rate of approximately 60%. Violent crimes such as assault, injury, threat, blackmail, kidnapping/lure, arrest/confinement, etc. varied slightly over the past decade but demonstrated on overall declining trend..

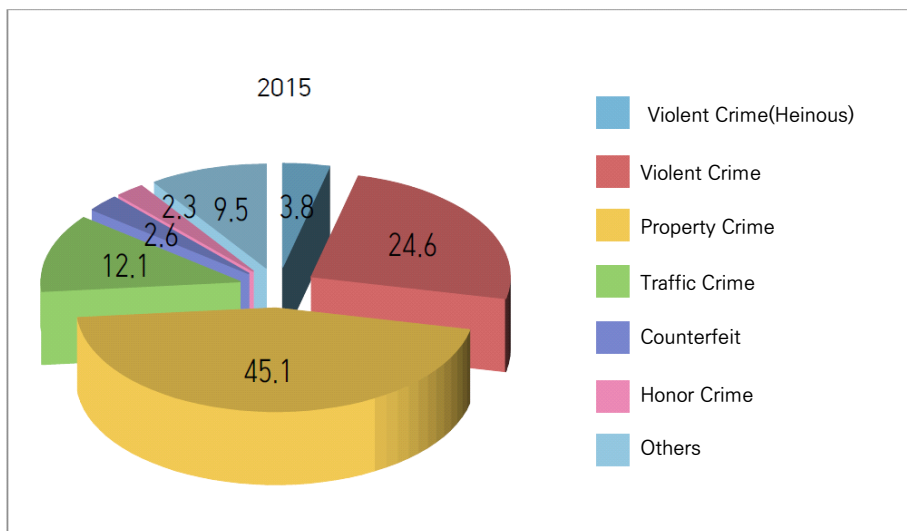
〈Table 2-1-2〉 The Status of Juvenile Offences by Types of Crime (Unit : person(%))

Year	Total	Violent Crime (Heinous)	Violent Crime	Property Crime	Traffic Crime	Counterfeit	Honor Crime	Others
2006	69,211	1,857	18,104	29,506	15,517	672	52	3,503
2007	88,104	1,928	23,275	33,659	21,891	909	81	6,361
2008	134,992	3,106	34,067	39,687	27,658	1,833	169	28,472
2009	113,022	3,182	29,488	45,774	18,138	1,903	164	14,373
2010	89,776	3,106	23,276	40,478	13,842	2,110	276	6,688
2011	83,060	3,289	22,233	37,978	11,530	1,654	251	6,125
2012	107,490	3,107	32,774	47,605	12,101	2,712	655	8,536

Year	Total	Violent Crime (Heinous)	Violent Crime	Property Crime	Traffic Crime	Counterfeit	Honor Crime	Others
2013	91,633	2,775	22,119	45,735	9,845	2,251	732	8,176
2014	77,594	3,158	19,352	36,271	9,216	1,857	1,352	6,388
2015	71,035	2,713	17,473	32,068	8,567	1,876	1,669	6,669

- * Note 1) Property crime: theft, pilferage, fraud, embezzlement, malpractice, property damage
 2) Violent Crime (Heinous): murder, robbery, arson, rape
 3) Violent crime: assault, injury, threat, blackmail, kidnapping and lure, arrest and confinement, other violent action (damage, coercion, housebreaking etc.), other violent actions (composition/activity of organizations etc.)
 4) Traffic crime: traffic laws, special law on traffic accident treatment, additional punishment on specific crimes (a getaway vehicle)
 5) Counterfeit: currency, marketable securities/stamps, documents, seal

** Source : *Crime Analysis*, Supreme Prosecutor's Office.



* Source : *Crime Analysis*, Supreme Prosecutor's Office.

[Figure 2-1-2] State of Juvenile Crimes by Type (2015)

Although the proportion of felony offences in all juvenile crime is low, the proportion of juvenile felony is relatively high considering the proportion of all felony offences including adult crimes. In 2015, the number of serious juvenile criminals out of all serious criminals was 2,713 of 31,775 (8.5%), which was almost twice the proportion of juvenile criminals (71,035) out of all

criminals (1,948,966) (3.6%).

The number of traffic crimes among juvenile offenders consistently increased but began to decline in 2012. However, counterfeit crimes or offences related to reputation increased over the past decade despite the decrease in the juvenile criminal population and juvenile crimes. Following the 2015 Electronic Financial Transaction Act, punishment cases of actions are increasing, e.g., a juvenile creating an illegal bank account. In 2015, 1,093 juvenile criminals violated the Electronic Financial Transaction Law. Activities like establishing an illicit account bank and secondhand Internet fraud, which can be contributed to the increase in juvenile Internet transactions, require active involvement.

B. Changes in the Composition Ratio: Special Criminal Law Offences

If we examine the state of juvenile criminals by age in the past decade, the growth rate of 16 and 17-year-old juvenile criminals is consistently high. Since 2013, the proportion of 18-year-old juvenile criminals had gradually increased, and it occupied 29.2% of all juvenile incidents by 2015. On the other hand, the number of 14-year-old juvenile criminals in 2006 was 8,484, but it decreased to 5,189 in 2011. It increased afterward but plummeted to only 7 in 2015.

In 2006, both 15-year-old (19.4%) and 16-year-old (19.3%) juvenile criminals accounted for the highest percentages, followed by 19-year-olds (17.1%), 17-year-olds (16.0%), and 18-year-olds (15.4%). However, in 2015, the juvenile criminals who occupied the highest percentage was 18-year-olds (29.2%), followed by 17-year-olds (25.7%), 16-year-olds (24.8%), and 15-year-olds (20.3%). In recent years, the proportion of 17 to 28-year-old juvenile criminals increased, while 14~15-year-old and younger juvenile criminals decreased sharply.

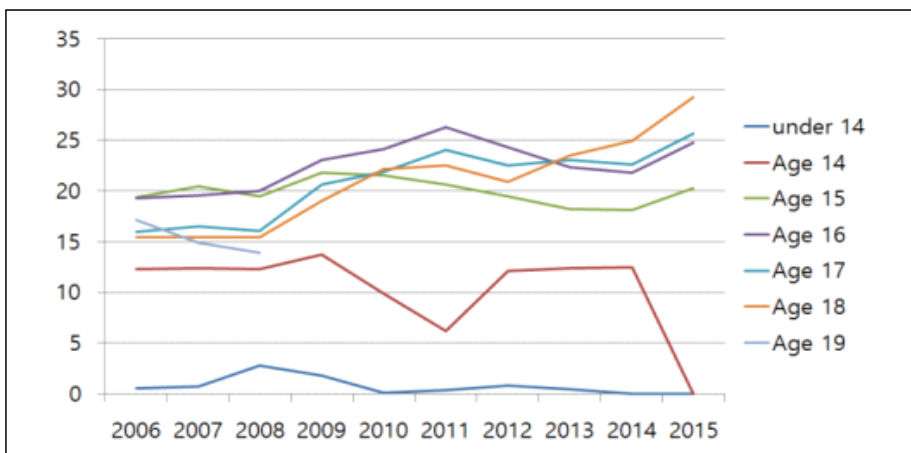
〈Table 2-1-3〉 The Age of Juvenile Offenders by Year

(Unit : person(%))

Year	Total	under 14	Age 14	Age 15	Age 16	Age 17	Age 18	Age 19
2006	69,211 (100)	400 (0.6)	8,484 (12.3)	13,400 (19.4)	13,367 (19.3)	11,087 (16.0)	10,637 (15.4)	11,836 (17.1)
2007	88,104 (100)	578 (0.7)	10,884 (12.4)	18,081 (20.5)	17,306 (19.6)	14,539 (16.5)	13,603 (15.4)	13,113 (14.9)
2008	134,992 (100)	3,800 (2.8)	16,638 (12.3)	26,385 (19.5)	26,932 (20.0)	21,784 (16.1)	20,808 (15.4)	18,645 (13.9)
2009	113,022 (100)	1,989 (1.8)	15,431 (13.7)	24,657 (21.8)	26,153 (23.1)	23,307 (20.6)	21,485 (19.0)	-
2010	89,776 (100)	445 (0.1)	8,870 (9.9)	19,280 (21.5)	21,611 (24.1)	19,637 (21.9)	19,933 (22.2)	-
2011	83,068 (100)	360 (0.4)	5,189 (6.2)	17,084 (20.6)	21,815 (26.3)	19,936 (24.0)	18,684 (22.5)	-
2012	107,490 (100)	856 (0.8)	12,978 (12.1)	21,009 (19.5)	26,080 (24.3)	24,140 (22.5)	22,427 (20.9)	-
2013	91,633 (100)	471 (0.5)	11,338 (12.4)	16,645 (18.2)	20,463 (22.3)	21,208 (23.1)	21,508 (23.5)	-
2014	77,594 (100)	37 (0.0)	9,712 (12.5)	14,041 (18.1)	16,940 (21.8)	17,517 (22.6)	19,347 (24.9)	-
2015	71,035 (100)	64 (0.0)	7 (0.0)	14,387 (20.3)	17,624 (24.8)	18,231 (25.7)	20,722 (29.2)	-

* Note: The age standard of juvenile criminals changed from below 19 to below 18 due to the Juvenile Law revision in 2007

** Source : *Crime Analysis*, Supreme Prosecutor's Office.



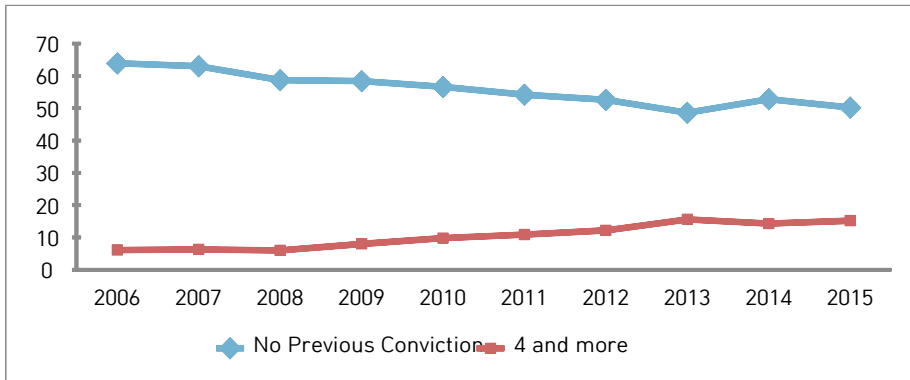
[Figure 2-1-3] The Age of Juvenile Offenders by Year

If we take a look at the criminal records of juvenile offenders, the proportion of first-time offenders who did not have criminal records in 2006 was 63.9% (44,236), but it decreased by 13.7% to 50.2% (35,650) in 2015. There is no significant difference in the proportion of juvenile criminals with the first, second, or third convictions. However, the recidivism rate of criminals with four or more convictions increased continuously from 6.1% in 2006 to 15.2% in 2015. In the past decade, the proportion of first offenders decreased, while repeat offenders increased, especially offenders with four or more convictions. Thus, there is an urgent need to establish measures to reduce recidivism for repeat juvenile offenders.

〈Table 2-1-4〉 The Number of Criminal Records of Juvenile Criminals (Unit : person(%))

Year	Total	No Previous Conviction	1 record	1 records	3 records	4 and more	Unknown
2006	69,211	44,236	9,193	4,124	2,428	4,244	4,986
2007	88,104	55,543	11,540	5,332	3,090	5,585	7,014
2008	134,992	79,285	15,476	7,553	4,299	8,086	20,293
2009	113,022	65,990	15,103	7,637	4,799	9,044	10,449
2010	89,776	50,830	12,091	6,546	4,070	8,831	7,408
2011	83,060	45,047	11,391	6,254	3,900	9,066	7,402
2012	107,490	56,527	14,403	7,669	5,001	13,128	10,762
2013	91,633	44,502	12,388	6,782	4,552	14,324	9,085
2014	77,594	40,996	9,853	5,244	3,429	11,126	6,946
2015	71,035	35,650	8,636	4,518	3,110	10,791	8,330

* Source : *Crime Analysis*, Supreme Prosecutor's Office.



[Figure 2-1-4] State of Criminal Records of Juvenile Criminals by Year

C. The Sex of Juvenile Offenders

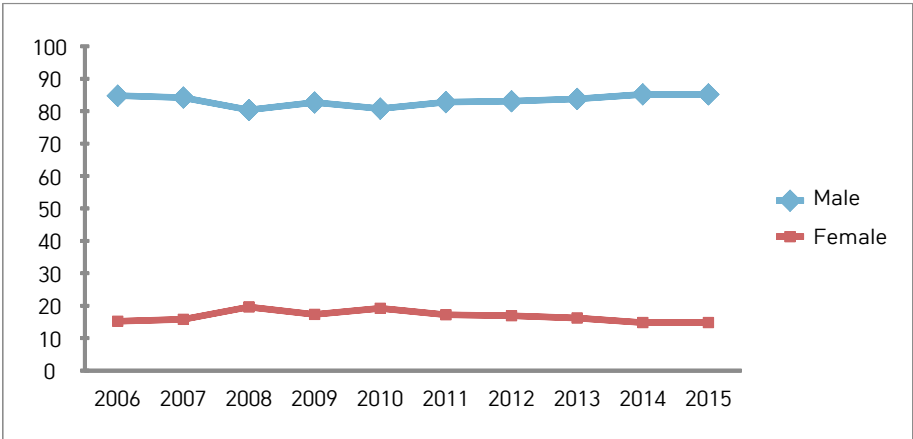
If we examine the sex of juvenile criminals in the past decade, the proportion of male juvenile delinquents was at a high rate of more than 80%. The proportion of female juvenile delinquents consistently increased since 2006 but declined after 2010. In 2015, the percentage of male juvenile criminals was at 85.2% (60,535), and the percentage of female juvenile criminals as at 14.8% (10,500).

[Table 2-1-5] Genders of Juvenile Offenders per Year

(Unit : person(%))

Year \ Gender	Total	Male		Female	
	Number	Number	Ratio	Number	Ratio
2006	69,211	58,710	84.8	10,501	15.2
2007	88,104	74,174	84.2	13,930	15.8
2008	134,992	108,482	80.4	26,510	19.6
2009	113,022	93,509	82.7	19,513	17.3
2010	89,776	72,461	80.8	17,315	19.2
2011	83,060	68,742	82.8	14,326	17.2
2012	107,490	89,339	83.1	18,151	16.9
2013	91,633	76,767	83.8	14,866	16.2
2014	77,594	66,087	85.2	11,480	14.8
2015	71,035	60,535	85.2	10,500	14.8

* Source : The *Crime Analysis*, Supreme Prosecutor's Office.



[Figure 2-1-5] Trends in the Composition Ratio of Juvenile Offenders by Age (2005~2014)

Section 3. Response Measures to Juvenile Crimes

Juvenile crimes are occasionally dismissed with caution by law enforcement at the local police level. However, we will examine the official response measures based on the statistics released by the prosecutor’s office, courts, and reformatory protection institutes in this chapter.

1. Responses by the Prosecutor’s Office

The prosecution drops a case when the juvenile is cleared of suspicion, found not guilty, or has no prosecutorial power after the investigation of a case which the police remitted or has been directly recognized and can consider the weight of the offence to suspend the prosecution by law (Criminal Procedure Act Article 247). The prosecution carries out a leading conditional prosecution suspension when there is a low possibility of recidivism or if there is a need for guidance and protection and remits cases to the juvenile court that pertain to punishments below paying a fine or cases that require a protective disposition (Juvenile Act

Article 49(1)).

〈Table 2-1-6〉 The Prosecutor's Office Response Measures for Juvenile Offenders by Year

(Unit : person(%))

Year	Total	Indicted			Unindicted					Transfer to Juvenile Courts	Transfer to Family Protection Courts	Protection of Prostitution	Third Person Suspension	Suspension of Prosecution
		Subtotal	Request for Trial	Request for Summary Trial	Subtotal	Cleared of Suspicion	Stay	Not Guilty	Has No Prosecution Power					
2006	69,211 (100.0)	9,315 (13.5)	2,496 (3.6)	6,819 (9.9)	43,495 (62.8)	2,353 (3.4)	36,808 (53.2)	306 (0.4)	4,028 (5.8)	14,105 (20.4)	20 (0.0)	10 (0.0)	103 (0.1)	2,163 (3.1)
2007	88,104 (100.0)	10,367 (11.8)	2,815 (3.2)	7,552 (8.6)	54,424 (61.8)	3,029 (3.4)	44,689 (50.7)	394 (0.4)	6,312 (7.2)	21,368 (24.3)	22 (0.0)	21 (0.0)	93 (0.1)	1,809 (2.1)
2008	134,992 (100.0)	15,150 (11.2)	4,823 (3.6)	10,327 (7.6)	88,932 (65.9)	4,944 (3.7)	62,977 (46.7)	2,073 (1.5)	18,938 (14.0)	28,360 (21.0)	30 (0.0)	46 (0.0)	104 (0.1)	2,370 (1.8)
2009	133,022 (100.0)	7,795 (6.9)	3,929 (3.5)	3,866 (3.4)	71,100 (62.9)	4,684 (4.1)	56,715 (50.2)	1,184 (1.0)	8,517 (7.5)	32,453 (28.7)	37 (0.0)	16 (0.0)	86 (0.1)	1,535 (1.4)
2010	89,776 (100.0)	5,443 (6.1)	2,913 (3.2)	2,530 (2.8)	52,685 (58.7)	4,801 (5.3)	42,021 (46.8)	339 (0.4)	5,524 (6.2)	30,143 (33.6)	9 (0.0)	11 (0.0)	93 (0.1)	1,392 (1.6)
2011	83,060 (100.0)	4,691 (5.6)	3,025 (3.7)	1,666 (2.0)	46,224 (55.7)	4,151 (5.0)	36,582 (44.0)	272 (0.3)	5,219 (6.3)	30,587 (36.8)	10 (0.0)	7 (0.0)	86 (0.1)	1,455 (1.8)
2012	102,871 (100.0)	7,877 (7.7)	4,898 (4.8)	2,979 (2.9)	56,668 (55.1)	6,113 (5.9)	43,013 (41.8)	324 (0.3)	7,218 (7.0)	36,478 (35.5)	21 (0.0)	-	141 (0.1)	-
2013	88,062 (100.0)	8,758 (9.9)	5,293 (6.0)	3,465 (3.9)	47,486 (53.9)	5,925 (6.7)	34,914 (39.6)	202 (0.2)	6,445 (7.3)	29,641 (33.7)	35 (0.0)	2 (0.0)	108 (0.1)	2,032 (2.3)
2014	62,010 (100.0)	6,408 (10.3)	3,885 (6.3)	2,523 (4.1)	32,991 (53.2)	4,343 (7.0)	22,995 (37.1)	152 (0.2)	5,501 (8.9)	20,588 (33.2)	45 (0.1)	-	103 (0.2)	1,875 (3.0)
2015	56,050 (00)	6,252 (11.2)	4,034 (7.2)	2,218 (4.0)	30,198 (53.9)	4,518 (8.1)	19,623 (35.0)	105 (0.2)	5,952 (10.6)	18,216 (32.5)	119 (0.2)	-	54 (0.1)	1,211 (2.2)

* Source : *Crime Analysis*, Supreme Prosecutor's Office.

The prosecution requests a summary order for cases which pertains to fines, penalty, and confiscation (Criminal Procedure Act Article 448) and prosecutes a case to the criminal court if there is a need for criminal prosecution (Criminal Procedure Act Article 246). If we take a look at the prosecution's ruling in juvenile cases in the past decade, in 2006, juvenile criminals who were 'suspended of prosecution' occupied the highest proportion with 53.2% (36,808), followed by those who were 'remitted to juvenile protection' at 20.4% (14,105). Next, were delinquents processed as a 'summary order' at 9.9% (6,819), 'having no prosecution

power' at 5.8% (4,028), 'received trial' at 3.6% (2,496), and 'cleared of suspicion' at 3.4% (2,353). On the other hand, in 2015, juvenile criminals who were 'suspended of prosecution' occupied the highest proportion at 35.0% (19,623), followed by delinquents who were 'remitted to juvenile protection' at 32.5% (18,216), 'no-indictment' at 10.6% (5,952), 'cleared of suspicion' at 8.1% (4,518), trial at 7.2% (4,034), and a 'summary order' at 4% (2,218).

More than half of juvenile criminals are processed as nonprosecution cases, and about 30% are processed as juvenile protection remittal cases. Only 10% of juvenile cases are under indictment. Although the proportion of juvenile criminals who 'received trial' is consistently increasing, the prosecution rate of juvenile criminals had decreased until the recent increase. The proportion of juvenile criminals who were 'remitted to juvenile court' consistently increased, but currently is a declining phenomenon.

2. Courts' Response

Unlike adult crimes, the courts apply a dual system in dealing with juvenile crimes to separate the jurisdiction from the disposition. Thus, we need to separately examine the dispositions in juvenile protection cases and the criminal justice process. According to juvenile case examples, juvenile protection cases are processed by the juvenile court of a family court, district court, or the criminal court.

A. The State of Juvenile Protection Case Processing

Juvenile protection cases are accepted through various routes. If the police remit a juvenile offender to the prosecution, the prosecution decides whether to prosecute or remit the offender to a juvenile court. The prosecution remits juvenile court cases and determines if there is a reason for a protective disposition after an investigation of the juvenile case (Juvenile Act Article 49(1)). In the

case of juveniles under 14 or juveniles' responsibility for a crime, the police will directly remit to the juvenile court as a juvenile protection case (Juvenile Act Article 4(2)). If we examine the state of juvenile protection case reception over the past decade, about 70% were remitted by the prosecutor, and the police chief had remitted about 20%. In 2006, the prosecutor remitted 68.8% cases, but in 2015, it recorded at 72.0%; the proportion of cases remitted by the police chief decreased to 19.8%.

As a result of the juvenile case trial at the criminal court, the case is remitted to juvenile court if the crime has a punishment below a fine or if there is a sufficient reason for the protection of the disposition. In the past decade, an average of 4.8% of all cases was remitted to the juvenile court under the criminal court's jurisdiction. Moreover, if the case is admitted and optimal protection is needed by the juvenile court or the juvenile protection case does not fall under that jurisdiction, the case can be transferred to another juvenile court. The transfer rate recently increased to 2.9% in 2015.

Guardians, principals, or social welfare leaders who identify juvenile offenders, juveniles under the age of 14 and liable to a crime, can directly notify the juvenile court under its jurisdiction (Juvenile Act Article 4(3)). Due to a recent increase in the number of cases where the principal or facility leader utilized the notification policy for school violence issues, the number of notification subjects gradually increased since 2012. In 2015, 309 (0.9%) subjects were notified. The proportion of cases processed through a protection disposition out of all juvenile protection cases was higher than 70%. Non-initiation cases, cases in which the juvenile court judge cannot initiate the case trial due to the warrant of transfer or the investigator's report or he/she admits that there is no need to initiate the trial, was also at 15.9%. Non-measure cases, cases in which the court cannot proceed protection disposition, or there is no need for protection disposition due to reasons like unadmitted protection needs, was at more than 6.0%.

〈Table 2-1-7〉 State Reception of Juvenile Protection Cases

(Unit : person(%))

	Total	Remitted by Court	Remitted by Prosecution	Remitted by Police Chief	Transfer from Another Juvenile Court	Notification from Guardian etc.
2006	25,946 (100)	1,357 (5.2)	17,856 (68.8)	6,665 (25.7)	65 (0.3)	3 (0.0)
2007	37,910 (100)	1,538 (4.1)	26,682 (70.4)	9,636 (25.4)	49 (0.1)	5 (0.0)
2008	41,754 (100)	1,745 (4.2)	29,124 (69.8)	10,781 (25.8)	84 (0.2)	20 (0.0)
2009	48,007 (100)	2,050 (4.3)	33,385 (69.5)	11,609 (24.2)	949 (2.0)	14 (0.0)
2010	44,200 (100)	2,212 (5.0)	31,715 (71.8)	9,213 (20.8)	1,026 (2.3)	34 (0.1)
2011	46,497 (100)	2,417 (5.2)	32,803 (70.6)	9,401 (20.2)	1,818 (3.9)	58 (0.1)
2012	53,536 (100)	2,848 (5.3)	36,133 (67.5)	12,799 (23.9)	1,588 (2.9)	168 (0.3)
2013	43,035 (100)	2,695 (6.3)	29,284 (68.0)	9,500 (22.1)	1,368 (3.2)	188 (0.4)
2014	34,165 (100)	1,610 (4.7)	24,110 (70.6)	7,104 (20.8)	1,146 (3.4)	195 (0.6)
2015	34,075 (100)	1,494 (4.4)	24,527 (72.0)	6,756 (19.8)	989 (2.9)	309 (0.9)

* Source : *Judicial Yearbooks*, National Court Administration.

If we examine the current status of the juvenile protection case reception, consignment by a guardian (No.1) was 10.5% (3,771); consignment by a guardian, an attendance order, and a short-term probation combined is 10.3% (3,696); consignment by a guardian and an attendance order is 7.3% (2,609); consignment by a guardian and a short-term probation is 6.4% (2,299); and consignment by a guardian, a community service order, and a short-term probation is 5.1% (1,832). It demonstrated that most protection dispositions are done through a consignment by a guardian. Other than the protection dispositions, non-initiated decisions were at 15.9% (5,703), non-measured decisions were at 7.7% (2,763), transferred to another court was at 3.0% (1,093), and remitted to prosecution

was at 1.3% (450). Considering that the proportion of non-initiated decisions are high, the subject juvenile is above 20, and if the probability of his/her wrongdoing is not admitted, we can assume that there are many cases in which the wrongdoing was judged as a minor and does not require the country's protection.

〈Table 2-1-8〉 Disposition Status of Juvenile Protection Cases per Year

(Unit : person(%))

Classified Year	Total	Protection Disposition																	
		Subtotal	No 1. Consignment by Guardian etc.	No 2. Attendance Order	No 3. Community Service Order	No 4. Short-term Probation	No 5. Long-term Probation	No 6. Consignment to a Juvenile Protection Center	No 7. Consignment to a Hospital Asylum	No 8. Consignment to a Juvenile Reformatory within a Month	No 9. Short-term Remission to a Juvenile Reformatory	No 10. Remission to a Juvenile Reformatory	No 1, 2	No 1, 2, 3	No 1, 2, 4	No 1, 2, 5	No 1, 2, 3, 4	No 1, 2, 3, 5	No 1, 3
2008	39,532 (100)	30,222 (76.4)	6,214 (15.7)	130 (0.3)	181 (0.5)	-	10 (0.0)	410 (1.0)	-	6 (0.0)	762 (1.9)	867 (2.2)	972 (2.5)	-	3,535 (8.9)	874 (2.2)	765 (1.9)	1,576 (4.0)	227 (0.6)
2009	47,865 (100)	35,819 (74.8)	5,883 (12.3)	71 (0.0)	268 (0.6)	23 (0.1)	2 (0.0)	128 (0.3)	100 (0.2)	22 (0.0)	919 (1.9)	992 (2.1)	3,388 (7.1)	572 (1.2)	4,891 (10.2)	1,186 (2.5)	1,905 (4.0)	1,581 (3.3)	1,148 (2.4)
2010	45,090 (100)	32,416 (71.9)	4,527 (10.0)	37 (0.1)	116 (0.3)	34 (0.1)	13 (0.0)	73 (0.2)	81 (0.2)	11 (0.0)	861 (1.9)	806 (1.8)	4,251 (9.4)	615 (1.4)	4,473 (9.9)	1,309 (2.9)	1,777 (4.0)	1,288 (2.9)	1,399 (3.1)
2011	48,713 (100)	35,072 (72.0)	4,021 (8.3)	18 (0.0)	53 (0.1)	77 (0.2)	28 (0.0)	9 (0.0)	150 (0.3)	15 (0.0)	883 (1.8)	1,019 (2.1)	4,123 (8.5)	874 (1.8)	4,998 (10.3)	1,393 (2.9)	2,420 (4.9)	1,990 (4.1)	1,629 (3.3)
2012	50,771 (100)	36,150 (71.2)	4,222 (8.3)	51 (0.1)	104 (0.2)	103 (0.2)	71 (0.1)	14 (0.0)	195 (0.4)	7 (0.0)	1,206 (2.8)	1,169 (2.3)	4,518 (8.9)	1,040 (2.0)	5,180 (10.2)	1,118 (2.2)	2,266 (4.5)	1,831 (3.6)	1,405 (2.8)
2013	45,393 (100)	31,952 (70.4)	3,822 (8.4)	107 (0.2)	125 (0.3)	91 (0.2)	41 (0.1)	13 (0.0)	149 (0.3)	3 (0.0)	1,153 (2.5)	1,252 (2.8)	3,522 (7.6)	646 (1.4)	4,020 (8.9)	1,496 (3.3)	1,557 (3.4)	1,901 (4.2)	1,297 (2.9)
2014	34,600 (100)	24,529 (70.9)	2,960 (8.5)	70 (0.2)	92 (0.3)	63 (0.2)	32 (0.1)	9 (0.0)	183 (0.5)	-	812 (2.3)	813 (2.3)	2,420 (7.0)	445 (1.3)	3,163 (9.1)	1,026 (3.0)	1,160 (3.4)	1,541 (4.5)	982 (2.8)
2015	35,920 (100)	25,911 (72.1)	3,771 (10.5)	16 (0.0)	49 (0.1)	40 (0.1)	19 (0.1)	2 (0.0)	141 (0.4)	5 (0.0)	794 (2.2)	866 (2.4)	2,609 (7.3)	581 (1.6)	3,696 (10.3)	803 (2.2)	1,627 (4.5)	1,571 (4.4)	1,133 (3.2)
Classified Year	Protection Disposition										Non- measure	Non- initiation	Transferred to Another Court	Remission to Prosecution					
	No 1, 3, 4	No 1, 3, 5	No 1, 4	No 1, 5	No 4, 6	No 5, 6	No 5, 8	guitar											
2008	1,960 (5.0)	1,838 (4.6)	6,259 (15.8)	2,599 (6.6)	137 (0.3)	142 (0.4)	408 (1.0)	365 (0.9)	2,020 (5.1)	6,801 (17.2)	332 (0.8)	152 (0.4)							
2009	2,183 (4.6)	1,731 (3.6)	4,780 (10.0)	1,256 (2.6)	192 (0.4)	739 (1.5)	1,708 (3.6)	151 (0.3)	3,041 (6.4)	7,377 (15.4)	1,234 (2.6)	394 (0.8)							
2010	2,182 (4.9)	1,482 (3.3)	3,593 (8.0)	880 (1.9)	104 (0.2)	747 (1.6)	1,689 (3.7)	68 (0.1)	3,105 (6.9)	7,338 (16.3)	1,840 (4.0)	391 (0.9)							
2011	2,418 (5.0)	1,352 (2.8)	3,689 (7.6)	808 (1.76)	146 (0.3)	922 (1.9)	1,915 (3.9)	122 (0.2)	2,579 (5.3)	7,905 (16.2)	2,536 (5.2)	621 (1.3)							
2012	2,087 (4.1)	1,560 (3.1)	3,054 (6.0)	637 (1.3)	56 (0.1)	1,164 (2.3)	2,607 (5.1)	485 (1.0)	2,278 (4.5)	9,209 (18.1)	2,441 (4.8)	683 (1.4)							
2013	1,868 (4.1)	1,843 (4.1)	2,746 (6.0)	900 (2.0)	22 (0.0)	1,150 (2.5)	1,879 (4.1)	349 (0.8)	2,663 (5.9)	8,065 (17.8)	2,179 (4.8)	534 (1.2)							
2014	1,844 (5.3)	1,535 (4.5)	2,354 (6.8)	742 (2.1)	39 (0.1)	834 (2.4)	1,257 (3.6)	153 (0.4)	2,543 (7.4)	5,669 (16.4)	1,403 (4.0)	456 (1.3)							
2015	1,832 (5.1)	1,082 (3.0)	2,299 (6.4)	647 (1.8)	46 (0.1)	883 (2.5)	1,316 (3.7)	83 (0.2)	2,763 (7.7)	5,703 (15.9)	1,093 (3.0)	450 (1.3)							

* Source : *Judicial Yearbooks*, National Court Administration.

B. The State of Juvenile Criminal Case Processing

If we take a look at the result of the court's first trial of a juvenile criminal case in 2006, remission to juvenile reformatory was the highest at 35.7%, followed by probation at 26.3%, indeterminate sentencing at 17.6%, fines at 10.4%, a suspended sentence at 1.5%, a determinate sentence at 0.5%, and innocence at 0.3%. In 2015, the proportion of remission to a juvenile reformatory increased sharply at 56.3%, followed by an indeterminate sentence at 17.9%, probation at 12.5%, suspended sentence and innocence at 5.1%, fine at 2.9%, and a determinate sentence at 0.2%. The proportion of remission to a juvenile reformatory is increasing due to the processing cases from a protective perspective rather than a criminal punishment perspective. There are more cases where the juvenile is influenced more by social and environmental factors than personal factors.

〈Table 2-1-9〉 First Trial Court Decisions in Juvenile Crimes per Year

(Unit : person(%))

Year	Total	For Life	Determinate	Indeterminate	Probation	Fine	Deferred Sentence	Found not Guilty	Transfer to Reformatory	Other
2006	3,543 (100.0)	-	18 (0.5)	624 (17.6)	934 (26.3)	367 (10.4)	54 (1.5)	9 (0.3)	1,265 (35.7)	272 (7.7)
2007	4,151 (100.0)	-	10 (0.2)	671 (16.2)	1,129 (27.2)	362 (8.7)	57 (1.4)	10 (0.2)	1,597 (38.5)	314 (7.6)
2008	5,026 (100.0)	1 (0.0)	215 (4.3)	531 (10.6)	1,504 (29.9)	554 (11.0)	55 (1.1)	14 (0.3)	1,717 (34.2)	436 (8.7)
2009	6,160 (100.0)	-	462 (7.5)	587 (9.5)	1,828 (29.7)	681 (11.1)	93 (1.5)	20 (0.3)	1,971 (32.0)	518 (8.4)
2010	5,294 (100.0)	-	472 (8.9)	503 (9.5)	1,577 (29.8)	590 (11.1)	85 (1.6)	25 (0.5)	1,584 (29.9)	458 (8.7)
2011	3,499 (100.0)	-	14 (0.4)	492 (14.1)	610 (17.4)	133 (3.8)	24 (0.7)	10 (0.3)	1,958 (56.0)	258 (7.3)
2012	4,377 (100.0)	-	7 (0.2)	804 (18.4)	557 (12.7)	118 (2.7)	28 (0.6)	20 (0.5)	2,561 (57.4)	327 (7.5)
2013	4,268 (100.0)	-	3 (0.1)	676 (15.8)	407 (9.5)	15 (0.4)	3 (0.1)	12 (0.3)	2,689 (63.0)	321 (7.5)
2014	3,574 (100.0)	-	14 (0.4)	634 (17.7)	405 (11.3)	110 (3.1)	15 (0.4)	7 (0.2)	2,082 (58.3)	307 (8.6)
2015	3,516 (100.0)	-	7 (0.2)	630 (17.9)	440 (12.5)	102 (2.9)	18 (5.1)	18 (5.1)	1,981 (56.3)	320 (9.1)

* Source: : *Judicial Yearbooks*, National Court Administration.

3. The State of Treatment in a Juvenile Reformatory and Juvenile Prison

A juvenile delinquent is accommodated to a juvenile reformatory if there is a need for facility accommodation for juvenile protection cases in which the wrongdoing and the need for protection of the subject juvenile are admitted. The subject juvenile is housed in a juvenile delinquent center if there is a need for facility accommodation for a fixed period. The number of subjects sentenced to a juvenile prison decreased by more than half from 356 in 2006 to 130 in 2015. On the other hand, the number of juveniles accommodated in juvenile reformatories had increased by a considerable amount from 1,468 in 2006 to 2,288 in 2015. This is because accommodations provided in juvenile reformatory as a protective disposition is preferred over to accommodations in a juvenile prison, a criminal punishment facility.

〈Table 2-1-10〉 Juvenile Correctional and Protective Institutions and the Maximum Number of Inmates

(Unit : person(%))

Year	Number Juvenile Delinquent in Correctional Institutions	Number of People Accommodated in Juvenile Reformatories	
		Newly Admitted	Average Admission per Day
2006	356	1,468	1,118
2007	657	1,511	1,503
2008	156	1,732	1,161
2009	169	2,775	1,191
2010	146	2,822	1,162
2011	114	2,960	1,264
2012	170	3,429	1,390
2013	152	3,037	1,380
2014	131	2,363	1,236
2015	130	2,288	1,112

* Source : *White Paper of Crime*, Institute of Justice, except for 2014 data, the *Judicial Yearbook 2015* and the *Juvenile Protection Statistics* by the Ministry of Justice were used.

Section 4. Conclusion

Taking a look at the occurrence trends in juvenile crime over the past decade, the number of juvenile criminals increased temporarily in 2012 but is generally a decreasing trend. The phenomenon of younger juveniles committing crimes occurred after 2008, but it decreased over the past few years. There were also no significant changes in the sex of juvenile offenders. However, the percentage of first-time juvenile offenders decreased while the rate of repeat offenders, especially those who have over four convictions continued to increase. Thus, the establishment of measures against repeat offenders is urgent and noteworthy. The management of repeat juvenile offenders and program development for reducing recidivism must be emphasized and supervised carefully.

If we take a look at the characteristics of juvenile crimes by type, property crime had occupied a large proportion over the past decade. Since the majority of theft crimes is related to economic reasons, systematic support, and management system of juveniles from low-income families is necessary. Recently, violent crimes are a declining trend due to measures against school violence. Nevertheless, a juvenile felony is still a juvenile crime type that we must pay attention. Although the proportion of juvenile felony is low compared to all juvenile crimes, the proportion is relatively high compared to adult crimes. Thus, the measures for a juvenile felony is required. Other crimes which increased were counterfeit and crimes related to reputation. We should pay attention to crimes which result from juvenile Internet activity due to an increase in punishment cases since the enactment of the 2015 Electronic Finance Transfer Act.

If we examine the prosecutorial procedure of juvenile crimes, the prosecution rate of juvenile criminals decreased but slightly increased recently. On the other hand, the remission rate of juvenile crimes increased but recently decreased slightly. We can see that the prosecution is also processing cases with guidance

from a protective perspective.

Taking a look at the processing state of juvenile protective cases by the court, cases which were processed with protective dispositions occupy more than 70% of all protective cases, and non-initiation decision cases were at 16%. After the Juvenile Act revision in 2007, the proportion of protective dispositions of combined punishment rather than a single punishment increased, and there were more cases in which consignment by a guardian and social treatments were combined rather than treating within facilities. Also, considering that the cases of probation and issuance of fines decreased and the remission to a juvenile court increased even in the processing of juvenile criminal cases by the court, we can see that there is a stronger tendency to approach cases from a protective perspective rather than a criminal perspective. On the other hand, the number of juveniles accommodated in juvenile prison decreased, while the number of those accommodated in juvenile reformatory increased; thus, it demonstrated a juvenile justice operation phenomenon from a protective perspective.

The tendency to process juvenile criminals from a protective perspective throughout the entire juvenile law system is desirable in that it identifies the juvenile crime problem as a social problem rather than a personal one and as a problem that must be solved by the society through education. However, due to the murder case in Incheon and several recent juvenile felony cases, the prosecution and court's generous treatment towards juvenile criminals were facing social criticism, and the lowering of the age for criminal punishment and criminal punishment exemption were in discussion. Because juvenile crimes are heavily influenced by family background, social environment, peer groups, the media, etc., the issue cannot be resolved by that can be solved by increasing the punishment for a juvenile criminal. Treatment for a juvenile offender is essential to reduce recidivism and requires various intervention strategies and environmental modifications to reduce criminal behavior.

Chapter 2



Sexual Violence

Kim, Ji Young

Sexual Violence

Section 1. Status and Response Measures

1. The Status of Sexual Violence

Among the more severe and heinous types of crimes, sexual violence has the lowest rate of reported crimes, yet the victims suffer from physical and psychological damage at a higher rate. Moreover, relevant laws and regulations are revised almost every year without examination resulting in an extremely complex system that is inconsistent in carrying out policies on sexual violence.

This paper used the *Crime Analysis* published by the Supreme Prosecutor's Office, and the *Judicial Yearbooks* published by the National Court Administration as a base material. Given the complexity of laws relevant to sexual violence, we will first explain those papers before analyzing its crime trend. Even though it is generally challenging to make an accurate analysis with the official statistics, I should clarify this chapter reflects the following: (1) the status of sexual violence and the judicial responses to the matters known to the criminal justice system, (2) the general statistical analysis on the characteristics of crimes and criminals, and (3) a discussion on the effectiveness of therapy programs for offenders in recent sexual assault studies.

The statistics on sexual violence in the *Crime Analysis* include sexual violence under both the Criminal Act and various special criminal laws. First, sexual

violence under the Criminal Act includes rape, indecent act by compulsion, quasi-rape, quasi-indecent act by compulsion, sexual intercourse with a minor, inflicting another's bodily harm of injuries or death by rape, etc. Added to these have been the violation of the Act on Special Cases Concerning the Punishment, etc. of Sexual Crimes since 2003, and the violation of the Act on Protection of Children and Juveniles from Sexual Abuse, in part, since 2009. The 2012 statistics did not include the violation under the Act on Protection of Children and Juveniles from Sexual Abuse in criminal law offences. Accordingly, taking photos of another person's body by using cameras, etc., intrusion upon public places with intent to satisfy sexual urges, obscene acts by using means of communication, and indecent acts in crowded public places are reported and collected as sexual violence in statistics. Robbery and rape under the Criminal Act are currently categorized as robbery. Thus, it is not included in the sexual violence statistics, but break-in and rape, larceny and rape, and special robbery and rape, as prescribed by Article 3 of the Act on Special Cases Concerning the Punishment, etc. of Sexual Crimes Art are categorized as sexual violence.

If we look at the number of sexual violence cases reported and known to the criminal justice system between 2008 and 2015, the numbers doubled from a total of 16,129 in 2008 to 31,063 in 2015. The crime rate, the number of crimes reported per a population of 100,000, doubled during the observed period from 32.6 to 60.3. It is an upsurge in the crime rate compared to all other types of crimes reported during the same time of when the crime rate was 4,419.5 in 2008 and decreased to 3,921.5 in 2015 (see Table 2-2-1). In detail, the sexual violence data collected in 2015 revealed that the highest rate was in an indecent act by compulsion (42.7%), followed by taking photos using cameras or other devices (24.9%), and then rape (17%). Taking pictures by a camera or other devices increased by almost 13.2 times over the past years from 585 cases in 2008 to 7,730 in 2015; it contributed significantly to the rising trend of sexual violence

(2016 *Crime Analysis*, Supreme Prosecutor's Office, 2015, p.15).

The number of crimes of sexual violence committed against minors under the age of 13 increased from 1,182 in 2008 to 1,268 in 2015. The crime rate, the number of crimes reported per 100,000 child population, increased from 16.66 in 2008 to 21.11 in 2015 and grew by 31% (see Table 2-2-1). Out of all the crimes of sexual violence committed against minors in 2015, the highest rate reported was in an indecent act by compulsion with 53.1%, followed by rape/adultery with 21.8% (2015 *Crime Analysis*, Supreme Prosecutor's Office, 2016, p.84).

〈Table 2-2-1〉 Number of Total Crimes, Sexual Violence, and Sexual Violence against Minors

Year	Total Crimes		Sexual Violence		Sexual Violence against Minors under the age of 13		
	Number	*Crime rate	Number	*Crime rate	Number	*Crime rate	**Crime rate
2008	2,189,452	4,419.5	16,129	32.6	1,182	2.43	16.66
2009	2,168,185	4,356.1	17,377	34.9	989	2.03	14.43
2010	1,917,300	3,795.5	20,584	40.7	1,175	2.3	17.64
2011	1,902,720	3,750.4	22,168	43.7	1,053	2.1	16.21
2012	1,934,410	3,796.8	23,365	45.9	975	1.9	15.32
2013	1,996,389	3,903.7	29,090	56.9	1,041	2.1	16.86
2014	1,933,835	3,767.6	29,863	58.2	1,208	2.3	19.95
2015	2,020,731	3,921.5	31,063	60.3	1,268	2.5	21.11

※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

* Crime rate : Number of crimes reported per 100,000 population.

**Crime rate : Number of crimes reported per 100,000 child population.

As for the arrests of the offenders of sexual violence over the last ten years, it was an overall upward trend as the number of reported arrests in 2006 was 14,053, 15,977 in 2009, 18,673 in 2011, and 23,373 in 2012. It was a considerably sharp increase from the previous year and then reached a decade peak in 2013 with 30,408 arrests, although the number slightly declined to 28,420 in 2014 and went up 29,981 in 2015. During the same period, the crime rate of sexual violence fluctuated within a narrow range from 90% from 2006 to 2010 to 80% from 2011 to 2013 and then increased to 95.2% in 2014 and 96.5% in 2015 (see Table 2-2-2).

〈Table 2-2-2〉 Number and Arrest Rate of Offenders of Sexual Violence

(Unit : case(%))

Year	Number of Arrests – Sexual Violence Offender (Arrest Rate)
2006	14,053(92.7)
2007	14,012(91.1)
2008	14,698(97.4)
2009	15,977(98.9)
2010	18,058(90.6)
2011	18,673(84.7)
2012	23,373(85.8)
2013	30,408(89.6)
2014	28,420(95.2)
2015	29,981(96.5)

※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

2. Responses to Sexual Violence

As the social awareness on the seriousness of the harm caused by sexual violence is growing and the public demands to enhance the punishment is becoming more urgent daily, relevant legislation has been enacted and revised to introduce new various sanctions and strengthen the penalties. Cases in which the sexual perpetrator received criminal punishments increased as well. If we look at the trends in the trial courts' decisions in rape and an indecent act by compulsion, the actual prison sentence remarkably increased (see Table 2-2-3). Imposition of a sentence of probation, fines for rape, and an indecent act by compulsion reduced from 47.8% in 2006 to 38.9% in 2011. It rapidly reduced to 29.2% in 2012 but showed a slight increase from 2013 to 2015, 39.1%, which was an 8% decrease compared to 2006. As for the penalty of a fine, it continuously increased and almost doubled over the past several years at 15.5% in 2006, 20.1% in 2009, 34.1% in 2012, 41.7% in 2014, and 38.2% in 2015 (see Table 2-2-3).

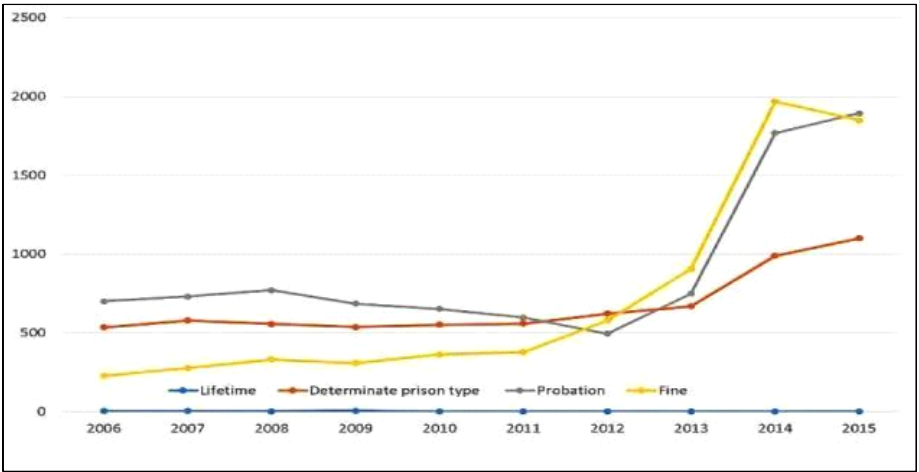
〔Table 2-2-3〕 Trial Courts' Decision in Rape and Indecent Act by Compulsion Cases

(Unit : case(%))

Year	Lifetime	Determinate prison time	Probation	Fine
2006	4(0.3)	535(36.5)	701(47.8)	227(15.5)
2007	4(0.3)	579(36.4)	730(46.0)	276(17.4)
2008	2(0.1)	557(33.5)	771(46.4)	331(19.9)
2009	5(0.3)	537(35.0)	686(44.7)	308(20.1)
2010	0(0.0)	551(35.2)	651(41.6)	363(23.2)
2011	1(0.1)	559(36.4)	597(38.9)	378(24.6)
2012	1(0.1)	621(36.6)	495(29.2)	579(34.1)
2013	1(0.1)	668(28.8)	749(32.2)	905(39.0)
2014	0(0.0)	989(20.9)	1,768(37.4)	1,968(41.7)
2015	0(0.0)	1,099(22.7)	1,893(39.1)	1,849(38.2)

※ Source: *Judicial Yearbooks*, National Court Administration. Reproduced.

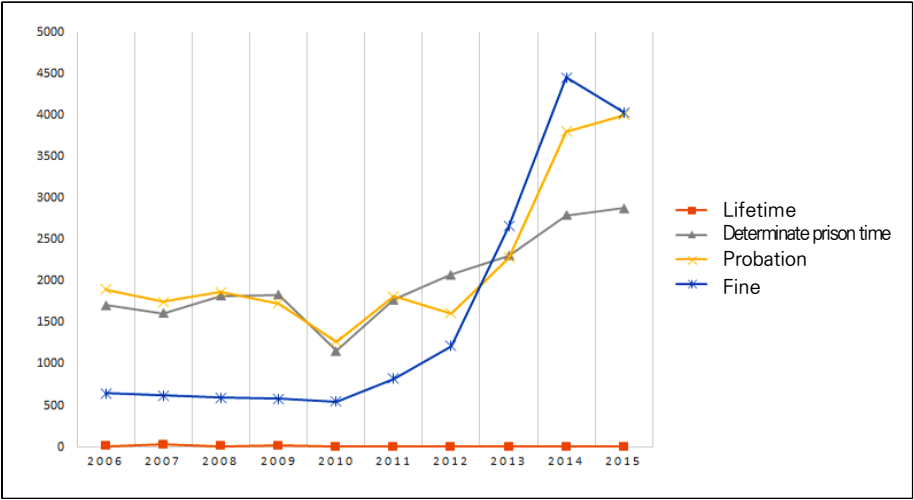
As the total number of the imposition of punishment in sexual violence cases increased, the composition ratio concerning the types of punishment also changed. Figure 2-2-1 displayed the increased rate in probation and fines since 2012, and it by far exceeded the increased rate of an actual prison sentence.



※ Source: *Judicial Yearbooks*, National Court Administration. Reproduced.

〔Figure 2-2-1〕 Annual Trends of the Trial Courts' Decisions in Rape and Indecent Act by Compulsion Cases

The phenomenon became more evident when we included the number of punishments under the Act on Special Cases concerning the Punishment etc. of Sexual Crimes and the Act on the Protection of Children and Juveniles against Sexual Abuse (e.g., rape) in the crimes of rape and indecent act by compulsion. In this case, the total number of actual jail time sentencing almost doubled during the given period, in detail, from 539 reported in 2006 to 1,099 in 2015. The total number of impositions of probation increased by approximately 2.7 times from 701 in 2006 to 1,893 in 2015, and the total number of issuance of fines increased by 8.1 times from 227 in 2006 to 1,849 in 2015. It signifies that the issuance of fines is the most frequently used criminal sanction for cases of sexual violence.



[Figure 2-2-2] Annual Trends in the Trial Courts' Decisions on Sexual Violence

Section 2. Characteristics of Sexual Violence

1. Socio-Demographic Characteristics

In this section, we will examine the characteristics of sex offenders in terms of the age and sex based on the statistics presented in the *Crime Analysis* of the Supreme Prosecutor's Office. First, as for the sex of perpetrators, the absolute majority (95%) was male offenders. In 2014 and 2015, 98% was male while female accounted for 0.7% in 2006. The number of female offenders gradually increased to 2.9% in 2012 but decreased to 2.5% in 2013, 1.7% in 2014, and 1.8% in 2015 (see Table 2-2-4).

〈Table 2-2-4〉 Offenders of Sexual Violence by Sex

(Unit : %)

Year	Male	Female	Unknown	Total
2006	96.6	0.7	2.6	100.0
2007	96.4	0.7	2.9	100.0
2008	95.2	1.4	3.4	100.0
2009	95.2	1.5	3.2	100.0
2010	95.0	1.4	3.6	100.0
2011	94.7	1.7	3.7	100.0
2012	94.8	2.9	2.2	100.0
2013	95.4	2.5	2.1	100.0
2014	98.0	1.7	0.3	100.0
2015	98.0	1.8	0.2	100.0

※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

As for the ages of offenders during the commission of crime over the last ten years, offenders in their 20s, 30s, and 40s held the highest proportion of all age groups among sex offenders. While the number of offenders in their 30s and 40s decreased, the rate of the offenders in their 50s and 60s showed a slight increase. In detail, ten years ago, offenders in their 30s accounted for the highest rate at 27.9% in 2006. Then, the rate decreased to 21.6% in 2015, while offenders in their 20s remained at a similar level recording in at 25.4%. On the contrary, the number of offenders in their 50s and 60s increased from 7.8% in 2006 to 14.0% in 2015 and from 3.8% in 2006 to 7.4% in 2015, respectively (see Table 2-2-5).

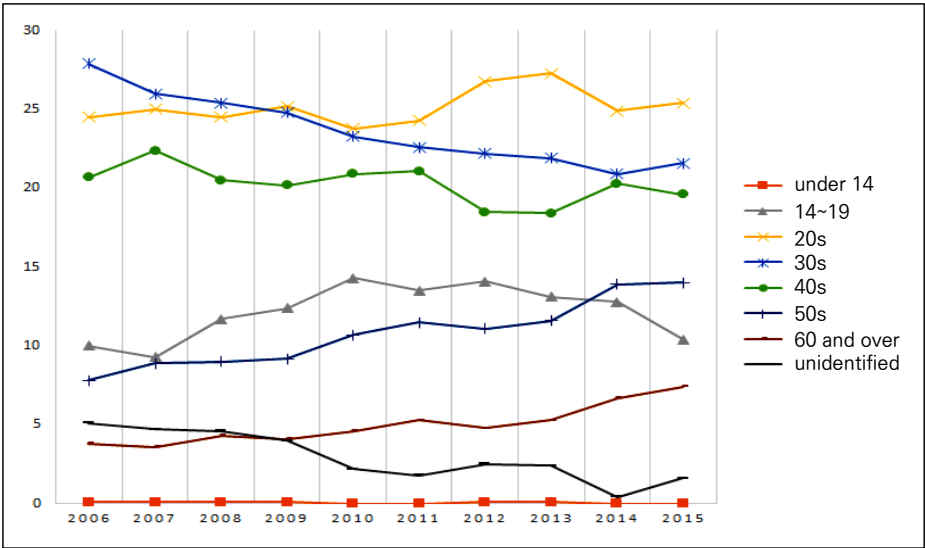
〈Table 2-2-5〉 The Age of a Sex Offender at the Time of a Crime Commission

(Unit : %)

Year	Under 14	14~19	20s	30s	40s	50s	60s and over	Unknown	Total
2006	0.1	10.0	24.5	27.9	20.7	7.8	3.8	5.1	100.0
2007	0.1	9.3	25.0	26.0	22.4	8.9	3.6	4.7	100.0
2008	0.1	11.7	24.5	25.4	20.5	9.0	4.3	4.6	100.0
2009	0.1	12.4	25.2	24.8	20.2	9.2	4.1	4.0	100.0
2010	0.0	14.3	23.8	23.3	20.9	10.7	4.6	2.2	100.0
2011	0.0	13.5	24.3	22.6	21.1	11.5	5.3	1.8	100.0
2012	0.1	14.1	26.8	22.2	18.5	11.1	4.8	2.5	100.0
2013	0.1	13.1	27.3	21.9	18.4	11.6	5.3	2.4	100.0
2014	0.0	12.8	24.9	20.9	20.3	13.9	6.7	0.4	100.0
2015	0.0	10.4	25.4	21.6	19.6	14.0	7.4	1.6	100.0

※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

Among the total number of sex offenders, offenders in the age groups of the 50s and 60s showed a gradual increase while offenders under the age of 14 and 14~19 continued to show a constant fluctuation of 10%~14% over the decade. Notably, in 2015, teenage juvenile offenders accounted for 10% of the total, which is a similar rate in 2006 and showed a 2% decrease from 2014 (see Figure 2-2-3).



※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

[Figure 2-2-3] Age of a Sexual Offender at the Time of a Crime Commission

2. Time and Place of an Occurrence

Now, we will examine the characteristics of sexual violence by focusing on the time and place of its occurrence. According to the recent official statistics over the past five years, sexual violence occurred most frequently between the hours of 10 PM and 4 AM. Crimes of sexual violence committed between these hours accounted for 39.7% of the total number of crimes in 2015, a slight decrease compared to crimes committed in 2011 (45.1%). The second most frequent occurrence of sexual violence was from noon to 6 PM (see Table 2-2-6).

〈Table 2-2-6〉 Sexual Violence Occurrences by Time (Unit : %)

Year	Dawn	Early Morning	AM	PM	Evening	Night
	04:00-06:59	07:00-08:59	09:00-11:59	12:00-17:59	18:00-19:59	20:00-03:59
2011	12.8	8.5	6.8	17.6	9.2	45.1
2012	12.7	7.4	7.5	18.5	8.1	45.8
2013	10.7	7.5	9.1	21.5	8.7	42.5
2014	9.4	7.2	9.6	23.4	10.5	39.9
2015	8.6	8.1	8.9	23.9	10.8	39.7

※ Source : *Crime Analysis*, Supreme Prosecutor’s Office. Reproduced.

As for the location of sexual violence incidences, the statistics over the past five years indicated that primary residences (apartment buildings, multi-household dwellings, and single household residences) were the most common location of sexual violence incidences, but declined in 2013. The next frequent location of sexual violence incidences was on the street, and it slowly increased between 2011 and 2015. However, there are limitations in identifying the other places reported in the statistics, which consisted of over 50% (see Table 2-2-7).

〈Table 2-2-7〉 Location of Sexual Violence Incidences

(Unit: %)

Year	Residence*	Street	Accommodation, Bathhouse	Other
2011	20.8	12.5	11.1	55.6
2012	18.2	12.2	10.0	59.6
2013	21.7	18.5	12.5	47.3
2014	17.6	16.6	8.8	57.0
2015	16.5	15.3	8.4	59.8

※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

* Residence includes apartment building, multi-household dwellings, and single family houses

3. Socio-Demographic Characteristics of the Victims

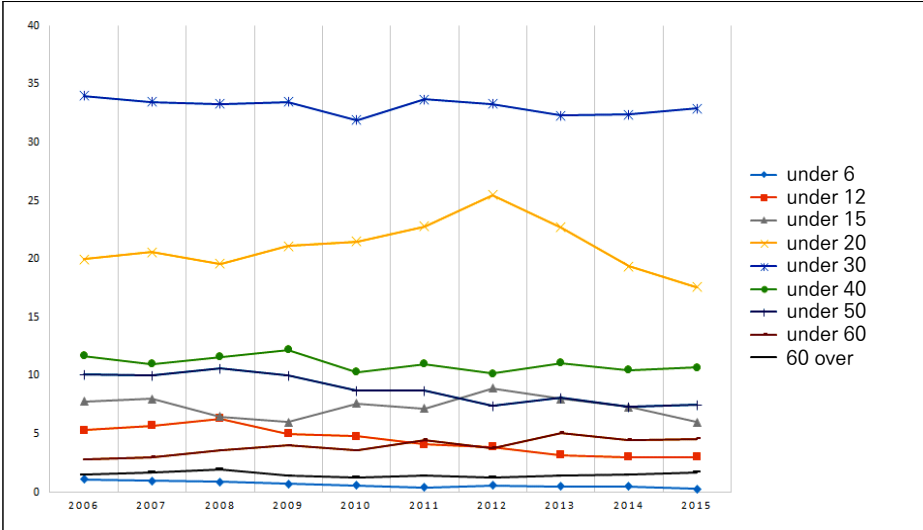
Now, we will examine the characteristics of the victims of sexual violence by focusing on their sex and age. The absolute majority of the victims was female (90% of the total sexual violence victims), and approximately 4% was reported as a male each year. As for their age, males aged 21 to 30 (under 30) held the highest proportion, despite the small number of male victims. Females aged 21 to 30 (more than 30%) comprised the highest percentage of victims of sexual violence and remained as an unchanged phenomenon over the last decade. Females between the ages of 16 to 20 (approx. 20%) were the next highest category of sexual violence victims. Girls between the ages of 7 to 12 (elementary school students) comprised 6.3% of the total number of sexual violence victims in 2008. It was a decade low, but the rate further decreased to 3.0% in 2014. The preschoolers' proportion also reduced during this period from 1.1% in 2006, which was the highest percentage in the decade, to 0.5% in 2015 (see Table 2-2-8 and Figure 2-2-5).

〈Table 2-2-8〉 Victims of Sexual Violence by Age and Sex

(Unit : %)

		2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Male	Under 6	0.1	0.1	0.1	0.1	0.1	0.0	0.1	0.1	0.1	0.1
	Under 12	0.2	0.5	0.4	0.3	0.4	0.4	0.4	0.4	0.4	0.5
	Under 15	0.4	0.3	0.2	0.3	0.3	0.3	0.4	0.5	0.4	0.4
	Under 20	0.5	0.7	0.6	0.8	0.6	0.7	0.9	0.9	0.8	0.9
	Under 30	1.1	1.3	1.3	1.3	0.9	1.1	1.0	1.1	1.1	1.3
	Under 40	0.6	1.0	0.7	0.9	0.6	0.6	0.7	0.6	0.7	0.5
	Under 50	0.6	0.7	0.7	0.7	0.5	0.5	0.5	0.5	0.5	0.5
	Under 60	0.2	0.3	0.3	0.4	0.2	0.2	0.3	0.4	0.3	0.3
	Over 60	0.1	0.2	0.1	0.1	0.0	0.1	0.1	0.1	0.2	0.1
	Subtotal	3.9	5.1	4.3	4.7	3.6	3.8	4.4	4.6	4.6	4.8
Female	Under 6	1.1	1.0	0.9	0.7	0.6	0.4	0.6	0.5	0.5	0.5
	Under 12	5.3	5.7	6.3	5.0	4.8	4.1	3.9	3.2	3.0	3.0
	Under 15	7.8	8.0	6.5	6.0	7.6	7.2	8.9	8.0	7.3	6.0
	Under 20	20.0	20.6	19.6	21.1	21.5	22.8	25.5	22.7	19.4	17.6
	Under 30	34.0	33.5	33.3	33.5	31.9	33.7	33.3	32.3	32.4	32.9
	Under 40	11.7	11.0	11.6	12.2	10.3	11.0	10.2	11.1	10.5	10.7
	Under 50	10.1	10.0	10.6	10.0	8.7	8.7	7.4	8.1	7.3	7.5
	Under 60	2.8	3.0	3.6	4.0	3.6	4.5	3.8	5.1	4.5	4.6
	Over 60	1.5	1.7	2.0	1.4	1.3	1.4	1.3	1.4	1.5	1.7
	Subtotal	94.3	94.3	94.4	93.8	90.3	93.9	94.9	92.4	90.8	90.0
Unknown		1.8	0.6	1.3	1.5	6.1	2.4	0.8	3.1	4.6	5.4
Total		100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.



※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

[Figure 2-2-4] Female Victims of Sexual Violence by Age

If we look at the relationship between the perpetrators and the victims of sex crimes, the crimes reported occurred the most when the two parties did not know each other. Approximately 50% of sexual violence incidences reported from 2006 to 2015 happened in a relationship where the perpetrator and the victim were unacquainted with each other. As displayed in the figures, the percentage of crimes of sexual violence committed by unfamiliar perpetrators was 51.6% in 2006 and then decreased to 40% from 2008 to 2013. It peaked in 2015 at 59.2% over the recent ten years. The number of crimes committed in a familiar relationship, for example in an employment context, by a workplace colleague, neighbor, or acquaintance, showed an overall upward trend. Sexual violence committed in intimate relationships (a friend, romantic partner, and relatives) was counted as a third case relationship. It decreased from 5.9% in 2006 to 4.8% in 2007 but increased to 8.4% in 2015. Also, sexual violence committed by an unknown person showed a gradual increase in the recent five years (see Table 2-2-9).

〈Table 2-2-9〉 Relationship between Perpetrators and Victims

Year	Intimate Relationship*	Acquainted**	Unacquainted	Unknown	Other/ The Rest***	Total
2006	692 (5.9)	1,432 (12.2)	6,039 (51.6)	2,509 (21.4)	1,029 (8.8)	11,701 (100.0)
2007	527 (4.8)	1,111 (10.1)	5,846 (52.9)	2,639 (23.9)	928 (8.4)	11,051 (100.0)
2008	837 (5.6)	1,645 (11.1)	7,278 (48.9)	3,634 (24.4)	1,488 (10.0)	14,882 (100.0)
2009	1,000 (6.3)	1,685 (10.6)	7,474 (46.8)	4,181 (26.2)	1,630 (10.2)	15,970 (100.0)
2010	1,161 (6.5)	1,858 (10.4)	8,601 (48.1)	4,646 (26.0)	1,608 (9.0)	17,874 (100.0)
2011	1,137 (6.0)	1,764 (9.3)	9,340 (49.1)	4,833 (25.4)	1,935 (10.2)	19,009 (100.0)
2012	1,794 (6.7)	3,008 (11.3)	12,193 (45.8)	5,718 (21.5)	3,903 (14.7)	26,616 (100.0)
2013	3,278 (7.0)	3,551 (11.4)	14,259 (45.6)	5,371 (17.2)	5,926 (18.9)	31,285 (100.0)
2014	2,048 (8.1)	3,824 (15.2)	14,864 (58.9)	3,749 (14.9)	738 (2.9)	25,223 (100.0)
2015	2,278 (8.4)	3,695 (13.6)	16,106 (59.2)	3,989 (14.7)	1,131 (4.16)	27,199 (100.0)

※ Source : *Crime Analysis*, Supreme Prosecutor's Office. Reproduced.

* Combination of friends, boy/girlfriends, cohabiting relatives, and other relatives.

** Combination of employers, employees, workplace colleagues, business counter parties, neighbors, and acquaintances.

*** Combination of the category of 'other' presented in the *Crime Analysis* by the Supreme Prosecutor's Office, and the state and public servants.

Section 3. The Registration and Notification System of Sex Offenders

Social awareness on sex crimes has increased and the public's opinion to strengthen the punishment against sex offenders has increased as well. In this context, the government has introduced a variety of post management dispositions. First, in 2000, the government adopted an open registration system to release

the identities of the offenders who committed a sexual crime against the minors. In 2010, the government extended access to a database accessible to the public so they can see the lists of offenders through a general communication network. It was an improvement since a perusal of such information was only available to the local police station, the victims, the victims' legal representatives, and lawyers prior to public access in 2010. In 2011, the government implemented a mail notification system of sex offenders to protect the households, educational institutions, etc. within the vicinity of a sex offender's residence. This chapter will analyze the statistics regarding the notification system for sex offenders.

As for the number of sex offenders listed in the registry since 2010, the number of offenders subjected to public disclosure via general communication network had gradually increased since the year of when the notification system was first put into practice in 2010 from 592. As of 2015, the total number on the list is 4,501—a 7.6 times increase over five years but decreased slightly to 4,306 in 2016. The number of offenders subjected to the mail notification system was 257 in 2011. It was raised by a significant margin to 3,888 in 2016, a more than a 15 times increase (see Table 2-2-10).

〈Table 2-2-10〉 ID Registration, Public Disclosure via Internet, and Mail Notification
(Unit : person)

	ID Disclosure via Internet	ID Disclosure via mail
2010	592	—
2011	1,538	257
2012	2,868	1,402
2013	3,479	1,972
2014	3,189	2,374
2015	4,501	3,667
2016	4,306	3,888

※ Source : *Crime and Criminal Justice Policy* (2015) and News 1 (2015.03.09., [http:// news1.kr/articles/ ?289737](http://news1.kr/articles/?289737))

Section 4. The Evaluation of Treatment Programs

1. The Effectiveness of Probation and Completion of Treatment Programs

This section will summarize and introduce the research which analyzes the effectiveness of probation and the completion of treatment programs. The introduction of the relevant research's results was extracted from the *Treatment Program Development and Legislative Measures for Sex Offenders* (Korean Institute of Criminology, 2013). The purpose of this research was to study the effectiveness of the treatment programs for sex offenders in a probation facility. This research was conducted on 109 sex offenders in 7 central prisons and in 2 intensified prisons in 2013. The statistics revealed seven significant results among the 13 categories from the pre- and post-tests. The treatment programs for rape myths, anger, impulsiveness, distorted sexual impulses on children, loneliness, self-confidence, and subjective stability have shown meaningful results. The most impacted categories were a common notion of rape, a distorted sexual impulse towards children, loneliness, and self-confidence. However, there was a feeble change in the treatment's results when it came to 'action by using sex' in a stressful environment. No significant results were found in anger expression and management, responsiveness towards people, hostility against women, and sexual fantasies.

When we look at only the significant results from the seven categories, we can tell that the completion of treatment is effective for changing the recognition and attitude of sex offenders on probation. It appeared to be more effective for changing rape myths and beliefs of child rapists. Also, it had some significant effects on reducing loneliness, improving self-confidence, and personal stability. However, there was no change in hostility towards women or in the reactivity towards the person who determined the empathic ability. In this regard, this study found that the completion of treatment programs had

effects on cognitive characteristics but had no significant impact on relationship building skills, sociality, and anger and stress management.

2. The Effectiveness of an Attendance Order System

The research results on examining the effectiveness of 'attendance order system' were summarized based on *Researches on Evaluation of Criminal Policies and Judicial System(X): A Study on Effectiveness of the Attendance Center Order System* (Korean Institute of Criminology, 2015). This study was conducted at the seven attendance order system centers on 556 sex offenders who participated in the treatment programs which used the five psychological criteria for comparing before and after. In the five criteria, there were 28 questions regarding empathic ability in relationships, 24 questions regarding one's ability on resolving social problems, 33 questions regarding rape myth acceptance, 30 questions related to the Wilson Sex Fantasy Questionnaire, and 20 questions regarding empathy for victims of sexual violence. The questions in the study showed several meaningful results. However, there were no significant changes in empathic ability in relationships. For resolving social problems ability, there were some meaningful changes in positive and negative faiths. If an issue arose, the positive faith used for resolving the problem improved more than the negative faith.

Regarding rape myths, there were also meaningful changes in the statistics of a treatment program in examining the before and after results in a victim, offender, effect, and compulsive myths. Notably, there were significant changes in rape myths by reducing its distorted conception of rape; one's ability to feel empathy towards victims also increased. As a result, the distorted conception of rape myths was corrected, and empathy towards victims increased. There were no significant changes in reducing sexual fantasies and the ability to resolve social problems. This attendance order system had almost same effectiveness with the treatment completion order system; the results on the efficacy of the counseling

attendance program indicated that the program altered the knowledge and cognitive processes of its' subjects but did not alter their ability in emphasizing and problem resolving.

Section 5. Conclusion

From 2008 to 2015, the crime rate of sexual violence cases per 100,000 population known to the criminal justice system doubled from 32.6 to 60.3 cases. During this period, the total crime rate per 100,000 population was 4,419.5 cases in 2008 and decreased to 3,921.5 in 2015; the crime rate of sexual violence increased substantially. The increase was more evident in an indecent act by compulsion, followed by taking photos using cameras or other devices, and then rape. At the same time, the number of criminal prosecutions against sexual crimes increased as well. For instance, the number of rape and indecent act by compulsion cases in which the trial courts determined the actual prison sentences for the offenders doubled from 535 in 2006 to 1,099 in 2014. Probation sentences increased by 2.7 times from 701 cases in 2006 to 1,893 cases in 2015. Issuance of fines, which accounted for 227 cases of the total guilty verdicts in 2006, increased by eight times with 1,849 cases in 2015.

As for the age of the offenders during the commission of a crime, offenders in their 50s and 60s showed a slight increase while the number of offenders in their 30s and 40s decreased. Offenders in their 30s accounted for the highest rate of 27.9% in 2006, and the rate declined since then recording in at 21.6% in 2015. Offenders in their 20s remained at a similar level recording in at 25.4%. On the contrary, the number of offenders in their 50s and 60s increased from 7.8% in 2006 to 14.0% in 2015 and from 3.8% in 2006 to 7.4% in 2015, respectively. As for the number of sex offenders listed in the registry since 2010, the number

of offenders subjected to public disclosure via general communication network increased gradually since 2010 from 592, the year that the notification system was first put into practice. As of 2015, the total number on the list is 4,501, a 7.6 times increase within five years but decreased slightly to 4,306 in 2016. The number of offenders subjected to the mail notification system was 257 in 2011 and raised to a significant margin of 3,888 in 2016, which marked a more than 15 times increase.

The studies which analyzed the effectiveness of the treatment programs described as the most effective measure for inmates in probation facilities and under the attendance order system was the improvement of distorted rape myths. Improving social skills related to personal relations and sympathy was difficult. Thus, the treatment programs are effective in changing the distorted common notion of sex offenders. However, it is far more difficult to induce a radical change in their attitudes and behavior. This result indicates that it is necessary for facilities conducting treatment programs to develop new programs and ponder how to create an effective treatment which can improve sex offenders' social skills as well as their empathic ability.

PART 3

Criminal Policies in Korea

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Chapter 1



Trends in Major Criminal Policies

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Trends in Major Criminal Policies

Section 1. Trends in Correctional and Rehabilitation Policies

This section examines the policy outcomes for crime prevention and the treatment and management of criminal offenders by focusing on the work of the Korea Correctional Service and the Crime Prevention Policy Bureau under the Ministry of Justice.

1. Korea Correctional Service

A. The Intermediate Treatment Facility: Halfway House

A halfway house is an intermediate correctional institution that bridges correctional facilities and society and supports the reintegration of inmates into society. The first halfway house in Korea, House of Hope, was opened at the Anyang Correctional Institution in January 2009, and subsequently added one to each regional correctional agency including the Chuncheon, Changwon, Suncheon and Chungju Women's Correctional Institutions in November. The halfway house at the Anyang Correctional Institution provides a social adjustment training program which allows inmates who will be released soon to work in factories outside of the facilities during scheduled workdays and live with their family members to strengthen family ties or participate in volunteering activities on weekends to adapt back into society.

In September 2009, the Cheonan Correctional Institution was converted into the Social Adjustment Training Center to provide the inmates with an opportunity to experience a real-life environment, such as using public transportation and financial institutions, before they were released. In September 2013, it opened the Milyang Hope Center, the first halfway facility sited inside of the local community. Through the Milyang center, the Halfway Treatment System now commenced the intermediate treatment program in a more practical sense. The Ansung Hope Center in November 2014 and the Asan Hope Center in October 2016 were added to the list, respectively. Since the closing of the Ansung Hope Center in 2016, only two Hope Centers have been operating in Korea.¹⁸⁾

The Hope Center was launched by remodeling the employee accommodation of a private corporation in the local community. It can accommodate approximately 15 inmates who are the recipients of a halfway treatment or volunteered to attend self-governing correctional facilities. Inmates at the center commute autonomously and can use the internet, smartphones and debit cards. Also, the inmates engage in a self-governing activity to cultivate emotions and receive an education in the evenings and participate in furloughs, volunteering, and religious activities during the weekends; thus, enhancing their social adaptability. The Correctional Service estimates that the Hope Center is planning on expanding the halfway treatment to be in a community.¹⁹⁾

B. Online Video Visitation System

Connecting with families during imprisonment helps the inmates settle in the institution and prevent recidivism. However, in most cases, correctional facilities are located in remote areas and make it difficult for family members to visit their loved one in both time and cost. To address this problem, the Correctional

18) Internal source from the Korea Correctional Service, Ministry of Justice

19) Internal source from the Korea Correctional Service, Ministry of Justice.

Service introduced an online video visitation system. Ever since the online visitation system was first adopted by the Yeosu Correction Institution and the Gimcheon Boy's Correctional Institution in 2000, the correctional institutions have continuously prepared the necessary devices and equipment to facilitate the online video visitation system. Now, the system is established as an important means for the potential upcoming civil petitions on visitations. Statistically, the number of video visitation used in this online system was 130 in 2000, 123,425 in 2007, 141,431 in 2008, and 164,585 in 2009, which displayed a substantial increase with every passing year. Although the number of online visitations was at 159,144 in 2010, a decrease in 4,441 visitations compared to the previous year was due to year-specific reasons, such as a decrease in the total number of inmates sentenced to imprisonment in 2010. Thus, it naturally resulted in a decrease in the total number of inmate visitations. However, the number of visitations increased since 2011, recording in at 163,186 in 2011, 178,762 in 2012, 198,458 in 2013, 214,205 in 2014, 246,045 in 2015 and by a substantial margin in 2016 to 279,423.²⁰⁾

In the early stages of implementation, many people pointed out the inconvenience of the visitors having to make a personal trip to the nearest correctional institution to utilize the online system. To solve this problem, the Correctional Service introduced an upgraded system which used proxy servers and linked the computer in the visitation rooms at the correctional facilities to the rooms in the petitioners' residence. It enabled the petitioners to see and talk with the inmates through the Internet. Once the proxy server method was tested, the advanced online video visitation was adopted by 12 designated correctional institutions on April 10, 2013. In 2014, the system expanded to 20 other institutions. When the remaining 20 institutions completed the construction of the required online visitation facility in 2015, all the correctional institutions

20) Internal source from the Korea Correctional Service, Ministry of Justice.

across the country benefited.

Furthermore, video visitation by a smartphone was made available in 2015 so that the civil petitioner can visit the inmate from anywhere (Ministry of Justice, 2015, Judicial Yearbooks. p.243). In 2016, the online and smartphone video visitation system were wholly enforced in correctional facilities across the country. The online video visitation system was expected to improve its service to civil petitioners who are experiencing difficulties in visiting their loved ones in prison due to their livelihood or physical distance and assist inmates to restore or strengthen their relationship with their family.

C. The Unified Management of the Correctional Psychotherapy Center and Mental Health Center

Codirectional Psychotherapy Center was established to provide a tailored education to a specific category of offenders who require educational treatment instead, thus preventing recidivism and enhancing their social adaptability back into society. The subjects of this educational treatment include sex offenders at risk for recidivism and alcohol and drug offenders.

The Correctional Service established mental health centers in the correctional facilities to enhance the professional treatment and systematic management for mentally-ill inmates. The mental health centers at the Correctional Service follow other mental health facilities operated under the Mental Health Act as their model and provide professional treatment and rehabilitation programs to inmates who suffer from schizophrenia or mood disorders.

The correctional psychotherapy center and the mental health center have been unified to manage and improve their business efficiency. The Correctional Service plans to diversify the functions of the psychotherapy center, extend the related programs, and deploy medical professionals at the center through the integrated management system.

D. The Creation of the Psychological Treatment Division in the Correctional Service and the Classification Center at Seoul Regional Corrections Headquarters

In September 2016, the Psychological Treatment Division was established at the Korea Correctional Service under the Ministry of Justice to provide drug-related offenders with a systematic psychotherapy treatment. Furthermore, the Classification Center at the Seoul Regional Corrections Headquarters opened to offer scientific and intensive customized care services for inmates who are at a higher risk of recidivism.

The psychotherapy treatment division focuses on planning, research, and program development in the field of psychotherapy to provide drug and sex offenders with specialized and systematic management.

The newly created classification center at the Seoul Regional Corrections Headquarters run scientific classification screening, intensive management for prison life, and specialized programs. In the established classification center at the regional corrections headquarters, clinical psychologists conduct systemic management to categorize the re-offending high-risk group and prevent recidivism by providing a psychological test and an in-depth interview.

E. A Full Implementation of Emergency Assistance Services for Prisoners and Families at Risk

The emergency assistance services for prisoners and families at risk was planned to resolve a crisis of family dissolution by allowing family visitation in the early stage of prison life regardless of the conviction and prison term. The system provides specialized services such as inmate telephone services, family visitation, and consultation with a specialist. It was fully implemented in October 2016 after a pilot operation at six institutions, e.g., the pilot operation at the Suwon Detention Center from April to August 2016.

F. Other

1) Partial amendment on the guidelines on prison labor and the special accounting operation for prison labor

On February 11, 2016, the Korea Correctional Service under the Ministry of Justice announced the major contents on the partial amendment on the guidelines on prison labor and the special accounting operation for prison labor.

Major revised contents of each guideline include the case of disbursing compensation funds of the budget if prisoners get injured or die while working at an open local workplace and the factories outside of the correctional institutions, and terminating a contract if a consignor brings or carries prohibited items such as a mobile phone and PMP into correctional facilities without permission.

2) Consolidation and abolition of the similar functions of the Regional Corrections Headquarters

Eight divisions undertaking similar functions in each regional corrections headquarters were consolidated and abolished for management reasons at the correctional institution. The vocational training division and the social rehabilitation division were combined because they conducted similar functions, and the security division and the medical care and classification division were consolidated because they share similar abilities.

2. Crime Prevention Policy Bureau

A. Electronic Monitoring System

Electronic monitoring supervision with a GPS tracking device enables the correctional authorities to locate offenders in real time and prevents recidivism by a probation officer's close one-on-one supervision with the offenders. As

a relatively new system, it was first put into practice on September 1, 2008. In the implementation stage, the system was limited to only sex offenders, but the application was extended to child kidnappers in 2009, murders and sexual violence offenders in July 2010, retroactively, and robbers in June 2014.

From September 1, 2008, the date of when the electronic monitoring was first implemented, to December 2015, the cumulative number of ex-convicts who wore an electronic anklet was 5,214 (sexual crime: 3,126, homicide: 1,731, robbery: 349, and child kidnapping: 8). Among all of the sex offenders subjected to electronic monitoring supervision, the recidivism rate was at 1.78%. This rate amounts to only 1/8 of the recidivism rate of the sex offenders of 14.1%, who were not subject to electronic monitoring supervision five years ago (2004~2008) before the introduction of the system. Overall, the electronic monitoring supervision received positive reviews. The studies suggested that not only tracking the location of the targeted offender and the fear of being caught and arrested, but also the probation officers' frequent visitations (a four times a month- in-person interview minimum), spot checks, and assistance in finding employment influenced the reduction in the recidivism rate.

A Fast Response Team in charge of the electronic monitoring alarms, which signaled an offender's violation of the probation, was established to quickly resolve potential crime risks by using a 24-hour standby system. The fast response team expanded from 46 agencies in 2015 to 56 agencies in 2016.

Since the team's cooperation with law enforcement in March 2014, the identity of the electronic monitoring offenders was shared with the police. As a result, prompt dispatch of the police force was taken into effect from the alarm's signal on an electronic device attached to the body of a targeted offender.

To maximize the effectiveness of electronic monitoring, a smart electronic bracelet, a device which detects the signs of a crime by informational technology (IT), was developed in cooperation with the Ministry of Science, ICT, and the

Future Planning and the Ministry of Trade, Industry and Energy.

In 2016, the Act on the Probation and Electronic Monitoring, etc. of Specific Criminal Offenders was partially amended.

B. The Reorganization of the Identity Registration for Sexual Violence Offenders

The Identity Registration System is designed to protect the general public from sexual violence and use the data to prevent and investigate such crimes by registering and managing the identities of the convicted sexual violence offenders.

The sex offender's ID Registration System was first introduced to prevent juvenile sex trafficking. However, as more serious crimes of sexual violence occurred more frequently in each passing year, and the public demand for strengthening its punishment grows, the ID Registration system was refined continuously. The revised Act on Special Cases Concerning the Punishment Etc. of Sexual Crimes (revised on June 19, 2013) unified the information management concerning the sex offenders' ID Registration. More specifically, it prescribed that the registration of the sex offenders' identities should be under the Ministry of Justice's supervision and the publication and notifications should be carried out by the Ministry of Gender Equality and Family. The Act also deals with the details of the implementation stage in the ID Registration System, such as an extension of an application for up to three years, retroactive application of an ID disclosure, and a reduction in time interval checks to secure the effectiveness of the system.

Before the Act's amendment in June 2013, information management concerning the sex offenders' identities in the registry lacked an orderly structure. The Ministry of Gender Equality and Family and the Ministry of Justice handled the data of sex offenders' identities separately by using its standards and legal

foundation. For example, the Ministry of Gender Equality and Family used to carry out the ID Registration system which targeted victims under the age of 19 years under the Act on the Protection of Children and Juveniles from Sexual Abuse. The Ministry of Justice used to carry out the same system but targeted victims of the ages of 19 and over under the Act on Special Cases Concerning the Punishment Etc. of Sexual Crimes since April 16, 2011. As the two authorities managed the information, public confusion arose, and a revision of existing relevant legislation was demanded. The amendment of the Act on Special Cases in June 2013 was the outcome. It now managed the information in a unified manner by specifying the scope of responsibilities and the nature of the work between the two ministries.

Some have pointed out the problems in the ID Registration system. First, the scope of sex offenders subject to identity disclosure was too broad as the registry not only includes the data of sexual violence offenders but also the data of sex offenders who have committed the crimes against a child or children under the age of 13. Secondly, the system stipulated the risk of recidivism as a criterion for selecting the subject offenders, but no criteria or standard for the selection were provided. Lastly, due to the stigma effect by disclosure of identity, there was no actual effect on recidivism prevention. The application of sex offenders' ID Registration should strictly be limited to the ex-convicts with a high risk of recidivism and the information disclosed to the general public should be practically useful in crime prevention.

C. The Medical Treatment for the Sexual Impulses of Sex Offenders

The medical treatment for sexual impulses (chemical castration) is a method of suppressing an abnormal sexual impulse or desire of a deviant sexual patient. By administering medication or using psychotherapy, the treatment sought to reduce the deviance or normalize the sexual function of a patient. The Act

of Pharmacologic Treatment on the Sexual Impulses of Sex Offenders was enacted on July 23, 2010, and came into full force on July 24, 2011. Initially, the act defined the patients of medical treatment as sexual deviants, offenders who were 19 years of age or older and had committed a crime of sexual violence against minors (under the age of 16), and at high risk of recidivism. When the act was partially amended on December 18, 2012, and fully enforced on March 19, 2013, the previous age limitation of minors under the age of 16 was removed to extend the application of the treatment.

The Act of Pharmacologic Treatment on the Sexual Impulses of Sex Offenders was partially revised again on January 19, 2016, because imitative rape was added as a sexual crime. Recently, the medication prescribed for sexual impulses was improved to prevent recidivism.

D. Crime Prevention Through a Environmental Design (CPTED) Project

The Ministry of Justice established crime prevention measures to build a social safety network so that people can enjoy a crime-free environment. The ultimate goal is to reduce various social costs incurred by criminal damages. Since March 2014, the Crime Prevention Policy Bureau has led the Legal Order Promotion Campaign to restore necessary legal order in society and create a safe environment against accidents and crimes. Supported by the cooperation among the private sector, local government, the prosecutor's office, and relevant legal authorities, the campaign selected three main areas as its core project: 'Basic Legal Order,' 'Safety Regulations,' and 'Crime Prevention Through Environmental Design (CPTED).' The sensory level of crime safety increased by 17% in 2014 and 17.8% in 2015 as the Ministry of Justice conducted a CPTED project in 14 regions in 2014 and 11 regions in 2015.

In 2016, the Ministry of Justice and the Ministry of Land, Infrastructure, and Transport drafted a plan to start a joint business to create a crime-free

environment in 5 regions including Manseok-doing in Incheon, a well-known poor hillside village.

Section 2. Policies for the Protection of Crime Victims

1. Trends in Legislation

A. The Status and Trends in Crime Occurrences

Protection and support for crime victims are provided in an act which granted the restoration of losses, lawful exercise of rights and the promotion of social welfare.²¹⁾

[Constitution of the Republic of Korea]

Article 27 (5) A victim of a crime shall be entitled to make a statement during the proceedings of the trial of the case involved as under the conditions prescribed by the Act.

Article 30 Citizens who have suffered bodily injury or death due to criminal acts of others may receive aid from the State under the conditions as prescribed by the Act.

The foundational legislation for crime victims in Korea, the Crime Victim Protection Act and the Crime Victim Protection Fund Act, was established in December 2005 and October 2010, respectively. The laws prescribed the basic policy in protection and support towards the victims and matters related to rescue of the victims. The Criminal Procedure Act and the various special acts prescribed also deal with the issue.

In 1981, the enactment of the Act on Special Cases Concerning Expedition, etc. of Legal Proceedings introduced the compensation order system, a system

21) Crime Victim Protection Act, Article 3, Paragraph 1.

which allowed the courts to compensate crime victims for their losses. Through this system, the accused is found guilty of certain types of crimes (assault inflicting bodily harm, serious bodily assault, death by assault inflicting bodily harm, death by a violent action, manslaughter, larceny, and robbery). By using its discretion or victim's request, the court can now order the accused convict to compensate the victim for the loss suffered by the crime, especially for direct physical harm and medical expenses. This was the outset in Korea's crime victim protection policy.²²⁾

When the Constitution was amended in 1987, a right to request aid in case of bodily injury or death (Article 30) and a right for crime victims to make a statement during the proceeding of a trial (Article 27(5)) were introduced. To specify these provisions, the Crime Victim Compensation Act was enacted in November 1987, but unfortunately, it did not properly reflect the core idea of the constitutional provisions.²³⁾

Since the 1990s, a series of enactments on new legislations laid a legal foundation for victim protection. For instance, in the 1990s, the Act on Special Cases Concerning the Punishment of Specific Violent Crime was enacted and provided as a safeguard to protect victims and witnesses of certain criminal cases. In 1994, the Act on Special Cases Concerning the Punishment, Etc., of Sexual Violence Crimes Thereof, in 1999, the Act on Protection of Specific Crime Information, Etc., and in 2004, the Act on the Prevention of Sexual Traffic and Protection, Etc., of Victims Thereof, were enacted.

Furthermore, in 2004, the Ministry of Justice called for a comprehensive measure for crime victim protection and support and prepared an enactment of essential legislation for victim protection which would serve as victim bill of rights and establish funds for the crime victim. As an outcome, the Crime Victim

22) Act on Special Cases Concerning Expedition Etc., of Legal Proceedings, Article 25.

23) Kim, Ji Sun and Kim, Sung Un (2015), *Direction and Tasks of the 3rd Basic Plans for the Protection of Crime Victims(2017~2021)*, Korean Institute of Criminology., p. 13.

Protection Act was enacted in 2005 and was fully enforced in 2006. As a general law concerning protection and support for crime victims, the Crime Victim Protection Act clearly stated the rights of crime victims and the duty of central and local governments to support and protect the victims. In addition, the Act defined the responsibilities of the government to provide the relevant parties with education and training and to conduct research and promotions so that it can increase the public's understanding and pay more attention to crime victims. Moreover, the Act prescribed that the Minister of Justice shall set out and implement a protection and support plan for a crime victim every five years and send the plan to the Minister, the heads of relevant central government authorities (National Police Agency, Ministry of Gender Equality and Family, Ministry of Health and Welfare agencies, Ministry of Labour, Ministry of Construction and Transportation, etc.) and the mayors and governors of cities and provinces so that an annual plan such as an enforcement agenda can be established.²⁴⁾

Under the Act, the 1st for the Protection was implemented from 2007 to 2011, and the 2nd Basic Plans, which was in practice between 2012-2016, is currently active but will expire soon.

More recently, as child abuse resulting in death has become a serious social issue, the Act on Special Cases concerning the Punishment, etc. of Child Abuse Crime was enacted as a response to the public demand for a proper measure to deal with this issue and to provide legal grounds for child victim protection.

24) For relevant provisions and contents, see "4. Basic Plans for Protection and Support for Crime Victim."

□ The History of the Legislation Concerning Protection and Support for Victims of Crime

Year	Establishment	Contents
1987	Enactment of Crime Victim Protection Act	<ul style="list-style-type: none"> Prepared legal foundations for the compensation for crime victims
1990	Act on Special Cases Concerning the Punishment of Specific Violent Crimes	<ul style="list-style-type: none"> Newly established the provisions concerning victim and witness protection
1994	Act on the Punishment of Sexual Crimes and the Protection, etc. of Victims	<ul style="list-style-type: none"> New provisions concerning victim protection in investigations and trial processes
1997	Act on Special Cases Concerning the Punishment, etc. of Crimes of Domestic Violence	<ul style="list-style-type: none"> Experts diagnosis on the victims and victims' right to obtain advices from lawyer concerning his/her statements in courts
	Act on the Prevention of Domestic Violence and Protection of Victims Etc.,	<ul style="list-style-type: none"> Established a counseling center and a protection facility
1999	Act on the Protection of Specific Crime Information Etc.	<ul style="list-style-type: none"> Prepared a system in which the public can openly cooperate with law enforcement on criminal procedures and without fear
2003	Act on the Punishment of Sexual Crimes and the Protection, etc. of Victims	<ul style="list-style-type: none"> Introduced a new system that protects victims of sexual violence <ul style="list-style-type: none"> Invested in an agency to videotape the child victims under the age of 13 and victims with physical disabilities for their statements made during an investigation, the entire process of an investigation, and tape storage When the court of an investigative agency interviews a crime victim under the age of 13, an adult who is trusted person by the victim must accompany and be present during the victims' investigation.
	Establishment of Crime Victim Support Center	<ul style="list-style-type: none"> Gimcheon and Gumi
2004	Act on the Prevention of Sexual Traffic and Protection Etc., of Victim Thereof	<ul style="list-style-type: none"> Provided support for victims of sex trafficking
2005	Partial amendment of the Crime Victim Protection Act	<ul style="list-style-type: none"> Relaxed the conditions for crime victims
2006	Crime Victim Protection Act	<ul style="list-style-type: none"> Victims' Bill of Right <ul style="list-style-type: none"> Defined a crime victim, listed the duties of the State and local governments and established a crime victim support center and criminal mediation process Prepared a systematic regime for crime victim protection and support

Year	Establishment	Contents
2010	After the repeal of the Crime Victim Aid Act, integrated to the Crime Victim Protection Act	• Extended support available to a victim and prepared legal foundations for criminal mediation
	Crime Victim Protection Fund Act	• Used the court deposits made by a fine paid to protect and support crime victims. Enactment of the law was on 2010.5.14., and the fund was established in 2011.
2014	Act on Special Cases Concerning the Punishment Etc., of Child Abuse	• Prepared legal foundations for a response measure to a child abuser and for the protection of a child victim
2015	A Partial amendment of the Crime Victim Protection Act	• Introduced the notification system on victim's rights to mandate notifying rights to the victims of crimes

* Jang, Soek Hun et 4. (2015), Study on the Direction of Improvement based on the Analysis of Current Status of Crime Protection by Law Enforcement, National Police Agency Research Service Report, pp., 37–38. Reproduced.

2. The Third Basic Plan for Crime Victim Protection and Support

A. The Significance of the Basic Plan for Crime Victim Protection and Support

The Basic Plan for Crime Victim Protection and Support is not a symbolic tool to affirm a country's responsibility for crime victims, but also a blueprint to guide the protection and support policies for victims of crime over the next five years.

The Crime Victim Protection Act

Article 12 (Establishment of Master Plans)

(1) The Minister of Justice shall establish a master plan for the protection and support for crime victims (hereinafter referred to as "master plan") every five years, following the deliberation of the Crime Victim Protection Committee under Article 15.

Article 13 (Establishment of Annual Implementation Plan)

(1) The Minister of Justice, the heads of relevant central administrative agencies, and the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, and the Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") shall establish and execute annual implementation plans (hereinafter referred to as "implementation plan") under the master plan.

Article 15 (Crime Victim Protection Committee)

(1) The Crime Victim Protection Committee (hereinafter referred to as the "Protection Committee") shall be established under the control of the Minister of Justice to deliberate on the master plan and important matters concerning protection and support for crime victims.

B. The Progress of the Basic Plan for Crime Victim Protection and Support

The First Basic Plan for Crime Victim Protection and Support was conducted from 2007 to 2011. The first plan implemented 5 policy areas, 15 policy issues and 90 detailed tasks including Loss Recovery Support (Art. 7), Guarantee of the Participation in Criminal Procedures (Art. 8), Protection of Privacy, Physical Safety (Art. 9), Education and Training (Art. 10), and Promotion, Survey, and Research (Art. 11).

The Second Basic Plan for Crime Victim Protection and Support was conducted from 2012 to 2016. The Second plan implemented three policy areas such as Loss Recovery Support, Guarantee of Participation in Criminal Procedures and Protection of Privacy, Physical Safety, nine policy issues, and 39 detailed tasks.

The Third Basic Plan for Crime Victim Protection and Support was established in September 2016 and will be conducted from 2017 to 2021.

□ Progress of the Third Basic Plan for Crime Victim Protection and Support ('17~'21)²⁵⁾

Conducting basic research for the establishment of the Third Basic Plan for crime victim protection and support ('15)

Research and service order for the establishment of the Third Basic Plan for crime victim protection and support ('16.2.)

Holding an expert meeting to draft a policy agenda in the field of crime victim protection and support ('16.3.~5. total 10)

Holding a discussion meeting with on-site experts in the field of crime victim protection and support ('16.5.)

1st collection of opinions from government ministries and the local government about the third basic plan for crime victim protection and support (draft) ('16.7.~8.)

2nd collection of opinions from government ministries and local government about the third basic plan for crime victim protection and support (draft) ('16.9.)

Holding a practice commission for the 12th crime victim protection commission ('16.9.20.)

Holding the 11th crime victim protection commission ('16.9.29.)

25) Kim, Ji-Sun et al. (2016). The third Basic Plan for Crime Victim Protection and Support, Research and Service Report.

3. The Operation of a Crime Victim Protection and Support Policy

Crime Victim Protection and Support policy is established and enforced within the framework of existing policies²⁶⁾. The systems that are currently in force by relevant key authorities, such as the Ministry of Justice, the Ministry of Gender Equally and Family, the Ministry of Health and Welfare and the Crime Victim Support Center, are listed in the tables below.

A. Ministry of Justice

System	Contents	Legal Foundation
Crime Victim Relief Fund	<ul style="list-style-type: none"> The State funds crime victims who suffer from serious physical damages or victims' bereaved families where the victim dies due to serious bodily harm on the victim or dies from attack. 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 7, 16 and 32.
Dwelling Support	<ul style="list-style-type: none"> To support crime victim in the aspect of a dwelling condition. National Public Housing (preferred supply), or multi-household rental housing are rented to crime victims so that they can help themselves. 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 7, Regulations concerning Housing Supply, Art. 32, Para. 1, 3, Guideline for handling housing supply work for housing vulnerable groups , Art. 3.
Smile Center	<ul style="list-style-type: none"> Providing crime victims or their family members with services such as psychiatric treatment and temporary housing accommodation and supporting their restoration to normal life Providing crime victims of more serious violence crimes with systematic psychiatric treatment and temporary housing if necessary. 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 7.
Court Appointed Lawyer for a Crime Victim	<ul style="list-style-type: none"> Legal support provided by the prosecution—a designated lawyer who assists crime 	<ul style="list-style-type: none"> Act on Special Cases Concerning

26) Jang, Soek Hun et 4. (2015), Study on the Direction of Improvement based on the Analysis of Current Status of Crime Protection by Law Enforcement, National Police Agency Research Service Report, p.39

System	Contents	Legal Foundation
	<p>victims in all stages of the criminal procedures from the occurrence of the crime to the investigation and trial. The State pays for it in full.</p> <ul style="list-style-type: none"> • For sexual violence and child abuse victims. the court appointed lawyers play a role to respectively represent the victims in both the investigation stage and trial. 	<p>the Punishment Etc, of Sexual Crimes, Art. 27, Para 6.</p> <ul style="list-style-type: none"> • Act on Special Cases Concerning the Punishment Etc, of Child Abuse, Art. 16.
Statement Assistant System	<ul style="list-style-type: none"> • For child or adult victims with physical disability from sexual crimes who have difficulties in communication and/or in expressing themselves, expert personnel participates in the investigation and trial process and mediates and assists the victims to prevent a secondary harm and contribute to finding an objective truth. • An expert who understands the statement and behavioral signs of child or adult victims with disabilities and accompanies the victim in an investigation and assists with communication. 	<ul style="list-style-type: none"> • Act on Special Cases Concerning the Punishment Etc, of Sexual Crimes, Art. 35, or 39. • Act on Special Cases Concerning the Punishment Etc, of Child Abuse, Art 17.
Legal Home Doctor	<ul style="list-style-type: none"> • A legal home doctor is a licensed lawyer who stands by at local communities or social welfare centers and provides vulnerable households with basic legal service. • Supports subjects with a social welfare receiver, multi-cultural families, and crime victims who are vulnerable to social resources. Support also includes legal consultation and provision of information, guide for legal proceedings and procedures, and providing legal aid and customized legal education to the subject. 	<ul style="list-style-type: none"> • Crime Victim Protection Act, Art. 7. Para 1.
Free Legal Consultation/ Legal Aid	<ul style="list-style-type: none"> • Helps citizens who do not enjoy protection of law due to their economic vulnerabilities or lack of legal knowledge for free. Korea Legal Aid Corp. and Korea Legal Aid Center for Family Relations provide crime victims with a consultation and information to receive free legal representation. 	<ul style="list-style-type: none"> • Legal Aid Act

* Jang, Soek Hun et 4. (2015), Study on the Direction of Improvement based on the Analysis of Current Status of Crime Protection by Law Enforcement, National Police Agency Research Service Report, pp., 33–36. Reproduced.

* Korea National Police Agency, Information for Crime Victim Support (<http://www.police.go.kr/portal/main/contents.do?menuNo=200153>, data searched on 2016.05.04.).

B. Supreme Prosecutor's Office

System	Contents	Legal Foundation
Filling out a Document under a Pseudonym	<ul style="list-style-type: none"> For the protection of physical safety for the individuals who cooperated with criminal procedures pursuant to the Act on Protection of Specific Crime Informant, Art. 7 and relevant laws, some or all parts of an identity are not to be written down in documentary records and report forms. 	<ul style="list-style-type: none"> Act on Protection of Specific Crime Informant, Art. 7. Guidelines for draft and management re. alias identity in reports and identity management cards(Supreme Prosecutor's Office Rules)
Emergency Alarm (location tracking device)	<ul style="list-style-type: none"> For the protection of physical safety of the victims who are exposed to the risk of vengeance, it provides the victims with an emergency alarm device so that law enforcement is able to locate the victims. If the victim presses a button on the device, a security company will dispatch a guard, and the police be notified. 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 9. Act on Protection of Specific Crime Informant, Art. 13 Para. 1, Enforcement Decree of the Act, Art. 7. Guidelines for location check and moving cost support(Supreme Prosecutor's Office Rules)
Moving costs support (actual expense)	<ul style="list-style-type: none"> Support for the moving costs of crime victims or serious crimes' informants, witnesses, or their family members. 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 9. Guidelines for location check and moving cost support (Supreme Prosecutor's Office Rules)
Victim Protection Facility (safe house)	<ul style="list-style-type: none"> Used for informants of serious crime, crime victims, witnesses, or their family members. If they require special protection due to risk of vengeance, they may stay at a victim protection facility prepared by the Supreme Prosecutor's Office or the local prosecutor's office for a certain period of time for protection. 	<ul style="list-style-type: none"> Act on the Protection of Specific Crime, Art. 13, Para. 1, Enforcement Decree of the Act, Art. 7 Guidelines for location check and moving cost support, Art. 16, Para. 3.
Notifying the Victims of Their Rights	<ul style="list-style-type: none"> Provides the victims with information of their rights in regards to criminal procedures, protection, and support (handbook of crime victims' right and support system information) General rights of crime victims <ol style="list-style-type: none"> Right to request to be accompanied by a person of trust. 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 8.2 Enforcement Decree of the Act, Art. 10. 2 Guidelines for protection and support crime victim

System	Contents	Legal Foundation
	<p>To ease the victims' tension and nervousness during an investigation and a court appearance, the victim may request someone to accompany the victim.</p> <p>② Right to sue, appeal, and object the prosecutor's decision of a non-indictment.</p> <p>Victims may file a complaint, and victims who object to prosecution's decision of non-indictment may appeal to the Public Prosecutor's Office (within 30 days of being notified of) or the High Court in the jurisdiction.</p> <p>③ Right to make a statement in trial as a witness and request a closed-door trial.</p> <p>④ Right to request information regarding criminal procedures, such as the result of an investigation and the status of a trial.</p> <p>⑤ Right to request access to trial records, perusal, and photocopies.</p> <p>• Rights of Victims of Sexual Crimes</p> <p>① Right to appoint a lawyer.</p> <p>Victims of a sexual crime can hire a lawyer (if not available, may request the court to appoint one) and the victims' lawyer can participate in the investigation and make statements.</p> <p>② Right to request an assistant for a statement.</p> <p>For child victims less than 13 years of age or victims with a disability or have difficulties in communication or expressing themselves in words.</p> <p>③ Right to request preservation of evidence. A victim who cannot attend the court's trial in person may request to record or videotape his/her statement in advance for the judge's review and request that such evidence be preserved.</p> <p>④ Right to request an omission of one's personal identity.</p> <p>Victims of sex crimes may request the prosecution to use an alias in a report for confidentiality of their identity and privacy.</p> <p>⑤ Right to request a physical safety measure. Especially for sex crime victims who are exposed to high-potential risk, they can request the local police service for personal safety measure.</p>	<p>(Supreme Prosecutor's Office rule) Art. 16.</p>

System	Contents	Legal Foundation
	<ul style="list-style-type: none"> • Rights of victims of child abuse <ul style="list-style-type: none"> ① Right to appoint a lawyer. If lawyer is not available, a court-appointed lawyer can be requested. The victims' lawyer can participate in the criminal procedures for his or her clients and make statements on their behalf. ② Right to request an assistant for making a statement. When a child victim has difficulties in communicating or expressing him/herself, a trusted individual can assist the victim with his or her statement. ③ Right to request a temporary measure or make statements When recidivism is anticipated, victims of child abuse may request for a temporary order such as a restraining order or make a statement about his/her concerns. If victim is in an emergency situation and does not have enough time for the court's decision, the victim can request a police officer for a temporary safety measure. ④ Right to request victim protection and appoint a facilitator. Victims of child abuse may request family courts for protection, such as restraining order. In this case, they can appoint a facilitator. • Rights of victims of domestic violence <ul style="list-style-type: none"> ① Right to request a temporary measure and to make statement When recidivism is anticipated, victims of domestic violence may request a temporary order such as a restraining order or make a statement about his/her concerns. If victim is in an emergency situation and does not have enough time for the court's decision, the victim can request a police officer for a temporary safety measure. ② Right to request protection and physical safety measures. Victims of domestic violence may make a request to a family court, such as the removal of the perpetrator from one's house, separately from the criminal procedures. If necessary, the victim may also request physical safety protection. 	

System	Contents	Legal Foundation
Notification to Crime Victims	<ul style="list-style-type: none"> To protect the victim's right, it notifies him/her of the perpetrator's information in criminal procedures, such as the disposition, place and date of a trial, the result of a trial, and information regarding imprisonment (e.g., detention or release, release from jail, and the execution status of a probation). 	<ul style="list-style-type: none"> Criminal Procedures Act, Art. 259, 2 Guidelines concerning Crime Victim's Protection and Support, Art. 19, 28.
Compensation Order	<ul style="list-style-type: none"> In either criminal or family protection cases where the accused or defendant was found guilty/responsible, the court may use its own discretion or at the request of victims or their families to order a compensation for the loss suffered directly by the victim, including physical damage, medical expenses, and solatium. In principle, victims should commence a lawsuit in civil court, separately from the criminal court's procedures, in order to be compensated for his/her loss or damage. A faster and more convenient compensation for the victim is the goal of this policy. Criminal cases in which a victim may request for a compensation include robbery, larceny, violence (assault causing bodily harm and assault by accident or negligence), extortion, fraud, embezzlement, breach of trust, rape, indecent act by compulsion, destruction (Act on Special Cases concerning Expedition etc. of Legal Proceedings, Art. 25), domestic violence (Act on Special Cases concerning Punishment Etc., of Crimes of Domestic Violence, Art. 56) and other crimes that apply to aggravated punishment. 	<ul style="list-style-type: none"> Act on Special Cases concerning Expedition etc. of Legal Proceedings, Art. 25, 35. Act on Special Cases concerning Punishment Etc., of Crimes of Domestic Violence, Art. 56, 62.
Criminal Mediation System	<ul style="list-style-type: none"> To ensure loss recovery and reconciliation of a crime victim, the Committee of Criminal Mediation helps the parties reach an amicable agreement if the nature of case concerns property crime, such as fraud, embezzlement, breach of trust, or if the case is a certain criminal case, such as medical, libel, infringement of intellectual property. Subject cases consist of the following: ① property crimes reported as fraud, embezzlement, breach of trust caused by lending and borrowing monies between the parties; ② libel and defamation, trespass, infringement of intellectual property, medical dispute, unpaid wage; ③ other cases deemed worthy to transfer to the Committee; and ④ general criminal law cases which satisfies each of the above. Once the committee receives a case, it confirms the parties consent to transfer their case to the 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 41 or 46. Criminal Mediation Operational Guidelines (Supreme Prosecutor's Office Rules)

System	Contents	Legal Foundation
	committee for mediation, reviews the documented evidence, listens to the other parties, and suggests a settlement solution. If the parties agree to the settlement, the mediation is over. On the other hand, if the parties fail to reach an agreement, the case is deferred back to the prosecution for normal criminal procedures.	
Reconciliation during Criminal Proceedings	<ul style="list-style-type: none"> In a criminal proceeding where the defendant (perpetrator) and the victim settle the case in civil court with the action in criminal court, the parties may jointly report the settlement to the court which will have the same effect as legal reconciliation. 	<ul style="list-style-type: none"> Act on Special Cases Concerning Expedition etc. of Criminal Proceedings, Art. 36 or 40.
Victim's Participation in the Accused's Interview before a Charge	<ul style="list-style-type: none"> It supports the victim who may participate in the accused's interview by law enforcement and make a statement before the accused is officially charged. 	<ul style="list-style-type: none"> Guidelines for Crime Victim Protection and Support, Art. 17
To be Accompanied by a Person of Trust	<ul style="list-style-type: none"> To help the victim find easiness and relaxation during an interview with the investigation agency and testimony at trial, he/she is allowed to be accompanied by a person of his choice in trust. 	<ul style="list-style-type: none"> Act on Criminal Proceedings, Art. 221, Para. 3, Art.163.2. Act on Special Cases Concerning Punishment Etc., of Sexual Crimes, Art. 34. Act on Protection of Children and Juveniles from Sexual Abuse, Art. 28. Act on the Punishment of Acts of Arranging Sexual Traffic. Art. 8.
Legal Home Doctor Project	<ul style="list-style-type: none"> See the implementation of the Ministry of Justice's systems 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art. 7, Para 1.
Free Legal Consultation/ Legal Aid	<ul style="list-style-type: none"> See the implementation of the Ministry of Justice's systems 	<ul style="list-style-type: none"> Legal Aid Act Guidelines for Crime Victim Protection and Support, Art. 4 (Supreme Prosecutor's Office rule).

* Jang, Soek Hun et 4. (2015), Study on the Direction of Improvement based on the Analysis of Current Status of Crime Protection by Law Enforcement, National Police Agency Research Service Report, pp., 35-38. Reproduced.

* National Police Agency, Crime Victim Support Information (<http://www.police.go.kr/portal/main/contents.do?menuNo=200153>, data searched on 2016. 05.04.).

* Naver Dictionary (<http://terms.naver.com/entry.nhn?docId=929424&cid=43667&categoryId=43667>, data searched on 2016. 05.04.).

C. National Police Agency

System	Contents	Legal Foundation
Officer in Exclusive Charge of Victims	<ul style="list-style-type: none"> Assigns an officer to be in exclusive charge of the victim in an interrogation room at every police station across the nation, interferes in the early stage of an accident in the case of a serious crime for quick restoration of the victims' loss, and links the victim to other support organizations and plays a role as a facilitator. 	<ul style="list-style-type: none"> Guidelines for Crime Victim Protection and Support, Art. 9, 12, 13.
C.A.R.E	<ul style="list-style-type: none"> When a serious crime, such as homicide, robbery, and sexual violence occurs, an expert psychiatric agent is dispatched to the field to serve the victim and the victim's family through counseling and a psychiatric evaluation. It helps them stay calm and prevents mental damage. Also, the agency refers the victim and family to other support organizations for more assistance. 	<ul style="list-style-type: none"> Guidelines for Crime Victim Protection and Support, Art. 9, 14, 15.
Temporary Accommodation Temporary Accommodation	<ul style="list-style-type: none"> When potential harm is anticipated to occur inside a victim's residence, or a victim does not have a place to stay due to the crime, a temporary accommodation with lodging expenses paid (1–5 days) will be provided for the victim. 	<ul style="list-style-type: none"> Guidelines for Crime Victim Protection and Support, Art. 30, 34.
Notification of Victim's Right	<ul style="list-style-type: none"> Provides victims with information concerning the victims' procedural rights in the process of an investigation and trial, and information concerning protection and support (distributes handouts on the Information on Crime Victims' Rights and Support System) 	<ul style="list-style-type: none"> Crime Victim Protection Act, Art 8.2. Enforcement Decree of, Crime Victim Protection Act, Art. 10.2. Regulation for Crime Victim Protection and Support(NPA directives), Art. 17.
Transportation Support	<ul style="list-style-type: none"> For more serious crimes, such as homicide, robbery and arson, it provides victim with a courtesy ride if the investigation or interview occurs during the late night hours. 	<ul style="list-style-type: none"> Regulation for Crime Victim Protection and Support, Art. 25
Use of Loss Recovery System	<ul style="list-style-type: none"> If a crime occurred in the victim's residence, it provides the victim with the clean-up costs if the police investigation on the scene left the victim's home in a disorderly fashion and would require professional cleaning. 	<ul style="list-style-type: none"> Regulation for Crime Victim Protection and Support, Art. 37, 38.
Physical Security	<ul style="list-style-type: none"> Protects crime victims, informants and witnesses from the perpetrators' potential retaliation by providing victims with physical security, giving victims a smartwatch, patrolling the victim's residence, and installing a CCTV so that victims can live a peaceful life. 	<ul style="list-style-type: none"> Regulation for Crime Victim Protection and Support, Art. 29, 30.

System	Contents	Legal Foundation
Protection and Support for Domestic Violence Victims	<ul style="list-style-type: none"> • Designates officers to be in exclusive charge of domestic violence cases in every police station and offers counseling and follow-ups for victims; signs an MOU with local governments, medical institutions, and counseling centers with each police station; and provides the victims of domestic violence with living assistance and medical and employment support. 	<ul style="list-style-type: none"> • Act on the Prevention of Domestic Violence, Art. 4. • Act on Special Cases Concerning the Punishment Etc. of Domestic Violence, Art. 55.2, 55.5. • Regulation for Crime Victim Protection and Support, Art.16, 21, 36, or 38.
Protection and Support for School Violence	<ul style="list-style-type: none"> • Designates officers to be in exclusive charge of victims of school violence; provides counseling and guidance; operates 117 Center for post-monitoring of the students who first reported the violence; and links the monitoring system to relevant agencies and organizations to ensure safety of the students. 	<ul style="list-style-type: none"> • Decree of the Act on the Prevention of and Countermeasure against School Violence, Art. 4, 20.2. • Enforcement Decree of the Act on the Prevention of and Countermeasure against School Violence, Art. 30. • Regulation for Crime Victim Protection and Support, Art.16, 21, 35, or 38.
Protection and Support for Child Abuse	<ul style="list-style-type: none"> • Designates the staff in charge of child abuse cases as officers in charge of domestic violence and supports field investigation, linking relevant agencies and organizations, and post management. In addition, an investigation of a victim is conducted at professional child protection institutions or the One-Stop Support Center under the presence of a person trusted by the victim. The agency links the Korea Women Lawyer Association, Korea Neuropsychiatric Association, and many other institutes to provide more comprehensive and efficient support to child victims. 	<ul style="list-style-type: none"> • Act on Special Cases Concerning the Punishment Etc. of Child Abuse, Art. 11, 55.2, 55.5. • Regulation for Crime Victim Protection and Support, Art. 16, 21, 35, 38.
Protection and Support for Sexual Crime Victim	<ul style="list-style-type: none"> • Female officers are dispatched to the One-stop Support Center and Crisis Intervention Center for Women and Children. For victims under 13 years of age and victims with disabilities, it provides a statement analyst, statement assistants, and stenographer. It also designates sexual violence supporting officers in every police station to provide counseling and loss recovery. 	<ul style="list-style-type: none"> • Act on Prevention of Sexual Crime and Protection of Victim • Act on Special Cases Concerning the Punishment Etc. of Sexual Crime, Art. 26, 30, 34, 36.

System	Contents	Legal Foundation
		<ul style="list-style-type: none"> • Regulation for Investigation of Sexual Crime and Protection of Victim. • Regulation for Crime Victim Protection and Support, Art. 16, 21, 35, or 38.
Protection and Support for Vehicle Accident Victims	<ul style="list-style-type: none"> • If a victim cannot be compensated because he/she is the victim of a hit and run, has no insurance, or the accident was by a stolen vehicle, the police link the victim to a government-funded compensation company and explain the application process to the victim. • For the victims who suffered a death of a family member by an automobile accident, or the victims who suffered from severe and permanent physical damages from the accident and if their livelihood is challenged due to the loss, the Police connects them to supporting businesses to help their readjustment and recovery. 	<ul style="list-style-type: none"> • Guarantee of Automobile Accident Compensation Act, Art. 30, • Art. 30.2.

* Jang, Soek Hun et 4. (2015), Study on the Direction of Improvement based on the Analysis of Current Status of Crime Protection by Law Enforcement, National Police Agency Research Service Report, pp., 35–36. Reproduced.

* National Police Agency, Crime Victim Support Information data(<http://www.police.go.kr/portal/main/contents.do?menuNo=200153>, data searched on 2016.05.04.).

D. Support Center for Crime Victims

Type of Support	Contents
Emergency Support	<ul style="list-style-type: none"> • Emergency Support provides a 24-hour call center service or volunteers available to be at the scene of the crime; protects the victim, transfers him/her to a hospital, contacts family members, and organizes the crime scene; and carries out a prompt rescue in the early stage of the crime.
Physical Protection	<ul style="list-style-type: none"> • Physical protection provides a tracking device to prepare a retaliation crime, accompanies the victim to prosecutor's office or courts, and finds temporary accommodation.
Support for Medical Expenses	<ul style="list-style-type: none"> • Supports victims for medical expenses incurred by physical and mental loss from a crime. • Compensates the victims who require psychiatric treatment and support and the medical expenses incurred from the clinical counseling provided by a licensed psychiatrist or counselor.

Type of Support	Contents
Support for Nursing Fees and Incidentals	<ul style="list-style-type: none"> • Nursing fees occur when a victim does not have family members to take care of him/her, or the family cannot do so due to their livelihood. • Other incidentals include a victim's need for a certain medical apparatus or travel to a remote place for treatment. This system provides the victim with transportation costs, accommodation, and food.
Emergency Support for Living Costs	<ul style="list-style-type: none"> • In a case when a victim has no other family members to support him/her, this system provides the victims with basic living costs, tuition, as well as funeral expenses, if necessary.
Self-help Job Search Support	<ul style="list-style-type: none"> • Supports victims to achieve independence by providing them with self-help (education costs and incidentals) costs, basic necessities, and better housing.
Legal Support	<ul style="list-style-type: none"> • Advises victims of criminal procedures, the process of a trial, the results of a trial, and the sentences imposed against perpetrators. <ul style="list-style-type: none"> – Connects the victims to the lawyers serving the center – Informs the victims of criminal procedures and the rescue system for victims – Accompanies victims to the prosecutor's office, police station or court – Provides criminal mediation for fast recovery of the victims' losses and any concerned parties
Request for Counseling	<ul style="list-style-type: none"> • Victims and their family members are provided with professional psychiatric and mental health treatment services. <ul style="list-style-type: none"> – Professional counseling via telephone conversation, in-person interview, or a visitation – Provides victims and their family members with a psychology consultation – Referral service to other professional institutes – Offers a visitation counseling service which the counselor visits the victim in person to check his or her state and discuss a preferred method of support with the victims.
Other	<ul style="list-style-type: none"> – Information about victim rescue and compensation services etc. – Courtroom monitoring

* Jang, Soek Hun et al. (2015), Study on the Direction of Improvement based on the Analysis of Victim Protection, National Police Agency Report. Reproduced.

* Korea Crime Victims Association, Crime Victim Support Information data (<http://www.kcva.or.kr/> data searched on 2016.05.25.)

4. Crime Victim Protection and Support for Victims of Major Crimes

A. Delivery of Professional Counseling & Psychiatric Service

☐ Establishment and the Operation of Smile Center

Category	2010	2011	2012	2013	2014	2015	2016
Number of Centers	1 (Seoul)	–	1 (Busan)	2 (Incheon, Gwangju)	2 (Daegu, Daejeon)	2 (Chuncheon, Jeonju)	2 (Western District of Seoul, Suwon)
Cases Handled	518	2,087	3,599	6,772	17,064	28,931	–

* The handling of cases means delivery of counseling service, social support (in connection with relevant entities), legal support and temporary housing service.

* The number of the smile centers will be increased to a total of 18 by 2019.

* Kim Ji Sun et al (2016). Reproduced.

The government established the Smile Center to provide counseling and psychiatric service to crime victims and their families with the goal of promoting their successful reintegration into the society. Nevertheless, due to a lack of centers, only 6 percent of victims of violent crimes have had access to victim assistance services. The government has gradually increased the number of the centers to address this shortcoming; currently, there is a total of ten. In addition to the increase in availability, the government has waged public campaigns to publicize the centers' victim assistance programs in the form of comic strips and has it easily accessible to the public by having it online.

According to the recent survey conducted by the Ministry of Justice, the impact of the victim assistance service at the centers was proven successful. Many victims were relieved of depression and PTSD after undergoing psychiatric treatment at the centers.

B. The Strengthened Assistance for Sexual & Domestic Violence Victims

The government also established the Sunflower Center to provide counseling services to victims of sexual crime or domestic violence. It has also founded victim support centers tailored to the characteristics and needs of specific groups such as immigrants or youths who were sexually victimized by family members. It is notable that the government integrated disparate sex crime victim assistance into the aforementioned Sunflower Center and focused efforts on establishing focal centers in major cities with the goals of strengthening medical treatment and setting the standards of operation. The current status of the centers is shown below.

□ Status of Victim Support Centers

Category	Year	Sunflower Center	Center for the Handicapped Subject to Sexual Crimes	Center for Youths Victimized by Sex Crimes from Family Members	Center for Female Immigrants Victimized by Violence
Number of Center	2012	30	3	2	20
	2015	36	8	4	28
Cases Handled (2012 – 2015)		892,952	64,466	43,075	152,322

*Kim Ji Sun et al (2016). Reproduced.

C. Expanded Eligibility for Victim Compensation

Since 2011, the government provided compensation²⁷⁾ to victims who suffered from injuries which required hospitalization for at least 5 weeks but not more than 9 weeks. Since 2014, it started to provide other financial assistance including emergency subsistence grants, cost, and coverage for medical treatment and

27) The total expenditure for victim compensation has continued to increased from KRW 930 million in 2011 to KRW 1.1 billion from 2013 to 2015, and to KRW 2.2 billion in 2016.

staying at a convalescent home, attendance allowances, and costs and coverage for victim care of the adolescents who have suffered from sexual violence, and for a caretaker to accompany minors and the disabled to the hospital.

□ Status of Government Funding (in million, KRW)

Category		Emergency Subsistence Grant, Funeral Cost Coverage, Scholarship	Cost Coverage for Hospitalization at Convalescent Home, Patient Care, and Others	Victim Care Service	Cost Coverage for an Accompanied Caretaker
Number of Centers		(Victims of Violent Crimes)		(Victims of Sexual Crimes)	
Budget	2014	700	500	255	900
	2015	1,000	500	255	1,000

* Kim Ji Sun et al (2016). Reproduced.

D. A Raised Level and Less Restrictive Eligibility in Relief Funds

In 2012, the number of days eligible for a relief fund for bereaved families increased. In addition, in 2014, the Crime Victim Protection Act was amended to increase the number of months eligible for relief funds from 36 to 48 months which resulted in a general increase in the funds from the maximum amount of KRW 68 million to 99 million.

[Crime Victim Protection Act]

Article 22 (Amount in Relief Funds)

- (1) The amount of the bereaved family relief funds shall be the amount obtained by multiplying the amount of the monthly salary, actual monthly income or average monthly wage of the victim subject to relief at the time of his/her death (referring to the time when his/her body was damaged, where he/she dies on account of such damage) by the number of months prescribed by the Presidential Decree within 24 to 48 months. The number, ages, and conditions for subsistence of the bereaved family members are taken into consideration. <Amended by Act No. 12883, Dec. 30, 2014>
- (2) The amount of the disability relief fund and a serious injury funds shall be the amount obtained by multiplying the amount of monthly salary, actual monthly income or average monthly wage of the victim subject to relief at the time of damage to his/her body by the number of months prescribed by the Presidential Decree within two months but not

exceeding 48 months. The degree of the disability or serious injury of the victim, number, ages, and conditions for subsistence of the dependent family members are also taken into consideration. <Amended by Act No. 12883, Dec. 30, 2014>

- (3) The amount of the monthly wage, actual monthly income or average monthly wage referred to in paragraph (1) or (2) shall be verified by a certification issued by the head of a tax office, Si/Gun/Gu (referring to an autonomous Gu) having jurisdiction over the victim's place of domicile or the head of the institution at which the victim works or other certification which has public trust and is prescribed by Presidential Decree.
 - (4) In applying paragraph (1) or (2), where the amount of monthly wage or actual monthly income of a victim eligible for relief exceeds twice the amount of the average wage, the amount equivalent to twice the amount of the average wage shall be deemed the monthly wage or actual monthly income.
-

[Enforcement Decree of the Crime Victim Protection Act]

Article 22 (The Relief Fund Amount for the Bereaved Family)

The number of months prescribed by the Presidential Decree multiplied by the amount of monthly salary or actual monthly income of an victim eligible for relief or the average wage (hereinafter referred to as "amount of salary, etc.") in the calculation of the relief fund for a bereaved family pursuant to Article 22 (1) of the Act means the number of months calculated by multiplying the number of months according to the classification referred to in the following subparagraphs by multiples are referred to in Table 4. The relief fund amount for a bereaved family shall not exceed the amount of 36 months of an average wage. <Amended by Presidential Decree No. 26148, Mar. 17, 2015>

Article 23 (The Relief Fund Amount for Disabilities)

The number of months prescribed by the Presidential Decree multiplied by the amount of salary of a victim eligible for relief in the calculation of relief fund for a disability pursuant to Article 22 (2) of the Act means the number of months calculated by multiplying the number of months by grade of disability according to the classification referred to in the following subparagraphs by multiples referred in Table 5. The relief fund for disability shall not exceed the amount of 40 months of an average wage. <Amended by Presidential Decree No. 26148, Mar. 17, 2015>

Article 24 (Amount of Relief Fund for Serious Injuries)

- (1) The number of months prescribed by the Presidential Decree multiplied by the amount of the victim's salary who is eligible for relief for a serious injury pursuant to Article 22.
-

In addition, the government further defined mental illness suffered by crime victims in the criteria of serious injuries which are contained in the Enforcement

Decree of the Crime Victim Protection Act and allowed for an increase of victims’ access to the relief funds.

[Enforcement Decree of the Crime Victim Protection Act]

Article 3 (Criteria for Serious Injuries)

The Presidential Decree in Article 3 (1) 6 of the Act includes cases where an injury or disease falls under any of the following subparagraphs and two or more months are necessary for medical treatment of the relevant injury or disease: <Amended by Presidential Decree No. 26192, Apr. 14, 2015; Presidential Decree No. 28474, Dec. 19, 2017>

1. Where vital organs are injured;
2. Where a part of body is cut, bruised, or deformed seriously;
3. In addition to matters prescribed by subparagraphs 1 and 2, cases in which contain a body that is injured or its physiological function is damaged and the victim must undergo hospital treatment for at least one week;
4. In a case of a serious mental illness due to a criminal injury, it is required for the victim to be admitted to a hospital for treatment for at least three days.

In the meantime, the total expenditure for the relief funds has increased from KRW 6.2 billion in 2012 to KRW 9.7 billion in 2015.

□ Relief Fund Status (in millions, KRW)

Category	2012	2013	2014	2015
Cases handled	291	312	331	382
Amount provided	6,251	7,912	7,071	9,771

* Kim, Ji Sun et al. (2016). Reproduced.

Chapter 2



Policy Trends in Criminal Justice Organizations

Han, Min Kyung · Park, Mi Suk · Kwon, Soo Jin

Policy Trends in Criminal Justice Organizations

Section 1. National Policy Agency

1. Overview

In 2016, which marked the 71st anniversary of the foundation, the Korea National Police Agency began its work by announcing Vision 2045, the agency's forecast of future trends in the upcoming 30 years and its new priorities and strategies. Based on the forecasts and analyses contained in the vision, the police articulated its goals of becoming more scientific, advanced, and involved with fusing advanced scientific technologies into policing, investing in specialized skill sets for effective law enforcement, and encouraging public participation in policing and administrative-related matters. The police labeled it as "making its service closer to home and concentrated on building an anticipatory system to predict the needs of its people and to meet them promptly."²⁸⁾ Thus, the police further advanced from its prior goal of "building noticeable and tangible increase in public safety, the rule of law in daily lives of people, and visceral innovation" to "providing public safety that assures public safety, the rule of law that forms a linchpin of security in the lives of people, and meticulous innovation."²⁹⁾

28) Press Statement, "Police announced the future vision 2045." 2016. 1. 14.

29) 2016 Police New Year Plan of Work, <http://www.police.go.kr/portal/bbs/view.do?nttId=109729&bbsId=B000_0015&searchCnd=&searchWrd=§ion=&sdate=&edate=&useAt=&replyAt=&menuNo=200073&viewType=&delCode=0&option1=&option2=&option4=&option5=&deptId=&pageIndex=1>, Accessed on 2017. 5. 10.

In particular, as violent crimes targeted at vulnerable groups- women, youths, the elderly, and the disabled were increasingly reported, the police established new posts of officers in charge of preventing violent crime and the crime prevention task force. As part of the work of the new task, the police distributed smart-watches to crime victims who feared potential retaliatory assaults of criminal offenders. The police also monitored and updated the database for information storage on habitual offenders and regulated firing ranges and firearms to increase the public safety. In addition, it established a 24-hours investigation team to investigate allegations of bribery and libel during the 20th congressional election which took place on April 13th.³⁰⁾

Furthermore, the police introduced general-purpose vehicles to crack down on traffic law violations. With the efforts to strengthen the public safety and its overall satisfaction, the police increased its budget and workforce, developed more advanced police vehicles and safety features to help support the work of the field officers, and innovated the internal organization to improve the specialization of its staff. This section will divide various activities of the police into two main parts, crime prevention and investigation activities and traffic-related activities, and examine each component, respectively.

2. Crime Prevention and Investigation Activities

A. Intensive and Special Crackdowns

The police's crime prevention and investigation activities are usually conducted in the forms of intensive or special crackdowns. In the year 2016 alone, the police conducted a total of 21 crackdowns. The table below shows their status.

30) Press Statement, "Police established investigative task force to crack down on violations of campaign law during the 20th congressional election," 2016. 2. 2.

〈Table 3-2-1〉 Status of Police Crackdown in 2016

#	Title	Time period
1	General crackdown on illicit narcotics at the end of the year	16 Nov. 2015 to 15 Feb. 2016.
2	Intensive crackdown on Illegal entry	18 Nov. 2015 to 15 Feb. 2016
3	Intensive crackdown on violations of campaign laws during the 20th congressional election	14 Dec. 2015 to 13 Apr. 2016
4	Intensive crackdown on unsanitary food around the Korean New Year holiday	25 Jan. to 28 Feb. 2016
5	Intensive crackdown and designated a crime reporting period for intimate partner violence	3 Feb. to 2 Mar. 2016
6	Special crackdown on bullies and gangs around school campus	15 Feb. to 24 May 2016 (for 100 days)
7	Intensive crackdown on violence in campus	2 Mar. to 30 Apr. 2016
8	Intensive crackdown on illicit activities in the tourism sector during the Golden Week and on Labor Day	25 Apr. to 9 May 2016
9	Special crackdown on unsanitary food in the first half of 2016	1 May to 30 Jun. 2016
10	Special crackdown on illicit activities at construction sites	1 May to 31 Jul. 2016
11	Intensive crackdown on illicit narcotics use and trafficking	1 May to 31 Oct. 2016
12	Special crackdown on illegal activities in cyberspace	1 May to 31 Oct. 2016
13	A declaration period and special crackdown on illicit private loans	1 Jun. to 31 Jul. 2016
14	Intensive crime report period for abuses of the elderly	1 Jun. to 30 Jun. 2016
15	Special crackdown on crimes against cultural objects and/or properties	1 Jul. to 31 Oct. 2016
16	Special crackdown on felonies and violent crimes committed by foreign nationals staying in Korea for 100 days	4 Jul. to 11 Oct. 2016 (for 100 days)
17	Special crackdown on illicit trafficking of used vehicles	6 Jul. to 13 Oct. 2016 (for 100 days)
18	Special crackdown on illicit activities in the medical and medicinal areas	1 Aug. to 31 Oct. 2016
19	Special crackdown on unsanitary food in the second half of 2016	24 Aug. to 31 Oct. 2016
20	Special crackdown on the abuse of power or position	1 Sep. to 9 Dec. 2016 (for 100 days)
21	Special crackdown on illicit activities in the tourism sector during the Chinese holidays	28 Sep. to 9 Oct. 2016

* Source: Press statement posted on the webpage of the KNPA from 2016.1.1. to 12.31.

* The period for voluntary declaration of illicit firearms, designated from 5.1 to 31 was excluded.

The majority of police crackdowns in 2016 were conducted to control the so-called four social evils (sexual violence, school campus violence, domestic violence, and unsanitary food). The police conducted three crackdowns on unsanitary food during the New Year holiday from January 15 to February 28, the first half of the year from the May 1 to June 30, and in the second half of the year from August 24 to October 31. The crackdown on illicit narcotics has been conducted every year whereas the crackdowns on the abuse of power/position and illicit activities in medical and medicinal practices were conducted only recently. In the case of a police sweep on illegal private loans and trades or trafficking of used vehicles, the police formed a joint investigation team with the prosecution, local governments, and the national tax service.

For an effective investigation, the police simultaneously conducted crackdowns on illicit drugs and illegal activities in cyberspace. In the case of a crackdown on bullies and gangs, felonies and violent crimes committed by foreign nationals, illegal trading or trafficking of used vehicles, and the abuse of power/position, the police set their duration at 100 days to raise public awareness. From now on, this section will examine crackdowns on the four social evils as well as the special crackdowns added this year.

1) The Crackdown on the “Four Social Evils”

Since 2012, the police continued to conduct crackdowns on the four social evils and set specific indicators to measure the progress. The table below illustrates the indicators and measured performances in 2016.

〈Table 3-2-2〉 Crackdown on the Four Social Evils (2011-2016)

Category	2011	2012	2013	2014	2015	2016
1. Sexual Violence Non-arrest Rate (%)	15.6	15.5	11.1	5.0	3.6	3.5 (as of Oct.

Category	2011	2012	2013	2014	2015	2016
						2016)
2. Sexual Violence Recidivism Rate (%)	8.1	7.9	6.4	5.4	5.0	4.2 (as of Oct. 2016)
3. Domestic Violence Recidivism Rate (%)	32.9	32.2	11.8	11.1	4.9	3.9 (after 1st half of 2016)
4. School Violence Victimization Rate (%)	–	9.6	2.1	2.0	1.9	1.8

* Source:

- Category 1 and 2: '32. Sexual violence non-arrest and recidivism rate,' Police Annual Statistics Report 2015, the Korea National Police Agency (2016), p. 102; The trends of arrest-rate for sexual crime and of its recidivism rate, Crime Trends 2017, the Police Science Institute (2017), p. 128. Reproduced.
- Category 3: '33. Domestic violence non-arrest and recidivism rate,' Police Annual Statistics Report 2015, the Korea National Police Agency (2016), p. 102. Reproduced.
- Category 4: 'Target and performance on reducing school violence,' the Korea National Police Agency Official Website, Information Source. (<http://police.go.kr/portal/bbs/view.do?nttlId=71858&bbsId=B0000136&searchCnd=1&searchWrd=§ion=005010&sdate=&edate=&useAt=&replyAt=&menuNo=200121&viewType=&delCode=0&option1=005010001&option2=&option4=&option5=&deptId=&larCdOld=&midCdOld=&smCdOld=&pageUnit=10&pageIndex=1>), Accessed on 2017. 5. 10.

While the indicators of the four social evils listed above seem to show a decreasing crime trend, a more detailed look at their crime and arrest rates does not lend credibility to the claim that the incidences of crimes decreased. From January to September 2016, the incidence and booking rate of sex crimes declined to 8% and 8.4% compared to the previous year, but the proportion of booked offenders increased to 7.9%. The number of cases resulted in booked offenders was 35,004 (an 18.1% increase from the previous year). Moreover, the number of booked offenders was 40,834 (a 19.2 increase from last year). Also, arrests for the perpetrators of school violence increased slightly in 2012 but continued to decrease since then. From January to September in 2016, the number of offenders booked on the charge of school violence was 9,214, a 3.5% increase from the 8,900 offenders in the previous year.

In other words, the indicators cannot be exonerated from any criticism which

claims that they were detached from reality and existed only for a facade of control and maintenance.

〈Table 3-2-3〉 Incidence and Arrest Rate for Sexual, School, Domestic Violence

Year	Sexual Violence			Domestic Violence		School Violence
	Frequency/ Incidence	Cases Resulted in a Booking	Number of Booked	Cases Resulted in a Booking	Number of Booked	Number of Booked
2011	21,912	18,499	20,189	6,848	7,272	21,957
2012	22,933	19,386	21,259	8,762	9,345	23,877
2013	28,786	25,591	24,835	16,785	18,000	17,385
2014	29,517	28,034	25,306	17,557	18,666	13,268
2015	30,651	29,539	27,166	40,822	47,549	12,495
Sep. of 2015	22,926	22,223	19,652	29,633	34,243	8,900
Sep. of 2016	21,084	20,347	21,210	35,004	40,834	9,214
Year-to-Year Comparison	-8.0	-8.4	7.9	18.1	19.2	3.5

* Source: 〈Table 1-1〉 Incidence and booking rate for Sexual Crimes, 〈Table 1-2〉 Incidence and booking rate for school violence, 〈Table 1-3〉 Incidence and booking rate for domestic violence, Crime Trends 2017, the Police Science Institute (2017), p. 4. Reproduced.

** The data on the frequency of domestic violence and cases which resulted in a booking for school violence is not available.

In an effort of raising public awareness on domestic violence and encouraging self-reporting of the crimes, the police formed a task force on combating intimate partner violence and operated an intensive one month crime reporting period from 3 February to 2 March in 2016. Although the recidivism rate of the crime is relatively high, the victims are generally reluctant to report their victimization or seek for outside help until they are faced with serious threats. After considering the tendencies of the victims, the police developed a smartphone application as another channel of contact for the existing landline number of 112 so that victims can report the crime and wage public campaigns on raising awareness on the crime.³¹⁾

31) Police Press Statement, "Violence by intimate partner is a crime," 2016. 2. 1

Table 3-2-4 illustrates a breakdown of school violence in 2016. The number of arrested offenders was 12,805, a slight increase from the previous year. At the same time, the number of students arrested for committing sexual assaults increased by almost threefold from 444 in 2011 to 1,364 in 2016; the trend indicates the need for more efforts in sexual assault prevention and police response. The police have designated time early in the school year as the time for ‘intensive management and control of school violence’³²⁾ and reorganized the duties and responsibilities of school police officers (SPOs) on campuses to combat school violence.³³⁾

〈Table 3-2-4〉 Arrests for School Violence Perpetrators (2011–2016)

(Unit : person)

Year	Total	Violence	Extortion of Money and Goods	Sexual Violence	Other
2011	21,957	14,837	3,902	444	3,020
2012	23,877	14,637	5,912	509	2,795
2013	17,385	11,048	2,603	1,067	2,667
2014	13,268	8,974	1,582	1,295	1,417
2015	12,495	9,188	1,153	1,253	901
2016	12,805	9,396	1,161	1,364	884

* Source: 〈Table 1-1〉 Incidences and Arrests for Sex Crimes, 〈Table 1-2〉 Incidence and arrests for school violence, 〈Table 1-3〉 Incidence and arrests for domestic violence, Crime Trends 2017, the Police Science Institute (2017), p. 4. Reproduced.

Also, as an absolute measure to control unsanitary food, the police organized an exclusive team in each police station across the nation and operated an

32) Police Press Statement, “Operating time period for intensively managing school violence,” 2016. 3. 2.

33) The school police officers were originally charged with providing academic counseling to students. After the incidence of sexual assault committed by one school police officer in the city of Busan was widely reported in June 2016, all school police officers were directed to focus only on preventing crime and violence in campus (Police press statement, “school police officers will focus on responding to violence cases and increase the standards for ethical and professional behaviors,” 2016. 7. 24).

intensive crackdown over a period of ten months from January 1 to October 31 in 2016. During the crackdown, the police focused on their three primary targets: a) selling or marketing of unlicensed food or medicines at makeshift tents, b) providing unsanitary or harmful ingredients to school cafeterias and related embezzlement, and c) trading unauthorized or undeclared foods online. The police handled a total of 3,123 cases involving the selling or trading of unsanitary and illegal foods, arrested 114 out of 5,602 suspects, and confiscated a total of 156 tons of illicit foods.

Table 3-2-5 illustrates the number of booked offenders on the charge of committing an offence related to unsanitary and illegal foods. In 2016, the number of booked offenders was 5,602- a 15.8% increase from the previous year. On the other hand, the number of arrested offenders was merely 121 which was a 5.8% decrease from the last year. As the offences of bribery, embezzlement, and the obstruction bidding processes were newly incorporated into the category of miscellaneous in the 2016 Annual Official Police Statistics, the frequencies in the category showed a significant increase from the previous year.

〈Table 3-2-5〉 Arrests and Booking Rate of Unsanitary-Illegal Foods Offences
(Unit : person)

Year	Number of Booked	Type of Offences				
	Total	Unsanitary Foods	False Origin Label	Sick Animal, Unlicensed Butchering	Misrepresented · Overstated Ad. and Label	Other (unlicensed etc.)
'14. 1. 1. ~ 10. 31.	4,862 (Arrest: 51)	780	370	399	2,294	1,019
'15. 1. 1. ~ 10. 31.	4,838 (Arrest: 121)	565	353	290	2,393	1,237
'16. 1. 1. ~ 10. 31.	5,602 (Arrest: 114)	582	506	305	2,107	2,102

* Source: Police Press Release, “Police booked unsanitary food traffickers,” 2015. 11. 12; Police Press Release, “Police booked unsanitary food traffickers,” 2016. 11. 14. Reproduced.

2) Crackdown on Illegal Activities in the Construction Industry

Many actors in the construction industry have illegally inquired and received bribes in the contracting, bidding, and subcontracting processes. Such unlawful activities led to the faulty engineering of buildings and bridges and the breakout of large-scale accidents. In 2016, the police classified such illicit activities in the construction industry as one of the three major corruptive acts (those involved in the abuse of power related to the lives of ordinary people and an endangerment to public safety) and mandated an internal corruption investigative team to crack down on corrupt offenders during a three month period beginning on 1 May and ending on 1 July in 2016. During the investigation period, an accident occurred. A mechanic who was fixing a safety screen door at the metro station was killed due to a malfunctioning door. It was later discovered that the company of the deceased mechanic maintained a corrupt relationship with the Seoul Metro Agency. Thus, the accident reminded the public of the importance of eradicating corruption in the construction sector.

During the three-month crackdown, the police handled 974 cases, rounded up 2,566 suspects, and arrested 29 out of all of the suspects. As Table 3-2-6 illustrates, illegal activities in the construction industry are classified mainly into following specific acts: a) illicit solicitation of financial rewards in contract signing, b) faulty engineering which results in accidents, c) corruption through collective actions, d) environmental pollution, and e) miscellaneous acts, e.g., usurping privileges by impersonating a journalist. Approximately 45 % of people were arrested on the charges of illegally lending construction licenses or qualifications. This fact indicates that such fraudulent activities might lead to faulty engineering which is prevalent in the industry.

〈Table 3–2–6〉 Arrests for Illegal Activities in the Construction Industry

Category		Total Number of Cases Resulted in Bookings (Unit: Case)	Number of Arrested (Unit: Person)		
			Total	Arrest	Non-arrest
Illicit Solicitation of Financial Rewards	Receiving bribery for an authorization of construction work	8	34	1	33
	Corruption between the industry and public agents, condoning illegal activities, and improper auditing	13	154	–	154
	Providing financial rewards for contracts, bids, and subcontracts	16	53	5	48
	Providing and receiving financial rewards during re-development or construction process	3	18	4	14
	Sub-total	40	259	10	249
Causing Accidents, Mishaps	Using low-quality, cheap materials	35	112	–	112
	Stealing, appropriating, and embezzling the central or local governments' grants	11	59	1	58
	Illegal subcontracting	30	64	2	62
	Diverting materials, providing low-quality materials	20	31	–	31
	Illicit lending of licenses or qualifications	301	1,150	3	1,147
	Sub-total	397	1,416	6	1,410
Collective Corruptive Actions	Transgression or deforcement of a construction site and obstruction of a construction	51	163	2	161
	Monopolizing subcontracts and exercising rights to the privileges	3	4	–	4
	Waging illegal protests at construction sites	25	86	3	83
	Sub-total	79	253	5	248
Environmental Pollution	Disposing waste and polluting water and air	59	104	1	103
	Discharging waste diluted by water or air	10	12	–	12
	Disabling a waste-discharge device, etc.	102	123	–	1,123
	Sub-total	171	239	1	238
Miscellaneous (usurping financial reward by impostoring a journalist, etc.)		287	399	7	392
Total		947	2,566	29	2,537

* Source: Police Press Release, "Police booked 2,566 offenders engaged in illegal activities in the construction industry," 2016. 8. 4.

3) The Crackdown on Illegal Activities in the Used Vehicle Market

Amid the continuous reports on fraudulent postings or exaggerated advertisements of used vehicles, the Korean Consumer Agency announced in June 2016 that consumers had filed a total of 2,228 complaints over the past five years and sought legal aid. From the report, the police construed that illegal activity occurring in the used vehicle market as a type of crime in which traditional crimes such as battery, extortion, intimidation were merged with sophisticated crimes involving the use of advanced information technologies. The police thereafter conducted a special crackdown on the illegal activities for 100 days beginning on July 6 and ending on October 13 in 2016. After the realization that members of organized criminal groups were disguised as sellers and were conspiring to obtain illicit criminal proceeds and engage in money laundering, the police organized and dispatched 158 investigative teams composed of detectives who had experiences with violent crimes from the 154 police stations to 241 used vehicle trading centers.

As a result of the crackdown, the police handled 1,262 cases and formally arrested 40 out of the 2,027 suspects. Table 3-2-7 displays the classification of illicit activities in the used vehicle market into the following categories: a) a fraudulent posting or the selling of stolen cars, b) battery or intimidation in the trading of used vehicles, and c) illicit trafficking of used vehicles. Approximately, 69.1% of the crimes committed in the market involved fraudulent postings or the sale of stolen cars, 29.5% on battery or intimidation, and 1.4% on miscellaneous acts including illicit trafficking of vehicles.

〈Table 3-2-7〉 Booking and Arrests for Illegal Activities in Used Vehicle Market

Category	Total Number of Cases Resulted in Booking (Unit: Case)	Number of Arrested (Unit: Person)		
		Total	Arrest	Non-arrest
Direct influence on the victims such as battery, intimidation, etc.	348	598	20	578
Crimes related to vehicles such as a fraudulent posting, etc.	906	1,401	15	1,386
Illicit export, etc.	8	28	5	23
Total	1,262	2,027	40	1,987

* Source: Police Press Release, "Police arrested 2,027 engaged in illegal activities in the used vehicle market," 2016. 8. 4.

4) The Crackdown on Illegal Activities in the Medical and Medicinal Practices

Towards the end of 2015, a medical facility in Yangcheon-gu, Seoul recycled disposable syringes which resulted in a mass contraction of hepatitis C among their patients. The incident caused the police to recognize the need for discouraging unlawful behaviors in medical and medicinal practices which can potentially endanger the quality of medical care. The agency subsequently led a 3-month special crackdown on illegal medical practices from August 1 to October 31 in the year 2016. In addition, the police had three main focuses: a) the illicit solicitation of financial rewards by employers and employees in the sector; b) false claims; c) the illegal operation of hospitals and pharmacies by borrowing the identities of qualified medical professionals; and d) providing medical treatment or prescriptions by unqualified persons.³⁴⁾

The crackdown resulted in the arrest of 20 out of 1,693 suspects in 707 cases. While Article 33 of the Medical Service Act restricted the operation of medical facilities to only professionally qualified persons, 477 of the suspects (about 28% of the total) were found to be operating a medical facility under a borrowed identity.

34) Police Press Release, "Police to correct corruptive practices and acts in medical and medicinal sectors," 2016. 8. 1.

〈Table 3-2-8〉 Booking and Arrest Rates for Illegal Activities in Medical and Medicinal Practices

Category		Types of Offences				
		Illicit Financial Rewards	False Claims	Illicit Operation of Medical Facilities	Manufacturing /Distributing Illegal Medicine	Miscellaneous (unlicensed, etc.)
Number of Booked	1,693 (100%)	47 (2.8%)	323 (19.1%)	477 (28.2%)	228 (13.4%)	618 (36.5%)
Arrests	20	3	2	5	5	5

* Source: Police Press Release, "Police arrested 1,693 engaged in illegal medical practices over the past 3 months," 2016.11.7.

5) The Crackdown on Abuse of Power and Position

On August 24, 2016, Lee Chul-Sung, the Commissioner of the Korea National Police Agency took office and put forth a vision of a just society and healthy communities. Prior to this, the police declared such abuse as "a shameful picture of our society"³⁵⁾ and announced a special crackdown on the abuse of power and position. It was singled out as a corrosive factor "like a poisonous mushrooms that rooted in every corner of our society and disrupted the trust and ambient atmosphere of our communities"³⁶⁾ It "was still hidden from public view due to the influence of peddling offenders."³⁷⁾ The police subsequently conducted a special crackdown for a hundred days from September 1 to December 9 in 2016. The police organized special investigative teams comprised of 2,069 staff to implement its sweeps, hired legal counsels for victim protection, and reoriented its victim assistance system to facilitate coordination with related agencies and NGOs, including human rights centers for the disabled.

The police focused on arresting the following: (1) black consumers, (2) unlawful behaviors such as sexual assault or promotion at workplaces, (3) illegal activities

35) Police Press Release, "Police sees abuse of power as shameful picture of our society," 2016. 12. 15

36) Police Press Release, "Abuse of power is like poisonous mushrooms rooted in our society," 2016. 10. 5

37) Police Press Release, "Police to tackle abuse of power," 2016. 8. 31

in contracting and delivering goods such as illicit solicitation of financial rewards, (4) the abuse of power by public officials, and (5) imposters who accept bribes at construction sites. The police arrested 288 out of the 7,663 booked offenders in 6,017 cases as illustrated in Table 3-2-9 below.

〈Table 3-2-9〉 Booking and Arrest Rates for Abuse of Power and Position

		Number of Booked
Category	Black consumers	3,352
	Unlawful behaviors at workplaces	1,076
	Illegal activities in contracting and delivering goods such as illicit solicitation of financial rewards	610
	Exploitation of wage, extorting unfair trading or transactions, etc.	347
	Abuse of power by public officials	324
	Imposters who accept bribes at construction sites	142
	Miscellaneous	1,812
Total		7,663

* Source: Police Press Release, “Police sees abuse of power as shameful picture of our society,” 2016. 12. 19.

B. The Classification of 112 Calls and Reorganization of Call Response System

Since 2009, the police has maintained a classification of calls based on the need and urgency of a given situation to respond to 112 calls effectively. In the classification, code 1 is assigned to an emergency, code 2 to a non-emergency, and code 3 to a non-response situation. For code one calls, the police cars in the closest proximity to the situation were assigned regardless of their affiliation or areas of responsibilities. According to internal research, however, about 44.9 % of 112 calls were about non-emergency situations, and there was no significant difference between the police’s call response time between emergency and non-emergency situations.

Based on the findings, the police changed its existing classification to the

one with five different categories from Code 0 to Code 4, as illustrated in Table 3-2-10, to devote more resources to situations deemed most urgent. In particular, for Code 0 and Code 1 call, the police aimed to dispatch police officers within the shortest time. Code 2 calls are assigned to situations where a potentially severe injury can exist or where the police need to take actions to prevent possible crimes. Code 3 calls are assigned to non-emergency operators who notify callers of time within 12 hours after receipt of a call of the field officers' arrival to assist the caller.

〈Table 3-2-10〉 112 Call Classification (Before and After Change)

Category	Before Change		After Change	Criteria	Response Time
Emergency	Code 1	→	Code 0	If a call is classified as Code 1, there are reasonable grounds to believe that the criminals committed crimes in multiple places or that criminals are about to commit violent crimes Ex) A man kidnapped a women and her call was cut off after a shriek of fear	Shortest Time
			Code 1	Serious threats to life or injuries are imminent or are taken place. Ex) A stranger attempts to unlock an entrance door. A stranger enters vehicles.	Shortest Time
Non-emergency	Code 2		Code 2	There are potential threats to life. Ex) A customer lost consciousness. The home was in a disarray, and it was presumed to done by a thief.	Rapid response without interfering with the extent of the reponses of an unaffected emergency
			Code 3	Immediate response is unnecessary but an investigation or counseling might be needed Ex) A caller lost his or her valuable belongings. A caller was hospitalized after being beaten.	Within the day's working hours
No dispatch	Code 3		Code 4	Non-emergency, complaints	Transfer to other agencies

* Source: Police Press Release, "Police reoriented 112 call classification system to respond effectively to emergency," 2016. 3. 29.

Meanwhile, the police conclude code 4 calls without dispatching field officers and providing further assistance through other channels such as 110 (Anti-Corruption & Civil Rights Commission), 120 (central and local governments), and 182 (the National Police Agency). This way, all complaints that do not require the dispatch of field officers can be passed on to other lines.

C. Introduction of Anti-abuse Police Officers (APOs)

In 2015, an 11-year-old girl who was long absent from school was found to have been victimized by her stepmother and father in the city of Incheon. The girl's weight was merely 16 kilograms, which was significantly lower than the average weight of children at her age. After investigating the abuse case, the police subsequently led a nation-wide investigation into the whereabouts of long-term absentees in elementary and middle schools. During the time of the investigation in February 2016, another abuse case occurred in which a young child was forced to be confined in a bathroom and died from his parents' abuse who poured cold water and cleaning chemicals onto his body.

As the public became more alarmed by a series of child abuse cases, the police recognized the need to identify the potential abuse cases in advance and respond effectively to prevent any casualties. This led to the establishment of anti-abuse police officers (APOs). During the launching ceremony of the APOs held on April 20, 2016, the police announced that its leadership had devoted its efforts to counter the threats of socially vulnerable groups by launching the School Police Officers (SPOs), APOs and police officers who were responsible for investigating violence cases against women and youths. The police also emphasized that the measures show its strong willingness to protect the socially vulnerable groups against abuse.³⁸⁾

38) Police Press Release, "We are family to the socially vulnerable groups," 2016. 4. 20

	112 Call & Response	Verifying Facts		Investigation/ Check		Follow-up
Child Abuse	Investigation Team	Investigation Team	→	Investigation Team	→	APOs at home
	APOs	SPOs		APOs		SPOs in school
Long-term Absentee	SPOs in Schools	SPOs in Schools		Investigation Team		APOs at home
				APOs		SPOs in school

* Source: Police Press Release, “We are family to the socially vulnerable groups,” 2016. 4. 20

[Figure 3-2-1] Roles and Responsibilities of APOs

The police were also cognizant of the growing population of the elderly and the potential abuse against old people. To raise public awareness on protecting the elderly and mark the World Elder Abuse Day on 15 June, the police designated the month of June as the period of reporting elder abuse crimes. The police took efforts to inform the public of certain proscribed acts against older people aged 65 or older under the Article 39-9 of the Welfare of Older Persons Act to prevent elder abuse. The prohibited acts include inflicting violence or injury, sexual violence or harassment, neglecting or abandoning those aged 65 or older under protection, and forcing persons aged 65 or older to beg. The police recognized that the victims of elder abuse were reluctant to report such crimes because they considered such incidents as private matters and were unaware of their obligation to the crimes committed against them to the authorities. The police dispatched APOs to provide technical assistance and training to caregivers at welfare institutions.³⁹⁾

39) Police Press Release, “Elder abuse should not be a lonely fight,” 2016. 5. 26.

D. The Introduction of Crime Prevention Officers (CPOs)

A homicide which occurred on May 17, 2016, where a mentally ill person killed a female victim in a public bathroom in a Gangnam metro station resulted in an increase in public awareness on women safety. Thus, the police strengthened its preventive and enforcement activities against sexual and domestic violence and established crime prevention officers (CPOs) to systematize crime prevention activities with the goal of increasing women's perception of safety. The police enacted the Ordinance on Rules of Procedures for Diagnosing and Utilizing Crime Prevention and expanded the CPOs system to accomplish the goal. It had been tested at 11 local police stations from April 2016 to every police units on June 1, 2016.⁴⁰⁾

Since the system was launched partly due to the importance of community participation in crime prevention, it aimed at sharing the analyses on factors conducive to crime incidences and helping local communities to improve their environments in deterring crimes. The work of the CPOs can be divided into two main areas: a) promoting women safety and b) diagnosing areas or localities vulnerable to crimes. The former was conducted intensively for three months from June 1 to August 31 in 2016, while the latter was construed to be primary and routine work of the CPOs. The police received crime reports on suspicious individuals or areas conducive to crime incidences through 112 line or smartphone applications and dispatched the CPOs to formulate appropriate measures to ensure women safety. Additionally, to diagnose areas or localities vulnerable to crimes, the CPOs were mandated to conduct diagnoses and analyses on environmental factors in roads, parks, and residential areas and to look for ways to improve the regions identified by forming community-police crime prevention committees. Meanwhile, if a resident or an owner of a facility requests a CPO, the CPOs

40) Police Press Release, "Police established Crime Prevention Officers nationwide," 2016. 2. 2

conducted an analysis of their residential areas or facilities for any vulnerabilities and provided recommendations to fill the gaps. When the residents or owners implemented the measures, their facility or residential area was given a crime prevention certificate from the police.

E. The Enforcement of the Improper Solicitation and the Graft Act

There was much confusion before the enforcement of the newly enacted the Improper Solicitation and Graft Act on September 28, 2016. Although more than 4 million government employees and many other employees in the private sector were potentially liable for violating the law, they were unaware of which activities would be prescribed under the law. In minimizing any confusion in enforcing the law and supporting the new implementation, the police organized a special task force to respond to the Improper Solicitation and Graft Act in July. The task force comprised of 17 experts who researched major legal issues involving bribes concerning occupational duties, social norms, common practices of transactions that might arise in the police's law enforcement activities. The police then published the Guidebook on Investigating Violations of the Improper Solicitation and Graft Act where penal provisions were sorted by elements of criminal acts to help field officers enforce the law. In addition, the police conducted technical assistance and training for investigations at each police unit including chiefs of investigations at local police units as well as chiefs of the Sophisticated Crime and Crime Investigation Units. The police decided to receive reports of violations only in writing under relevant provisions of the law and inform callers on 112 line to submit such reports in writing. Although it was decided that the police officers would not be dispatched for 112 calls on law violations, they would only be dispatched if an urgent need of an investigation exists. For example, a suspect was said to have received a financial benefit or a gift that exceeds KRW 1 million in value or that exceeds KRW 3 million in

value on multiple occasions in a fiscal year.⁴¹⁾

As Table 3-2-11 illustrates, the police received 12 written reports and 289 calls on law violations during the first month of its enactment. The 12 written reports contained accusations on the suspects of receiving financial benefits. There was one case where three individuals involved in a separate case were fined for attempting to provide cash to a police officer who was handling the case. Meanwhile, the majority of 112 calls were about seeking advice or counsel from the operators on the penal provisions of the law. There was only one case reported through 112 line which field officers were dispatched to investigate. Although a caller claimed that a public servant was taking money, it later discovered that the suspect was an employee in the private sector.

〈Table 3-2-11〉 Police Calls Received for Violations of Improper Solicitation and Graft Act

Category	Written Crime Reports			112 Calls		
	Total	Receiving Financial or Other Benefits	Improper Solicitation	Total	Advice/ Counsel	Dispatch of Field Officers
Total	12	12	12	289	288	1
Investigation	5	5	5			
Inspection	7	7	7			

* Source: Police Press Release, “30 days after the Improper Solicitation and Graft Act, the Police received 12 written crime reports and 289 calls for violations” 2016. 10. 28.

3. Traffic Safety Activities

A. Improving Driver Licensing Exams

Although the simplification of driver's license exams implemented in 2011 helped reduced the cost and time of the applicants obtaining their licenses, some have claimed that such simplification could instead lead to an increase in the

41) Police Press Release, “Police distributed guidebooks on the Improper Solicitation and Graft Act and conducted training of investigators,” 2016. 9. 8

number of car accidents. In 2014, the police responded by contracting with the Korea Society of Transportation and the Korea Road Traffic Authority to research and solve any problems related to the simplified driver licensing exams and recommend a revision of the licensing exams. In 2015, the police verified the merits of the revision through tests and held public hearings to collect expert opinions.

〈Table 3-2-12〉 Revised Driver License Exams

Category	Current	Mandatory Education (13 hours)	Revised	Mandatory Education (13 hours)
Knowledge Test	730 questions	5	1,000 questions (questions on protection of pedestrians and retaliatory driving added)	3 (-2)
Practice Road Circuit Test	2 evaluation criteria (staying within roads, controlling gears) 2 disqualification criteria (not wearing seatbelt, causing accidents)	2	7 evaluation criteria (slope test, perpendicular parking, turning right and left, intersection, acceleration) 2 disqualification criteria (violation of traffic light, etc)	4 (+2)
Road Test	87 evaluation criteria (Automatic: 25, Manual:62)	6	59 evaluation criteria (Automatic: 25, Manual:34)	6

* Source: Police Press Release, "Police to promote a culture of safe driving through revising driver licensing exams" 2016. 1. 26.

In a revision of the tests as shown in Table 3-2-1, the police aimed at reducing the cost and time spent in obtaining licenses while strengthening the evaluation criteria for the promotion of safe driving. For knowledge tests, the police in the revision increased the number of questions from 730 to 1,000 to further test on the prescribed activities such as retaliatory driving and driving on pedestrian

roads. It also added questions related to safe driving such as driving through children and elder protected areas and giving the right away to emergency vehicles. For road circuit practice tests, the police stipulated that test-takers must drive a 300 meters test on a seven evaluation criteria. The criteria include driving up a slope, perpendicular parking, turning right and left, entering intersections, and acceleration. For road tests, some requirements which became outdated due to the advancement of vehicle capabilities such as ABS brakes were removed. A few new criteria on safe driving were added, which included giving the right away to emergency vehicles and complying with the speed limits within children protection areas.

B. Strengthening the Punishment against Reckless/Retaliatory Driving

In recent years, there has been an increase in reports on reckless driving, e.g., passing and sudden deceleration or driving against traffic. As the current penal provisions can punish only those who intentionally inflict injuries, violence, intimidation, or damage on another person, some have claimed that reckless driving should also be made punishable. Thus, the police led the legislative efforts to amend the Road Traffic Act, which was subsequently enacted and enforced on February 12, 2016.

The police designated following nine traffic violations which significantly increase the risk of a car accident: a) traffic light violation, b) centerline crossing, c) exceeding speed limits, d) traversing, making improper U-turns, or driving in reverse, e) improper changing lanes, f) sudden deceleration, g) improper passing, h) violation of the safe distance traffic rules, and i) unnecessary honking without legitimate reasons.⁴²⁾ It also ensured that anyone who committed such violations consecutively or repeatedly shall be punishable to one-year

42) Police Press Release, "Reckless driving is a crime," 2016. 2. 11

imprisonment or a fine less than KRW 5 million. It further stipulated that those arrested for reckless driving should be prohibited from driving for 40 days, and those whose licenses were suspended would have to complete a six-hour mandatory education course on safe driving. The police also strengthened fines and penalties against drivers who refuse to give the right away to emergency vehicles. Traffic penalties were raised from KRW 40,000 to KRW 60,000 and fines from KRW 50,000 to KRW 70,000. In the case of driving in reverse on highways, lanes for vehicle use, and roads with median strips, the punishment was further strengthened from a traffic penalty of KRW 70,000 to a fine less than KRW 1 million or detention.⁴³⁾

After the enforcement of the amended Road Traffic Act, the police received crime reports through various channels from February 15 to March 31, 2016. For the 46 days, it received a total of 3,844 reports and booked a total of 803 drivers. The average number of booked offenders and arrest per day were 17 bookings and 3 arrests. According to the police data, 94 offenders (31.2%) had at least three prior convictions, which constitutes one-third of the total, and 34 offenders (11%) had at least seven prior convictions.

〈Table 3-2-13〉 The Police Crackdown on Reckless / Retaliatory Driving

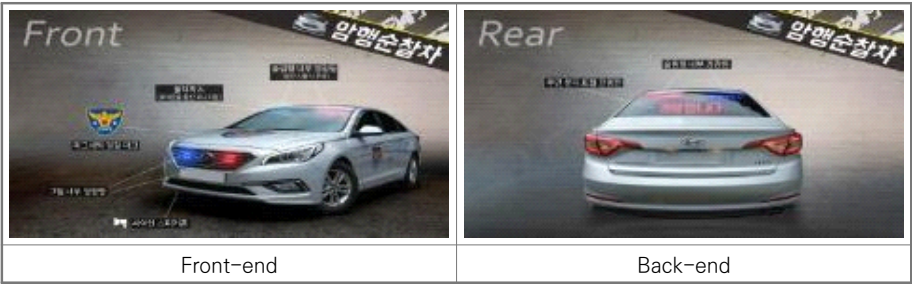
Category	Call Received (Unit: Case)	Number of Booked		
		Total	Arrest	Non-arrest
Reckless Driving	2,693	301	1	300
Retaliatory Driving	1,151	502	2	500
Total	3,844	803	3	800

* Source: Police Press Release, "Police booked 803 offenders after crackdown on reckless and retaliatory driving" 2016. 4. 4.

43) Police Press Release, "Police enacted new penal provisions against reckless driving and strengthened driving in reverse on roads," 2016. 2. 10.

C. Introduction of the Undercover Traffic Cops

In March 2016, the police introduced undercover traffic cops and unmarked police vehicles to regulate traffic violations. While the vehicles do not look different from ordinary cars in exteriors, they are equipped with detachable magnetic police logos, an in-vehicle loudspeaker, a blackbox system recording up to 36 hours, and a blue-and-red LED lightbar as shown in Figure 3-2-2. Traffic cops can remain anonymous, collect evidence of violating traffic laws, and enforce the laws on roads.⁴⁴⁾



* Source : Smart Seoul Police Blog, "Police to debut undercover traffic cops vehicle," Accessed on May 10, 2017.

[Figure 3-2-2] Exterior of Undercover Traffic Cops Vehicle

The police tested two undercover vehicles from March to June 2016 on the Gyeongbu highway and eight vehicles from July to August at the Seoul Ring, Yeongdong, Seohaean, and Jungbu Highways. The police analyzed the internal data and concluded that there was a reduction in the volume of accidents and the number of fatalities during the test-run periods from March to August. Based on the result, the police expanded the operation of undercover traffic cops and deployed a total of 22 undercover police vehicles nationwide.

44) Police Report (No.547), 2016.03.11

4. Conclusion

The year of 2016 was hectic for the police who had to cope with not only the change of leadership but also the formidable task of maintaining law and order in the aftermath of the presidential impeachment motion passed by the National Assembly. It was also the year when the public was alarmed by a series of violent crimes such as a youth abuse case in Pyeongtaek and a homicide case in Gangnam. However, despite the difficulties, the police did not lose its sight on its priority of keeping the public safe in their daily lives.

The police actively engaged with local governments and related agencies in waging crime prevention activities during the year of 2016. Its crackdown on illegal activities in the construction industry and used vehicle market was co-led with traffic control units and health centers of local governments. It is advantageous for the police to continue to conduct such collaborative investigation and enforcement, which can allow for early detection of crimes and enhance crime prevention.

Also, it is notable that the police force is becoming an increasingly professionalized workforce. A case in point is the establishment of anti-abuse police officers and crime prevention officers. The police took efforts to nurture professional workforce to meet the public demand in advance and enhance public safety and its satisfaction. The police would have to continue to devote more attention to the successful operation of the newly established officers to strengthen its work.

Additionally, it is unmistakably positive that the police designated the time periods for crime reporting particularly for female and elderly victims who have tended to hide the incidence of crimes. As for other changes such as re-configuring the existing classification system of 112 calls, revising driver licensing exams, and operating undercover traffic cops, the police would need to back up those measures with a detailed performance evaluation and monitoring, since the public at large would feel the changes the most.

Section 2. Prosecution

1. Overview

In the annual plan reported to the president on January 26, 2016, the Ministry of Justice set anti-corruption as its highest priority because of the current corrupt behaviors prevailing in the arms industry, in the provision of state subsidies, and large-scale national enterprises; these corrupt behaviors were disrupting the foundations of the rule of law. Also, in response to a homicide case where a young child in the city of Bucheon was killed, and his body was mutilated and disposed of, the Ministry vowed to update a national crime reporting system and strengthen the prosecution's investigative capacities. For the 20th congressional election scheduled in April, the Ministry decided to conduct a search and seizure before an indictment to collect enough evidence to enforce the campaign law and ensure fair elections.

A. Combatting Corruption

1) The Establishment of the Anti-corruption Special Investigation Group & Strengthening the Anti-corruption Investigation Capacity

The Anti-corruption Special Investigation Group was established in January under the direct supervision of the Attorney General. The body was mandated to reform the national response against corruption and to regulate corrupt behaviors of the public agents which can result in a loss to the exchequer. The investigation group also determined to investigate economic crimes which disrupt the market mechanism, such as security and stock frauds and unfair trading, and to respond against the influence of peddling by brokers in the legal profession.

2) The Review on Prosecutorial Reform⁴⁵⁾

It is still unknown whether the prosecution intends to reform its organization before carrying out an anti-corruption investigation into other agencies. According to many surveys, public trust in the prosecution was marked at the lowest among many judicial institutions. For instance, the public does not trust the long-running tradition of the senior prosecutors who were granted privileges for the sake of their prior posts upon retirement.

It is true that public trust in the prosecution has been declining, mostly because of this tradition. However, the most important reason why the public lost its confidence in the prosecution was that the outcome of the prosecution's investigation seemed contrary to common sense. For this reason, some have raised the idea of establishing an independent agency focused solely on the investigations on the corruption of senior and high-ranked public officials.

3) The Reform Proposal and Shortcomings

Some have leveled criticism against the prosecution service claiming that many prosecutors had demonstrated questionable integrity, and they shared a seriously flawed culture within the organization after a series of scandals. Thus, the Supreme Prosecutors' Office (SPO) established and operated the Prosecutorial Reform Group to regulate not only corruptive and abusive actions of some senior prosecutors but also wrongdoings in the legal profession.

The group came with several recommendations: establishing a task force to regulate corrupt behaviors in the legal profession, introducing an auditory system to investigate allegations of unethical practices by legal professionals, and requiring attorneys to declare their acceptance of cases if they do not submit letters of appointments in advance. Despite the proposed recommendations, civil society groups charged them as "makeshift measures" which do not address

45) KBS, "Both ruling and opposition parties criticized prosecutorial reform," 2016. 6. 27

the causes of corruption. People's Solidarity for Participatory Democracy, one of the prominent civil society groups, claimed that without alleviating the monopolistic power of the prosecution, it would be difficult to address the corrupt behaviors of the prosecutors. The group went on to urge the National Assembly to introduce an independent body with authority to investigate the wrongdoings of high-rank public officials and the local elections which elected senior prosecutors. The group further claimed that the reason why the prosecution had lost the public's trust was due to its reluctance to make any reforms.

Another civil society group, the Citizens' Coalition for Economic Justice, also argued that the proposals put forward by the prosecution would be only a makeshift measure and cannot be effective in the absence of objectivity and fairness. It argued that since the proposed auditory system would be under the authority of the Attorney General, it would not be able to conduct an independent investigation. It claimed that unless the investigative authorities were transferred to the police, the prosecution would continue to remain as an agency above the law monopolizing authorities of the prosecution and investigation. Under the current system, the watchdog group and corruption continued.⁴⁶⁾

B. Relieving the Public's Anxiety on Crimes

1) The Adoption and Implementation of Anti-child Abuse Measures

The prosecution took the following measures to combat crimes against women and children. First, to enable early detection of crimes against children, it decided to push for the enactment of the Special Legislation on Punishment of Crimes Against Children. The legislation stipulates that the employees belonging to 24 different categories of occupations at children welfare centers and adoption agencies must promptly report any indication of child abuse or

46) E-daily "Civil society groups denigrated prosecutorial reform calling it 'makeshift measures'," 2016. 9. 1

crimes to the authorities. The prosecution also established a special task force within the Daegu and Gwangju District Prosecutors' Office and assigned 111 prosecutors to handle the cases involving crimes against women and youth. The prosecution decided to use court injunctions against abusive parents from approaching their children as well as termination, suspension, or restriction of parental rights to provide relief for victimized children.

2) Conducting a Search and Seizure before an Indictment and Punishing Hate Speech Instigating Regionalism

To effectively counter potential campaign law violations during the 20th congressional election in 2016, the prosecution decided to conduct a search and seizure based on simple facts established and submitted by the Korea Election Commissions before indictments. In ordinary proceedings, the Commissions would conduct independent investigations. Then, the case would be transferred to the prosecution when reasonable grounds for believing that violation of campaign laws was committed were found. However, it was discovered that the transfer was a lengthy process, and it would be highly likely that suspects would destroy any evidence before the prosecutors could initiate an investigation. By conducting seizures and collecting enough evidence before indictments, the prosecution could have a better chance of effectively enforcing campaign laws.

In addition, the prosecution made it clear that it would apply the penal provision on the punishment of expressions which belittled others or instigated regionalism under the Public Official Election Act to prevent false propaganda. It also intended to target other unlawful behaviors, including providing or receiving money or goods to manipulate election outcomes, distorting public opinions on elections, and voting by proxy. According to the prosecution, it would prosecute the act of belittling the political parties or candidates' birthplaces- an offense punishable by a term of imprisonment of less than a year or a fine less than KRW 2 million.

3) Victim Protection and the Management of Offenders through ICT

The prosecution proposed on projects to improve community environments and reduce environmental factors conducive to the incidence of crimes. Also, as the frequency of retaliatory assaults to victims had increased significantly from about 200 cases in 2012~2014 to 346 cases in 2015. The prosecution in response distributed smart-watches so that victims can report crimes to the 112 police line and can directly contact families or close friends for help.

The prosecution also established policy directives to indict perpetrators of voice phishing and drunk driving. It also introduced advanced and sophisticated wristbands to replace existing bands for electronic monitoring. The state-of-art wristband, which will be adopted by the end of 2016, can help assist the prosecution to store and analyze data on the cardiovascular system and body temperatures to look for any indicators of crimes and help manage data on repeat offenders.

The prosecution also signed a contract with a specialized agency to monitor illicit trafficking of narcotic drugs online. The system will be linked to the prosecution's internal system called "E-PROS" and enable the prosecutors to book narcotic offenders and shut down illegal trading websites. The prosecution is also proceeding with a joint project with the National Information Society Agency to form a system in sophisticated crime prevention.

4) Increasing Victim Relief Funds

Although the secondary victimization suffered by victims is varied and severe, victims are still marginalized without much assistance. Even with the increased victim compensation per capita from KRW 6.5 million to KRW 9.1 million from the Ministry, and the police leading each field officer to be responsible for protecting each victim, it was still not enough. Criticism of victim support and protection remained due to the insufficient funds, overlapping authority among

various agencies, and social indifference.

In stark contrast to the average government expenditure of KRW 2.5 million spent on providing correctional service to an individual offender, the average government expenditure spent on a victim had been merely KRW 1 million. The amount is only one-fourth of those in advanced countries, and a victim can be entitled to only 20% of the amount. It should also be noted that while the total government expenditure spent on crime victims was KRW 350 billion, the expenditure spent on investigation, trials, detention, and corrections for crime offenders stood at KRW 3 trillion. In the case of victim compensations provided by the Ministry of Justice, only 41.5% of the total were provided to victims. Likewise, victims were entitled to just 15.8% of the total victim relief fund operated by the Ministry of Gender Equality and Family.⁴⁷⁾

To increase the amounts of victim compensation, the Ministry of Justice raised the existing relief fund of KRW 9 billion to KRW 9.8 billion, funds for medical care coverage from KRW 1.1 billion to KRW 2.2 billion and counseling care and emergency subsistence support from KRW 1.6 billion to KRW 1.9 billion.

C. Realizing Happiness and the Rule of Law

1) Strengthening the Protection of Intellectual Property Rights of Small and Medium Businesses and Venture Enterprises

In its annual plan of work dated on January 26, 2016, the Ministry of Justice announced that it would afford greater protection to small and medium-sized businesses and venture enterprises by nurturing prosecutors dedicated to handling violations of intellectual property rights and hiring patent attorneys to support an investigation. The prosecution claimed that the move was intended to help protect such businesses from loss of profits in response to

47) Korea Daily News, "Victims entitled to only 41% of the funds," 2016.12.30.

the growing demand for legal aid and measures which can prevent violations of intellectual property rights.

Additionally, the prosecution initiated a call for a revision on the current legislation that concentrates cases on violations of intellectual property rights to only five district courts. The prosecution also organized a special task force to investigate charges on the violations of intellectual property rights. Furthermore, the prosecution would strengthen the protection of businesses from the violations of property rights by coordinating with the 9988 Small and Medium-sized Business Legal Counsel Group and encourage venture enterprises to appoint legal counsel.

2) Expanding the Unmanned Immigration System

The Ministry of Justice also set one of its main priorities as aiding and vitalizing economic activities of a business. As part of the plan, it decided to expand an unmanned immigration system to ensure a steady flow of labor. It also planned to dispatch attorneys to develop the country's legislative reform and send them to remote areas in Korea to help increase access to justice for vulnerable populations.

2. The Major Focus of the Prosecutors' Office

A. Launching the Special Investigation Team on the Corruption

The eradication of the deeply-rooted and rampant corruption crimes should be a developed country's top priority. The special investigation teams on the corruption of state-owned companies or public institutions are injected into massive federal funds under the direct control of Prosecutor-General. In some cases, the Supreme Prosecutors' Office adds human resources and investigate large-scaled corruption scandals. For example, the Special Investigation Unit investigated the Daewoo Shipbuilding & Marine Engineering Co., Ltd. It was

at the center of the business restructuring because it was a conglomerate in the shipbuilding industry, and a large number of government funds were poured into the company. Thus, Daewoo was not free from public responsibility.⁴⁸⁾ Regardless of the big companies and politicians, any issues should undergo an investigation if structural problems arise. In addition, in order to strengthen the investigation capacity, special directors of the Seoul Central District Prosecutors' Office will be dispatched to another district and branch at the Prosecutor's Office and expected to teach on special investigative skills.

B. Strengthen the Investigative System of All Parts in the Prosecutors' Offices on Child Abuse Crimes

To take tough action on child-related crimes, more people will have the duty of notifying the police of child abuse crimes. The Ministry of Justice will improve the investigative system fully responsible for child abuse cases of Prosecutors' Office all over the country and eagerly ask for the loss of parental rights from the criminal offender to prevent victims from further abuse. Furthermore, the amendment of the Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes has extended the public's responsibility of notifying occurrences of child abuse to the comprehensive support centers for victims of sexual harassment and adoption agencies. The investigation team for women and child-targeted crimes will be newly launched in the Daegu and Gwangju District Prosecutor's Offices, and 111 special prosecutors will be assigned to child abuse cases are expected to be designated in 58 Prosecutors' Offices all around the country. Moreover, the joint examination through the cooperation among departments is scheduled to be done. The Ministry of Education and the Ministry of Health and Welfare should notify the police to start a criminal

48) Yonhap News, where 'A special investigation unit for corruption crime' of Prosecutors' Office will go ahead? 2016. 6. 9.

investigation in the case of which children who are in a long-term absence from primary school, uncertain about their whereabouts, and treated by permissive parents under the educational purpose.

C. Inspection Supervisor

The system of the 'experienced departmental chief prosecutors who are designated as inspection supervisor' will be enacted so that an inspection supervisor can take charge of handling all of the investigative processes of critical criminal issues and extend it to general and minor criminal cases which are very close to the public's daily life. In principle, the departmental chief prosecutors will be appointed as inspection supervisors in the cases of public safety and special and violent crimes. The departmental chief prosecutors are also handling the general criminal cases such as property crimes of no less than KRW 0.5 billion, crimes targeted on women, children and the disabled, and crimes involving leading figures like high-level government officials or politicians.

D. The Investigative Support Team for Accounting Analysis and Asset Tracing

The investigation support team for accounting analysis and asset tracing will be newly established in the High Prosecutors' Offices nationwide and thoroughly respond to factors which undermine a market economy system from security crimes, tax evasion to unfair trading, and scandals involved in judicial officers. It has been criticized that it is not effective and swift for accounting analysts in Supreme Prosecutors' Office to support investigations conducted at the local and national levels. Therefore, if more specialists are trained and placed in High Prosecutors' Offices, it is expected that it will supplement the lack of support in a nationwide anti-corruption investigation.

E. Utilizing the Fingerprint Information of Foreigners for Crime Investigation

In order to prompt a response for foreigner crimes which have recently skyrocketed, the Ministry of Justice will share the fingerprint information of foreigners secured by the Ministry with the police in real time and quickly utilize it in an investigation. The National Police Agency and Immigration Service of Ministry of Justice started 'Foreigner Identification System,' the information sharing system for foreigners' fingerprints (expected on September 21, 2016). The Ministry of Justice manages the information on foreigners living in Korea. It has taken a long time for the police to identify fingerprints which belong to foreigners or presumed to be those of foreigners because the police have to send an official letter to the Ministry of Justice and await its response. In addition, considering the growing concerns about crimes committed by Chinese tourists, it has become more crucial to identify short-term foreign visitors to Korea. Therefore, the Ministry of Justice has decided to share more personal information on foreigners.

Since 2012, the National Police Agency and the Ministry of Justice have discussed sharing foreigners' fingerprint information. In May 2014, the two agencies started to share foreigners' fingerprint information who have lived in Korea for over 90 days. Once the information sharing system was implemented, the databases on the foreigners' fingerprints were provided to the National Police Agency. It will make it possible for field investigators to identify a suspect of foreign nationality by examining the fingerprints in real time. It will also be possible for the authorities to prevent identity theft committed by foreign suspects or offenders to hide their personal information illegally. Furthermore, it will be possible to identify the fingerprints and corpses of foreigners quickly, and it is expected to help to secure the data on crimes involving foreigners and solve unsolved cases.⁴⁹⁾

3. The Reorganization of the Legislative System in the Prosecutors' Office

A. Political Neutrality of the Prosecutors' Office

Almost all of the problems which arose during the reformation of the Prosecutors' Office are provoked by unsolved political scandals, prosecutor-related political scandals, and judicial official-related corruption scandals, which concludes the 'Political Neutrality of Prosecutors' Office and Fair Investigation.' The Prosecutors' Office partially intended to make a political action. However, a political sector does not seek solutions through an agreement or discussion by itself and is willing to resolve problems through an accusation or charge regarding an extreme confrontation. Thus, those structures will allow the Prosecutors' Office to exercise a politically strong leverage. It is not only a new issue for the Prosecutors' Office to find and make proper guidelines and right actions through its social roles but also plans for the Office to find out what it is.⁵⁰⁾

B. Breaking off a Cozy Relationship between the Upper Class of the Prosecutors' Office and Politicians

Faced with the criticism that the 'Prosecutors' Office is subjected to the influence peddling', the Office has implemented 'A System of Prosecutor General's Term of Office (1988)', 'Confirmation Hearing on Prosecutor-General (2004)', 'A Prosecutor Personnel Committee as to a Council and a Committee of Examination of Qualifications for Prosecutors (2004)', 'An Eased System of Prosecutors' Unity and Indivisibility (2004)', and 'A New Committee for Recommendation of Prosecutor

49) YTN, A quick response to crimes by sharing fingerprints of foreigners 2016. 9. 26. Article; Law Times, increase in criminal cases committed by foreigners. Ministry of Justice and National Police Agency 'sharing fingerprints of foreigners', 2016. 9. 26

50) Jeong Woong Seok, "A desirable direction of prosecution reform", Prosecution Service Serial Number 54, 2017. 3

General Candidates and An Improved Prosecutor Personnel Committee (2011).’ Due to the democratic ideology of a society at large and the improvement of public awareness on human rights, it is fair to say that the social background put into place for the prosecutors is for them to escape from the political pressure. However, to maintain political neutrality, it is necessary to break off a cozy relationship with an upper class of the Prosecutors’ Office and politicians, apart from the existence of political prosecutors, and try to thoroughly follow the system of political neutrality like the system of the Prosecutor General’s Term of Office.

C. Controlling the Power of the Blue House on the Prosecutors’ Office

Neutrality of the Prosecutors’ Office will become possible by the independence of the prosecutors’ personal affairs. Therefore, knowing how to exclude the interference of the power of the Prosecutors’ Office and the power of Blue House on the human resources affairs of the Prosecutors’ Office should be considered.

D. Strengthen the Ethics and Morality of the Public Service from the Appointment of Prosecutors

When it comes to the appointment of prosecutors, ethics and the morality of the public service should be weighed more heavily than personal ability. It is commonly understood that this is the essential component of fair human resources affairs. However, problems have also existed on the methods of personnel matters. At this point, the Prosecutor Personnel Committee should disclose its members, discussion process, and selection criteria for the public’s understanding.⁵¹⁾

51) Jang Young Soo, “Reform of Prosecutor’s Office, a key role of Bluehouse’s willingness at the end” [Interview](kbs), 2016. 7. 18.

E. The Justification of Prosecutor Personnel Committee and Going Public

A fair system should be laid under the Minister of Justice to justify the personal affairs of the prosecutors. Factors such as rank, grade, regionalism, and school relations should be rejected, and political power from high-level public officials should be removed to establish an objective and equitable system. Whenever a new government was sworn into office, persons who have been appointed or excluded were based on regionalism or personal ties (e.g., school) and not based on specialty or personal capacity. This is still the case. We should make every effort to implement personal recruitment in the Prosecutors' Office based on an individual's personal capacity and morality. It is necessary to arrange an objective and fair assessment system in Prosecutors' Office to do this successfully.

F. A Large-scaled Inspection on the Prosecutors from a Rich Family and the Restriction on Opening a Law Firm of Prosecutors Who Accept Bribery and Abuse their Positions

Prosecutors from a wealthy family should be thoroughly inspected, and those who have accepted bribery should be prohibited to open their legal offices by the system of 'Restriction on investment in the stock of prosecutors' and 'Reform on Whistle-blowing' are still a controversial matter.

G. Recovering Its Role as a Quaso-judicial Authority

1) A Reduction of Direct Investigations and the Establishment of Actual Command over an Investigation

It is argued that the High Prosecutors' Office should conduct a direct investigation, and the District Prosecutors' Office should thoroughly concentrate on its role as a commander in the investigation conducted by the police and in trials. In other words, criminal cases on public welfare should go to the

police investigation firstly. Then, the Prosecutors' Office should supervise the control of corruption and due process as a commander of the investigation. It is required that experienced prosecutors of over ten years be concentratedly placed in the Criminal Investigation Department and direct an actual investigation.

2) Abolishing the Right of Command of a Minister of Justice over Concrete Cases

The Public Prosecutors' Office is administratively affiliated to the Ministry of Justice. Therefore, the executive branch should ultimately take responsibility to exercise the prosecutorial power. Prosecutorial affairs have crucially influenced the criminal justice system. Thus, an exercise of prosecutorial power has to be fairly wielded for public interests. Each prosecutor shall observe political neutrality and shall not abuse the powers bestowed to him or her in the course of conducting his or her duties as a person serving the public at large (Article 4 Provision (2) of Prosecutors' Office Act). The Act has restricted the influence of Minister of Justice on prosecutors such as direction and supervision. In other words, the Minister of Justice shall, as a chief superintendent who supervises prosecutors' affairs, direct and supervise all prosecutors with specific cases, and direct and supervise only the Prosecutor-General (Article 8 of Prosecutors' Office Act). It is aimed to assure the independence of the prosecution power by restraining an unwarranted interference from the administration or the Minister of Justice.

3) Reinforcement of the Criminal Trial Department and Trial Prosecutors

Due to the role of prosecutors in a criminal case investigation, trial prosecutors were not treated as a principal position. It is imperative to expand and reorganize a massive number of prosecutors in the criminal trial department and have trial prosecutors go with tides of an 'adversary system' and a 'jury system' (citizen participation in criminal trials).

4) Introduction to the Jury System for the Control of the Prosecutors' Indictment Discretion of the Prosecutors

In Korea, a method of effectively controlling the prosecutorial discretion of prosecutors is by accepting not only the principles of exclusive indictment power but also the indictment discretion and the principle of uniformity among prosecutors which have not existed. Some say it is necessary to even restrict the offenders' charges in cases of criminal corruption by power and crimes committed by abusing public authority such as criminal misconduct of judicial officers and illegal elections. Others have claimed to implement the Japanese citizen control systems of the committee for the Inquest of Prosecution and Impeachment Committee, and the U.S. Grand Jury System to capture the public's attention to the corruption scandals of lawmakers and high-level public officials and economy-related scandals regarding conglomerates. They believed the systems as mentioned above would restrict the abuse of the prosecutorial discretion of prosecutors and ensure the political neutrality of Prosecutors' Office. Citizen participation in the judicial authority is a current trend which we can not be against and a shortcut to the improvement of the transparency and objectivity of the prosecutorial affairs.⁵²⁾

Section 3. Court

1. Main Trends

A. Confirm the Sentencing Guidelines for the Violations of the Labour Standards Act, the Petroleum and Alternative Fuel Business Act, and Involuntary Manslaughter.

52) Jeong Woong Seok, "A desirable direction of prosecution reform", Prosecution Service Serial Number 54, 2017. 3

On March 28, 2006, the Sentencing Commission held the 71st plenary session and finalized the sentencing guidelines for violations of the Labour Standards Act, Petroleum and Alternative Fuel Business Act, and Involuntary Manslaughter, which came into effect on July 1, 2016.⁵³⁾

The contents of the sentencing guidelines for the violations of Labour Standards Act, Petroleum and Alternative Fuel Business Act, and Involuntary Manslaughter, introduced by the 71st plenary session are listed below.

First, when it comes to violations of Labour Standards Act, the sentencing guidelines produced on the recent social problems, such as the 'Forced Labour and Intermediary Exploitation' (an outcome from the salt farm workers and port transportation unions) and 'Wages or Unpaid Wages' (a direct influence on family living). 'Forced Labour and Intermediary Exploitation' have aggravated the punishment based on the following: ① causing serious mental and physical harms on victims as a result of forced labor, ② conducting crimes on many and unspecified persons or repeated crimes during a reasonable time, ③ committing crimes on the vulnerable population, and ④ crimes of instigation. Also, the cases of 'Wages or Unpaid Wages' have been classified as 'the sum of unpaid wages' and divided into three subcategories: less than KRW 50 million, more than KRW 50 million but less than KRW 100 million, and more than KRW 100 million. The number of unpaid wages will follow the severity of punishment. The types of 'Wages or Unpaid Wages' have been stipulated for the case of aggravated punishment based on the following: ① unpaid for the malicious purpose of concealing an offender's property, ② causing serious harm on labor workers, ③ conducting crimes on the vulnerable population, and ④ crimes of instigation. However, the aggravation of financial conditions and unpaid wages due to a customer's bankruptcy will be regarded as a special factor to reduce the sentence.

53) Supreme Court, Result of Plenary Session of Sentencing Commission, Press Release 2016. 3. 28. (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=14&searchWord=&searchOption=&seqnum=340&gubun=702>, last visit 2017. 3. 27).

Second, regarding the sentencing guidelines for the violations of the Petroleum and Alternative Fuel Business Act, the violation cases which are closest to a person's life, such as the manufacturing and selling of fake petroleum products, and the volume and use of petroleum products, have been newly implemented into the sentencing guidelines. The types of manufacturing and the sale of fake petroleum products have been classified into three categories based on the volume of the manufacturing and selling: large-scale, medium, and small scale. The amount of manufacturing and sales will follow the severity of punishment. In addition, concerning the production and selling, the volume, and use, the cases will entail the following: ① crime methods that are serious like organized crimes, ② harm which has occurred from a breakdown of a majority number of vehicles, and ③ crime of instigation which targeted others who were aggravatedly punished.

Third, the sentencing guidelines on negligent crimes, such as negligence in accidents, are discussed frequently and recently established. The new guidelines are much stronger than the previous. In the cases of Death by Occupational or Gross Negligence, the court can sentence offenders to 4 and a half years of imprisonment as a maximum penalty. In addition, the negligence of the duty of care, safety, and health can be sentenced with aggravated punishment if they cause serious injuries like disability or incurability and manage a workplace with alcohol or drugs or without any legal licenses. On the other hand, the cases that have victims who had made serious mistakes which resulted in the accident or damage, any special reasons which may have existed in the accident sequence, and minor harm or injury can have a reduced sentence.

The Sentencing Commission has also amended the sentencing guidelines for traffic offences, larceny, theft, and the obstruction of performance of official duties. First, a traffic offence has been reflected for a real sentencing punishment, which is stronger than before by establishing the sentencing guidelines. The commission has also accepted a qualitative evaluation of the weight of a drunk

driving offence. The revised sentencing guidelines have reinforced the sentences of a fatality or injuries on others by a car accident, and escape after injuring others by a car accident. Reckless driving and drunk driving as stipulated in Article 46-3 of Road Traffic Act have been extracted from the serious violation cases mentioned in Article 3 paragraph (2) of Act on Special Cases Concerning the Settlement of Traffic Accidents and added as a special factor to aggravate the sentence. The 71st plenary session voted for a revision of the sentencing guidelines on traffic accidents, and it came into effect on May 15, 2016.⁵⁴⁾

Regarding larceny, the Constitutional Court found Article 5-4 Provision (1) of Act on the Aggravated Punishment, etc. of Specific Crimes to be partially unconstitutional.⁵⁵⁾ The revision on the recommended sentencing guidelines has been reexamined following the amendment of the Act on January 6, 2016. The revised sentencing guidelines on larceny reflected the amendment, Act on the Aggravated Punishment, etc. of Specific Crimes, and lowered statutory punishment on general habitual crimes, repeated offences, and habitual crimes and categorized as a special factor to aggravate a sentence. The crime of stolen goods has been reflected under the Act on the Aggravated Punishment, etc. of Specific Crimes and lowered the statutory punishment on the cumulative offence of stolen goods. The amendment of the sentencing guidelines on larceny and crime of stolen goods have been voted by the 73rd plenary session on July 11, 2016, and came into effect on September 15.⁵⁶⁾

54) Supreme Court, Result of Plenary Session of Sentencing Commission, Press Release 2016. 3. 28 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=14&searchWord=&searchOption=&seqnum=340&gubun=702>, last visit 2017. 3. 27).

55) Constitutional Court is found unconstitutional on Article 5-4 Provision (1) of Act on the Aggravated Punishment, etc. Special Crimes, saying "The Provision that needs to be judged has stipulated the same component of article to Criminal Act without a separate notice on aggravated component of article and strengthened statutory punishment. The indictment of each provision has had a different sentence to be fined and caused a serious imbalance in sentence, which has lost justification and balance in the system of punishment as a Special Act of Criminal Crimes. The Provision is violating the principle of Constitution of Korea to guarantee the dignity of man and the worth of man, and its content is also against the principle of equality, thus the Provision is found unconstitutional." (Constitutional Court 2015. 2. 26. 2014 Heonga 16 Deong). Constitutional Court, Collection of Judicial Report 27-1 Sang, 13p.

Lastly, concerning the indictment guidelines and changes in a sentence, the recommended sentences and sentencing factors on a crime of obstruction of the performance of official duties have been reexamined and revised.

The basic scopes of penalties on obstruction of performance of official duties and forcing labor to government officials have increased from 1 year and 4 months to 1.5 years. The Death and Injury by Special Obstruction of Public Duty shall be increased from 6 years to 7 years. The words, 'minor cases of assaults, threats and fraudulent plans,' have changed into 'minor cases of assaults, threats, fraudulent plans or obstruction of performance of official duties,' which shall be added as a special factor to reduce the sentence. Furthermore, the criminal motives in cases shall be regarded as a special factor to aggravate a sentence.

The serious obstruction of the performance of official duties and one of the special factors to reduce the sentence shall add a new definition to the following: (1) the crimes committed against the public officials conducting an urgent mission for life-saving, (2) life suppression, (3) crime investigation, and (4) maintenance of public order; 'others but correspond to the above-mentioned crimes' shall be added to be aggravated. In addition, to be against the tolerance of the punishment of crimes committed under the influence of alcohol, a narrative-style sentencing guideline has been newly introduced.

As a cover content of an intentional crime, a general factor for the aggravation of the sentence shall be newly added as a crime committed with the concealment of a human body part to avoid identification of the criminal. However, the offence committed without the purpose of obstruction of performance of official duties shall be excluded. Obstruction of the performance of official duties has been voted for during the 76th plenary session of the committee on December 5, 2016, and came into effect on January 15, 2017.⁵⁷⁾

56) Supreme Court, Result of Plenary Session of Sentencing Commission, Press Release 2016. 7. 11 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=10&searchWord=&searchOption=&seqnum=379&gubun=702>, last visit 2017. 3. 27).

B. The Judicial IT Development Commission and the Administrative Litigation Development Commission

The Supreme Court enacted the Rules on the Establishment and Operation of Preparatory and Executive Commissions for Judicial Development (Supreme Court Rule No.2649) on February 29, 2016. The commission will be affiliated with the Office of Court Administration so that it can prepare and manage all kinds of judicial and administrative affairs to improve the judicial system. According to this regulation, the Supreme Court has composed the first Judicial IT Development Commission and held the 1st meeting, an inaugural ceremony of the Judicial IT Development Commission, on April 1, 2016. The commission launched an upgrade of the judicial branch's intelligence by corresponding with the rapid growth of science and technology in the IT environment, such as artificial intelligence (AI), IoT, cloud computing and big data. The Commission held eight meetings which introduced directions and future plans for judicial information development.⁵⁸⁾ Secondly, the Administrative Litigation Development Commission launched and held its 1st meeting on July 11, 2016. The commission discussed the improvements in administrative work for the administrative litigation, such as the expertise of the administrative litigation, the effectiveness of the administrative trial, the review of the Administration Litigation Act and strengthening the fundamental rights of the public and held six meetings from its 1st meeting in April 2016 through December 2016.⁵⁹⁾

57) Supreme Court, Result of Plenary Session of Sentencing Commission, Press Release 2016. 12. 5 (<http://sc.scourt.go.kr/sc/krsc/board/BoardViewAction.work?seqnum=803&gubun=7>, last visit 2017. 3. 27).

58) Supreme Court, Launching the Judicial IT Development Commission 2016.4.1. the 1st meeting, Press Release 2016. 3. 31 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=14&searchWord=&searchOption=&seqnum=344&gubun=702>, last visit 2017. 3. 27).

59) Supreme Court, Launching the Administrative Litigation Development Commission 2016. 7.11, the 1st meeting, Press Release 2016. 7. 11 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=10&searchWord=&searchOption=&seqnum=378&gubun=702>, last visit 2017. 3. 27).

C. The Reinforcement of Protecting Child Victims

The Supreme Court conducted its first training program with the 37 presiding judges in charge of child protection litigations from all over the nation on March 24 and 25, 2016 to share and make effective and appropriate measures for the trials on the Victim Child Protection Order. It came from the growing public demand of proactive measures to protect children who are victims and the need of effective responses to an explosive increase in the cases of family protection which will lead to proper legal measures.⁶⁰⁾

Additionally, the Supreme Court has enacted the Established Rules on Dealing with a Child Protection Case (Established Rules for Supreme Court Trial No.1579) and the Established Rules on Dealing with the Protection Order of an Abused Child Case (Established Rules for Supreme Court Trial No.1580). If a child protective disposition or an abused child protective order was ruled, the Supreme Court ordered a special execution and supervision of the case to be conducted as of July 1, 2016.⁶¹⁾ Thus, the protective disposition regarding the offender in

60) Supreme Court, a training program to Presiding Judges in charge of child protection litigations for the first time, Press Release 2016. 3. 23 (<http://www.court.go.kr/news/NewsViewAction2.work?pageIndex=14&searchWord=&searchOption=&seqnum=337&gubun=702>, last visit 2017. 3. 27).

61) Article 9-2 of the Established Rules on Dealing with a Child Protection Case (Execution and Supervision of the Case)

- ① Once a protective order has been ruled, the court shall conduct an execution and supervision of the case with its direct authority. If an appellate trial has decided the order, execution and supervision will be operative right after the 1st trial court gets return the trial record.
- ② A record of execution and supervision will be published as a supplement and shall be given an additional case number.
- ③ The court should fill out the statement of initiative [electric form B6086], be given a case number and conduct execution and supervision.
- ④ In accordance with Article 39 of 「Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes」, Article 54 and Article 55-3 of 「Regulation on Child Protection Judgement」, the court can select an appropriate way for execution and supervision of the case.
- ⑤ Pursuant to Article 40, 41 and 42 of 「Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes」, a court may revise, cancel and terminate protective disposition on only one occasion, either ex official or by ruling upon request of a

the child protection cases shall not exceed a year, and the case of extension shall not exceed two years. An abused child protective order issued against an offender or a child victim shall not exceed a year, and cases of extension shall not exceed four years. With the amendment of the SOPs, a separate system for the execution and supervision of the case was newly launched and systemized for the execution and supervision which concentrated on protecting child victims as a proper measure for child victims during the execution period.⁶²⁾ It is also possible that the Family Court can make an order for experts, such as a psychiatrist, psychologist, sociologist, or social welfare scholar, to examine the mental and physical state of child victims, and their nursery environment on a regular basis.⁶³⁾

prosecutor, probation officer, or the head of an entrusted institution.

- ⑥ Execution and supervision of the case shall be continued until the termination of execution on protective disposition, if there is no any special reasons.

Article 13-2 of the Established Rules on Dealing with the Protection Order of an Abused Child Case (Execution and Supervision of the Case)

- ① Once a protective order has been ruled, the court shall conduct execution and supervision of the case with its direct authority. If an appellate trial has decided the order, execution and supervision will be operative right after the 1st trial court gets return the trial record.
- ② A record of execution and supervision will be published as a supplement and shall be given an additional case number.
- ③ The court should fill out the statement of initiative [electric form B6151], be given a case number and conduct execution and supervision.
- ④ In accordance with Article 53 of 「Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes」, Article 89 Provision (2), Article 90, Article 91 Provision (2) of 「Regulation on Child Protection Judgement」, the court can select an appropriate way for execution and supervision of the case.
- ⑤ Pursuant to Article 50 Provision (2), (3), Article 51 Provision (1) Proviso, Provision (2) of 「Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crimes」, a court may cancel, revise and extend a period of a child victim protection either ex officio or by ruling upon request of a child victim, his/her legal representative, or attorney-at-law.
- ⑥ Execution and supervision of the case shall be continued until the termination of execution on Child Victim Protection Orders, if there is no any special reasons.
- 62) It means direct execution, revise child protection order suitable for child victims, or revise victim child protection order
- 63) Supreme Court, Separate Supervision of Execution Case for the Protection of Abused Child, Press Release 2016. 4. 12 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=14&searchWord=&searchOption=&seqnum=345&gubun=702>, last visit 2017. 3. 27).

D. The Measures of Damage Fairness for a Trial

Recently, judiciary lawyers have been imprisoned and indicted for the charges of receiving a large legal fee by using their connections to the Court as a part of a payment for accepting legal cases. The Supreme Court has been aware that it is not the simple deviant behaviors of partial lawyers, but serious problems which damages the trust of a trial. The Supreme Court also collected comprehensive opinions from the judiciary all around the nation and implemented improvement measures.

Since August 1, the Supreme Court has decided not to appoint lawyers who worked for the Supreme Court as legal representatives or designated as defense lawyers during a trial on an appeal. The Court extended the 'reassignment system of appointment of an attorney by using connection' on a national scale, conducted by the collegiate court for criminal cases of Seoul Central District Court, and established the 'Report Center for Unfair Defense.' It is a center for lawyers to easily report the unfair methods of the delivery of opinions such as a telephone defense, secret defense, and defense without reporting a statement of an appointment of a lawyer to the prosecution or the court. In addition, the Court has educated the retired judiciary members on a retirement system, such as the prescribed property report and the restriction on employment in accordance with the Public Service Ethics Act. The Court made a guideline for retired lawyers to introduce a real situation, environment, and practice and established a special place managed by the Ethics Office of the Office of the Court Administration to make a quick solution for the damage fairness in a trial and make the best out of the situation.⁶⁴⁾

64) Supreme Court, Measures for Damage Fairness of Trial, Press Release 2016. 6. 16 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=11&searchWord=&searchOption=&seqnum=375&gubun=702>, last visit 2017. 4. 3); Yonhap News. "Court, Record a outside call from a judge..." "Blocking a telephone defense", 2016. 6. 16. (<http://www.yonhapnews.co.kr/bulletin/2016/06/16/0200000000AKR20160616101900004.HTML?in>

In addition, the Supreme Court has stipulated the prohibition principle of a single opinion delivery out of a fixed date through a defense outside of the court, a telephone defense, and a secret defense into the Supreme Court Rule. Therefore, the Rule of Criminal Procedure (Supreme Court Rule No.2678) has been partially revised and came into effect on September 6, 2016. The Rule of Civil Procedure (Supreme Court Rule No.2675) has been partially revised on September 6, 2016, and came into effect on September 30, 2016.⁶⁵⁾ The regulations have been stipulated to prohibit illegal litigation, such as statements of a person involved and a representative out of a fixed date, to guarantee legality and transparency of a litigation process and enhance the public's trust of the judiciary.⁶⁶⁾

E. The Supreme Court and the Korean Bar Association: the Council for the Improvement of Trial System

So far, it has been held as 'a meeting or a council' for the improvement of the litigation procedures in each court and the local bar association. However, it finished holding once or twice and had a structural limit to a function of a council for the advancement of the practical administrative works because of

put=1195m, last visit 2017. 4. 3).

65) Article 177-2 of Regulation on Criminal Procedure (Prohibition of Assertion out of a Fixed Date) ① A litigant should not conduct a litigation act against a decree and/or a command of a presiding judge out of a fixed date through oral statement, telephone, text message, and others using similar methods for restriction of body, charges and legal and/or actual statements on sentencing.

② A presiding judge can call a litigant who break provision ① to attention, and inform the facts within a fixed date.

Article 17-2 of Regulation on Civil Procedure (Prohibition of Assertion out of a Fixed Date) ① A person involved or a representative should not conduct a litigation act against a decree and/or a command of a presiding judge out of a fixed date through oral statement, telephone, text message, and others using similar methods for restriction of body, charges and legal and/or actual statements on sentencing.

② A presiding judge can call a person involved or a representative who break provision ① to attention, and inform the facts within a fixed date.

66) Financial News, Blockage of Telephone Defense..The Supreme Court, a new rule of litigation has come into effect from last June. 2019. 9. 18 Reference (<http://www.fnnews.com/news/201609181129257648>, last visit 2017. 4. 3).

the changes in the judiciary and the transfer of the board of directors. On June 3, 2016, the Supreme Court and the Korean Bar Association reached an agreement to establish and manage its first permanent system, 'The Council for the Improvement of Trial System,' to win the public trust on trial. The Council is comprised of 12 members from the Office of Court Administration (Judicial Support Office) and the Korean Bar Association. Since its commencement on June 3, 2016, it had held six meetings since December 12, 2016, when it had 12 promotion plans based on four written agreements. The 12 promotion plans by the Council included the following: (1) improving a small-claims system, the appraisal process and the procedures of conciliation; (2) encouraging electronic case filing; educating individual rehabilitation to agents and young lawyers; (3) activating evidence conservation and its connection to conciliation-reconciliation; advancing a deposit system for the victims in criminal cases; (4) introducing permanent members of specialists in a court hearing; (5) estimating the compensation by types of illegal behaviors; (6) developing a system of a court-appointed lawyer or public defender; (7) enhancing a medical assessment system; and (8) activating a remote visual interrogation.⁶⁷⁾

F. The Supporting Program for the Report of an Adult Guardian, Gre1.0

A guardian should submit a list of his or her property within the past two months after a fixed trial date and submit a report of an adult guardian to the court, annually. However, the fact that a relative has become a guardian makes it challenging to write a report due to administrative affairs. Thus, the Supreme Court

67) Supreme Court, Supreme Court and Korean Bar Association's Agreement on「The Council for the Improvement of Trial System」 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=11&searchWord=&searchOption=&seqnum=367&gubun=702>, last visit 2017. 4. 4); Law Times, The Council for the Improvement of Trial System stoppted with 4 written agreements, 2016. 12. 15 (<http://www.lec.co.kr/news/articleView.html?idxno=42908>, last visit 2017. 4. 4).

opened 'Gre 1.0' on its website of pro-se.scourt.go.kr, which is self-represented litigation on September 23, 2016. Gre was named after the abbreviation of the Guardianship Report and the Korean word for the affirmative answer of okay.

Gre 1.0 seemed to displace the forms on a property list and a report of adult guardian on a computer monitor screen. It had a primary categorization of the data, protection of personal information, a list of property and incomes and outcomes, a terminology vocabulary list of the categories, and a guideline on how to write a sample and full report. A full video clip containing a Gre's animated character is used to give a kind explanation on how to write a report.⁶⁸⁾ It is expected that a guardian who has encountered the difficulties of writing a report on an adult guardian can write the report without expert assistance.

G. Improvement Measures on the Judge Appointment Process

The judicial appointments are conducted by the Judicial Research and Training Institute. The 2012 Amendment Act Court Organization has implemented a unification of judges and lawyers by accepting judge applicants among experienced legal professionals. In 2015, a lawyer from a law school who had been appointed as a judge by the Judicial Research and Training Institute raised a public concern on the fairness of judicial appointment process. In the previous process, practical affairs like making a legal document and assessing the capability of a job are significant factors in appointing judges. However, it caused an adverse effect on the applicants by having them to focus on preparing for evaluations rather than on legal affairs.

Therefore, the Supreme Court has been constituted as the Advisory and Research

68) Supreme Court, Supporting Program for Report of Adult Guardian, Gre1., Press Release 2016. 9. 22 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=8&searchWord=&searchOption=&seqnum=402&gubun=702>, last visit 2017. 3. 27); Newsis, Supreme Court, Make easier writing a report on adult guardian from 23, 2016. 9. 22 (http://www.newsis.com/ar_detail/view.html?ar_id=NISX20160922_0014402823&cID=10201&pID=10200, last visit 2017. 3. 30).

Committee for the Improvement in Judge Appointment Process. The committee had four meetings held from January 6 to April 6, 2016. It collected various opinions on the problems of the judicial appointment process by introducing a unification of judges and lawyers and its improvement plans and then concluded with the judicial appointment process for the judge applicants with intermediate legal experiences within the same year. The improved process will reflect the legal experiences by evaluating the Application Document Examination Committee during a documented screening. It will examine the strongest points written by the applicants in Part II of the Statement of Personal. It will also give a comprehensive evaluation, including the job responsibility, basic legal knowledge, impartiality, expertise, public service, vocational responsibility as a judge, and review a list of significant trial cases, a list of acceptance of trial cases, written statements of legal affairs. In addition, the assessment of practical affairs will create conditions for applicants to perform their ability at ease and minimize any interruptions at their current occupation. These revised measures have been effective since the 2016 judge appointment process for judge applicants with intermediate legal experiences.

Furthermore, the Supreme Court has opened a website, judges.scourt.go.kr, for judicial appointments, provided a detailed description and updates on the current judicial appointment procedures, and improved the transparency of the process. The court will enforce the standard, guide the process by each evaluation, and post questions in the form of an FAQ, and create an additional Q&A session. It also provided an email service to the judiciary.⁶⁹⁾

69) Supreme Court, 2016 judge appointment process for judge applicants with intermediate legal experiences, Press Release 2016. 5. 11 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=13&searchWord=&searchOption=&seqnum=353&gubun=702>, last visit 2017. 3. 27).

H. Establishment of the Bankruptcy & Rehabilitation Court

On December 8, 2016, the National Assembly decided on the amendments for the ‘Establishment of Bankruptcy & Rehabilitation Court’ which included the Court Organization Act (Legislative Bill No. 2002409), the Act on the Establishment and Jurisdiction of Courts of Various Levels (Legislative Bill No. 2002410), and the Debtor Rehabilitation and Bankruptcy Act (Legislative Bill No. 2002412).⁷⁰⁾

With the increasing number of marginal businesses and debtors with a large number of family debts due to a continued economic recession since the 2008 global financial crisis, the bankruptcy and rehabilitation courts were improved and restructured to resolve bankruptcy cases more effectively. The court will reinforce the specialization of the entire court system and have a better predictor on bankruptcy, and offer more accessible court services.⁷¹⁾

With the passing of the legislation, the Establishment of Bankruptcy & Rehabilitation Court by the National Assembly, courts will be categorized into seven courts: the Supreme Court, High Court, District Court, Patent Court, Family Court, Administrative Court, and Bankruptcy & Rehabilitation Court. Each court has a separate system which specializes in bankruptcy and the rehabilitation of individuals and corporate companies. After it was first established in the Seoul Central District Court on March 2017, it will be extended to other local district courts.⁷²⁾

70) Court Organization Act (Partial Amended by Act No.14470, Dec. 27, 2016, Come into Effect Mar. 1, 2017), Act on the Establishment and Jurisdiction of Courts of Various Levels (Partial Amended by Act No.14469, Dec. 27, 2016, Come into Effect Mar. 1, 2017), Debtor Rehabilitation and Bankruptcy Act (Partial Amended by Act No.14472, Dec. 27, 2016, Come into Effect Mar. 1, 2017).

71) More detailed information will be access to Bill Information of National Assembly, (<http://likms.assembly.go.kr/bill/main.do>)

72) The Law Journal, Rehabilitation Court will be opened next March, 2016. 12. 13 (<http://www.lec.co.kr/news/articleView.html?idxno=42875>, last visit 2017. 3. 27); Maekyung(Maeil Business News), Launching Bankruptcy Court on Next March, 2016. 12. 8 (<http://news.mk.co.kr/newsRead.php?no=852331&year=2016>, last visit 2017. 3. 27).

I. The Inauguration of the New Justice of the Supreme Court- Kim Jae-hyung

Justice Lee In-bok ended his term and retired on September 1, 2016. The Commission of Recommendation for Applicant of Justice was comprised on June 9 and received applicant recommendations for a new justice from June 10-20.⁷³⁾ On July 18, the commission recommended a lawyer, Cho Jae-youn, the President of the Suwon District Court, Lee Jong-seok, a professor at Seoul National University Law School, Kim Jae-hyung, and the Departmental Chief Prosecutor of the Seoul High Court, Lee Eun-ae. On July 21, the Chief Justice requested former President Park Gun Hye to appoint the professor from Seoul National University Law School, Kim Jae-hyung, as the next justice of the Supreme Court.⁷⁴⁾ On August 1, the President of Korea went through the motion regarding the appointment of the justice applicant, Kim Jae-hyung, before the National Assembly, and the Assembly held a hearing to confirm the appointment of the new justice on August 18. A confirmation hearing report was unanimously adopted by the ruling and the opposing parties on the following day.⁷⁵⁾ On September 2, the motion regarding the appointment of the Justice applicant, Kim Jae-hyung, was passed, and he began his six-year term as the new Chief Justice on September 25, 2017.⁷⁶⁾

73) Supreme Court, Launching the Commission of Recommendation for Applicant of Justice, Press Release 2016. 6. 8 (<http://www.scourt.go.kr/news/NewsViewAction2.work?pageIndex=11&searchWord=&searchOption=&seqnum=369&gubun=702>, last visit 2017. 3. 27).

74) The Legal Journal, Requested professor of Seoul National University Law School Kim Jae-hyung as a new Justice of the Supreme Court, 2016. 7. 21. (<http://www.lec.co.kr/news/articleView.html?idxno=41278>, last visit 2017. 3. 27).

75) Seoul Daily, Applicant of Justice Kim Jae-hyung pass the confirmation hearing, 2016. 8. 19. (<http://www.sedaily.com/NewsView/1L07BIGRLH>, last visit 2017. 3. 27).

76) Lawissue, National Assembly, pass the motion regarding the appointment of Justice applicant of Kim Jae-hyung....Kim Gi-joong, member of National Human Rights Commission, 2016. 9. 3. (http://ccnews.lawissue.co.kr/view.php?ud=20160903082629767275101_12&md=2017032722_F, last visit 2017. 3. 27).

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