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# Trends & Policies in Criminal Justice

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## Trends and Characteristics of Sex Crimes in South Korea

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## Abstract

Every six years, the Korean Institute of Criminology and Justice (KICJ) collects data on the trends and characteristics of homicide, robbery and theft, sex crimes, fraud, embezzlement and breach of trust, and violent crimes (assault and infliction of bodily injury) to inform evidence-based policymaking. In the 2021 study, we review the latest sex crime research trends in Korea and other countries, and analyze the characteristics of sex crimes and sex offenders. We also provide the findings of in-depth analysis of digital sex crimes and sex crimes committed by/against children and youths, followed by a discussion of their implications for policymaking. Our findings indicate that the number of sex crimes committed in Korea increased by 7.3% from 29,863 to 32,029 over the last six years. The number of sex crimes committed per 100,000 persons also increased by 6.2% from 58.2 to 61.8 over the same period. Of particular concern is the proliferation of digital sex crimes committed by juveniles, which warrants preventive measures that take into account the offenders' motives and psychological/behavioral characteristics. This report proposes policy recommendations to protect and support children and adolescent victims of digital sex crimes.

## Overview

An effective crime prevention policy is underpinned by a systematic understanding of crime trends. In 2006, the Korean Institute of Criminology and Justice (KICJ) constructed the Crime and Criminal Justice Statics (CCJS) system to compile and manage data on crimes and criminal justice. This study represents the first procedure in our plan to survey the trends and characteristics of the six major crimes (homicide, robbery and theft, sex crimes, fraud, embezzlement and breach of trust, and assault and infliction of bodily injury) every six years and compile the resulting data into a database. The survey data will be made available to researchers and the general public through the CCJS system.

In this study, we review the latest sex crime research trends in Korea and other countries, and analyze the characteristics of sex crimes and sex offenders. We provide the findings of in-depth study on digital sex crimes by/against children and youths, which has recently surfaced as a key policy issue in Korea, and discuss the implications for policymaking. This study also attempts to standardize empirical methods of analyzing crimes and criminal characteristics by reviewing investigative records and court files as well as conducting questionnaire surveys. The following table outlines the research methods used in this study.

Table 1. Research Methods

Method	Data Sources / Subjects	Information Gathered
Literature review	Previous studies in Korea and other countries	<ul style="list-style-type: none"> <li>Sex crime research trends in Korea and other countries</li> <li>Factors affecting the characteristics of sex crimes and sex offenders</li> </ul>
Analysis of official statistics	Supreme Prosecutors' Office, Criminal Analysis.	<ul style="list-style-type: none"> <li>Occurrence of sex crimes and criminal dispositions</li> <li>Characteristics of sex crimes</li> </ul>
Meta-analysis	57 previous studies	<ul style="list-style-type: none"> <li>Meta-analysis of key issues including the acceptance of 'rape stereotypes' and sexism</li> </ul>
Court decisions analysis	1,026 trial court decisions over six years (2014–2019)	<ul style="list-style-type: none"> <li>General characteristics of sex crimes (criminals and victims, criminal behaviors, and criminal dispositions)</li> <li>Characteristics of specific sex crimes (rape, indecent acts by compulsion<sup>1)</sup>, sexual violence against a child, digital sex crimes, etc.)</li> </ul>
Survey	<ul style="list-style-type: none"> <li>Approx. 700 inmates at correctional facilities</li> <li>Approx. 700 probationers</li> </ul>	<ul style="list-style-type: none"> <li>Sociodemographic characteristics and background of sex offenders</li> <li>Psychological characteristics of sex offenders</li> </ul>
Analysis of counseling and educational data	<ul style="list-style-type: none"> <li>Children and adolescent victims of sex crimes who received counseling at ECPAT Korea (Tacteen Naeil)</li> <li>Children and youths sentenced to attendance orders<sup>2)</sup></li> </ul>	<ul style="list-style-type: none"> <li>Characteristics of child and Juvenile sex criminals</li> <li>Characteristics of child and juvenile victims of sex crimes</li> <li>Current issues pertaining to (digital) sex crimes by/against children and juveniles</li> </ul>

1) Indecent act by compulsion: Indecent act committed through violence or intimidation.

2) Attendance order: A court order mandating that a convicted offender attend treatment programs designed for sex offenders.

## Research Trends and Meta-Analysis on Sex Crimes

- Sex Crime Statistics

During the six years between 2014 and 2019, the total number of crimes declined by 8.6% from 1,933,835 cases to 1,767,684 cases. However, the total number of sex crimes increased by 7.3% from 29,863 cases to 32,029 cases, as did the number of sex crimes committed per 100,000 persons (by 6.2%, from 58.2 cases to 61.8 cases). Of particular concern is the proliferation of indecent acts by compulsion, rape, and obscene acts by using means of communication; meanwhile, the occurrence of indecent acts in crowded public places and illicit filming with a camera or other devices was on the decline.

Table 2 lists the occurrence of sex crimes by type.

**Table 2. Occurrence of Sex Crime by Type (Unit: no. of occurrences)**

per 100,000 persons

Year	Indecent acts by compulsion	Rape	Rape, etc.*	Rape, etc. Killing/ causing death	Rape, etc. Inflicting/ causing bodily injury	Special robbery, rape, etc.	Illicit filming with a camera, etc.	Intrusion of spaces for sexual purposes	Obscene acts by using means of communication	Indecent acts in crowded public places
2014	12,849	5,092	624	8	872	123	6,735	470	1,254	1,838
2015	13,266	5,274	283	6	849	72	7,730	543	1,139	1,901
2016	14,339	5,412	192	8	736	56	5,249	477	1,115	1,773
2017	15,981	5,555	144	7	716	34	6,615	422	1,265	2,085
2018	15,672	5,836	182	8	655	43	6,085	646	1,378	1,609

\* Rape, etc.: A unique code used in the Crime Statistics Table to refer to a case where it is unclear whether it constitutes a rape or an indecent act by compulsion.

(Source: *Criminal Analysis*, Supreme Prosecutors' Office)

- **Prosecution of Sex Crimes**

Three trends can be identified in the prosecution of sex offenders over the last six years: the indictment rate has declined; the number of regular indictments (full trial) has declined; and the number of summary indictments has greatly increased. The indictment rate declined from 50.1% to 45.3% between 2014 and 2019, while the non-indictment rate slightly increased over the same period (41.2% to 46.8%). The number of regular indictments dropped from 11,021 to 10,412, while the number of summary indictments surged from 834 to 4,251. The number of summary indictments seems to have increased in accordance with the growth in proportion of indecent acts by compulsion amongst sex crimes.

- **Sex Crime Research Trends in Korea and Other Countries**

In recent years, Korea has seen an increasing body of work focused on the current status of, and response to, digital sex crimes. A number of researchers have compared traditional sex offenders (rape, indecent acts by compulsion, etc.) with digital sex offenders. In addition, the growing concerns about dating violence have motivated studies on sex crimes in intimate relationships. Sex crimes by healthcare professionals are also gaining attention as a topic warranting academic research; such cases involve a breach of patients' trust by professionals, indicating that there may be a large number of similar crimes that have remained unreported.

Recent studies on victims of sex crimes focus on the circumstances and aftereffects of 'secondary victimization'; a phenomenon that sex crime victims experience during investigation or at school/work, etc. In response to the recent growth in the frequency of digital sex crimes, an increasing number of studies explore more efficient methods of supporting the victims of digital sex crimes and propose ways of combatting such crimes by comparing them with rapes or indecent acts by compulsion in terms of the treatment and experience of victims.

A number of studies have paid particular attention to sexual cyberbullying, which has emerged as a serious social issue in other countries, concerning the characteristics and modus operandi (MO) of cyberbullies, the aftereffects experienced by victims, the characteristics and MO of online groomers, risk factors of victimization, and the personality characteristics of sexting offenders. In other countries, like in Korea, an increased number of studies focus on digital sex crimes and technology-facilitated sexual violence (TFSV), including criminal sanctions and responses to digital sex crimes and risk assessment and prevention of adolescent sexting.

## Characteristics of Sex Crimes

1,026 trial court decisions between 2014 and 2019 were analyzed. Table 3 lists the numbers and percentages of sex crime victims and offenders by type of crime.

**Table 3. Numbers and Percentages of Sex Crime Victims and Offenders by Type of Crime**

Type of crime	Sex crimes against adults				Sex crimes against children and youths			
	Offenders		Victims		Offenders		Victims	
	No. of people	Percentage (%)	No. of people	Percentage (%)	No. of people	Percentage (%)	No. of people	Percentage (%)
Rape	146	17.4	177	17.2	84	37.7	110	36.8
Killing/causing death by rape	9	1.1	10	1.0	0	0.0	0	0.0
Inflicting/causing bodily injury by rape	40	4.8	40	3.9	5	2.2	6	2.0
Indecent acts by compulsion	413	49.3	508	49.4	95	42.6	140	46.8
Illicit filming with a camera, etc.	161	19.2	211	20.5	25	11.2	29	9.7
Obscene acts by using means of communication	27	3.2	28	2.7	7	3.1	7	2.3
Intrusion of public spaces for sexual purposes	12	1.4	15	1.5	5	2.2	0	0.0
Rape and robbery	29	3.4	40	3.9	2	0.9	7	2.3
<b>Total</b>	<b>837</b>	<b>100.0</b>	<b>1,029(100.0)</b>		<b>223(100.0)</b>		<b>299(100.0)</b>	

The following table summarizes the key findings of our analysis of court decisions.

**Table 4. Findings on Court Decisions in Sex Crime Cases**

Type of crime	Findings
<b>Rape</b>	<ul style="list-style-type: none"> <li>• 100% of the offenders who killed their victims or caused their deaths by rape, etc. were sentenced to imprisonment. Among the offenders who inflicted or caused bodily injury to their victims, 62.5% were imprisoned. On the other hand, in rape cases, 54.4% of the offenders were granted a stay of execution.</li> <li>• Victims in their 20s comprised the largest group of victims of rape and inflicting/causing bodily injury by rape, etc. The percentage of victims of killing/causing death by rape, etc. in their 40s and 60s was relatively high.</li> </ul>
<b>Indecent acts by compulsion</b>	<ul style="list-style-type: none"> <li>• The courts granted 42.4% of the offenders a stay of execution, surpassing the percentage of those sentenced to fines (38.7%), imprisonment (16.4%), and suspended sentences (2.7%). Most stay of execution orders were accompanied by orders to attend treatment programs designed for sex offenders.</li> <li>• The majority of the victims were women (93.5%), but the percentage of male victims was not insignificant (6.5%). In terms of age, victims in their 20s accounted for the highest percentage at 46.9%, followed by victims in their 30s (16.7%), 40s (9.3%), and 50s (7.7%). Also, 66.3% of the victims were assaulted by strangers.</li> </ul>
<b>Digital sex crimes</b>	<ul style="list-style-type: none"> <li>• 41.0% of the offenders of illicit filming with a camera, etc. were granted a stay of execution. Of the offenders who committed obscene acts by using means of communication, 18.6% were granted a stay of execution, constituting the same percentage as that of offenders sentenced to imprisonment.</li> <li>• 63.0% of the offenders of illicit filming with a camera, etc. were strangers to the victims. On the other hand, 24.1% of offenders who committed obscene acts by using means of communication were in intimate relationships with the victims.</li> </ul>
<b>Rape and robbery</b>	<ul style="list-style-type: none"> <li>• 72.5% of offenders were sentenced to imprisonment in the court: 27.6% were granted a stay of execution.</li> <li>• The majority of victims were in their 20s (32.5%) and 30s (25.0%). Types of victim-offender relationship were as follows: strangers (55.0%), acquaintances (25.0%), or intimates (15.0%).</li> </ul>
<b>Sex crimes against children and adolescents</b>	<ul style="list-style-type: none"> <li>• In cases involving sex crimes against children, the percentage of offenders sentenced to imprisonment was 62.5%, while in sex crimes against adolescents the percentage was 45.0%. The average lengths of sentences were 90.9 months and 47.3 months, respectively.</li> <li>• Among child victims, the percentage of male victims was noticeably high at 13.9%, while that of adolescent male victims was much lower at 2.6%. The average age of child victims was 9.1 years, while adolescent victims averaged at 16. In sex crimes against children, the majority of the offenders (51.4%) were family members, relatives, or in a close relationship with the victims, whereas 47.6% of sex offenders against adolescents were strangers.</li> </ul>

## Psychological Characteristics of Sex Offenders

In order to analyze the psychological characteristics of sex offenders, we sent out questionnaires to sex convicts currently serving their sentences at correctional facilities or released on probation. The questionnaire is 14 pages long, and all questions were written in the past tense in order to ask about the respondents' psychological status prior to committing the crimes.

The average age of the respondents/sex offenders was 42.6 years. By the type of crime, the majority of them committed rape (60.3%), followed by indecent act by compulsion (27.5%) and digital sex crimes (12.2%). The crimes committed by the respondents markedly varied across age groups: the percentage of rapists was highest amongst respondents in their 50s and 40s; the percentage of those who committed indecent acts by compulsion was the highest among convicts in their 60s or older, and the percentage of digital sex offenders was the highest amongst respondents in their 20s. Offenders in their 20s committed the highest percentage of crimes against minors, whereas the percentage was the lowest amongst those in their 60s.

On the basis of their psychological characteristics, past criminal records, and socio-demographic characteristics, we divided the respondents into two clusters for exploratory typology. 'Pleasure-oriented sex offenders' (cluster 1) reported higher-than-average levels of self-respect, subjective well-being, and empathy toward the victims. They scored lower than average in alcoholism, depression, impulsiveness, psychopathy, rape myths, anger, and sexual fantasies. On the other hand, the second cluster, 'psychopathic offenders' showed lower-than-average levels of self-respect and subjective well-being, and exceeded the average score in terms of alcoholism, depression, impulsiveness, psychopathy, rape myths, anger, and sexual fantasies. Table 5 shows the distribution of crime types across the two clusters.

**Table 5. Type of Crime by Cluster**

Type of crime	Cluster				All	
	Pleasure-oriented sex offenders		Psychopathic sex offenders		No. of people	Percentage (%)
	No. of people	Percentage (%)	No. of people	Percentage (%)		
Rape	377	59.8	265	62.9	642	61.1
Indecent acts by compulsion	164	26.0	118	28.0	282	26.8
Digital sex crimes	89	14.1	38	9.0	127	12.1
Total	630	100.0	421	100.0	1051	100.0



## Sex Crimes by/against Children and Adolescents and Digital Sex Crimes

Despite the government's efforts, Korea is witnessing the steadfast growth of sex crimes committed by juveniles. Also on the rise is the number of child and adolescent victims of sex crimes. While the majority of sex crimes against children and adolescents consist of indecent acts by compulsion and rapes, sex crimes utilizing digital devices/media (e.g., illicit filming with a camera, etc.) have become increasingly prevalent since 2010. However, few researchers have touched upon the psychological characteristics of child and adolescent victims and offenders. This study used counseling data from Tacteen Naeil to analyze the psychological characteristics of adolescent sex offenders and their crimes. We also examine the types, characteristics, and needs of adolescent victims.

In 2016 and 2017, the largest share of adolescent sex offenders was comprised of those who committed indecent acts by compulsion (23.3%). In 2018, the percentage of sex crimes pertaining to illicit filming with a camera, etc. (21.6%) surpassed that of indecent acts by compulsion (19.1%). In addition, the percentage of digital sex crimes exhibited a steady upward trajectory between 2016 and 2020, increasing from 24.3% to 45.9%.<sup>3)</sup> We divided adolescent sex offenders into two groups; 'digital sex crime' offenders and 'non-digital sex crime' offenders. Both groups reported 'curiosity, thrill, and adventure' as key motives for their crimes. However, it is worth noting that offenders in the digital sex crime group showed a higher percentage of 'satisfaction of sexual desires' as their motive, whereas many of those in the other group reportedly joined in with criminal activities 'while hanging out with friends.' This finding suggests that digital sex offenders are more likely to commit crimes alone.

We also analyzed the counseling records of adolescent victims of sex crimes. In 2016, only 10.1% of the counseling sessions pertained to digital sex crimes; this percentage increased to 29.3% in 2019, then even more dramatically to 49.6% in 2020. The rapid growth of counseling in 2020 relating to digital sex crimes may be attributed to an acute social awareness of digital sex crimes following the high profile 'Nth Room' case (where more than a hundred women fell victim to blackmailing, cybersex trafficking, and online sexual exploitation). It may also be the case that the overall increase of digital screen time during the COVID-19 pandemic affected the exposure to digital sex crimes.

In response, we propose the following policy improvements to prevent and eradicate digital sex crimes.

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3) Here, the term 'digital sex crime' includes obscene acts by using means of communication, illicit filming with a camera, etc., and possession/distribution/production of obscene materials, as well as other sex crimes where the victims interact with the offenders via online games or chat applications. Digital sex crimes also include sex crimes that occur online, such as on social networking services.

**Table 6. Policy Improvements for Combatting Digital Sex Crimes**

Improvement	Description
<b>Apply a stricter privacy requirement to online service providers</b>	Online service providers must be required to take reasonable safety measures to prevent the infliction of significant bodily and/or mental harm on individual users.
<b>Require telecommunication carriers to report and delete sexually exploitative material involving minors</b>	Under the current law, when a telecommunication carrier becomes aware of any sexually exploitative materials of children, the carrier is not required to report them to law enforcement. To reduce victimization by digital sex crimes, in addition to voluntary measures taken by the telecommunication carriers, the government must consider requiring the carriers to report exploitative content and imposing penalties for non-compliant carriers such as suspension of business, revocation of business license, or administrative fines.
<b>Build a ‘one-stop’ system and establish an organization dedicated to digital sex crimes</b>	The government must establish an organization dedicated to prompt investigation and prevention of online sex crimes. Such an organization may be tasked with receiving and acting on reports of sexually exploitative materials, issuing deletion orders, carrying out and supporting specialized investigations, researching and developing specialized investigative techniques, conducting and supporting investigations that require international collaborations, and supporting victims.
<b>Enhance the punishment for grooming crimes</b>	Grooming with sexual intentions causes grave harm to minors. It also can be understood as a form of potential sexual exploitation, as it constitutes the preparation stage for, or an attempt at, more explicit forms of sexual exploitation. As such, punishable forms of grooming must be defined by more detailed and reasonable provisions so that effective interventions may take place in the grooming stage before the children and adolescents fall victim to further exploitation.
<b>Apply relevant provisions based on victims’ actual ages</b>	Current laws on sex crimes against minors typically include the victims’ age as an element of the crimes, which means that offenders may escape punishment by stating that they were unaware of the victim being underage. As such, investigations often focus on ‘how old the offender thought the victim was.’ In response, the government should consider an alternative system where the offender is punished when the victim is underage, regardless of the offender’s claim about the perceived age of the victim.
<b>Revise the Act on the Protection of Children and Youth against Sex Offenses</b>	In cases involving sex crimes against minors, all investigations, services for victims, and restitution measures should be carried out and provided under the principle of the ‘best interests of the child.’ In addition, as sex crimes bear the characteristics of gender-based violence, the socioeconomic vulnerabilities and inequalities faced by women must be taken into account. As such, we propose declaring ‘child and gender sensitivity’ as one of the underlying principles of the legal framework for investigating the sexual exploitation of children and adolescents and supporting underage victims.

## Conclusions

The rapid rise of digital sex crimes in recent years has expanded the body of work examining the characteristics of and possible responses to such crimes. Of particular concern is the steadfast increase in the percentage of juvenile suspects accused of digital sex crimes. Further research is needed on analyzing and typifying digital sex offenders and their unique characteristics while considering the anonymity of digital spaces, thereby proposing meaningful guidelines to prevent recidivism.

Recent studies on illicit filming, a major contributor to the rapid growth of sex crimes in Korea, highlight the urgent need to raise awareness of these crimes. Further research is needed on broader social perceptions represented by offenders who claim that they committed the crimes out of curiosity, or that the victim was the one at fault. Also warranting further research is the perception of officials at investigative agencies toward illicit filming, and the possibility of secondary victimization caused by their perceptions. Research efforts are further required in order to understand the myth of the 'ideal victim' in Korea and how such victim stereotypes influence criminal justice procedures and judgments including sentencing. Studies of social perceptions on victim stereotypes should inform future policies and measures for preventing secondary victimization in the criminal justice procedure.

More proactive measures must be developed to combat digital sex crimes, since many of these crimes are committed against random victims in public spaces over a prolonged period of time. However, digital sexual crime cases require extensive evidence gathering because in many instances the facts of the case are debatable. As such, clear guidelines on fact-finding should be established regarding digital sex crime cases.

With regards to the findings on juvenile offenders of sex crime, it should be noted that they reported higher levels of depression and emotional withdrawal in 2020 than in 2016, while acceptance of the rape myths and sexual impulses declined over the same period. This finding implies that, rather than sexual factors, psychological factors exert a considerable impact on juvenile sex offenders. Therefore, in order to prevent sex crimes committed by adolescents and curb recidivism, social support and opportunities to build social relationships with others and improve psychological functions should be provided for adolescents.

**The Korean Institute of Criminology and Justice (KICJ) was founded in 1989 as the only national crime and criminal justice research institute in Korea.**

**The KICJ conducts proactive interdisciplinary research to formulate and implement evidence-based policies for improved national crime prevention and criminal justice system.**

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