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A Study INVESTIGATING the Effect of Adolescent Lifestyles on Experience with Sexual Commoditization Involving the Use of Smartphone in KOREA -Validating the Mediating Effect on Sexual Awareness Level-

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Abstract

The purpose of this study was to validate the effect of adolescent lifestyles on the experience of sexual commoditization involving the use of smartphone. Moreover, this study was intended to verify whether undesirable sexual awareness would have a significant effect as mediator. Sexual commoditization involving the use of smartphone has become a rampant problem in contemporary society.

Although many preceding studies have been conducted to identify the causes of sexual commoditization, no convincing policy implication has been derived.

Thus, this study aims to derive preventive measures and countermeasure policy system against situations prone to crime and promote education to adolescents by examining the effect of adolescent lifestyles on the experience with sexual commoditization involving the use of smartphones and validate whether mediating factors are associated with undesirable sexual awareness based on the results substantiated through this study.

The data used in this study were obtained from the results of panel survey conducted by the National Youth Policy Institute in 2014 and were analyzed through 4,163 data excluding 193 missing data out of 4,356 data. For analysis, IBM SPSS Statistics 21 was used. Moreover, the study intended to validate theoretically whether routine activities online, not offline, could lead to crimes by considering current smartphone use among adolescents from the perspective of Routine Activity Theory specified by Lawrence Cohen & Marcus Felson.

For analytical methodology, t-test was performed on adolescents' experience and non-experience with sexual commoditization to verify statistically significant factors by group. Furthermore, binomial logistic regression analysis was carried out to verify the effect that adolescent lifestyles, the independent variable, and sexual awareness level, the mediator, would have on adolescents' experience with sexual commoditization. Additionally, the study validated the mediating effect through Sobel test, preceded by verification of the effect of independent variable on mediator.

The results of this study suggested that the 3 factors of adolescent lifestyles, the independent variable, had a very significant influence on adolescents' experience with sexual commoditization. Sexual awareness level, the mediator, was also found to have a very significant influence on the experience with sexual commoditization.

The results of Sobel test showed that mediator had a significant mediating effect through partial mediation.

In conclusion, Routine Activity Theory was found to be applicable even to online activities, such as the use of smartphone, in connection with adolescent lifestyles.

Such routine lives of adolescents have an effect on sexual awareness level which in turn was found to be a crucial factor for experience with sexual commoditization. Thus, it would be necessary to explore effective alternative solutions at policy level, including prevention through increased attention and proper education at home and schools towards adolescents.

[Keywords] Policing, Lifestyle, Routine Activity Theory, Smartphone, Sexual Commoditization

1. Introduction

Current society can be called 'informationized society' in which all things can be managed conveniently with handy devices, along with advancement of smartphones, wireless internet, etc., going beyond widespread distribution of personal computers and internet. Useful information can be obtained via smartphones in such informationized society. However, harmful information is also exchanged, which is known as 'informatization dysfunction'. Such informatization dysfunction has significantly adverse impact on adolescents and those problems have aggravated as a growing number of adolescents recently gain experience with sexual commoditization using smartphones.

Sexual commoditization is not experienced just in curiosity, but aims to make livelihood, like earning pocket money, and has already become rampant among adolescents. Nonetheless, smartphones are recognized as the most essential media among adolescents and have become the most important media for their lives[1]. A concern has been mounting that sexual commoditization can cause physical and psychological breakdown of individuals and furthermore give rise to conflicts in families and school lives[2]. Thus, it is time to explore preventive measures and countermeasures through clear identification and analysis of causal factors of adolescent sexual commoditization without delay.

2. Theoretical Background

2.1. Routine activity theory

Routine Activity Theory postulates that the probability of crime will increase when elements, such as unavailability of protective power, motivated perpetrator, suitable target, etc., are fully in place.

Unavailability of protective power refers to absence of the police, owner of house, and security system. Motivated perpetrator means teenager boy and jobless person, while suitable target refers to objects easy to transport, a house with its door opened, etc[3]. In other words, crimes would more

likely to occur naturally if repetitive routine activities of human beings show patterns prone to crimes.

Routine activity experience can be classified into external experience and internal experience. External experience refers to quantitative aspects of time spent on routine activities of various categories in a day while internal experience refers to psychological state experienced in respective activities[4][5]. From the standpoint of spatial characteristics of cyberspace, the 3 elements of Routine Activity Theory can be easily put in full place and will be likely to lead to internal and external experiences as a whole.

2.2. Concept of adolescent sexual commoditization & current status

Capitalist society, founded on autonomous behaviors attributable to capital, provides sexual commoditization opportunities to adolescents who do not have benefit from proper education. Commoditization refers to the use of something in human beings for the purpose of making profits. The problem is that such things are related to sex, and will aggravate when objects of commoditization are adolescents. Such problem arise largely from 3 factors, i.e., problem of adolescent themselves and their families, structural problem of society, and advancement of communication industry[6].

Sexual commoditization is a phenomenon that the human notion of sex is regarded as a commodity in the market. The most direct form of sexual commoditization is the act of trading sex itself, like prostitution[2]. In fact, adolescents are engaged in prostitution using smartphone apps.

2.3. Concept of adolescent sexual awareness & current status

Adolescent development and behaviors need to be understood based on integration of psychoanalytical viewpoint focusing on psychological and internal disturbances and standpoint highlighting the stress experienced by adolescents in their daily lives[7].

Thus, it would be necessary to take an approach to sexual awareness of adolescents

with a focus of their internal disturbances. Sexual awareness refers the notion or attitude towards sex and means psychological state affecting sexual behaviors[8].

In other words, education needs to focus on development and internal disturbances of adolescents in order to promote desirable sexual awareness because development and behaviors of adolescents are concentrated on internal disturbances, and such sexual awareness also have an influence on sexual behavior.

2.4. Preceding studies

Sex distinction is significant in Routine Activity Theory which has turned out to be a suitable theory providing explanations on experience of female adolescents with crimes[9]. That includes the experience of psychological wound caused in cyberspace during cyber bawling game, etc. In addition, the results of preceding studies related to prostitution and sexual commoditization tendency also suggested that more significant difference was observed in female students in terms of sex distinction[1][8].

The issue of sexual commoditization is not only associated with characteristics of contemporary informationized society but is related more to attributes of capitalism[10].

The purpose of this study was to validate the lifestyles of adolescents and their sexual awareness, going beyond characteristics of informationized society, as shown in the quoted sentences before. The lifestyles of adolescents was found to be very significant in connection with damage caused by sexual crimes[11].

Furthermore, studies related to current sexual awareness showed that significant difference existed in the extent of adolescent sexual chastity awareness in comparison with the extent of sexual openness and anti-abortion awareness[12].

Adolescents who experienced obscene contents, a factor which can compromise sexual awareness level, stood at 57.1% which accounted for more than half of all respondent adolescents[8].

If adolescents have lifestyles corresponding to 3 factors postulated by Routine Activity Theory in that way, damage would be more likely to be caused by crimes. It was verified that the 3 factors postulated by Routine Activity Theory, which comes to work as a result of smartphone use, may be important factors leading to undesirable sexual awareness and sexual commoditization. Thus, this study aimed to examine how adolescent lifestyles and sexual awareness factors would affect sexual commoditization and to explore preventive measures and countermeasures.

3. Research Design & Analytical Methodology

3.1. Data collection

The data used in this study were obtained from the panel data of the National Youth Policy Institute. The data were collected through self-administered questionnaire survey performed from June 12, 2014 to July 15 of same year.

The survey aimed to obtain basic data necessary for mapping out countermeasures in connection with sexual commoditization exposed to adolescents using the mass media in this era of smart devices by looking into the smartphone use pattern of adolescents and their sexual awareness related to sexual commoditization, etc. The survey was conducted to 144 classes of country-wide middle schools and high schools sampled as population in this study.

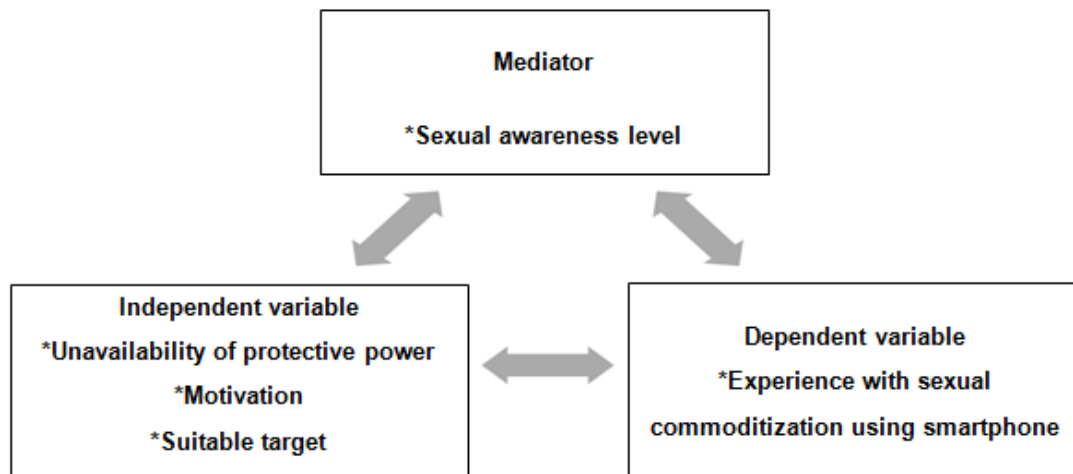
3.2. Investigative analytical frame

The research design frame was formed, beginning with analysis of factors related to experience with sexual commoditization involving the use of smartphones. The t-test was performed to validate difference among adolescents in terms of experience or non-experience with sexual commoditization. 193 responses were excluded, which did not contain any notion of sexual commoditization or did not correspond to sexual commoditization. 3 factors related to adolescent lifestyles were set as independent variables.

Sexual awareness level was set as mediator and validated through binomial logistic regression analysis and multiple regression analysis. By validating the mediating effect of

mediator, the study intended to examine important factors for experience with sexual commoditization.

Figure 1. Research design frame.



3.3. Measurement of major variables

Independent variables, mediator, and dependent variables altogether showed significant correlation, and furthermore, Kaiser-Meyer-Olkin(KMO) value was significant with appropriate value.

However, the questions applicable to unavailability of protective power were presented to inquire of protection provided by

parents and friends. Although KMO value was 0.50, the questions continued, which clearly reveals limitation of this study. Based on reliability analysis, it was found that all variables were formed properly. Regarding suitable targets, one question was presented which inquired respondents of the time spent on using smartphones. Such limitation arose from use of secondary data.

Table 1. Factor analysis & reliability analysis on major variables.

	Type	KMO & batlett	Cronbach α
Independent variables	Motivation	.630	.742
	Unavailability of protective power	.500	.793
	Suitable targets	-	-
Mediator	Level of sexual awareness	.816	.816

4. Analysis of Study Results & Discussion

4.1. Socio-demographic characteristics & frequency analysis on basic variables

Table 2. Socio-demographic characteristics & frequency analysis on basic variables.

Type		Frequency	Percentage(%)
Gender	Men	2,085	50.1
	Women	2,078	49.9
Financial status	Very poor	18	0.4
		165	4.0
		598	14.4
	Moderate	1,853	44.5
		1,078	25.9
		322	7.7
	Very rich	74	1.8
	No response	55	1.3
School class	Middle school	1,687	40.5
	Ordinary school	1,627	39.1
	Autonomous high school	425	10.2
	Specialized high school	369	8.9
	Special-purpose high school	55	1.3
Grade	1st grader	1,387	33.3
	2nd grader	1,354	32.5
	3rd grader	1,422	34.2
Sexual commoditization via smartphone	Experienced sexual commoditization	638	15.3
	Not experienced sexual commoditization	3,525	84.7

4.2. Relationship among major variables

Suitable target, unavailability of protective power, motivated perpetrators, and sexual awareness level, which were set as independent variable and mediators, turned out to be very significant factors for sexual commoditization using smartphones. Additionally, non-standardized coefficient of independent variable was found to decrease when mediator

was analyzed with controlled variables in Model 3.

Unlike the results of preceding studies, sex distinction did not influence the experience of sexual commoditization. To validate mediating effect of mediator, the study examined whether independent variable had a significant influence on mediator.

Table 3. Results of binomial logistic regression analysis.

Type		Model1			Model2			Model3		
		B	SE	β	B	SE	β	B	SE	β
Independent variables	Suitable target	-.076	.020	.927***	-.102	.021	.903***	-.074	.021	.928***
	Unavailability of protective power	.420	.048	1.522***	.398	.049	1.489***	.205	.052	1.227***
	Motivation	.999	.093	2.716***	1.010	.093	2.744***	.921	.096	2.513***
Controlled variables	Gender				-.452	.093	.636***	-.106	.099	.899
	Financial status				.058	.167	1.060	.117	.172	1.125

	Class				-.124	.093	.884	.149	.098	1.161
	Grade				-.150	.097	.860	-.123	.098	.884
Mediator	Sexual awareness level							-.778	.068	.459***
R2								.091		
Adjusted R2								.157		

Note: ***p<.001, **p<.01, *p<.05

To validate mediating effect, the study examined the effect of independent variable on mediator by using multiple regression analysis. The results showed that factors of unavailability of protective power and motivation

altogether had a very significant influence on mediator. In other words, attention at home towards students was more important than how much time is spent on using smartphones when sexual awareness was considered undesirable.

Table 4. Results of verification of effect which adolescent lifestyles have on sexual awareness level.

Type	B	SE	β
Suitable target	.004	.003	.019
Unavailability of protective power	-.312	.012	-.372***
Motivation	.141	.026	.079***
R2		.149	
Adjusted R2		.148	

Note: ***p<.001, **p<.01, *p<.05

The results of regression analysis suggested that sexual awareness level, a mediator, had a partial mediating effect. Sobel test

was performed to validate the mediating effect with dependent variable between unavailability of protective power and motivation which were found to have a significant influence on mediator.

Table 5. Results of validation of mediating effect based on sobel test.

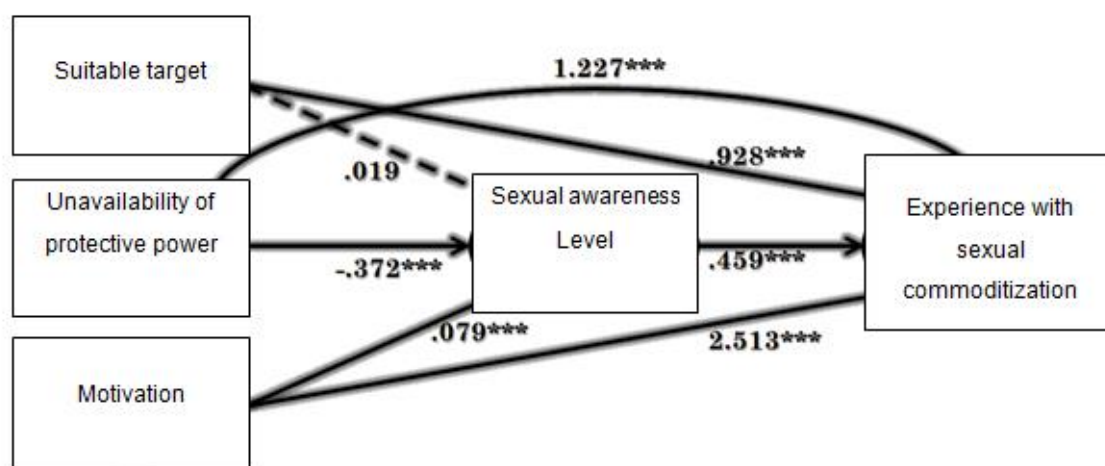
Validation of mediating effect on protective power unavailability factor	B	SE	Validation of mediating effect on motivation factor	B	SE
Unavailability of protective power → Adolescent sexual awareness	-.312	.012	Motivation → Adolescent sexual awareness	.141	.026
Adolescent sexual awareness → Adolescents' experience with sexual commoditization	-.778	.068	Adolescent sexual awareness → Adolescents' experience with sexual commoditization	-.778	.068
Z = 10.472***			Z = -4.900***		

Note: ***p<.001, **p<.01, *p<.05

The results of Sobel test suggested that there was a very significant mediating effect. Undesirable sexual awareness was found to

be a variable to have a significant influence as a mediator between adolescent lifestyles variable and sexual commoditization experience. To check overall results of study, the results of analysis can be summarized as below:

Figure 2. Results of study.



5. Conclusion

In this study, we attempted to validate important factors of experience with sexual commoditization which were not uncovered in preceding studies. The Routine Activity Theory presented by Cohen may be meaningful in that it attempted theoretical validation based on adolescent lifestyles online, not offline. As shown in this study, adolescent routine lifestyles patterns or modes had a significant influence on experience with sexual commoditization. Thus, parent's supervision and student management by communities and schools may lead to reduce students' experience with sexual commoditization.

As found in this study based on validation of mediating effect that mediator had, it would be no exaggeration to say that undesirable adolescent sexual awareness is a crucial factor determining the experience with sexual commoditization. Such sexual awareness may vary, depending on individual lives of adolescents.

However, the results were inconsistent with those of preceding studies because the

extent of influence was not affected by frequency of smartphone use.

Thus, parents' care and attention of acquaintances would be more effective in helping improve adolescent sexual awareness, rather than merely restricting the use of smartphones.

Hence, it would be necessary to explore alternative solutions at policy level for adolescents exposed to harmful media and sex-related harmful information via smartphone and promote parents' care and friends' attention in connection with the use of smartphones that were the main culprits for experience with sexual commoditization which this study intended to look into.

Such solutions at policy level need to be implemented with a sense of responsibility that adolescents should always have desirable sexual awareness, and lay groundwork for education and measures for adolescents who already had or likely to have experience with sexual commoditization through the use of

smartphone while proceeding with preventive activities aiming at mitigating the damage caused by sexual commoditization.

By validating variables, the study verified factors that had a significant influence on sexual commoditization. However, this study was limited in that it used secondary data and there was no logical ground that Routine Activity Theory was also theoretically validated properly for online realm as it had been in offline realm. Furthermore, it was not clearly validated whether undesirable sexual awareness would lead to sexual commoditization or vice versa(whether sexual commoditization leads to undesirable sexual awareness). Such limitations need to be improved in the succeeding studies.

Despite such limitations, adolescents have already been or are very likely to be victimized by sexual commoditization even when the issue of sexual commoditization can be fully resolved with attention of parents, schools, and communities towards adolescent lifestyles as suggested by variables presented in routine activities, which needs to be considered seriously. Thus, the society-wide responsible alternative solutions at policy level are desperately needed to preclude risks of adolescents' experience with sexual commoditization.

6. References

6.1. Journal articles

- [4] Lee MR. Relationships between Victimization of Peers Violent Behaviors and Daily Activity Experiences among Middle School Students. *The Korean Journal of Developmental Psychology*, 7(2), 105-120 (2003).
- [8] Kim HJ & Sim MJ. Adolescent Attitude towards Sexual Consciousness and Intimate Relationships according to Internet Pornography Contact. *Journal of digital convergence*, 12(5), 367-376 (2014).
- [9] Im HN & Choi JY & Yoo YJ. An Empirical Study on Gender Differences in Causes of Adolescent Victimization from Perspectives of Self-control Theory and Routine Activity Theory. *The Korean Journal of Association of Police Science*, 52, 273-298 (2015).

- [10] Lee HJ & Seon JS. Investigation of the Ethics of Commercialization of Sex in Cyber Space. *The Journal of the Daedong Graet Unity Philosophical Association*, 25, 1-23 (2004).
- [11] Jeong BS & Lee YH. A Relationship between Deviant Lifestyles of Female Adolescents and Sexual Victimization. *The Korean Administration Review*, 6(1), 91-129 (2012).
- [12] Heo SW. A Comparative Study of Sexual Morality between Ordinary Juveniles and Delinquent Juveniles -Focused on Male Youth in Daejeon-. *Research Center for Korea Youth Culture*, 24, 190-228 (2010).

6.2. Books

- [1] Seong YS & Sohn BD. Research on the Ways to Respond to Commercialization of Sex among Youth through Mass Media in the Smart Era. National Youth Policy Institute (2014).
- [3] Siegel. Criminology Theories Patterns and Typologies. Cengage Learning (2010).
- [5] De Vries MW & Delespaul PAEG. The Experience of Psychopathology. Cambridge University (1992).

6.3. Conference proceedings

- [2] Ahn GS. Youth Sexual Objectification and Solutions -Focusing on the Flow of Focused on the Flow of Japan-. Korea Youth Research Association Conference Proceedings (2014).
- [6] Park BS. The Actual Condition of the Adolescent Sexual Commoditization and Countermeasure in the Smart Era. Korea Youth Research Association Conference Proceedings (2014).
- [7] Kim EN. The Protection and Support for Adolescent Sexual Commoditization. Korea Youth Research Association Conference Proceedings (2014).

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Factors of Job Satisfaction in Members Republic of KOREA National Intelligence Organizations: Focusing on POLICE Intelligence Agency

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Abstract

An intelligence agency in modern society is being shared the roles depending on institution. In case of our country, it is being undertaken the industrial security by the National Intelligence Service(NIS), the national security by the Defense Security Command, and the collection of public-safety information by the police.

However, in case of the police, it is the real situation that cannot guarantee the quality of information due to the lack of manpower, to the budget, and to the very extensive scope of gathering information. Accordingly, the purpose of this study was to questingly examine the factors of job satisfaction in employees of the police intelligence agency. Based on the outcome, a plan for improving job satisfaction in police intelligence officials was discussed.

As a result of analyzing the job-satisfaction factors in the members of the police intelligence agency, it was indicated to be very satisfactory(7.6%), satisfactory(32.6%), moderate(33.6%), dissatisfactory(26.0%), and very dissatisfactory(0.0%). It was possessed 40.2% by adding 'very satisfactory' and 'satisfactory' and 26% by 'dissatisfactory' and 'very dissatisfactory.' As a result of analyzing the statistical value through frequency analysis, the positive opinion can be known to be higher than the negative opinion. As a result of the mean value by factor, it was shown to be socio-cognition factor(4.20), economic-support factor(3.85), organizational-culture factor(3.58), field-operation factor(3.20), and infrastructure factor(3.12).

As a result of this study, the improvement plans for job satisfaction in the police intelligence agency were shown to include a change in consciousness of members in the police intelligence agency, an increase in efficiency of a task through sharing information with other institutions, the intensification in a financial support for the activity of collecting information, the arrangement for the educational facilities and the curriculum for securing professionalism, and a change in a performance evaluation system of the information collection.

An intelligence agency in modern society is being shared the roles depending on institution. In case of our country, it is being undertaken the industrial security by the National Intelligence Service(NIS), the national security by the Defense Security Command, and the collection of public-safety information by the police.

However, in case of the police, it is the real situation that cannot guarantee the quality of information due to the lack of manpower, to the budget, and to the very extensive scope of gathering information. Accordingly, the purpose of this study was to questingly examine the factors of job satisfaction in employees of the police intelligence agency. Based on the outcome, a plan for improving job satisfaction in police intelligence officials was discussed.

[Keywords] Policing, Police, Intelligence, Information Agency, Job Satisfaction

1. Introduction

Regardless of the public and private matters, all the organizations such as the government or a corporation recently establish a

plan and push ahead with a task based on information. Information on a crime is essential for preventing, quelling, and investigating into a crime, which can be said to be the core. However, our police in the meantime has concentrated on general information activities such as politics, society, labor and culture rather than the crime-related information with putting the aim of information activities in securing the national safety. The political information is being pointed these days in the intelligence function inside the police, which is commonly named the police intelligence. However, its effectiveness is being not confirmed yet[1].

Examining the intelligence agency in our country, all the information services following the May 16 coup in the past were performed by the coordination and supervision of the Central Intelligence Agency. The real situation in this way came to continuously leave many problems about the police operation. Even the intelligence police came to enter the control of a new organization called the Central Intelligence Agency as if an investigating police officer is presided over by a prosecutor. The independent task performance peculiar to the intelligence police came to be unable to be expected[2][3].

However, with passing through the Kim Dae-jung administration and the Noh Mu-hyeon administration, the role allocation by institution is getting clearer. The current National Intelligence Service was sharply restricted the information gathering activity in the country, thereby focusing on a field of industrial security. Even the military was adjusted a task in order to perform only the information activity related to the national defense, which is the proper duty. In this way, the limitation in the work boundary of each institution, which is in charge of information business, can be said to be a model of an intelligence agency in the advanced countries.

Meanwhile, the police is performing the duties such as preventing, repressing, and investigating into a crime, performing escort-VIP guard and a counterespionage operation, collecting-preparing and widely distributing public-safety information, controlling traffic and preventing harm, and maintaining

other public welfare and order. To perform this task smoothly, it is demanded the systematic collection and information control in the police intelligence[4]. The information gathering activity is being performed with the aim of preventing a threat to the public welfare and order as a preventive method of a crime.

By the way, it is the real situation that the sphere of the police intelligence cannot help being expanded, which is being active in all the fields of the country. It is the structure that the quality of information cannot help dropping relatively. Moreover, our police manpower was grown 38 people for 10 years to 485 people in 2013 from 523 people in 2003 as for the population in charge per one police officer even by virtue of the policy for increasing 20,000 police officers in the Park Geun-hye administration. However, examining it based on the OECD countries, it is unreasonably insufficient manpower compared to England with 369 people, Germany with 294 people, and France with 244 people.

Accordingly, this study aimed to questingly examine about the job-satisfaction factors of employees at the police intelligence agency.

2. Theoretical Background

2.1. Police intelligence

As the police intelligence is the police activity for removing a danger of the public welfare and order or the expected crime, it implies the police activity that collects, analyzes, prepares, and widely distributes diverse information at home and abroad. Its meaning is being defined a little differently every scholar.

Oh(2009) says that the police intelligence implies the knowledge, which was created and prepared as a result of evaluating, analyzing, and generally interpreting a police officer's collected intelligence. This was mentioned to be unable to exist separately from a concept of secret information[5]. Gwon(2009) mentioned that the information collection in the police is the acquisition of information on a suspect, and that a suspect is an obligator in information gathering and information

processing in light of the police as a person who is good just in case of being acquired information. Meanwhile[4], Yun(2012) mentioned that the police intelligence activity implies all the activities of acquiring the individual-related information on a specific natural person for the objective of the police[6].

Dividing a concept of the police intelligence in this way, the police intelligence in a formal sense designates the police of engaging in the information business with belonging to the information department at each police station. The police intelligence in a substantive sense implies the police of preventing and investigating into all the harmful behaviors in an individual or a group, which violates the national safety.

Hence, the police intelligence implies all police stations related to the police information and the membership police officers in a formal sense. A concept of the police intelligence in a substantive sense can be defined as all the activities.

2.2. A legal ground of police intelligence

In case of our country, Article 3 in 「Police-Act」 is prescribing the collection of public-safety information as a duty of the police. Article 2 in 「Act on the Performance of Duties by Police Officers」 is stipulating the scope of a task as collecting, preparing and widely distributing the public-safety information, thereby clarifying that the intelligence activity is included as the scope of the subject-matter jurisdiction in the police.

However, 「Act on the Performance of Duties by Police Officers」 is the comprehensive office regulation, which prescribed that only the collection of public-safety information belongs to the work scope of the police, thereby being unable to become the basis of collecting and processing the specific personal information, which may bring about the restriction on an individual's right to decide on their own information.

As for the legal grounds of the information gathering and processing other than this, the procedural law such as 「Act on the disclosure of a public institution」 and 「Criminal Procedure Law」 can become the applicable

Act pertinent to the information gathering. processing in the police.

In the meantime, according to Article 7 in 「The police officer promotion recruitment rules and enforcement ordinance」, a score is being given depending on collecting the police documents as an evaluative element of the work performance in a police officer. Thus, all the police officers are doing an intelligence gathering activity. Article 51 pertinent to the local police organization and operation is asking an outside duty policeman to collect and report the secret information.

2.3. Characteristics of police intelligence

According to Lee(2003), the police intelligence was mentioned to be able to be said to be also same as the general police in the basic objective and mission, but to have a different characteristic from the general police relatively in light of a task character and in light of an activity method. First of all, the police intelligence was mentioned to be able to be regarded as the prevenient activity and the preventive activity on the general police activities. Also, the police intelligence was mentioned to be capable of being considered to be very extensive in a task sphere and to be performed a duty in private[7].

Meanwhile, according to Jeong(2010), the police intelligence was mentioned to be the basic activity for all the police activities, thereby having a far-reaching characteristic either in the aspect of subject or without restriction such as whether or not being before and after a crime. In addition, the information activity in the police was said to be included the general information such as politics, economy, society and culture at home and abroad, which become the background of the public-safety information, as well as being involved all the public-safety information, which becomes the prerequisite of the police activity for removing a danger of the public welfare and order or the violation on the police[8].

The public-safety information here is broadly included all information necessary for performing a basic task in the police such as information related to traffic information

as well as guard information, investigation information, security information, and foreign affairs information.

2.4. Limitation of police intelligence

In the police sphere, the information collection is made forcibly or in private, not the open collection, thereby needing to have a special and detailed legal ground for it. However, the police in these days is requiring lots of information including personal information in light of a characteristic in its task. The information processing through a computer came to be much utilized for achieving the purpose of the police according to the development in information & communication technology. On top of this, even a concern about the infringement on fundamental rights based on information in people was expanded. In other words, there is a worry about infringing on general personal rights, secret & freedom of privacy, freedom of residence, freedom of communication, freedom of conscience, freedom of press & publication, and freedom of assembly in the information gathering and processing by the police[4].

In the meantime, examining legislatively, Article 4 in 「PoliceAct」 has the regulation as saying that the police needs to respect people's freedom and rights in accordance with the Constitution and the law in performing its task, to keep the fair neutrality as a service worker for the whole people, and not to abuse the given authority. As Article 1, paragraph 2 in 「Act on the Performance of Duties by Police Officers」, a police officer's authority is mentioned to need to be performed within the minimum necessary for performing its task and not to abuse this.

Hence, in accordance with Article 4 of 「Police Act」 and Article 1, paragraph 2 of 「Act on the Performance of Duties by Police Officers」, the information gathering activity in the police needs to have the necessity of information gathering activity, the reasonability of information gathering method, and the social feasibility.

However, the information activity is demanded the high-level technology, thereby being difficult to definitely legalizing the purpose and the method of information activity. Accordingly, there will be a need to follow the dimension of national interest and the principle of social understanding. The illegal activity in the information activity will need to be improved according to the public interest and the timely demand.

Also, the stability of public-safety environment needs to be promoted through collecting and analyzing information on the whole society. Hence, a relation to an information subject and the collected information should be analyzed and judged objectively because information aims for the public interests.

2.5. Previous researches

A research of job satisfaction in the police organization with the application of a quantitative research so far has been addressed in earnest from the mid-1990s. However, the performance of an exploratory research with the application of a qualitative research method as this research wasn't made. <Table 1> below is what arranged the previous researches of the theme in this study.

Table 1. Previous researches.

Researchers	Issues
Park (2004)	The presentation of the cases in America and Japan as a plan for reinforcing the crisis management ability in the police intelligence[9].
Noh (2004)	The criticism on the massive police intelligence organization based on the historical transition process of the police intelligence organization[3].
Lee, Pyo (2005)	The suggestion of a plan for systematization in the information collection and analysis of the police intelligence[1].
Oh	A pursuit for suggesting job satisfaction based on the difficulties of police intelligence

(2009)	officials[5].
Song (2011)	A survey of an environmental change and the organizational situation in the police intelligence, and a search for recognizing the organizational capability and effectiveness[10].
Mun, Baek (2012)	The performance of a mediation role in the public conflicts of the police information activity, and the examination of a legal ground for the information activity[11].

3. Research Method

3.1. Research questions

This study presented the research questions based on the research purpose in order for the exploratory examination about the recognition on a job-satisfaction factor in employees of the police intelligence agency.

⇒ What is a job-satisfaction factor in employees of the police intelligence agency?

3.2. Survey subjects

This study fixed on the intelligence officials of belonging to the Daegu and Gyeongbuk Provincial Police Agencies as the sampling standard. Finally 145 police officers as the research subjects came to join until the time that the research is closed. This is what more than about 40% of the whole sample in intelligence officials of belonging to the Daegu and Gyeongbuk Provincial Police Agencies came to participate in this study.

This study aimed to obtain data from intelligence officials who engage in the field. Even among them, a class of the field employees included a police sergeant and a police lieutenant due to the recent accumulation of rank. The average age of these people was about 44 years old. The average service career was more than 15 years, thereby having had the professionalism in the police intelligence service.

3.3. Data analysis

A qualitative research, which is a method of this study, has no structure that was agreed on a research design. It implies that a qualitative research has no certain form as much as it[12]. This study was used the e-mail interview technique out of the internet-survey method, which is known as the main research method in the field of social science. A research was progressed with being divided into the primary and the secondary.

First of all, as the primary research, the data with the response to the closed-ended question was computationally processed by using Microsoft Excel 2010. A categorized concept on the open-ended question was analyzed through content analysis and narrative analysis. The secondary research was quantified the frequency on a concept, which was created on the basis of this data, by utilizing 5-point Likert scale.

3.4. Reliability and validity

Ely(1991) asserted that using terminology in a quantitative research is just a defensive measure, which makes it confused, but isn't suitable for the activity of a qualitative research. Lincoln & Guba(1985) used other alternative terminology in order to further stick to a naturalistic research. To secure the trustworthiness of research, these people insisted on the use of the terms dubbed Credibility, Authenticity, Transferability, Dependability, Confirmability instead of the terms dubbed Internal-validity, External validity, Reliability, Objectivity. To implement the continuous field participation and the credibility for manipulating this terminology, diverse techniques were proposed[12].

3.4.1. Reliability

To secure authenticity(reliability) of this study, the samples of the survey subjects were selected through a meeting of advisory group, which is composed of employees in the research field, from the research design. Authenticity on the findings was aimed to be increased by passing through the process of sharing and confirming the research results after the end of the research.

3.4.2. Validity

To implement credibility(validity) like the research by Jo(2012), this study prepared Interview Guide through a fully documentary

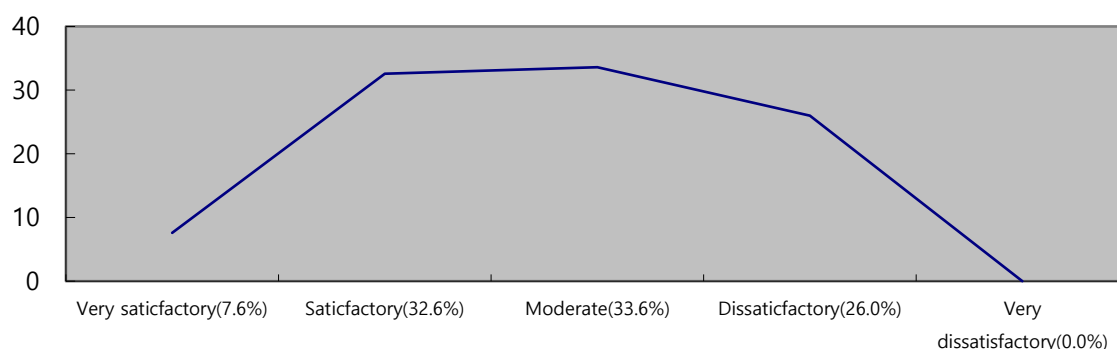
research before entering the main interview. It was applied to the e-mail interview process that corresponds to the main interview[13].

This study conceptualized the standardized open-ended question, which was already fixed, by using the structured interview technique, and tried to secure reliability and validity by compromising and supplementing merits and demerits of the qualitative research and the quantitative research through quantifying the closed-ended question.

4. Findings

Sequentially, to examine the satisfaction in members of the police intelligence agency, the Closed-Ended Questions were asked primarily. And the Open-Ended Questions according to it were presented.

Figure 1. Below is what showed the frequency of the satisfaction in the police intelligence officials with a broken line graph.



As a result of research, the job satisfaction was indicated to be very satisfactory(7.6%), satisfactory(32.6%), moderate(33.6%), dissatisfactory(26.0%), and very dissatisfactory(0.0%). It was possessed 40.6% by combining 'very satisfactory' and 'satisfactory' and 26% by adding 'dissatisfactory' and 'very dissatisfactory.' Thus, the positive opinion was indicated to be higher than the negative opinion. The following is what suggested by conceptualizing data on the open-ended questions by each factor on the satisfaction in members of the police intelligence agency.

4.1. Socio-cognition factor

"The police is operating the professional information organization, is forming the direct network through intelligence officials in several fields, is segmented by field, and may have professionalism in information collection on the intelligence organization. In light of the promotion of professionalism in this

way, the social recognition in the police seems to have gotten higher than the police in the past."

4.2. Economic-support factor

"The national intelligence service and the Public Prosecutors' Office are weak in an economic support compared to the institution of being touched, thereby seeming to be shorter in influence than other institutions. The application of the police intelligence is what performs the proper task for the police as saying of protecting people's life and body and keeping a proprietary value by understanding in advance about the collective civil petition or the socially potential anxiety factor and by preparing for this. On the other hand, the current police intelligence seems to be existed the collection of information for a report, a lack of sharing information with other divisions, and an element of failing to follow the social phases of the times. This

seems to lead to failing to be done positive information activity.”

4.3. Organizational-culture factor

“The police intelligence isn't communicated among departments inside the organization, thereby being dropped the application and efficiency in information and having many cases of being utilized as the information of an individual or the information only of the department. The direction of information activity is varied depending on a commanding officer's guide rather than the substantive information activity. This seems to be biased to the adjustment according to the labor-management conflict and the public-private conflict. In other words, the current information section is varied the aspect depending on a commander. This is the command-obedience relationship, thereby being thought to fail to be well shared information with other functions. What fails to be specialized is possessed the majority of being changed the personnel by a subjective opinion in the command group.”

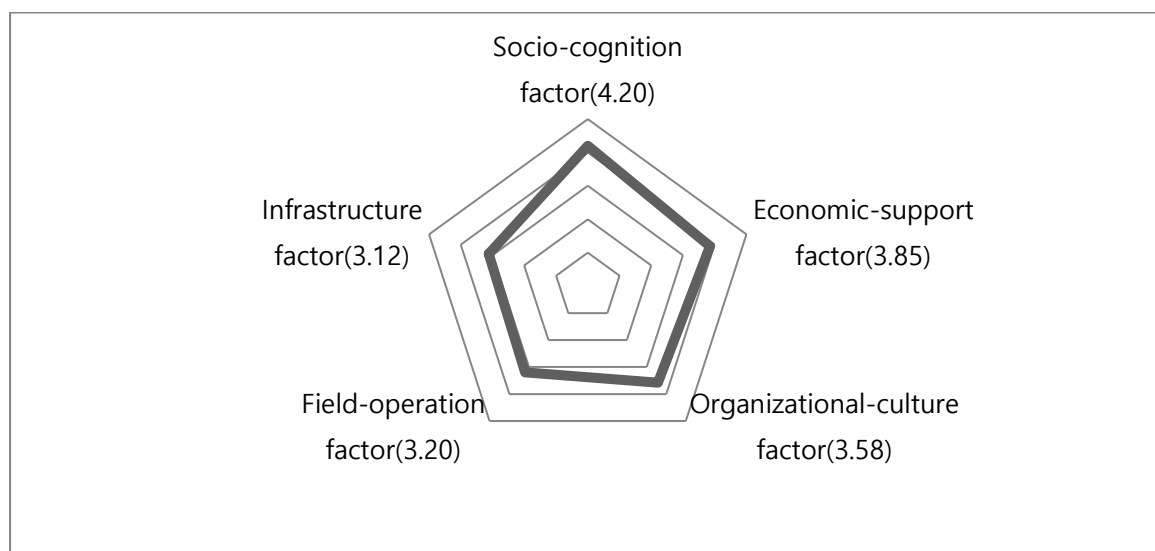
4.4. Field-operation factor

“The work scope is too extensive because of collecting enormous information on everything, not the specific information or the high-level information gathering. There is a need to concentrate on the secondary task with being gradually reduced the natural function of the police intelligence. Wage is low compared to the actually working hours. It is felt to be deteriorated health due to the repeated night shift. Also, it seems to be felt to be closed in the aspect of opening or sharing business.”

4.5. Infrastructure factor

“The police intelligence is appropriately adjusted the fixed number of people anyway in comparison with other departments, can acquire diverse information with many human networks, and can be reflected in policy after gathering the problems of the whole society with excellent intelligence manpower, thereby being thought to be helpful for the national development.”

Figure 2. Below is what tabularized the numerical value of categorization of a concept on the open-ended question.



In the above radial graph, the socio-cognition factor among the job-satisfaction elements was shown to be the highest. The next was indicated to be economic-support factor,

organizational-culture factor, field-operation factor and infrastructure factor. The following <Table 2> is what arranged the mean value and the standard deviation in each of the factors.

Table 2. The mean and the standard deviation.

Conceptual categorization	N	M	SD
Socio-cognition factor	145	4.20	.088
Economic-support factor		3.85	.009
Organizational-culture factor		3.58	.076
Field-operation factor		3.20	.369
Infrastructure factor		3.12	.455

Examining the above findings, the mean(M) value was indicated to be the highest in the socio-cognition factor(4.20) among the above concepts, thereby having shown to have the highest influence upon job-satisfaction factor of the police intelligence official. The next was shown to be economic-support factor(3.85), organizational-culture factor(3.58), field-operation factor(3.20) and infrastructure factor(3.12). Also, the standard deviation(SD) value in economic-support factor(.009) was indicated to be the lowest, thereby having been shown to be the lowest in the deviation of the sample. The next was indicated to be socio-cognition factor(.088), organizational-culture factor(.076), field-operation factor(.369) and infrastructure factor(.455).

5. Discussion

As a result of research, the job satisfaction in police intelligence officials was indicated to be very satisfactory(7.6%), satisfactory(32.6%), moderate(33.6%), dissatisfactory(26.0%), and very dissatisfactory(0.0%). It was higher in 40.6% by adding 'very satisfactory' and 'satisfactory' than 26% by combining 'dissatisfactory' and 'very dissatisfactory,' thereby having been indicated to be mostly satisfied with job.

Also, figuring out the detailed factors of these findings, it was shown to be socio-cognition factor(4.20), economic-support factor(3.85), organizational-culture factor(3.58), field-operation factor(3.20), and infrastructure factor(3.12).

As for the discussions based on these research results, first, the effectiveness of information, which is obtained from job, will be increased just when the consciousness of the current police intelligence official and the command line should be changed, too, according to a flow of the times. The operating system, which is now determined the direction of information activity according to a commander's guide, brought about the outcome that fails to properly utilize huge information of the police organization. This system will be raised the efficiency of a task through sharing information among divisions. This needs to implement the information sharing system in line with a district under jurisdiction and a local characteristic. This will be effective for preventing a crime and arresting a criminal.

Second, a financial support for the cost of being created in the process of the information gathering activity needs to be improved. This implies the offer of business vehicles, the oil usage fee, the overtime pay, and the intelligence-official management fee. This is because of being extensive in a scope of the information collection in the police, thereby needing likely to seek a plan through organizing a business scope of the police intelligence.

Third, for the high-level information-gathering activity, the new efficiency rating system is demanded to be arranged. Like a general police officer, the information collection is being evaluated now with performance. As a result, a current police intelligence official is stopping in a case of a basic task, which confirms the major figures' participation in several kinds of local events. Accordingly, the

prevention of a crime through information collection will need to be stressed by introducing a new efficiency rating system.

As a result of examining through this study, the police intelligence is the information that can be obtained in living close to people, but is being biased only to appearance like the performance of information collection, thereby being not done the high-level information activity. Even in our country, many information activities like the major advanced countries in the world are being performed. Nevertheless, it is thought to be the real situation that the capability of huge intelligence organization is failing to be displayed due to the recognition in the intelligence command line, to a support for the police intelligence officials on the spot, and to the evaluation standard of focusing on performance.

Follow-up researches in the future are expected to be likely continued such as the personnel evaluation in the police intelligence, the information-sharing system, and the information curriculum.

6. References

6.1. Journal articles

- [1] Lee DH & Pyo CW. A Systematic Plan to Collect and Analyze Criminal Intelligence by Police. *Research Series*, 1, 7-138 (2005).
- [3] Noh HR. A Study on the Historical Canges and Critical Examinations of Intelligence Police in Korea. *Korean Police Studies Review*, 3(2), 31-60 (2004).
- [4] Kwon JJ. Die Datenerhebung der Polizei und informationelle Selbstbestimmung. *Wonkwang Law Science*, 25(2), 229-323 (2009).
- [6] Yun HS. A Study on the Collection and Processing of Investigation Intelligence on the Police Stage. *Wonkwang Law Science*, 28(2), 227-248 (2012).
- [9] Park DG. The Improvement Measures for the Establishment of Police Emergency Management System in Korea with the Case of U. S. and Japan. *Korean Association of Public Safety and Criminal Justice Review*, 18, 179-215 (2004).

- [10] Song BH. A Study on the Reinforcement of the Capability in Korean Intelligence Police. *Korean Journal of Local Government & Administration Studies*, 25(3), 399-417 (2011).
- [11] Mun GH & Baek CH. A Study on the Legal Basis of Police Intelligence Operation in Public Conflict Intervention. *Korean Police Studies Review*, 11(4), 151-178 (2012).

6.2. Thesis degree

- [5] Oh YH. A Study on Directions for the Development of Information Police: Focusing on the Intelligence Department of Police Station. Hansei University, Master's Thesis (2009).
- [7] Lee JM. A Study on Development Plans of Intelligence Police in the Information Age. Yonsei University, Master's Thesis (2003).
- [8] Jung SJ. The Development Plans of Intelligence Police in Changing the Environment of Information. Kyungpook National University, Master's Thesis (2010).
- [13] Jo SG. A Study on the Introduction of the Private Investigation Awareness of the Police Officers of Korea. Kyonggi University, Doctoral Thesis (2012).

6.3. Books

- [2] Park BR. History of Korean Police. Police Academy (1988).
- [12] John WC. Qualitative Inquiry and Research Design: Choosing among Five Traditions. Sage (1997).

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A Comparative Study on Maritime Management Status in the Pre and Post-Launch of KOREA Coast Guard(KCG) in the Wake of Breakup of KOREA National Maritime POLICE Agency

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Abstract

This study was intended to examine the results achieved by the Korea Coast Guard(KCG) which took over functions of the Korea National Maritime Police Agency about 1 and a half years ago. Particularly, the study intended to analyze the status of management before and after government reshuffle based on statistical data in connection with maritime crime among various fields and to present related implications. By analyzing the status of maritime crime management, the study figured out maritime crime management status perceived by competent organizations regarding the status of occurrence as suggested by statistical data and then included the processed status to combine both statuses for explanation based on maritime crime management status. As the results of analysis suggest, adverse effects were found to arise from maritime crime management capability which is directly linked to public safety, security, and maintenance of order at sea.

The results of statistical analysis showed that 45,563 cases corresponded to crime perception ability in the presence of Korea National Maritime Police Agency. However, the crime perception ability slid to 60% or 27,087 cases after the breakup of Korea National Maritime Police Agency and launch of Korea Coast Guard(KCG), implying that maritime security is confronted with challenge.

Regarding transfer of the functions of Korea National Maritime Police Agency, negative aspects have been highlighted more than positive sides from the standpoint of maritime crime.

This suggests that such development has resulted from miscalculated reshuffle of police functions and crime investigation functions of Korea National Maritime Police Agency, which aimed to cover up the inadequacy of the Korea National Maritime Police Agency functions related to rescue and salvage. It should be known that crimes occurring at sea exhibit different characteristics as diverse as sea, compared to ordinary crimes.

Maritime crimes are characterized by large-scale and vast damage, difficulty with immediate site investigation, and slow progress in gathering evidences and securing witnesses. Considering that the Korea National Maritime Police Agency under Korea Coast Guard(KCG) still plays pivotal role in crime prevention and suppression at sea which has such characteristics, it would be necessary to recognize importance of the sea, strengthen functions of the curtailed Korea National Maritime Police Agency and expand its maritime investigative roles consistent with its original functions so as to ensure effective response as many countries are recently building up their maritime capabilities.

Furthermore, it would be also necessary to establish identity and strengthen status through enactment of single law which is suited to the functions and status of the Korea National Maritime Police Agency and vital for performance of functions, such as organization laws including 「Maritime Police Act」 and Act on Performance of Duties of Maritime Police」, considering that most organizations, including the National Intelligence Service, Prosecution and other special public servant organizations, which carry out special duties related to security, safety, public order maintenance, investigation, etc., have organization laws.

[Keywords] Policing, Maritime, Korea National Maritime Police Agency, Ministry of Public Safety and Security(MPSS), Korea Coast Guard(KCG)

1. Introduction

The Korea National Maritime Police Agency failed to perform its original duties in Sewolho ferry accident. (Omitted) I found that we could not prevent another large-scale accident without tackling this fundamental problem. So, I drew a conclusion after much consideration that the Korea National Maritime Police Agency should be dismissed[1].

Then, the Ministry of Public Safety and Security(MPSS) was launched. Most functions of Korea National Maritime Police Agency, excluding some investigative functions, were transferred to the MPSS.

Organizations are also actors and adopt different identity based on organization related-recognition of various stakeholders, namely, image, evaluation and reputation[2]. This reshuffle initiated by government also represents an attempt to adapt to the perception that has changed.

In the meantime, Balmer presented a theory of 5 identities related to the reputation of organization, which integrates the concepts of reputation and image with a focus on identity and consist of actual identity, communicated identity, conceived identity, ideal identity, and desired identity.

To maintain the reputation for organization management, he stated that those 5 identities need to be harmonious and consistent with one another and the difference should be narrowed when the elements of each identity were compared[3].

After all, the government failed to manage crisis properly which began when Sewolho accident occurred from the standpoint of identity, perception, and reputation. Thus, this represents an attempt to present desired identity newly and try based on ideal identity in order to overcome the crisis arising from weakened communicated identity and conceived identity.

As a result, the Korea National Maritime Police Agency was dismissed and integrated into the Ministry of Public Safety and Security(MPSS) in terms of its functions. This study aimed to determine the effects that those

changes in situation would have on the maritime area, the sovereign territory of Korea.

Particularly, this study was intended to analyze the maritime crime management status before and after government reshuffle based on statistical data and present related implications. By analyzing the status of maritime crime management, the study figured out maritime crime management status perceived by competent organizations regarding the status of occurrence as suggested by statistical data and then included the processed status to combine both statuses for explanation based on maritime crime management status.

Meanwhile, statistical data used in this study covered the period from November 2014, the month of KCG(Korea Coast Guard) launch, to December 31, 2015. There were limitations to the period of statistical data collection, considering that statistical data covering the post-reshuffle 1 year period were used.

2. Functions of Korea National Maritime Police Agency & Background for Its Dismissal

2.1. Functions of Korea national maritime police agency

The Korea National Maritime Police Agency was launched as Korea National Maritime Guard in Busan under the Security Department of National Security Bureau for protection of fishery resources, peaceful ships, and maintenance of maritime security in December 1953, the period of maritime insecurity after the nation's liberation from Japanese colonial rule and Korean War[4].

Since launch, the Korea National Maritime Police Agency has been placed under different organizations. It began to take on full aspects of central administrative agency after being split as special operating agency under the Ministry of Oceans & Fisheries in August 1996, and was elevated to the status of central administrative agency supervised by Vice-Minister in July 2005[5].

The Korea National Maritime Police Agency was reshuffled as special operation agency under the Ministry of Land, Transport and Maritime Affairs in 2008. As the Ministry of Oceans & Fisheries(MOF) was revived by the incoming Park Geun-hye Administration, the Korea National Maritime Police Agency regained its status as special operating agency under the MOF before being dismissed with the amendment of Government Organization Act in November of 2014 in the wake of Sewolho ferry accident in 2014.

Fundamentally, the Korea National Maritime Police Agency performs the functions of order and compulsion based on general sovereign power to prevent threats to public security and order at sea[6].

However, the Korea National Maritime Police Agency carries out many different functions other than the functions based on sovereign power. As mentioned before, the Korea National Maritime Police Agency has been placed under various ministries since its launch and performed various key functions in the courses of aforesaid changes that it has undergone until its breakup.

At the launch, the Korea National Maritime Police Agency focused on protection of fishery resources, guard of territorial waters, and security and public order maintenance functions, and has taken on various functions that took special characteristics of maritime area into consideration. For example, the Korea National Maritime Police Agency constantly took on various roles such as maritime welfare functions in addition to its unique roles such as maritime contamination control, ship control, search and rescue, maritime transportation safety, maritime safety and public order maintenance functions[7].

The Korea National Maritime Police Agency is restrained significantly by natural conditions in its activities confined to the sea in connection with location. Hence, the Korea National Maritime Police Agency has high reliance on specific modes of transportation, such as ship, when performing its functions and carried out security functions in territorial waters and Exclusive Economic Zone(EEZ)[8].

Meanwhile, the functions of the Korea National Maritime Police Agency are divided into unique functions, quasi-universal functions, and additional functions, depending on operation maintenance period.

Unique functions, which have been performed by the Korea National Maritime Police Agency throughout its existence, refer to security function and policing function. Quasi-universal functions were added to unique functions, but have been recognized as essential functions of the Korea National Maritime Police Agency for a relatively long time, referring to maritime contamination management, ship entry/departure control, search and rescue functions. Additional functions, which were introduced newly, include guide ship-related operation, maritime transportation operation, water leisure safety functions, etc[9].

2.2. Background for breakup of Korea national maritime police agency

Among others, the dismissal of the Korea National Maritime Police Agency was directly attributable to the problems with rescue and salvage operations which were revealed in Sewolho ferry accident in April 2014.

At that time, the Korea National Maritime Police showed many problems in early response, and particularly, and failed to activate the functions of disaster control tower. Furthermore, there was a lack of collaboration and communication among government ministries, central government, local government, and between government and private sector.

In addition, the government came under fire for lack of professionalism in management of disaster safety as the integrated disaster information system built for rapid information sharing did not work. As time passed by, the helplessness of government came to the fore. Even worse, bureaucratic cartel was found to have been formed by the colluding government ministries, incumbent and former high-ranking officials of the Korea National Maritime Police, it affiliated organizations, and shipping industry. Consequently, the public lost confidence in the government and Korea National Maritime Police Agency.

As the President's statement made clear, the Korea National Maritime Police Agency focused primarily on external growth while ignoring rescue and salvage functions. Despite gigantic structure, the Korea National Maritime Police Agency has been operating abnormally, even failing to secure budget for maritime security.

As this problem escalated and was revealed in Sewolho ferry accident, the Korea National Maritime Police Agency lost public confidence and was dismissed through amendment of Government Organization Act in November 2014.

3. Launch & Functions of Korea Coast Guard(KCG)

3.1. Launch of Korea coast guard(KCG)

The government made a decision to dismiss the Korea National Maritime Police Agency through amendment of Government Organization Act in November 2014 and place the Korea Coast Guard(KCG) under the Ministry of Public Safety and Security(MPSS) organized newly in an attempt to restore national disaster control system in the wake of Sewolho ferry accident.

Paragraph 2, Article 43 of the Government Organization Act, which requires the Korea National Maritime Police Agency to be placed under the Minister of Oceans and Fisheries for handling works pertaining to maritime police duties and contamination prevention, was removed.

Moreover, Sub-paragraph 1, Paragraph 2, Article 22 of same Act prescribes that the Ministry of Public Safety and Security(MPSS) shall be organized and placed under Prime Minister for taking charge of affairs related to establishment/enactment of policies pertaining to safety and disaster, overall management, coordination, preparation for emergency, civil defense, disaster prevention, fire-fighting, maritime security, safety, contamination prevention, investigation into cases occurring at sea. Paragraph 3 of same Article specifies that managing director shall be appointed to take charge of security, safety,

contamination prevention, and investigation into cases occurring at sea in the capacity of police officer, requiring the Korea Coast Guard(KCG) to be organized.

Strictly speaking, this reshuffle is considered abnormal as undersecretary level official, not the first-ranking official, was named as chief of the Korea Coast Guard(KCG) and independence of organization management is guaranteed as much as possible, such as personnel management and budget, thus appeasing internal critics, while removing the post of undersecretary level chief at the helm of the Korea National Maritime Police Agency.

After all, the functions of the Korea National Maritime Police Agency were transferred to the Korea Coast Guard(KCG) under the Ministry of Public Safety and Security(MPSS). Other functions were transferred exactly as they were. However, the investigative function was limited to investigation of criminal cases occurring at sea. Organization of office was reduced from bureau-based division to department-based division. Workforce was also slashed.

3.2. Functions of Korea coast guard(KCG)

The functions of Korea Coast Guard(KCG) under Paragraph 2, Article 22 of Government Organization Act, is related to management of maritime security, safety, contamination prevention, and investigation of criminal cases occurring at sea.

Meanwhile, specific related duties are specified in Article 21, 22, 23 of Government Organization Act related to the Ministry of Public Safety and Security(MPSS) and its affiliated organizations and Enforcement Rule of same Act. Major duties are as follows:

First, it is the duties of Maritime Guard & Safety Bureau. This includes performance of maritime guard, maritime safety, maritime search and rescue, maritime leisure, maritime investigation and information functions.

Second, it is the duties of the Maritime Contamination Response Bureau. This includes disaster prevention planning, rapid disaster prevention, and maritime contamination prevention functions in connection

with the measures for maritime contamination prevention.

Third, it is the duties of Maritime Equipment Technology Bureau. This includes improvement or procurement of safety equipment for warship, aircraft, vehicle, weapon, etc., maritime information communication and maritime transportation disaster prevention functions.

Fourth, it carries out functions related to international exchange and cooperation in each field.

4. Management of Maritime Crime Before and after the Launch of Korea Coast Guard(KCG)

4.1. Meaning of maritime crime

The concept of maritime crime, which constitutes a breach of law and order related to the sea, is a crime which, firstly, occurs at sea geographically, and secondly, occurs at sea and leads to onshore crime or occurs at onshore location and leads to maritime crime, and thirdly, affects the sea based on the location of occurrence in consideration of physical and special characteristics of the sea, although the concept of maritime crime is not a legal and academic concept, unlike ordinary crimes or onshore crimes. Definition of maritime crime encompasses all those 3 categories[10].

4.2. Perception towards maritime crime & processed status before and after the launch of Korea coast guard(KCG)

For statistics on maritime crime, the number of cases involving maritime crime and processed status, as suggested in the year 2011 White Paper published by the Korea National Maritime Police Agency and 2015 statistics annual report of Ministry of Public Safety and Security(MPSS), were used, along with the data from government 3.0 public data portal. <Table 1> is a graphical representation of number of cases involving maritime crime and processed status by year.

Here, the management status in this study is defined as recognition and processing status. Thus, it is difficult to conclude that maritime crimes decreased actually by more than 73% in 2014 from 2013. Therefore, the cases of maritime crime perception would be used, rather than the number of cases occurred actually. So, the number of cases will be figured out by considering the perception status as arrest status.

Specifically, the maritime crime management status in <Table 1>, the perception rate of maritime crime reached the peak in 2013 while arrest rate was the highest in 2009, regarding maritime crime management status.

Table 1. Number of cases involving maritime crime and processed status by year(2009~2015)[11][12][13].

Year	Number of cases (case)	Arrest		Arrest rate (%)	Actions	
		Number of cases (case)	Number of persons (person)		Indicted with detention	Indicted without detention
2009	49,882	50,056	11,733	100.3	350	11,383
2010	48,594	48,424	12,416	99.7	242	12,174
2011	47,075	46,491	12,569	98.8	285	12,284
2012	45,822	45,277	12,934	98.8	360	12,574
2013	51,441	50,718	12,811	98.6	382	12,429
2014	13,408	12,535	7,814	93.5	197	7,617

2015	27,087	27,031	5,866	99.8	205	5,661
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Note: Arrest rate exceeding 100% includes the arrest of crimes which occurred in the previous year and for which apprehension was made in the same year.

To compare the maritime crime management status before after the launch of Korea Coast Guard(KCG) based on the data presented in <Table 1>, the 5-year average for the period between 2009 and 2013 and 1-year period of 2015 which is the post-launch period, were presented, excluding the data of

year 2014 because Korea Coast Guard(KCG) was launched in 2014.

The results of analysis suggested that the perception status decreased by about 60% from 45,563 cases in pre-launch period to 27,087 cases in post-launch period while arrest rate edged up by about 0.6% from 99.2% to 99.8%.

Table 2. Number of cases involving maritime crime and processed status before and after the launch of Korea coast guard(KCG).

Year	Number of cases (case)	Arrest		Arrest rate (%)	Actions	
		Number of cases (case)	Number of persons (person)		Indicted with detention	Indicted without detention
5-year average (2009-2013)	45,563	48,193	12,493	99.2	324	12,169
2015	27,087	27,031	5,866	99.8	205	5,661

5. Discussion & Conclusion

We are facing an era which calls for establishment of new maritime order, which suggests that it would be necessary to respond actively to establish national security and maritime public order by building up maritime safety capabilities related to various maritime disasters and take upon the challenge of the times[14].

Under those circumstances, curtailment of domestic related to maritime field is going against the trends of the world which has seen a new and heated competition for power with a focus on the sea, ultimately leading to serious imbalance and disruption to national safety and public security[15].

As the results of analysis suggest, adverse effects were found to arise from maritime crime management capability which is directly linked to public safety, security, and maintenance of order at sea.

As shown in <Table 2>, the results of statistical analysis showed that 45,563 cases corresponded to crime perception ability in the presence of Korea National Maritime Police Agency. However, crime perception ability decreased to 60% or 27,087 cases after the breakup of Korea National Maritime Police Agency and launch of Korea Coast Guard(KCG), implying that maritime security is confronted with challenge.

Regarding transfer of the functions of Korea National Maritime Police Agency, negative aspects have been highlighted more than positive sides from the standpoint of maritime crime. This suggests that such phenomenon has resulted from miscalculated reshuffle of police functions and crime investigation functions of Korea National Maritime Police Agency, which aimed to cover up inadequacy of the Korea National Maritime Police Agency functions related to rescue and salvage.

Crimes occurring at sea exhibit different characteristics as diverse as sea, compared to ordinary crimes. Maritime crimes are characterized by large-scale and vast damage, difficulty with immediate site investigation, and slow progress in gathering evidences and securing witnesses.

Considering that the Korea National Maritime Police Agency under Korea Coast Guard(KCG) still plays pivotal role in crime prevention and suppression at sea which has such characteristics, it would be necessary to recognize the importance of the sea, strengthen functions of the curtailed Korea National Maritime Police Agency and expand its maritime investigative roles consistent with its original functions so as to ensure effective response as many countries are recently building up their maritime capabilities.

Furthermore, it would be also necessary to establish identity and strengthen status through enactment of single law which is suited to the functions and status of the Korea National Maritime Police Agency and vital for performance of functions, such as organization laws including 「Maritime Police Act」 and Act on Performance of Duties of Maritime Police」, considering that most organizations—such as the National Intelligence Service, Prosecution and other special public servant organizations which carry out special duties related to security, safety, public order maintenance, investigation, etc.,— have organization laws[16].

6. References

6.1. Journal articles

- [2] Whetten DA & Mackay AA. Social Actor Conception of Organizational Identity and Its Implications for the Study of Organizational Reputation. *Business & Society*, 41(4), 393-414 (2002).
- [3] Balmer John MT & Greyser Stephen A. Managing the Multiple Identities of the Corporation. *California Management Review*, 44(3), 72-86 (2002).

- [4] Soon GT & Yun GH. Study on Analysis and Reasonable Improvement Solution of Investigation Power of Korea Coast Guard. *Korean Korea National Maritime Police Agency Science*, 5(1), 81-110 (2015).
- [5] Lee SC & Hong CK & Min EH. A Case of Performance Management System in Korea Coast Guard. *Management Accounting Association of Korea*, 7(3), 269-286 (2008).
- [6] Cha HJ & Jung WI. The Present Condition and Countermeasures of Maritime Crime. *Korea Association of Criminal Psychology*, 7(1), 205-225 (2011).
- [7] Heo JA & Kim DW. A Study on Expanding Capability of the Korea Coast Guard. *Korean Korea National Maritime Police Agency Science*, 4(2), 131-158 (2014).
- [14] Son YT. The Research on the Confrontation Realities of People's Livelihood Crimes and Improvement Schemes in Korea Coast Guard. *Korean Korea National Maritime Police Agency Science*, 3(1), 93-122 (2013).
- [15] Seol KK. A Study on the Empowerment of the Coast Guard Duties for Maritime Safety. *Korean Korea National Maritime Police Agency Science*, 5(2), 95-118 (2015).
- [16] Soon GT. Study on Re-establishing Position of Korea Coast Guard. *Korean Police Studies Association*, 14(2), 181-210 (2015).

6.2. Thesis degree

- [9] Kim HA. Study on the Restructuring of Korea National Maritime Police Agency Function. Chonnam National University, Doctoral Thesis (2005).

6.3. Conference proceedings

- [8] Lee SM. The Concept of Korea Coast Guard and Korea National Maritime Police Agency Science. The First Academic Seminar of Korean Korea National Maritime Police Agency Science (2010).
- [10] Choi JH. Maritime Crime and Forensic of Korea Coast Guard. Autumn Conference of the Korean Society of Marine Environment and Safety (2012).

6.4. Additional references

- [1] <http://www.president.go.kr/> (2016).
- [11] Korea Coast Guard. White Paper (2011).

[12] Ministry of Public Safety and Security. Statistics Annual Report (2015).

[13] [http:// www.data. go.kr/](http://www.data.go.kr/) (2016).

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A Study on Regulatory Measures against CRIMINAL Behaviors Related to Private Internet Broadcasting in KOREAN

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Abstract

Amid recent surge in private internet broadcasting, BJs are broadcasting provocative contents, swearing, rude comments, dangerous behaviors, etc., every day for greater profits and revenue from viewers paying certain amount as subscription fees.

If this continues, concern will be mounting over the prospect that imitative crimes or criminal behavior preview, etc., featured by private internet broadcasting may be put on the airwaves. If such broad casting practice is not restricted properly, adolescent crimes will be also affected adversely.

This study was intended to examine problems arising from private internet broadcasting, discuss legal restriction on such private internet broadcasting regulated in Korea, and present related regulatory measures.

Many problems have arisen from downside of private internet broadcasting which may also have many different beneficial and useful contents. To facilitate private internet broadcasting culture take root by promoting more useful and diverse contents, some regulatory measures need to be taken.

First, clear guidelines need to be laid out for threshold of broadcasting and criteria for contents when contracts are signed with individual BJs. Besides, education would be needed on broadcasting contents, along with review of qualification of BJs. Moreover, revenue amount needs to be adjusted to change current practice of paying thousands of won(Korean currency unit) at a time.

Second, advancement of internet has made it tricky to apply conventional criteria related to exercise of jurisdiction and limitation in all aspects of routine lives.

Third, unambiguous criteria for harmful broadcasting need to be established.

Criminal behaviors in private internet broadcasting correspond to crimes committed actually offline, not merely via information communication networks, and are broadcast exactly as they are occurring. If they are not regulated in advance, private internet broadcasting can be a breeding ground for even more serious or imitative crimes.

Prevention is the most important because private internet broadcasting can be used only as a means of making money without regard to its potential criminality in this era taking monetary side as top priority, although private internet broadcasting also provides useful information and fun.

[Keywords] Policing, Private Internet Broadcasting, Internet Crime, Jurisdiction, International Crime

1. Introduction

Industry related to internet has made rapid strides as Korea is thrust into limelight as global internet powerhouse. Korea takes top

spot worldwide in terms of internet infrastructures, smartphone distribution, and outstrips the rest of the countries globally in internet speed. However, Korea has witnessed significant adverse effects arising in connection with internet.

Many crimes have resulted from recent expansion of private internet broadcasting, along with cybercrimes that have occurred over the last few years. Korea has approximately 7,000 internet broadcasting channels, out of which Africa TV has about 350,000 private broadcasting channels. The number of internet BJs(Broadcasting Jockeys) is estimated to reach about 1.5 million.

Internet broadcasting has easy access. As it is not pay-basis and has an increasing viewership amid rise in one-person families, viewers made decision on sponsorship after watching the broadcasts. Thus, internet broadcasting enables two-way communication, more far-reaching communication and more active participation of viewers, compared to ordinary media.

However, there is no way to stop global spread of cyberspace called 'internet' which has become a form of broadcasting, and concern has been raised about ambiguous restriction on internet.

Recently, lewdness, swearing, rude comments, dangerous behaviors, etc., are inundating the viewers of private internet broadcasting. If this goes unchanged, broadcasting programs may adopt the contents of private internet broadcasting and feature provocative contents such as imitative crime or criminal behavior previews. If such broadcasting practice is not restricted properly, youth crimes will be also affected adversely.

This study was intended to examine problems of private internet broadcasting, discuss legal restrictions on private internet broadcasting regulated in Korea, and present related regulatory measures.

2. Theoretical Background

2.1. Concept of private internet broadcasting

Internet broadcasting refers to a new concept novel media broadcasting programs via internet through combination of communication and broadcasting amid rapid spread of internet. Unlike existing broadcasting by station using public airwaves, internet broadcasting targets all netizens worldwide for

viewership beyond home country. For that reason, internet broadcasting has come under the spotlight as new media with unlimited potentials[1].

Private internet broadcasting is a platform enabling real-time broadcasting anytime and anywhere using PC or mobile devices(smartphone, tablet PC, etc) without need for special technology or equipment[2].

Internet broadcasting, which is a technology converging communication and broadcasting, represents new form of broadcasting using the internet based on existing mode of broadcasting. Specifically, internet broadcasting allows users to select information at their convenient time, unlike existing broadcasting, and is characterized by two-way communication for instant feedback of many different ideas as it combines the strengths of broadcasting and internet. This new media is opening up the boundaries of space into augmented space rendered within reality beyond virtual reality. Human communication is reproduced through hybrid communication shutting between reality and virtual reality. Many parts of life have been migrated into the space rendered by digital media, unfolding themselves under new system[3].

Particularly, blogs, Facebook, YouTube, podcast, internet broadcasting, etc., which are founded on internet, have been classified into the category of new media. All these correspond to communication media featuring and highlighting individuals to the world, unlike old media such as televisions or telephones used to convey knowledge and information to users.

Countless number of individuals is engaged in real-time internet broadcasting using their unique contents through private internet broadcasting service platform. Literally, internet broadcasting is a type of broadcasting providing audio or video(audiovisual) contents via internet[4]. Previously, people could watch TV for shortened time due to works, learning and routine activities, and therefore, could obtain information or watch programs on their mobile phones whenever they could find time while being the move. In that regard,

internet broadcasting may be the type optimized for contemporary society.

2.2. Internet crime & jurisdiction

2.2.1. Internet crime & current status

The terms, cybercrime and internet crime, have been used together, as their definition remained ambiguous even to date since 1999 when internet began to spread.

According to the Cyber Crime Investigation Theory of the Police, cybercrime collectively refers to the crimes occurring in cyberspace formed by or through computer system connected via information communication networks such as internet.

Private internet broadcasting-related crimes can be classified into the category of internet crime committed particular by using information communication networks. The data published by the National Policy Agency can be analyzed for crimes involving private internet broadcasting that uses telecommunication and illegal contents.

The number of cases involving personal position information infringement slid from 635 in 2014 to 296 in 2015 while cases of copyright violation rose from 7,198 in 2014 to 8,832 in 2015. The number of criminal cases involving illegal contents, such as obscene cyber contents, illegal cyber gambling, cyber defamation, cyber stalking, etc., increased from 14,643 in 2015 to 17,388 in 2015[5].

Statistical data on crimes related to private internet broadcasting have remained unavailable thus far.

As most crimes occur in cyberspace, only statistical data on crimes committed in cyberspace were examined. Currently, punishment is imposed on cybercrimes under the Act on the Punishment of Sexual Crimes and the Protection, Criminal Code, Personal Information Protection Act, etc., through prosecution and complaint.

2.2.2. Jurisdiction in cyberspace

Many problems and difficulties entail from application to behaviors in cyberspace. As there is no boundary in cyberspace, all behaviors occurring in cyberspace can be viewed

simultaneously in all countries around the globe which results in many challenging problems.

In other words, the issues related to legal jurisdiction may arise in cyberspace. Jurisdiction refers to the authority of a state(country) to apply domestic laws to certain doers, cases, and objects(or properties)[6].

The issue of jurisdiction is taking on an added importance in cyberspace because behaviors occurring in cyberspace via internet are far more likely to raise the issue of jurisdiction compared to offline behaviors, not just merely because of increasing behaviors in cyberspace.

Advancement of internet is making it complicated to exercise jurisdiction and apply conventional criteria in all aspects of routine life[7].

3. Cases of Crime in Private Internet Broadcasting & Related Problems

Currently, platforms for private internet broadcasting have been diversified, particularly Africa TV, Daum TV Pod, Twitch, etc., in Korea. Besides, myriads of private broadcasting have emerged on the internet.

Previously, entertainers showed off their talents to unspecific many people. Now, thousands of or tens and thousands of individuals are showing off their talents and turning to private internet broadcasting.

The problem is that BJs are reaping huge profit from private internet broadcasting, unlike in the past, and people are reacting enthusiastically to them and imitating them.

Thus, problem lies in the fact that videos, more provocative and harder to imagine, are being produced and broadcast.

3.1. Cases of crime

Criminal behaviors are often exposed via private internet broadcasting without being filtered for profits. Here, some related cases were presented.

A BJ was arrested by the Police on charges of broadcasting illegal racing via internet. According to Mapo Police Station, 3 BJs, including 2 persons with only family names revealed[Eom(aged 30, male), Lee(aged 37, male)], were indicted without detention for violation of Road Transportation Act on the 23rd day of this month. There were accused of receiving 'star balloons' from viewers while broadcasting in real-time a reckless driving race featuring 3 luxurious foreign-made cars speeding at 180km on a 20km section of Gangbyeonbuk-ro at 1:00AM on November 29 last year.

Shockingly, video footage of real sexual intercourse between an underage girl and adult man was broadcast via internet to receive the star balloon. They are violating the laws to make money.

Last January, Mokpo Branch of Gwangju District Public Prosecutor's Office brought to justice 2 persons(with only family names revealed such as Oh(aged 25, male), Kim(aged 21, male)) on charges of disseminating obscene video footage to pay-per-view audiences which showed a threesome sex between an underage girl(A, aged 18) and 2 adult men at an one-room located in Gangnam-gu, Seoul.

They were accused of earning KRW 7 million by broadcasting a 20-minute length footage showing sexual intercourse scene to about 300 pay-per-view audiences, each paying more than KRW 20,000, via private internet broadcasting which was preceded by prior notice of the obscene broadcasting in November last year.

They were also accused of internet broadcasting of the pictures of specific body parts, such as legs, of women which they secretly took at Seocho-gu and Gangnam-gu and adjacent areas in Seoul, in April and May, respectively, by approaching them on pretext of interview(in violation of Act on the Special Cases of Punishment of Sexual Crimes and the Protection)[8].

In addition, immoral and anti-social behaviors have arisen from deviant acts of BJs bent on making money, such as real-time broad-

casting to show the interior of adult entertainment establishments, exposure of privy body parts by male or female BJs, promotion of illegal internet gambling site while forcing 2-year old child to drink, smoking act of adolescents dressed in school uniform. Furthermore, new crimes have increased which involve blackmail and extortion, like hacking and manipulating computers of BJs remotely and threatening to shoot and disseminate videos showing naked body or sexual intercourse[9].

3.2. Problem of private internet broadcasting

3.2.1. Uncontrollable contents & revenue structure

Current problems lies in the mammonism that money holds the best value in capitalist society as illustrated in cases of BJs engaged in private internet broadcasting and bent on earning money even by unfair means. Particularly, Africa TV has revenue structure creating profits through star balloon and takes 40% commission. Thus, BJs are crazy for star balloons while viewers sometimes splurge, as if they were gambling, to give start balloons which in turn make them treated well and feel happy or superior.

Such broadcasting structure led to dissemination of videos that may provoke viewers such as self-injuring behaviors, cruel behaviors, violent behaviors, personal attack, illegal racing, real sexual intercourse, etc. Those videos are clearly giving rise to crimes not in virtual world but in real world which are spreading throughout the world via a media called 'internet'.

Another issue is that adolescents are exposed to such videos that are not filtered, as well as adults.

3.2.2. Occurrence of crimes & issue of jurisdiction

Internet space provides a platform for unrestrained communication which is absolutely beyond control, and creates opportunities to encounter diverse and alternative entities. However, many immoral communication behaviors and criminal behaviors have

come to the fore as difficult and tricky problems citizens or countries speeding up internet civilization[9].

No law has been enacted to regulate criminal behaviors occurring in private internet broadcasting. Punishment is imposed only on criminal behaviors occurring offline and is limited to the portion of broadcasting using information and communication networks. In fact, restricting real-time private internet broadcasting is a challenge.

The most serious problem is that behaviors occurring in internet virtual space can be viewed simultaneously by all people accessing the internet throughout the world and therefore is unavoidably related to many countries. For example, uploading and viewing obscene contents in home country would correspond to territorial principle in connection with dissemination of obscene contents in virtual space, which is clearly punishable in Korea. However, such contents will be viewed by people in whole world if the uploading location is taken into consideration. In that regard, the issue of criminal jurisdiction cannot be overlooked, and furthermore, modes of punishment can be problematic.

3.2.3. Meager punishment for internet broadcasting

Regulation of internet broadcasting is based on internal rules or guidelines designed at the discretion of internet broadcasting platform operators. As star balloon, a new-concept subscription fee, is the source of revenue for internet broadcasting platform operators, they will not go too far in regulating even when they monitor respective broadcasting. Even if they regulate, they may map out new policies or ease internal regulations, etc., to save BJs who bring revenues, thus encouraging crimes.

According to recent media report, internet broadcasting platform operators have revised or formulated policies, depending on situations and needs, and brought BJs back to broadcasting job even after they aroused criticism. In that way, internet broadcasting platform operators can take advantage of the fact that they can give BJs a slap on the wrist by

revising internal policies anytime. Such platform which encourages even more provocative or exciting broadcasting is likely to be relegated to a space for deviation and means for earning money[10].

4. Regulatory Measures & Conclusion

Many problems have arisen from downside of private internet broadcasting which may also have many different beneficial and useful contents. To facilitate private internet broadcasting culture take root by promoting more useful and diverse contents, some regulatory measures need to be taken.

First, clear guidelines need to be laid out for threshold of broadcasting and criteria for contents when contracts are signed with individual BJs. Besides, education would be needed on broadcasting contents, along with review of qualification of BJs. Moreover, revenue amount needs to be adjusted to change current practice of paying thousands of won(Korean currency unit) at a time. That aims to prevent side effects comparable to those of game or gambling. For that, government should take measures to preclude promotion of negative commercialization.

Second, advancement of internet has made it tricky to apply conventional criteria related to exercise of jurisdiction and limitation in all aspects of routine lives. For such issues, a new paradigm is required[7].

New countermeasures need to be explored and international cooperation is essential. Out of such needs, international discussion has made progress to strengthen cooperation on criminal judicature for some crimes. In the meantime, international criminal law is confronted with a challenge to resolve issues arising from internet by properly limiting the exposure to the risk of unexpected criminal punishment which may result from behaviors in cyberspace[11].

Third, unambiguous criteria for harmful broadcasting need to be established. Harmful broadcasting itself should be regulated by enacting special laws governing private internet broadcasting and securing correct personal

information of those caught in involvement in criminal behaviors in broadcasting.

In-broadcasting criminal behaviors may be reduced by banning the broadcasting after providing information to each private internet broadcasting platform operators in tandem with special management in the event that in-broadcasting criminal behaviors constitute serious and violent crimes.

Companies also need to be punished strictly by laws if platform operators went ahead with broadcasting even the knowledge of in-broadcasting criminal behaviors.

Criminal behaviors in private internet broadcasting correspond to crimes committed actually offline, not merely via information communication networks, and are broadcast exactly as they are occurring. If they are not regulated in advance, private internet broadcasting can be a breeding ground for even more serious or imitative crimes.

Prevention is the most important because private internet broadcasting can be used only as a means of making money without regard to its potential criminality in this era taking monetary side as top priority, although private internet broadcasting also provides useful information and fun.

5. References

5.1. Journal articles

- [2] Ban OS. A Study on Structural Relationships of Internet Personal Broadcasting Continuous Use: TAM 2. *Journal of Communication Research Association*, 16(2), 59-96 (2016).
- [4] Ahn J. Characteristics of the Viewing Community in Personal Web-casting. *Korean Journal of Broadcasting and Telecommunication Studies*, 30(2), 5-53 (2016).
- [6] Jon B Jordan. Universal Jurisdiction in a Dangerous World: A Weapon for All Nations against International Crime -Michigan State University-. *DCL Journal of International Law*, 9, 175-200 (2000).
- [11] Suh CW. Jurisdiction on the Activities in the Cyberspace. *Soongsil Law Review*, 14, 77-93 (2004).

5.2. Thesis degree

- [3] Kang MY. Research on Efficient Overlay Multicast Protocol for Personal Internet Broadcasting, Graduate School. Chonnam National University, Doctoral Thesis (2008).

5.3. Books

- [7] Jung IS. New International Law Lecture. BY Book (2016).

5.4. Additional references

- [1] <http://www.doopedia.co.kr/> (2016).
- [5] <http://www.police.go.kr/> (2016).
- [8] <http://www.iminju.net/> (2016).
- [9] <http://journal.kiso.or.kr/> (2016).
- [10] <https://www.kisdi.re.kr/> (2016).

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The Comparative Study of Three NORTHEAST ASIAN Nations' POLICIES and Countermeasures against Maritime Security Threats

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Abstract

The three northeast Asian nations, South Korea, China and Japan which are depending on the seaborne trade which is the majority of the trade, need active measures to respond to the international marine environmental changes and implement it.

This thesis is to look into the maritime security plans which is made by the United States and adopted by each nation and the three nations' policy of new maritime security threats causes like cyber terrorism and to assess the appropriateness. This is also in order to suggest some assignments for the successful adaptation of the maritime security plans.

Maritime security has been a national agenda by terrorist attacks of pirates, maritime terrorism and shipping ports' threats since the Cold War.

South Korea, China and Japan, the three nations in northeast Asia, are paying closer attention to maritime traffic security because of a high level of dependence on maritime trade as most exportations and importations are being made through marine transportation.

Especially nowadays there are new security threat factors using cyber terrorism and drones, so coastal states need changes in security policy besides traditional maritime security.

The purpose of this thesis is to criticize the three northeast nations' policy about new threats and the maritime security plan which is initiative to be drawn up and applied by the United States and also to present countermeasure.

Safety secure of sea lanes has become a national assignment which is directly connected to global survival to the three northeast Asian nations, South Korea, China and Japan which are dependent on trade through the sea.

This thesis shows that each nation has put in a great deal of effort in order to keep the maritime order from the threats like pirates interfering ships' free passages and disconcerting marine trade orders and there have been considerable achievements. However, there are limits of united countermeasures because three northeast Asian nations have different stances in cultural, social and political situations.

It will be an important matter how to deal with security issues and unite continuous efforts against new threats liked cyber terrorism and drones with typical maritime security threats. I hope that stable environments of maritime security in eastern Asia come true through careful consideration about a few countermeasures shown on this thesis and reflection of the policy.

[Keywords] Policing, Pirate, Maritime Terrorism, Maritime Security, Cyberterrorism

1. Introduction

There are growing untypical threats such as ethnic group, religion, resource, terrorism

etc. during the Post-Cold War era, although there were typical threats like the ideological confrontation between the United States and

the Soviet Union and horrors of war with nuclear weapons during the Cold War era. Maritime disputes are increasing as there are conflict factors including marine resources, sea lanes, delimitation of maritime boundaries etc[1].

The three northeast Asian nations, South Korea, China and Japan which are depending on the seaborne trade which is the majority of the trade, need active measures to respond to the international marine environmental changes and implement it.

This thesis is to look into the maritime security plans which is made by the United States and adopted by each nation and the three nations' policy of new maritime security threats causes like cyber terrorism and to assess the appropriateness. This is also in order to suggest some assignments for the successful adaptation of the maritime security plans.

2. Maritime Security Threat Factors and the International Community's Policies

There is no concept of maritime security by UN maritime law or international law and it can be interpreted differently by institutions or contexts.

UN defines "Maritime security means protection of territorial integrity from direct threats such as general maritime crimes like pirates, sea robbery, terrorism and illegal speculation, ensuring safety from illegal and deliberate sabotage and unlawful fishery which depletes natural resources" on the report 'Oceans and the Law of the Sea'[2].

US navy says "Maritime security is protection of sovereignty and marine resources, support of free open marine trade and operational mission for eradication of maritime terrorism, proliferation of weapons, international sexual crime, pirates, environmental damage and illegal maritime smuggling in non-doctrinal term"[3].

IMO explains "Maritime security is protection from illegal and willful misconduct"[4].

To sum up, maritime security can be defined "Comprehensive policy of actions and efforts for individual and nation's safety against pirate, terrorism and transport weapons of mass destruction".

2.1. Pirate threats and the international community's policies

2.1.1. Pirate's situations

The number of pirate's attacks reported internationally have not been reduced although national and regional efforts to repress pirates. The international society paid about 3 billion dollars for the cost of damage from pirate attacks in 2013. It's becoming severe threats in seaborne trade with economic damage[5].

The predominant feature is that the place of pirate attacks moved from Somalia and West Africa to Indonesia and Southeast Asia. There were 162 pirate attacks out of 245, about 66%, in this area[6].

The damage of human life is remarkably increasing. A total of 479 people were damaged in 2014; 4 killed, 13 injured and 442 hostages. A total of 304 people damaged in 2013; 1 killed, 21 injured and 304 hostages. This shows that pirate attacks have radicalized and brutalized.

2.1.2. International organizations and three northeast Asian nations' policies

UN made punishment rules of pirates by maritime law('82) and has assigned international legal justification of the international community participation and action through mandates of five times[7].

IMO has raised the problems of pirate attack's damages since 2005 and advised to hire PCASP.

It has chosen a general assembly at the 27th special board of directors in 2013.

ReCAAP(Regional Cooperation Agreement on Combating Piracy & Armed Robbery against Ships in Asia) set up joint response system for eradication of pirate and ship armed robbery in Asia in 2004 and has strengthened international cooperation with

information exchange among united nations and training simulation of pirate attacks etc.

South Korea dispatched a LINX helicopter and a destroyer of 4500 tons to Africa sea sector in April in 2009 and killed 8 pirates, captured 5 pirates alive and transferred into the country and put them into trial from the hijacking of the third Jewelry in January in 2011. After that, Korea Coast Guard proposed the special law of dealing with pirates to smooth the progress of punishment in 2013 so it's pending at the national assembly.

China has actively participated in anti-piracy operation, sending 2 destroyers and a supply ship to Somalia waters and the Gulf of Aden in late 2008. It showed the USA and other countries that China was willing to carry out a bigger military role in the world through Chinese navy's international anti-piracy operation[8].

Japan has sent 2 destroyers of 4000 tons and 2 of P-3C maritime patrol planes to Somalia waters and the Gulf of Aden since March in 2009[9]. They made "Piracy penalties and law of handling.

pirates" on 19 June 2009 and authorized their self-defense forces to act for protection of not only Japanese ships but also other countries' ships[10]. There are also 8 coast guard international detectives on the board to arrest pirates in the act and running long-distance flight training once a year to Middle East and Europe for transporting pirates by affiliated aircrafts.

2.1.3. Evaluation

There is no problem by international law as three northeast Asian nations are fighting off pirates activities with warships as UN convention on the law of the sea. However, there are possibilities of legal wrangles in trial jurisdiction arresting and punishing pirates. There are also problems of legal grounds related to transportation by other countries' convoys not by its own country's convoy and the extent of damage.

Japan made the special law to accept this kind of situations by domestic law. However, South Korea and China are inadequate to deal with these problems as navy's activities are

based on the temporary law and punishment of pirates is applied by criminal law.

Japan has no legal issues as there is a maritime safety agency sheriff on the self-defense forces for arresting and detaining pirates apart from legislation policy, but South Korea and China need to supplement policies to prevent international legal dispute because they arrest and detain pirates by the military.

In addition, the pirate plunder is moving to Indonesia and Malaysia recently, so there is new need for action such as East Asian countries' cooperation and the regional countries' joint confrontation etc.

2.2. Marine terrorism threats and the international community's policies

2.2.1. Marine terrorism threats' situations

Marine terrorisms has been increasing since the 20th century, this is because international society has prepared various countermeasures against air terrorisms so terrorists have changed their targets to maritime vessels. For example, Portuguese Santa Maria's hijacking in 1961, AchilleLauro's hijacking in 1985, American destroyer U.S.S Cole's explosion in the Gulf of Aden, Yemen in 2000, French oil tanker M/V Limburg's crash near east coast of Yemen in 2002 etc.

The world economy cannot help being hit hard by blocking main sea lanes by terrorism as most world's import and export goods are transported through shipping.

However, each country has a difficulty of coping with terrors because of various terrors' targets like ships, ports, ocean facilities and limited resources. In addition, there is no clear definition of terrorism in international law, so there is concern of confusion about establishing policies and exercising of jurisdiction of the terrorists[7].

2.2.2. International organizations and three northeast Asian nations' policies

IMO has adopted SUA(Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation) on 10 March

1988 because of Italian luxury cruise ship AchilleLauro's hijacking on 7 October 1985 and has approved jurisdiction about "the destruction of ships and criminal damage of goods" so it has prevented from the states of affairs which criminals go unpunished by lack of proper jurisdiction.

However, SUA doesn't apply to the ships which were used for terrorism and carried weapons of mass destruction so it's added 'transportation of terror related equipment' in criminal acts and 'boarding inspection and search provisions' and proposed the regulation which is that the nations cannot refuse the request of criminal extradition in 2005.

South Korea joined in 1988's SUA in May 2015 and made 'Punishment of damaging ships and sea structures act' as a domestic law, but hasn't joined in 2005's SUA. China and Japan also jointed in 1988's SUA but not in 2005's SUA.

In terms of countermeasures against maritime terrorism, South Korea is working on preclusive response activities of main ports and critical facilities and also for safety of liners' passengers by Korea Coast Guard. Japan is performing for the same purpose as South Korea by Japan Coast Guard.

2.2.3. Evaluation

Three northeast Asian nations have formed a consensus with the international organizations and actively participated in joint confrontation with concerns about increasing marine terrorism since the 20th century. The three nations all joined in 1988's SUA and have enforced the policy, but remained without joining in 2005's SUA which was tightened regulations after the 9.11 terror.

This is regarded as the way they have taken because an official inspection for suspicion of terrorism in the international waters has advantages for the nation's exertion of authority but they have to agree to other countries' inspection requests on their own ships sailing in foreign waters so there are passive stances and apprehension of infringe on nation's sovereignty.

The positive change of attitude is being requested like acceptance of international rules

through domestic legislation as 2005's SUA strongly impacts to other countries and will contribute to maritime terrorism prevention as an international legal justification and treaty.

2.3. Weapons of mass destruction transport threats and the international community's policies

2.3.1. Weapons of mass destruction transport threats' situations

The term 'Weapons of Mass Destruction' was used as "Threatening nuclear weapons which destroy everything" before Cold War. However, it's defined as "The weapons which have tremendous destructive power that kills many people in a short time" in the UN Security Council resolutions 687.

After getting intelligence about North Korea's cargo ship, Seo San Ho, carrying nuclear-related material to East Asia to Middle East area in December 2002, American and Spanish warships found 15 Scud missiles and warhead, but Yemen's government admitted the import of the parts and promised to not to give to other groups so they couldn't seize the weapons and discharged it That caused the discussion specifically about threats of vessels carrying weapons of mass destruction in the international society.

Transport of weapons of mass destruction has emerged as a serious factor of threats of the world peace since North Korea carried out nuclear tests in Hamgyung-Do Whadae-ri 6 October 2006, Hamgyung-Do Gilju-Gun area underground 25 May 2009 and Hamgyung-Do Gilju-Gun area 12 February 2013 and also IS declared a nation of Islam and committed continuing terrorist acts in Middle East area.

2.3.2. International organizations and three northeast Asian nations' policies

American president George Bush announced Proliferation Security Initiative(PSI) for the first time at the speech in Krakow, Poland in May 2003 and 11 nations submitted the bill jointly on the agreement about PSI principle of interdiction in Paris in September and got into the actions.

South Korea didn't join in the PSI immediately due to concerns around the Korean peninsula military collisions but approved PSI's principles and became a member of the PSI on 26 May, next day of the day when North Korea tested the nuclear weapons on 25 May 2009.

China has shown reservations because it could obliterate the freedom of the seas under international law but has agreed to the fundamental principles which prevent proliferation of weapons of mass destruction.

Japan has participated from the beginning as a joint initiative nation since 2003. Particularly they legislated 'The special law enforcement about investigation of North Korean's cargo ships' and authorized Japanese Coast Guard and Self-Defense Forces to investigate North Korean's ships if there are suspicious freight transports including missile-related materials. This is followed by UN mandate 1874 about nuclear weapons test on 15 May 2009 and a rocket launched on 5 April 2009[9].

2.3.3. Evaluation

Three Northeast Asian nations has agreed to PSI led by the USA as there are concerns about North Korean and Iranian marine transport weapons of mass destruction with terrorism. However, they have taken different actions because of relationships with North Korea.

South Korea has joined in lately because of worry about Korean Peninsula conflict and China shows a negative position as it could cause bad effects in alliance with North Korea. Japan has participated from the beginning of PSI with the burden of North Korea's threat.

South Korea, China and Japan need to take active participation in PSI for the establishment of world peace which is common purpose of mankind and also for the prevention of war and large-scale massacre.

2.4. Ship and port cyber terrorism threats and the international community's policies

2.4.1. Ship and port cyber terrorism threats' situations

There are shipbuilding techniques combined with SAN(Ship Area Network) which connects one network with on-board equipment like engine system, automatic navigation system, automatic identification System, CCTV etc. and IT using communication service via satellite in recently built ships.

In addition, maritime communication infrastructure's core, AIS(Automatic Identification System) is consisted of antenna, VHF transceivers, GPS receiver, radar, electronic chart display and information system, interface, monitor etc. with SOTDMA(Self Organized Time Division Multiple Access) techniques that mariners can judge the situation quickly with real-time monitoring of sailing. These functions are also used in Vessel monitoring system, speedy search and rescue and vessel track referrals etc.

Decoding software which can get the transferred information like ship's name and unique identification number, type of ship and freight, real-time route, the port of destination and arrival date etc. from automatic identification system which is sent by VHF and portable radio receiver by personal computer's USB interface are sold through the internet. There are also websites which can check sailing ships' types and route information in real time around world.

It can be used in resending falsified information after collecting and analyzing information through these methods. It can make maritime systems useless and cause severe threats of ships' safety because it can create confusion by sending forged information to other ships and land control center after getting the target ship's information.

There was this kind of case that VTS(Vessel Traffic management System) was hacked in Julianam-do Jindo coast in South Korea on 22 March 2011, so the national radar of monitoring the southern coast was helpless and couldn't do vessel tracking and monitoring and also wasn't able to do control service for 20 days. In Mexico, there was offshore drilling facility was paralyzed by connecting with machine which infected by malware in the Gulf of Mexico.

2.4.2. International organizations and

three northeast Asian nations' policies

The USA investigated about cyber safety management through US PATRIOT ACT and homeland security act and security breaches and also prepared a countermeasure after 9.11 terrors.

Obama administration established presidential cyber coordinator which is called CZAR and authorized to control whole governmental cyber security policy[11].

South Korea doesn't have a professional response department or organizations dealing with marine cyber terrors yet, although there are the national cyber security center belongs to the national intelligence service and cyber security agency belonging to national police agency against cyber terrors in land.

China and Japan also have a department of land's cyber terror but don't have a department of marine cyber terror, so it's in vulnerable situation.

2.4.3. Evaluation

It is the fact that three northeast Asian nations haven't been concerned much about the marine cyber terrors because there were almost none of marine cyber terrors in comparison with land's cyber terrors to destroy important national facilities and to paralyze military facilities by North Korea and a few countries.

However, it's predicted to have mass chaos if the marine cyber terrors occur and make the radar stop. Especially there are possibilities of large-scale deadly consequences and port state of paralysis if it paralyzes the fog signal equipment targeting large cruise ships and passenger liners or cause confusion on VTS's operation in main ports.

It needs to prepare countermeasures against marine cyber terror which is a new type of terrorism, forming international co-operation network with international organizations like IMO and consultative groups against illegal cyber invasion like hacking and strengthening of international exchanges and reinforcing defense by virtual training etc.

2.5. Drone threats and the international community's policies

2.5.1. Drone threats' situations

Drones have rapidly come to the forefront by mega industrial IT corporation's applicable planning announcement in early 2010 and they are fast changing from military purposes to commercial purposes with advancing technology.

The size of the drone market in the world will be estimated at 891 hundred million dollars in 2022 from 65 hundred million in 2013 for 10 years.

Drones are used in agriculture, search and rescue, filming movies, photography shooting, observing nature, security, border surveillance etc. and also will be used in measurements of the sea floor, public waters management, fishing ground management so there are concerns that they could be threat factors of maritime security.

There was an international conference that 6 North Pacific Ocean Maritime security agency heads from South Korea, The USA, Canada, Japan, China and Russia joined at NPCGF(North Pacific Coast Guard Forum) in Seoul for 5 days from 14 to 18 September 2015. Japan which is in charge of Maritime Security Working Group introduced newly emerging maritime security threats, UAV(Unmanned Aerial Vehicle) for the first time at the international conference.

2.5.2. International organizations and three northeast Asian nations' policies

The USA and each country have entered the legal review to regulate side effects that drones invade privacies and detect national security facilities but they couldn't find equitable compromise between economic revitalization and regulation.

The USA is making regulations which specify certain standards of operator's license retention within 1 to 2 years at FAA(Federal Aviation Administration).

South Korea, China and Japan need to prepare a countermeasure because they don't

have specific plans or policy about drones, although they have acknowledged the need for regulation against drone threats.

2.5.3. Evaluation

The three northeast Asian nations have recognized the drone as a new threat of ships and ports as there are high commercial demands of drones which were used only for military before. However, they couldn't set up positive adjustment policies yet as drones' purposes focused on economic effects against security.

North Korea keeps threatening with sending military drones to South Korea so it is becoming a serious threat factor. South Korea, China and Japan which are adjacent to North Korea need to establish a joint riposte to security risk of drones and to strengthen international exchange and information interaction.

3. Countermeasure against Maritime Security Threats

3.1. Active legislation enforcement

South Korea, China and Japan didn't join at SUA about marine terrorism in 2005 and they are relying on existing criminal laws about eradication and punishment of pirates except Japan.

It is reckoned to be helpful to join in the international convention and accept into a domestic law for safety maintenance in east Asia against maritime security threat of increasing pirates in southeast Asia like Indonesia etc. and North Korea's insistent nuclear missile threats.

It needs to prepare countermeasures establishing guidelines of certain standards with the international organizations as illegal actions is expected like destruction and paralysis of ship and port facilities by cyber terrorism and drones. For example, coast pilots and captains of ships have to carry portable AIS and also marine and port experts have to give positive consideration in imposing ports control system by at the same time[11].

3.2. Foundation of the international maritime police agency

All vessels are guaranteed freedom of sailing in other countries' territorial waters as long as they don't harm the ground rule of the innocent passage by international law. It is not easy to find out suspicious ships when they pass through other countries' waters after maritime accident because of the rule.

In land, there is the international organization, ICOP(International Criminal Police Organization) established in 1956 with the purpose of quick solution of international crimes and prosperity of each country police agency. ICOP arrests and hand over wanted criminals who fled to other countries after commit crimes like terror, organized crime, crime against humanity, genocide, war crime, pirate, narcotic crimes, human trafficking, cyber crime, corruption and irregularity and intelligence-gathering activity etc.

If there is a unitary police agency for the maritime security, it can deal with the international crimes threatening maritime safety and support delivering related information to coastal states quickly in marine accidents.

3.3. Reinforcement of international exchange and information interchange

NPCGF is an international exchange organization of maritime security in the North Pacific area which six nations including South Korea are joining in. It is composed of five working groups of drug smuggling, illegal fishing, crisis response, joint training and maritime security and is contributing to prevention and countermeasures against crime and terrorism. However, the members of nations are in the North Pacific area so it has a limitation of joint confrontation against maritime security threats as it doesn't include Southeast Asian nations in reality.

Therefore, eastern Asian nations which are used for main transport routes need to join NPCGF for expansion of the international exchange.

3.4. Expansion targets of criminal jurisdiction

The criminal jurisdiction under the current international court of justice is specified in 7 sectors which are crimes of genocide, crimes against humanity, war crimes against people, war crimes against property and rights, war crimes about humanitarian operations and package identification. However, there is a limited response as the marine terrorism is not included in the crime against humanity.

The marine terrorism can cause catastrophe as an illegal act against humanity with piracy as mutual enemies in the international community, so it has to be punished in expanded targets of criminal jurisdiction beyond politics, religions, culture and ideology.

4. Conclusion

Safety secure of sea lanes has become a national assignment which is directly connected to global survival to the three northeast Asian nations, South Korea, China and Japan which are dependent on trade through the sea.

This thesis shows that each nation has put in a great deal of effort in order to keep the maritime order from the threats like pirates interfering ships' free passages and disconcerting marine trade orders and there have been considerable achievements. However, there are limits of united countermeasures because three northeast Asian nations have different stances in cultural, social and political situations.

It will be an important matter how to deal with security issues and unite continuous efforts against new threats like cyber terrorism and drones with typical maritime security threats. I hope that stable environments of maritime security in eastern Asia come true through careful consideration about a few countermeasures shown on this thesis and reflection of the policy.

5. References

5.1. Journal articles

- [1] Kim SK. Understanding Maritime Disputes in Northeast Asia. *Issues and Nature*, 23(2), 205-225 (2008).
- [5] Soon GT. A Study on Privately Contracted Armed Security Personnel in Response to Piracy. *Korean Institute of Criminology*, 26(2), 335-360 (2015).
- [7] Kim SK. A Comparative Study on Maritime Security Related Legislations in Korea China and Japan. *Journal of International and Area Studies*, 21(3), 63-91 (2012).
- [9] Kim SK. Maritime Security Initiatives in East Asia: Assessment and the Way Forward. *Ocean Development & International Law*, 42(3), 227-244 (2011).

5.2. Books

- [4] Klein N. Maritime Security and the Law of the Sea. Oxford University (2011).

5.3. Additional references

- [2] UN. Oceans and the Law of the Sea Report of the Secretary General (2012).
- [3] <http://www.navy.mil/maritime/> (2016).
- [6] An Accident Pirates Worldwide Trends 2014. Ministry of Oceans and Fisheries (2015).
- [8] Peter AD. Charting a Course: U.S-China Cooperation at Sea. China Security (2009).
- [10] <http://www.npa.go.jp/> (2016)
- [11] Korea Coast Guard. White Paper (2009).

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The Study of Supporting Situations and Future Directions for Prevention of Juvenile DELINQUENCY from Multicultural Families in Republic of KOREA

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Abstract

There are problems that budget and manpower are not fully used with overlapped service of each department and focusing on social welfare of policies of resident foreigners although there are rising crimes and criminal victims with increasing multicultural families.

In terms of advanced research about multicultural families, only daily life and social welfare sides have been intensively studied on multicultural family's adjusted life in South Korea, domestic violence and support, children's adoption to school and social welfare service.

This study has raised in needs of macroscopic and long-term point of view and confrontation against conflicts and confusion with risks of multicultural family's juvenile delinquency which can be a serious matter in Korean society in the future.

Supporting situations and directions for prevention of multicultural family's juvenile delinquency have been analyzed in this study on the need for this purpose. The purpose of the study is to look through supporting situations and future directions for prevention of juvenile delinquency from multicultural families. There were in-depth interviews with related professionals from multicultural family support center for marriage migrant women and adolescents, youth support center and the police stations for the study from 8 to 10 January 2015.

The results of in-depth interviews and case analysis are as below.

The supporting projects are mainly focused on Korean language education and welfare. There is not enough publicity about the supports because of a lack of cooperation system among the organizations. Particularly, the supports for prevention of juvenile delinquency from multicultural families and school violence is nearly nonexistent. There is also the factor that breakaway of marriage migrant women has a bad influence on their children and leads to delinquency.

Based on the analysis, we can discuss the following standpoints to establish political directions for prevention of juvenile delinquency from multicultural families.

First, it is urgent to produce professional education programs for establishment of identity and fostering confidence as supporting programs for adolescents of multicultural families.

Second, customized educational programs are needed for forming their right values and learning standards.

Third, the supporting programs which strengthen or recover the relationships between parents and children are required.

Fourth, the reasons of the occurrence of juvenile delinquency of multicultural families are school maladjustment, parents neglect, broken family, economic plight, low self-esteem and identity crisis etc.

Fifth, cooperative infrastructure among related organizations is required for the supports of multicultural families and actual management of incidents with setting up combined organizations for prevention and response of the juvenile delinquency from multicultural families.

[Keywords] Policing, Multicultural of Juvenile, Delinquency Risk, Multicultural Family, Multiculturalism Policy

1. Introduction

There are social issues of multicultural families' matters which Korean society has to solve because of rapidly increasing multicultural families and their children currently. The strategic policy is required for crime prevention and protection from multicultural family's juvenile delinquency, crime occurrence and victim as multicultural families are continuously increasing in the future[1].

Therefore, this study examined the supporting situations and future directions of multicultural family's juvenile delinquency in order to prepare for rising multicultural status. There were one to one in-depth interviews with related professionals from multicultural family support center for marriage migrant women and adolescents, youth support center and the police stations for the study.

2. Theoretical Background

2.1. The concept and characteristics of the multicultural family adolescent

Multicultural family adolescent means youths who grow up and live in over two cultures. With this definition of multicultural family adolescent, there are three types of multicultural family adolescent, which are firstly children of international marriage immigrants, secondly children of foreign workers, thirdly children of refugees from North Korea.

In terms of multicultural family adolescent's characteristics, there are firstly difficulties of adaptation of physical differences, secondly immaturity of the use of language, thirdly troubles in the economic environment, fourthly psychologic problems and fifthly difficulties of the social integration[2].

2.2. The current state of multicultural families' children in South Korea

The current state of multicultural families' children is in the <Table 1> as below. It shows that the number of multicultural families' children are 191,328 in total in January 2013 and the study's target adolescents, between 13 years and 20 years old, are 29,476, which is 15.4% in total.

Table 1. The current state of multicultural families' children[3].

Category	Total	Under 6 years old	7-12 years old	13-15 years old	16-18 years old
Numbers of children	191,328	116,696	45,156	18,395	11,081
Rate	100%	61%	23.6%	9.6%	5.8%

2.3. The concept and characteristics of the juvenile delinquency from multicultural families

The juvenile delinquency from multicultural families is similar to general teenager's delinquency except the difference of the family backgrounds. Therefore, there is no juvenile delinquency only from multicultural families, so the difference is that teenagers from multicultural families, not from common families, commit misdeeds[4][5]. However, there are other characteristics as the reasons of juvenile delinquency from multicultural families are different from general teenagers be-

cause they have unusual domestic environmental factors and the influences from friends and schools[6][7].

3. Research Methods and Analysis Result

3.1. Research methods

The research was taken place with related professionals from multicultural family support center for marriage migrant women and adolescents, youth support center and the police stations by one to one in-depth interviews from 8 to 10 January 2015 in order to

take a look at supporting situations and future directions for prevention of juvenile delinquency from multicultural families.

Firstly, the professionals, who are supporting multicultural families, were selected by recommendations from each area's multicultural family support centers and citizen organizations for the in-depth interviews and secondly, suitable interviewees from multicultural family support centers, youth support center and the police stations were selected during the interviews with the professionals.

The core questions for in-depth interviews were composed as follows.

First, what are the services to support adolescences from multicultural families?

Second, how are supporting situations for prevention of juvenile delinquency from multicultural families? What are the needs for the future supporting directions?

3.2. Analysis result

In terms of the result of the in-depth interviews about the supporting situations and future directions for prevention of juvenile delinquency from multicultural families, currently there are counselling and visiting guidance services which are supporting for the prevention of juvenile delinquency in the multicultural family support center and the regional children and youth support center. There are occasions which the police visits and consults in cases of requests from the multicultural family support center and the regional children and youth support center but mainly deals with the matter after incidents. This shows that it needs systematic supports of specialized organizations of current crimes and delinquency.

Interviewee 1.

At the present, there is no place except here for teenagers from multicultural families to go after school, not like other students. The cases with teenagers who are not protected here are serious although the delinquency of teenagers who are protected here are less risky. <Ansan, Gyeonggido>

Specially, there are having more difficulties of using related centers where protect or support multicultural families' teenagers who are social misfits or committed misdeeds, so they are rather neglected in the blind spot. There are cases of turning to crimes of the neglected teenagers from multicultural families. Therefore, political supports with the programs like systematic counselling, protection and delinquency prevention is required only for juvenile delinquents from multicultural families.

Interviewee 2.

The center is focusing on supporting Korean language. From our standpoint, it will be nice if the police visits our center and counsel teenagers for prevention of juvenile delinquents or educate them about prevention of school violence actively. I think it will be more effective for promoting law-abiding spirits if the policemen give advices instead of general people. Particularly, there are many cases that immigrated Chinese teenagers are restrained from smoking regardless of places by schools as smoking is not a delinquency in China. It's not easy to persuade them although we explain to them why students should not smoke in Korea. I think this is because there is not enough education about basic life in Korea. <Ansan, Gyeonggido>

Especially, immigrated children of multicultural families have confusions about the concept of social order because of cultural differences between South Korea and their countries. Therefore, preliminary support system of the clear concept about Korean social order after immigration is needed to be established for those immigrated children. Also the police's education about Korean social order and prevention of school violence through visitation of schools and community children centers where are used by many multicultural families' adolescents.

Interviewee 3.

There is the ongoing case management which is operated by the associated local government only once a month. Mainly it's only for discussion about how to deal with the cases. It needs continuous supports for the teenagers who have the problems but there

is not enough budget for the supporting children of multicultural families as the support is currently focused on international marriage migrant women. There is a worry about multicultural families' adolescents who don't have places to go after school if the budget support from Ansan-Si is stopped as it's managed by them but we don't know how long they are going to support us. <Ansan, Gyeonggido>

Interviewee 4.

There is the problem as the programs for adolescents of multicultural families are in short-term events without connections of other programs. The support for the multicultural families needs not only to be systematically organised but also to be divided by periods and contents. <Siheung, Gyeonggido>

Interviewee 5.

There are lots of political supports from the government nowadays. There are supports from The Ministry of Health and Welfare and the Ministry of agriculture and Forestry for children of farmers and fishermen. Currently there is nothing much needed in particular, It just needs to be organised. People who know the information well are getting a lot of supports. It can be the reason that the government has different plans in each ministry, so there are many cases that the ministries do it as business for business with comprehensive plans, not for their own benefits although it's not their original works because there are issues with other existing organizations. <Cheonan, Chungcheongnamdo>

Interviewee 6.

I think that it's not a short of supports for the transnational marriage immigrants and multicultural families. Instead, the problem is that there are duplicate supports at different places without organised systems. <Ansan, Gyeonggido>

Interviewee 7.

There are no educational programs or supports related to prevention or damage of juvenile delinquency from multicultural fami-

lies and school violence. There is a lack of professional manpower even if the projects are conducted. I think that it is important to have professional law and order, related education systems and cooperative supports with related agencies as there will be increasing numbers of children from the multicultural families because of explosively growing married immigrant population recently. <Ansan, Gyeonggido>

Interviewee 8.

There are children, a girl of the fifth grade and a boy of the second grade in elementary school, who don't have a place to go after school where their teachers look after them until 5pm, are cooking and eating dinner by themselves because their migrant mother has run away from home and heir father has been diagnosed with terminal cancer so they are neglected, I am worried what happens to those children as their father's illness is getting worse and there are no neighbours in rural village. <Jeongeup, Jeollabukdo>

As the above interviews, professionals commonly pointed out that there are still blind areas as supports for the multicultural families have been increased quantitatively but there are duplicated supports and benefits. This means that there are problems with the delivery systems of the government's budget.

This is because the projects have been changed to government lead projects from citizen lead projects. Specially, the projects from Ministry of Gender Equality, Ministry of Health and Welfare, the Ministry of Education in the government organizations have expanded to Ministry of Agriculture and Forestry, Ministry of Culture and Sports, Ministry of Foreign Affairs and Ministry of Government Administration and Home Affairs with extension of multicultural families and have used existing beneficiaries without investigation which takes a long time with no experience[8][9].

There were meetings about delivery systems with the problems at multicultural forum and the Ministry of Health and Welfare's project announcement, but recent interviews

were not reflected on supporting multicultural families[10]. Therefore, establishment of delivery system is urgent to reflect on the spot immediately.

There is a high possibility of various rising problems in the future as there are less cases of juvenile delinquency of multicultural families and don't show up with difficulties of management although the social welfare services the customized support by each family at the front[2][11].

Particularly, the police's role is more important to reinforce public order in Korean society and to prevent school violence and delinquency of multicultural families.

Interviewee 9.

People are still not interested in multicultural families much otherwise they have a multicultural family in their relatives or neighbours although there are public relations socially. In my view, they just think as kicking stones in the street about aware of multicultural culture and multicultural family. Maybe they don't feel like it's serious as the difficulty of multicultural family doesn't appeal to them yet. That's what I've been felt about it. <Ansan, Gyeonggi-do>

Interviewee 10.

It will be nice to establish the accessibility of services like transportation network systems in terms of information delivery as the information is heard from friends in the most cases. <Siheung, Gyeonggi-do>

All professionals pointed out the lack of public relations about supporting situations and future directions for teenagers of multicultural families and suggested expansion of public relations.

They said that only minority of people know the information through friends because of the lack of publicity although there are many supporting programs for multicultural families from the government, local authorities and civic organizations.

It is the concern that the political programs prone to display of administration. There is a possibility that not only the programs without participation can make the various proposals

to be buried but also compilation of the budget and the existence of the programs are nominal with similar programs. Therefore, it's urgent to build network to link each multicultural family after producing the programs.

4. Conclusion and Proposals

The purpose of the study is to look through supporting situations and future directions for prevention of juvenile delinquency from multicultural families. There were in-depth interviews with related professionals from multicultural family support center for marriage migrant women and adolescents, youth support center and the police stations for the study from 8 to 10 January 2015.

The results of in-depth interviews and case analysis are as below.

The supporting projects are mainly focused on Korean language education and welfare. There is not enough publicity about the supports because of a lack of cooperation system among the organizations. Particularly, the supports for prevention of juvenile delinquency from multicultural families and school violence is nearly nonexistent. There is also the factor that breakaway of marriage migrant women has a bad influence on their children and leads to delinquency.

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Second, customized educational programs are needed for forming their right values and learning standards.

Third, the supporting programs which strengthen or recover the relationships between parents and children are required.

Fourth, the reasons of the occurrence of juvenile delinquency of multicultural families are school maladjustment, parents neglect,

broken family, economic plight, low self-esteem and identity crisis etc. The patterns of their deviation and delinquency are similar to general students in reality except that they are from multicultural families. In terms of the motive of delinquency, there are cases related to the characteristics of the multicultural families and also cases not related. Therefore, it needs suitable political supports and systematic actions in the future with empirical analysis on their delinquency and search for the cause.

Fifth, cooperative infrastructure among related organizations is required for the supports of multicultural families and actual management of incidents with setting up combined organizations for prevention and response of the juvenile delinquency from multicultural families. Specially, the formation of relationship among the police, the centers and probation offices which accept adolescents of multicultural families is requested.

5. References

5.1. Journal articles

- [1] Yun GH & Jang LS. The Study on the Basic Research for Integrated Social Community Development Crime and Safety Indicators - Analysis of the Correlation between Delinquency Risk Factors of Juvenile of Multicultural-. *Journal of Police Science*, 10(1), 149-177 (2015).
- [4] Garcia Coll C & Szalacha A. Children of Immigrant Families: The Multiple Contexts of Middle Childhood. *The Future of Children*, 14(2), 1155-1167 (2004).
- [5] Bogart JG & Stevens SJ & Hill RJ & Estrada BD. Criminally Involved Drug-using Mothers: The Need for System Chang. *The Prison Journal*, 85(1), 861-878 (2005).
- [6] Khanlou Nazilla & Jane G Koh & Catriona Mill. Cultural Identity and Experiences of Prejudice and Discrimination of Afghan and Iranian Immigrant Delinquency. *International Journal of Mental Health and Addiction*, 6(4), 494-513 (2008).

- [8] Joseph HB & Kenneth JZ & Jane EH & Granville AD & Donna A & Erika C. A Review of the Long-term Effects of Child Sexual Abuse. *Child Abuse and Neglect*, 16(1), 101-118 (1992).
- [9] Bennett EM & Kemper KJ. Is Abuse during Childhood a Risk Factor for Developing Substance Abuse Problems as an Adult?. *Developmental and Behavioral Pediatrics*, 15(6), 426-429 (1994).
- [10] Bogart JG & Stevens SJ & Hill RJ & Estrada BD. Criminally Involved Drug-using Mothers: The Need for System Change. *The Prison Journal*, 85(1), 65-82 (2005).
- [11] Widom CS & Ames M. Criminal Consequences of Childhood Sexual Victimization. *Child Abuse and Neglect*, 18, 303-318 (1994).

5.2. Books

- [2] Mumola CJ. Incarcerated Parents and Their Children Bureau of Justice Statistics Special Report. U.S. Department of Justice (2000).
- [7] Marsha T & Steve W & Harvey W. Multicultural Issues in the Criminal Justice System. Allyn and Bacon (2002).

5.3. Additional references

- [3] Security Administration on January 1 (2003).

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Research field

- A Study on Influencing to Prediction Risk Factors of the Delinquency Experience on Juvenile of Multicultural, *Journal of Korean Police Studies Review*, 14(2) (2015).
- The Study on the Basic Research for Integrated Social Community Development Crime and Safety Indicators - Analysis of the Correlation between Delinquency Risk Factors of Juvenile of Multicultural-, *Journal of Police Science*, 11(2) (2016).

Major career

- 2010~present. Korean Police Studies Association, Director
- 2016~present. International Society for Police Science, Editor in Chief