



Press Release

Taipei District Prosecutors Office

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Chen Chang-wen, a lawyer who continuously published the articles on Opinion Square in China Times, said: "It is time for the Special Investigation Division to resume." "Adhering to the presumption of innocence is the basic requirement of the country under the rule of law." In connection with our investigation and the false statement of the law firm partners outside the court and undermines the fairness of the judiciary, the Taipei District Prosecutors Office has to clarify in order to ensure a correct understanding of the facts::

1. First, Chen's article mentioned wrong cases which misled the public :

Chen's article made a misunderstanding that the Taipei District Prosecutors Office prosecuted President Ma Ying-jeou who was not indicted by the Special Investigation Division before. (1)The leaking secret information case of the Attorney General Huang was investigated by the prosecutors in Taipei Distract Office, not by the Special Investigation Division.(2)The target of the investigation is the defendant Huang Shih-ming, not the formal president, Ma Ying-jeou. The defendant, Ma Ying-jeou, as the 13th president of the ROC, he

has criminal immunity and can't be investigated and prosecuted. The pre-press release on April 14, 2017 contains a very detailed explanation. Mr. Chen previously submitted the wrong conclusion: "Since the Special Investigation Division was abolished, many former cases not prosecuted by the Special Investigation Division had been reinstated." After the Taipei District Prosecutors Office pointed out that "there is no statistical data and no one is given", not only He did not apologize to the people for loose talk but he also wrote an article intending to shift the subject. He said: "To be exact, there are cases of reopen after dismissed and closed, not after decision of not indicted and prosecuted ". These statements mislead people and could violate Code of Ethics of Lawyers, Article 6: "Lawyers should exercise caution to comply with the conduct and dignity of a lawyer's profession."

2. Chen's article mentioned that, "Legislator lobby the judiciary which is not related to the public interest" and so on, accused of populism, never seen in the indictment. As for Chen's opinion about the Taipei District Prosecutors Office prosecuted the defendant, Ma Ying-jeou for leaking the information and secrets and based on "Legislator lobby the judiciary which is not related to the public interest", it is purely a blatant accusation. The biased argument has never been seen in the indictment. By way of column, deliberately distorting the Taipei District Prosecutors Office position outside the courtroom, Lawyer Chen has suspicion of interfering with the judicial fairness. "No penalty without a law" is the basic principle of criminal law. That is why nothing happened to illegal lobbyists. Because the criminal law at that time did not punish the illegal lobby and the former President Ma has never made any criminal law about this conduct, the illegal lobby was not punishable on the occasion of the crime. The details can be seen in the press release on April 18, 2017.
3. The Taipei District Court's decision upheld the fact that the Taipei District Prosecutors Office prosecuted the defendant, Ma Ying-jeou, for breach of confidentiality. Members from all walks of life did not recognize the innocent grounds for "inter-Yuan mediation power" Chen's article mentioned "Ke Jian-ming's private prosecution of Ma's leak case was acquitted by the first instance and the High Court." "The Taipei District Court also found Ma not guilty in the first instance" Chen concludes that "The Taipei District Prosecutors Office appealed the case and wasted judicial resources, which is also against the

double jeopardy protection. "and so on. However, Ke Jian-ming's private prosecution of leak case and the Taipei District Prosecutors Office's prosecution of defendant Ma Ying-jeou's leaked cases belonged to different facts. The judgment of this case was confirmed by the No.3 case in 2014(Ke's private prosecution). Chen mentioned "The charge is against the double jeopardy protection". Obviously he is not understanding the relevant cases. The Taipei District Court judged the defendant Ma Ying-jeou in the public prosecution case and found that the defendant Ma Ying-jeou's disclosure of the secrets other than national defense, the use of the secrets of communications surveillance and the use of personal data are all elements of the law (cited in No.1 case in 2017 in the Taipei District Court), admitting that the court also "supports" the fact that the Taipei District Prosecutors Office indicts the defendant, Ma Ying-jeou. However, the judgment of the first instance misleadingly referred to Article 44 of the President's "Inter-Yuan Mediation Right" in the Constitution as an obstruction of illegality in the case, which caused an uproar in the academic and practical circles. The Taipei District Prosecutors Office's appeal is in accordance with the law. Lawyer Chen does not read the Judgment reasons and relevant academic comments carefully and he comments on the judgment and the reasons of the Taipei District Prosecutors' appeal.

4. The defendant in the case of the Taipei dome deliberately operates the chiseling marks and the Taipei District Prosecutors Office gives full proof.

Chen commented on the case of the Taipei Dome and said: "Even though the prosecution has some doubts about the conclusion of the Li Shu-de Conference, we still can not ignore that the" zero operating royalty "did not emerge suddenly at the meeting, but existed initially. However, the relevant evidence in the case did show the fact that Li Shu-de repeatedly claimed that Yuan-xiong should pay royalties at the meeting of the council. This is evidenced by the bidding announcement of the Taipei Dome and the relevant records of the proceedings. All details before or after the date of the conference can be seen. In the meantime, Li Shu-de violated the decree and made a lot of false statements by himself. His predecessor, formal Director General Ye of Construction and Planning Agency , shuttled himself through the inter-agency. As the former Director, Ye forged documents and corrupted. There are clear evidence. Lawyer Chen

did not read the case file and the indictment including 494 pages and made a premature comment.

5. Lawyer Chen's false statements in public about the lawsuit cases which are defended by the partners in his law firm violate ethics of lawyers Paragraph 3 of Article 24 of the Code of Ethics of Lawyers stipulates that "a lawyer shall not make any statement on the case litigant openly or through the mass media to the detriment of the judicial impartiality before the verdict of the litigation is confirmed." Mr. Chen is the director and partner of the Lee & Li law firm. The defense lawyer of Ma Ying-jeou's leaking secrets cases is also in the same law firm. Making false allegations in columns, interfering with court trials and hindering judicial fairness not only violate the ethics of lawyers, but also undermine the professional dignity and honor of law-abiding officials.