



橋北臺と岸河水淡

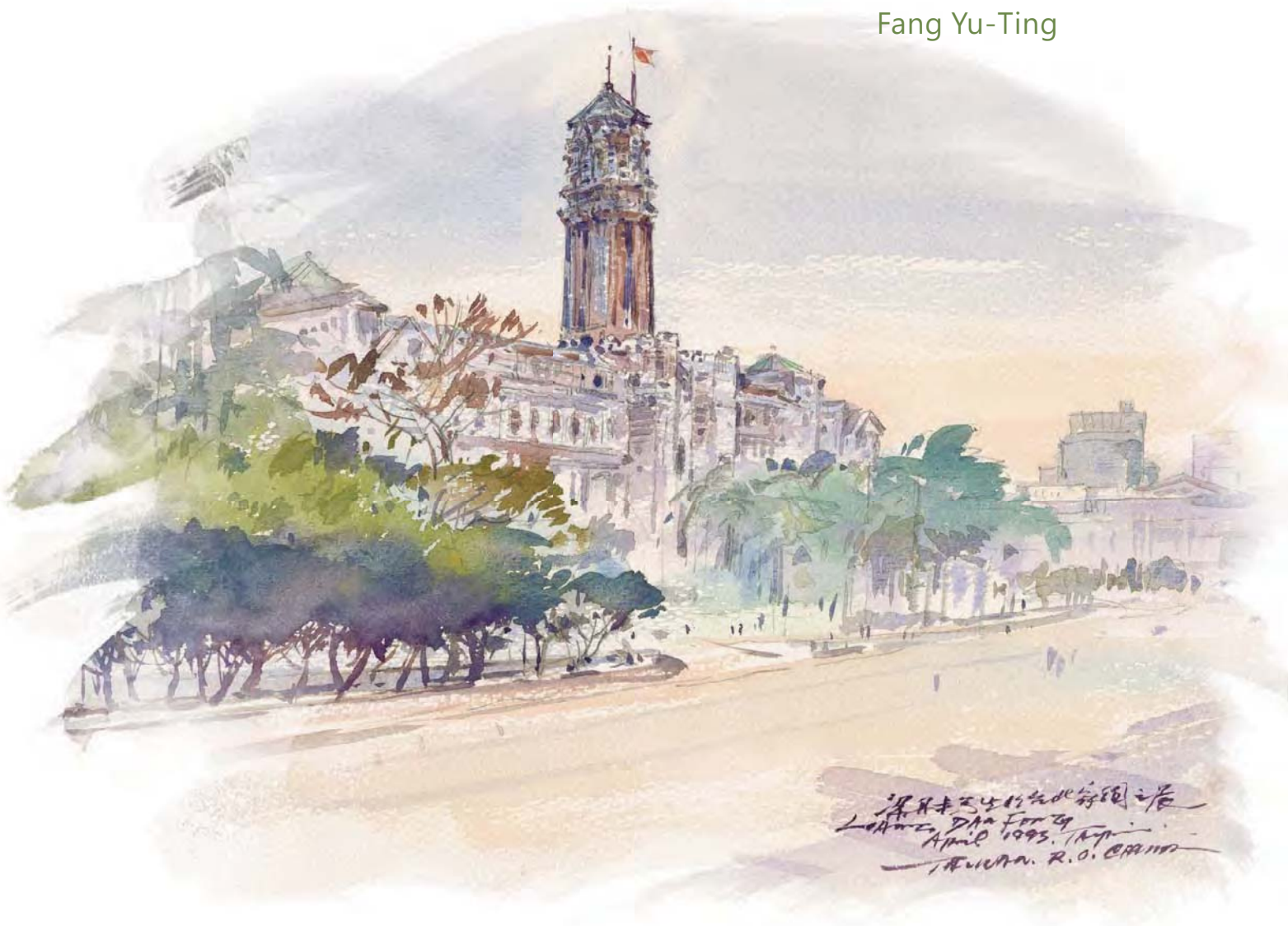
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The Taipei District Prosecutors Office under the Republic of China

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This article was written by Zhou Hui-Min, Gao Yong-Zhen, Fang Yu-Ting Prosecutor Investigator ; the painting: Office of the President, Liang Dan-Feng, National Library



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I. Judiciary under the Republic of China (ROC)

A. Early years: county judicial office system¹

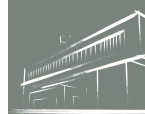
The County Judicial Office system was implemented in early years of nationalist government in accordance with the provisions of the "County Governor Concurrent Judicial Affairs Provisional Act" and "County Governor Trial Proceedings Provisional Rules" county governor was concurrent on judiciary until the government order to suspend. However, the selection of judicial personnel was usually submitted by governor to the president of high court for decision and appointment. They were usually served their tenure together with the governor and was unable to carry out their duty independently. There was almost no difference between judging and prosecution. Also the lawyer system was not applicable so there was quite a lot of malpractice. Since it was unable to establish courts nationwide, the system of governor concurrent on judiciary was unable to repeal completely, which could only be improved bit by bit.

On July 1, 1936 (the 25th year of ROC), the County Judicial Office Organization Act was proclaimed to become effective. The main improvements were: (1) the County Judicial Office appointed judges with independent execution of trial duty, and no longer concurrent by governor; (2) the governor served as prosecutor concurrently, so trial and prosecution was then separated; (3) judges were submitted by the president of high court to the Ministry of Justice Administration for approval and appointment, so their status, remuneration and qualification were also raised.

The County Judicial Office existed before the Constitution was proclaimed. After the Constitution was enforced, it was continued to use in regions where courts were not generally established. At the end of 1947 (the 36th year of ROC) there was 1,318 County Judicial Office apart from Xinjiang In 1951 (the 40th year of ROC) the

1.Excerpted from : "Period of Mobilization for the Suppression of Communist Rebellion Judiciary Administrative Summary"

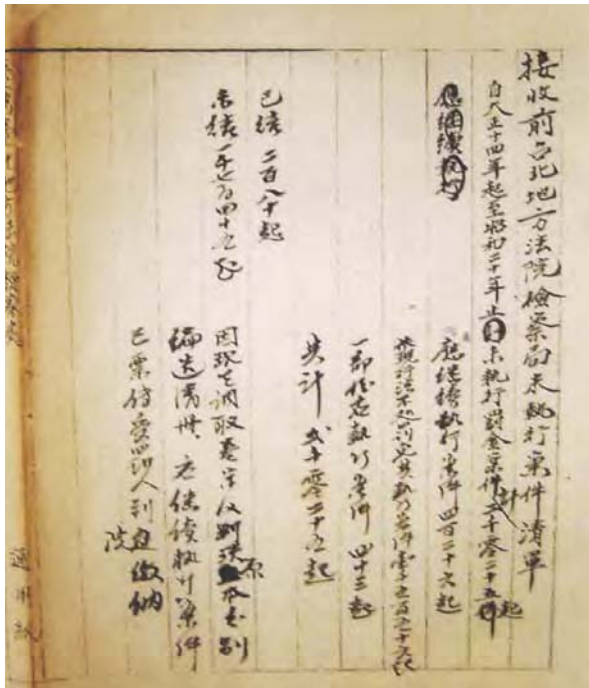
2.Sorted from: "Cross Age Justice- Prosecutorial System Century Review Commemorative Volume", Continued Amending Taipei County Records".



Ministry of Justice Administration, seeing that Fujian and Kinmen were still using the system, revised the County Judicial Office Organization Act. After legislative procedure, it was proclaimed and enforced by the President on January 4, 1952 (the 41st year of ROC). The important revisions were: 1. The County Judicial Office was not strictly restricted to the location of the county government. If the conditions were permitted, it may be set up independently; 2. Prosecution affairs of the County Judicial Office should be handled by prosecutors in principle while concurrent by governor as exception. Also the governor concurrent on prosecution affairs was limited to those who were qualified for prosecutor of the County Judicial Office to improve the efficiency of prosecution; 3. Judges of the County Judicial Office were of high grade and the remuneration was better than before. After the act was implemented for only three years, when the Fujian and Kinmen District Courts were established in 1954 (the 43rd year of ROC), the Act was invalidated upon expiration of implementation period.

B. The 34th year of ROC: receiving and redevelopment of judicial system²

Japan surrendered to the Allies on August 15, 1945 (the 34th year of ROC). On October 25 of the same year the nationalist government officially took over Taiwan. The prosecution system of the ROC was implemented in Taiwan on October 25, 1945 (the 34th year of ROC). During these two month period, the Japanese government remained possession of ruling power and the government offices remained in operation, so the original Governor-General of Taiwan Courts continued to handle civil and criminal proceedings until November 1 of the same year when handover of courts began. Thereafter the scope of jurisdiction of the judicial authority of ROC indeed never exceed Taiwan, and no court located outside Taiwan can overrule the decision of a court of Taiwan. This is a big difference with the past where the jurisdiction of ROC courts was all over China, and the Nanjing Supreme Court can overrule the decision of



List of unenforced cases received from the former Taipei District Court Prosecutors Bureau
Resources from: the display description of Prosecutorial Exhibition of Centurial Articles

a court of Taiwan. In 1949 (the 38th year of ROC) the central government of ROC was relocated to Taiwan to continue rule. Following the political, economic and social developments of Taiwan, the judicial system continued to evolve.³

Based on the principle that change of governing authority led to change of law system, the nationalist government announced to Taiwanese by office law no.

36 of the Office of the Chief Executive of Taiwan Province on November 3, 1945 (the 34th year of ROC). The announcement stated that from the date of take-over, "all laws and regulations of ROC should apply to Taiwan. Provisional laws may be enacted and proclaimed when necessary. As to the laws and regulations of Japanese rule, except those that suppressed Taiwanese or violated the Three Peoples Principle should be repealed, the rest should remained effective for the moment and would be gradually revised depending on the actual need."

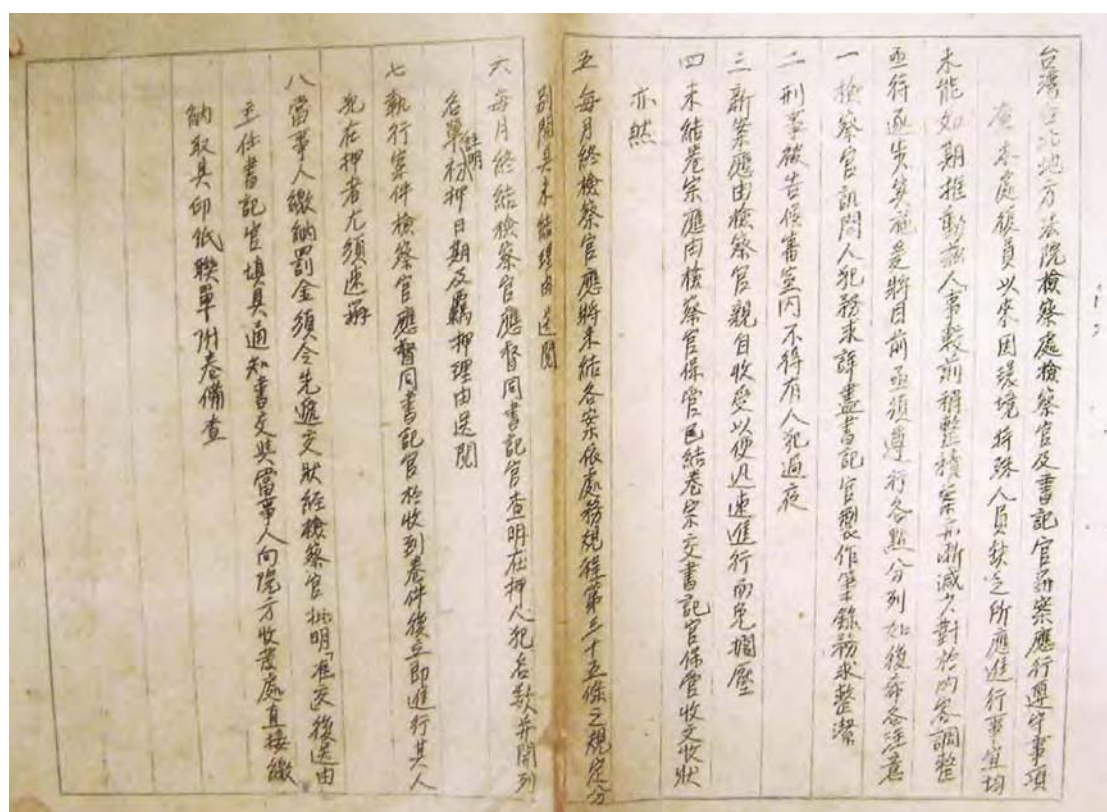
The ROC legal system began actual operation after November 1, 1945 (the 34th year of ROC). The Ministry of Justice Administration under the Executive Yuan of the nationalist government selected prosecutors and their superior officers from China to Taiwan to receive prosecution authority. However, Jiang Weizu, the selected chief prosecutor of Taiwan High Court, in his "receiving report" mentioned that due to lack of transport means, only four of the selected prosecution officers from China came to Taiwan. Also only a

3. Sorted from: "Cross Age Justice- Prosecutorial System Century Review Commemorative Volume", Continued Amending Taipei County Records".

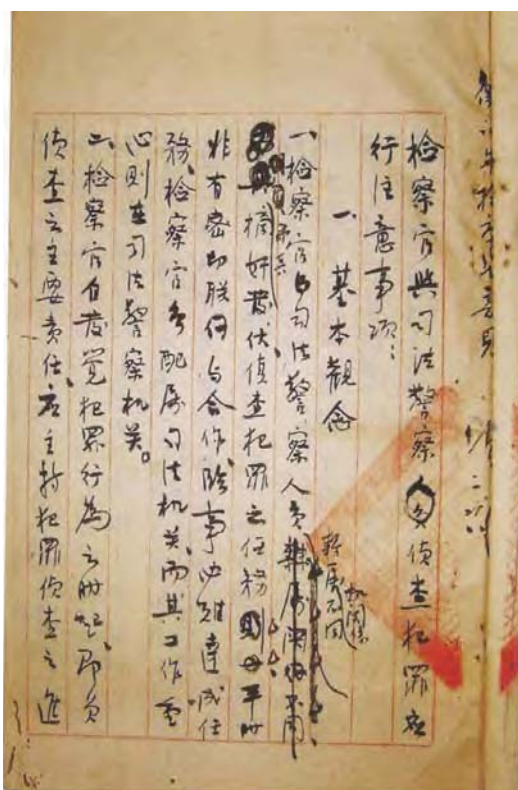


few of the selected judges and their superior officers arrived at Taiwan So Yang Peng and Liao Yan, sent by the Ministry of Justice Administration to Taiwan to receive the original High Court and Taipei District Court of the Governor-General of Taiwan as their first president, received the original High Court and Taipei District Court respectively. The prosecutors offices attached to these two courts were received on the same day by Jiang Weizu, chief prosecutor of Taiwan High Court, concurrent as the chief prosecutor of Taipei District Court.

Other courts out of Taipei, due to shortage of manpower, were unable to proceed receiving. The Taiwan High Court therefore ordered all other courts to work as normal as usual on November 16 but only demanded that all documents should change to use



Investigating Cases Compliance Items for Prosecutors and Clerks of Taiwan Taipei District Court Prosecutors Department received from Prosecutors Bureau during Japanese Ruling period
 Resources from: the display description of Prosecutorial Exhibition of Centurial Articles



Precautions for Prosecutors and Judicial Police Officers in Investigating Crimes in 1950
Resources from: the display description of Prosecutorial Exhibition of Centuria Articles

the year numbering of ROC. If the original laws and regulations of Japanese rule were in conflict with the laws and regulations of ROC, they should be submitted for instruction before adopting. All original staff remained in their positions.

On internal organization and duty of courts and prosecution authority,

the main change was the repeal of the Single Judge Division, Collegial Division, Review Division, and Appeal Division, and the remodeling of two-level courts, high courts and district courts. The units set up by the original Prosecutors Office were continued, including those that were not existed in ROC legal system such as "Prior Investigation Section" and "Thought Section". They were not in conflict with current laws and were also helpful for crime investigation, so they were maintained as the "Investigation Section" and "Intelligence Section". However, the judicial authority during Japanese rules would requisition polices at any time with no establishment of judicial police. After take-over police from police department of the Chief Executive of Taiwan Province were temporary requisitioned to handle judicial police affairs. Dedicated judicial police were recruited for training later.

The Taiwan High Court received the original "Jails". Besides renaming them as "Prisons", they were divided into "Detention Houses" for offenders before conviction (no such separation during Japanese rule). It also received the prosperous judicial protection service. Judicial protection



service was original supervised by the High Court of the Office of the Governor-General of Taiwan and the Ministry of Justice Administration. After the war it was jointly received by the Taiwan High Court and the Law Committee of the Office of the Chief Executive of Taiwan Province. Quite a lot of the original judicial protection service organizations them were of good performance and possession of property but most of them ceased activity after the

war while some of them even improperly disposed of their property. The Taiwan High Court after take-over, joined by the Law Committee to send officers around the island to investigate their property and activity, and handover the organizations to original Taiwanese person in charge to continue running. At the same time drafted the "Taiwan Provincial Judicial Protection Service Rules" for management. On November 11, 1946 (the 35th year of ROC)



The letter of order of Prosecutors should pay attention to the facts and truths in Investigating current judicial personnel in 1947
Resources from: the display description of Prosecutorial Exhibition of Centurial Articles

the "Taiwan Provincial Judicial Protection Association" was established.

The ordinary courts in charge of civil and criminal proceedings (compared to administrative court), together with the courts of the Office of the Governor-General of Taiwan, both succeeded the western "trial level system". From 1945 (the 34th year of ROC) onward, the ROC legal system, except a few exceptions, always let district courts to be responsible for the first trial of civil and criminal proceedings, high court for second trial of civil and criminal proceedings, and supreme court for third trial of civil and criminal proceedings. This was the "three-level and three-trial system", which was difference from the "two-level and four-division" for "three trial system" at late Japanese rule. Every trial at ordinary court was proceeded by "separation of trial and prosecution".

The process of proceedings and trial were also based on certain European continental litigation principles, such as the main body of litigation was court, plaintiff and defendant. Criminal proceedings were proceeded by mandate of prosecutor while civil litigations were proceeded by initiation

of plaintiff. Trial were open in principle but there were no jury trials. However, the ROC's Code of Criminal Procedure had the private prosecution system which allow victim to act as plaintiff while there was no such system during Japanese rule. The Code also repealed pre-trial system and passed the duty of pre-trial judges to prosecutors. The ROC's prosecutors possessed the compulsory execution rights to summon, arrest, custody, search, and seizure, which was similar to the same rights that prosecutors possessed under the Japanese rule. However, the provision of strong compulsory execution right of police officers under Japanese rule was abolished.

In 1953 (the 42nd year of ROC) the Executive Yuan sent the draft revision on the Code of Criminal Procedure to the Legislative Yuan and the joint committee of judicial and legal system started discussion and review on 17 principle issues such as whether any provision was conflict with the Constitution, building prosecution system under the constitutional system, adoption of jury system, whether to adopt proceedings by mandate of prosecutors



or proceeding by initiation of plaintiff and private prosecution. However, the government seniors were used to the operation model of early constitutional training period, and legally it was the period of mobilization for the suppression of Communist rebellion under the martial law, which emphasis the supreme authority of government, so the final revision of the Code of Criminal Procedure proclaimed and enforced on January 28, 1967 (the 56th year of ROC) only had minor revision to trial procedure and evidence investigation. The overall criminal procedure system remained largely unchanged. The design remained stressing mandate of prosecutors and the actual operation of criminal proceedings inclined to inquisitorial-ism.

At that time the judicial prosecution system was largely hindered by military authority. After Taiwan, adopted the ROC legal system in 1945, the police units were no longer allowed to make their own decisions on minor crimes as if during the Japanese rule period. The police authority could only make their own decisions on irregularities that were no longer considered as crime. This made the

criminal prosecution power of prosecution authority no longer being shared by the police authority.

Besides Taiwan and Penghu were temporary put under martial law due to the 228 Incident in 1947 (the 36th year of ROC) , Kinmen, Matsu, Dongsha, and Nansha were put under martial law from December 10, 1948 (the 37th year of ROC) to November 6, 1992 (the 81st year of ROC) for 44 years while Taiwan and Penghu were from May 20, 1949 (the 38th year of ROC) to July 14, 1987 (the 76th year of ROC) for 38 years. In the martial law regions, judicial affairs was commanded by the highest military commander and military authority has judicial power over certain type of criminal cases. From 1952 (the 41st year of ROC) onward, military authority adopted the "Division Rules on Taiwan Province (Taiwan region) during the martial law period for military authorities to hold their own courts "to retain only some judicial power over a few types of major cases (e.g. rebellion). The rest was handover to ordinary courts for trial. Once certain type of criminal cases were trialed by military authority, prosecutor attached

to court had no rights of investigation or prosecution. In other words, the power of prosecutors on criminal prosecution maybe deprived by police authorities due to their right of decision over large amount of minor crimes or irregularities with light punishment during Japanese rule period. After entering the ROC rule period for not too long, the power was deprived by military law authorities on small amount of heavy cases with severe punishment.

Besides, the administrative proceedings system that was absence during Japanese rule period was introduced to Taiwan, expanding the scope of judicial review of courts. As to the "identity protection" system concerning whether courts could resist administrative interference, in the ROC's Constitution enforced on December 25, 1947 (the 36th year of ROC), article 81 provided judges as permanent post and may not be purposely suspended, transferred or reduce their remuneration. Also the court organization act provided judicial officers, including prosecutors, protections that were different from ordinary civil servants, i.e. no random suspension, dismissal, transfer or reduce of remuneration, which was superior to the

protection of dismissal or transfer of judges during Japanese rule period. Prosecutors were also attached to high and district courts which was usually known as the "Prosecutors Office" with the chief known as the "Chief Prosecutor". Only the High Court established Prosecutors Office with a "Chief Prosecutor".

Since the central government was relocated to Taiwan, for the first ten years or so, most of the prosecutors were those who had ever been working in the prosecution authority in China. However more and more law graduates educated in Taiwan joined the working force of prosecutors. The same situation was faced for obtaining the qualification for prosecutors. In the beginning, it was through the "relaxed channel" but gradually it turned to be based on passing the judicial officer examination. There were the first and second examinations to pass the judicial officer examination. But the first examination was held by either higher or special civil servant examination, the result might be different.

From 1950 (the 39th year of ROC) to 1953 (the 42nd year of ROC) there were



four temporary judicial officer examinations. In 1954 (the 43rd year of ROC), 1955 (the 44th year of ROC) and 1961 (the 50th year of ROC) it was proceeded by special civil servant examination. However, from 1956 (the 45th year of ROC) to 1968 (the 57th year of ROC), it was proceeded by higher civil servant examination. The higher civil servant examination, at that time, had provisions to classify candidates by province. The candidate competed in the same classification to achieve the goal of "admission by region". So the "Taiwanese candidates", who were the majority in number, could only compete for the limited quota of Taiwan as "one of the 35 provinces". Thus, the minimum score for admission was higher than the minimum score for admission of "non-Taiwanese" candidates. If the examination was proceeded by special civil servant examination, admission was only decided by scores and the factor "province" was not taken into consideration. Since 1970 (the 59th year of ROC) it was proceeded by special civil servant examination of judicial officers to make more Taiwanese candidates entering the prosecution authority.



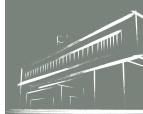
C. Separation of Prosecution and Trial System⁴

Since July 1, 1980 (the 69th year of ROC) all levels of court below High Court were changed to be subordinate to the Judicial Yuan; the Ministry of Justice Administration was renamed as the Ministry of Justice and the prosecutors of all levels of courts below High Court were institutionalized as court prosecutors office under the judicial supervision of the Ministry of Justice. From then on, the supreme, high and district courts were under the judicial supervision of the Judicial Yuan. The Judicial Yuan had one president and one vice-president, both nominated by the President and appointed upon consent of the Control Yuan (changed to the National Assembly after 1992 (the 81st year of ROC)). The nation father memorial monthly meeting report of the Presidential Office stated that: "From January 1, ROC implements the separation of trial and prosecution. All levels of court below the High Court were changed to be subordinate to the Judicial Yuan; the Ministry of Justice Administration was renamed as the Ministry of Justice which

supervises prosecution, prison, judicial protection and legal affairs of the Executive Yuan. This is a significant event of ROC's judicial history."

Since the reformation in late Qing with the establishment of different level of courts, prosecution system was also established. Trial and prosecution always worked independently and separately. Judicial power was always independently working by different level of courts, only supervised by their superior authority in administration. The attachment of judicial administration power and its organization changed frequently. In 1928 (the 17th year of ROC), after the establishment of the five councils, the supreme court was subordinate to the Judicial Yuan and all levels of court below High Court and prosecution system were attached to the Ministry of Justice Administration. The Ministry of Justice Administration had been attached to the Judicial Yuan twice, but since 1942 (the 31st year of ROC) it was attached to the Executive Yuan.

4. Sorted from: "Historical Facts Records of Judicial Yuan volume 2" 7.12, "Continued Amending Taipei County Records", "Historical Facts Records of Ministry of Justice volume 2"(1990)"Cross Age Justice- Prosecutorial System Century Review Commemorative Volume p18-21",.



| A Brief History of Separation of Trial and Prosecution of Taiwan | | |
|--|-----------|--|
| Prepared by High Court Prosecutors Office | | |
| Separation of trial and prosecution Interpretation no. 86 of the Grand Council of Justices requested that courts should be subordinate to the Judicial Yuan. After almost 20 years, President Chiang Chingkuo, in response to the break of diplomatic relationship between Taiwan and United States, proposed a image of political reformation. Thus on April 4, 1979 (the 68 th year of ROC), he announced to implement the “separation of prosecution and trial” in the central standing committee of the Kuomintang(KMT) so the administrative and legislative departments then worked on the issue to complete legislation. | | |
| Year | Month/day | Event |
| 1979(the 68 th year of ROC) | 8/1 | The Ministry of Justice Administration cooperated with the speedy revision of relevant laws for the separation of trial and prosecution. According to the requirement of the Executive Yuan, “preparation and working team on law for the separation of trial and prosecution” was set up with 18 members designated by the Ministry of Justice Administration and the Judicial Yuan. |
| 1980(the 69 th year of ROC) | 4/9 | Minister Li Yuancu, the Ministry of Justice Administration, explained in the Legislative Yuan about the implementation of the separation of trial and prosecution. “Ministry of Justice Administration” was renamed as the “Ministry of Justice”. |
| | 4/23 | The Judicial and Legal Committees of the Legislative Yuan reviewed and passed the “Draft Amendment to the Ministry of Justice Organization Act”. |
| | 6/29 | The President announced the “Ministry of Justice Organization Act” and the first Minister of Justice Li Yuancu. |
| | 6/29 | The President announced revision of the title of chapter 5 of the “Court Organization Act”. The title “prosecutors office and allocation of prosecutors” was revised as “prosecutors office”, which revised the prosecutors that were originally attached to courts to be independent prosecution authority. All levels of prosecution authority (Supreme Court Prosecutors Office and all branches of Prosecutors Office below High Court), on one hand, were attached to the Ministry of Justice and on the other hand, were attached to each level of courts, being parallel with the courts of the same level. |
| | 7/1 | All levels of courts below High Court were changed to be subordinate to the Judicial Yuan and the Ministry of Justice Administration was renamed as the Ministry of Justice. The Supreme Court Prosecutors Office and all branches of Prosecutors Office below High Court were subordinate to the Ministry of Justice. Trial administration and prosecution administration were separated from one another. |

The implementation of separation of trial and prosecution changed the attachment relationship of all levels of court below High Court, and adjusted the organization and duty of the Ministry of Justice Administration, which was an important reformation of ROC's judiciary:

1. Different levels of court handled civil and criminal proceedings based on their supervisory system. In the past, High Court was subordinate to the Judicial Yuan and all levels of court below High Court were subordinate to the Ministry of Justice Administration. Now all were subordinate to the Judicial Yuan. It made the trial system to be consistent with the administration system of all levels of court and maintained the completeness of judicial system.
2. Although Trial and prosecution operated independently in the past, prosecution system and all levels of court below High Court were supervised by the Ministry of Justice Administration. Now all levels of court below High Court were changed to be subordinate to the Judicial Yuan. So, trial and prosecution were subordinate to the Judicial Yuan and the Executive Yuan separately and all levels of

prosecution authority were established to be attached to different levels of court, allowing trial and prosecution to better perform their functions.

3. Judicial administration in the past was divided based on authority. Supreme Court and the Civil Service Disciplinary Committee, Executive Yuan were subordinate to the Judicial Yuan while all levels of court below High Court were subordinate to the Ministry of Justice Administration. Now it was changed to base on their nature. Different levels of court, administrative court, and the Civil Service Disciplinary Committee were, in the aspect of the trial and court administration, of subordinate to the Judicial Yuan while prosecution administration, of different levels of authority were subordinate to the Ministry of Justice so that judicial administration power was clearly divided.

In 1980 (the 69th year of ROC) after the separation of trial and prosecution, probation officers were set up in the prosecutors office of each district court for protective custody of adult offenders, e.g. protective custody of parole. The Taipei District Court had six dedicated probation



officers for supervise and counseling of age 18 and above people under custody within the jurisdiction.

In supervision, people under custody were interviewed monthly to understand their physical and psychological status and change of work situation. There were also irregular home visit of people under custody to understand their living environment, economic condition and relation officers, for preparation of counseling plan to solve problem. In counseling, probation officers, through interview, used counseling theory and skill to improve bad habits, and guided offenders to work upward. At the same time, to solve the living difficulty, the Taipei District Court Prosecutors Office coordinated Taiwan After-Care Association, Employment Services Office, Social Welfare Department and Bureau of Employment and Vocational Training, Council of Labor Affairs to provide employment, education, medicine, fostering, relief, and small capital venture loan. Due to the shortage of dedicated probation officers, there were 77 volunteers as honorary probation officers to assist the work of supervision

and counseling of people under custody and to make probation more effective. The Taipei District Court Prosecutors Office also assisted honorary probation officers to establish association to promote team work and crime prevention.

In addition, because Taipei was upgraded to municipality, the Taiwan Province Judicial Protection Association was renamed as the "Taiwan After-Care Association". In 1967 (the 56th year of ROC) In 1976 (the 65th year of ROC) the Rehabilitation Protection Act was enacted to provide legal framework for probation work. The Taiwan After-Care Association established branches in each district court and adopt the jurisdiction of each district court as its jurisdiction to handle probation protection service.

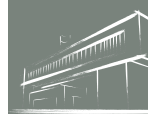
The "Judicial Personnel Act" was enacted on December 22, 1989 (the 78th year of ROC). Judge and prosecutor was jointly known as "judicial officers" in the Act which specified the qualification. In identity protection, judges may not be purposely dismissed, suspended, and transferred, and grade adjustment, downgrade of

position or reduce of remuneration were not allowed, As to prosecutors, they were only protected from dismissal, suspension, downgrade of position and reduce of remuneration. The above identity protection was for those “actually working” judicial officers. According to the Act, a freshly appointed judge or prosecutor should be distributed to work as a judge trainee or prosecutor trainee. After working as trainee for five years and passing the performance inspection (those failed may extend for one year, if remained fail stop trainee) and then working in office on a trail basis for one year and passing the performance inspection (those failed may extend for six months, if remained fail stop trial working in office), he or she could become a formal judge or prosecutor (article 10). Also, there was legislative interpretation of the constitution provision of permanent tenure of judges, e.g. actually working as judge for 15 years and age 70 or above should stop handling case, age 65 may stop handling case, but remain judge on current post.

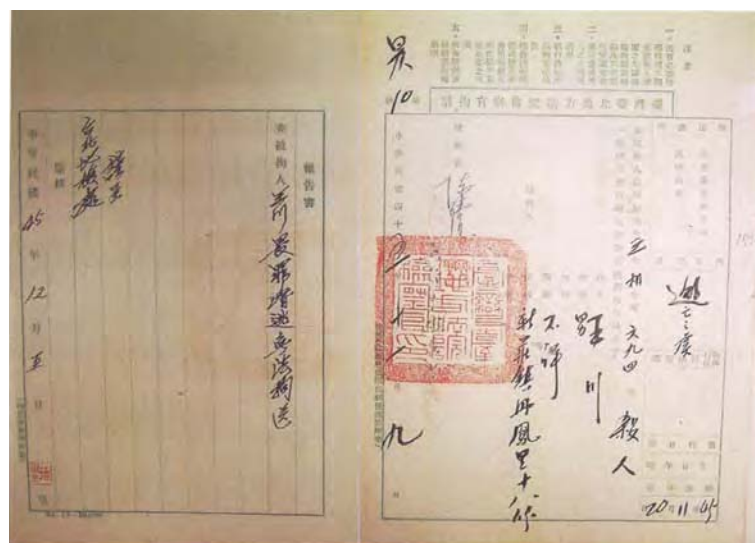
D. Cases handled by the Taipei District Court Prosecutors Office⁵

Criminal case was usually first investigated by prosecutor to decide whether to prosecute. The number of cases handled by the Taipei District Court Prosecutors Office basically increased year by year with the number of population growth. However, from January 1, 1986 (the 75th year of ROC) there was no longer criminal punishment for bill, the original large number of such cases dramatically dropped, which made the total number of case handled decreased by a large margin in next year. The average number of days required to complete investigation of a case, at first, was not long, usually within 20 days. After about 1975 (the 64th year of ROC), following the increase of workload of prosecutor, the time that could be allocated to each case decreased to about 10 days. This situation continued until 1987 (the 76th year of ROC). In this year, the large volume but simple (the number of days required was less) bill criminal cases no longer exist before change occurred.

5.Sorted from:“ Continued Amending Taipei County Records”.



A disposition of seizure in 1957



An arrest warrant issued by the prosecutor of Taiwan Taipei District Court Prosecutors Office in 1956

Resources from: the display description of Prosecutorial Exhibition of Centurial Articles

From 1991 (the 80th year of ROC) the number of criminal cases increased again, the workload of each prosecutor returned to the peak of 1975-1983 (the 64th - 72nd year of ROC), but the average number of days required to complete investigation reached 30-40 days, which was three to four times of 1971 and 1981 (the 60s and 70s of ROC). Prosecutors were exhausted with such large number of cases and the time required to handle increased, no one knows what was the quality of investigation. The proportion of not-to-prosecute disposition made by prosecutors remained

at about 30% of all cases that completed investigation. So the majority of offenders under investigation became defendants in criminal proceedings.

The prominent difference with Japanese rule period was the rate of not-to-prosecute. The rate of cases not to prosecute after investigation, expect before 1961 (the 50th year of ROC), was about 30% and it gradually decreased. The average rate was about 14.2% from 1981-1985 (the 70th - 74th year of ROC). After 1986 (the 75h year of ROC) it began to

raise again, In 1987 (the 76th year of ROC) it returned to about 30%. So, after criminal investigation procedure, the majority (70-80%) of offenders were prosecuted.

The average number of days required to complete a case for this period, whether in prosecutors offices or courts, was greatly increased compared to previous period. Among the prosecuted cases in this period, those proceeded with first trial by ordinary proceedings and may be appealed to third trial slightly raised (over 10%). Not guilty rate for first trial increased to about 7%. The number of people sentenced to probation, in 1991-1993 (the 80th - 82nd year of ROC), increased quite a lot. As to cases of gangsters, the proportion of decisions of "send-to-corrective-sudoudy" dropped all the way to about 53.8% in 1995 (the 84th year of ROC). The proportion of rescinded decision of first trial after appeal was raised from about 20% to 30%, but the average number of days for the Taiwan High Court to complete each appeal case also increased to over 50 days, and even 60 days. In the second trial of the Taiwan High Court, the proportion of rescinded decision was similar compared with the last

period (excluding the second trial decision of district court's collegial court on appeal of summary judgment cases). As to The Supreme Court on criminal appeals, the ratio of "refute-the-appeal" was about 70% in average in this period while the ratio of "remand for re-trial" was only about 1/4. It can seen that the altitude was more stringent than in the past.

Further, the proportion of offenders that were fined dropped quite a lot for this period. Offenders that were sentenced to short term free penalty (less than six month imprisonment) was greatly increased, in 1992-1995 (the 81st - 84th year of ROC) it was over 30% of all offenders.

E. Summary

After experience the Japanese rule, the judicial system of Taiwan had prominent changes. After the ROC government transferred to Taiwan, the major changes were as follows:

1. The scope of jurisdiction of ROC judicial authority was indeed limited to Taiwan and no other courts outside Taiwan had the right to overrule the decision of a Taiwan court.



2. The Single Judge Division, Collegial Division, Review Division and Appeal Division were all repealed and absorbed by high and district courts to form a three-level and three-trial system which was different from the "two-level and four -division" for "three-trial system" during late Japanese rule period.
3. Police authority can only decide penalty for irregularities that were no longer regarded as crime. So made the criminal prosecution power of prosecution authority was no longer being shared by police authority.
4. The ROC Constitution and court organization act provided protection to the appointment, dismissal, etc. of judicial officers including prosecutors, and provided that the qualification was to pass the judicial officer examination.
5. In July 1, 1980 (the 69th year of ROC), the power of trial and prosecution was separated and all levels of court below High Court were changed to be subordinate to the Judicial Yuan in administration. The Ministry of Justice Administration was renamed as the Ministry of Justice which oversaw prosecution, prison, judicial protection service and legal affairs of the Executive Yuan.

The Taipei District Court Prosecutors Office of this period operated until December 22, 1989 (the 78th year of ROC) and then its Chinese name was renamed.

II. Jurisdiction⁶

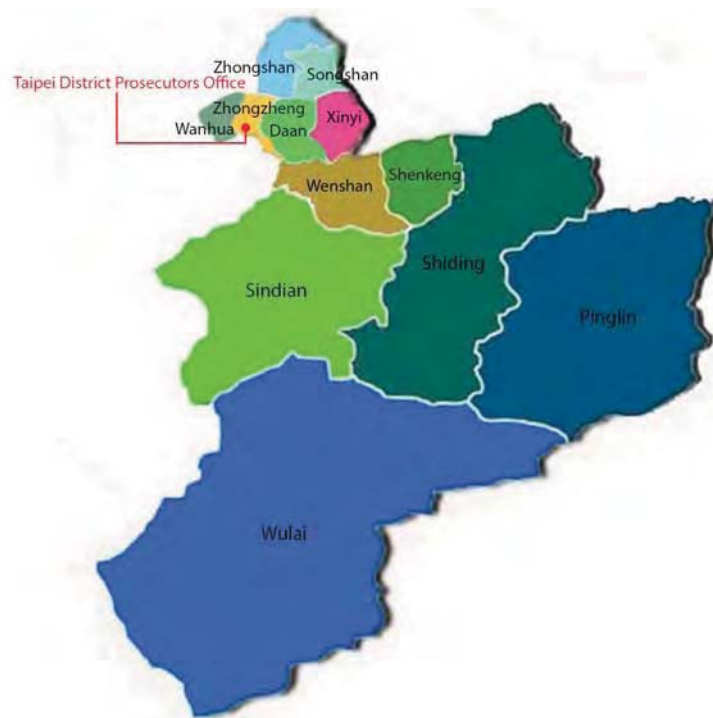
Taipei District Court was subordinate to the Taiwan High Court and its original jurisdiction during the Japanese rule was Taipei Prefecture, Hualien Port Prefecture and Taitung Prefecture. After the takeover on November 1, 1945 (the 34th year of ROC), the jurisdiction was adjusted as Taipei City, Keelung City and Taipei County.

On December 1, 1950 (the 39th year of ROC) the "Keelung District Court" was established, Keelung City was transferred to the jurisdiction of the new court. The

6.Sorted from:"Continued Amending Taipei County Records", "Historical Facts Records of Ministry of Justice volume 2""Historical Facts Records of Judicial Yuan volume 3"

Taipei District Court had jurisdiction over Taipei City including Datong District, Longshan District, Zhongshan District, Daan District, Chengzhong District, Songshan District, Guting District, Yanping District, Jiancheng District, Shuangyuan District, Jingmei District, Muzha District, Neihu District, Nangang District, Shilin District, Beitou District, and Yangmingshan Administration, adding some area of Taipei Prefecture including Banqiao City, Tucheng Township, Yonghe Township, Zhonghe Township, Yingge Township, Shulin Township, Sanxia Township, Linkou Township, Taishan Township, Wugu Township, Xinzhuang Township, Luzhou Township, Sanzhong City, Wulai Township, Shenkeng Township, Shiding Township, Pinglin Township, Xindian Township, Shimen Township, Bali Township, Sanzhi Township, Tamsui Township, Jinshan Township, Wanli Township, Xizhi Township, Gongliao Township, Pingxi Township, Shuangxi Township, and Ruifang Township. The first trial court of civil, criminal, and non-litigation cases of the above 16 districts, one administration and 29 townships were under the jurisdiction of the Taipei District Court.

In July 1968 (the 57th year of ROC) Taipei City was upgraded and became a municipality so Nangang, Neihu, Jingmei, Muzha, Shilin and Beitou Districts were





merged into Taipei City, reaching a total area of 68.1440 square kilometers. The Yangmingshan Administration with area of 119,0106 square kilometers was also merged. The total area of Taipei County was 2,052.3372 square kilometers. The combined total area of Taipei City and Taipei Prefecture was 2,324.4745 square kilometers. The population was 4,479,184 people (2,220,427 people in Taipei City, and 2,258,757 people in Taipei Prefecture).

Due to the prosperous economic development of Taipei City and Taipei Prefecture, the number of cases increased, resulting in heavy workload of the staff of the Taipei District Court and the overcrowded situation of the buildings. The Ministry of Justice Administration then coordinated with the Taipei Prefecture Government and its Council to establish a courthouse. In 1977 (the 66th year of ROC) the Taipei Prefecture Council passed resolution recommending to establish a courthouse in the Taipei Prefecture, which provided a piece of land in Tucheng as courthouse. The "Taipei District Court Banqiao Branch" was then established on February 16, 1981 (the 70th year of ROC) with jurisdiction over the 13 cities and

townships including Banqiao City, Sanchong City, Yonghe City, Zhonghe City, Xinzhuang City, Sanxia Township, Shulin Township, Yingge Township, Tucheng Township, Taishan Township, Luzhou Township, Wugu Township, and Linkou Township. The rest of the cities and townships remained to be under the jurisdiction of Taipei District Court.

The Taipei County Townships of Xizhi, Tamsui, Jinshan, Yeliu, Wanli, Sanzhi and Shimen were transferred to the jurisdiction of the newly established "Taipei District Court Shilin Branch" in 1984 (the 73th year of ROC). The establishment of the branch was in December 1978 (the 67th year of ROC) when the Ministry of Justice Administration instructed to plan a new branch of the Taipei District Court. Because The Taipei City Government provided a piece of land in Shilin, the name of the place was used as the name of the branch. The jurisdiction of the Shilin Branch was Shilin, Beitou, Datong, Neihu, and Nangang of Taipei City. On August 1, 1985 (the 74th year of ROC) Jiancheng and Yanping Districts of Taipei City were placed under the jurisdiction of the prosecutors office of the branch. The seven

mentioned townships of Taipei Prefecture were also placed under the jurisdiction of the prosecutors office of the branch. After this adjustment, jurisdiction of the Taipei District Court only covered the nine districts of Taipei City including Longshan, Zhongshan, Daan, Chengzhong, Songshan, Guting, Shuangyuan, Jingmei, and Muzha, and covered the nine townships of Taipei Prefecture including Xindian City, Wulai Township, Pinglin Township, Shengkeng Township, Shiding Township, Ruifang Township, Shuangxi Township, Pingxi Township and Gongliao Township. Total population was 2.02 million.

After 2000 (the 99th year of ROC) the government adjusted administration districts. Part of the counties and cities under the Taiwan Province were either merged or upgraded. The jurisdiction of the Taipei District Court Prosecutors Office was the seven districts of Taipei City including Zhongshan, Daan, Songshan, Xinyi, Zhongzheng, Wanhua and Wenshan, and the five districts of New Taipei City including Xindian, Shiding, Shengkeng, Pinglin and Wulai. Total area was 870 square meters and total population was 2,064,545 at the end of November 2018 (the 107th year of ROC).

The police departments currently covered the jurisdiction are Zhongshan Branch, Songshan Branch, Wanhua Branch, Zhongzheng First Branch, Zhongzheng Second Branch, Da'an Branch, Xinyi Branch, Wenshan First Branch, Wenshan Second Branch of Taipei City, plus the Xindian Branch of New Taipei City.

III. Development of Organization

A. Change of name of organization

The Court Organization Act was revised in 1980 (the 69th year of ROC). All courts below the High Court were changed to be subordinate to the Judicial Yuan while prosecutors attached to all courts below the High Court were institutionalized and officially named as the "Taipei District Court Prosecutors Office" and, together with



the High Court Prosecutors Office were judicially supervised by the new "Ministry of Justice". The separation of trial and prosecution started the series of reformation of prosecution system in response to change of the society of Taiwan. Compared with the previous prosecutor system which was mainly inherited, the system after the separation of trial and prosecution was in response to the "change of the society of Taiwan". In judicial administration supervision, ever since the first appearance of prosecution system in 1896, prosecution and trial were almost always attached to the same judicial administration authority. The reform made them to be subordinate to separate authorities.

The Court Organization Act was once again revised on December 22, 1989 (the 78th year of ROC), which stipulated each level of court and branch to deploy "prosecutors office", abandoned the old Chinese name of "prosecutors office" that had been in used for decades, and replaced with another Chinese character for "office". The Chinese name of the first and second level authority chief was changed from the "chief prosecutor" to "chief prosecutor" with another Chinese character for "chief" which sound more like the head of a authority. Thus the office was officially renamed as the "Taipei District Court Prosecutors Office" and supervised by the Ministry of Justice, with "chief prosecutor" as the head. The third level chief of prosecution authority, i.e. the chief of the supreme court prosecutor office was originally named the "chief prosecutor", it was also renamed with another Chinese character for "chief" as the "chief prosecutor" with more meaning of the highest commanding officer and was used as of today.

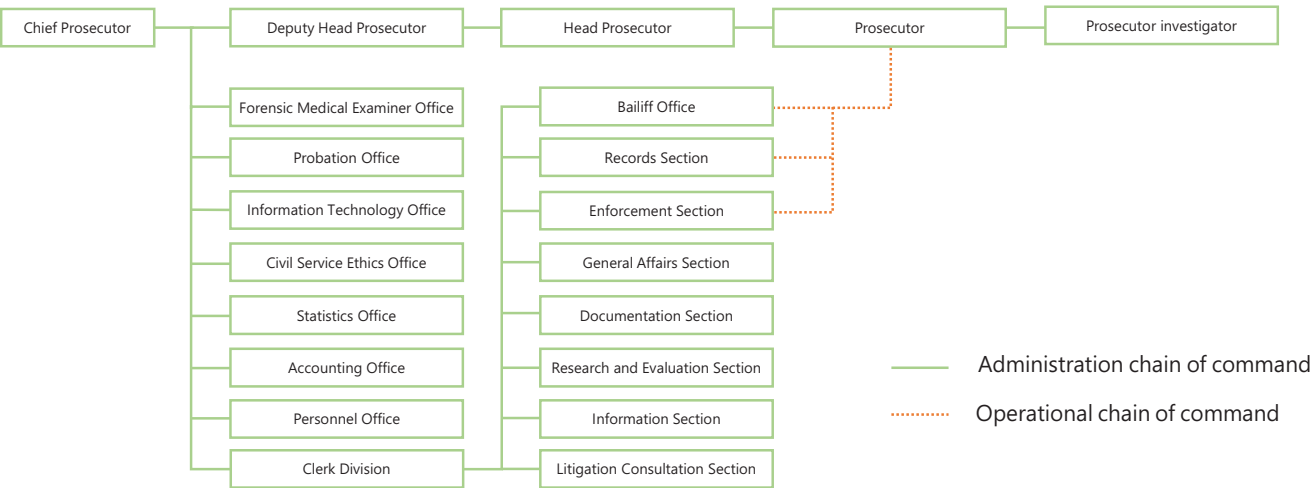
In April 2017 (the 106th year of ROC) the President called the National Judicial Reform State Affairs Conference, members of the third section resolved in fifth meeting to recommend the prosecutors office to remove the word "court" from the title. Qiu Taisan, Minister of Justice announced in the national judicial festival on January 11, 2018 (the 107th year of ROC) that all prosecutors office would be renamed by removing the

word “court” from the title of the authority to magnify the neutrality, independence and objective of prosecution authority. This change took effect in Taiwan simultaneously on February 8. The Court Organization Act also added article 114-2 while the Ministry of Justice Organization Act revised article 5. The President proclaimed on May 23, 2018 (the 107th year of ROC) to make them take effective.

B. History of the organization

After the retrocession of Taiwan, the first chief prosecutor, Jiang Weizu was sent to Taiwan on November 1, 1945 (the 34th year of ROC) to take over the prosecutors office of the Governor-General of Taiwan and to rename it as the Taipei District Court Prosecutors Office. The original Japanese chief prosecutor and prosecutors were ordered to resign while other staff below the supervising clerk (chief clerk), were dismissed after completing the handover.⁷

Taipei District Prosecutors Office Organizational Chart





Every level of court of the ordinary court, after the separation of trial and prosecution in 1980 (the 69th year of ROC), all deployed a corresponding prosecution unit, i.e. district court (branch) prosecutors office, high court (branch) prosecutors office and supreme court prosecutors office. Before the separation of trial and prosecution, prosecution authority was only deployed in the supreme court, all level of courts and branches below high court only deployed prosecutors, and no title and organization of prosecution authority. The prosecution authority was “deployed to” courthouse, because the district that prosecutors execute their duties was the same jurisdiction of the courthouse that they attached to, so it was not an associated authority of courthouse, rather prosecutors independently execute their duties out of courthouse and formed their own prosecutor system.

The prosecutors office of district court (branch) and high court (branch) are similar, so they are described together. Each prosecutors office deploys certain number of prosecutors, with one as the “chief prosecutor”, that is the head of the prosecution authority. The number of prosecutors that is over six may be divided into section, with one as the “head prosecutor” of each section (no such post of the court organization act before the separation of trial and prosecution). The duties of prosecutor are: implement investigation, initiate prosecution, assist private prosecution, act as private prosecution, command the execution of criminal decision, and execute other statutory duties. There were “clerks” deployed to assist prosecutors in administration.

The difference with independent trial of judge is that a case assigned to prosecutor may be, by the instruction of head prosecutor or chief prosecutor, transferred to another prosecutor to handle. When performing duties, a prosecutor shall report to head prosecutor or chief prosecutor and listen to instructions. A prosecutor or head prosecutor may express different opinion to respond the instructions of chief prosecutor. But if chief prosecutor does not accept it, they shall obey the order. If

7. “Records of Ministry of Justice volume 2”

there is different opinion between the head prosecutor and the prosecutor, they shall report to chief prosecutor for decision. The draft of written verdict and the decision about whether appeal or interlocutory appeal made by prosecutors shall be submitted by head prosecutor to chief prosecutor for inspection and decision. As such, chief prosecutor and head prosecutor reviewed of the documents of prosecutor. The review was not only focused on the writing or format, bit also be focused on whether there were evidence not yet investigated, whether the facts were properly identified and whether there were errors on legal opinion.

The Court Organization Act was revised on December 22, 1989 (the 78th year of ROC). The basic framework was similar to the old law but there was also quite a lot of changes. First was the change of title: judge was changed to use the more common Chinese term for "judge", prosecutors office was changed to use another Chinese term for "office" as "prosecutors office", chief prosecutor was changed to use another Chinese

term for "chief prosecutor" and the chief prosecutor of Supreme Court Prosecutors Office was changed to use another Chinese term for "chief prosecutor". Thereafter, the organization of the prosecutors office of Taipei District Court was subordinate to the High Court Prosecutors Office, with one chief prosecutor, head prosecutors, prosecutors, prosecution investigators, and forensic medical examiners (forensic investigators). There were the clerk division, probation office, personnel office, accounting office, statistics office, civil service ethics office and information technology office. Under the clerk division were the offices of records, enforcement, documentation, research and evaluation, general affairs, archives, litigation consultation and bailiff.

In 1990 (the 79th year of ROC) the Taipei District Court, located in the capital and the heart of political and economic activities, with large volume of case load, reached the number of staff to the highest of all prosecutors offices of Taiwan. The current staff included 1 chief prosecutor, 10 head prosecutors, 50 prosecutors, 2 trainee



prosecutors, 7 probation officers, 4 forensic medical examiners, 1 forensic investigator, 1 chief clerk, one head and one deputy head for each of the office of personnel, accounting, and statistics, 92 judicial clerks, 10 clerks for accounting and statistics, 7 officers, 9 interpreters, 59 clerical assistants, 4 accounting and statistics officers, 1 chief bailiff, 4 deputy chief bailiffs, 84 bailiffs, 14 drivers, and 18 workers, total 387 people. Thereafter to follow the government administration goal of citizen service, and the increasing administrative workload, on June 5, 1991 (the 80th year of ROC) litigation consultation and information offices were added. The Chief Prosecutor also supervises the Taipei Detention Center and the Taipei Juvenile Detention House, Agency of Corrections in accordance with law.

The Court Organization Act was revised again on February 3, 2006 (the 95th year of ROC), there was major change to the selection and duty of chief prosecutor. Originally the candidate was decided solely by administrative power. It was changed to be jointly decided by executive and

legislative powers. The guarantee of tenure was added to provide Prosecutor General as an independent head of authority, so as to make the operation of prosecution to match the principle of “neutrally execute duty”. The Minister of Justice shall select the chief prosecutor from the list of candidates provided by the Prosecutor's Personnel Review Committee. This reformation will restrains interference of prosecution system by the President and the Minister of Justice who have executive power. Compare to the previous separation of trial and prosecution, it is more emphasis on the independence of prosecution authority.⁸

C. Organization and duties of each office

1. Prosecutors Office

a. Criminal investigation:

Prosecutors, according to the duties specified in the Code of Criminal Procedure, conduct investigation of criminal cases to investigate suspects and collect criminal evidence, so as to understand any suspicion of crime and decide whether to

8. “Cross Age Justice- Prosecutorial System Century Review Commemorative Volume”

prepare to initiate prosecution. For the purpose of promoting the professional case handling ability of prosecutors and enhancing the effect of investigation of specific crimes, it required to gather talents to organize dedicated team for handling cases when necessary. The Taipei Prosecutors Office cooperated with the Ministry of Justice to implement the policy of "prosecutors handling cases by dedicated team" and established many dedicated teams such as "investigation against collusion between gang, business and government officials", "women and children protection", "intellectual property rights", "major crimes", "anti-narcotics", "people livelihood", "national land protection", and "tax and government procurement". Each dedicated team had 6 to 8 prosecutors. This policy achieved division of labor, inheritance of experience and deep handling of cases.

b. Prosecution

In 1999(the 88th year of ROC), the reformation conference concluded that the reformation of criminal proceedings system adopted proceedings by initiation of the parties and prosecutor should bear the pragmatic burden of proof. The Prosecutors Office was ordered to implement prosecutor to conduct full participation of prosecution on June 1, 2001 (the 90th year of ROC). And on January 12, 2001 (the 90th year of ROC) established the public prosecution team to be responsible for the duty of presence at court for prosecution of cases initiated by the Prosecutors Office. Currently there are four teams dedicated for the process.

2. Clerk Division

The Clerk Division, with one Chief Clerk, consists of Records Section, Enforcement Section, Documentation Section, Research and Evaluation Section, General Affairs Section, Information Section, Litigation Consultation Section and Bailiff Office. Each section, with one section head, was responsible for supervision of the section affairs.



The sections with heavier workload, such as Records Section, Enforcement Section, General Affairs Section and Information Section, were separated into teams to operate, with a team leader to assist in supervision. The Bailiff Office had one Chief Bailiff and 4 Deputy Chief Bailiffs, responsible for supervising the services of the Bailiff Office.

According to the national judicial statistics on the end of September, 2018 (the 107th year of ROC), the Taipei District Court Prosecutors Office had the following number of staff.

| Current staff of the Taipei District Court Prosecutors Office | | |
|---|---------------|---|
| Job title | No. of people | Remarks |
| Chief Prosecutor | 1 | |
| Prosecutor | 140 | Including 23 Head Prosecutors, 4 on training prosecutors and 10 trainee prosecutors |
| Prosecution investigator | 82 | |
| Chief clerk | 1 | |
| Clerk | 162 | |
| Probation Office | 19 | Including 1 Chief Probation Officer |
| Forensic Medical Examiner Office | 5 | 5 Forensic Medical Examiner and 2 Forensic Investigators |
| Bailiff Office | 66 | Including 1 Chief Bailiff and 4 Deputy Chief Bailiffs |
| Personnel Office | 5 | Including 1 head and 4 officers |
| Accounting Office | 9 | Including 1 head and 8 clerks |
| Statistics Office | 8 | Including 1 head and 7 clerks |
| Civil Service Ethics Office | 3 | Including 1 head and 2 officers |
| Information Technology Office | 5 | Including 1 head |
| Interpreter | 7 | |
| Clerical assistant | 31 | |
| Skilled worker, worker, and driver | 20 | |
| Total | | 564 |

a. Records Section

The Records Section, with one section head, was divided into two teams of investigation and prosecution, with team leader to assist supervision of each team clerks. The main tasks was to assist prosecutors in the related administrative affairs of preparation of court hearing, sorting files and producing official documents concerning investigation and prosecution.

b. Enforcement Section

The Enforcement Section had 1 head prosecutor, 3 dedicated prosecutors, 1 section head, 3 team leaders, 21 clerks dedicated to handling enforcement, 2 clerks for sorting of cases and 9 assistants. The Enforcement Section handled the enforcement after the judgements of criminal case were confirmed. The enforcement included imprisonment, detention, fine, rehabilitative measures, pursuing of imprisonment, recovering of fine, forfeiting, deprivation of citizen's right, return of bond, disposition of booty and cross boundary handover of prisoners.

c. General Affairs Section

The General Affairs Section set one section head to be responsible for supervision of prosecution investigators, clerks, clerical assistants, drivers, workers and skilled workers involved in general affairs as part of the their duties. The service includes custody of booty, cashier of money and other valuable items in national treasury involved in crime, procurement of property, custody and delivery of property, staff welfare, management, dispatch, training and performance evaluation of drivers, skilled workers and workers, management of conference rooms, briefing rooms and study rooms of prosecutors, dispatch of vehicles, case handling, request of stationery and repair of offices.

d. Documentation Section

The Documentation Section set one section head to be responsible for supervision of staff, including clerks and clerical assistants involved in documentation as part of the their duties. The main tasks are custody of seals, dispatch of documents, drafting of administrative writings, sorting of



various reports, planning and recording of meetings, promotion of legal knowledge, assistance of mediation of townships, attorney case file reading and other related documentation issues.

e. Research and Evaluation Section

The Research and Evaluation Section had one section head to be responsible for supervision of staff. The main tasks were to handle research and evaluation issues which has close relationship with prosecution administration such as the track, processing, check and reminder of controlled cases, promoting credibility and friendly image of prosecution authority, including starting interrogation on time, improvement of attitude and maintaining security of investigation procedure. Collecting and sorting of press reports and public opinion was also included.

f. Information Section

The Information Section was divided into case allocation office and archive office. The case allocation office located on fourth floor of the Prosecutors Office and the archive office located in the archive building in Tucheng.

g. Litigation Consultation Section

The Litigation Consultation Section handled dispatch of mails, receiving of pleadings, litigation consultation, return of criminal bond, issue of witness traveling expense and payment of criminal bond.

h. Bailiff Office

The Bailiff Office set one Chief Bailiff to be responsible for supervision of the Bailiff Office services. The members included 4 Deputy Chief Bailiffs and 61 bailiffs, a total of 66 people (as of December 2018). The main tasks are delivery, arrest, guard, transportation of prisoners, escort of prisoners to and from court hearing, guarding in court, security of court, receive of complaints, receive of telephone complaints and contacting coroner's inquest, etc.

3. Personnel Office

The Personnel Office was set up according to the Court Organization Act and Personnel Management Act with one head, 4 officers and 1 clerical assistant which handles employment, transfer, salary, assessment rewards and

punishments, holidays, training, benefits, insurance, retirement, and personnel date management. In 2017 one staff was reduced, however the quality of the current staff were high and their average age was under 35, young and energetic, servicing the staff without bias and act according to law, doing their best to fulfill their duties and carry out personnel administration to achieve the goals of the authority and maintain the benefits of the staff at the same time.

4. Accounting Office

The Accounting Office had one head, 2 team leaders and 6 accounting clerks at a total of 9 people, responsible for preparation of budgets, internal audit, handling of ledgers and preparation of reports.

5. Statistics Office

The main duties of Statistics Office were the collection of information of criminal investigation, execution cases, prosecutors participated in civil non-litigation cases and other information

according to the "Prosecution case number counting, allocated case closed report implementation main point" proclaimed by the Ministry of Justice; and collecting and building monthly statistical related information, preparing yearly performance counting of prosecutors, handling case according to the "Prosecutors office of all courts below high court and branch, and high court prosecutors office intellectual property right branch prosecutor case handling quality evaluation implementation main point".

6. Civil Service Ethics Office

The Civil Service Ethics Office had one head and 2 officers and the function was to prevent the occurrence of malpractice, establish uncorrupted image. The current emphasis is to implement the mechanism of "prevention of corruption, anti-corruption and prevention of repeated corruption".

7. Information Technology Office

The Information Technology Office is responsible for the management, maintenance, and update of all digital



administrative resources, such as e-mail, case management system and investigation record system, procurement and maintenance of computer equipment, both hardware and software.

8. Probation Office

The Probation Office had one Chief Probation Officer with 15 Probation Officers divided into six groups including sexual assault, social labor and volunteer labor, honorary probation officer, abuse of physical materials, counseling, and probation administration. Each group, in principle, rotated every two years to exchange half of the members so every four years completed rotation of all members. Each group had is assigned work but also cooperate with one another. There was smooth coordinations between groups to make cross-group services complete successfully. The command and execution of probational cases were supervised by one head prosecutor and 3 prosecutors.

Due to the limited manpower and material resources of government, the

Prosecutors Officer gathered elites, enthusiasts, and organizations from all walks of life to provide basic and special professional training to assist the execution of probational cases, and assist people under custody in study, employment, fostering, and medication. If the people under custody have any emergency needs, we provide appropriate assistance. On the other hand, we combine various social resources to provide referral of work to assist people under custody to return to society as far as possible.

In recent years criminal execution has been expanded to pre-trial, the implementation of suspension of prosecution system, to those offenders that are subject to suspension of prosecution, upon their consent it may order them to provide a certain number of laboring hours in institution (organization), the Probation Office is responsible for developing institution that accept such labor service, explanation of administrative regulations, allocation of the number of laboring offenders, contact and evaluation of institutions accepting such offenders.

9. Forensic Medical Examiner Office

a. Staffing:

3 Forensic Medical Examiners, 2 Forensic Investigators, head prosecutor concurrent as chief forensic medical examiner.

b. Service:

Upon order of the Chief Prosecutor, head prosecutor and prosecutor handle the following matters:

- (1) Inspection and examination of body.
- (2) Autopsy and assessment of body.
- (3) Examination of injury (characteristic) and sample taking.
- (4) Examination and assessment of related drug and serum evidence.
- (5) Objective detection of life signs such as heartbeat, blood pressure, respiratory rate, body temperature, and weight, etc. (not involving clinical diagnosis and treatment).
- (6) Archive of certificates of body examination information.
- (7) File management, statistics, analysis and production of charts of examination and autopsy of body.
- (8) Other forensic related issues as assigned.

IV. Development of Buildings

A. The Taipei District Court Prosecutors Office (131 Boai Road, Zhongzheng District, Taipei City)

After the retrocession of Taiwan, the Taipei District Prosecutors Office (Prosecutors Office) received the "Taipei District Prosecutors Office" of the Japanese rule, and renamed it as the "Taipei District Court Prosecutors Office" with another Chinese character for "office", the office building was the original one at 3-chome, Buntake-



cho, Taipei Prefecture, and today first and second floors of the Judicial Building. Following the economic development of Taipei, the society was getting rich and diversified, litigation cases increased, the original staff was expanded.⁹ ; Further, before the separation of trial and prosecution, the Judicial Building was the office of the Judicial Yuan, Administrative Court, Civil Service Disciplinary Committee, Supreme Court, Ministry of Judicial Administration, Supreme Prosecutors Office, High Court and Prosecutors Office, Taipei District Court and Prosecutors Office, it was very crowded. After the separation of trial and prosecution, the Judicial Yuan added four departments and three offices, the Ministry of Justice added the Department of Protection, staff was increased, which made the Judicial Building even more unable to accommodate. The workload of judicial levels of Taipei increased year by year, the original courts and investigation courts were not enough for use, which affect the process of litigation cases. It could not wait anymore to adjust the offices of the Judicial Building and moved out some authorities. On July 1, 1980 (the 69th year of ROC), the date of the separation of

9. "Records of Ministry of Justice volume 2"

trial and prosecution, ROC President Chiang Chingkuo invited the President and Vice President of the Judicial Yuan and Executive Yuan, the Minister of Justice for tea meeting. The meeting was concerned about the overcrowding of the office space of the Judicial Building. The two Presidents then decided on a task team on relocation. After several meetings, the decisions were as follow¹⁰.

1. Build a new judicial building. The location was to the right of the Judicial Building (the original location of Academy for the Judiciary and old staff dormitory).
2. Academy for the Judiciary Moved to Xinhai Road.
3. The new building would be for the four authorities of the Ministry of Justice, Supreme Court Prosecutors Office, Taipei District Court, and Taipei District Court Prosecutors Office.

The building lot was located between Lane 126 and Lane 136, Section 1, Chongqing South Road, Taipei City, with length about 50 meters, and wide about 85.8 meters, total area about 1.2870

hectares (about 3,893 pings). It was a national land, with the High Court as the management authority. The total building area of the new building was 39,788.62 square meters, equivalent to 12,036 pings (including 7,321.85 square meters of basement, equivalent to 2,214.86 pings). The four authorities that would use were:

1. Ministry of Justice
2. Supreme Prosecutors Office
3. Taipei District Court
4. Taipei District Prosecutors Office

The floor area of the building was 2,514.99 pings, accounting for 26.41% of the total construction area. The floor of use was the first to fifth floors on the west side of the building. The floors above ground level of the new building were planned to be offices, courts, investigative courts, auditorium (also used as large court), conference rooms, etc.; the basement area was 2,275.4 pings for air defense shelter, parking lot, detention center, post office, bank, staff consumption cooperative, hairdressing saloon, and restaurants, etc.

10. "Records of Ministry of Justice volume 1" (July 1990)



The principles of construction design planning were as follows:

1. The Ministry of Justice and the Supreme Court Prosecutors Office were facing Chongqing South Road; the Taipei District Court and the Taipei District Prosecutors Office were facing Boai Road.
2. The building facing the Chongqing South Road was in line with the Judicial Building, and the building facing Boai Road was coordinating with the court building.
3. Architectural shape: the appearance was solemn and majestic, the style was thick and flat, and it matched with the adjacent building style.
4. The floor area ratio of the building is 400%, and the building coverage ratio was 40% in principle. The building height was not more than twenty four meters according to the "Building and Use Limits of the Taipei Boai Security Area".
5. In terms of plane function, the inside and outside of the building and the moving lines of people and vehicles were matched with the overall building combination and the base adjacent system, and a prison car entrance was specially set up.
6. The basement was jointly used by the four authorities.
7. The required area of the auditorium, the press lounge, the detention center, the waiting room, the joint service office, and the front and rear guard rooms were allocated by the Taipei District Court and the Taipei District Prosecutors Office in proportion to the area allocated.
8. The area of the bailiff office was borne by the Taipei District Prosecutors Office.
9. According to the different uses and structures of the building space of each floor, the height or span of different floors was planned.
10. The decorative building materials were simple and uniform, which made the atmosphere of tranquility and solemn.
11. The outdoor with greenery planning was designed to set off the beautiful landscape of the overall building.

The new building started construction by breaking ground on March 1, 1983 (the 72nd year of ROC), estimated to be completed with 510 calendar days; water and electricity engineering to be completed 40 calendar days after the completion of construction work; the rest of work to cooperate with construction work to be completed within the agreed time limit. However, when the construction progress was carried out to the completion of the main body of the building, leaving the final renovation work phase, the contractor Yishi Construction Co., Ltd. was forced to stop working due to financial turnover difficulties. According to the provisions of contract, the Prosecutors Office urged the joint guarantor to continue the construction. It was delayed until May 1985 (the 74th year of ROC) to obtain building use permit to complete connection of water and electricity. The historic new judicial building was then completed. The Ministry of Justice moved in on June 3, 1985 (the 74th year of ROC), vacated all the offices used in the original Judicial Building and handover to other authorities of the Judicial Yuan.

B. Archive Office (3 Lane 6, Shimen Road, Tucheng District, New Taipei City)

Archives of the Prosecutors Office was originally stored on sixth floor of the new judicial building. Following the increased of litigation cases in Taipei, the storage space was far from sufficient for some time. In response, the Prosecutors Office together with the Ministry of Justice, Supreme Prosecutors Office, High Prosecutors Office, and Taipei Juvenile Detention House planned to build a joint archive building. It was designed and planned by Liao Juntian Architect. It commenced building on June 30, 1988 (the 77th year of ROC), and obtained the use permit in February 1990 (the 79th year of ROC). The Prosecutors Office was allocated third to fifth floors, and moved in the archives to the new building on the same year which alleviated the pressure of insufficient space of storage.



C. The Second Office (26 Section 2, Guiyang Street, Wanhua District, Taipei City)

Litigation cases in Taipei increased year by year and the type of services, staff and investigative courts were also expanded. In order to lessen the heavy load of investigation of prosecutors, Court Organic Art was revised in 1999 (the 88th year of ROC) to introduce prosecutor investigators. The need of office space for new staff and interrogation room of prosecutor investigators made the

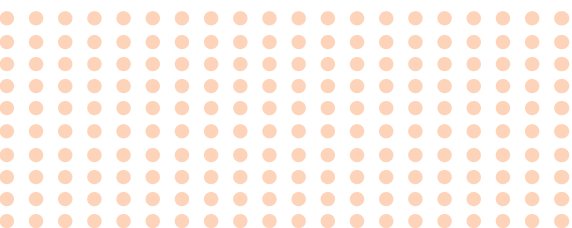


The Second Office(Current office of Enforcement Section and Probation Office)

already overcrowded new judicial building unable to bear the load. The Prosecutors Office in 1999 (the 88th year of ROC) leased 3~9 Floors, 26 Section 2, Guiyang Street, Taipei from the Central Trust Bureau (later merged with the Bank of Taiwan) as the office for Enforcement Section, Probation Office, Prosecutor Investigators, Taipei Branch of Taiwan After-Care Association, Taipei Branch of Association for Victims Support and Taipei Honorary Probation Officers Association. And one investigation room and 10 interrogation rooms were set up on third floor. As such, the situation of the overcrowded office was temporarily relieved.

D. Old Prosecution Section Office (7th Floor, 100 Section 1, Zhongxiao West Road, Zhongzheng District, Taipei City)

In order to implement the conclusions of the National Judicial Reform Conference in 1999 (the 88th year of ROC) on the need to "strengthen the prosecutor's burden of



proof” and “implement and strengthen the requirement for cross-examination” in the criminal proceeding system, the Prosecutors Office on June 1, 2001 (the 90th year of ROC) implemented prosecutors should fully present in court. A very large “prosecution section” was set up, included prosecutors, clerks, and some administrative staff. The new judicial building was unable to accommodate this large section. In 2000 (the 89th year of ROC), the Prosecutors Office leased a private office on 7th Floor, 100 Section 1, Zhongxiao West Road, Taipei City as the office of “prosecution

section”. However, the location was a bit far away from the Prosecutors Office, during peak hours. Considering the mobility of prosecutors present at court, the convenience of loading files, the timing and security of delivery of litigation documents, adjustment was made in 2004 (the 93rd year of ROC). The original office space of storage rooms and investigative courts of the new judicial building was adjusted and, the prosecution section was moved back to the fifth floor of the new judicial building. The mission of leased office was done.

E. Prosecutors Investigator Office, Century Building (1st and 2nd floors, 185 Section 2, Xinhai Road, Daan District, Taipei City)

The office at 1st and 2nd floors, 185 Section 2, Xinhai Road, Daan District, Taipei City was originally used by the supreme Prosecutors Office. Since it was no longer needed in 2007 (the 96th year of ROC), the Ministry of Justice then inquired the subordinate authorities the possibility of using the office. As the staff of the Prosecutors Office kept on expanding, the office in the new judicial building was full. In 1999 (the 88th year of ROC) the second office leased from the Central Trust Bureau (later merged with the Bank of Taiwan) was also full. Then the Chief Prosecutor, Wang Tiansheng, instructed to make every effort to obtain the above office as the third office of the Prosecutors Office,



and proceed according to point 7 of the National Real Estate Appropriation Key Points. On February 27, 2008 (the 97th year of ROC) the National Property Administration, Ministry of Finance replied to the Prosecutors Office with letter No. 0970004976 that the appropriation plan was approved by the Executive Yuan.

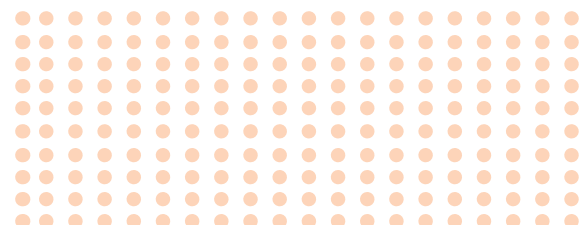


The above appropriated building included first floor (floor area of 603.34 square meters), second floor (floor area of 542.49 square meters) and underground parking spaces. The Prosecutors Office in March 2008 (the 97th year of ROC) contracted Qiu Jinfa Architects to carry out design planning of the third office. In August of the same year, the contract was awarded to Taiwan Fuji Xerox Co., Ltd. for renovation of the building, and



Former third office was the office of Prosecutor Investigator Office from 2009 to November 2017

was completed on November 30, 2008 (the 97th year of ROC). In January 2009 (the 98th year of ROC) the Prosecutor Investigators Office moved from the second office to the third office, with in 9 sections of prosecutor investigators, clerks, bailiffs and other supporting staff totally 90. 11 inquiry rooms also set up. The second office that was originally leased from the Central Trust Bureau was reduced from third to ninth floor to only third to fifth floor. The third office that Chief Prosecutor, Wang Tiansheng made every effort to obtain not only loosened the insufficient office space dilemma, but also helped to save millions cost per year.



As the Procurement Building of the Prosecutors Office completed renovation at the end of November 2017 (the 106th year of ROC), the Prosecutor Investigators Office relocated there on December 1 of the same year. The third office that had been with the Prosecutors Office for nine years had completed its mission. In 2018 (the 107th year of ROC), it transferred to the Judicial Officer Academy as its second office by relevant appropriation procedure.

F. The Fourth Office (Boai First Building) (5th Floor, 164 Boai Road, Zhongzheng District, Taipei City)

The Prosecutors Office faced long-term shortage of office space. As the Boai Building of the Ministry of National Defense at 164 Boai Road, Zhongzheng District, Taipei City was planned to vacate in 2011 (the 100th year of ROC), the Prosecutors Office requested the Ministry of Justice to help to obtain the office to apportion to the Prosecutors Office. The National Property Administration, Ministry of Finance replied to the Ministry of Justice with letter No. 0970019591 that the request was put in consideration, and appropriation would be planned after the Ministry of National Defense moved and changed to non-public property. Before this, Wang Qingfeng, the former Minister of Justice in 2009 (the 98th year of ROC) negotiated with the Ministry of National Defense and National Security Conference for free borrowing of office of fifth floor of the Boai First Building to alleviate the dilemma of shortage of office space. Upon resolution of the three parties, apart from the National Security Conference kept the six offices on the right side, the remaining 13 offices and the part managed by the Ministry of National Defense would be provided to the Prosecutors Office free of charge. Both parties reached an agreement which was became effective on June 1, 2009 (the 98th year of ROC). In the same year, part of the administrative offices, Forensic Medical Examiners Office, library, computer learning room and judicial consultation room were moved in. Also Taipei Branch of the Taiwan After-Care Association, Taipei Branch of the Association for Victims Support, and the Taipei Taipei



Former Fourth Office was the office of Forensic Medical Examiner Office, partial administrative departments, the Taiwan After-Care Association and other public welfare groups from June 2009 to December 2017

Honorary Probation Association were moved in from the Second Office. The Fourth Office of the Prosecutors Office was then established.

As the Procurement Building of the Prosecutors Office completed renovation at the end of November 2017 (the 106th year of ROC), all offices of the Fourth Office were moved in on December 8 of the same year. On January 1, 2018 (the 107th year of ROC), the Fourth Office was handed over to the High Prosecutors Office for design planning and renovation.

G. North District Large Booty Warehouse (15 Section 2, Beishen Road, Shenkeng District, New Taipei City)

In 1994 (the 83rd year of ROC) after completion of the Muzha Booty Warehouse, relevant booties were all stored there. However, the confiscated booties came in a large variety of size and item. Some were oversized (dump truck, excavator, stolen vehicle,

etc.), and some were in very large volume (pirated CDs/DVDs, books, apparels, bags, computer games, etc.). All of them need substantial space for storage. Despite the Muzha Booty Warehouse was a six floor building with floor area reached 10,539.49 square meters, facing the above oversized or very large volume of confiscated booties, there was difficulty of storage. The solution was to assign police department or relevant personnel for custody, risk of loss or damage of the booties.

At that time the warehouse of the Taiwan Tobacco and Wine Monopoly Bureau, Ministry of Finance (today Taiwan Tobacco & Liquor Corporation after privatization) at 15 Section 2, Beishen Road, Shengkeng District, New Taipei City was vacated. The building was empty. In 2003 (the 92nd year of ROC) the Executive Yuan approved appropriation to the Prosecutors Office for storage of large booties In the same year, the Prosecutors Office contracted Pan Yongrong Architects for design planning, then by open bidding to Wanjin Construction Co., Ltd. It was completed on January 30, 2004 (the 93rd year of ROC). The North District Large Booty Warehouse of the Prosecutors Office was formally established. In addition to providing large booty storage for the Prosecutors Office, it also provided storage for the north district court, prosecution and



Exterior of the Large Booty Warehouse



intellectual property office. Currently it was run by six authorities, included the Taipei District Court and Prosecutors Office, New Taipei City District Court and Prosecutors Office, and Shilin District Court and Prosecutors Office.

H. The Fifth Office (4th Floor, 3 Section 1, Xinyi Road, Zhongzheng District, Taipei City)

The office at 4th Floor, 3 Section 1, Xinyi Road, Zhongzheng District, Taipei City was managed by the Zhongzheng cultural campus of the Political Warfare Bureau, Ministry of National Defense. In 2009 (the 98th year of ROC) it was transferred the third and fourth floors to Supreme Prosecutors Office as the office of Special Investigation Section. In 2016 (the 105th year of ROC) Court Organic Act was revised to repeal the Special Investigation Section. The Supreme Prosecutors Office then apportion relevant personnel, equipments and offices to the Taipei District Prosecutors Office in 2017 (the 106th year of ROC). The Fifth Office was then established on January 1, 2017 (the 106th year of ROC). Apart from part of the office space on fourth floor used by the Anti-Money Laundering Office, Executive Yuan, the rest was used by the Tenth Section of Prosecutor Investigator Office.



The Fifth Office was the office of Special Investigation Section from 2009 to 2016, and it is used by the office of Anti-Money Laundering Office and the Tenth Section of Prosecutor Investigator Office

I. The Third Office (172 Boai Road, Zhongzheng District, Taipei City)

The Prosecutors Office was located in the political and economic center with numerous political authorities and other important institutions; case load was heavy and complicated. In response to expanding staff, the Prosecutors Office throughout the years had continually leased or free borrowed offices to accommodate the expanding staff and equipments. As of the beginning of 2017 (the 106th year of ROC) the Prosecutors Office had five offices, Tucheng Archive Office, Muzha Booty Warehouse, and North District Large Booty Warehouse. Due to the scattering of offices, it was not easy to coordinate and contact staff, and difficult to strengthen security. In 2007 (the 106th year of ROC) when the Ministry of National Defense planned to move to new office location, the Ministry of Justice coordinated with the Ministry of National Defense to have the Boai First and Second Buildings and Procurement Building (all of them were located in Boai Road) transferred to the Prosecutors Office, Luo Yingxue, the former Minister of Justice, instructed the accounting division to assist in the funding, so that the Prosecutors Office could refurbish as soon as possible.

The Prosecutors Office under limited funding, in 2016 (the 105th year of ROC) started design planning for the refurbishment of the Procurement Building. Public bidding was carried out according to the Government Procurement Act, and the relevant design planning and supervision was contracted to Jie Jianhua Architects. In 2016 (105th year of ROC), the project bidding was carried out which contracted to Taiyi Construction Co., Ltd. to undertake the renovation project. During the construction period, due to the procurement building was an old building, the structure, foundation, waterproof, air-conditioning, interior decoration and others, present different problems and unexpected issues, which were challenges for the whole team.

Under the supervision of the chiefs of Ministry of Justice and Chief Prosecutor and joint efforts of whole team by numerous engineering meetings, the difficulties



were overcome. The refurbishment was completed in November 2017 (the 106th year of ROC). Prosecution section team relocated from the Prosecutors Office to the third floor on October 30; Prosecutor Investigator Office relocated from the Century Building to the second floor on December 1; Personnel Office, Accounting Office, Civil Service Ethics Office, Cashier Office, and Forensic Medical Examiner Office were relocated from the Fourth Office to the planned floors and offices of the Procurement Building on December 8. Taipei Branch of the Taiwan After-Care Association, and Taipei Branch of the Association for Victims Support and other volunteer supporting organizations were also moved to the Procurement Building. At this point, the staff of all the scattering offices was gradually returned to the Prosecutors Office with the new judicial building as the focus.

Upon complete refurbishment of Boai First Building in 2019 (the 108th year of ROC), the Second Office located at Guiyang Street, Taipei will be move in. The problem of uneasy coordination and contact of staff and security management will be solved. The force of fight against crime will be concentrated to become stronger. The golden board of the "number one prosecutors office" will become even more bright and shiny. (Please refer to the chapter of major events).



The refurbishment of Procurement Building was completed in November 2017, and was used by prosecutors and clerks of public prosecution section, and partial administrative departments. The office of the Taiwan After-Care Association and other public welfare groups were also planned here

V. Improvement of Services

The Taipei District Prosecutors Office (Prosecutors Office) is responsible for crime investigation of Taipei. Taipei is the political and economic center in which major crimes frequently been committed that required mobilization to cope with. The Prosecutors Office had implemented major policies to improve service efficiency

A. In 1988 (the year 77th of ROC) started duty prosecutor system to improve investigation

Apart from internal and external duty prosecutors, there would be head prosecutor on duty for every week. Besides responsible for handling, command and dispatch of major crimes within jurisdiction, the head prosecutor reviewed the arrest warrants, search warrants and handling of newly remanded offenders every day to make sure the legality and suitability.

B. On August 28, 1998 (the year 87th of ROC) handled crime victim compensation review operation

In response to the "Crime Victim Protection Act" proclaimed on May 27, 1998 (the year 87th of ROC) and became effective on October 1 of the same year, the Prosecutors Office on August 28 established the crime victim compensation review committee to review the issue of crime victim compensation fund.

C. On July 1, 1999 (the year 88th of ROC) tried dedicated team of prosecutors to handle cases



To improve the professional ability of prosecutors and enhance the effect of investigation of specific crimes. Prosecutors Office cooperated with the Ministry of Justice to implement the system of “dedicated team of prosecutor case handling” and established “prosecution of collusion of official, politician and gangster”, “women and children”, “intellectual property right”, “major crime”, and “anti-narcotics” teams. And hope to achieve division of labor, inheritance of experience and in depth case handling. (Please refer to the letter of the Ministry of Justice, No. 002117 dated June 14, 1999 (the year 88th of ROC), letter of the High Prosecutors Office, No. 014854 dated June 21, 1999 (the year 88th of ROC), and District Prosecutors Office trial of prosecutor dedicated team of case handling implementation key points)

D. On January 1, 2001 (the year 90th of ROC) tried reduce repeated description of sexual assault victim operation key points

To cooperate with the Ministry of Justice promotion of reduce repeated description of sexual assault victim system, from January 1, 2001 (the year 90th of ROC) prosecutors of women and children team were arranged duty roster separated from internal and external duties and dedicated to handling reduce repeated description of sexual assault victim to maintain fairness of victim’s record. (Please refer to the letter of the Ministry of Justice, No. 000251 dated January 19, 2001; the Prosecutors Office study of reduce repeated description of sexual assault victim operation implementation, and the Prosecutors Office handling relevant matters meeting minutes)

E. On June 1, 2001 (the year 90th of ROC) ordered to carry out full time public prosecution of prosecutors

On June 1, 2001 (the year 90th of ROC) the Prosecutors Office was ordered to carry out full time public prosecution of prosecutors. The prosecution section was set

up on January 12, 2001 (the year 90th of ROC), with educational training, established communication with court and attorney association and built good public prosecution environment, such as to enhance the use of summary trial judgment, hypothesis fraud dedicated handling, to strengthen mediation procedure, to utilize disposition by duty to cooperate with the revision of article 228 of the Code of Criminal Procedure, prosecutors of prosecution section increased issue and return of cases. The prosecutors of investigation section implemented simplified indictment on May 1 of the same year. (Please refer to the meeting minutes of January 31, 2001 on how to decrease the rate of prosecution in response to full time present at court on June 1)

F. On January 1, 2002 (the year 91st of ROC) tried “community treatment during investigation of prosecutor implementation plan”

Before the law became clear on suspension of prosecution, the Prosecutors Office actively cooperated with the Ministry of Justice to promote it and social labor system. Trial of suspension of prosecution was carried out and had achieved good result. Then it was implemented nation wide. The social labor system was led by Liu Chengwu, head prosecutor of the Prosecutors Office who actively participated in policy making, helped to produce promotion video in the early stage of policy promotion including video of social laborer, execute institutions of social labor, and probation assistant. These made social labor system clear and easy to understand, and allow the public to understand the execution process and relevant provisions. (Please refer to the chapter of social treatment of judicial protection of the Prosecutors Office)

G. On January 1, 2003 (the year 92nd of ROC) implemented speedy case closed of investigation



On January 1, 2003 (the year 92nd of ROC) on order of the Ministry of Justice, the Prosecutors Office tried "district prosecutors office speedy case closed implementation key points" to upgrade case close efficiency. So that minor cases could be closed speedily, which reduce the burden of citizens attending court, learning the result of investigation at an early day. This would achieve the goals of economy of prosecution and convenience to citizens. (Please refer to the electronic document of the Ministry of Justice dated December 27, 2002; the report items of prosecutor meeting in April 2003 of the Prosecutors Office)

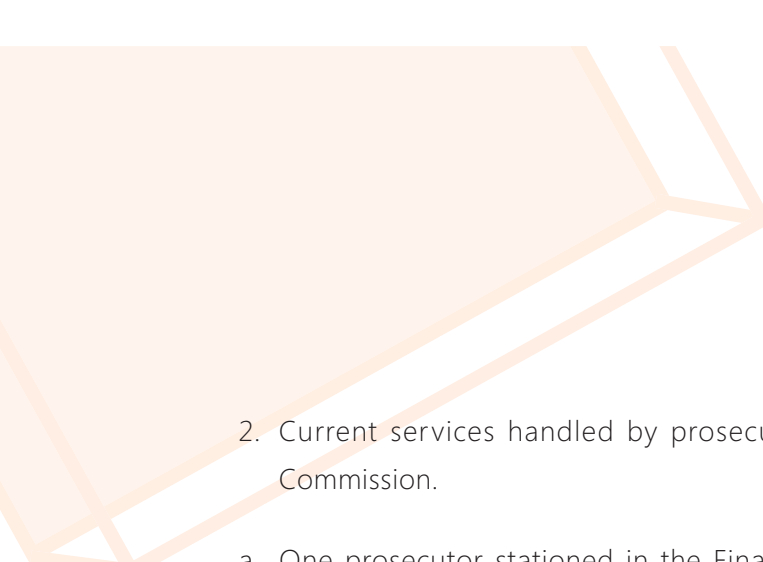
H. On September 1, 2007 (the year 98th of ROC) tried "one stop service for sexual assault victim"

To protect the benefit and quality of sexual assault victim, the Prosecutors Office cooperated with the Taipei City Government to trial "one stop service for sexual assault victim". The trial offered professionally examinational environment in hospital and the victim could take record and interrogation in hospital conveniently. (Please refer to the letter of the Taipei City Government No. 09830017100, dated March 24, 2007)

I. Current situation of prosecutors stationed in the financial supervisory commission

1. Background

In May 2005 the Ministry of Justice together with the Financial Supervisory Commission established joint fight against financial crime contact mechanism and set up the "prosecutor office of the Ministry of Justice stationed in the Financial Examination Bureau, Financial Supervisory Commission". The Ministry of Justice assigned head prosecutor or prosecutor who was senior, well-performed, and familiar with financial laws to provide legal consultation, crime investigation, etc. in the Financial Supervisory Commission.

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2. Current services handled by prosecutors stationed in the Financial Supervisory Commission.
 - a. One prosecutor stationed in the Financial Supervisory Commission (two days per week, allocated one half of cases), served as the communication platform between the Ministry of Justice, Financial Supervisory Commission and High Prosecutors Office to coordinate to response to the ever changing crime situation and media. It also provided information and resources for handling prosecutors to effectively fight against unlawful financial criminal activities to stabilize economic order.
 - b. As the jurisdiction of the Prosecutors Office was the location of the central government, and the financial and economic center, in the past most of the major financial and economic crimes were occurred within the jurisdiction, e.g. Chunghua Commercial Bank malpractice, China Trust Financial Holding malpractice, Mega Financial Holding malpractice, Sinopac Financial Holding malpractice, etc. Since the establishment of the prosecutor stationed in the Financial Supervisory Commission in May 2005, the Ministry of Justice selected senior, well-performed prosecutors or head prosecutors with experience in investigation of financial and economic crimes to station in the Financial Supervisory Commission. At the same time, to enhance contact and coordination of the prosecution authorities and offices of the Financial Supervisory Commission, and promote the efficiency of handling major financial crimes, the Prosecutors Office also sent one senior, well- performed prosecutor investigator with financial and economic background to station in the Financial Supervisory Commission to assist the stationed prosecutor. (The one stationed three days a week in the Financial Supervisory Commission, allocated one third of cases). The above major financial and economic crimes were solved by prosecution through proper coordination of the handling prosecutor, stationed prosecutor and assistance of the Financial Supervisory Commission.



- c. The list of prosecutors of the Prosecutors Office stationed in the Financial Supervisory Commission were: Xu Yongqin, Zhuang Zheng, Zhang Jieqin, Huang Shiyuan, Zhang Shuhua, Wang Xinjian, Zheng Disheng, Chen Shuyi, Chen Zonghao, and Gao Yishu, the maximum term was three years.
 - d. According to statistics, from January 2008 to September 2018, the Financial Supervisory Commission reported a total of 190 cases to the prosecutors offices across the island, about 50% was reported to the Prosecutors Office. From January to September of this year (2018), the Financial Supervisory Commission reported 12 cases and 9 of them was reported to the Prosecutors Office, which accounted for a high 75%. With the number of cases reported by the Financial Supervisory Commission, the Prosecutors Office was the first in Taiwan. The prosecutors stationed in the Financial Supervisory Commission assigned by the Prosecutors Office had the benefit of speedy, close, confidential, and mutual trust. It would not result in poor communication and lack of mutual trust, which may have undesirable effects on the major sensitive financial and economic cases no matter currently or in the future.
3. The effect of stationed prosecutors of the Prosecutors Office in the Financial Supervisory Commission.

In 2018 the cases reported by the Financial Supervisory Commission to the Prosecutors Office was 75% of Taiwan. According to the "the Ministry of Justice assigned prosecutors to the Financial Supervisory Commission, Executive Yuan handling issue key points", article 2 was revised on June 10, 2009 which stated that "the matter of prosecutor investigator accompanied prosecutor to work in the Financial Supervisory Commission, according to the provision of article 66-3 of the Court Organic Act, prosecutor investigator was supervised by prosecutors in carrying out duties. Prosecutor investigator should be assigned by the chief prosecutor and personnel affair should be managed by the prosecutors office of the prosecutor. It's unnecessary

for key points to note” As such the assignment of prosecutor investigator was by the prosecutor stationed in the Financial Supervisory Commission reporting to the chief prosecutor of the prosecutors office. Also the working log of prosecutor investigator was approved by the chief prosecutor. In this way, both sides reach consensus on important securities exchange cases under investigation. The Financial Supervisory Commission could request criminal evidence through the administrative inspection, which facilitated follow-up investigation.

J. In 2011 (the year 100th of ROC) handled rehabilitation procedure trial solution

In 2011 (the year 100th of ROC) mainly through the experience and resources of psychological counseling and legal advisory services provided by the Taipei Branch of the Association for Victims Support, the Prosecutors Office organized a team, recruited psychologists, social workers and attorneys and invited the Taipei Honorary Probation Officer Association to recommend enthusiastic honorary probation officers to join. Thereafter experience social workers, psychologists, doctors and attorneys that were interested to join the programs were selected as rehabilitation promoters every year. In order to allow more suitable cases to enter into the rehabilitation procedure, not only prosecutors selected suitable cases during court hearing, but also medical disputes were planned into the program. With “medical professional advisory team” formed by medical and legal experts to provide medical or legal advise, it was expected the parties of medical and patient with open dialogue to revolve the issue. With more suitable cases entering into rehabilitation procedure, it was hoped that, through professional rehabilitation promoters, the parties put down the resentment and hate and have a more smooth life. (Please refer to the chapter of the rehabilitation procedure of judicial protection of the Prosecutors Office)



K. In 2013 (the year 102nd of ROC) handled cross border transfer

The Legislative Yuan in January 2013 (the year 102nd of ROC) passed the "Transfer of Sentenced Persons Act" which became effective in July of the same year. Thereafter, under certain statutory requirements, ROC nationals serving sentence in prison in a foreign country, Hongkong, or Macau may apply for repatriation to Taiwan to serve the sentence. Foreign nationals serving sentence in ROC may also apply for repatriation to their country to serve the sentence.

L. In 2013 (the year 102nd of ROC) utilized mobile communication device to conduct criminal investigation

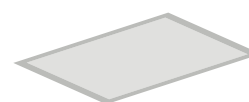
The Prosecutors Office promoted to collect evidence of the "mobile communication device" including cell phone, tablet and related SIM card, memory card (e.g. insert in desk cam, monitoring device, drone), GPS device and USB flash drive pair to cell phone. Core work was digital identification of "mobile communication device" which include to capture, backup, and review the electromagnetic record and digital content of the "mobile communication device" as far as possible to facilitate investigation of useful information as evidence.

The proposal was submitted in 2013 (the year 102nd of ROC). In 2014 (the year 103rd of ROC) general explanation and proposal was drafted, then submitted technology development plan to the Ministry of Science and Technology through the Ministry of Justice. It was approved by the Ministry of Science and Technology with NTD2.25 million. According to the plan, the anti-narcotics section of the Prosecutors Office developed, built and maintained the "anti-narcotics database", continued to

accumulate large volume of information of cell phone users. Besides, they must find a solution to analyzing the important information of instant text app of cell phone. Upon inquiry with the police and the Bureau of Investigation, the Prosecutors Office with the fund of the plan procured mobile communication device identification tool. The Prosecutors Office was the first and only prosecutors office with the ability to collect evidence by itself. From January to December 2016 (the year 105th of ROC) the number of cell phone processed by prosecutor investigators was over 60. From January to November 2017 (the year 106th of ROC) the number was over 120. (Please refer to the chapter of anti-narcotics of the Prosecutors Office)

M. In 2014 (the year 103rd of ROC) handled “suspension of prosecution for public hazard of drunk driver alcohol treatment plan”

The Prosecutors Office together with the Division of Addiction Prevention, Songde Branch of Taipei City Hospital, in 2014 (the year 103rd of ROC) planned to handle the “suspension of prosecution for public hazard of drunk driver alcohol treatment plan”. The main content was the suspension of prosecution by prosecutor, ordered the drunk driver offenders who had repeated twice or three times within five years, or three times after five years voluntarily to receive at least one year alcohol treatment. Through medical intervention treatment and persistent tracking of probation officers, hope to achieve the goal of rehabilitation and prevention of commitment again. As of October 2017 (the year 106th of ROC) 249 offenders were transferred for treatment. Since January 2016 (the year 105th of ROC) 18 sessions of alcohol hazard health education promotion seminar were held for 3,600 people. (Please refer to the chapter of drunk driver public hazard offense alcohol treatment plan of judicial protection of the Prosecutors Office)



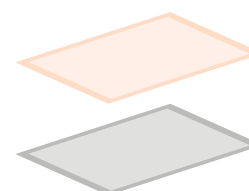
VI. Enhancement of Service System

A. In 1984 (the year 73rd of ROC) executed computerized operations

Since 1984 (the year 73rd of ROC) the Taipei District Prosecutors Office gradually added two computer terminals and 16 computers for receiving and close of cases, close of enforcement cases, wanted criminals and revocation of wanted criminals, statistics report, processing of accounting custody of fund and accounting reports. More computers would be procured for processing of protection and custody, booty, and files which would be a great help to services.

B. In 1988 (the year 77th of ROC) digital sound and video recording system

On October 1, 1988 (the year 77th of ROC) the Ministry of Justice for correction of interrogation transcript of criminal investigation, enacted the "prosecutors office use of sound and video recording to assist investigation record implementation key points". All prosecutors office should use recording equipment to assist investigation record. The Prosecutors Office then fully implemented all investigations would fully recorded. While examining the place of the offense or examining a corpse, the prosecutor use portable recorder to reduce error of interrogation transcript.



C. On January 27, 2000 (the year 89th of ROC) completed improvement of two way television system, meeting room and identification room

To allow sexual assault victims to describe without any worry, the Prosecutors Office cooperated with the Ministry of Justice to try two- way television system, meeting room and one side mirror identification room. (Please refer to the letter of the Prosecutors Office, No. 1088000001 dated November 11, 1999)

D. In 2001 (the year 90th of ROC) remote interrogation system

In most cases, no matter where the place of residence was, citizens had to go to the trial court for trial. Although witness may apply for travel allowance, it affects personal living and safety. With remote video system, people connect to the Prosecutors Office in local court, prosecutors office, prison and detention center through internet. not only reducing the escort manpower of offenders and the risk of escape of offenders, but also an additional protection to witness. The Prosecutors Office completed remote interview system set up according to the "prisons and centers under the Ministry of Justice remote interview key points" (Please refer to the electronic document of the Ministry of Justice, No. 002051 dated June 5, 2001, and the letter of the Department of Prosecutorial Affairs, the Ministry of Justice, No. 003296 dated October 25, 2001)

E. In 2003 (the year 92nd of ROC) computerization of interrogation transcript

In the past, interrogation transcript of investigation court was made by clerk with paper and pen. The clerk must catch up the oral speaking. The transcript was not



only rough but also difficulty to read. It was frequently criticized. Clerks repeatedly complained about heavy workload, On the other hand, prosecutors, judges and attorneys responded that the interrogation transcript was too simple sloppy. Therefore, the Prosecutors Office cooperated with the Ministry of Justice proposal of "all prosecutors office under the Ministry of Justice computerized interrogation transcript implementation key points" in December 1999 (the year 88th of ROC). The Prosecutors Office finished setting in July 2003 (the year 92nd of ROC). Thereafter, the interrogation transcript was unified and easy to read. When the clerk typed in, the prosecutor could review the record at the same time to ensure the authenticity of interrogation transcript; the clerk may print out in court for the parties to read, confirm and sign to promote the credibility of judiciary. The system can integrate with first instance trial of prosecutor case handling system, provided personal information of the parties, sample sentences and phases to improve hearing efficiency.

F. In 2011 (the year 100th of ROC) the prosecutors office self-developed narcotics database

Since March 1, 2011, by reference to the narcotics database of the Taichung and Tainan District Prosecutors Offices, prosecutor investigators of the Prosecutors Office self-developed narcotics database. Head prosecutor Meng Lingshi assigned prosecutor investigators to take charge of developing the narcotics database program. Head prosecutor Zhang Shaobin and Information Technology Office provided information equipment and maintenance service. Head prosecutor Zhu Yingxiang was responsible for supervision of the narcotics database service, later prosecutor Lin Da was assigned as executive secretary. The Prosecutor Investigators Office then followed the idea of head prosecutor Zhu Yingxiang and prosecutor Lin Da to self-develop the above database. After initial success, the program was designated by the Ministry of Justice for other prosecutors offices around Taiwan to use as the narcotics database.

Under the planning of Xing Taizhao, Chief Prosecutor, and the above equipment and experience, the Prosecutors Office gradually developed election database and offense against morality database. Joint hands with the High Prosecutors Office, the Prosecutors Office developed forest conservation database; the Prosecutors Office was also together with the Keelung District Prosecutors Office to develop waste cleaning database. In the future it was planned to cooperate with the Shilin District Prosecutors Office to develop financial crime database. It was hoped that the above database building technology would be provided to all prosecutors office islandwide to facilitate collection of various information to fight against crime effectively. (Please refer to the chapter on anti-narcotics of the Prosecutors Office)

G. On February 10, 2015 (the year 104th of ROC) began automatic reporting operation

To promote service quality, alleviate the overcrowded of citizens waiting in front of the report desk and shortage of bailiffs, in 2012 (the year 101st of ROC) the New Taipei City District Prosecutors Office started swiping code to report. This was adopted by the Information Technology Division of the Ministry of Justice which set up relevant systems in 2013 (the year 102nd of ROC). The Prosecutors Office started automatic reporting system on February 10, 2015 (the year 104th of ROC). The parties no longer reported to the bailiff "manually". They swiped the QR Code on the subpoena or the code at the back of identity card, the "beep" tone indicated completion of report. The computer system would sounded the parties which court to go. It not only decreased the workload of bailiffs, but also increase the speed and accuracy of report.