



正義

The prosecutorial system was established after the French Revolution of 1789, and was later enacted in the Napoleonic Code. Following the Napoleon wars, the prosecutorial system was widely spread. Rooted for the implementation of the due process, the rule of law as well as the power of criminal punishment, nowadays the modern states have established the prosecutorial system in order for prosecutors, in the name of public interests, to serve as the investigative authority, the supervisor of judicial decisions, and the executor of judgments. Therefore the nature of prosecutors' duties implies the profound meaning of democracy. Through these duties, prosecutors not only bear the responsibility of upholding the public benefits as well as the justice, but also safeguarding the fundamental human rights as well as the discovery of truth. As such, prosecutors are well-deserved to be entitled as the "Son of Revolution".

Taiwan's prosecutorial system originated with the proclamation of the "Dali

Yuan Trial Establishment Act" during the Qing Dynasty in 1906. Prosecutors back then were affiliated with the Trial Court under the Dali Yuan ever since. Nowadays, by strictly performing their duties in accordance with the law, prosecutors strike to investigate and prosecute criminal acts, to uphold the human rights, to overlook the rights and interests of victims as well as defendants unbiasedly, to serve the justice, to apply the law with fair and just, and to defend for the public interests – These multifaceted characteristics of prosecutors are profoundly meaningful for Taiwan's criminal procedural system as a whole.

Looking into the future, the awareness of human rights has been gradually implemented among the people with the rule of law. Meanwhile, various types of trans-border crimes are uprising. To uphold the justice of the society and to protect the human rights, prosecutors are required to perform their inherent duties not only as the representative of public interests, but also as the guardian of the law. In an ever-changing



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time like this, prosecutors may be confused or ambivalent about their positions and identities to a certain extent. However, "the perspective of looking back at the present from the future, is similar to the perspective of looking back the from the present to the past." Taiwan prosecutors' historical track may shed some lights on the direction ahead.

"By revisiting experiences in retrospect, at present we will acquire new knowledge as well as insights from the past." After the Japanese Occupation Period, in 1945 the government took over the "Taipei District Court Prosecutors Bureau", which was renamed as "Taipei District Court Prosecutors Department of Taiwan". Since then, the Taipei District Prosecutors Office has been established for over 70 years. From the viewpoint of its historical development, the Taipei District Prosecutors Office composes the Annal covered with a wide variety of great topics including the history of the organization, major judicial

events, judicial protection and the timeline of the Office. These contexts are strongly supported with actual cases and events in the society. I believe with the Annal we could not only pass down our experiences, arouse discussions and communications, but also "acquire new knowledge and insights from the past" – with history as references to upholding the law and order, concerning about the public interests, and striking for the integrity. In 1987 I was one of the prosecutors in the Taipei District Prosecutors Office. I am proud to have the opportunity to witness the publication of this Annal, and it is my great honor to write the foreword for it.

Minister of Justice

Shawn C. H. Tsai

蔡清祥



正義

For over fifty years, the joint hard-working of our government and people has built a prosperous economy and a flourishing civil society. With industry and commerce in Taiwan growing from strength to strength, people are getting wealthy and the society is getting abundant. Taiwan Taipei District Prosecutors Office occupies a critical place within the judicial system as it locating at the core spot of Taiwan politics, economics and culture. Crimes in its jurisdiction are mostly national focus of the country. Relevant investigation clearly manifests the determination of our government in combating crimes.

During 1987 to 1990, I was the Assistant Chief Prosecutor of Taiwan Taipei District Prosecutors Office. Having gone through the period of political and social unrest before the lifting of the martial law, social movements were about to thrive, which led to the enactment of the Assembly and Parade Act. About twenty years later, from March 16, 2005 to April 11, 2007, I was appointed as the Chief Prosecutor of

Taiwan Taipei District Court Prosecutors Office. During my tenure, I was aware of that high profile cases of Taiwan Taipei District Prosecutors Office usually caused a great impact to the society. Therefore, when handling the cases alike, such as the Wang Youzeng financial crime case, the purpose of our investigation gradually evolved from combating the crime solely to the maintenance of due process of law while seeking the realization of public welfare and justice. We valued professional division of work and close cooperation and continuously improved the efficiency and credentiality of our investigation in order to achieve true fairness and justice.

Facts are deeds and the track of history. This compilation recorded the historical evolution of the prosecution system over a hundred years, since it was introduced to Taiwan during Japanese era. It chronicled the transitions in many aspects of Taiwan Taipei District Prosecutors Office, its name, jurisdiction, buildings and major cases dealt over the past years. Under rapid



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industrialization and urbanization, the crime pattern has changed due to cultural clash and the gap between the haves and have-nots, which can be viewed as the witness to the political and economical transformation of this great era and the one on our path to justice.

Emperor Taizong of the Tang dynasty once said: "With history as reference, one can know the rise and fall, and with people as reference, one can understand the right and wrong."

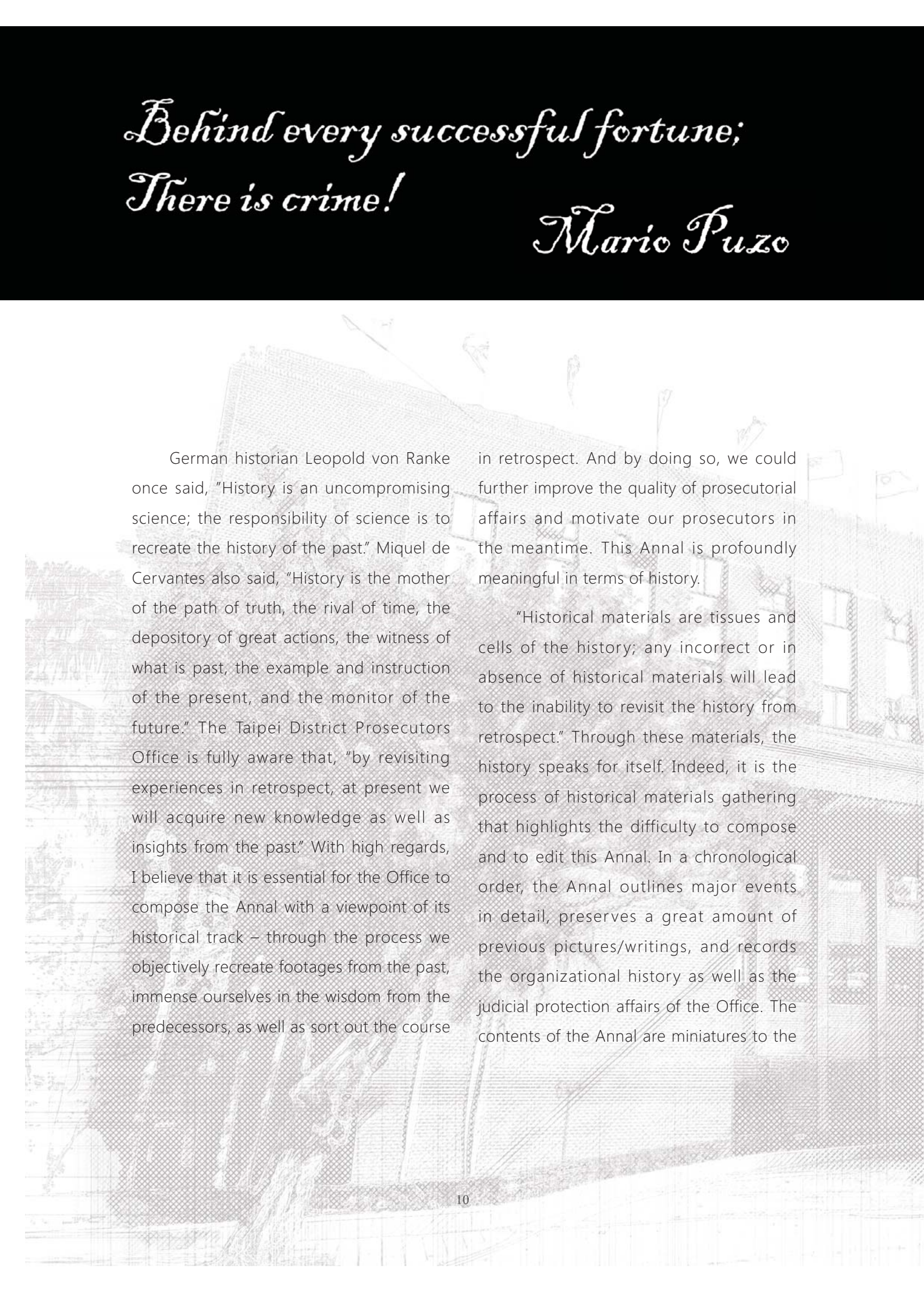
This compilation fully represent the fruitful achievement of Taiwan Taipei District Prosecutors Office with the times. By accumulating precious historical materials, photographs, events records, moving stories during major cases, the book can be a reference for the future, which enables us to recognize the predicament we have, so as to prepare policies in response. I deeply appreciate the effort made it possible.

Memory is for a moment, but record is

forever. Not only collecting the tiny pieces of the past, but this book witnesses the flow of history at large. It is beneficial and helpful to the inheritance of prosecution history. The staff of Taiwan Taipei District Prosecutors Office worked so hard in spare time to collect and sort numerous materials, managed them into a book that brings the past to our present. This book is the testimony of the long judicial history. Profound materials are detailed in the book and the content is informative. It demonstrated the efforts dedicated to the book as complete archives of the office. It is my pleasure to contribute the foreword to the book.

Former Prosecutor General

Da ho Yen
顏大和



*Behind every successful fortune;
There is crime!*

Mario Puzo

German historian Leopold von Ranke once said, "History is an uncompromising science; the responsibility of science is to recreate the history of the past." Miquel de Cervantes also said, "History is the mother of the path of truth, the rival of time, the depository of great actions, the witness of what is past, the example and instruction of the present, and the monitor of the future." The Taipei District Prosecutors Office is fully aware that, "by revisiting experiences in retrospect, at present we will acquire new knowledge as well as insights from the past." With high regards, I believe that it is essential for the Office to compose the Annal with a viewpoint of its historical track – through the process we objectively recreate footages from the past, immerse ourselves in the wisdom from the predecessors, as well as sort out the course

in retrospect. And by doing so, we could further improve the quality of prosecutorial affairs and motivate our prosecutors in the meantime. This Annal is profoundly meaningful in terms of history.

"Historical materials are tissues and cells of the history; any incorrect or in absence of historical materials will lead to the inability to revisit the history from retrospect." Through these materials, the history speaks for itself. Indeed, it is the process of historical materials gathering that highlights the difficulty to compose and to edit this Annal. In a chronological order, the Annal outlines major events in detail, preserves a great amount of previous pictures/writings, and records the organizational history as well as the judicial protection affairs of the Office. The contents of the Annal are miniatures to the

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development of the prosecutorial system in Taiwan.

Looking back on the development of our prosecutorial system over the century – including the Japanese Occupation Period, the late Qing Dynasty and the era of ROC in Taiwan – we have experienced massive changes including: the separation of prosecution and trial (1980), the relocation of prosecutor's seating from beside to below the judges in courtroom (1990), the surrender over the power of issuing search warrant to judiciary (2001), the amendment to the Code of Criminal Procedure in terms of a revised adversary system as well as prosecutor's discretionary power – deferred prosecution (2002), and the requirement that prosecutors be present in trial (2003). Over time, these systematic and

provisional changes to prosecutors have indicated the progression of the human rights. Meanwhile, our fundamental values remain the same – the pursuit of justice, the protection of human rights, and the realization of due process of law. I expect that our fellow prosecutors, while exploring new frontiers to their prosecutorial duties, would succeed the spirit from predecessors and learn from the history. It is my honor to contribute the foreword for this Annal.

Prosecutor General

Grady CHIANQ.
江惠民

*Behind every successful fortune;
There is crime!*

Mario Puzo

During my tenure as Chief Prosecutor of Taiwan Taipei District Prosecutors Office from April 12, 2007 to July 31, 2008, The Taiwan economy was in the midst of the Financial Crisis. Back then, a series of financial scandals were revealed in Taiwan as well. The You-Zeng Wang family misappropriated assets of Rebar Group and Eastern Group, and their fraudulent amount of crime proceeds was NT \$73.1 billion. Immediately after the Rebar case, the Prince Group obtained an unlawful loan from Cosmos Bank, causing a loss of NT \$3.4 billion to the Bank. Afterwards, Wen-Chang Ke, the so-called "Godfather of Venture Capital in Taiwan", was accused of insider trading before the Green Point Technology Corp's M&A transaction was disclosed. Meanwhile, people were agitated and excited about the Presidential Election, which took place in 2008. For example, in order to confirm whether the election office of Candidate Zhang-Ting Xie encroached the boundary, a KMT Legislator attempted to inspect Xie's election office with government officials. Their plan for inspection immediately resulted in conflicts with Xie's supporters, who demanded that our prosecutors shall be present on-site before they would allow the Legislator to leave.

Political conflicts and financial cases came one after another, which constantly stretched the nerve of our fellow colleagues in the Office.

In addition to investigations, it is important to make the Office more amicable and to break the public's stereotype about the icy cold image of the Office. As Chief Prosecutor, I strived to renovate the Office facilities in order to improve people's impression on the judiciary. For example, the Office walls were painted with softer and brighter color, and the interrogation rooms as well as the detention rooms were replaced with a more modern and comfortable outlook. Prosecutors also took on the softer side. For example, regarding Performer Zong-Wei Yang's forgery case which seized the public's attention, we adopted the deferred prosecution with a condition of community service. Yang was offered to engage in charitable activities and it turned out to be a great success in raising the public's awareness of the rule of law. Another distinct example is Taifeng case, where Zong-Hong Huang, President of Taifeng Group, was sentenced to imprisonment and a fine of NT \$300 million, for his involvement in bank fraud, market

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manipulation, and insider trading. Prosecutors of the Office therefore seized about a hundred pieces of calligraphy, paintings, antique furniture collected by Huang. Because Huang's collection was of high artistic value, we not only exhibited these precious artifacts in the National Museum of Art, but also donated these confiscated items to National Taiwan Museum of History as well as the National Museum of Art as the assets of the public.

In addition to the renovation of the Office facilities and the high-profile cases mentioned above, another prominent event during my tenure in Taipei was the establishment of the Prosecutor's Investigators. Upon being the Chief Prosecutor of the Office, I strived for obtaining the space of the first and second floors of the Central Bai-Shi Building located in Xinhai Road, for the purpose of establishing the office of Prosecutor's Investigators as well as investigation rooms. Therefore we could initiate high-profile and/or sensitive case investigations there without possible interference. As crimes have become more and more professional and diversified, Prosecutor's Investigators are now able to assist our Prosecutors professionally. I expect

that each unit of Prosecutor's Investigators could initiate investigations and execute cases independently. After practice and coordination, their active and effective assistance in many high-profile case investigations is one of the most important assets in the Office.

Prosecution is a work of inheritance. "Old" is not "bad". Any creative and innovative suggestions that are beneficial to the progression of the judiciary are worthy of adoption. This is exactly the core concept of editing and composing the Annal. By revisiting experiences in retrospect, we could further map out and prepare for challenges ahead. I hereby my fellow colleagues of the Office with a proverb of Zuo Chuan Xi Gong Year 28, "While the fallow land is full of weeds, it is time to dispose the old and plan for the future."

**Chief Prosecutor,
Taiwan High Prosecutors Office**

Wang, Jui Shy
王添壽



Due to the rising demands for higher security level, the Taipei City Walls were built in the wastelands between Monga and Dadaocheng areas. Because of the construction of the Taipei City Walls and the establishment of the Taipei Prefecture, Taiwan's administration center had shifted from Tainan to Taipei, a city which later became Taiwan's political and economic center. During the Japanese Occupation Period, Taiwan Governor-General Office selected Taipei as the capital city of Taiwan – Taipei was thus known as the "Capital of the Island".

Thereafter, the National Government of the Republic of China relocated to Taiwan. Taipei was selected as the interim capital city, officially making Taipei the political and economic center of Taiwan. As the time progressed, Taipei has evolved as a metropolitan city renowned for its diversified social development and rapidly growing economy with a focus on the service industry. The liberal atmosphere in politics instilled the energy to economic activities, making Taipei's developments even more flourish. For example, the Taipei World Trade Center, Taipei International Convention Center, Taipei Railway Underground Project and the Mass Rapid Transit System – These infrastructures have transformed Taipei into a one of the most modern, liberal and vibrant

metropolitan cities in the world.

Looking back on the 51 years of the Japanese Occupation Period, Taiwan was rather regarded as one of Japan's colonies instead of its territories in terms of the law and economy. Even the domestic laws of Japan were not applicable to Taiwan by nature.

After World War II, Japan transferred its governmental power over Taiwan to the Republic of China. The legal framework of Taiwan during the Japanese Occupation Period was extremely complicated, with 9,800 (including nationwide law provisions of Japan and applicable laws solely for Taiwan). Therefore, after transferring sovereignty powers to the National Government of Republic of China, most of the said legal frameworks during the Japanese Occupation Period were temporarily applied, so as to maintain the stability and the predictability of the law in Taiwan. Only laws and regulations contradicted with those of Republic of China were opted out of application at the time of transfer.

After the Chief Executive Administration was established on September 1, 1945, the Law Committee of the Chief Executive Administration was founded on November 1, 1945. The purpose of the Law Committee is to take over the Ministry of Justice and the Review



Tamsui River, Taipei
Photo From Peellden, Wiki

Office, which were respectively in charge of Taiwan's judicial administration and enacting/reviewing laws during the Japanese Occupation Period.

According to the Paragraph 2, Article 3 of the Organizational Act for the Chief Executive Administration, the Chief Executive of the Province of Taiwan was entitled to direct and to supervise over the central authorities within the Province, including the judiciary system at that time. Specifically, the Government firstly took over the High Courts and District Courts of Taiwan, and then each court around the island.

Facts are deeds and tracks of the history. In retrospect, Taipei District Prosecutors Office was established since November 1, 1945. Our predecessors performed their prosecutorial duties in hardship and yet with great achievement. Our fellow colleagues have been not only loyal, diligent but also dedicated to their work. However, as the time passed by, it was never an easy task to collect the records and artifacts of prosecutorial events from the past.

Previously, several fellow colleagues and I revisited the history of the Office, and together we published several books in this aspect. In sum, I have come to realize that, district prosecutors offices, as the first instance

in the court system, aim at performing their prosecutorial duties including investigations, public prosecutions, criminal executions as well as judicial protections. The Office also encourage prosecutors to engage in researching in areas of jurisprudence and criminal matters. Through mutual discussions and communications from diversified fields of professions, and through detailed scrutiny and data analysis, our aim is to acquire a full understanding of characteristics of crimes within a specific area. As a result, we could further set up our strategy to combat crimes and educate the people regarding the rule of law effectively at the same time. Also, because the Office's jurisdiction areas are large, it is significant to collect relevant data and precedents as many as possible. Through the information collected, we could properly analyze, predict and ultimately, achieve the crime prevention.

In July 2006, I was fortunate to be assigned as the Chief Prosecutor of the Taipei District Prosecutors Office, in which I was able to stand in our predecessors' shoes and come to realize their hard working in retrospect. In return, I hope to contribute what I had learned to the judiciary in Taipei. Over the years I have been relying on my fellow colleagues for their wholeheartedly contribution in the Office, and yet there is rooms for improvement. In



November 2006, the Taipei District Prosecutors Office celebrated its 70th anniversary since establishment. It was my honor to be part of the history, and thus I began my plan for publishing the 70th Anniversary Special Issue. Considering the vibrant economic and business activities within the Office's jurisdiction area, the 70th Anniversary Special Issue's features are: 1) to revisit Taipei's judiciary and prosecutorial system from the past; 2) to pass on the history and experiences of the Office; 3) to demonstrate the core spirit of prosecutorial affairs on a case basis. The 70th Anniversary Special Issue is subsequently published in the form of books including: Top 10 Financial Fraud Investigation Records (June 2017), Judicial Protection Records (December 2017), Anti-Drug Investigation (May 2018), 10 Sexual Abuse and Domestic Violence Cases (July 2018) and Judicial Protection Records (English version) (August 2018). "Annal of Taipei District Prosecutors Office: Prosperous Taipei, Majestic Legitimacy" is the conclusion of the 70th Anniversary Special Issue. It covers the Preface, Historical Facts, Heritage, Summary of Major Cases, Tenderness of Judiciary, Sketch, Major Events, Prospect – Review and Promotion of Administration and Services of the Office in 2019.

Minister Tsai, Ching-Hsiang is a man of high esteem with great contribution to the

society and the state. It is our honor to have his contribution in the first foreword of the Annal.

Former Prosecutor-General Yen, Da-Ho and Prosecutor-General Chiang, Hui-Ming of Supreme Prosecutors Office are renowned leaders of prosecutors in each instances of the court system. As the role model of our fellow prosecutors, they have earned the respect and reputation for their dignity as well as integrity. They are also invited to write the forewords of the Annal.

Chie Prosecutor Wang, Tian-Sheng of High Prosecutors Office is former Chief Prosecutor of the Taipei District Prosecutors Office in 2007 with distinguished contribution. Chief Prosecutor Wang is hereby invited to write a foreword for the Annal as well.

The first part "Historical Facts" is written by Prosecutor Meng, Ling-Shi. Despite the difficulty to collect the materials and to interview our predecessors, Prosecutor Meng managed to overcome with great effort and produce his great article here. Specifically, the article began with the historical footages from the Qing Dynasty and the Japanese Occupation Period in detail. Besides, the article also covers the Office's past and present comprehensively to complete the overview of the Office's history.



In the second part "Inheritance", we invited our current and former fellow colleagues from various investigative and administrative sectors of the Office to share their experiences and reflections here. After all, by revisiting experiences in retrospect, at present we would also obtain the ability to acquire new knowledge as well as insights from the past.

In order for prosecutors to fully inherit from their predecessors' experiences and to comprehend the change of prosecutorial affairs over the years, the Office retrieved case files and documentations with historical values. Additionally we also interviewed several former Chief Prosecutors of the Office to provide their insights and observations of the prosecutorial affairs, especially in terms of their experiences of investigating major cases during their time in the Office. For that, I believe these valuable articles would be the guidance of us all.

In the third part of the Annal, "Summary of Major Cases", we carefully selected several major cases – including financial crimes, drug enforcement, sexual assault, and domestic violence – of the Office that had captured the public's attention. In addition to enhancing the public awareness of the prosecutorial work and duties, I hope to spur the motivation to combat crimes in a greater scale.

In the fourth part of the Annal, "The Tenderness of Judiciary", the Taiwan After-Care Association, together with the Honorary Probation Officers Association and the Association for Victims Support, implements the concept of "love the people, protect the people and for the people". These associations have been our loyal partner of the Office, and therefore they were also invited to introduce about their operations as well as their achievements in the Annal.

Part five of the Annal is "Sketch". Here we collected most of the photographs from the past in our best effort, and yet there were still footages from the past missing. I would like to take the opportunity to express the appreciation to my fellow colleagues for their providing and collecting these precious pieces here, which indeed remind me of the time gone by.

Part six of the Annal is "Major Events", where we reviewed and recorded major events related to the Office, including the renovation of office facilities, the re-name ceremony of the Office and development throughout the years.

Lastly, part seven of the Annal is "Prospect, Review and Promotion of Administration and Services of the Taipei District Prosecutors Office 2019" – the article presents the Office's mid-

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term planning towards crime investigations and prevention in our jurisdiction area with a focus on "looking forward", "strategic" and "practical". On "forward looking", we depicted the possible trends of several special types of crimes in order to formulate our countermeasures in this regard. On "practical", we consolidated various resources with both "micro" and "macro" points of view, in order to perform our duties on the supervision of administrative authorities concerned.

The Annal is edited and produced by our colleagues of their own hands in a rather thrifty manner. In pursuit of the truth, we widely sought out our colleagues for their articles and photographs. In addition, Masters Liang, Dan-Feng and Zhu, Zhen-Nan's delicate paintings, Master ZHENG, Chou-Yu's beautiful poetry enrich the diversity and sophistication of the Annal. The cover of the Annal was painted by Master Wen, Rui-He and the pictures were photographed by Mr. Pan, Jun-Lin of Tourism and Communication Bureau of Taipei City Government – their artwork were impressive as well. Lastly, the editorial team members – including Prosecutor Meng Ling-Shi, Head Prosecutor Zhou Qing-Hua, Xu Xiang-Zhen, Huang Shi-Yuan, Zhang Yun-Wei, Chen Shu-Yun, Gu Hui-Zhen, and Huang Pei-Yu, Prosecutor Zhang An-Zhen, Chief

Probation Officer Zeng Xin-Dong, Prosecutor's Investigator Zhou Hui-Min, Fang Yu-Ting, Gao Yong-Zhen, Lian Yang and He, Wen-Qun, Probation Officer Ke Jia-Hui, Clerk Qian Ya-Ling – without any reservation they dedicated their spare time to participate in this project and strike for the realm of "truth, kind and beauty". Specifically, I would like to take the opportunity to express my appreciation for Clerk Huang Jo-Nan and Alternative Service Officer Peng Bai-Ka for their devotion and dedication in the Annal.

Contemplating the present and recalling the past, I have come to realized that, a small bit of work will accumulate to a great volume, and unity is the strength to success. The Taipei District Prosecutors Office published the Annal in January 2019. I am privileged to write down the preface of the Annal here. Your comments will be highly appreciated.

**Chief Prosecutor,
Taiwan Taipei District Prosecutors Office**

Tai-chao, Hsing

邢泰釗