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Taiwan Prosecution Archive

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The Taiwan High Prosecutors Office is an important authority for implementation and promotion of policies regarding criminal law and prosecutorial administration. It also plays a vital role in regulating administrative operations and integrating case-handling resources of the subordinate prosecutorial authorities. In terms of investigation, based on the principle of hierarchy, the Taiwan High Prosecutors Office supervises case handling according to the law to ensure the quality and effectiveness of case handling, safeguard the law and order, and protect public welfare. Overall, the Taiwan High Prosecutors Office is the hub for the sound operation of the prosecutorial system.

Since its inception, the Taiwan High Prosecutors Office has undergone several organizational transformations. In response to social changes, it has strengthened its supervisory function, enhanced various case-handling resources, and refined the prosecutorial administrative procedures. During this process, the Taiwan High Prosecutors Office has accumulated valuable assets for Taiwan's judicial history. In order to present its achievements, pass on experience and point out a direction for the future, the Taiwan High Prosecutors Office has specially compiled a book called Taiwan Legal Archive which follows the timeline, collects precious and valuable historical prosecutorial materials, and records the development of the prosecutorial system. With faithful records of notable criminal cases and milestones of judicial protection progress, etc., Taiwan Legal Archive shows the efforts of our criminal justice system to uphold the law while providing victim services.



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On May 20, 2020, President Tsai Ing-Wen in her second inauguration speech said, "In the future, Taiwan will further stay in tune with the international community. In the making of a bilingual and digital country, we will cultivate more local talents so that our industries will have more robust competitiveness internationally." In the wake of globalization, language proficiency and worldview constitute the keys to enhance our national competitiveness. Accordingly, the Taiwan High Prosecutors Office has specially compiled Taiwan Legal Archive in both Chinese and English To mark this meaningful publication, I am pleased to bring forth the foreword.

Minister of The Ministry of Justice

Shawn C. H. Tsai



The Spanish writer Miguel de Cervantes Saavedra once said, "History bred the truth which persists over time and passes down anecdotes and reminiscences; History leaves the traces of the time, yields exemplariness in the contemporary era, and renders lessons for generations to come." Recognizing the importance of "study the past is to define the future," Taiwan High Prosecutors Office has kept an orderly history in books and records, which not

only objectively preserves the past and the wisdom of predecessors, but also perceives the globalization of various affairs today. Many criminal investigations are conducted across national borders, thus mutual legal assistance has become increasingly frequent. As a member of the global village, Taiwan has no reason to stay alone. In order to gear ourselves to international conventions, we compiled the historical documents and released them both in Chinese and in English. By so doing, we wish to share experiences and the process of case study with our office to the rest of the world, with a view to bringing better understanding of Taiwan's judicial authorities in international society. I hence personally highly credit the very work which bears considerable value and significance.

The Chronicle of Taiwan High Prosecutors Office preserves voluminous precious historical pictures and texts which enables us to take an interesting view to the development of Taiwan's prosecutorial system over the past century, the network of organizations and services, and the evolutionary process of Taiwanese prosecutorial authorities with a rich archive of major cases. All of these demonstrate the development of Taiwan's prosecutorial authorities and the core of Taiwan's prosecutorial services. In addition, this publication records the operations of the Taiwan After-Care Association and the Association for Victims Support. It depicts how our prosecutors play a key role in warmly safeguarding the interests of the victims of crime and the disadvantaged groups in society, while fighting crimes in line with due process of law.

By studying the past, the future can be better inspired as well. In the final chapter on the future prospects and outlook, this Chronicle reviews the services and administration of the Taiwan High Prosecutors Office. As part of the efforts, the Office

has shown its ambition as well to remodel the mind-setting of its employees, reconstruct the prosecutorial processes, and incorporate information innovations so as to make advance in investigative efficiency in the future.

Mr. Liang, Qi-Chao, a renowned Chinese social and political reform activist, once said, "Historical materials are the tissues of history. With insufficient or incorrect historical materials, painting a panorama of history will become a mission impossible." Through historical materials, only can history speak for itself. The Taiwan High Prosecutors Office prepares this Chronicle in English, a most widely used language in the world, allowing more people to better understand the history and current status of Taiwan prosecutorial organizations, investigation practices, and the practice of Taiwan's prosecutorial system. Hopefully this publication will help to shed light on the successful practice of the rule of law in Taiwan, which is a countable international partner in combatting crimes jointly, exchanging investigative intelligence mutually, as well as making efforts in serving public interests in common to all the jurisdictions. I hope our colleagues can take the prosecutorial history as a mirror, while appreciating the spirit of our predecessors, and make new contributions to our prosecution services in the future. I so wish.

Prosecutor General

CHIANG Hui-Ming



清弘許畫雲岑開錦（軸）/ 故宮 OPENDATA 專區

苟日新 日日新 又日新



*H*istory is the spirit of a nation, the lessons for the people, a testament of gains and losses. The

Taiwan High Prosecutors Office originated from the "High Court Prosecution Bureau of Taiwan Governor-General Office" during the Japanese Colonial Rule beginning 1896. After the retrocession of Taiwan, on November 1, 1945, Mr. Chiang, Wei-Tsu was appointed by the Ministry of Judicial Administration under the Government of the Republic of China to take over the High Court Prosecution Bureau of Taiwan Governor-General Office which was renamed as the "Taiwan High Court Prosecutors Department" (i.e. the predecessor of the Taiwan High Prosecutors Office). On July 1, 1980 after the separation of the court system and the prosecution system, the Ministry of Judicial Administration was restructured into the Ministry of Justice. On December 24, 1989, Taiwan High Court Prosecutors Department was renamed the Taiwan High Court Prosecutors Office. On July 1, 2008, in order to safeguard the intellectual property rights, the Taiwan High Court Prosecutors Office set up the Intellectual Property Branch. On August 6, 2013, the Military Trial Act was amended to unify the judicial rights of the nation. Therefore, cases of sedition, offense against the external security of the state, and offenses of interference with relations with other states after the lifting of martial law, were all incorporated into the Code of Criminal Procedure. On May 25, 2018, the Taiwan High Court Prosecutors Office was again renamed as the "Taiwan High Prosecutors Office," and the Intellectual Property Branch of the Taiwan High Court Prosecutors Office was renamed as the "Intellectual Property Branch of the Taiwan High Prosecutors Office." The word, "Court," was taken away from the two organizational names, in conjunction with the amendment of the Court Organization Act. The series of revolutions and changes were testament of the progress of our legal system and the transformation process of our judicial culture.

Aequitas 公平 & Capacitas 效率

Richard Allen Posner

In March, 2020, I was honored to be assigned to serve at the Taiwan High Prosecutors Office. Learning the hardship endured by our predecessors in their prosecutorial practices, I humbly expect myself to be able to contribute what I have learned to the judicial system the best I can. In the past, along with other colleagues, I was involved in the compilation of the History for various District Prosecutors Offices and Kaohsiung Branch of Taiwan High Prosecutors Office, which are "Retrospection under the Mahogany," (2008, Taiwan Yunlin District Prosecutors Office; Kavulungan Legal Archive (2010, Taiwan Pingtung District Prosecutors Office); Kaohsiung Legal Archive (2011, Taiwan Kaohsiung District Prosecutors Office); Kinmen & Matsu Legal Archive (2013, Kinmen Branch, Fuchien High Prosecutors Office); Spring of the blue tears (2015, Fuchien After-Care Association); Hualien & Taitung Legal Archive (2017, Hualien Branch, Taiwan High Prosecutors Office); Archive of Taipei District Prosecutors Office(2019, Taiwan Taipei District Prosecutors Office). These archives conclude that Taiwan High Prosecutors Office as the Prosecutors Office of second instance shall focus on supervising of the prosecution works of the first instance and public prosecution, implementing national criminal policies, coordinating for the investigation of crimes at the national level, accommodating needs of various prosecutorial authorities, resolving discrepancies over legal opinions and case-handling, and strengthening the research of regional law and criminal offenses. Over the years, the wholehearted efforts and hard work of all our prosecutorial colleagues have made us who we are today; however, there is still room for our growth.

Taiwan High Prosecutors Office has a long history and needs continuity and change. Continuity of value, of excellence, and of concentration; and change in priorities, in technologies, and in strategies, when needed. If the office stays where it was, the advance of time would wash it out eventually.

November 2020 marked the 75th anniversary of the establishment of Taiwan High Prosecutors Office. We dedicate our efforts to compile relevant materials and review past events, which wish to open up a bright future ahead of us. Under globalization, we, as a member of the global village, need to connect with the international society, to share our office's experiences, and to further enhance the image of Taiwan's judicial authorities. This edition is therefore programed in three dimensions: 1. Pass on the experience and histories of Taiwan High Prosecutors Office and its subordinate prosecutorial authorities; 2. Focus on the future prospects of the prosecution works; and 3. Embrace international viewers as to present this edition in both Chinese and English. The arrangements for the contents of this edition are as follows:

First is Prefatory Remarks; chapter 1: Historical overview of prosecutorial entities; chapter 2: Taiwan High Prosecutors Office Organization and Operational Duties; chapter 3: Overview of subordinated Prosecutorial Entities; chapter 4: Appendices; chapter 5: Taiwan After-Care Association; chapter 6: Fuchien After-Care Association; chapter 7: Association for Victims Support; chapter 8: Prospects and Future Aspirations 2022 Review and Policy Proposals for Taiwan High Prosecutors Office Administration and Operations.

With his high prestige, the Minister of the Ministry of Justice, Tsai,Ching-Hsiang, who has made important contributions to the nation and society, was invited to give his written remarks as the foreword of this edition, and as the encouragement to all.

The Prosecutor General of the Supreme Court Prosecutors Office, Chiang,Hui-Min, has shown outstanding results in supervising and leading the Prosecutors of all levels, which deserves to serve as a model for prosecutorial followers, was also invited to give his written remarks as the encouragement to all.

Chapter 1 Historical overview of prosecutorial entities: Retrospection on the development of the prosecution system over the past century, a tremendous array of articles helps enlighten our understanding of the development of the prosecution system. Transcending the time axis, with detailed elaborations on major case studies, this edition makes an important piece of work witnessing the history of our prosecution system.

Chapter 2 Taiwan High Prosecutors Office Organization and Operational Duties: A comprehensive overview of organizational structure and administrative works based on interviews with previous Chief Prosecutors to encourage the prosecutorial personnel; as well as compilation of the various supervisory, research, and review teams and task force centers to combat the ever-changing crime patterns. Moreover, a new section on major disasters and pandemic prevention is added. For example, the measures and expedient practices for the investigation, autopsies, and implementation taken for the accident of Taroko Express No. 408 of Taiwan Railway and for the time when COVID-19 was spread. These are served as references for similar cases in the future.

Chapter 3 Overview of Prosecutorial Entities and Chapter 4 Appendices: Sincere appreciations go to each District Prosecutors Offices and Branches of Taiwan High Prosecutors Office for their generous efforts in providing relevant historical materials and selecting important cases as inputs to this edition, so as to collectively construct the integrity of Taiwan's judicial history.

Chapter 5 Taiwan After-Care Association, Chapter 6 Fuchien After-Care Association and Chapter 7 Association for Victims Support: with the brief introductions by the colleagues of the related Associations, the following three chapters cover the historical background, organizational structure and reforms, and progression of important business and service measures of the After-Care Association and Association for Victims Support. These introductions demonstrate the professionalism, public welfare feature, and enthusiasm of the working colleagues involved in the judicial protection.

Chapter 8 Prospects and Future Aspirations for the year of 2022, a Review and Policy Proposal for Administration and Operations of Taiwan High Prosecutors Office: the mid-term goals for the Prosecutors Office are foresight, strategy, and effectiveness. In terms of foresight, the focus is to master the possible development of special crime patterns, and to research and adopt relevant practices. In terms of strategy, the focus is to analyze trends, and to develop appropriate responsive and preventive measures. In terms of effectiveness, the focus is to integrate relevant resources from macro and micro perspectives to prevent disadvantages and promote advantages.


This edition is titled as Taiwan Legal Archive, with a subtitle of Enrich Taiwan —



Festival on South Street/1930/188 × 94.5 cm
 • Gouache on Silk/Kuo, Hsueh-Hu/Taipei Fine Arts Museum Collections

Let the law shine and be passed down, which adopts the meaning of building a prosperous society, making progress based on past lessons, with relentless effort, collectively shaping society under the rule of law.

The compilation of this edition is done by colleagues in the most frugal way. With the goals of "seeking truth and reality," colleagues of the Taiwan High Prosecutors Office at all levels were solicited to provide manuscripts and photos. Special thanks go to the following individuals: Ms. Liang, Tan-Feng, a winner of the National Award for Arts, for her contributions to the edition with her meticulous manuscripts; Mr. Weng, Ta-Cheng, a winner of numerous international art exhibition awards from Japan, France, etc., for his contributions to the edition with his rich paintings; Mr. Wen, Jui-He, for his design of the cover of this edition; and Miss Yeh, Tzu-Hsin, for her portraits with unique interpretation of the previous Chief Prosecutors at different levels based on photos provided. As for photographs, they were provided free of charge by Construction and Planning Agency, Ministry of the Interior, Tourism Bureau, Ministry of Transportation and Communications, National Central Library, National Historic Monuments of Taiwan, and Mr. Chiu, Hsi-Shu. All of these has enriched the presentation of the edition. Finally, our crew includes the Chinese consultants, Prosecutor Wu, I-Ming, Chen, Chia-Hsiu, Chen, Shu-Yun, Lin, Hung-Sung; English consultants, Prosecutor Lin, Tai-Li, Chang, An-Chen; the English review team, Prosecutor Su, Pei-Yu, Prosecutor Chiu, Chih-Hung, Prosecutor Chang, An-Chen, Prosecutor Ku, Hui-Chen, Prosecutor Liao, Hsien-Chih, Prosecutor Hsu, Hsiang-Chen, Prosecutor Huang, Wen-



Chi, Head Prosecutor Huang, Cheng-Hsiung, Prosecutor Wang, Pei-Ju, Prosecutor Lo, Wei-Yuan, Prosecutor Huang, Po-Hsiang, Head Prosecutorial Affairs Officer Tsao, Tseng-Hao, Prosecutor Investigator Li, Wei-Che, Researcher Wang, Pin-Chun; the reviewer for cases from the subordinate authorities, Prosecutor Chang, An-Chen; the heads of the various sections and offices, Clerk Huang, Jo-Nan, Clerk Assistant Wu, Ruo-Zheng. All of them had worked selflessly to chip into this edition during their busy schedules. With collective work in one heart, this edition is finally completed and put in print. We would like to express our sincere gratitude towards all those who made this edition a reality.

In December 2021 of the lunar calendar, this edition is put to print. Retrospection on the past and looking into the future, we strive to gather the bits and bytes of effort and cultivation, which are believed to be the integral drops of our judicial mainstream. With united effort, we are marching towards a space of openness and success, while rejuvenating our judicial system with new innovations. On the eve of publication, the words of encouragement are put forward to mark this important milestone. Pressed for time, we are aware that error is inevitable in this edition. It is hoped that professional guidance and advanced opinions could be generously provided to us, and contributions from all directions are greatly appreciated.

Chief Prosecutor of
Taiwan High Prosecutors Office

Tai'-chao, Hsing





After a Rain/1931/133 x 191.5 cm • Gouache on Silk/
Kuo, Hsueh-Hu/Taipei Fine Arts Museum Collections