

Personnel Office

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* This Chapter was written by Director, Yu, Cheng-Fen of this office in 2021; some of the chapter was added by Section Chiefs, Lin, Fu-Ching in 2022.



I. Preface

The Taiwan High Prosecutors Office Personnel Office is responsible for managing and investigating personnel matters in accordance with the law, under the direction of the Prosecutor General.

II. Organizational Structure and Key Responsibilities

With the establishment of the Taiwan High Court Prosecutors Office on November 1, 1945, the Personnel Office was also established under command and direction of the Prosecutor General to handle manpower affairs. In accord with the approval of budgeted manpower slot allotments and allocations, this Office consists of one Director, three Section Chiefs, nine Officers, for a total of 13 personnel. This Office consists of three Sections, which are responsible for the following work items, respectively:

- Section One: Appointment and dismissal, relocation, examination and distribution, organization compiling, job affiliation, and audit status of the Taiwan High Court Prosecutors Office and its subordinate prosecutorial offices' personnel.
- Section Two: Matters such as manpower awards and penalties, attendance management, performance appraisal, and prosecutor professional evaluations of the Taiwan High Court Prosecutors Office and its subordinate prosecutorial offices.
- Section Three: Pensions & survivors' benefits, training and continuing education, insurance, and employment benefits of the Taiwan High Court Prosecutors Office and its subordinate prosecutorial offices.

III. Major work duties

(I) Organizational mustering assignments and workforce evaluations matters

This Office shall handle the manpower planning arrangements, including manpower allocation adjustments, whether increases or reductions in force, and detailments for the Taiwan High Prosecutors Office (THPO) and its subordinate prosecutorial offices. And

the Act Governing the Total Number of Personnel Headcounts of Central Government Agencies, Central Government Agency Personnel Allocation Administrative Guidelines, acting in conjunction with the Ministry of Justice biannual manpower performance review and suggest recommendations, guarantee agency overall strategic planning, future operational developments, and reasonable manpower allotments, to promote proper advancement of responsibilities.

And also, where the THPO and its subordinate agencies are subject to additional legal duties, or changes therein, shall comply with the Regulations for Categorizing Functions into Series, to handle duty assignments, or to make cancellations thereof, and forward same for review and approval by the Ministry of Civil Service.

(II) Handle the personnel hiring and retention or dismissal, promotions, and Civil Service and Auditing responsibilities for the THPO and subordinate prosecutorial offices

In accordance with the provisions of the Ministry of Justice Implementation of Personnel Official Duty Assignment Regulations, review and approve, and report all cases of official duties promotions or demotions to the Ministry of Justice, and handle the official duty promotion or demotion cases of the THPO, and handle appropriate duties relating to the Civil Service and Auditing affairs.

And cooperate with the Judicial Special Civil Service Examination Participants Distribution Allocations, to handle efficacious rotational adjustments of case duty assignments of prosecutors, clerks, reporters ("recorders", stenographers), bailiffs and judicial police, Court Interpreters, and Forensic Medical Examiner physicians, ensuring satisfaction of colleagues' expressed desires to return to their hometowns to continue service.

(III) Distribution

Control this Office and subordinate prosecutorial offices' manpower shortage requirements, study annual manpower needs planning for submission to the Examination Yuan to conduct civil service examinations, and conduct examination results based recruitment of personnel for assignments, and requests for issuance of Certificates of

Successful Completion.

(IV) Prosecutor responsibility performance evaluations and general manpower assessments

In accord with the applicable provisions of the Prosecutor Positions Evaluation Regulations and the Civil Service Performance Evaluation Act, besides conducting professional performance evaluations for this Office's prosecutors' promotional review cases, be also responsible for hierarchical delegations of authority and reportage in subordinate prosecutorial offices' prosecutors' professional performance evaluations, and hierarchical delegations of authority and reportage in subordinate prosecutorial offices' prosecutors' assessment cases.

(V) Prosecutor administrative supervision dispositions, penalties, and general manpower recognition and penalties

In accord with the applicable provisions of the Judges Act, handle or delegate with retained supervision to prosecutors at subordinate prosecutorial offices for administrative supervision dispositions and penalties cases. And in accord with the provisions of the Ministry of Justice and Subordinate Entities' Personnel Performance Review Reward and Penalty Handling Guidelines, handle this Office and subordinate prosecutorial office delegations for such personnel and their merits (or demerits) and substantial merits (demerits) reward and penalty cases which must be first forwarded to this Office for review and approval, then duly promulgate Reward and Penalty Orders pursuant to each agency's respective responsibilities. For any single instance of concomitant attribution of two substantial merits (or demerits) reward or penalty cases, or official duty penalty cases, same shall be submitted by this Office to the appropriate Ministry of Justice delegated office of responsibility.

(VI) Retirement and Pensions

In accordance with the provisions of the Act Governing Civil Servants' Retirement, Discharge and Pensions, handle the retirement, pension and annuities and benefits, and realize the protection of retired personnel, and conduct the distribution of the three



assorted (and annual bonuses) ex gratia compensation matters. And in accord with the provisions of the Judges Act and the Judges Retirement Benefits Payment Guidelines, handle prosecutors retirement benefit matters.

(VII) Welfare and Benefits

In accord with the Nationwide Armed Services, Civil Service, and Teachers Benefits Payment Provisions, accurately handle colleagues benefit matters, to ensure protection of colleagues health and welfare, while not only promoting personnel assistive plans and encouraging health examinations, but also conducting annual celebrations, along with the Judicial Yuan Judiciary Ball Games Sports Competition and health promotion activities, to increase colleagues opportunities for interchange and create an amicable workplace environment.

IV. The current situation of personnel distribution in the prosecutorial authorities is as follows

The Taiwan High Prosecutors Office is composed of 25 prosecution offices, including 5 Branches of Taiwan High Prosecutors Office and 20 District Prosecutors Offices. The budget allocated positions include: 5,759 staff members (including those no longer handling cases), 360 security guards, drivers, technicians, maintenance workers, and hired personnel, for a total of 6,119 employees.

V. The prosecutor's office is currently facing a dilemma with its manpower

In recent years, in accordance with the conclusions of the National Conference on Judicial Reform, a large number of criminal laws have been amended or revised, resulting in an increase in the workload of prosecutors and the need for them to be better equipped to deal with an ever-increasing variety of new types of crime. The high expectations of the public for the prosecutors' office have also put pressure on the office to increase its capacity. In order to maintain the quality and efficiency of prosecutorial work and to comply with the Interpretation No. 785 of the Judicial Yuan, in order to avoid overwork on the part of prosecutors, prosecutor's investigators, clerks and bailiffs, and to protect the health of prosecutors, the prosecutors' office urgently needs to increase its manpower.

(I) Responding to calls for judicial reform

1. The National Conference on Judicial Reform concluded on August 12, 2017, with a total of 303 resolutions. A total of 191 resolutions have been issued by the Ministry of Justice. The Ministry of Justice also co-organized the National Conference on Judicial Reform, in which 16 resolutions of interministerial committees were adopted by the Executive Yuan. The Ministry of Justice is working to put the resolution's contents into action by evaluating relevant proposals and suggesting specific responsive measures. This is in line with President Tsai's declaration that the focus of judicial reform should be on "the citizenry's participation in the judiciary" and "progressive improvement of the judicial system". The Ministry of Justice has made progress on judicial reform, amending and

passing 19 laws, 21 executive orders, and implementing 84 administrative measures. Also, 9 draft pieces of legislation have been articulated, 2 draft executive orders prepared, and planning for 8 administrative measures is underway.

2. Providing additional manpower is urgently needed to ensure the continuous implementation of judicial reform policies, enact the various resolutions, and make sure that judicial reform policies for different orientations are planned and implemented.

(II) According to the ratio decidendi and intent of Grand Justice's Interpretation No. 785.

1. The Interpretation No. 785 of the Judicial Yuan is based on the existing Civil Servant Work Act, the Regulations of Implementation Program for the Civil Servants' Two-Day Weekend, and the Civil Service Protection Act. However, the Civil Service Protection Act and the Civil Service Worker Protection Act do not provide a framework for the reasonable maximum number of hours of service, frequency of service and leave, minimum number of consecutive hours of rest during service days, and evaluation and compensation for on-call service for civil servants in agencies implementing the shift system. Therefore, these matters need to be regulated in order to establish reasonable special provisions for them. The interpretation demands that the competent authorities change the corresponding regulations within three years from when the interpretation was published (November 29, 2019) to ensure compatibility with the constitutional guarantee of the right to public service and the right to health of public employees.
2. In accordance with Article 92, Paragraph 2 and Article 93, Paragraph 1 of the Code of Criminal Procedure, the district and sub-district prosecutor's offices will each designate officers to work in shifts to handle cases like oral criminal information, denunciations or surrenders, delivery of current offenders according to Article 92 of the abovementioned code, and urgent searches, seizures and investigations in line with Articles 5 and 6 of the District Prosecutors' Office Regulations. The prosecutor's office will cooperate with the relevant district prosecutor's office. The prosecutors are required to work with the Judicial Police Officer on call 24 hours for a range of tasks including the transfer of offenders, receiving complaints, electronic surveillance, and examining cases. They are

expected to work night shifts and regular holidays continuously throughout the year. The Prosecutor's Office, the Prosecutor's Investigator, and the Clerk's Office are required to work on a monthly basis both in the field and in the office, and to provide additional support during the night and on holidays to meet the needs of the Prosecutor's Office in handling major and unexpected projects. The workload naturally tends to be very heavy.

3. In accordance with Article 93, Clauses (5) and (6) of the Code of Criminal Procedure, the "absolute late-night interrogation prohibition" system was reinstated as of April 21, 2017. In principle, the court may not interrogate the defendant from 23:00 at night, but the prosecutor's office is still required to receive the Judicial Police Officer 24 hours a day to deliver offenders to the judicial police offices or to receive the public's criminal complaints and surrenders. Efforts are underway to comply with the aforementioned Interpretation No. 785 and implement the reasonable maximum number of hours of service of the prosecutors, prosecutor's investigators, clerks, and bailiffs, their frequency of service and leave, and the minimum number of consecutive hours of rest during their service day. The Taiwan High Prosecutor's Office has implemented a new system of compensation for bailiffs who are on duty, in order to protect the health rights of these employees, pursuant to the "Taiwan High Prosecutor's Office and All subordinate Bailiff Agencies Compensation Methods for Bailiff Duty and Implementation Principles of the New System for Bailiffs". This new system went into effect on February 1, 2020. Most bailiffs must also work night shifts after working during the day, which can take a toll on their health as there isn't enough manpower to help them, and it is urgent to address this personnel shortage. Also, it is standard practice for the large District Prosecutor's Office to receive cases until midnight, and when colleagues work in the field or execute projects, they have to work continuously for over 20 hours a day, which is already excessive. Hence, we propose increasing the number of prosecutors, prosecutor's investigators, clerks, and bailiffs to ensure business operations and to safeguard their health.

VI. Proposed Solutions: Medium-term personnel supplementation plan

As for the prosecutor's offices, we propose a medium-term personnel supplementation plan for the recent execute projects include: "The new Citizen Judges Act system", "Discrete proposals to prevent abuse of legal or judicial process", "Computer, cryptocurrency, money laundering and emerging derivative crime types and investigating significant economic crimes (accounting and audit forensics)", "The New System for Guardianship and Post-release Compulsory Treatment for Sexual Offenders", "National Security and Information Technology Security", "Trade Secrecy Protection", "Establishing Continuous Evidence Administration System and digital repository for stolen evidence", "Application of Diverse Deferred Sentences in Drug Cases", "Early Judicial involvement in Serious Child Abuse Cases", "New Generation Prosecutorial Innovative Technology Project", "Crime Victim Protection and Victim Information Platform for Criminal Proceedings", "Promoting and Implementing efforts against the Crime of Obstruction of Justice", "Promoting Legislation governing Administrative Case Closure Processes", "Establishing, managing, and operating the Electronic Monitoring Center (EMC)", and "Post-release Sexual Offenses Polygraph Operations".

The medium-term personnel supplementation plan for 2022-2025, calls for adding 50 prosecutors, 250 prosecutor's investigators, 200 clerks, 4 clinical psychologists, 6 forensic medical examiners, 30 clerk assistants, 2 information officers, and 50 bailiffs, for a total augment of 600 persons. It is our hope that we will be able to achieve the objectives of the 2017 National Conference on Judicial Reform and minimize overwork among prosecutors, investigators, clerks and bailiffs, protect staff health rights, and implement the spirit of Grand Justices Interpretation No. 785.

VII. Evaluating benefits from new human capital

(I) Relieving personnel burdens while enhancing team spirit

In accordance with the Court Organization Act, Article 73, attached Schedule, every prosecutor should have a prosecutor's investigator and three advisory groups provide professional analysis and opinion thereto: the financial and economic affairs group, the

electronic data group, and the engineering group. But the present ratio of Prosecutors' Investigators to Prosecutors is only 1:0.50.

(II) Responsiveness to the electorate's demands and continuous promotion of judicial reforms

The Ministry of Justice is dedicated to advancing successful judicial reform, implementing the ideal of "justice for everyone," and consistently improving justice quality. The Ministry of Justice is actively pushing the agenda of the National Conference on Judicial Reform, which in terms of "public engagement in transparent monitoring," "warm and friendly victim protection," and "human rights protection of defendants" has the following themes and objectives:

1. To filter and divert the source of cases and allocate prosecution resources rationally, establish a case examination center.
2. To strengthen the law of evidence, plans are being made to develop a system of evidence custody and the formation of a digital repository for stolen evidence.
3. Promoting the crime victim protection program and establishing the Victim Information Platform for Criminal Proceedings will relieve crime victims' burdens by allowing them to follow the progress of investigations and trials and express their opinions in a timely manner, as well as knowing information about defendants in prison and their release, so that they can respond appropriately.
4. We plan to amend the Drug Hazard Prevention Ordinance to make it easier for drug users to quit using drugs and reintegrate back into society through a variety of treatment choices, as well as to improve the anti-drug legal system.
5. Promote criminalization of obstruction of justice to prevent outsiders from interfering with the administration of justice.
6. To safeguard disadvantaged groups in the court system, improve the processes for early judicial intervention in child abuse cases.

7. to complete the legalization of administrative case closure processes, so the prosecution system for closing cases keeps up with the times.

(III) Protect colleague' s health rights comports with the Interpretation No. 785

Besides responding to judicial reforms, Prosecutors must also investigate economic crime cases such as computer cryptocurrency and money laundering, information and communication cases where hostile forces are infiltrating and endangering national security, and trade secret cases, in addition to handling extended prison sentences and post-prison prescribed treatment. It is essential that the prosecutorial efforts become more professional, refined, and AI-enabled. This will undoubtedly necessitate a significant amount of people. Colleagues will no longer have to work overtime as a result of the addition of more prosecutors, prosecutor's Investigators, clerks, and bailiffs, and we will be able to comport with the Interpretation No. 785. The regulations aim at establishing maximum number of hours of service, the frequency of leave, and the minimum number of consecutive hours of rest during the workday in order to preserve employees' health rights.





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Accounting Office

Chen, En-Hua ◇ Li, Hsing-Chen*

Sung, Hsiu-Chin ◇ Teng, Hui-Hua

I. Present Status Quo

II. Future prospects

* This Chapter was written by Director, Chen, En-Hua of this office in 2021; some of the chapter was added by Section Chiefs, Li,Hsing-Chen, Section Chiefs, Sung,Hsiu-Chin and Section Chiefs, Teng,Hui-Hua in 2022.



I. Present Status Quo

(I) Our Founding and Organizational Structure

The Taiwan High Prosecutors Office (THPO) Accounting Office ("this Office") was established on July 1, 1980 upon implementing the mandated separation of prosecutorial powers independent of the judiciary. This Office handles annual audit and accounting as by law provided. This Office consists of three sections: the Budgeting Section, Review Section and Accounting General Management Section, with a total of 20 employees. This total staffing includes 1 Director, 6 positions in the Budgeting Section, 8 staff in the Review Section (including 2 contract employees), and 5 personnel in the Accounting General Management Section.

(II) Our Founding and Organizational Structure

This Office has one Director, and there are three sections.

Budgeting Section

This section is responsible for preparing, distributing, and reserving the budget for units, as well as for final settlement of accounts, applications to use reserve funds, and on-site inspection of internal auditing and expenditures status of the prosecutors' office to which it belongs.

Review Section

Auditing and securing original vouchers for annual income, funds, and property; executing and regulating budgets; creating various accounting reports; and overseeing various procurement initiatives are all responsibilities of this section.

Accounting General Management Section

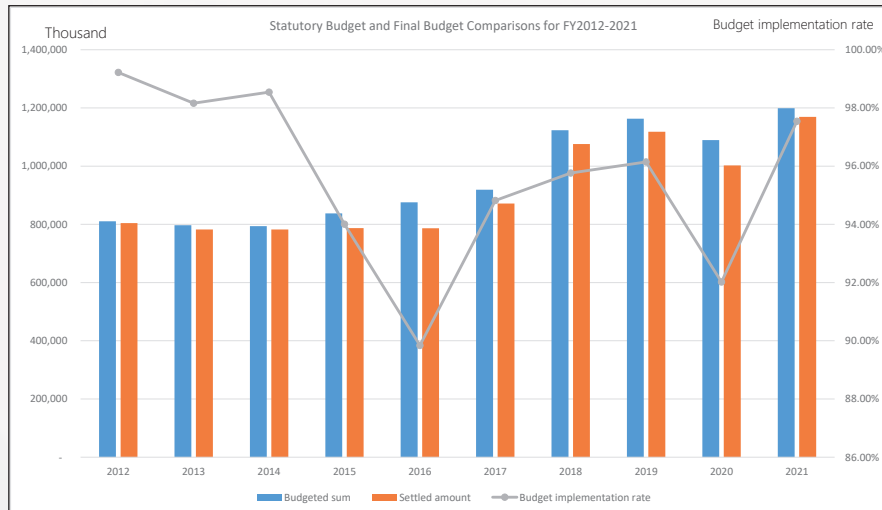
The section is in charge of the Office's and subordinate prosecutors' accounting, as well as the section's sending and receiving of mail and dossiers, file management, and general administration. It also manages the accounting of the Intelligent Property Prosecutors Branches and the Fukien Lianchiang District Court Prosecutors Offices.

(III) Annual Work Highlights

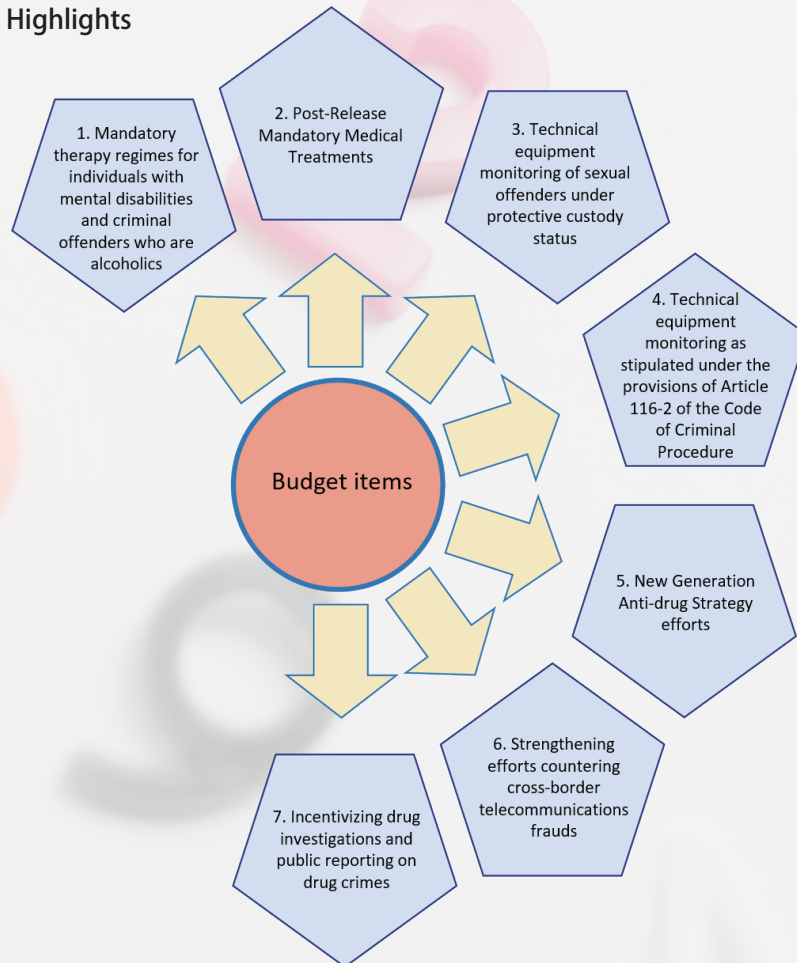


(IV) Taiwan High Prosecutors Office (THPO) Statutory Budget and Final Budget Comparisons for FY2012-2021

Yaer	Budgeted sum	Settled amount	Budget implementation rate
2012	NT\$ 810,774,000	NT\$ 804,454,000	99.22%
2013	NT\$ 797,250,000	NT\$ 782,583,000	98.16%
2014	NT\$ 793,835,000	NT\$ 782,279,000	98.54%
2015	NT\$ 837,540,000	NT\$ 787,350,000	94.01%
2016	NT\$ 875,614,000	NT\$ 786,678,000	89.84%
2017	NT\$ 919,049,000	NT\$ 871,460,000	94.82%
2018	NT\$ 1,123,598,000	NT\$ 1,075,999,000	95.76%
2019	NT\$ 1,162,922,000	NT\$ 1,118,099,000	96.15%
2020	NT\$ 1,089,379,000	NT\$ 1,002,460,000	92.02%
2021	NT\$ 1,198,889,000	NT\$ 1,169,417,000	97.54%



(V) Annual Work Highlights

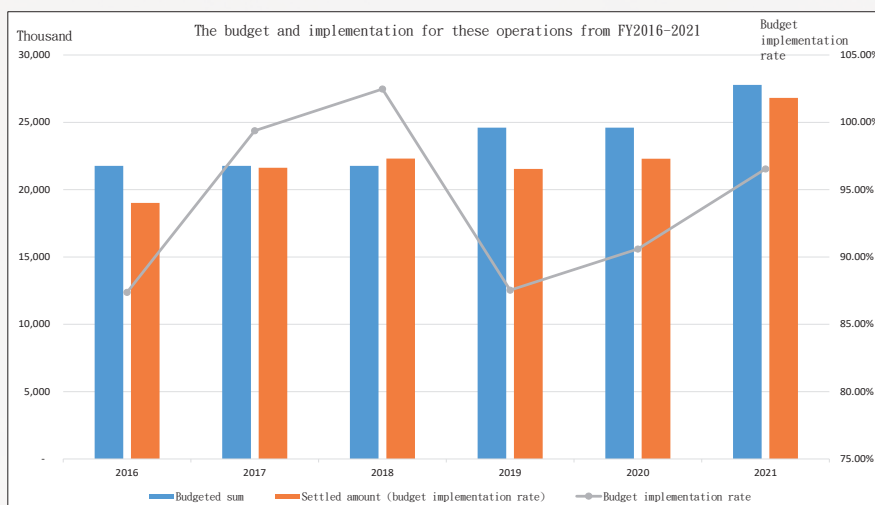


1. Supervising enforcement for mandatory medical treatment of criminal offenders participating in "Mental Disability and Alcoholism Treatment" programs

These duties are in line with the government's policy goal of creating a social safety net for individuals who cannot be dealt with through punishment, and in response to social security demands and necessity. The court may decide to impose guardianship (disciplinary) measures on persons legally subject to guardianship and disciplinary measures when a doctor determines they require professional care. This not only eases their reintegration into society, but also lessens the burden on their families, eliminates public fears, and lowers and prevents the rates of mental illness-related crime. The budget and implementation for these operations from FY2016-2021 are as follows:

Year	Budgeted sum	Settled amount (budget implementation rate)	Budget implementation rate
2016	NT\$ 21,766,000	NT\$ 19,019,000	87.38%
2017	NT\$ 21,766,000	NT\$ 21,630,000	99.38%
2018	NT\$ 21,766,000	NT\$ 22,304,000	102.47%
2019	NT\$ 24,608,000	NT\$ 21,542,000	87.54%
2020	NT\$ 24,608,000	NT\$ 22,292,000	90.59%
2021	NT\$ 27,774,000	NT\$ 26,812,000	96.53%

Note: Whenever there is a deficit from an excess of the final budget settled amount over the budgeted sum, such insufficiencies are absorbed by other fundings.



2. Supervising implementation for enhanced post-prison release mandatory treatment cases

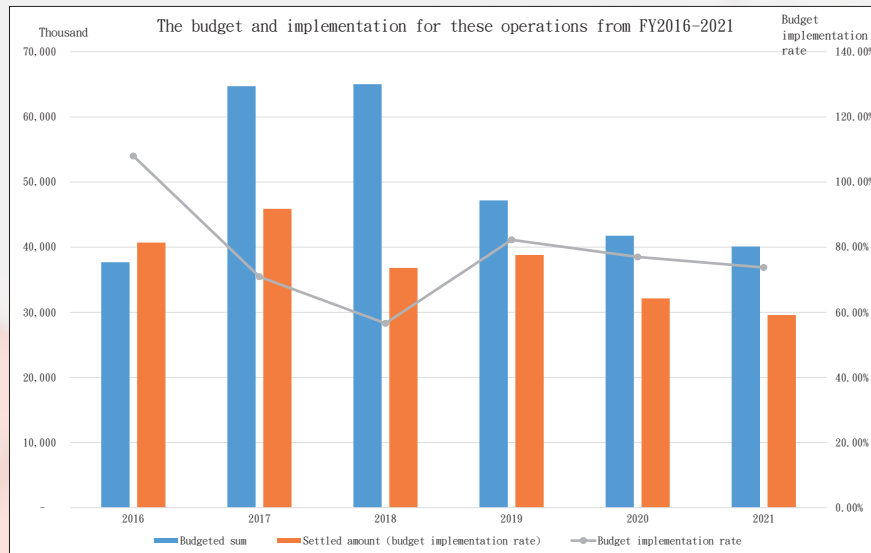
Such mandatory treatment facilities, in terms of administration and space, are to be clearly differentiated from prisons and their connected facilities in order to give effect to the Interpretation No. 799 of Judicial Yuan. To comply with the constitutional need of clear distinction between the two, the interpretation ensures that medical institutions outside of prisons accord medical treatment to people who are subject to mandatory treatment. Upon request from the Taiwan High Prosecutors Office, the Ministry of Justice has sent a letter to the Executive Yuan seeking more programmatic financing from the second reserve of the 2021 central government budget.

3. Supervising implementation for technical equipment monitoring of sexual offenders under protective custody

Article 20, Section 3, Paragraph 7 of the Sexual Assault Crime Prevention Act provides authority requiring implementing electronic monitoring for the control of sexual offenders under supervised parole/probation. This monitoring provides for a high degree of external surveillance to understand the whereabouts of the person under surveillance. The monitoring technology can immediately provide information to the prosecutor's office about any infractions of the prosecutor's order, allowing the monitored person's behavior to be grasped in a timely manner through early warning. The budget and implementation for these operations for FY2016-2021 are as follows:

Year	Budgeted sum	Settled amount (budget implementation rate)	Budget implementation rate
2016	NT\$ 37,677,000	NT\$ 40,696,000	108.01%
2017	NT\$ 64,714,000	NT\$ 45,879,000	70.9%
2018	NT\$ 65,021,000	NT\$ 36,811,000	56.61%
2019	NT\$ 47,180,000	NT\$ 38,799,000	82.24%
2020	NT\$ 41,752,000	NT\$ 32,142,000	76.98%
2021	NT\$ 40,084,000	NT\$ 29,572,000 (January-June, 2021)	73.78%

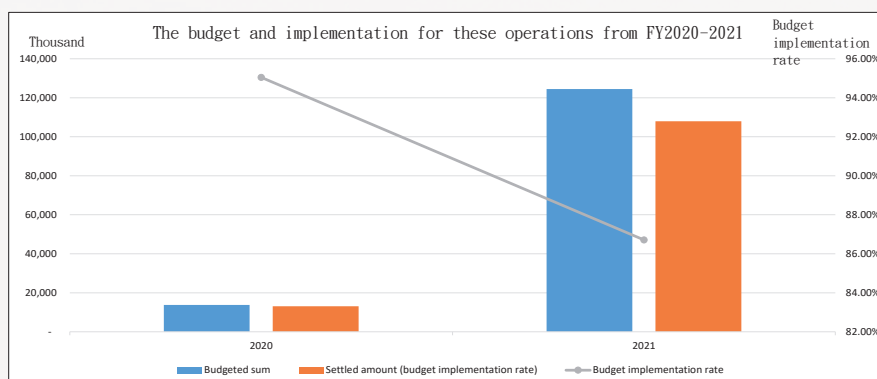
Note: Whenever there is a deficit from an excess of the final budget settled amount over the budgeted sum, such insufficiencies are absorbed by other funding.



4. Supervising implementation technical monitoring equipment pursuant to the provisions of Article 116- of the Code of Criminal Procedure Article

To implement Article 116-2, Section 1, Paragraph 4 of the Code of Criminal Procedure, which prohibits defendants from fleeing with the intent to evade criminal liability, judges and prosecutors are expressly authorized to order defendants to be monitored by appropriate technological equipment for a specified period of time if deemed necessary for the protection of human rights and the preservation of a balance of public interest, so as to prevent defendants who are not in custody or who have ceased to be in custody from fleeing and evading criminal liability. The monitoring and management of defendants and their families is the responsibility of the Ministry of Justice (MOJ). The budget and implementation status for these operations as of FY2021 are as follows.

Year	Budgeted sum	Settled amount (budget implementation rate)	Budget implementation rate
2020	NT\$ 13,769,000 (including funds allocated from the second reserve)	NT\$ 13,087,000	95.05%
2021	NT\$ 124,485,000	NT\$107,943,000	86.71%

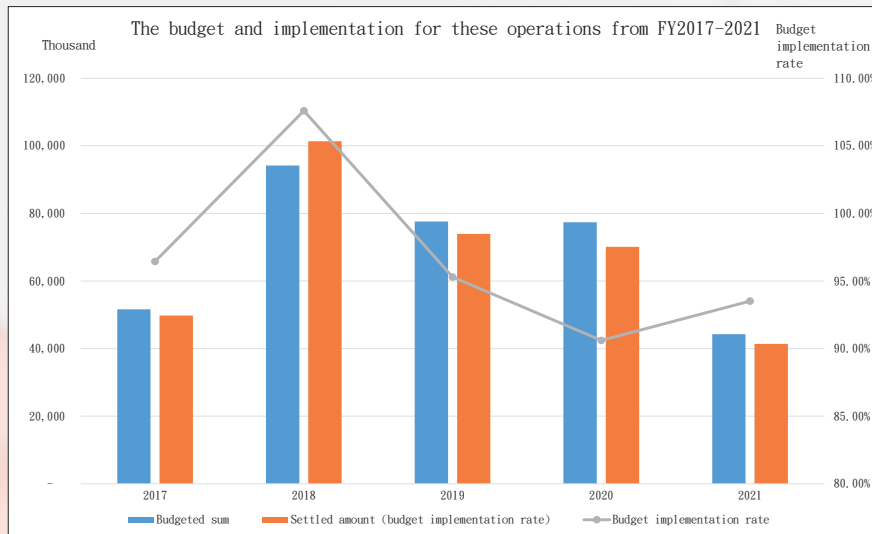


5. Implementing our "New Generation Anti-drug Strategy" efforts

The "New Generation Anti-drug Strategy" efforts focus on a "people-centric" approach in the hunt for drug sources, yet retain "quantity" as the goal for completely eliminating drugs. Anti-drug agencies should include scientific and technology anti-drug improvements, as well as cooperative preventive and monitoring methods at the regional level, to reduce drug users' derivative crimes. This will also improve anti-drug agencies' functional synergy. The budget and implementation for these responsibilities for FY2017-2021 are as follows.

Year	Budgeted sum	Settled amount (budget implementation rate)	Budget implementation rate
2017	51,605,000 (including funds allocated from the second reserve)	49,772,000	96.45%
2018	94,198,000	101,351,000	107.59%
2019	77,602,000	73,957,000	95.3%
2020	77,401,000	70,130,000	90.61%
2021	44,265,000	41,393,000	93.51%

Note: Whenever there is a deficit from an excess of the final budget settled amount over the budgeted sum, such insufficiencies are absorbed by other funding.

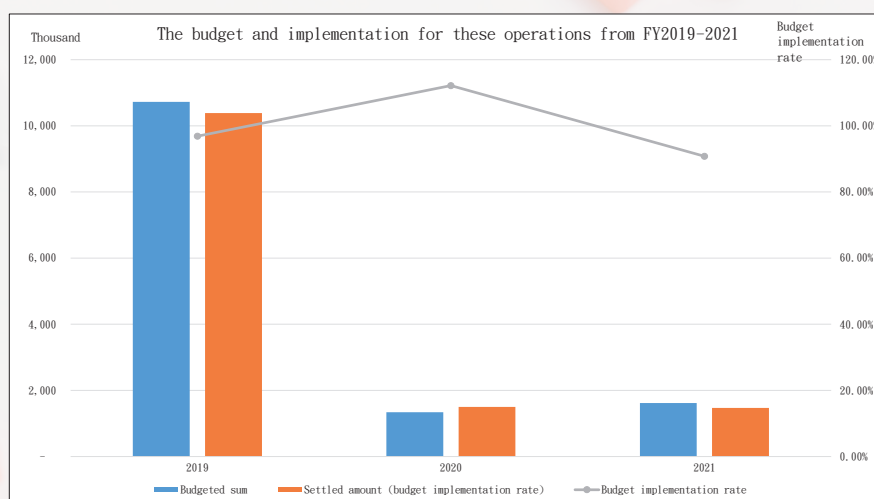


6. Our nationwide anti-fraud database system operations

Emerging cross-border telecom fraud syndicates have been using more intelligent and technologically advanced instruments to conduct their crimes in recent years, and the number of victims have increased. The National Anti-Telecommunications Fraud Database was created with the goal of creating a nationwide database of cross-border telecom fraud population and related targets, as well as forming a structured relationship to build a network to effectively combat cross-border telecom fraud and reduce the number of fraud cases. The database is used to investigate, anticipate, and follow the behavior of criminals and their organizations through queries, alerts, analysis, and statistics. It makes use of big data to conduct in-depth studies and generate scientific analyses. The budget and implementation for these operations from FY2019-2021 are as follows:

Year	Budgeted sum	Settled amount (budget implementation rate)	Budget implementation rate
2019	10,723,000	10,385,000	96.85%
2020	1,339,000	1,502,000	112.17%
2021	1,619,000	1,470,000	90.8%

Note: Whenever there is a deficit from an excess of the final budget settled amount over the budgeted sum, such insufficiencies are absorbed by other funding.

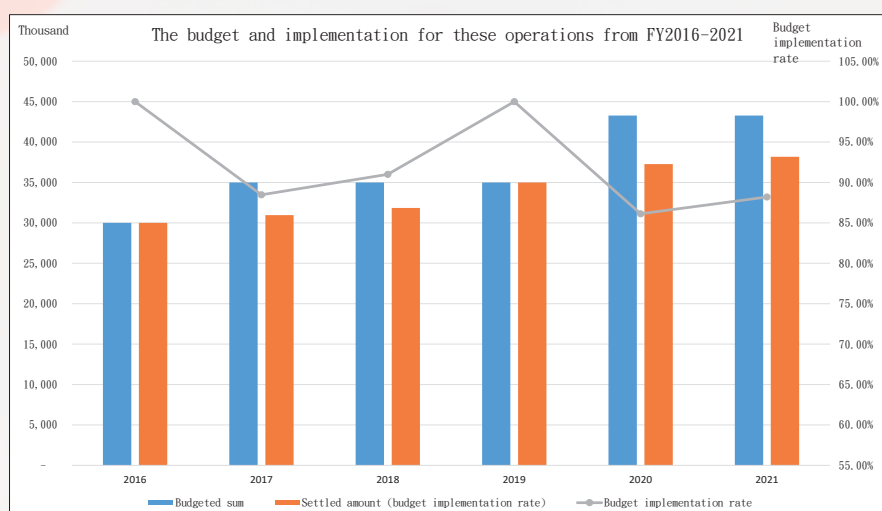


7. Drug Investigation Performance Awards and Incentivizing Public Reporting in Drug Crimes

In compliance with Article 32 of the Narcotics Hazard Prevention Act and the Drug Hazard Prevention Rewards and Punishments Act, the government has increased the amount of money granted for the identification of drug makers. The reward for locating drug production operations has been boosted dramatically in order to better direct drug enforcement efforts toward "rooting out the source." This will allow investigators to concentrate their efforts on the most serious cases of drug trafficking gangs and drug production factories that pose a threat to public safety. The budget and implementation for these operations for FY2016-2021 are as follows:

(1) Drug detection awards and other incentives

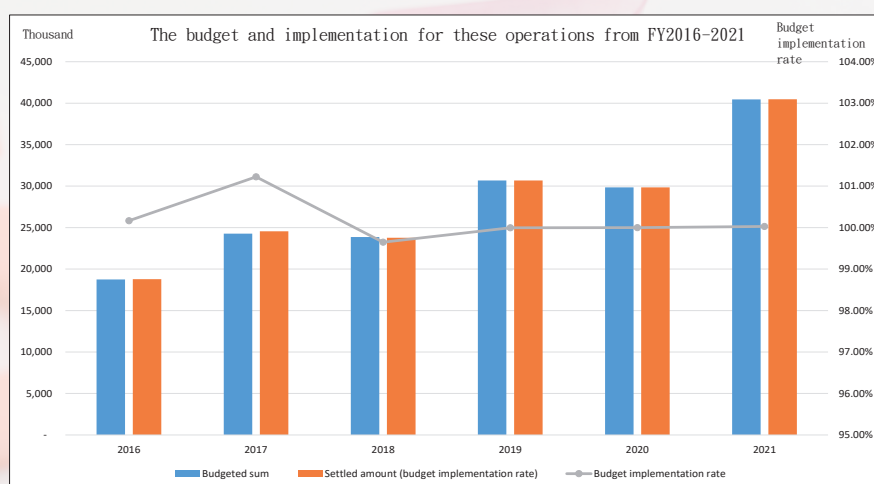
Year	Budgeted sum	Settled amount (budget implementation rate)	Budget implementation rate
2016	30,000,000	30,000,000	100%
2017	35,000,000	30,967,000	88.48%
2018	35,000,000	31,853,000	91.01%
2019	35,000,000	34,999,000	100%
2020	43,281,000	37,275,000	86.12%
2021	43,281,000	38,174,000	88.2%



(2) Incentive awards for public reporting in drug crimes

Year	Budgeted sum	Settled amount (budget implementation rate)	Budget implementation rate
105	18,756,000 (including funds allocated from the first reserve)	18,787,000	100.17%
106	24,266,000 (including funds allocated from the first reserve)	24,563,000	101.22%
107	23,856,000 (Including funds allocated from the first and second reserves)	23,772,000	99.65%
108	30,677,000 (Including funds allocated from the first and second reserves)	30,676,000	100%
109	29,852,000 (including funds allocated from the first reserve)	29,852,000	100%
110	40,456,000 (Including funds allocated from the first and second reserves)	40,468,000	100%

Note: Whenever there is a deficit from an excess of the final budget settled amount over the budgeted sum, such insufficiencies are absorbed by other funding.



(VI) Verifying subordinate entities' internal auditing status

This Office is in compliance with the provisions of Article 4 of the "Internal Audit Guidelines" and directive No. 0951407899 sent by the Ministry of Justice on December 11, 2006, regarding Article 9 of the "Implementation Plan for the Ministry of Justice to Inspect

the Internal Audit Processes of its Agencies". This Office is in charge of conducting on-site audits of the Taiwan High Prosecutors Office's internal audit procedures at each level in order to understand how the relevant operations are carried out, whether the processes are appropriate and reasonable, and whether the business units actually comply with them. If we uncover any issues that need to be examined and addressed, we will submit a written report to the head of the office in order to assist the agencies in improving their internal control processes and making the most of their resources (including manpower, funds, duties, and materials).

II. Future prospects

The Taiwan High Prosecutors Office is committed to making the best use of its budget by prioritizing expenditure on the most critical areas and collaborating with other government agencies to maximize limited budget resources. This Office will continue to draft budgets that reflect the government's commitment to anti-drug, anti-crime, and technology-based justice programs. Budgets shall be produced in accordance with the times in order to reflect the governing philosophy and improve the efficient use of budgetary resources.

(I) Establishing Judicial Mental Health Hospitals

The extension and identification mechanism of guardianship treatment, diversification of guardianship treatment, classification and triage treatment, mobility and turnaround mechanism, and the establishment of a transfer mechanism are all part of the future direction of guardianship treatment and post-prison mandatory treatment. This is in line with the Executive Yuan's future plans for judicial mental health hospitals.

(II) Strengthening implementation at the Electronic Monitoring Center

The use of technology to watch and record the movements and activities of someone under surveillance can help guarantee that they are following court or prosecution directives. This can be accomplished through the use of GPS tracking devices or by monitoring their activities, and notifying the court or prosecutor's office. The early warning system can help prevent defendants from fleeing and monitor sexual offenders on supervised parole or probation from acting inappropriately, while also ensuring that the

state's penal power is exercised and avoiding any damage to judicial credibility that may result if the defendant flees in cases of major social concern.

(III) Funding our anti-drug strategies

We will continue to battle in an integrated manner across ministries, localities, and disciplines in the future to stop the flow of drugs, people, and money, as well as to improve drug detection in schools and ensure prevention of recidivism. We'll work to "cut off the three streams of narcotics," which includes "tracing illicit drug substances, pursuing persons, and cutting off the flow of finances." In order to lessen the detrimental impact of drugs on the country, we will also collaborate with supervised parole and probation operations as well as local governments to establish community anti-drug networks.

(IV) Nationwide Anti-Telecommunications Fraud Database operations

We will continue to collect and share data on cross-border telecom fraudsters and their targets across the country, investigate and detect fraud cases, issue high-risk alerts, and accurately analyze and predict the future development trend of fraudulent techniques in order to develop effective strategies and methods to prevent cross-border telecom fraud crimes.

(V) Our current challenges

1. We also handle the accounting work of Fuchien Lienchiang District Prosecutors Office in Fujian Province, which has a considerable volume of business, in addition to the budgeting and accounting work of Taiwan High Prosecutors Office and Branches of the Intellectual Property Prosecutors Office.
2. The Taiwan High Prosecutors Office and subordinate entities enjoy annual increases in funding, which concomitantly places significant demands on accounting personnel and resultant high administrative expenditures.

The Taiwan High Prosecutors Office has created a number of dedicated funds to support local prosecutors' offices. These include the "Mandatory Medical Treatment Fees (Guardianship) for Mentally Disabled Criminal Offenders", "Operational Costs

for administering the Crime Victim Compensation Funds", "Ad hoc Prosecutorial investigative costs", "Expenses related to public auctions and storage of seized items, facility maintenance, and equipment replacement", "Crime victim autopsy fees", "Funds for technology and technical monitoring equipment", "Expenses for implementing the New Generation Anti-drug Strategy operations and scientific therapeutic modalities and equipment", "Universal health insurance for persons under guardianship", "Criminal Compensation Fund", "Forensic expenses and Expert fees for major criminal cases", and "Drug Identification Fees for Drug Cases Under One Gram". In recent years 15 new items have also been added, including the "Non-Core Law Enforcement Services outsourced personnel Funding", "New Generation Anti-drug Strategy Overtime costs", "Disciplinary impositions", and "handling of Article 116-2 of the Criminal Procedure Law for technical monitoring equipment and related matters. Also, since 2022, new trust funds have been created for "Post-penal mandatory treatment for sex offenders", "Judicial mental health wards", as well as significantly increased fees for "mandatory medical treatment for mentally disabled criminal offenders". In addition to the assessment procedure, each prosecutor's office must also submit a letter for funding approval to the Taiwan High Prosecutors Office.

3. The Taiwan High Prosecutors Office is low on office space and has outdated equipment. This forces us to consider how to make the most of our limited resources to improve the workplace environment.

The number of personnel in the Taiwan High Prosecutors Office has risen in recent years, from 341 in 2019 to 361 in 2021. As a result, there is a severe lack of office space. The equipment at the Judicial Office Building and the Information Building is old and in need of replacement. Because the Taiwan High Prosecutors Office has a limited discretionary budget, it is critical that such funds be used cautiously to improve the office environment.

(VI) Proposed Solutions

1. Incorporating items with more specific caseloads or dollar amounts into each prosecutor's budget can aid in the control of administrative procedures and the

reduction of administrative costs while also improving administrative efficiency.

- (1) Each local prosecutor's office must submit a separate request letter to the Taiwan High Prosecutors Office in order to seek for monies to be paid to each medical institution under the "required medical treatment for mentally ill criminal offenders (guardianship treatment)" program. This is a time-consuming administrative process. It is suggested that those funds for local prosecutors' offices be restored to them in order to reduce administrative costs and increase efficiency.
- (2) The Ministry of Justice approves the quantity and amount of staff required by each prosecutor's office, as well as the concomitant budget. To save administrative procedures and improve administrative efficiency, it is recommended that the budget be returned to control of each prosecutor's office.

3. Proper budget use and progressive office environment improvement

Under the careful planning of the Prosecutor General, the Taiwan High Prosecutors Office was renovated in the years 2020 to 2021 by reducing funds allocated to the Taiwan High Prosecutors Office (including the Judicial Building and the Information Building) renovation project, the Information Room Network Wiring and Backup Machine Room Renovation Project, renovations of the second and third offices of the Intellectual Property Branch, Taiwan High Prosecutors Office, and the Judicial Office Building, renovations of the Meeting Room on the 2nd floor of the Judicial Office Building, renovations for the Briefing Room, 2nd Floor, Judicial Office Building, and the "Cultural Art Gallery". The Taiwan High Prosecutors Office has achieved significant progress in terms of performance and image, thanks in large part to these attempts to make the most of limited resources.

(VII) Conclusions

This Office's accounting work not only follows the law, but also makes full use of the available financial resources to actively cooperate with the agency's administration and support the Taiwan High Prosecutors Office in improving and promoting all of our many responsibilities and duties.

Statistics Office

Chi, Tsung-Chih ◇ Huang, Yueh-Hsia*

Chang, Tsui-Ling ◇ Yeh, Li-Ping

I. Prosecutorial Statistics Present Status Quo

- (I) Statistics Office created and organized
- (II) All sectional responsibilities
- (III) Key responsibilities
- (IV) Prosecutorial responsibilities performance statistics

II. Outlook for Prosecutorial Statistics

* This Chapter was written by Director, Chi, Tsung-Chih of this office in 2021; some of the chapter was added by Section Chiefs, Huang, Yueh-Hsia, Section Chiefs, Chang, Tsui-Ling and Section Chiefs, Yeh, Li-Ping in 2022.



I. Present Status Quo

(I) Statistics Office created and organized

After the introduction of the prosecution and trial subordination system, the Taiwan High Prosecutors Office Statistics Office ("this Office") was founded on July 1, 1980. The office is in charge of prosecutorial statistical activities in the Taiwan High Prosecutors Office's four branches and the 20 District Prosecutors Offices. Between this agency and its related offices, there are 91 statisticians on staff. Thirteen of those employees work in this office, while the remaining 78 work in affiliated offices.

(II) All sectional responsibilities

This Office has one Director, along with 3 sections.

Section One (Section Chief : 1, Clerks : 3, Clerk Assistant : 1)

- This section handles the statistical responsibilities of the Taiwan High Prosecutors Office and Branches of the Intellectual Property Prosecutors Office.
- It also handles prosecution of the second instance's Criminal Investigation and Enforcement Case Statistical Compilation.

Section Two (Section Chief : 1, Clerks : 4)

- This section handles prosecution of the first instance's Criminal Investigation and Enforcement Case Statistical Compilation.
- It also handles the Lienchiang District Prosecutors Office statistical responsibilities.

Section Three (Section Chief : 1, Clerks : 1, Assistant : 1)

- Judicial protection in criminal cases and victims' compensation statistics
- Statistical personnel

(III) Key responsibilities



(IV) Key responsibilities

1. Prosecutorial statistical collection, construction and audit compilation

In accordance with the Statistics Act, the Statistics Act's Enforcement Rules, the Ministry of Justice's "Points to Note in Handling Statistical Matters for the Ministry of Justice and its Subordinate Agencies," the "Implementation Guidelines for Reporting Case Closure of Prosecution Cases by Number and Count," the "Quality Assessment of Prosecutors' Case Work at Prosecution Offices and their Sub-branches Below the Higher Prosecution Office," and relevant orders, cases are closed and prosecutorial data are collected in accord with the "Guidelines for Implementation of the " Prosecutors' Cases Quality Assessment " at all levels below the Taiwan High Prosecutors Office and its subordinate offices" and the appropriate regulations.

1. Prosecutorial statistical collection, construction and audit compilation

2. Prosecutors' case performance information and performance evaluation

When calculating and reviewing the annual case results and performance evaluations of prosecutors from the Taiwan High Prosecutors Office and its Branches of the Intellectual Property Prosecutors Office, this Office follows the Ministry of Justice's "Guidelines for Implementation of the " Prosecutors' Cases Quality Assessment " at all levels below the Taiwan High Prosecutors Office and its subordinate offices", "Implementation Guidelines for Case Quality Evaluation of Prosecutors' Offices and their Branches of the Intellectual Property Prosecutors Office" and the "Taiwan High Prosecutors Office and its Branches of the Intellectual Property Prosecutors Office Guidelines for evaluating the performance of prosecutors".

3. Prosecutorial public affairs statistical reporting program and database construction and maintenance

We add, delete, and revise public affairs statistical reports and maintain report program settings in a timely manner that reflects current trends, laws, and changes in government regulations, in accordance with the "Principles for Adding, Deleting, and Revising Public Affairs Statistical Report Programs for Legal Affairs Statistics." For cross-system databases or temporary statistical needs, we create operational reports and manage and update the "Public Affairs Statistical Database."

4. Providing Statistical Information Applications

We publish monthly statistical books and publications, maintain the Statistical Garden's website in English and Chinese, write and review analysis for our annual thematic topics, and provide crime statistics on a regular basis and as indicated to the Taiwan High Prosecutor's Office, the Ministry of Justice's Statistics Office, the Ministry of Justice's Agency of Corrections, the Legislative Yuan, and the Control Yuan's operating units.

5. Planning data collection mechanisms responsive to legal and regulatory amendments and emerging requirements

We've added the following system fields in response to legal changes and operational support needs during the "COVID-19" outbreak: "Restriction on Departure and Travel," "Technology Equipment Monitoring," "Investigation Confidentiality Protective Order," "Digital Evidence," "Polygraph Cases," "Severe Child Abuse," and "Transfer of Jurisdiction." This will allow us to supply the epidemic command center with daily information on criminal cases related to the outbreak, allowing them to stay current on these issues.

6. Improving statistical data quality and broadening applied statistical data uses

By promoting the reengineering of the prosecution statistical system, the review of statistical notes and fields, inventorying law versions and clarifying statutory paragraphs, field auditing operations, and the strengthening of error checking procedures, this Office is committed to improving the quality of statistical data.

7. Assisting in analyzing the nationwide drug problem status

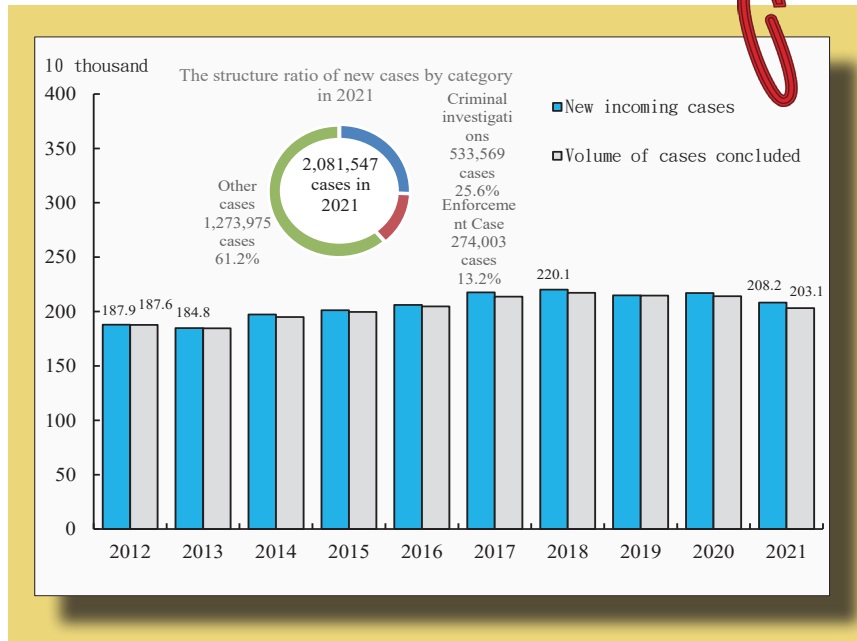
In order to carry out its duties, the Taiwan High Prosecutors' Office's Science and Technology Investigative Center requires information on Taiwan's drug issue. The Center connects with the Ministry of Justice's public affairs statistics system and the national drug database to address this demand. These data sources are used by the Center to select robust indicators for statistical analysis and to complete the "Rapid Analysis of the Domestic Drug Situation" on a periodic basis. This research is used to forecast drug trends and disseminated to the media and the citizenry.

(V) Prosecutorial responsibilities performance statistic

1. Volume of criminal cases received and closed by District Prosecutor's Offices

New criminal cases are assigned and numbered according to the Ministry of Justice's "Implementation Guidelines for Reporting and Closing Prosecution Cases by Case Number and Counts," which covers criminal investigation cases, criminal enforcement cases, and miscellaneous cases. Over the last ten years, the number of new cases received has increased, with the greatest number of at 2,021,410 in 2018 and the lowest number was 1,847,528 in 2013.

In 2011, the number of new cases at district prosecutor's offices fell by 88,865 to 2,081,547, a 4.1% decline from the previous year. In addition, the number of closed cases fell by 109,932 to 2,030,563, a 5.1% drop from 2010.1. Volume of criminal cases received and closed by District Prosecutor's Offices

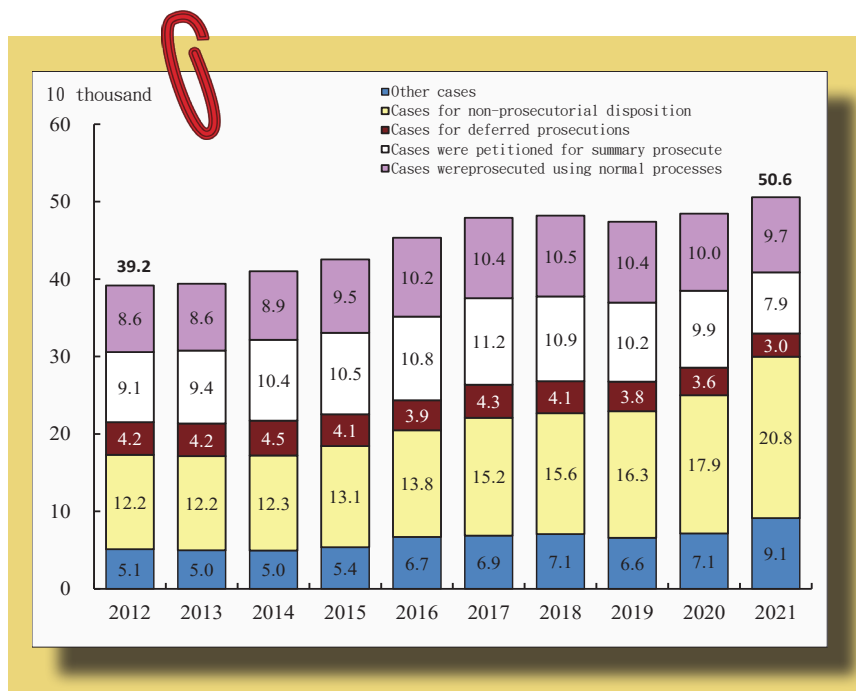


2. Volume of District prosecutor's office cases concluded

Over the last ten years, the number of completed criminal investigations in district prosecutors' offices has risen steadily, reaching a peak of 505,716 cases in 2021 and a low of 391,763 cases in 2012.

The total number of criminal investigations completed by District prosecutors' offices increased by 21,151 cases, or 4.4 %, to 505,716 in 2021. Among them, 97,142 cases were prosecuted using normal processes, accounting for 19.2% of all cases, and 78,668 cases were petitioned for summary prosecute, representing 15.6% of all cases. Non-prosecutions (nolle prosequi dispositions) accounted for 208,488 cases (41.2%), while

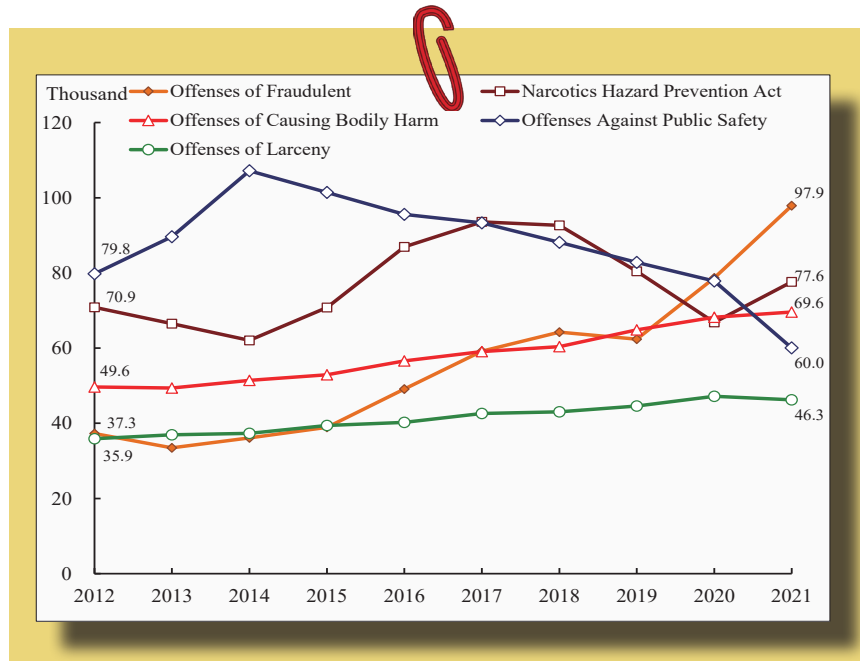
deferred prosecutions accounted for 30,089 instances (5.9%). A total of 91,329 cases were closed for other reasons, accounting for 18.1% of all cases.



3. Volume of criminal investigations concluded by District Prosecutor's Offices - by major crime types

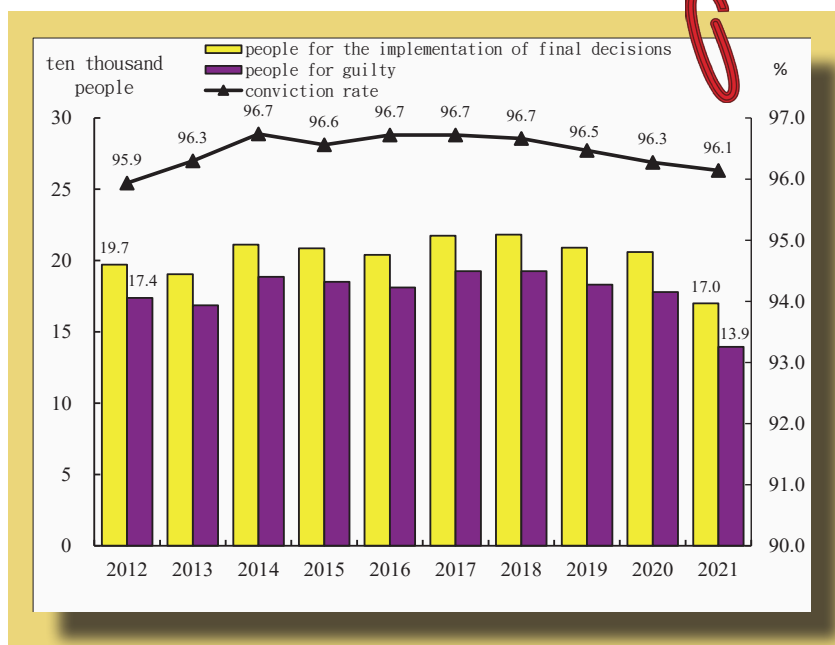
In 2021, District Prosecutors' Offices nationwide concluded 505,716 criminal investigation cases, with fraud, violations of the Narcotics Hazard Prevention Act, offenses of Causing Bodily Harm, offenses Against Public Safety, and theft being the most common offences. Fraud, Offenses of Causing Bodily Harm, Offenses Against Public Safety, and Offenses of Larceny all increased year over year, while public danger and theft declined. Developments in major offenses were as follows: Last year, the number of fraud cases climbed by 19,225 offenses, or 24.4%, to 97,872. In the previous year, the number of instances involving violations of the Drug Abuse Prevention Act climbed by 10,766 cases, or 16.1%, to 77,616 cases. The total number of incidents of Causing Bodily Harm reached

69,592, up 1,386 cases or 2.0% from the previous year. With 60,034 incidents reported last year, the number of Offenses Against Public Safety declined by 22.9%. There were 17,807 fewer cases this year than the previous year. The total number of larceny cases dropped by 914 cases, or 1.9%, from the previous year to 46,267.



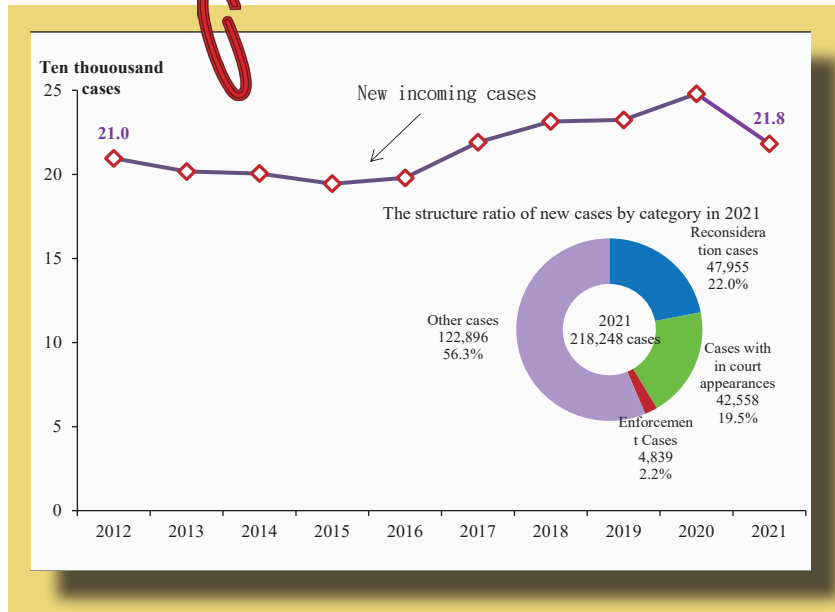
4. District prosecutor's offices implement final judgements

In 2014, 2016, 2017, and 2018, the highest final conviction rate was 96.7%, while the lowest was 95.9% in 2012. In 2021, district prosecutor's offices were referred 152,701 cases and 170,034 people for the implementation of final decisions. There were 139,425 final convictions (82.0%) including those sentenced to terms of incarceration and those without imprisonment imposed, and 5,597 final acquittals (3.3%) among them. The remaining cases were judgements of "exempt from prosecution ", judgements of "case not established ", and other cases, accounting for 25,052 (14.7%). The conviction rate for cases in 2021 was 96.1%, down 0.2% from the previous year.



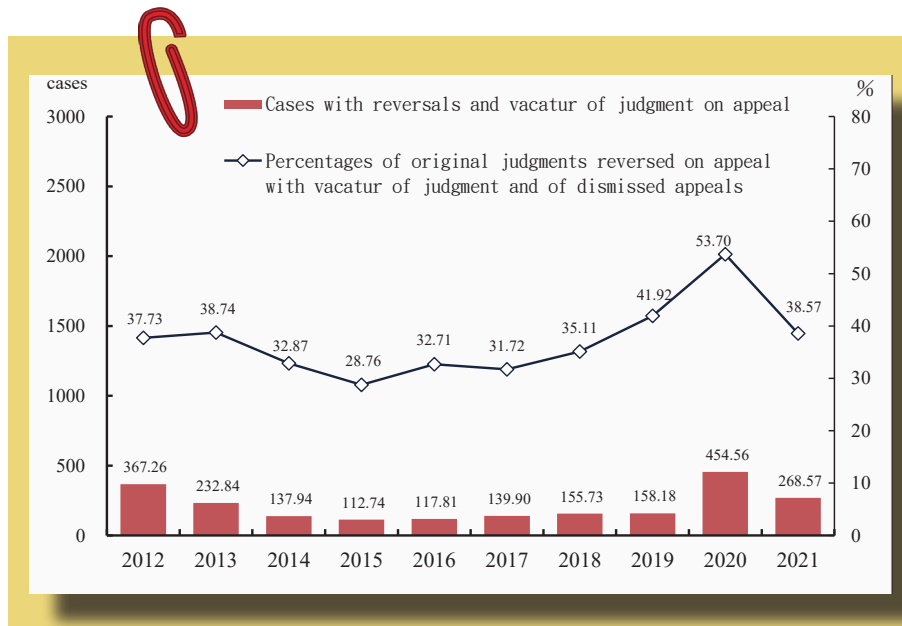
5. Volume of new incoming criminal cases received by the High Prosecutor's Office and its branch prosecutor's offices

Over the last decade, the number of new cases has fluctuated, with a general downward trend from 209,577 in 2012 to 194,428 in 2015, followed by an uptick to 247,969 in 2020, and then a reduction to 218,248 in 2021. The High Prosecutor's Office and its branch offices received a total of 218,248 new cases in 2021, with 47,955 reconsideration cases (22.0%) accounting for the largest portion. The second-highest number of cases, 42,558, or 19.5%, involved in court appearances. There were 4,839 criminal enforcement cases, which accounted for 2.2% of all cases, and 122,896 other cases, which accounted for 56.3% of all cases.



6. Successful appeals, with vacatur of prior decisions, as filed by prosecutors of the High Prosecutor's Office and its branch prosecutors

In the last ten years, the number of revocation cases has decreased from 367.26 in 2012 to 112.74 in 2015, then increased to 454.56 in 2020, and then decreased to 268.57 in 2021. The High Prosecutor's Office and its branch prosecutors analyze the findings of the trial court of second instance, and decide whether or not to lodge an appeal against the defendant in accordance with Article 344 of the Code of Criminal Procedure. Prosecutors' appeals were reversed 38.57% of the time in 2021, according to the Supreme Court. This is a 15.13% reduction from the prior year.



II. Outlook for Prosecutorial Statistics

Our legal statistics responsibilities relies heavily on close synergy among prosecutorial statistical efforts and prosecutorial operations for timely collection of statistical data on prosecutions. By strengthening the quality of criminal case registration data and enhancing the ability of our statistical colleagues to deliver timely, accurate, and meaningful statistical information, we are trying to increase the accuracy and applicability of prosecution statistics to aid development of our entities' overall responsibilities.

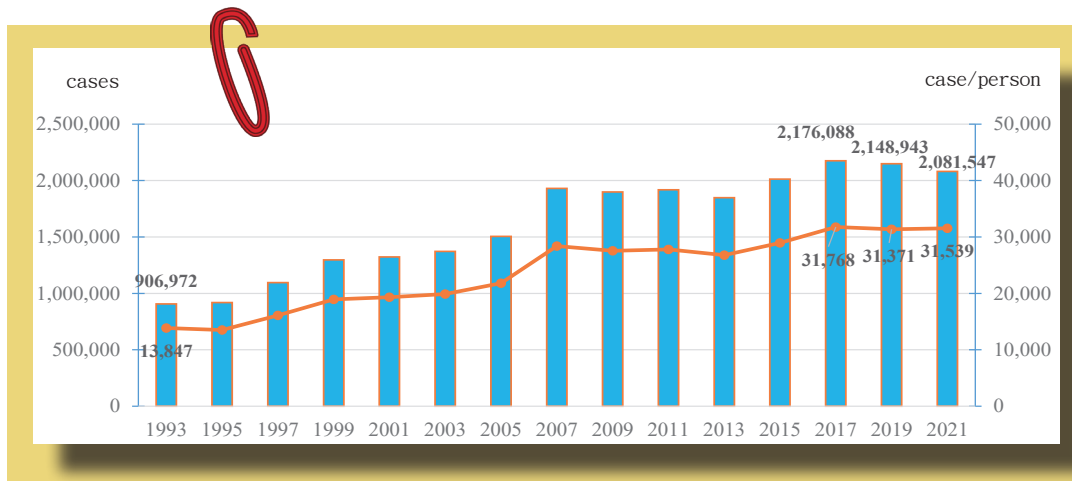
(I) Current Difficulties Facing Prosecutorial Statistics

1. The surge in operating volume has overburdened the statistical staff, preventing them from completely utilizing the full coterie of their professional statistical skills.

The primary focus of this Office is gathering statistics from the District prosecutor's offices, and our statisticians handle cases that come into the office. In terms of workload, the number of new criminal cases received by the District prosecutor's office increased

from 906,972 in 1993 to 2,081,547 in 2021, for a 2.3-fold rise. The average number of cases per staff member in the Statistical Office increased by 2.3 times from 13,847 cases in 1993 to 31,539 cases in 2021. This was due to a lack of a corresponding rise in our workforce muster.

Figure 1 Volume of new criminal cases received by District prosecutors offices and the average number of cases per statistician/enumerator



2. Accounting for data accuracy responsive to increasing data collection requirements and concomitant adjustments in statistical staff

The current data gathering procedure relies on each entity's statistical staff manually collecting data based on the various sorts of documentation brought to our office for closing. The quantity of items to be collected will only grow in response to each unit's growing operational needs and regulatory changes. Because of the high number of prosecutorial agencies and the frequent changes of employees within each entity, data collecting definitions may be incorrect or manual input errors may occur.

(II) Resolving these aforesaid two significant challenges according to the ease of Implementing resolutions, and planning for the near-term, medium-range and long-term

1. Proximate Near-Term Planning

We intend to improve the accuracy of our prosecutorial statistics by keeping a database of case questions and inventory fields, fine-tuning our error-checking procedures, and establishing review teams for our inspection procedures, including a sub-case review team, a question database team, and a check and control mechanism.

Program Audit Review Teams

- Each entity's error-checking audit programs should be assessed and incorporated into the national audit program.
- Prepare procedures for recently added new duties, identify problems, review public administration charts and error-checking solutions proposed at symposiums.
- Thorough examination of the current national error-checking audit program, as well as the addition of additional fields to the correlation check.
- Provide a system for registering and verifying legal codes and statutory data

Case Assignment Review teams

- Investigation, enforcement, reconsideration, and observation cases should be arranged by assignment offices or clerk input fields by trials of the first and second instance.
- For non-statistician entry fields, generate statistical tables (SQL program required).
- Early warning indicators are intended to compare the previous month and the same periods of the previous year, as well as the current month and year.

Thematic Database Building Team

- For all criminal cases being tried in the first and second instance, sua sponte investigations, public criminal complaints, enforcement, reconsideration, and observation cases, statisticians should input and check the fields.
- Create a database of theme questions and answers for the fields that need to be input and checked by gathering books and other data sources that may be used as references.
- Every year, throughout education and training, a test is administered, with questions drawn from a database of topical exam questions. The database is updated on a regular basis at meetings.

Audit Checks and control mechanisms

- On the day of the audit, we optimize the entity's yearly auditing operation by opening the investigation and inspection system to audit the finalized cases and reviewing the accuracy of the criminal case system input.
- The self-checking mechanism will be activated by the Chief Prosecutors at each prosecutor's office. In the first half of each month, the chiefs of senior prosecutors and district prosecutors shall randomly verify the cases registered by each clerk and report the check record form to this Office.

2. Mid-range plan

Combining a criminal case information integration system with a basic statistical data verification network can result in an efficacious case management system for prosecutors.

- When utilized in conjunction with our information technology units, the system provides a complete planning of the case management system, the criminal case information integration system, and the check function of the three stages of the prosecutor's new case assignments, prosecutorial processes, and case closure statistical data, and individuals who make illogical or erroneous entries in new cases, case assignment, the system will automatically generate pop-up alerts and error reports, and build a basic statistical data check network for all parties to help fix errant data. (This part is dependent on the information system's load capacity.)

Creating comprehensive case study training and testing system

- The IT department should collaborate with other departments to develop a comprehensive case training and testing system to verify the accuracy of prosecution statistics. This system should be updated on a regular basis, and the statistics personnel should be trained and tested on an annual basis.

3. Long-range planning

The objective is to develop an artificial intelligence system that can read and analyze electronic books and files to gather information for court cases.

- The Departments of Prosecutorial Affairs and Information Management of Ministry of Justice have organized a task force to develop an artificial intelligence system that can analyze electronic case files and collect case data. Professional prosecutors and administrative employees make up the task force.

Creating artificial intelligence platforms for rapid prosecutorial statistical analysis

- Create an artificial intelligence platform in collaboration with the Ministry of Justice's Department of Information Management, to rapidly expand data collection for new projects and to provide rapid analysis of various types of prosecution data for use by prosecutors in case handling and decision-making by agency heads, thereby improving the efficiency of legal statistics.

(III) Conclusions

The diverse applications and usage of statistical data has increased tremendously in the big data era. Regardless of technological advancements, we will continue to fulfill our core ideals of ensuring "accuracy, speed, innovation, and service" throughout our legal statistics system. In this manner, we will be able to offer effective services to all our citizenry.

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Civil Service Ethics Office

Hu, Chia-Yin ◇ Chen, Hsin-Ti*

I. Preface

II. Public Integrity Work Review

III. Outlook for Prosecutorial Public Integrity Efforts

IV. Conclusions

* This Chapter was written by Director, Hu, Chia-Yin of this office in 2021; some of the chapter was added by Section Chiefs, Chen, Hsin-Ti in 2022.



I. Preface

One Director, two Section Chiefs, and three Officers make up the complement of the Civil Service Ethics Office at the Taiwan High Court Prosecutor's Office ("this Office"). The management of the Lienchiang District Court Prosecutors' Office is under the concomitant responsibility of a designated Section Chief. The officers are responsible for the civil service ethics, anti-corruption activities, corruption prevention, and preserving public integrity and are under the direction of the agency's chief. They are commanded and supervised by higher-ranking entities.

The Regional Government Operations Liaison and Coordination Center has served as a secretarial unit for the Ministry of Justice since 2005. The Center effectively integrates administrative resources and shares them across areas, in addition to providing a platform for communication and liaison. The Center also assists different jurisdictional administrative authorities in sharing prosecutorial resources in order to improve their effectiveness in areas such as case investigation and crime prevention.

This office is a part of the prosecutor's office, and its main goal is to assist and integrate with the agency's operations. The Office is also in charge of earliest preventing and detecting infractions of the law by civil servants. We will also collaborate with our respective institutions to foster consensus and promote the future, as well as play a significant role in fulfilling all of our responsibilities.

II. Public Integrity Work Review

(I) Enhancing risk control measures

We are committed to providing outstanding service, thus we undertake annual project audits to analyze and control risks. We completed audits of the "Seized Goods Return Procedure Special Project," "Criminal Bail Handling Procedures Special Project," "Project Audit of Stolen Evidence Handling Procedures," "Project Audit of Stolen Evidence Handling Procedures held over ten years," "Project Audit of Use of Criminal Case Information Integration System Data on Criminal Records' Checks," and "Project Audit on Drug

Impound Administration" in the last three years. We analyze the operation rules and regulations, tighten the operation procedures, rewrite the regulations and measures, and build strategies accordingly in order to increase financial efficiency, minimize probable administrative infractions, and limit the danger of criminal activities.

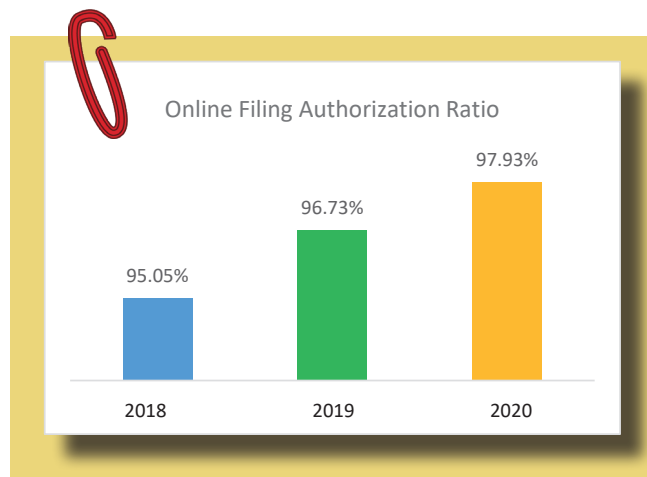


(II) Implementation and promotion of Sunshine Acts

For the past three years, the Taiwan High Prosecutors Office has been striving to implement the Sunshine Acts, which require government employees to declare their assets and disqualify themselves from activities in case they have a conflict of interest. The Office has provided 107 lectures on Action Property-Declaration by Public Servants and the Act on Recusal of Public Servants Due to Conflicts of Interest, covering themes such as the amendment's major elements and self-recusal duties. In addition, this Office has pushed the use of the Internet for the declaration of obligations and permitted property investigations. From 2018 to 2020, a total of 909, 855, and 823 public officials were required to fulfill periodic filing responsibilities, with 864, 827, and 806 public officers authorized to research property information on the Internet in each year, for a total of 95.05%, 96.73%, and 97.93%, respectively. Yearly, the authorization for online filing rates have risen, which not only eases the load on filers but also enhances the accuracy of property declarations.



Town Hall Meeting on the 2020 Public Officials' Property Declaration Act and Conflict of Interest Avoidance Act



2018 to 2020 Periodic Online Reporting Authorization Ratio

(III) Deepening public integrity ethical literacy

The Civil Service Ethics Office of the Taiwan High Prosecutors' Office promotes "Doing Justice, and Walking with Integrity" and in 2021 has developed 15 practical cases of "Guidelines on Ethical Norms of Prosecution Agencies" to guide colleagues in recognizing ethical values and setting examples, in order to deepen the concept of integrity and rule of law in the civil service, and ensure execution of public duties complies with ethical norms of public integrity.



The microfilm "Doing Justice" was created in collaboration with our prosecutors with a group of international award-winning Portuguese filmmakers. The struggle and tribulations of prosecutors in their pursuit of justice are highlighted in this film, which depicts how prosecutors are public servants. Since February 2022, the film has been disseminated to prosecutorial entities across the nation with the goal of bringing the public closer to justice and serving as a teaching tool for prosecutors. This will aid in the promotion of the rule of law and the broadening of anti-corruption outreach and integrity promotion by prosecutors to the citizenry.



(IV) Procurement Integrity Platform Operations

The Taiwan High Prosecutor's Office and its subordinate entities' Civil Service Ethics Offices have unified their resources to handle ad hoc corruption prevention, anti-corruption, and public integrity work, bring the effectiveness of horizontal communication into play, and deepen the overall core values of public integrity work to strengthen the function of regional public integrity liaison and coordination centers and implement local jurisdictional operations. In 2020, we created the Taipei Regional Liaison Center, Taoyuan Regional Liaison Center, Nantou Regional Liaison Center, Tainan Regional Liaison Center, and Kaohsiung Regional Liaison Center. These Centers cooperate with the jurisdiction's Public Prosecutor's Offices, Civil Service Ethics Offices, and other associated public departments to help enhance the Major Procurement Public



Taipei MRT Loop Northern and Southern Sections Investment Promotion and Public Integrity Platform Presentation



Declaration on Integrity and Transparency for the Niaozeitan Artificial Lake Project

Integrity Platform's operations. They offer risk prevention advice and guidance for public works bids in order to build effective communication and liaison channels.



Public briefing on the Customs inspection boat replacement procurement public integrity platform announcement

(V) Enhancing administrative anti-corruption efforts

This means that in cases where the decision was not to prosecute (*nolle prosequi*), a Deferred Prosecution, or a final verdict of acquittal, the prosecutors' offices' Civil Service Ethics Office will work with their respective District Prosecutor's Office anti-corruption enforcement teams to examine any possible administrative penalties or responsibilities of defendants. Complaints may be filed with the Control Yuan or appropriate agencies for investigation in order to boost administrative anti-corruption efforts and improve the performance of public integrity activities.

(VI) Implementing dynamic evidence collection tasking

Since the founding of the Ministry of Justice's Agency Against Corruption in 2011, we've been tasked by higher-level government entities to set up civil servant public integrity investigation teams to perform dynamic evidence collecting in 18 cases, spanning 117 days and detailing 1,032 personnel.

III. Outlook for Prosecutorial Public Integrity Efforts

(I) Enriching core professional knowledge in public integrity efforts

The public has high expectations of the Civil Service Ethics Office's staff, and given the rising complexity of the prosecutorial responsibilities, it's critical to keep staff skills and expertise up to date. This entails developing a thorough awareness of the content,

characteristics, and core values of prosecutorial tasks, as well as delivering high-quality services based on professionalism, efficiency, integrity, and creativity.

(II) Improving overall prosecutorial public integrity responsibilities capacities

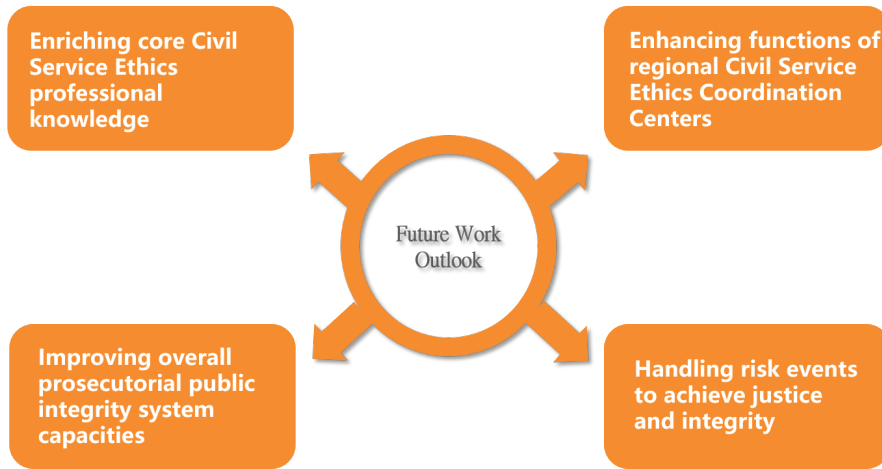
We are committed to building our team's strengths by bringing together the Taiwan High Prosecutors Office's and its subordinates' personnel resources. To learn from benchmarks, share the foundations and strengths of public integrity services, stimulate creativity, improve work quality, and demonstrate the prosecution and government's overall professional responsibilities capacities, we hold annual meetings, liaison meetings, project audits, and project investigation seminars.

(III) Strengthening functions in regional Civil Service Ethics Coordination Centers

The Ministry of Justice has established a number of "Regional Civil Service Ethics Liaison and Coordination Centers" since 2005. The Taiwan High Prosecutor's Office and its affiliated prosecutor's offices continue to adhere to the principle of "proactive care and sustainable management," bringing together government agencies to reach consensus, revitalizing cross-district communication networks, maximizing the effectiveness of liaison and coordination, and establishing a good interaction mechanism. We will also collaborate to promote anti-corruption, public integrity, and anti-bribery efforts, as well as pooling the strengths of prosecutors and the executive agencies to increase the capacity of cooperation between the judiciary and the executive branch, in order to effectively curb and combat unlawful activities and achieve a multiplier effect.

(IV) Handling public integrity risk events to achieve justice and integrity

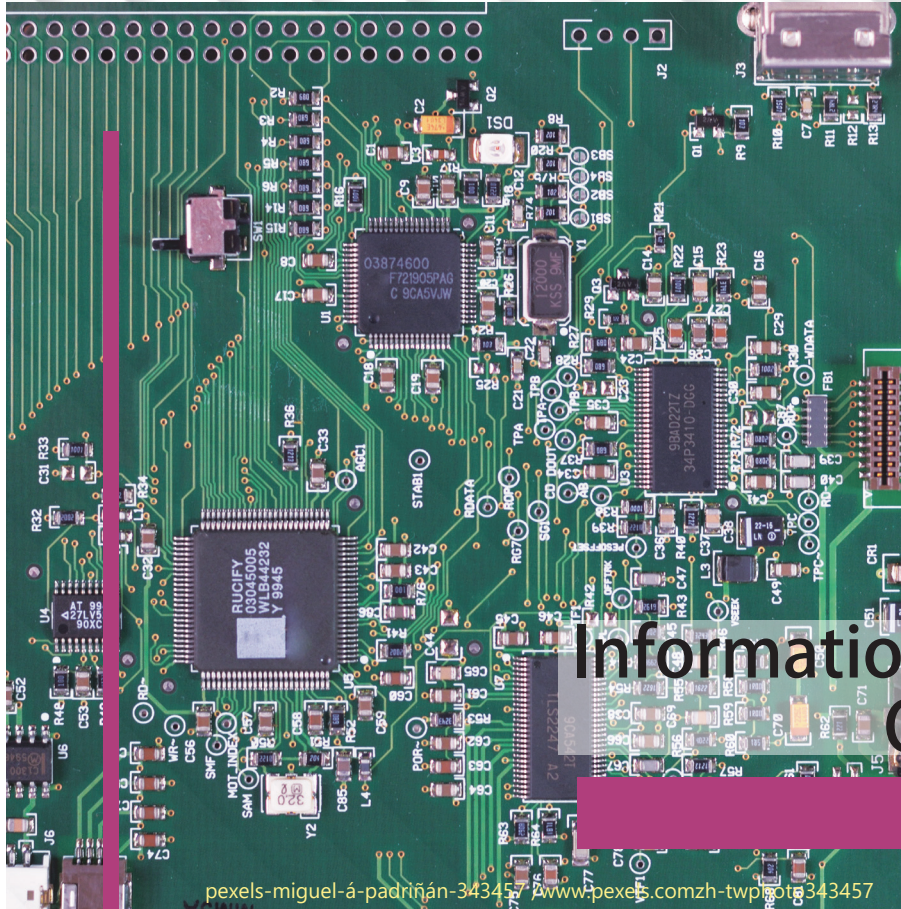
Prosecutorial entities are the defenders of the rule of law and strive to ensure the attainment of justice and fairness. This Office continues to assist agency heads in effectively controlling public integrity risk events in their agencies, researching and proposing risk response and countermeasures, summarizing risk patterns and proposing specific preventive measures, strengthening risk management, reducing threatening and various potential agency losses, and cultivating a culture of quality integrity in prosecutors.



IV. Conclusions

The twenty-first century is a time of rapid change, and the government must be able to work in a holistic manner with the purpose of delivering services for the government's benefit and exhibiting the government's role in action, where the authorities' requirements are reposed. We collaborate with authorities to address integrity problems and implement anti-corruption, anti-bribery, and corruption prevention initiatives. We also work to put in place large-scale public integrity programs.





Information Management Office

Huang, Tien-Hsiao*

- I. Preface
- II. Taiwan High Prosecutors' Office information system applications' status quo
- III. Supervising subordinate entity responsibilities
- IV. Future Prospects-Integrated Use of Prosecutorial Entities' Information System
- V. Conclusions

* This Chapter was written by Director, Huang, Tien-Hsiao of this office in 2021.



I. Preface

Since the establishment of the Taiwan High Prosecutors Office Criminal Data Processing Center in 1981, each prosecutor's office has had an information management office since 1991. Thus, the cornerstone of the prosecutorial information operations were laid after ten years of evolution. The Ministry of Justice's Department of Information Management was formed in 1998 to assist in the development of information responsibilities and information application systems for the Ministry of Justice's four major systems and related agencies (prosecution, correction, administration, and anti-corruption). We've progressed from early terminal mode computing to the client-server model, then to the centralized web architecture, and now to AI intelligence and blockchain technology.

In addition to the Ministry of Justice's common system, the Taiwan High Prosecutor's Office has built its own information application system. This is in response to regulatory obligations as well as prosecutorial responsibilities and requirements, including the Prosecutorial Entities' Communication and Surveillance Case Management System. The creation of the prosecutorial entities' information system is complete in terms of their needs, and the next phase is to gradually integrate the relevant application systems from the user's perspective to maximize the information system's functionality.

II. Taiwan High Prosecutors' Office information system applications' status quo

In response to evolving regulatory needs and responsibilities, the Taiwan High Prosecutors' Office has built its own systems since 2000. These systems are in addition to the Ministry of Justice's prosecutorial entity systems:

(I) Re-engineering of the system

The "Women and Children Safety Management System" was established in November 2000. The system's functionalities were upgraded in 2009, and the query section was put into the Ministry of Justice's "Single Enquiry Window" to increase the searchable functions for prosecutors. The Taiwan High Prosecutor's Office (THPO) established a framework to investigate bribery and corruption in February 2001. The Special Investigation Division was

established on April 2, 2007 by the Supreme Prosecutors Office to handle such matters, therefore the IT system regarding the corruption cases which was set up the Taiwan High Prosecutors Office was removed. In November 2005, the "Trial Courts of First and Second Instance Prosecutors' Office Responsibilities Exchange Area" was established to improve communication and exchange of experiences among prosecutorial units. The Human Trafficking Control Database System was finished in March 2010. The "Human Trafficking Control Database System" is also an old system that requires the introduction of new information technology. The re-engineering of the system is being studied by the Ministry of Justice Department of Information Management and is also expected to be completed by the end of 2022.

(II) Prosecutorial Entities' Communications Surveillance Case Management System

The Supreme Prosecutors Office moved the communication surveillance system to the Taiwan High Prosecutors Office in response to the Communication Security and Surveillance Act's implementation. The Taiwan High Prosecutors Office redesigned the communication surveillance system in 2015 to comply with legal modifications, employing the Natural Person (Citizen) Digital Certificate as user identity authentication to protect information security and conducting monthly online checks of the system.

(III) Integrated Prosecutorial Investigations Database

In 2012, the Ministry of Justice created an integrated investigative database in response to the changing nature of criminal activity, which is growing increasingly intelligence-driven, cross-locational, and sophisticated. This database combines data from numerous departments and agencies and creates criminal contexts using information technology analysis and correlation analysis. In 2013, the system was delivered to Taiwan's High Prosecutor's Office. The Office has created a personal network and a two-person linkage analysis inquiry, which has been integrated into the Ministry of Justice's integrated service unit. This helps prosecutors to facilitate their investigation.

(IV) Information Security Responsibilities' Administration System

The Taiwan High Prosecutor's Office planned to create the Information Security Responsibilities' Administration System in 2020 in order to efficiently administer the Taiwan High Prosecutor's Office and its subordinate agencies' information security management system (ISMS). This system allows for the systematic and automated management of information security responsibilities. This comprises ISMS document management (issuance, modification, and revocation), paperless reporting operations of subordinate agencies, and audit operations for data streamlining and information security duties. Through methodical management, we want to successfully help the Taiwan High Prosecutors Office and its subordinate agencies in advancing information security duties and assuring the standard of information security services at each agency. In 2020, the information security responsibilities administration system was gradually implemented, and in 2021, new functions were introduced to reinforce the Ministry of Justice's and its subordinate agencies' information security audit operations checklist review and system account inventory.

(V) Clerks' Chinese Typing Test Software

To improve the speed of Clerks' Chinese input and typing, and to meet the operational responsibilities of prosecutorial entities, the Taiwan High Prosecutor's Office planned development of the Clerk Chinese Dictation Typing Test Software in 2020, to unify the dictation test software and dictation test standards for clerks in prosecutorial entities.

(VI) To consider convenient service in prosecutorial entities - inter-district applications for post-mortem autopsy examination certificates may be lodged

1. The feasibility study for this convenient service was conducted in accordance with the "Item 11 in the Minutes of the 1st Meeting of the 2020 Prosecutor General's Responsibilities Seminar" on September 18, 2020, Item 4 of the moderator's concluding remarks, and Item 6 in the status quo control form of matters proposed by each District Prosecutor's Offices.

2. After this Office studied and analyzed the feasibility report on October 5, 2020, this Office reported the feasibility of the inter-district applications for a certificate of autopsy examination of corpses by prosecutors and approved the application of the centralized "Autopsy Examination Report Management Information System" of the Institute of Forensic Medicine (which already has nationwide information on the certificates of autopsy examinations of corpses). In addition, the "National Image Database of Autopsy Certificates" can be expanded to provide inter-district service for the citizenry to apply for autopsy certificates, providing a more convenient and diversified channel for the public to receive service.
3. This convenient inter-district service measure was officially provided to the public after this Office had studied the relevant regulations and issued a directive on March 16, 2021, entitled "Key Points for Handling Medical Examination Cases in District Prosecutor's Offices and their subordinate branches under the Taiwan High Prosecutor's Office".

III. Supervising subordinate entity responsibilities

(I) Coordinating Information Security Diagnostics and Penetration Testing for District Prosecutors' Offices subordinate to the Ministry of Justice

In response to the Cyber Security Management Act, the Ministry of Justice (MOJ) in 2021 tasked this Office to conduct the Information Security Diagnostic, Penetration Test and Vulnerability Assessment for prosecutorial entities. The results of the preliminary and repeat tests, and assessment findings are explained to the respective subordinate entities by means of a video presentation, and reports are provided to the organization and the persons in charge of the systems as reference for improvement efforts. In addition, this Office has completed the construction of the information security record analysis management system, which produces daily reports on abnormal connections and events to provide information security and system responsible persons as a basis for system adjustments, significantly shortening the time for determination and verification of information security records.

(II) Coordinate and promote Information Security Management System (ISMS) of this Office and its subordinate entities

According to the Executive Yuan directive letter No. 1080177093D of June 14, 2019, the information security responsibility level of this Office is approved as a B-level entity. The information security responsibility level for the 26 subordinate prosecutorial entities of the Taiwan High Prosecutor's Office, including the Taichung, Tainan, Kaohsiung, and Hualien Branches, the Fukien High Prosecutor's Office Kinmen Branch, Taipei, Hsinbei, Shilin, Taoyuan, Hsinchu, Miaoli, Taichung, Nantou, Changhua, Yunlin, Chiayi, Tainan, Kaohsiung, Ciaotou, Pingtung, Taitung, Hualien, Yilan, Keelung, and Penghu District Prosecutor's Offices, and the Fukien Kinmen District Prosecutor's Office are all approved as C-level.

In August 2020, this Office adopted the "Prosecutorial Entity Case Management System" and the "National Drug Database" as core systems and parts of the information technology center. This Office has re-passed the British Standards Institute (BSI), an impartial third-party certification process, when re-examined in August 2021 to maintain the efficacy of the ISMS.

This Office has commissioned the BSI to implement the "Prosecutorial Entities Case Management System" and the "Official Document Online Approval and Verification System" as core systems for the import scope of the information technology center. This Office has commissioned the British Standards Institute (BSI) to complete verification of compliance of four subordinate entities (Tainan Branch of Taiwan High Prosecutors Office, Taiwan Yunlin, Changhua, and Penghu District Prosecutors Office) by September 2021. In the future, we will continue to promote the operation of the information security management system and expand the scope of compliance verification for the information security responsibilities of our subordinate entities.

(III) Promoting outsourcing for information security personnel to this Office and its subordinate entities

In response to the requirements of the Cyber Security Management Act, public organs responsibilities include ensuring that within one year after the initial approval or grade

change of an information security specialist, two persons shall be assigned to Level B and one person to Level C; The staff shall be assigned as full-time dedicated personnel. This Office and its subordinate entities (including the Fukien Kinmen District Prosecutors Office) suffer from a serious shortage of information technology personnel, and for the near future it is anticipated that no more full-time personnel will be available for allocation. In response to this manpower shortage and to comply with the relevant regulations of the Cyber Security Management Act, since 2020, we have been securing outsourced information security manpower services to the Taiwan High Prosecutor's Office and its subordinate entities (including the Fukien Kinmen District Prosecutors Office). Currently, we provide fifteen entities including this Office, the Taiwan High Prosecutor's Office, Taichung and Tainan Branch Offices, and Taiwan Taipei, New Taipei, Shilin, Hsinchu, Taichung, Changhua, Tainan, Kaohsiung, Ciaotou, Pingtung, Penghu District Prosecutors Office, and Fukien Kinmen District Prosecutors Office with information security personnel support.

(IV) Coordinating uniform processing of inventory and review of audio and video recordings of the Investigation Room of this Office and subordinate entities

In order to complete the prosecutorial investigation procedures and enhance the District Prosecutor's Offices' Investigation Rooms (including questioning rooms) to preserve evidence and ensure the rights of the parties, this Office ensures prosecutors of the first instance Investigation Room (including questioning rooms) audio and video recording equipment are subject to comprehensive inspection, and we supervise the critical review of our subordinates.

(V) We administer audio and video information from the Control Yuan's Investigation Room recording equipment and surveillance system

On December 17, 2021, the Chief Secretary of this Office led the relevant administrative section chiefs (Records Section, General Affairs Section, Civil Service Ethics Office and Information Management Office) to the Control Yuan to explain to the Control Yuan commissioners about the District Prosecutor's Offices' automatic detection functions of the recording equipment, the scuttling plan for aged recording equipment, the information

security protection function mechanisms of the equipment in the Investigation Room of the District Prosecutor's Offices, and the uniform retention rules for audio and video surveillance equipment gathered data.

On the day of the consultation, the Control Yuan issued continuing supervision for the District Prosecutor's Offices to handle issues pertaining to "Automatic detection functions in Investigation Room recording equipment", "scuttling aged Investigation Room recording equipment" and "uniform retention period for surveillance system equipment gathered data". In order to expedite the completion of the matters referred to this Office, this Office and branch Offices, were tasked to conduct a review from January 3 to 13, 2022, at each of the District Prosecutors' Offices under their jurisdiction.

1. The Investigation Room computers nationwide have all been enabled to automatically detect and onset audio and video recording functions.
2. Investigation Room recording equipment overdue for scuttling and replacement should be completely replaced in FY2022.

(VI) Directive for "Taiwan High Prosecutor's Office Implementation Plan for Auditing Subordinate Entities' Information Security Responsibilities"

In accord with the provisions of the "Ministry of Justice and Subordinate Entities Implementation Plan for Auditing Information Security Responsibilities", this Office has prepared the "Taiwan High Prosecutor's Office Implementation Plan for Auditing Subordinate Entities' Information Security Responsibilities" and informed the subordinate agencies by directive on March 8, 2022. According to the implementation plan, this Office will establish an audit team, with the Chief Secretary as the convener, and lead the relevant sections to verify the degree of compliance with the Cyber Security Management Act and information security policies of the entities under its supervision, ensuring at least one audit review conducted by superiors every three years. This Office is required to conduct eight on-site audits of the information security management responsibility processes of the subordinate entities under its supervision each year, and to handle rewards and penalties for the audited entities according to their annual audit results.

(VII) New procurement and scuttling retirement for remote videoconference investigation room equipment

In order to meet the needs of the pandemic and to replace aged remote videoconference interview equipment of the respective entities, in July 2021 this Office subsidized new Investigation Room videoconference suite procurements for four District Prosecutor's Offices (Taiwan Hsinchu, Yunlin, Pingtung, and Hualien District Prosecutors' Offices). In addition, in FY2022, the Department of Information Management of the Ministry of Justice is providing subsidies to five District Prosecutors' Offices (Taiwan Xinbei, Taoyuan, Taichung, Tainan, and Kaohsiung District Prosecutors' Offices) to replace or purchase additional Investigation Room remote videoconference interviewing equipment.

Following the scuttling retirement of the aforesaid equipment, the current Investigation Room remote interviewing videoconference equipment used by the respective entities will gradually reach the end of its useful life, with some of the equipment having been used for as long as 8 or 9 years. To smoothly promote the entities' prosecutorial investigation responsibilities, we propose a plan for the scuttling retirement and integration of the remote interviewing videoconference equipment, and seeking a budget appropriation. We also plan to replace 25 sets of Investigation Room remote interviewing videoconference equipment in 2024 and 2025. This will enable using newer technology with better equipment performance, and integrating related peripheral equipment to enhance the overall quality of remote interviewing services.

(VIII) Intellectual Property Branch of the High Prosecutors Office Investigation Room related equipment

The Intellectual Property Branch of the High Prosecutors Office plans to build an Investigation Room for its responsibilities in handling cases. This Office's General Affairs Section administered building of the Investigation Room in 2021 for the Intellectual Property Branch of the High Prosecutors Office. And, the Information Management Office and Records Section assisted in completing the procurement and construction of the remote interviewing video conference equipment and video recording equipment. The Investigation Room was officially launched on March 21, 2022.

VI. Future Prospects-Integrated Use of Prosecutorial Entities' Information System

The development of the Criminal Data Processing Center in 1981, the prosecution of the First Instance Case Handling Adjunct Support System in 1990, and the prosecution of the Second Instance Case Handling Adjunct Support System in 1999 are all part of the Prosecution Information System. As systems matching prosecutor adjunct case management needs, we built the Prosecutorial Offices documentation preparation systems, computer stenography systems, and the Prosecutorial Documents Retrieval System in 1991. The various prosecution information systems have become more complete and efficient in assisting prosecutors in handling cases following many system reengineering efforts. In order to facilitate the ongoing investigation case and application of these information systems, the existing information systems and related supporting measures can be merged and exploited from the user's perspective to fulfill the goal of improving the prosecutor's information system, as follows:

(I) Prosecutorial entities can use a single sign-on identity authentication and authority control system

1. The various tools available to prosecutors for managing cases has increased as prosecution tasks have become more fully digitalized. However, because each prosecutorial information system is currently separate, user accounts are not interchangeable, requiring colleagues with prosecutorial responsibilities to handle several accounts and passwords, generating challenges in their usage and maintenance. If there is an annual transfer of various work responsibilities, it is vital to make changes to the accounts and passwords, as well as create an updated access management plan to make the system easier to use for our employees.
2. To increase authority control and ensure that officers only have access to the information and resources that they are permitted to use, prosecutors' offices should build a single login and authority management platform. In addition to reducing account management issues, this can reduce each agency's administrative manpower and time, establish a standardized cross-system data transfer authority control mechanism to

meet information security requirements, and transfer data quickly and instantly to meet system integration applications.

(II) Evaluating online submission systems for reconsideration cases

1. The current procedure for petitioning for reconsideration is as follows: the petitioner submits a petition to the prosecutor of the District Prosecutor's Office, who then sends the case reconsideration petition or motion, as well as the case file, to the Taiwan High Prosecutor's Office or each high prosecutor's office for processing. After receiving the case, the Taiwan High Prosecutor's Office or each high prosecutor's office scans the case reconsideration petition and extracts the text for further usage using OCR.
2. It is recommended that an online submission option for reconsideration pleadings be investigated and planned in order to improve public convenience and reduce prosecutors' time spent obtaining the text of the pleadings. The public would be able to use the Internet to submit an electronic file of the reconsideration petition to the appropriate District prosecutor's office of responsibility. When a case is sent to the Taiwan High Prosecutors Office or its senior branch prosecutor's office for review and reconsideration, the prosecutor in charge may be automatically authorized by the prosecutor of the Taiwan High Prosecutors Office or its senior branch prosecutor's office according to the case assignment authority. The system may automatically authorize the prosecutor to receive the reconsideration petition's electronic file, which is useful for the prosecutor's follow-up case management and can also benefit the public.

(III) Uploading multimedia files from prosecutorial investigation hearings to the cloud

1. In the current mode of operation, the prosecutorial investigation hearings audio and video recordings are stored in each prosecutor's office, then when the case is completed and transferred to the court, the clerk will burn CD-ROMs and transfer the case (including digital file evidence) to the court. When a clerk concludes a case, burning the CD-ROM discs takes time, and sometimes the CD-ROM discs are of poor quality or fail to burn, requiring re-burning. To address the aforementioned issues, it is recommended to build a cloud service system that can record audio and video data during prosecution

investigation hearings. The following functions would be included in the system:

- (1) According to the requirements of prosecutorial inquiry confidentiality, the audio and video data from the prosecutorial investigation hearing sessions is kept in each prosecutorial entity's investigation transcript system.
 - (2) Once the case investigation is completed and handed to the trial court for prosecution, the audio and video data from the prosecutorial investigation hearing will be automatically sent to the prosecutorial investigation hearing recording cloud service system. The clerk will no longer be required to burn CD-ROMs of the hearing. The audio and video recording data from the prosecutorial investigation hearing is not, in theory, sent to the court. If the court requests access to the prosecutorial investigation hearing recording cloud service system, it will be granted access to the case's prosecutorial investigation hearing recording data based on the unit's access authorization.
2. It will save clerks' time at the conclusion of the inquiry and transfer to trial once we upload cloud-based prosecutorial investigation hearing recordings. We can save time and reduce the amount of CDs we need to use by not having to burn them. We won't have to worry about CD quality if we don't burn them, and we won't waste time re-burning CDs that don't work. This can assist the clerk to save time and money by speeding up the case's progress and by being more time and energy efficient.
 3. Under the approved access to the cloud service system, the trial judge can access the audio and video recordings of the prosecution investigation hearing sessions of the cases if necessary. This allows the court and the prosecution to pool their judicial resources.

(IV) Prosecutors' Case Handling Integration Platform

1. Currently, the prosecutor uses case-specific technologies such as producing prosecution documents, accessing the Ministry of Justice's systems through a single login window, investigation transcripts, and digital evidence systems to investigate cases. However, because these systems are self-contained, prosecutors must log in to each one

separately, which is inefficient and adds to the stress of managing several identities and passwords. Various existing systems can be assessed and merged into a single interface to make it easier for prosecutors to use information systems. Prosecutors would be able to organize cases and access information more easily as a result of this.

2. Our goal is to plan for creation of a platform that allows prosecutors to work on cases and also provides a single-login identity authentication and authority control mechanism for prosecutorial entities. This will establish a single interface for the information systems that prosecutors frequently use, making it easier for them to work on cases and simplifying the information system's interface for prosecutors to use.

V. Conclusions

This will establish a single interface for the criminal justice information systems that prosecutors frequently use, making it easier for them to work on cases and simplifying the information system's interface for prosecutors to use. We believe that if we assess the integration of information systems to make information application systems more convenient and user-friendly, the integrated information system will effectively technologically aid prosecutors in their prosecution.





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Records Section

Wu, Yi-Yen*

I. Preface

II. Official duties

III. Status quo of actual responsibilities

VI. Future Outlook

* This Chapter was written by Section Chief, Wu, Yi-Yen of this office in 2021.




I. Preface

The Records Section of the Taiwan High Prosecutors Office ("this Section") conducts meetings and attendant administration and assists prosecutors in recording investigations, transfers, reconsiderations, and appearances in court appeals, the Economic Crimes Investigation Center, the Information and Privacy Crimes Investigation Center, the Electronic Monitoring Center, the Crime Victim Compensation Review Committee and the Guilty Verdict Review Committee. Some Clerks are also detailed to the Taiwan High Prosecutors Office's Intellectual Property Branch, where they handle case assignments and administrative records.

II. Official duties

In accord with Article 38 of the Statute of the High Prosecutor's Office and its subordinate offices, this Section is responsible for the following

- The sequential case numbering and assignment of cases.
- The accepting and registering of files and documents, and registering of pre-trial detention defendants.
- The preparation of transcripts, subpoenas, warrants, arrest warrants, writs of pre-trial detention, release documents, search warrants and other notices.
- The drafting of case and administrative documents.
- The organizing, editing and maintaining of files and documents, and keeping the evidences for cases.
- The preparation of originals, true copies and transcripts of criminal informations, written rulings or written appeals, and other documents.
- The delivery of the case documents for service of process.
- The sending to storage or filing of closed cases.
- The preparation of various reports or statistical data or other information.

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- The handling of bail money and seized property.
 - The preparation, storage, and verification of criminal defendant information cards.
 - All other matters to be handled by Clerks or as duly tasked by superiors.

III. Status quo of actual responsibilities

In addition to the aforementioned regulations, this section is in charge of executive and administrative activities.

(I) Assisting prosecutors with investigation, transfer, reconsideration, and court appearances

1. Reconsideration cases: preparing transcripts, original judgements and dispositions, public announcement of reconsideration motion or petition decisions, delivery and service of litigation documents, and circulating case files.
2. Jurisdiction transfers: Each District Prosecutor's office and its branch offices may request the jurisdiction transfers, and must handle cases and administrative matters according to the head division prosecutors' orders.
3. To work with the prosecutor in court appearances: handling the production of original or True Copies of appeals or answers, compiling and storing case files and exhibits, and sending or filing case files to be used in court appearances.
4. Investigation cases: production of subpoenas, arrest warrants, original transcripts and related documentation, delivery and service of litigation documents, and circulating case files, and judgment imposition or attachments.
5. Other Cases: Handle production of official documents and administrative matters in other cases as directed by prosecutors.

(II) Enforcement (Judgment imposition and attachments) Cases

When a defendant in a case on the trial of the second or third instance has a confirmed final verdict, and is not then in custody, this Section's receiving point Courtroom Appearances Prosecutor shall direct Clerks to impose judgement or attachments in the jurisdiction's Prosecutorial entities, circulating the case materials in the event of a final imposition of sentence or with hard labor in lieu thereof, and follow up responsibilities, to be handled by the Court Appearances Office implementing any applications required to impose the final orders.

(III) Case assignment

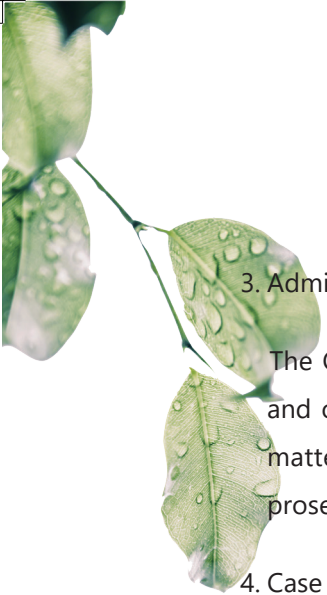
The following is a summary of the necessary operations in accordance with the "Guidelines for Case Assignment in the Taiwan High Prosecutor's Office and the Taiwan High Prosecutor's Office Intellectual Property Inspection Division."

1. Reconsideration, transfer, and other case assignment activities

We handle the seven northern jurisdictions requests for motions or petitions seeking reconsideration, transfers of jurisdiction, examinations, and motions for enforcement of final confirmed verdicts or attachments, commutations of sentence, and parole provisions. The number of cases for transfer of jurisdiction includes cases for inter-district transfer of jurisdiction from 20 District Prosecutors' Offices, which is significantly higher than the number of cases from other branch prosecutors offices.

2. Entering and making court appearances before the Taiwan High Court and final verdict enforcement cases, and case distribution or assignment

We receive court cases from the Taiwan High Court and distribute them to the corresponding prosecutors entering their appearances, and receive court appearance related motions (in appeals, retrials, and extraordinary appeals) and petitions from the parties, at any time according to the progress of the court cases, and handle the execution and enforcement of decisions thereon.



3. Administrative operations' case assignments

The Control Yuan, Executive Yuan, Ministry of Justice, the Supreme Prosecutor's Office, and other agencies are responsible for the investigation or referral of case assignment matters, and the review of case assignment administrative matters for the respective prosecutor's offices at all levels.

4. Case assignment or distribution status

From January to December 2021, the 8 Clerk Assistants processed 98,750 cases, including the new workload attributable to the Taiwan High Prosecutors Office's Intellectual Property Branch, which is a massive amount of cases representing a significant burden. The case assignment depends on prosecutorial responsibility assignments, and distribution of cases to the various units must be handled quickly due to their significant numbers, and the case files must be distributed to the proper units every day by 4:00 p.m. Because the working hours are so limited, each Clerk Assistant is dedicated to being attentive and detail-oriented in order to complete the task correctly.

(IV) Economic Crimes Investigation Center

The ECIC is in charge of the Specialized Group for Money Laundering Prevention's administrative activities, as well as the investigation of intellectual property rights' infringements, the monitoring of financial crime investigations, and the identification of counterfeit banknotes. One of this Section's Subsection Heads is concomitantly responsible for the ECIC administration and meetings.

(V) Information and Privacy Crimes Investigation Center

One of this Section's Clerks is concomitantly responsible for the administration and meetings of the Information and Privacy Crimes Investigation Center.

(VI) Electronic Monitoring Center

Two clerks of this Section are concomitantly detailed to the Electronic Monitoring Center responsible for administration and meetings.

(VII) Crime Victims Compensation Review Board

One of this Section's Clerks is concomitantly responsible for the Board's administration and meetings.

(VIII) Guilt Review Meetings are conducted

One of this Section's subsection Heads is concomitantly responsible for all administration and meetings.

(IX) Cases emergently referred for specialized meetings by superiors


Administrative duties are concomitantly handled by the Section Chief of the Section, and as needed, this Section's concomitantly assigned Records Clerk may be detailed to assist in organizing meeting minutes and required matters.

(X) The Intellectual Property Branch of the Taiwan High Prosecutors Office's records related administrative operations

(XI) Assist the Chief Prosecutor in supervising prosecutorial operations in the District Prosecutor's Offices

1. Food Safety Weekly Friday Reports

To effectively and simultaneously grasp the situation of food safety cases investigated by each District Prosecutor's Office, the Taiwan High Prosecutor's Office has faxed a "Investigation Form for food safety and related cases of dereliction of duty, forgery, tax evasion, and waste removal law under investigation by each District Prosecutor's office." The investigation form will then be completed and emailed to the Taiwan High Prosecutor's Office Section Chief every Friday at noon, and then forwarded to the Chief Prosecutor for review. Whenever any such major case arises, the information should be immediately updated and the Section Chief contacted by phone.



2. Trans-Border Electronic and Telecommunication Fraud Case Reports' Weekly Friday Reports

On June 8, 2016, by directive No. 10510504000, the Taiwan High Prosecutor's Office tasked District Prosecutor's offices to send the "Taiwan High Prosecutor's Office Investigation Form for Trans-Border Electronic and Telecommunication Fraud Cases Under Investigation" by e-mail to the Section Chief of the Taiwan High Prosecutor's Office by noon every Friday in order to supervise the "Trans-Border Electronic and Telecommunication Fraud" cases under investigation by the District Prosecutor's offices. Whenever there is a significant update, the Section Chief must be contacted by phone immediately with copies thereof. "Trans-Border Electronic and Telecommunication Fraud" refers to any fraudulent use of domestic and foreign telecommunication facilities to defraud residents of mainland China of their property. The investigation form is filed by the Section Chief of each District prosecutor's office's Records Division, and it is forwarded to the Section Chief of this division after being approved by the Chief Prosecutor, and it must be updated as required. At the conclusion of the case, the information reported is made public. It is still necessary to file the report follow-up activity in a timely manner.

3. "Reconsideration Cases Overall Evaluation Form" for confidential periodic distribution to the District Prosecutor's Offices' Chief Prosecutors

The 2nd Annual Chief Prosecutor's Meeting in 2014, adopted Resolution No. 2, resolving to review the "Reconsideration case records for District Prosecutor's Office under their jurisdictions". On December 26, 2014, the year-end meeting and prosecutor's meeting addressed a plan to improve the quality of the district prosecutor's office's case processing and production of litigation and case documents. Following a thorough review by the head division prosecutors and the prosecutors, it was determined that the benefits of implementing this proposal outweighed the drawbacks. After getting clearance from the Ministry of Justice, the Taiwan High Prosecutor's Office issued an order on July 1, 2015, to establish the reconsideration and thorough review procedure.

When a reconsideration case is closed, the prosecutor will fill out a form. The form will be reviewed by the head division prosecutors and the chief prosecutor. After that, the form will be given to the Clerk, who will enter the full evaluation into the computer system. The original copy of the form will be delivered to our Section Chief for recording. Every six months (or annually), the Prosecutorial entity of the second instance sends the "Comprehensive Review Form" to the Chief Prosecutor of the District Prosecutor's Office by confidential letter, for reference.

4. Effective control of ceased and ongoing prosecutorial cases

The Taiwan High Prosecutor's Office sent Directive No. 10511006030 to District Prosecutors' Offices on June 15, 2016, urging them not to close drug cases in the form of "temporary closure." Those who have closed such cases prior to the end of the prosecution inquiry or execution are required to notify the Taiwan High Prosecutor's Office thereof. The Taiwan High Prosecutor's Office receives these cases as "special review cases" for examination by the prosecutors, and after the Taiwan High Prosecutor's Office approves the suspension of investigation and suspension of enforcement to be filed in a prosecution, when it is in fact impossible to proceed and cannot be attributed to the agency and the prosecutor, the case is not "delay in closing without reasonable reasons" as stipulated in point 44 of the Guidelines Governing Prosecutor's Office's case handling period and prevention of delays. These reviews of "suspension of investigation" cases are to be conducted at least once every three months.

IV. Future Outlook

The present national judicial reform goals, such as triage litigation and court organization, as well as logically decreasing judges' workload and boosting judicial efficiency, can only be achieved through collaborative efforts between clerks and prosecutors. The number of criminal cases has increased annually in recent years, but the number of clerk recruits has not kept up, resulting in massive tasks for each clerk and a rather heavy caseload for the larger District Prosecutor's Offices. The clerk's office is responsible for a wide range of responsibilities, including handling criminal cases, which has gotten increasingly complex as technology has

advanced and criminal cases have become more diverse. This has increased the prosecutorial administrative workload, and correspondent physical burdens on clerks.

It is necessary to strengthen the clerk administrative professional intelligence to assist prosecutors in handling cases in a timely manner in order to meet the goals of the current national judicial reform and to meet the expectations of society by improving prosecutorial operations in response to changing times and rising legal awareness of the public. We will, for example, strengthen the clerk administrative profession in order to maintain close contact with the relevant prosecutor's office, courts, police departments, Coast Guard Administration, National Immigration Agency, and other units in a timely manner, in addition to expanding our prowess in technical investigation and electronic surveillance. In addition, as soon as feasible, we will conduct necessary investigative and administrative activities so that we can rapidly detect crime and defend the image of legal justice.

Because of the specialized character of the cases handled by prosecutors, it is difficult to train judicial clerks whose work is very different from the general administrative employees in the public service. To streamline the workflow, the clerk's everyday duties have been merged with computer technology in recent years. However, in light of the growing number and complexity of different sorts of cases, the clerk's administrative profession should be enhanced both thoroughly and broadly, and clerk sub-divisions should be given complementary responsibilities to help them perform better. Clerks should be conversant with the operations of general administrative sections such as clerical, research and examination, litigation counseling, and file administration in addition to the obligations of first and second instance prosecution record clerks. The rotation of clerks between all sections and the court of second instance and the record clerk should be regularized so that the administrative clerk who handles the court of second instance record responsibilities and the record clerk who handles the court of second instance inspection administrative experience are familiar with each other's business and can assist each other. This will enable our Office to work as a team when our workload is at its peak, allowing prosecutors to complete diverse prosecutions as swiftly as possible while still satisfying citizen expectations.





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