

2017 Crime Situations and Analyses – Crime trend Reports

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Abstract

This is a summary report is extracted from the book “2017 Crime Situations and Analyses - Crime trend Reports”, published by the Academy for the Judiciary, Ministry of Justice in 2018. First, this report aims to showed statistics provided by relevant government agencies and descriptive analysis, including (1) crime situations and trends (including national data, international crime rate and prison rate under investigation period), (2) the disposition of crimes (crime data analyses in periods of prosecution, judgment and implementation), (3) juvenile delinquency, (4) specific types of criminal offenses, and (5) victimization. Second, this report focuses on context of offenses against the environment protection legislation and its prevention, which discusses about the conflict between practice of law in the past, and trends of amendments recently. This report also focuses on the evolution of money laundering and its prevention, which discusses issues between judicial practice and legally protected interests. Finally, this report introduces points via data in order to offer directions to government and public for policy and research, including (1) over the past ten years crime rates of specific offenses showed an upward trend, (2) analyzing when incidents of reoffending occur after release from prison, (3) results of enforcing confiscation orders after the latest amendments, (4) difficulties of the allocation and guidance program for juvenile delinquency, (5) the increasing shares of elderly offenders to all offenders in each stage of a criminal case, (6) the dispute over application of the proportion of prisoners with criminal records when assessing the effect of the correctional system, and (7) data on crime victims affected by the system and policies.

**Keywords: Crime Prevention, Criminal Judgment, Criminal Policy,
Environment Protection, Money Laundering**

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1. Introduction

This summary report is extracted from the book “2017 Crime Situations and Analyses - Crime trend Reports”, published by the Academy for the Judiciary, Ministry of Justice in 2018 (hereinafter referred to as the “2017 annual publication”). Since 1973, the Ministry of Justice has issued the annual publication on the criminal situation and related analysis. From 2014 to 2017, it started commissioning scholars to conduct relevant research and draft this annual publication. In 2018, the annual publication published was prepared through staff research of the Crime Prevention Research Centre, part of the Academy for the Judiciary. It includes two aspects – analysis on official crime statistics and discussions on specific issues set by research staff with the aim of increasing the overall understanding of government agencies and the general public over issues in connection with crime prevention and criminal justice.

The 2017 annual publication comprises eight Parts. Parts 1 to 5 respectively showed statistics provided by relevant government agencies and descriptive analysis addressing topics regarding crime situations and trends, the disposition of crimes (including the criminal procedure), juvenile delinquency, specific types of criminal offenses and victimization. Part 6 focused on high-profile crime-related issues and criminal policies, which the government and the general public were most concerned with, and examined such crimes in respect of institutional design, data and enforcement. Part 7 referred to the revolution of the criminal justice system. In Part 7, the research team for the annual publication delegated five departments under the Ministry of Justice, including the Department of Prosecutorial Affairs, the Department of Prevention, Rehabilitation and Protection, the Department of International and Cross-Strait Legal Affairs, the Agency of Corrections, and the Agency against Corruption and outline their current policy directions and enforcement results as well as relevant future planning. Finally, Part 8 contains conclusions and policy recommendations. It reiterated the trends of key issues from Parts 1 to 6, and further explored the focal points for the purpose of sharing insights with government agencies for future policy revolution.

To deliver key messages of the 2017 annual publication, this summary report is divided into three main dimensions, including “trend analysis of criminal situations”, “analysis on social concerns” and “analysis on focal criminal issues”, and provide a overall conclusion and policy recommendations.

2. Trend analysis of criminal situations

This section introduces and analyzes the key trends of criminal situations in Parts 1 to 5 in the 2017 annual publication. The following points are set out consistent with the order of the Parts of the 2017 annual publication.

2.1 The 2017 criminal situation and criminal trends in recent years

This section summarizes Chapters 1 to 4 of Part 1 of the 2017 annual publication. The first three chapters analyze various types of crime including total crimes, offenses of general criminal law and offenses of special criminal law on the basis of data provided by the Criminal Investigation Bureau (Ministry of the Interior), the Ministry of Justice Investigation Bureau, the Agency against Corruption (Ministry of Justice) and the Department of Protective Services (Ministry of Health and Welfare). Chapter 4 examined official data in Taiwan, the United States (US), United Kingdom (herein includes England and Wales only), Japan and Sweden to identify crime rate trends of total crimes, larceny, fraud, intentional homicide, robbery and rape (forcible sexual intercourse), as well as incarceration rates in these countries. The important research results of Part 1 are illustrated as follows:

2.1.1 The number of total crimes in the last ten years decreased while the number of suspects in criminal cases increased in the last five years.

Exception for 2014, the number of cases received by the Police declined in the last 10 years. Between 2016 and 2017, the number of cases decreased by 0.47% from 294,831 to 293,453, which represented the lowest number of cases in the last ten years. However, the number of suspects has increased since 2013 (255,310 suspects). From 2016 to 2017 the number of suspects increased by 5.31% from 272,817 to 287,294, which represented the highest number of suspects in the last ten years. In addition, from reviewing the change in the number of respective criminal types, it was found that the main criminal types were offenses against public safety, drug offenses, offenses of larceny and fraud related offenses. It is worth noting that the overall criminal situation between 2016 and 2017 showed a drop in the number of each main crime type except drug offenses, which increased by 6.71% (Table 1-2-1 and Table 1-3-1 in the 2017 annual publication).

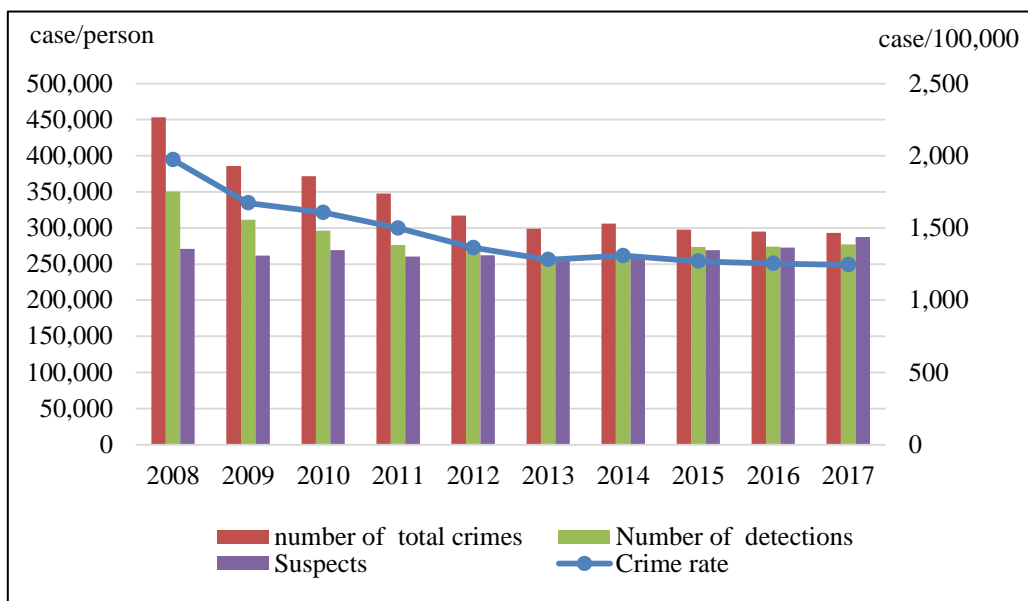


Chart 1-1 Trends of total crimes in the last 10 years

2.1.2 The most common types of offenses against public safety were drunk driving and hit-and-run. Since 2014, the number of the former crime has decreased while the latter crime has increased. Regarding the number of suspects, it decreased between 2014 and 2016, but increased by 0.33% in 2017.

From 2008 to 2014, the number of offenses against public safety increased from 53,416 to 73,098, and then decreased to 67,148 in 2017. The number of suspects increased from 53,565 in 2008 to 73,720 in 2014, and then declined, except for 2017. The number of suspects in 2017 increased by 0.33 %, from 67,654 in 2016 to 67,874 in 2017 (Table 1-2-1 and Table 1-2-3 in the 2017 annual publication). Of the offenses against public safety, drunk driving accounted for the most significant part over the past 10 years despite the number of drunk driving cases falling by 9.9%, from 67,772 in 2014 to 61,060 in 2017. The second highest share of offenses to all offenses against public safety was hit-and-run. The number of hit-and-run cases increased by 19.32%, from 3,820 in 2014 to 4,558 in 2017 (Table 1-2-6 in the 2017 annual publication).

2.1.3 The number of drug offenses and suspects has increased since 2014. In respect of the number of drug suspects in each drug category, the main type of offenses in the first and the second drug categories were possession and usage, selling for the third drug category and transporting for the fourth drug category.

Over the last ten years the number of cases detected in violation of the Narcotics Hazard Prevention Act increased by 52.5%, from 38,369 cases in 2014 to 58,515 cases in 2017; the number of suspects in drug offenses increased by 51.81%, from 41,265 persons in 2014 to 62,644 persons in 2017 (Table 1-3-1 in the 2017

annual publication).

Regarding the number of drug suspects in each drug category, the most common types of drug offenses in the first and second drug category were possession and usage. The share of drug offenders in the first drug category to the total number of violators in the first drug category declined from 79.68% in 2008 to 59.57% in 2017. The share of drug possession offenses in the first drug category to the total number of violators in the first drug category increased from 17.12% in 2013 to 23.82% in 2017. In terms of the second drug category, the share of drug offenders to the total number of violators declined from 79.28% in 2008 to 62.77% in 2017. The share of drug possession offenses in the second drug category decreased from 25.23% in 2015 to 23.49% in 2017 (Table 1-3-2 in the 2017 annual publication). Furthermore, the most common type of drug offenses in the third category was selling drugs. The highest share of offenders for drug sales in the third category to the total number of violators in the third category was 48.17% in 2011, and the lowest ratio was 33.01% in 2016. In the fourth category, transporting drugs was the main type of violation. The share of offenders for drug transportation in the fourth category to the total number of violators in the fourth category increased from 26.53% in 2013 to 62.79% in 2014. After 2014, the ratio decreased until 2017. In 2017, the share increased again to 69.23%. As for the number of suspects in the fourth category, the lowest number was 14 persons in 2008 and the highest number was 52 persons in 2017 (Table 1-3-2 in the 2017 annual publication).

2.1.4 The number of larceny decreased in the last ten years. Among the types of larceny, the sharpest fall occurred in motor vehicle theft. In 2017 the highest share of suspects in larceny cases to total offenders was pickpocketing, which grew each year over the last ten years.

Over the last ten years, the number of larceny offenses decreased from 209,351 in 2008 to 52,025 in 2017. Compared with 2008, the number of motor vehicle theft cases experienced the largest decline (by 89.17%), from 28,508 in 2008 to 3,086 in 2017. The second largest decline was observed in motorbike theft. It decreased by 84.75%, from 79,213 in 2008 to 12,082 in 2017. Changes in the number of general theft represented the third largest decline (63.73%), from 101,630 in 2008 to 36,857 in 2017 (Table 1-2-1 in the 2017 annual publication).

In terms of the number of larceny suspects, the highest number was 42,364 persons in 2008 and the lowest number was 31,543 in 2016. The largest proportion of larceny offenses in the last ten years was pickpocketing, which

increased from 30.71% in 2008 to 56.22% in 2017 (Table 1-2-4 in the 2017 annual publication).

2.1.5 The number of fraud related offenses had steadily decreased in the early years, but fluctuated recently. The number of suspects in fraud related crimes increased in recent 5 years.

Over the last ten years, the number of fraud related offenses decreased from 40,963 in 2008 to 18,772 in 2013. After 2013, the number of fraud related offenses fluctuated. Between 2016 and 2017, the number of fraudulence offenses reduced by 2.09% from 23,175 in 2016 to 22,689 in 2017 (Table 1-2-1 in the 2017 annual publication). The number of suspects in fraud related crimes increased by 67.24%, from 14,548 in 2013 to 24,330 in 2017 (Table 1-2-3 in the 2017 annual publication).

2.1.6 The number of unlawful sexual intercourse with children and violations of the Anti-Corruption Act in 2017 increased significantly in comparison with 2016. On the other hand, the number of suspects in 2017 of unlawful sexual intercourse with children and offenses of kidnapping for ransom grow rapidly in comparison with 2016.

While the number of total crimes decreased in the last ten years, the number of unlawful sexual intercourse with children increased by 157.69%, from 78 cases in 2016 to 201 cases in 2017, and the number of criminal referrals regarding violations of the Anti-Corruption Act increased by 72.27%, from 119 cases in 2016 to 205 cases in 2017. These two crimes showed significant increases in contrast to other types of crime (Table 1-2-1 and Table 1-3-1 in the 2017 annual publication). With regard to the trend change in the number of suspects, the number of suspects of total crimes increased in the last five years. The number of suspects of unlawful sexual intercourse with children increased by 146.15%, from 91 persons in 2016 to 224 persons in 2017. In addition, the number of suspects in kidnapping for ransom offenses increased by 130%, from 10 persons in 2016 to 23 persons in 2017. These two crimes represented the most noticeable increases of total crimes types (Table 1-2-3 in the 2017 annual publication).

2.1.7 The overall crime rates in Taiwan, Japan and the US decreased respectively in the last 5 years, and in Sweden it decreased in the last 3 years. However, in the UK the overall crime rate increased in the last 5 years. The fast-growing crime in different countries was: larceny in the UK; motor vehicle theft in the UK and the US; fraud related offenses in the UK and Sweden; intentional homicide in the US, robbery in the UK, and forcible sexual intercourse

in the US, Sweden and the UK.

Over the past ten years, the overall crime rate in each country had generally decreased in the first five years, but in the most recent five years the crime rate trend varied from country to country: it increased gradually in the UK; increased in Sweden from 2013 to 2015 and then declined, and the overall crime rates in Taiwan, Japan and the US decreased year on year (Table 1-4-1 in the 2017 annual publication). In terms of criminal situations in these countries (Table 1-4-2 to 1-4-7 in the 2017 annual publication):

- In the US, the crime rates of motor vehicle theft and murder have increased since 2014, and the rate of forcible sexual intercourse has increased since 2011.
- In Sweden, fraud related offenses and forcible sexual intercourse increased respectively since 2010 and 2015.
- In the UK, the crime rates of larceny (including motor vehicle theft) and robbery have increased since 2014, fraud related offenses has increased since 2010 and forcible sexual intercourse has increased since 2013.

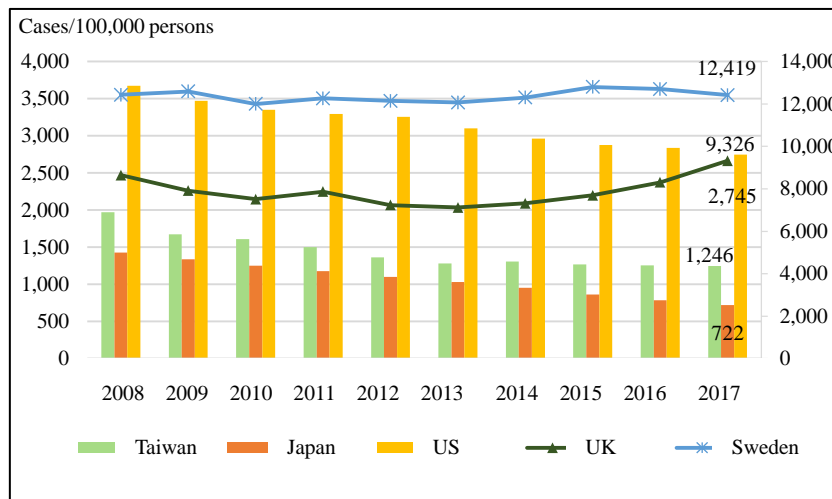


Chart 1-2 the trend of crime rates in five countries over the past ten years

Note : Taiwan, Japan and the US refer to the left axis; UK and Sweden refer to the right axis.

2.2 Disposition of crimes

This section summarizes Chapters 1 to 5 of Part 2 of the 2017 annual publication, which reviewed data in relation to the investigation, trial, enforcement, correction and rehabilitation from the perspective of prosecution and correctional systems. The investigation stage includes recently received cases, the outcome of investigation, reconsideration and extraordinary appeal. The trial stage focuses on defendant characteristics when delivering final judgments, probation and distribution of sentence types. In the stage of enforcement led by prosecution

agencies, the 2017 annual publication explored the death penalty, imprisonment and pecuniary penalties, as well as rehabilitative measures and confiscation. During the correctional and rehabilitation stage, this publication addressed prisoners' traits, parole, recidivism, treatment, compulsory labor, community treatment as well as rehabilitation and protection. The 2017 annual publication also analyzes international judicial assistance and cross-strait mutual legal assistance. The research structure of the aforementioned chapters is mainly based on statistics provided by the Department of Statistics, the Department of International and Cross-Strait Legal Affairs and the Agency of Corrections. The research results are stated as follows:

2.2.1 The number of cases received in 2017 represented the highest number in the last five years, of which mostly were referred from police agencies to prosecutors. Offenses against public safety and violations of the Narcotics Hazard Prevention Act accounted for the most significant portion. The third largest offense was fraud-related crimes

In 2017, the total number of criminal cases received by all district prosecution offices was 482,428, which represented the highest number in the last five years. Most criminal cases were referred from police agencies to prosecutors, which accounted for 73.32% of all received cases in 2017 (Table 2-1-1 in the 2017 annual publication). Broadly speaking, the number of drug related cases (95,705) accounted for the largest share (19.84%.) of cases under investigation. The second largest number was offenses against public safety (95,705), accounting for 19.29% of all received cases in 2017, and the third largest offense was fraud related crimes (63,185), accounting for 13.1% (Table 2-1-5 and 2-1-6 in the 2017 annual publication).

2.2.2 In 2017 non-prosecution decisions represented the largest share of outcomes made after investigation, followed by motion filed for summary judgments, and prosecutions under general procedures. Together, the proportion of motions for summary judgments and prosecutions under general procedures to the total outcomes after investigation exceeded 40%, and was more than the ratio of non-prosecution decisions. The top five crime types in respective non-prosecution decisions and prosecution decisions are set out below.

In 2017, there was a total of 479,087 closed cases, and 584,350 persons investigated by district prosecutor offices. Regarding the outcomes of these cases, non-prosecution decisions (31.72%) represented the largest share, the second largest share was motions for summary judgments (23.32%) and the third largest share was prosecutions under general procedures (21.66%).

The ratio of persons involved to the outcomes of these cases showed that non-prosecution decisions had the largest ratio (35.43%), the second largest ratio was prosecutions under general procedure (21.14%) and the third largest was motions for summary judgments (19.85%). Generally speaking, to total closed cases, the total share of motions for summary judgments and prosecutions under general procedure in both decision numbers and persons involved were more than 40 %, and they played a significant role in the outcomes of investigations (Table 2-1-9 and 2-1-10 in the 2017 annual publication).

Furthermore, in 2017 the top five prosecution rates (including prosecutions under general procedures and motions for summary judgments) of crimes include: offenses obstructing an officer in discharging his or her duties (72.09%), offenses regarding attempts to escape (68.18%), offenses of abrupt taking and robbery (65.24%), offenses against public safety (65.07%) and violations of the Controlling Guns, Ammunition and Knives Act (61.26%). The top five non-prosecution decisions against suspects included: malfeasance in office (78.44%), offenses of perjury and malicious accusations (76.98%), violations of the Copy Right Act (71.42%), offenses against reputation and credit (71.10%) and offenses of breach trust, taking, and usury (Table 2-1-9 and 2-1-10 in the 2017 annual publication).

2.2.3 In the last five years, the monthly number of cases handled by each prosecutor gradually increased. The ratio of convictions to cases prosecuted ranged between 96.30% and 96.74% in the last five years. In 2017, the most common sentencing decisions related to offenses against public safety, drug related offenses and larceny. Most offenders of these crimes were between 30 and 40 years of age, and most were either employees requiring technical skills or unemployed persons.

In terms of criminal cases handled by each district prosecutors office over the last five years, the monthly number of cases handled by each prosecutor increased by 15.01%, from 185.1 in 2013 to 212.8 in 2017. As for the ratio of convictions to cases prosecuted by district prosecution offices (i.e. convicted persons/convicted persons and innocent persons), the highest share was 96.71% in 2017 and the lowest share was 96.30% in 2013 (Table 2-1-24 in the 2017 annual publication). In 2017, the total number of convicted persons was 190,569. Most persons committed offenses against public safety (31.88%), followed by drug offenses (22.48%) and larceny-thefts (11.30%). Convicted persons aged between 30 and 40 represented the most significant share of total convicts, accounting for 30.9%. Most convicts were employees requiring technical skills and unemployed persons (Table 2-2-3, 2-2-5 and 2-2-7 in the 2017 annual publication).

2.2.4 In the last five years, the most common judgments were commutation to a fine and imprisonment of less than one year. The major rehabilitative measures were protective measures. In the last seven years, judgments on compulsory labor gradually decreased. The largest amount of enforcing confiscation orders occurred in 2017. Its largest proportion changed from violations of the Anti-Corruption Act into violations of the Criminal Code.

In the last five years, imprisonment, which deprived a person of their freedom, accounted for the majority of sentences imposed by criminal judgments. In terms of imprisonment, the most common punishments were commutation to a fine and imprisonment of less than one year. Together, these two types of punishment represented a high of 84.99% of total criminal judgments in 2016, and a low of 80.67% in 2013. In 2017, the number of convicted persons sentenced to imprisonment, or imposed another punishment, totaled 129,603 persons. Around 41.03 % of these persons were imposed a sentence that could be commuted to a fine, 31.73% were imposed a imprisonment up to six months, and 11.08% were imposed a imprisonment from six months to one year (Table 2-3-3 in the 2017 annual publication).

In the last ten years protective measures played a critical part in rehabilitative measures. The highest share of protective measures to rehabilitative measures was 91.23% in 2015 and the lowest share was 78% in 2008. In addition, the share of compulsory labor to rehabilitative measures decreased from 4.07% in 2011 to 0.77% in 2017 (Table 2-3-6 in the 2017 annual publication). The amount confiscated increased from \$ NTD 1,749.01 million in 2016 to \$ NTD 8,734.11 million in 2017. Between 2008 and 2016, enforcement of confiscation orders mostly resulted from violations of the Anti-Corruption Act. However, in 2017 violations of the Criminal Code became the biggest source of enforcement of confiscation orders, totaling \$ NTD 4,689.79 million (or 53.7% of total confiscation orders) (Table 2-3-7 in the 2017 annual publication).

2.2.5 The number of inmates in correctional facilities has decreased since 2012, but issues around overcrowded prisons and other correctional facilities remain. At end of 2017, inmates that were sentenced to more than 10 years in prison accounted for 32.39% of total prisoners

While the number of inmates in correctional facilities declined by 5.74% from 66,106 in 2012 to 62,315 in 2017, the total number of prisoners in jail exceeded capacity by 9.6% (or 5,438 persons) (Table 2-4-1 in the 2017 annual publication). At the end of 2017, there were 7,688 prisoners in prison with a

sentence of 10 to 15 years, 9,345 prisoners with a sentence of more than 15 years and 1,291 prisoners with a life sentence, totaling 18,324 prisoners and accounting for 32.39% of total prisoners (Table 2-4-9 in the 2017 annual publication).

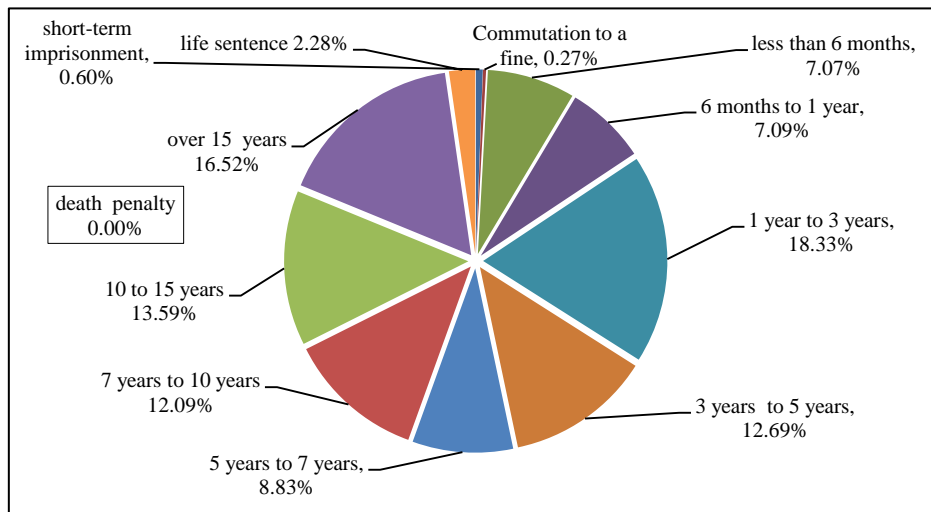


Chart 1-3 The percentage difference in sentence length of prisoners in prisons in 2017

2.2.6 The level of parole revocations for serious violations of rehabilitative measures increased over the last five years. Parole was most likely to be revoked by the end of the next year after parole was granted. A high percentage of sentenced persons recommitted crimes within two years after released from prison.

Statistics over the last five years in relation to parole revocations showed that the most common reason for revocation was a serious violation of rehabilitative measures, increasing from 32.56% of all revocations in 2013 to 41.96% in 2017 (Table 2-4-11 in the 2017 annual publication). As at the end of 2017, statistics on offenders granted parole between 2011 and 2016 showed the peak period of parole revocations occurred by the end of the next year after parole was granted. The highest percentage of these revocations was 12.41% in 2016, and the lowest was 10.21% in 2011 (Table 2-4-12 in the 2017 annual publication; Chart 1-4).

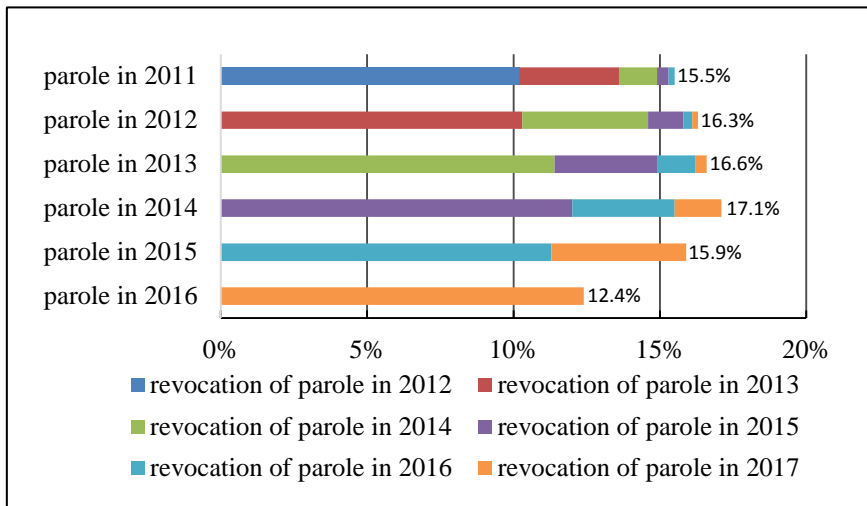


Chart 1-4 The percentages of parole revocations from 2011 to 2016

In terms of the recidivism rate, over the last five years (until the end of 2017) the highest rates when released prisoners recommitted crimes occurred: 1) less than six months after release; 2) from six months to a year after release; 3) from one to two years after release. Overall, the highest recidivism rates within two years after prisoners were released occurred in 2013, when 40.8% of total released prisoners recommitted crimes in that period. The lowest recidivism rate for the same period was 33.3% of total released prisoners in 2016. However, the recidivism rate within 6 months after release increased from 12.8% in 2014 to 15.1% in 2016 (Table 2-4-14 in the 2017 annual publication; Chart 1-5).

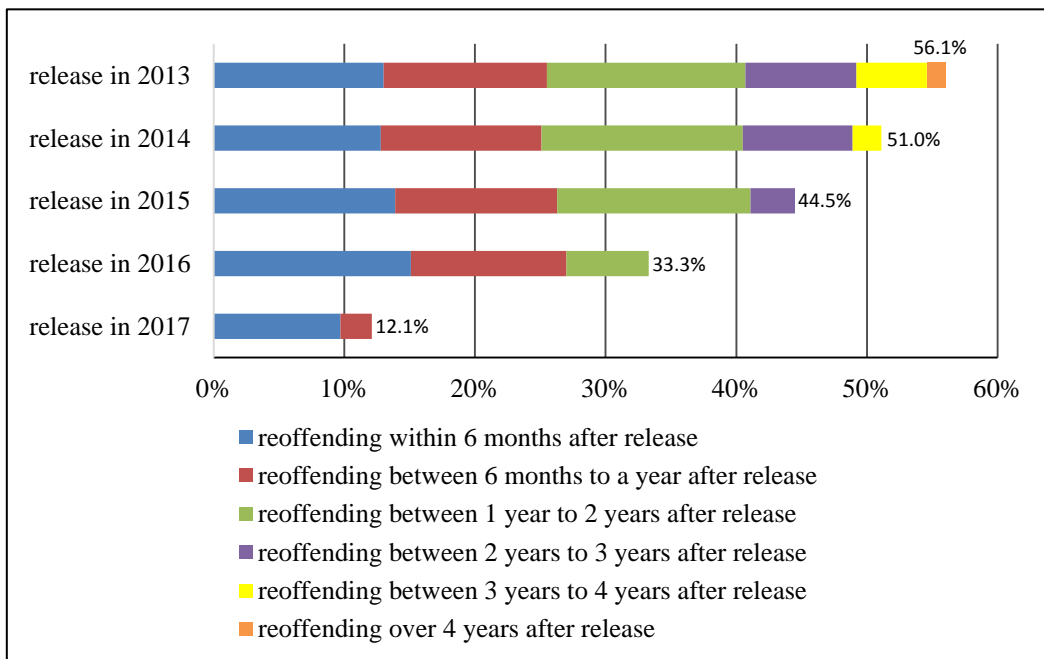


Chart 1-5 Recidivism rates of prisoners after release

2.2.7 Over the last ten years, the average ratio of offenders in cases involving foreign elements (confirmed by final judgments) to total crimes was less than 2%. Statistics showed a downward trend of conviction rates in these cases, yet the percentage of male offenders increased year on year. Taiwanese offenders in violation of the Copy Right Act and the Trademark Act accounted for 98.79% of total cases involving foreign elements. Foreign offenders were mainly Vietnamese and Chinese. Chinese, Thai, Indonesian and Vietnamese offenders committed different types of crimes involving foreign elements

Over the last ten years, the average ratio of offenders in cases involving foreign elements (confirmed by final judgments) to the total crimes was less than 2%. The conviction rate of the offenders in such cases decreased from 89.81% in 2008 to 84.95% in 2016. It increased to 85.14% in 2017 though. In terms of the gender of offenders, the percentage of males committing these crimes increased from 56.82% in 2014 to 67.12% in 2017 (Table 2-5-1 in the 2017 annual publication).

The nationality distribution of convicted persons in cases involving foreign elements (confirmed by final judgments) was as follows (Table 2-5-2 in the 2017 annual publication):

- Taiwanese offenders in violation of the Copy Right Act and the Trademark Act accounted for 98.79% of total cases involving foreign elements.
- In each of the following crimes, more than 90% of offenders were foreigners, including offenses against public safety, offenses forging instruments or seals, gambling offenses, offenses causing injury, offenses of larceny and violations of the Narcotics Hazard Prevention Act and the National Security Act.
- Vietnamese nationals represented the largest share of foreign offenders, accounting for 34.07% of all foreign offenders, and the second largest share were Chinese nationals, accounting for 20.70%.
- The most common type of crime for Chinese offenders was violations of the National Security Act. For Thai offenders, offenses against public safety, gambling offenses and violations of the Narcotics Hazard Prevention Act were the top three crimes. For Indonesian offenders the most common type was offenses of larceny, and for Vietnamese offenders it was offenses against morality.

2.3 Juvenile delinquency

This section summarizes Chapters 1 to 3 of Part 3 of the annual publication. First the section provides an overview of juvenile and child delinquency, including the number of offenders and types of offenses. The section also includes further analysis on the types of offenses, age, gender, education level, employment status, economic situation and family background in three aspects of child and juvenile protection matters, criminal cases and high-risk juveniles. Second, this section outlines the overall situations of juvenile delinquency in different stage of judicial procedure, including investigation, trial and judgment. Finally this section considers the treatment received by juvenile offenders in institutions. The points of this Part of the 2017 annual publication are set out as follows:

2.3.1 Over the last ten years the total number of juvenile and child delinquency offenders increased from 2008 to 2012 and mainly decreased in the more recent years. Most of juvenile delinquencies were protection matters. While the share of juvenile delinquencies to the total juvenile population decreased year on year from 2012, it increased in 2017.

The total number of juvenile and child delinquencies increased from 9,935 in 2010 to 12,031 in 2012. After 2012, it declined to 8,552 in 2016, and then increased to 8,927 in 2017. Of these delinquencies, 95% were protection matters (Table 3-1-1 in the 2017 annual publication). The ratio of juvenile delinquencies per 100,000 youths increased from 469.68 juvenile offenders in 2009 to 644.55 offenders in 2012. After 2012, the ratio per 100,000 youths decreased to 545.48 in 2016, but increased slightly to 597.04 in 2017 (Table 3-1-2 in the 2017 annual publication; Chart 1-6).

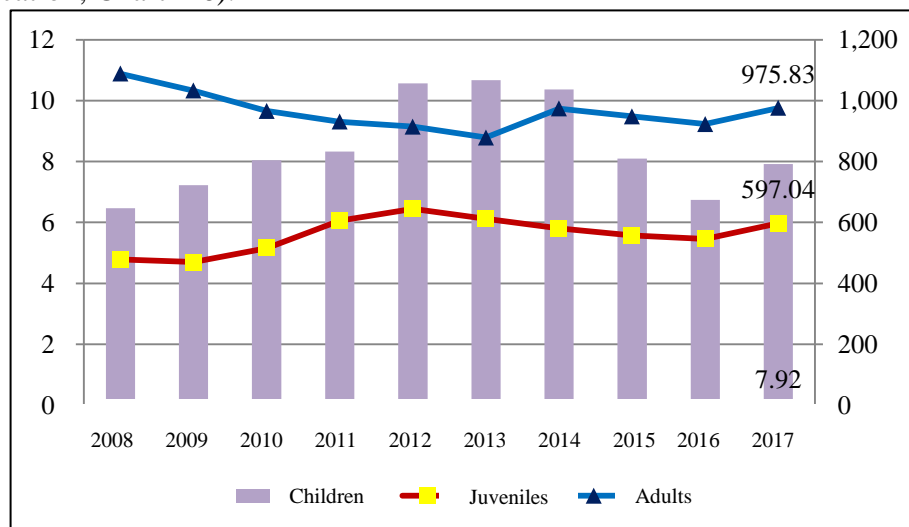


Chart 1-6 The trends of juvenile and child delinquency over the last ten years

Note : The number of children committing offenses refers to the left hand axis; the number of respective juvenile delinquency and adult offenders refer to the right hand axis.

2.3.2 In 2017, the most common types of crimes committed by juveniles and children were offenses of larceny and offenses causing injury, followed by fraud related offenses, drug offenses, sexual offenses and offenses against public safety. Offenses of larceny decreased over the last ten years, offenses causing injury decreased in the last five years and drug offenses decreased in the last three years. Fraud related offenses increased in the last four years and sexual offenses increased over the past ten years

In 2017, 8,927 juveniles and children committed offenses, of whom 23.99% committed offenses causing injury, 16.43% committed offenses of larceny, 11.48% committed fraud related offenses, 10.01% committed drug offenses, 8.68% committed sexual offenses and 8.66% committed offenses against public safety (Table 3-1-3 in the 2017 annual publication). The statistics over the last ten years clearly pointed out that offenses of larceny and offenses causing injury were the main types of juvenile and child delinquency, followed by fraud, drug offenses, sex offenses and offenses against public safety. However the trend of each type of offense varied over the last ten years (Table 3-1-3 in the 2017 annual publication):

- Offenses of larceny decreased from 35.4% of all juvenile offenses in 2008 to 16.43% in 2017. A similar trend was observed for offenses causing injury, which decreased from 28.07% in 2012 to 23.77% in 2016. Since 2014, offenses causing injury has become the most common type of offense committed by juveniles and children.
- Fraud related offenses increased from 2.86% of all juvenile offenses in 2014 to 11.48% in 2016. Drug offenses decreased from 12.17% in 2015 to 10.01% in 2017. Sexual offenses increased from 6.27% in 2008 to 10.20% in 2016.
- The rate of offenses against public safety fluctuated year on year over the last ten years.

2.3.3 Over the last ten years, most juveniles and children involved in protection matters were aged between 16 and 18, and most juveniles involved in criminal cases were aged between 17 and 18. The level of education for most juveniles in protection matters or criminal cases was senior high school (not completed)

Over the last ten years, most juveniles and children involved in protection matters were aged over 16 but were younger than 18. These juveniles accounted for 47.85% of total juveniles and children that committing offenses in 2010. This increased to 57.56% in 2017. Over the last ten years majority of juveniles involved

in criminal cases were aged over 17 but were younger than 18. In 2016, 60.92% of total juvenile offenders were aged between 17 and 18, representing the largest share over the past ten years, yet the lowest share was 43.25% in 2011 (Table 3-1-5 and Table 3-1-13 in the 2017 annual publication).

Statistics showed that instead of junior high school (not completed), the level of education for most juveniles and children involved in protection matters over the last ten years was senior high school (not completed), which increasing from 40.02% of total juveniles and children involved in protection matters in 2008, to 55.47% in 2017. Over the last ten years, statistics also showed that the level of education for most juveniles in criminal cases was senior high school (not completed). For the level of senior high school, its share of total juveniles involved in criminal cases increased from 42.32 % in 2009 to 67.58 % in 2017 (Table 3-1-6 and Table 3-1-15 in the 2017 annual publication).

2.3.4 The number of at-risk juveniles decreased over the last five years. The most common violation for at-risk juveniles over the last ten years was “smoking, sniffing or injecting hallucinogenic drugs other than opiate or narcotic drugs”, although this decreased as a percentage of total at-risk juvenile offenses since 2013. Most at-risk juveniles over the past five years were aged between 17 and 18

The number of at-risk juveniles decreased from 3,301 in 2013 to 836 in 2017. The most common violation for at-risk juveniles over the last ten years was “smoking, sniffing or injecting hallucinogenic drugs other than opiate or narcotic drugs”. In 2009, this accounted for the largest share of total at-risk behaviors instead of “frequently skipping school or running away from home”, which used to be the most common type. Its share increased from 63.54% of total juvenile delinquency in 2009 to 90.49% in 2013. After 2013, it decreased year on year. The largest decline in its share occurred in 2017, from 80.23% in 2016 to 66.15% (Table 3-1-21 in the 2017 annual publication). Most at-risk juveniles over the past five years were aged over 17 but were younger than 18. The largest proportion of offenders in this age range was 41.38% in 2015 and the smallest was 38.26% in 2013 (Table 3-1-22 in the 2017 annual publication).

2.3.5 The number of closed cases that involved juveniles and children matters decreased over the past five years. The most common protective measures were warnings, and probation and supervision. Since 2015, probation and supervision has been used more than warnings.

Over the last five years the number of cases that were concluded by district courts for juveniles and children matters showed a downward trend, declining from

13,100 in 2013 to 9,271 in 2017. Similarly, the number of juveniles and children involved in such cases decreased from 15,899 in 2012 to 10,816 in 2017 (Table 3-2-2 in the 2017 annual publication). Over the past ten years, the majority of juveniles and children involved in cases were ordered to receive protective measures by court decisions. Warnings (including holiday consulting) and probation and supervision were the most common types of measures. Warnings represented its highest share of all protective measures in 2011 (48.90%). Its lowest share was 43.24% in 2016. The highest share of probation and supervision to total protective measures was 48.9% in 2016 and the lowest share was 44.04% in 2011. Since 2015, probation and supervision has been the more frequently used measure compared with warnings (Table 3-2-2 in the 2017 annual publication).

2.3.6 The annual number of juveniles detained at juvenile detention houses over the past five years showed a downward trend. Juveniles aged between 16 and 18 accounted for the largest share of detained juveniles. In 2017 the most common charges for new entrants at juvenile detention houses were drug related offenses, followed by fraud related offenses and larceny. Over the last five years drug offenses and larceny decreased year on year, while fraud related offenses increased

The annual number of new entrants sent to and detained at juvenile detention houses over the past five years showed a downward trend, decreasing from 3,964 in 2013 to 3,079 in 2017. Juveniles aged between 16 and 18 accounted for the majority of juveniles detained at juvenile detention houses. This increased from 49.19% in 2014 to 53.65% in 2017 (Table 3-2-1 and 3-2-2 in the 2017 annual publication). In 2017 the most common charges for new entrants (3,079) at juvenile detention houses were drug offenses (20.27%), fraud related offenses (16.89%) and larceny (16.24%). Over the past five years, the share of larceny and the share of drug offenses to all charges decreased respectively from 22.56% in 2014 and 23.03% in 2015. On the contrary, the share of fraud related offenses increased each year from 5.97% in 2014 (Table 3-3-5 in the 2017 annual publication).

2.3.7 The Changhua reform school received the most juveniles for corrective and reformatory education over the past five years. Most “students” (juveniles at the reform school) were aged over 18, and the most common offenses were drug related offenses (which decreased more recently). The number of female students gradually increased. Over the past five years, the number of juveniles at Mingyang high school declined.

Over the past five years the largest annual number of new “students” at reform schools and correction institutions was 865 persons in 2013. The lowest annual number was 738 persons in 2017. The Changhua reform school received the most juveniles for corrective and reformatory education while the Chengzheng high school received the least juveniles. Among juveniles at reform schools and correction institutions, those aged over 18 represented the largest share, increasing from 31.45% in 2013 to 49.19% in 2017. The most common offenses were drug related offenses, increasing from 25.78% in 2013 to 33.94 in 2015 and declining to 31.44% in 2017. The share of female drug offenders to total female “students” increased from 25.24% in 2014 to 49.02% in 2017 (Table 3-3-6, Table 3-3-8 and Table 3-3-12 in the 2017 annual publication). Over the past five years, the number of juveniles at Mingyang high school decreased from 256 persons in 2013 to 156 persons in 2017 (Table 3-3-13 in the 2017 annual publication).

2.4 Crime trends and the treatment of crimes for criminals with various backgrounds

This section summarizes Chapters 1 to 5 of Part 4 of the 2017 annual publication. The first four chapters provide an overview of recent changes in data concerning criminal situations of female offenders, elderly offenders, drug offenders and foreign offenders as well as the number of defendants involved in convictions enforced by district prosecutors offices, and the treatment of criminal offenders (disposition of crimes). Chapter 5 focuses on general analysis of new prisoners’ historic criminal records each year. The key results from this research are set out as follows:

2.4.1 The number of female criminals increased over the past five years. Most crimes where females were convicted were offenses against public safety and drug offenses. Since 2015 the number of female drug offenders has increased and in 2017 this exceeded the number of females with offenses against public safety. Over the recent three years, the trends of female offenders under different treatments fluctuated, with some increasing while others declined.

In 2017, the ratio of female criminals per 100,000 women was 438.53, and the total number of women convicted of crimes prosecuted by district prosecutors offices was 26,554 (accounting for 13.79% of total criminals in 2017). In terms of the number of female criminals per 100,000 women, there was an upward trend over the past five years, from 395.07 in 2013 (Table 4-1-1 in the 2017 annual publication). Over the past five years, the most common crimes for female offenders were offenses against public safety and drug related offenses. Drug

related offenses increased from 17.75% of all female offenses in 2015 to 20.54% in 2017. In 2017, drug related offenses replaced offenses against public safety to be the most common type of crime by females (Table 4-1-2 in the 2017 annual publication). Between 2015 and 2017, the proportion of new female prisoners to total new prisoners showed a steady growth. On the other hand, the proportion of deferred prosecutions granted to all female offenders under treatments and the ratio of female offenders at detention centers to all female offenders under treatments, both presented a stable declining trend (Table 4-1-4 in the 2017 annual publication; Chart 1-7).

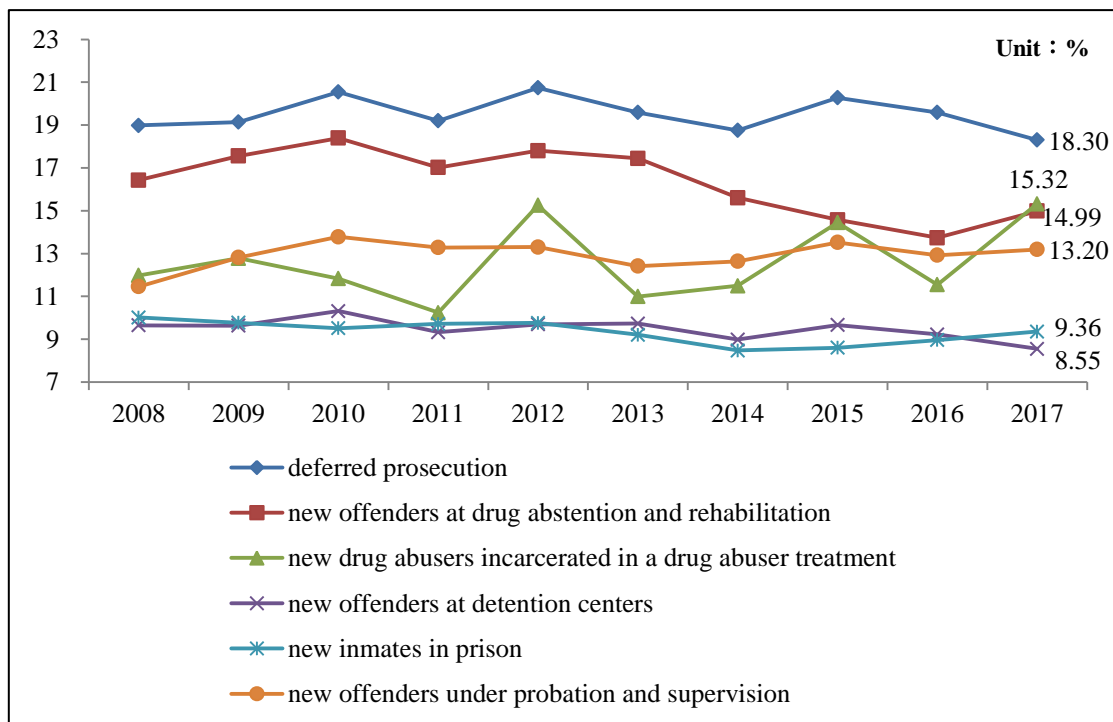


Chart 1-7 The proportion of female offenders by treatments over the last ten years

2.4.2 The ratio of elderly criminals per 100,000 elderly persons increased year on year over the last ten years. Over the more recent three years, the main violation type of the general criminal law was offenses against public safety, and the main violation of the special criminal law was drug offenses. The proportions of some treatments for elderly offenders increased, while other treatments either remained stable.

Over the past ten years the ratio of elderly offenders per 100,000 elderly persons increased from 351.79 in 2008 to 533 in 2017 (Table 4-2-1 in the 2017 annual publication). In 2017, the number of elderly offenders convicted of crimes under the general criminal law prosecuted by district prosecution offices was 13,544, accounting for 9.81% of total criminals in 2017. In the most recent three years, the main violation types of the general criminal law were offenses against

public safety, followed by gambling offenses and larceny. In 2017 offenses against public safety accounted for 45.84 % of total crimes committed by elderly persons in 2017, which represented the highest share for this type over the past ten years. The lowest share for offenses against public safety was 44.43% in 2016. Between 2016 and 2017, the share of larceny offenses to all crimes committed by elderly persons increased from 11.28% to 13.39 % while gambling offenses decreased from 18.82% to 15.53% (Table 4-2-2 in the 2017 annual publication).

In 2017, the number of elderly offenders convicted of crimes under the special criminal law prosecuted by district prosecution offices was 1,771, accounting for 3.27% of total criminals in 2017. In the most recent three years, the main violation type of the special criminal code was drug offenses. The share of drug offenses to total crimes committed by elderly persons increased from 26.81% in 2015 to 44.49% in 2017 (Table 4-2-3 in the 2017 annual publication). Regarding the treatments for elderly criminals over the past ten years, the proportion of new elderly offenders at drug abstinence and rehabilitation centers, drug abusers incarcerated in a drug abuser treatment center and new prisoners increased each year. Between 2015 and 2017, the share of deferred prosecutions granted to elderly offenders, elderly offenders at detention centers and protective measures remained stable in comparison with other treatments (Table 4-2-4 in the 2017 annual publication; Chart 1-8).

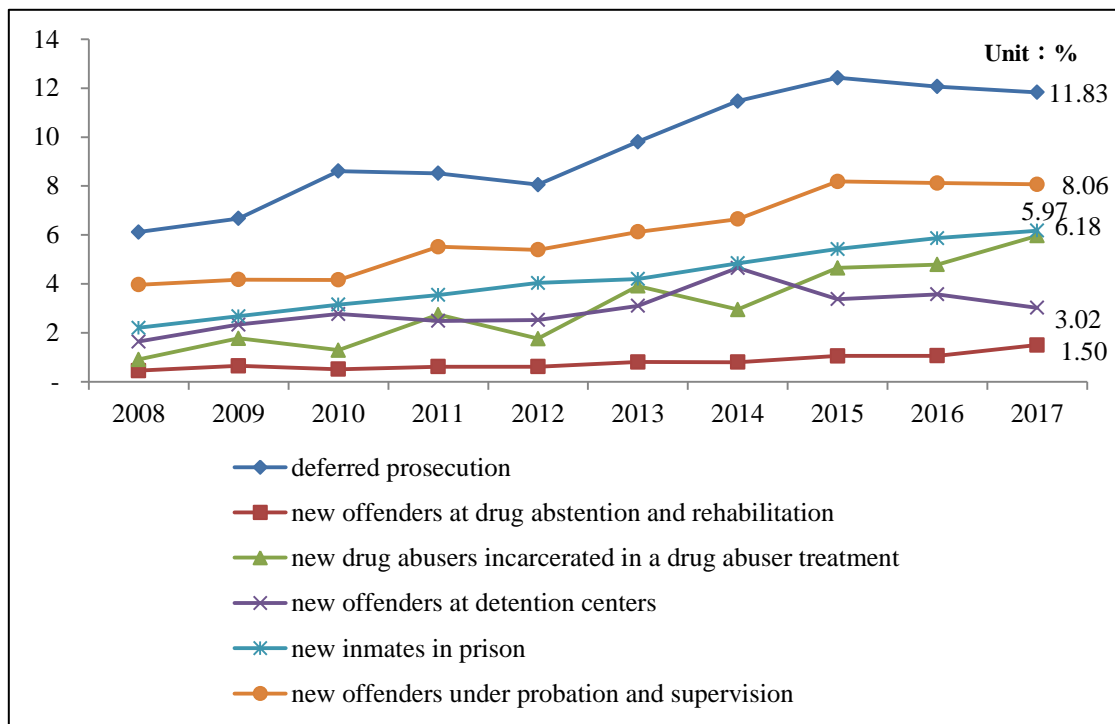


Chart 1-8 The proportion of elderly offenders by treatments over the last ten years

2.4.3 Over the last four years, the number of drug suspects and offenders convicted of drug offenses increased year on year. Over the last ten years, of convicted persons, the proportion of first-category drug offenders decreased while the proportion of second-category drug offenders increased. For some treatments, the proportion of second-category drug offenders was higher than that of first-category drug offenders. Over the most recent four years, the share of new prisoners for drug offenses to total new prisoners increased year on year.

Over the last ten years, the number of drug suspects increased from 41,265 in 2014 to 62,644 in 2017, and the number of offenders convicted of drug offenses increased from 34,672 in 2014 to 43,281 in 2017 (Table 4-3-1 in the 2017 annual publication). Over the last ten years, of all drug offenders prosecuted by district prosecution offices and found guilty by final judgments, most were first-category and second-category drug users. However, the changes in the number of these two types of drug users were different. The share of first-category drug users to total drug users decreased from 63.69% in 2008 to 23.93% in 2017 while the share of second-category drug users to total drug users increased from 25.20% in 2008 to 60.48% in 2017. Since 2011, the share of second-category drug users to total drug users has exceeded the share of first-category drug users (Table 4-3-2 in the 2017 annual publication).

In terms of the types of treatment for drug users over the past ten years, since 2012 there have been more second-category drug users granted deferred prosecutions with attached conditions on completion of drug addiction treatment than first-category drug users. Since 2013, there have been more second-category drug users whose deferred prosecutions with attached conditions on completion of drug addiction treatment were revoked than first-category drug users. Since 2008, there have been more second-category drug users sent to drug abstinence and rehabilitation centers and since 2014 more second-category drug users incarcerated in a drug abuser treatment center than first-category drug users. Furthermore, the share of new prisoners charged with drug offenses to total new prisoners increased from 28.15% in 2014 to 32.32% in 2017 (Table 4-3-3 and 4-3-4 in the 2017 annual publication).

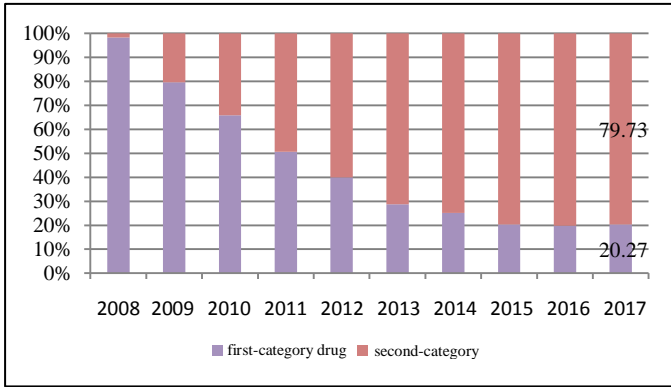


Chart 1-9 The proportion of deferred prosecutions with attached conditions on completion of drug addiction treatment each year from 2008 to 2017

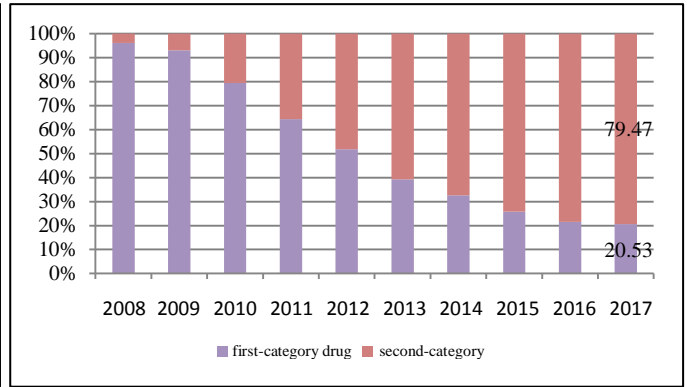


Chart 1-10 The proportion of deferred prosecutions with attached conditions on completion of drug addiction treatment being revoked each year from 2008 to 2017

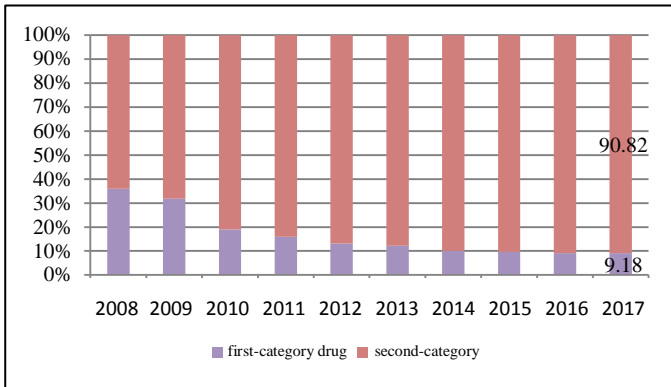


Chart 1-11 The proportion of new offenders at drug abstinence and rehabilitation centers each year from 2008 to 2017

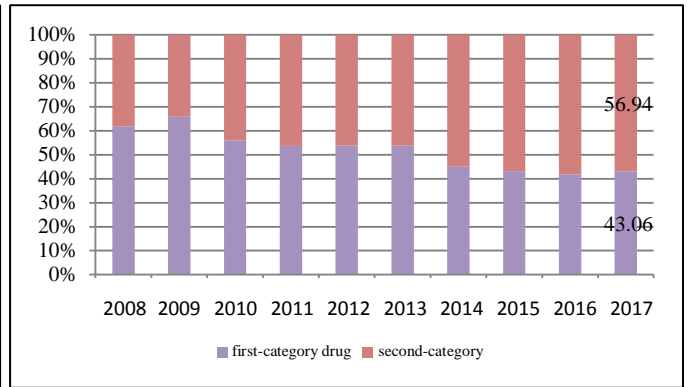


Chart 1-12 The proportion of new offenders incarcerated in a drug abuser treatment center each year from 2008 to 2017

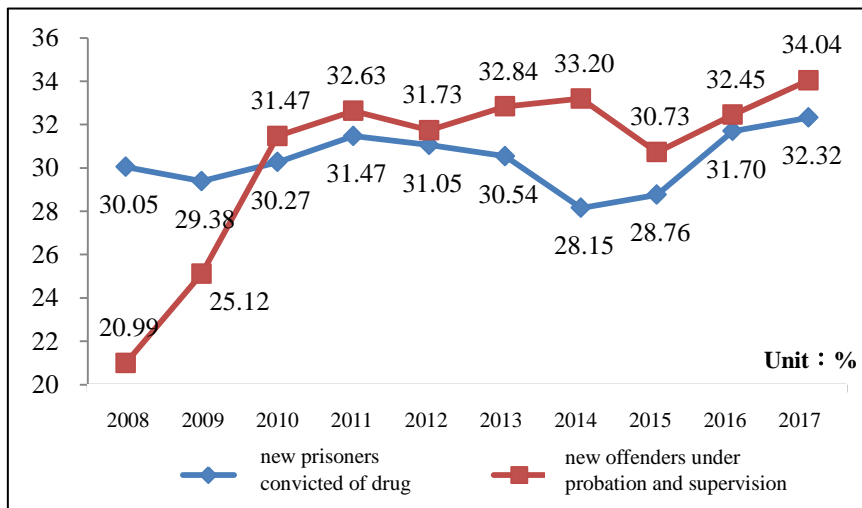


Chart 1-13 The proportion of new prisoners charged with drug offenses and new offenders under probation and supervision each year from 2008 to 2017

2.4.4 The number of foreign offenders increased in the last three years. The proportion of foreigners that committed offenses against public safety increased while the proportion of forgery of official documents and gambling offenses declined significantly from 2016 to 2017.

The number of foreign offenders that were prosecuted by district prosecutors offices found guilty in final judgments, increased by 59.98% from 1,147 in 2015 to 1,835 in 2017. Around 83.54% of foreign offenders violated the general criminal law and 16.46% of foreign offenders violated the special criminal law. In 2017 the top four nationalities of foreign offenders that were found guilty in final judgments were: Vietnamese (54.93%), Thai (15.59%), Indonesian (9.16%) and Philippine (6.38%). These nationalities accounted for 86.06% of total foreign offenders (Table 4-4-1 in the 2017 annual publication). In the last three years, the most common crime that foreign offenders committed and were prosecuted by district prosecutors offices was offenses against public safety, increasing from 45.30% of all crimes committed by foreigners in 2015 to 60.08% in 2017. By contrast, the shares of the following crimes showed a declining trend: concealing an individual from arrest, the offense of obstructing governmental operation, sexual offenses, offenses against morality, offenses against marriage and family, murder, larceny and theft, unlawful restraint, offenses of abrupt taking and robbery, and embezzlement and fraud related offenses. In particular, there were substantial decreases in following three crime types (Table 4-4-2 in the 2017 annual publication):

- The share of larceny to total crimes committed by foreigners decreased from 16.67% in 2015 to 11.94% in 2017.
- The share of offenses of forging instruments or seals decreased from 12.21% in 2016 to 9.92% in 2017.
- The share of gambling offenses decreased from 4.18% in 2016 to 1.89% in 2017.

2.4.5 In the last nine years, among all new prisoners, the proportion of new prisoners with a historic criminal record increased year on year. In 2017, the top five crimes committed by offenders with a historic criminal record were drug offense, offenses against public safety, larceny, receiving stolen property and abrupt taking and robbery. Only the share of female drug offenders with a historic criminal record to total female drug offenders approximated the shares of the aforementioned offenses committed by recidivists.

In 2017, 79.04% of new prisoners (36,199 persons in total) had committed crimes before. In the same year, 79.78% of male new prisoners (26,176 persons in total) had a historic criminal record and 71.93% of female new prisoners (2,437 persons in total) had a historic criminal record (Table 4-5-1 in the 2017 annual publication). Among new prisoners in 2017, the top five crimes committed by offenders with historic criminal records were drug offense (93.97%), offenses against public safety (82.52%), larceny and theft (81.55%), receiving stolen property (81.40%) and abrupt taking and robbery (70.91%). For female offenders, less than 70% of offenders of most crimes committed were those with a historic criminal record while 95.87% of female drug offenders were ex-convicts (Table 4-5-2 in the 2017 annual publication).

2.5 Victimization trends, victim protection and compensation

This section summarized Chapters 1 to 3 of Part 5 of the 2017 annual publication, which includes three key points: 1) an analysis on victimization trends based on types of victimization and the age as well as gender of victims; 2) an overall situation of victim protection by analyzing types of victim protection, case types, protected persons and victim assistance programs; 3) the status of victim compensation. The key results from this research are set out as follows:

2.5.1 Over the past ten years, the largest number of victims related to offenses of larceny and fraud. Regarding offenses of larceny, its share of victims to total victims decreased year on year. On the other hand, the share of victims to fraud related offenses has increased since 2013. In 2017, the largest number of victims of juvenile and child delinquency related to sexual offenses, with a higher rate of female victims. Victims of crimes other than juvenile and child delinquency were concentrated on offense of larceny and fraud related offense.

Over the past ten years, the largest number of victims related to offenses of larceny, followed by fraud related offenses. However, the proportion of victims of larceny decreased from 60.12% of all victims in 2008 to 29.37% in 2017. The proportion of victims of fraud related offenses to total victims, however, increased from 11.71% in 2013 to 19.76% in 2017 (Table 5-1-1 in the 2017 annual publication). In terms of the proportion of victims of larceny and fraud related offenses in each age group to total victims of all crimes in the same age group, 51.76% were youths (aged between 18 and 23), 51.12% were adults (between 24 and 39), 49.59% were middle-aged persons (between 40 and 64), and 47.56% were elderly persons (over 65). The age distribution for victims of sexual offenses concentrated on children (between 0 and 11) and teenagers (12 to 17), which

respectively accounted for 38.88% and 22.79% of total victims of all crimes in these two age groups. It is worth noting that the share of female victims aged 0 to 11 to total female victims aged 0 to 11 was 52.94%, and female victims aged 12 to 17 represented 37.23%. These were both higher than the relevant shares for male victims of the same ages (Table 5-1-2 in the 2017 annual publication)¹.

2.5.2 The number of victim protection cases, the number of individual protected persons (excluding the same persons in different cases) , and the number of protected persons in all protection cases showed a downward trend in recent years. By contrast, the share of victims receiving legal assistance to all victim assistance projects increased gradually over the past ten years.

According to statistics in relation to victim protection provided by the Association for Victims Support, the number of protection cases decreased from 2,407 in 2015 to 1,916 in 2017, and the number of individual protected persons decreased from 7,022 in 2010 to 4,137 in 2017. The number of protected persons in all protection cases decreased from 91,065 in 2014 to 63,623 in 2017. The share of victims receiving legal assistance to all victim assistance victims received, however, increasing from 7.10% in 2008 to 28.29% in 2017 (Table 5-2-1 in the 2017 annual publication).

2.5.3 The number of new cases concerning crime injury compensation increased over the past ten years. In the most recent two years, the share of “applications for crime injuries compensation” to all new compensation cases decreased while the share of “prosecutors’ claims for compensation” increased. Regarding completed compensation cases over the past five years, the share of “applications for crime injuries compensation” to all completed cases increased while the share of “prosecutors’ claims for compensation” decreased.

Over the past ten years, the number of new cases concerning crime injury compensation received by district prosecution offices increased from 867 in 2008 to 2,073 in 2017. The share of “applications for crime injury compensation” to all new compensation cases decreased by 7.3% in 2017 (66.47%) compared to 2016 (73.77%). On the contrary, the share of “prosecutors’ claims for compensation” increased from 25.29% in 2016 to 32.27% in 2017 (Table 5-3-1 in the 2017 annual publication). In 2017, there were 1,650 completed compensation cases, of which 1,352 were “applications for crime injury compensation”. The share of “applications for crime injury compensation” to all completed cases increased from

¹ Every age group is defined as the terms in Statistics Yearbook of Police Administration. For more information, please refer to statistics on criminal cases offenders- by classification and age, published by National Police Agency, Ministry of the Interior, July 26th 2018, <https://www.npa.gov.tw/NPAGip/wSite/Ip?ctNode=12902&nowPage=2&pagesize=15>

72.57% in 2013 to 81.94% in 2017, while the share of “prosecutors’ claims for compensation” decreased from 25.74% in 2013 to 17.09% in 2017 (Table 5-3-1 in the 2017 annual publication).

2.5.4 In the most recent three years, of all victims’ applications for compensation, the share of male victims to all victims decreased, while the share of female victims increased. Between 2008 and 2010, most applicants were aged between 30 and 50, but in the most recent five years, the largest share of applicants were aged under 20. In addition, the share of applicants that were unemployed increased over the past ten years.

In 2017, there were 1,373 victims in closed applications for compensation, of which 43.99% were male victims and 56.01% were female victims. Since 2015, the share of male victims has decreased from 50.65%, while the share of female victims has increased from 49.35% (Table 5-3-3 in the 2017 annual publication). Between 2008 and 2010, most applicants were aged between 30 and 50, but in the most recent five years, the largest share of applicants (relative to all victims) were aged under 20 took (Table 5-3-4 in the 2017 annual publication; Chart 1-14). In addition, the share of applicants that were unemployed relative to all victims increased over the past ten years, from 28.04% in 2008 to 42.24% in 2017 (Table 5-3-5 in the 2017 annual publication).

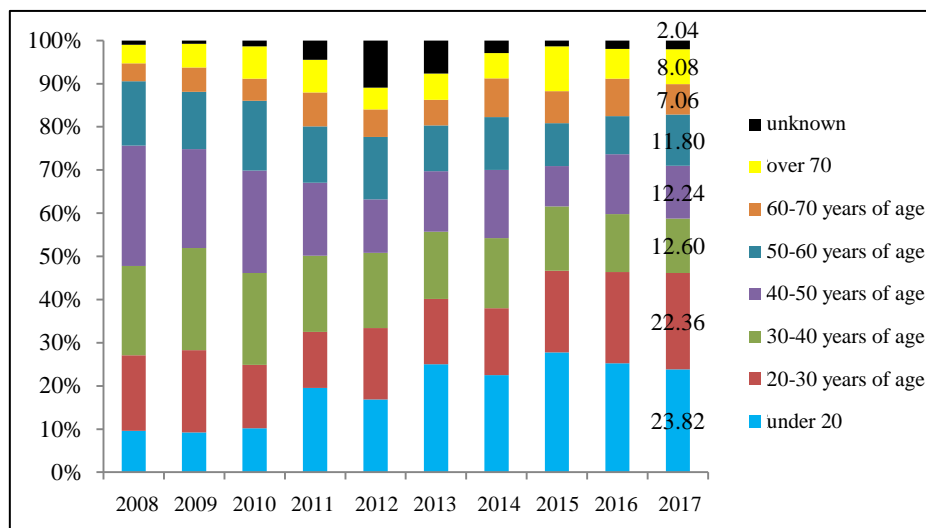


Chart 1-14 The age distribution of applicants in crime injury compensation cases

2.5.5 In 2017, most applications for compensation related to murders, offenses causing injury and sexual offenses, of which most applicants applied for compensation for the death of victims. However, over the past five years, the share of compensation for deaths compared with all compensation cases decreased while the share of compensation for serious injury increased.

In 2017, there were 1,352 cases concerning crime injury compensation, of which 43.12% related to murder (583 cases), 29.29% related to sexual offenses (396 cases) and 23.74% related to offenses causing injury (321 cases) constituting the most common types of victimization (Table 5-3-8 in the 2017 annual publication). In terms of the types of compensation, in 2017 45.88% were applications regarding deaths (630 applicants), 29.35% were applications for victims of sex offenses (403 applicants) and 24.76% were applications for injury (340 applicants). However, in the most recent five years, the ratio of applications for compensation regarding deaths decreased from 52.84% in 2014 to 45.88% in 2017 while the ratio of applications for injury increased 13.86% in 2013 to 24.76% in 2017 (Table 5-3-9 in the 2017 annual publication).

3. Analysis on social concerns

This section summarizes Chapters 1 and 2 of Part 6 in the annual publication. The following points are set out consistent with the order of the Parts of the annual publication. After consensus reached at the National conference on Judicial Reform and major law amendments proposed by the Ministry of Justice in recent years, offenses against the environment protection legislation and money laundering were selected as high-profile issues in 2017. Below is the abstract from Chapter 2 of Part 6 in the annual publication.

3.1 Context of offenses against the environment protection legislation and its prevention

In theory, offenses against the environment protection legislation constitute environmental crimes. In recent years, environmental crimes became a major concern of the government and the general public in respect of environmental pollution, organized crimes and illicit economic incentives. Criminal legislation in connection with environmental crimes not only heavily rests on administrative agencies' determination on whether the legal elements are satisfied under relevant administrative laws and regulations, but also requires professional information and investigative cooperation provided by each administrative agency within its capacity and competence. Furthermore, for special criminal provisions in administrative legislation, fact-finding of environmental conservation is mainly the responsibility of the Ministry of Economic Affairs, and environmental protection is mainly the responsibility of the Environmental Protection Administration (hereinafter referred to as the "EPA"). As a result, both definitions of environmental crimes and its application are subject to various laws and competent agencies across the administrative and judicial system.

Considering that environmental legislation, policy and business charged by the EPA plays an important part of the consensus reached by the National Conference on Judicial Reform, as well as recent policy directions and the context of amending legislation, the research scope of this annual publication focuses on environmental crime and related criminal provisions and environmental laws charged by the EPA. Moreover, in the context of the National Conference on Judicial Reform and the amendment to Article 190-1 of the Criminal Code, we reviewed whether the current trend is consistent with previous policies and its implementation concerning offense against environmental protection legislation. In doing so, we could identify potential conflicts between “new” and “old” policies.

To achieve the above research purpose, the annual publication defines environmental crime as violations of Article 190-1 of the Criminal Code, and criminal provisions of the following legislation: the Water Pollution Control Act, the Air Pollution Control Act, the Waste Disposal Act, the Soil and Groundwater Pollution Remediation Act, the Marine Pollution Control Act, the Resource Recycling Act, the Environmental Impact Assessment Act, the Environment Agents Control Act, the Toxic Chemical Substance Control Act and the Drinking Water Management Act.

First, to develop a complete understanding about implementation results of the current system and policies, the annual publication analyzes data related to enforcement and court decisions in investigation and judicial review stages on the basis of second-category statistics. This includes the number of crimes regarding environmental protection investigated by district prosecution offices and the number of persons involved in crimes regarding environmental protection subject to first-instance judgments rendered by district courts. Through scrutinizing statistical data, we found that violations of Article 190-1 of the Criminal Code, the Water Pollution Control Act, the Air Pollution Control Act and the Waste Disposal Act were the most common types of crimes regarding environmental protection either in investigation stages or during the stages of judicial review at district courts. Of these, applications of the Waste Disposal Act represented the most significant violation. In practice, prosecution agencies or district courts rarely applied other environmental crime laws or provisions. To facilitate understanding of the results of the statistical data, the annual publication further explores reasons that led to this trend from institutional aspects and policy implementation.

Considering institutional and policy related aspects, the annual publication categorizes the relevant legislation with regard to offenses against environment protection into five types according to the individual features of the regulations: 1)

non-registration of specific conduct, failure to apply for approvals or permissions to competent agencies and non-compliance with permissions; 2) failure to report specific conduct, untruthful reporting or providing false information; 3) failure to adopt required emergency response measures and non-compliance with agencies' orders; 4) other specific conduct; 5) responsible persons of juridical persons, agents, employees or other working personnel of juridical persons. Through reviewing these five categories, it was found that environmental legislation governing violations of environmental protection comprises diverse provisions across every applicable law in response to different needs of environmental protection. Despite different environmental laws, similar criminal liabilities incurred for violation of administrative obligations under applicable laws.

After comparing the history of each environmental legislation governing violations of environmental protection, it was noted that revising environment related legislation took place in four periods when environmental pollution events resulted in social concern about a lack of appropriate regulations preventing pollution and the need for criminal provisions. In terms of the frequency of amendments to environmental legislation governing violations of environmental protection, the Water Pollution Control Act, the Air Pollution Control Act and the Waste Disposal Act were the main legislation, which were revised frequently. In this regard, what law-making agencies are most concerned about can be identified by considering the history of amendments.

Furthermore, the 2017 annual publication draws upon policy guidance on policy implementation of offenses against environmental protection legislation through four stages. First, the Supreme Prosecutors Office and the High Prosecutors Office established a unified investigation team in response to issues regarding environmental conservation and illegal dumping. In addition, the National Police Agency set up a taskforce to look into illegal dumping problems. Second, following a successful cooperation model among the EPA, prosecutors and the police (initiated by some district prosecution offices), the High Prosecutors Office directed all district prosecution offices to develop an official regime of cooperative alliance comprising the EPA, prosecutors and the police in order to launch investigations into organized crime against environmental protection legislation and illegal profit gained from unlawful conduct. In the cooperative alliance, the EPA could provide prosecutors and the police practical information on applicable law and regulations, cases and investigative techniques. As a result, a model of cooperative investigation was formed, guided by district prosecution offices along with the EPA's practical information and professional views and the police's efforts of tracking pollution

source and security maintenance.

Third, with the aftermath of a popular environmental documentary “Beyond Beauty: Taiwan from above”, the central government developed policy guidelines of environmental conservation and environmental protection to encourage prosecution offices to investigate crimes against environmental conservation. In the National Police Agency, a new work team, the Third Division of the Seventh Special Police Corps, was established to strengthen investigation into illegal dumping and relevant crimes against environmental protection. Finally, through the influence of the National Conference on Judiciary Reform, the EPA, prosecutors and the police further consolidated and reinforced a cooperative alliance model, in which prosecutors took a lead role in investigation process and the National Police Agency initiated investigations to detect crimes on the basis of professional judgment made by environmental agencies.

As stated above, in spite of many environmental protection related legislation, until now the Water Pollution Control Act, the Air Pollution Control Act and the Waste Disposal Act have played a critical role in the history of amendments and in respect of the policy-making process and policy implementation. This was the reason why relevant agencies in the investigation process or the judicial review process relied on these three laws. In law enforcement, a cooperative investigation model, comprised of prosecutors, the Police Agency and environmental protection related agencies, was a highlight in the detection of crimes against environmental protection.

However, there are some drawbacks that cannot be ignored. First, enforcement agencies cannot gain a whole picture and general understanding of the legal elements of all environmental protection legislation when in practice only focusing on the development and enforcement of a few specific applicable laws and in drafting amendments to only those. This may lead to a possible result where investigations do not reflect the complete situation of the violations of environmental protection legislation. Second, relevant police have not distinguished between crimes against environmental conservation and crimes against environmental protection. Therefore, prosecution offices, the Police agency and the local cooperative alliance regime cannot always work together to address local crime issues on environmental protection.

Given this, it is advisable to increase relevant agencies’ overall understanding of the application of legislation on crimes against environmental protection, and develop more localized alliances among the EPA, district prosecution offices and the

Police Agency. These alliances should focus on crimes against environmental protection and use the current regime and resources effectively for the purpose of crime prevention. However, the most recent amendment to Article 190-1 of the Criminal Code did not consider such an approach. In the case of applying Criminal law, it is also challenging to refer to professional opinions of environmental protection agencies due to the fact that the Criminal Code is not governed by environmental protection related agencies. This is contradictory to the current practical approach, where most crimes against environmental protection legislation are grounded on environmental protection agencies' professional opinions on legal elements, and may result in difficulties in law enforcement. It is important to reiterate that increasing relevant agencies' overall understanding of legislation on crimes against environmental protection, and concentrating available resources on localized alliances among the EPA, district prosecution offices and the National Police Agency are required to address the current direction to prevent crimes against environmental protection.

3.2 The evolution of money laundering and its prevention

As a result of international organizations' evaluation of anti-money laundering, and the overhaul of the Money Laundering Control Act (hereinafter referred to as the MLC Act) in 2015, the prevention of money laundering has become a highlight of criminal jurisprudence and government agencies' concerns in recent years. It is worth exploring whether enforcement results and decisions on legal elements made by investigative and prosecuting agencies (prosecution offices) and judiciary agencies (courts) are consistent with the 2015 amendments to the MLC Act.

After reviewing legislative documents and academic papers, the annual publication first defines money laundering (for the purpose of criminal liabilities) as "the act of concealing the origins of profits from illegal activity, typically by means of transfers through the financial system to enable individual criminals to keep profits in the circumstance where his/her resource is secure and not at risk". Regarding the protected interest of the MLC Act, some scholars pointed out that it should be changed from "the enforcement of judicial power" into "safeguard operation of the financial system" after 2015 amendments. However, research found that in most prosecution documents and judgments, most investigative and prosecuting agencies and courts still hold views that existed prior to the 2015 amendments, focusing on the protection of legal interest "specific crimes persecuted and punished by a country", rather than the legislative purpose of the 2015 amendments. This shows a considerable gap between enforcement priorities and judgments in practice and the protected interest of the 2015 amendments to the MLC Act.

Considering that the scope of the protected interest has a significant impact on defining the concept of money laundering and the analysis of applicable legal elements, the annual publication reviews protected interests considering the theory and practice to specify which is more appropriate to prevent money laundering. The annual publication also points out potential influences by adopting the protected interest before the 2015 amendments. The annual publication first analyzes data provided by the Ministry of Justice and the Judicial Yuan and concludes that money laundering was not the key issue addressed in respect of law enforcement and judicial review before the 2015 amendments. Furthermore, the annual publication analyses 171 judgments made between the 2015 amendments and date of the annual publication. It found that in most cases, whether or not defendants provided their own accounts to groups of scammers, would be the precondition of constituting a violation of money laundering. This also represented a divergence on the determination of crime types concerning money laundering between prosecution offices and courts, as well as between different courts. The results showed that more money laundering cases were confirmed after the 2015 amendments, but it was still not clear whether results of current law enforcement and judicial decisions complied with the protected interest under the MLC Act and its legislative purpose. A further study on the evolution of the legislative system of money laundering in the context of administrative reform is required for a comprehensive examination.

In the beginning, the purpose of preventing money laundering was to detect and deter egregious crimes. In later stages, however, this purpose changed.

As Taiwan was placed on the general follow-up list (on the enhanced follow-up list in 2011) after the second round evaluation of the APG (Asia/Pacific Group on Money Laundering), the MLC Act was amended according to 40 recommendations by the FATF (the Financial Action Task Force). This was to protect Taiwan from international financial sanctions, and in response to legislators' requests for prevention of fraud related crimes. The 2015 amendments expanded the legislative purposes and scope of the MLC Act to maintenance of operations of the financial system and promote transparency around cash flows.

In the early stages of enforcing the MLC Act, the Anti-Money Laundering Division of the Investigation Bureau was in charge of dealing with suspicious activity reporting, including receiving reports on suspicious transactions, organizing educational and training courses and participating in international meetings. The Division then became a bridge connecting financial institutions and prosecution offices or judicial agencies and developed a network for screening suspicious transactions reported by financial institutions and referring applicable cases to

prosecution offices or judicial agencies. At the same time, the Division also cooperated with other government agencies such as the Financial Supervisory Commissions (the FSC) and the Central Bank to incorporate relevant their data to conduct more comprehensive enquiries into financial information. With requests of international organizations, and the recent amendments to the MLC Act, the FSC started to play a key role in cooperating with the Investigation Bureau, particularly in the development of inter-financial institution rules on the verification of clients, internal auditing and suspicious financial activity reporting and monitoring compliance of financial institutions. Another agency that became involved in money laundering is the Anti-Money Laundering Office of the Executive Yuan, responsible for the third round of APG evaluation. Given that the legal regime and enforcement of money laundering is relevant to international rules proposed by international organizations, the issues identified by the Anti-Money Laundering Office through the evaluation process can be served as useful guidance for future direction of the legal regime and policy development.

As mentioned above, the impact of the protected interest or legislative purpose specified under the MLC Act is a key issue, which the annual publication seeks to address. After examining judgments, it was found that the mainstream perspective in practice considers the protected interest as the enforcement of judicial power and focuses on how defendants disguise the source of money derived from criminal activity to the extent which prosecutors and police may not be able to easily track. In other words, the interpretation and reasoning of these judgments is mainly in favor of law enforcement agencies. However, considering the evolution of money laundering related legislation and the trends of administrative reform, the current system and attention of relevant agencies has switched to institutionalize the financial discipline and promote transparency of cash flow to discover suspicions transactions. The current purpose in the prevention of money laundering should not be limited to the dimension of investigation, in which relevant agencies only consider whether the conduct in question interferes with the enforcement of judicial power. It should also incorporate the perspective of financial discipline, reviewing whether the conduct in question undermines financial discipline and transparency by “legitimizing” illegal profits through the financial system.

When considering the maintenance of financial discipline as the protected interest under the MLC Act and reviewing practical cases in the annual publication, it was found that the establishment of money laundering was based on whether defendants provided accounts to groups of scammers. Some prosecution documents, and judgments rendered by courts referred to the explanatory notes of amendments to

the MLC Act.² However, the investigative and prosecuting agencies and courts did not contemplate whether the provision of accounts is consistent with the protected interest and legislative purpose of the most recent amendments to the MLC Act. Aside from the provision of accounts, there are few types of crime regarding money laundering that are prosecuted by law enforcement agencies. In other words, to date law enforcement agencies and judicial agencies have not fully considered the change of the legislative purpose and the protected interest after the latest amendments. More diverse and more extreme money laundering are able to be effectively prosecuted in response to the latest amendments of the MLC Act.

Therefore, it is advisable to consider the protected interest under the MLC Act from the aspect of whether offenders disguise the source of their illegal profit through financial procedures and “legitimize” illegal profit obtained from unlawful conduct, as well as whether money laundering protects crime itself from being detected and facilitates concealment of criminal evidence. Regarding the legal elements of money laundering, the determination of concealments or the disguise of illegal profit gained from unlawful conduct should not only rest on prosecution decisions made by investigative agencies. It is more important to consider whether offenders use the financial system to disguise profit derived from unlawful conduct or intentionally create a breakpoint of cash flow, enabling the source or the illicit nature of such monetary gains to not be easily detected and resulting in opaque cash flow hampering financial discipline.

In conclusion, the annual publication offers the following pragmatic suggestions for investigative and prosecution agencies or judicial agencies to assist the enforcement of money laundering:

- Focusing enforcement activities on classic types of money laundering cases collected by the Investigation Bureau and strengthening awareness of applicable law and regulations by organizing various thematic seminars.
- Given the nature of money laundering, which “legitimize” gains derived from unlawful conduct, a more convenient and effective channel to detect suspicious transactions and monitor movement of illegal profit derived from specific crimes in a timely manner is crucial. In this regard, a robust and comprehensive data

² When analyzing 60 cases of money laundering in court judgments rendered after the latest amendments to the MLC Act, courts held in 45 cases that provision of accounts constituted violation of the MLC Act by referring to the explanatory notes submitted by the Executive Yuan. The explanatory notes explained that the types of money laundering stipulated in Article 3(1)(b)(ii) of the Vienna Convention include “the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect to, or ownership of property”. For example, ... (4) disguising the movement of illegal profit by providing bank accounts, for example: selling accounts for use of third parties; accounts available for cross-border transactions provided by firms for the purpose of processing illegal profit obtained by cross-strait scamming group.

exchange between the Investigation Bureau and the investigative and prosecution agencies and/or judicial agencies, or a one-stop-shop platform for information exchange may be an option for future development in order to facilitate investigation, judicial review and collection of criminal evidence.

4. Analysis on focal criminal issues

Analysis on focal criminal issues is a new section for the 2017 annual publication. This section aims to extract focal issues from Parts 1 to 5 in respect of recent theories, practical concerns and data trends, and conduct in-depth analysis in the final chapter of each Part. The aim is to propose practical and workable policy recommendations and future research directions for such issues. The focal crime issues and proposed recommendations are set out as follows:

4.1 Over the past ten years crime rates of specific offenses showed an upward trend

Although the overall crime rate decreased over the past ten years, the crime rates of some specific types of crimes increased in earlier years, some increased more recently and some increased year on year. After reviewing relevant data, it was found that breaches of trust, offenses of embezzlement and unlawful sexual intercourse and lascivious conduct increased year on year over the past ten years. Gambling offenses and offenses against public safety showed an upward trend prior to 2015, while violations of the Narcotics Hazard Prevention Act, and the Controlling Guns, Ammunition and Knives Act increased year on year after 2015.

It is worth noting that fluctuations in crime rates may be due to various reasons. High crime rates do not necessarily mean that any specific crime is rampant. However, monitoring crime rate data enables us to initially discover an annual change in any specific crime and select specific crimes to discover possible reasons that explain changes in the data. It is suggested that government agencies can target specific crimes selected through data review and conduct research into reasons behind increases in a specific crime rate during a certain period in order to develop criminal policy directions and strategies to prevent crimes (Chapter 5 of Part 1 in the annual publication).

4.2 Analyzing when incidents of reoffending occur after release from prison

This section studies the length of time between when prisoners are released from prison until when they may reoffend. The period starts calculating until when a crime committed by a released prisoner under investigation of a Prosecutors office is closed. In particular, this section focuses on when former prisoners reoffend after

being released, and the distribution of recidivism rates (the number of released prisoners reoffending within a certain period after release from prison/total prisoners released in the same year). The annual publication considers data compiled by the Department of Statistics and break down total prisoners into “prisoners released after completing sentences” and “prisoners released on parole” in order to monitor statistics on the recidivism rates of these two groups.

Statistics show the share of reoffending prisoners released after completing sentences to total released prisoners was significantly higher than the share of reoffending of prisoners released on parole. In respect of the time when these two groups reoffend, they both are more likely to recommit crimes within two years after release from prison. The shares of these two groups in each time period are similar, except within six months of release. More than a year after release, the recidivism rate of prisoners on parole is slightly higher than the recidivism rate of prisoners released after completing sentences.

Therefore, prisoners either released after completing sentences or released on parole, the period within two years of release is the peak for reoffending. Such a period should be considered as critical to help former inmates transition back to society. In a word, relevant criminal polices needs to explore how to establish a more robust former prisoner reentry program to assist them post release and prevent them from reoffending within two years after release (Chapter 6 of Part 2 in the 2017 annual publication).

4.3 Results of enforcing confiscation orders after the latest amendments

After the 2015 amendments to the Criminal Code introduced a new confiscation regime, confiscation related provisions in many laws and regulations required an overhaul in response to the amendments and the Enforcement Law of the Criminal Code (the “old” confiscation regime continued to apply before the set time). After the 2015 amendments were enacted, most enforcement cases regarding confiscation orders were still generally subject to the Criminal Code. To examine results of enforcing confiscation orders, we made a request to the Department of Prosecutorial Affairs for access to internal records on applications of confiscation orders submitted by prosecution agencies between July 2016 (when the amendments came into effect) to December 2017. On the basis of the internal records, we sorted out case types of confiscation under criminal law.

It was found that most confiscation orders under general criminal law related to offenses of larceny and fraud. In terms of confiscation orders under special criminal law, most were derived from drug offenses where the number of these orders and its

percentage of total confiscation orders, were higher than those related to offenses of larceny and fraud. Although Table 2-3-7 in annual publication shows the largest share of confiscation orders is subject to general criminal law, in practice, the number of enforcement actions of confiscation orders regarding drug offenses accounted for the largest share overall. In brief, “exploring the actual level of illegal gains derived from drug offenses through reviewing the gap between the number of confiscation orders and the amount confiscated for drug offenses” can be a direction for future study (Chapter 6 of Part 2 in the annual publication).

4.4 Difficulties of the allocation and guidance program for juvenile delinquency

Over the past ten years, compared to other protective measures, the share of the allocation and guidance program was the smallest. This is despite the program being designed to offer an additional option of “intermediate” treatment between “probation and supervision” and “correctional education”. The program aims to provide an appropriate place with guidance from professional staff to support and act as a family for juvenile offenders with dysfunctional families. In this regard, the annual publication reviewed documents on the implementation of the program and relevant academic papers and identified possible issues in the execution of the well-intentioned program, and challenges the allocation and guidance program for juvenile delinquency may face.

The allocation and guidance program was introduced in the Juvenile Delinquency Act in 1997. After reviewing relevant documents, it was found that there were two reasons resulting in the low percentage of applications of the program:

- In the early stages, it was difficult to find qualified facilities for allocation and guidance and receive sufficient funding for placements;
- In the later stages, due to facilities for allocation and guidance without sufficient manpower, funding and the time-consuming and complicated evaluation procedure, the allocation and guidance program became the lowest priority when juvenile investigators submitted proposed treatment or when courts made rulings. In particular, cases in relation to inappropriate discipline and sexual abuse, which were discovered in recent years, required many issues to be addressed, including management and adaptive instructions. These were difficult situations to be faced by facilities for allocation and guidance.

Recently, the Judicial Yuan submitted a proposal amending the Juvenile Delinquency Act to expand the scope of facilities for allocation and guidance to provide more diverse facility options. However, as mentioned above, since its

inception, facilities for allocation and guidance have experienced long-term problems in funding, manpower, and long-standing issues of how an appropriate facility is selected and how facilities assist to implement the placement program and the evaluation process. In addition to expanding the scope of facilities for allocation and guidance through amending the applicable law, reviewing and assessing the above fundamental problems in execution of the program is necessary to prevent facilities for allocation and guidance from facing the same challenges once the proposed amendments pass. Selection of the most suitable protective measure can pave a way for adaptive development of juvenile and children and assist their reentry into the community (Chapter 4 of Part 3 in the 2017 annual publication).

4.5 The increasing shares of elderly offenders to all offenders in each stage of a criminal case

Elderly offenders mean suspects, defendant or inmates (collectively referred to as offenders) over 60. Chapter 1 of Part 1, Chapter 2 and 4 of Part 2 and Chapter 2 of Part 4 of the annual publication respectively discussed the significant increasing trends of the number of elderly suspects, the number of elderly convicts and the number of new elderly prisoners and then highlighted relevant issues on elderly offenders. To emphasize growth rates of elderly offenders in each stage of a criminal case, the 2017 annual publication compared changes in the number of elderly suspects, the number of elderly convicts, the number of new elderly prisoners and the number of remaining elderly prisoners in jail in the end of the year between 2008 and 2017.

The results of comparison showed that shares of elderly offenders to all offenders grew rapidly over the past ten years when reviewing cases received by police agencies, judgments rendered by courts, the number of new prisoners and the age distribution of the prison population. In particular, the number of elderly offenders has doubled since 2008. To address potential issues with the rapid growth of elderly offenders, we suggest that governmental agencies should focus on the following three aspects in response to the growing number of elderly offenders (Chapter 6 of Part 4 in the annual publication):

- Reviewing crime types committed by the elders for the purpose of crime prevention.
- Taking the needs of elderly offenders into consideration during the procedure of prosecution and trial.
- Providing appropriate treatment and healthcare when elderly offenders are placed under correction programs.

4.6 The dispute over application of the proportion of prisoners with criminal records when assessing the effect of the correctional system

Upon statistical terms defined by the Ministry of Justice, a criminal conviction history (a criminal record) is associated with the concept of recidivism. In this sense, recidivism means a person with criminal record committed a crime again. Therefore, in practice, the proportion of prisoners with criminal records to total prisoners was served as a starting point for discussion on recidivism and improvement of prisons and detention centers. Some academic scholars noted that the proportion of prisoners with criminal records to total prisoners was the same as the rate of recidivism. Then they concluded that a high rate of recidivism represented ill-performed prisons and detention centers.

However, it is questionable whether using the rate of prisoners with criminal records could reflect precisely the pros and cons of the current correctional policies when assessing the effect of the correctional system. A criminal record, which is required for calculation of the rate of prisoners with criminal records, includes fixed terms of sentence and other more severe punishment. In addition, the above sentences are required to be recorded and lack of requirements of expungement, which are applied to commutation to a fine and commutation to community sentence. In another word, the scope of a criminal record is broad to the extent of all crimes, which an offender has been convicted of. When evaluating the performance of prison administration by associating the rate of prisoners with criminal conviction history with recidivism, the application of the rate of prisoners with criminal conviction history may lead to an issue, which include too many records, particularly records irrelevant to the current correctional system. Therefore, it is hard for relevant agencies, academia and the general public to discover real issues, evaluate actual effectiveness and improve the correctional system.

Below are suggestions provided by the annual publication:

- 1) When calculating the rate of prisoners with criminal conviction history, it might be more relevant to simply include previous convicted crimes occurred within a certain period of the latest crime, rather than cover all crimes committed by an offender. In doing so, the criminal conviction history may reflect more accurately the implementation of recent correctional policies for a more relevant efficacy analysis.
- 2) Crimes in an offender's criminal record should be categorized in order to review the relevance between the current crime and criminal records for the purpose of improving future correctional system.

3) Tracking an additional statistical item "accumulated rate of recidivism" can help our understanding about the effect of correction and education for a prisoner in jail, and benefit risk evaluation of recidivism after release and policy-making of community-based treatment (Chapter 6 of Part 4 in the annual publication).

4.7 Data on crime victims affected by the system and policies

Regarding data on crime victims, the database established by the National Police Agency contains the most comprehensive information on crime victims on the basis of recorded crime reports to the extent of national scale. However, it is necessary to explore further whether the data can represent the real situation of crime victims. The 2017 annual publication pointed out possible limitation (misjudgment of the actual number of crime victims) by usage of crimes recorded in crime reports as the sample of crime victims. First, when the data on crime victims is only based on recorded crime reports prepared by police agencies, it only includes the cases received by the police agencies, and will exclude crimes and crime victims without reporting to police. Second, the number of crime victims can be influenced easily as a result of changes in legal system or policy directions so it is hard to reflect the real situation of crime victims.

The government should dedicate itself to the following matters in order to precisely monitor the situation of crime victims, effectively solve problems and reduce public fear of victimization:

- 1) Formalizing such data on crime victims as the criteria for performance evaluation of institutional and policy directions;
- 2) Developing a series of investigative methodology and analytical skills for research units and planning departments in relevant governmental agencies to apply as the basis of assessing the situation of crime victims. More accurate information on trends of victimization we can collect, the more effective approach we can adopt to address issues concerning victimization (Chapter 4 of Part 5 in the annual publication).

5 Conclusions and policy recommendations

This is the summary report of the book "2017 criminal situation and its analysis in R.O.C". To facilitate readers' understanding of this book, the structure of the summary report is different from the annual publication, which is divided into three parts for discussion - including "trend analysis of criminal situations", "analysis on social concerns" and "analysis on focal criminal issues". As a consequence, this report made nine recommendations for consideration of the government and every sector of society in policy reform and further research:

1. When perceiving a rise of crime rate for a specific crime in a given period, it is necessary to identify possible reason and draft criminal policy directions and strategies, which are suitable for prevention of current crimes.
2. A more effective strategy of prevention of reoffending in the peak period of recidivism is crucial, particularly to assist prisoners in after-care, prevent them from reoffending and keep our society secure by adoption of a more robust regime of returning to society.
3. Regarding confiscation regime, “explore the actual level of illegal gains derived from drug offenses through reviewing the gap between the number of confiscation orders and the amount confiscated for drug offenses” can be a direction for future study.
4. In addition to expansion of scope of facilities for allocation and guidance through amending the applicable law, reviewing and assessing the fundamental problems is necessary, for example, lack of funding, manpower, and long-standing issues of how an appropriate facility is selected and how facilities assist implement the placement program and the evaluation process in execution of the program. The proposed amendments would be in vain if execution issues remain.
5. In response to the growing number of elderly offenders, it is necessary to review types of crimes committed by the elders, take into account the needs of elderly offenders during the procedure of prosecution and trial, and provide appropriate treatment and healthcare in jail.
6. Bearing in mind that the rate of prisoners with criminal conviction history can not reflect the actual effect of the current correctional system. It is necessary to consider the recent re-offenses and relevant crime types, and publish data , which tracks ”accumulated rate of recidivism” when assessing the effectiveness and strategies of the correctional system.
7. Bearing in mind that due to the limitation of victimization data collected by police agencies, the use of such data should be more cautious. Furthermore, it is necessary develop a series of investigative methodology and analytical skills for a more comprehensive investigation on crime victims and related crimes.
8. In terms of violation of environmental protection legislation, it is necessary to diminish potential conflict due to the amendments to Article 190-1 of the Criminal Code, and increase relevant agencies’ overall understanding of legislation on crimes against environmental protection, and concentrating available resources on localized alliances among the EPA, district prosecution

offices and police agencies are required.

9. Regarding money laundering, following previous prosecution agencies and judicial agencies, the latest practical opinions remain the same, which the protected interest of money laundering is the enforcement of judicial power, particularly in fraud related cases where defendants provided their own accounts. In such cases, they found defendant guilty mainly by referring explanatory notes of amendments to the MLC Act proposed by the Executive Yuan rather than consider the change of the legislative purpose and the protected interest after the latest amendments to the extent, which more diverse and more hard-core money laundering can be prosecuted effectively. It is necessary to enhance law enforcers' awareness of money laundering and establish a platform for information exchange to facilitate investigation in addition to recognition of maintenance of financial discipline and transparency improvement as the protected interest according to the latest amendments and international trends.