2020 Crime Situations and Analyses: Crime Trend Reports Summary

I- Chia Tsai[*]

Table of Content

Taiwan's government agencies, including the National Police Agency, Ministry of Justice and Judicial Yuan, release performance statistics annually to review implementation and effectiveness. Using these statistics as secondary data for crime studies and analysis is a critical research methodology as well as the reason for the Academy for the Judiciary's publishing of the book series Crime Situations and Analyses since 1973 (National Police Agency, n.d. Department of Statistics, Ministry of Interior, n.d. Ministry of Justice, n.d. Judicial Yuan, n.d. Crime Prevention Research Center, Academy for the Judiciary, Ministry of Justice, n.d.) These statistics show the results and trends of each agency's processing of crimes. While it is ill-advised to deduce the overall domestic crime trends based solely on these data due to the complexity of the causes and characteristics of crimes, from a criminal policy perspective, they could serve as reference strategies for crime processing nationally and be extended to further research in multidisciplinary studies.

Based on the book 2020 Crime Situations and Analyses (hereinafter referred to as the Book) edited by the Academy of the Judiciary under the Judicial Yuan and complemented by statistics compiled by aforementioned government agencies, this paper introduces each stage of crime processing, the most indicative forms of crimes in 2020 based on their quantity, and analysis on the trends and developments of these crimes in the decade between 2011 and 2020.

1. Crimes in 2020 and analysis of crime trends in the past decade

In terms of crime prevention and criminal policy, their relevant regimes, enforcement and social trends have changed considerably over recent years. Three noticeable changes have been: 1) more proactive measures of detecting and preventing offenses against public safety and fraud related offenses when police agencies engage in criminal prevention; 2) variations in investigation outcomes of criminal related conduct, and practical operation of the new confiscation regime during the stage of investigations led by prosecutors; 3) issues on planning and implementation of the correctional system aligning with the purpose of the reintegration and rehabilitation of inmates back into society when correctional facilities execute correction orders.

More recently Taiwan has taken analysis of the above-mentioned stages into consideration in order to address issues related to certain crimes (such as gender, drug, elderly and cyber crimes). Through differentiating offenders based on age, at least two eye-catching concerns in juvenile delinquency were found, including changes in approaches of juvenile delinquency and increasing numbers of juvenile middlemen involved in fraud schemes over recent years. In 2018 several high-profile homicide and criminal dismemberment cases also captured public interest and further raised a public

debate on whether capital punishment could be an effective tool to maintain social safety. These topics are associated to various aspects of criminal issues, including system design, practical enforcement, theoretical discussions and social observations. Among other things, data-based analysis of crime and criminal law-related issues has been the critical methodology adopted by government agencies in Taiwan to better understand the crime situation and criminal justice system. To a certain extent, the accuracy of data interpretation also has an impact on crime prevention and development of criminal policy.

Based on crime statistics presented in the "2018 Crime Situations and Analyses - Crime Trend Reports", which was published by the Academy for the Judiciary, Ministry of Justice, this paper analyzes and reviews key crime problems and criminal policy issues by following the stages of criminal procedure. In the final part of this paper, we propose recommendations and envision a clearer direction on crime prevention and criminal law-related issues in a contemporary society where most relevant regimes and policies have undergone change.

1.1. Police investigation

The police department handled 259,713 criminal cases, amounting to 281, 811 criminal suspects in 2020. In the past decade, the total number of criminal cases dropped from 306,300 in 2014, while the total number of criminal suspects grew from 255,310 in 2013 to 291,621 in 2018 (See Chart 1-1-1 in the Book).

With regards to the number of suspects and the types of crimes, in 2020, there were 54,251 suspects for offenses against public safety, ranking the highest in quantity; followed by violations against the Narcotics Hazard Prevention Act (hereinafter drug crimes), with 48,098 suspects. Ranking third is offenses of fraudulence (33,631) and then offense of larceny (29,128). In terms of offenses against public safety, the most common form of violation was drunk-driving (48,548), and then hit-and-run (4,566). Among drug crimes, the most common was using Category Two narcotics (22,710), followed by possessing Category Two narcotics (8,399). Among offenses of larceny, the most common was non-invasive pickpocketing (10,599), followed by taking directly (8,975). In the past ten years, suspects for drunk-driving, a form of offenses against public safety, declined annually from 68,229 in 2014 to 48,548 in 2020. That number grew for hit-and-run, from 3,525 in 2014 and peaked in 2019 at 4,940. With regards to drug crimes, the number of suspects for using Category Two narcotics fluctuated between 17,523 (2014) and 28,455 (2017), while that for possessing Category Two narcotics increased annually from 4,513 in 2011, and peaked at 10,648 suspects in 2017. In terms of offenses of larceny, the number of suspects for pickpocketing wavered between 18,676 (2018) and 10,599 (2020), while taking directly - a new category since 2019 - was at 1,637 that year. As for

offenses of fraudulence, there is yet publicly available data on the subject of criminal suspects and crime categories. The number of suspects for the crime in the past decade grew annually from 14,548 in 2013 to 33,631 in 2020 (See Figure 1 in this paper; Charts 1-2-3, 1-2-4, 1-2-7, 1-3-2 in the Book).
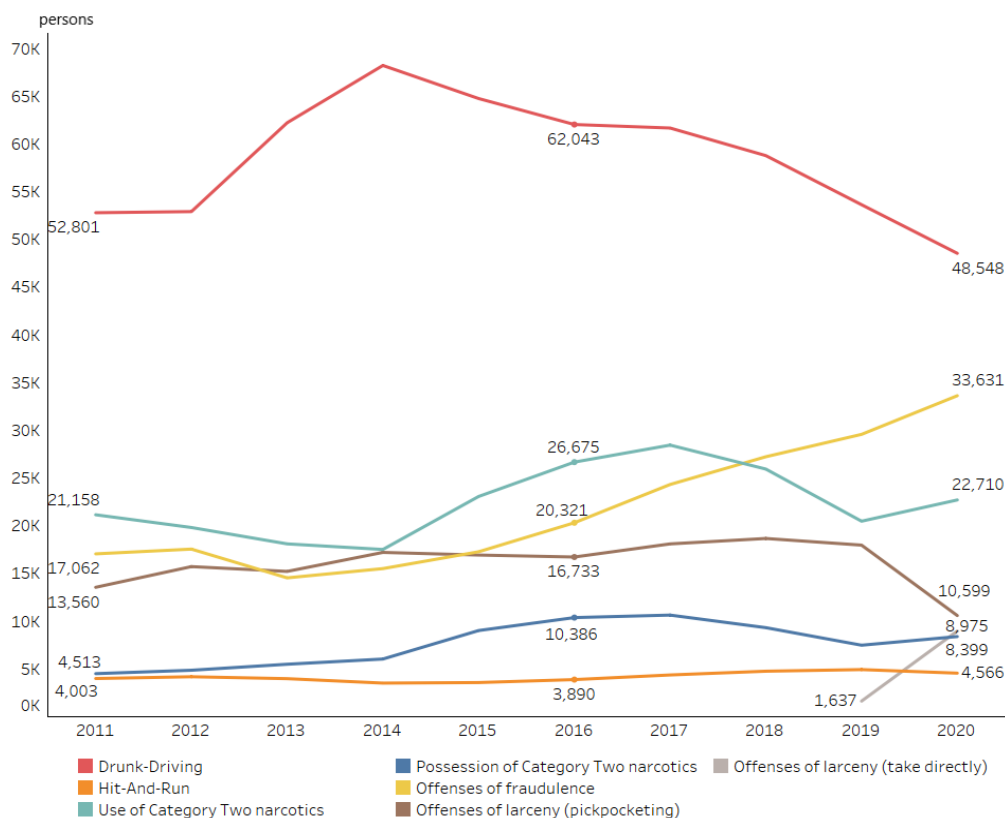

Figure 1. Main types of crimes in 2020 and trends in the past decade (persons)

1.2. Prosecution

In the prosecution stage, there were 484,565 criminal cases where investigations were concluded by the procuratorial body, among which 198,809 cases resulted in prosecution (including prosecution through ordinary proceeding and summary judgement), 178,628 were non-prosecution and 35,683 deferred prosecution. Calculated by number of people, in 2020, there were 619,134 people, of which 227,505 were prosecuted, 247,596 received non-prosecution and 40,084 received deferred prosecution. In the near decade, the total number of people prosecuted grew annually from 203,760 in 2012 to 239,483 in 2017, and then dropped every year to 227,505 in 2020. Prosecution rate (number of people prosecuted/number of people whose investigations were concluded) declined annually from 42.88% in 2014 to 36.75% in 2020. The number of people who received non-prosecution increased every year from 173,679 in 2013 to 247,596 in 2020. The rate of non-prosecution (number of people who received non-prosecution/number of people whose investigations were concluded) grew year by year from 34.37% in 2016 to 39.99% in 2020. The number of people who received deferred prosecution decreased annually from 51,427 in 2014 to

3

40,084 in 2020. The rate of deferred prosecution (number of people who received deferred prosecution/number of people whose investigations were concluded) dropped annually from 10.06% in 2014 to 7.79% in 2016, and then from 8.01% in 2017 to 6.47% in 2020. (See Charts 2-1-7, 2-1-8, 2-1-11 in the Book).[1]

With regards to the number of defendants who were prosecuted or received a ruling of non-prosecution and their types of crimes, in 2020, among the 619,134 people whose cases were investigated and concluded in the prosecution stage, offenses of fraudulence top the list with 115,527 people; followed by 89,747 people for offenses of causing injury; 78,701 people for offenses against public safety; 69,751 people for drug crimes and 52,702 people for offenses of larceny. The prosecution and non-prosecution rates of these main forms have also changed in the past 10 years (Ministry of Justice, n.d. See Figures 2 to 4 in this paper; Charts 2-1-9 & 2-1-10, Charts 2-1-12 & 2-1-13 in the Book):
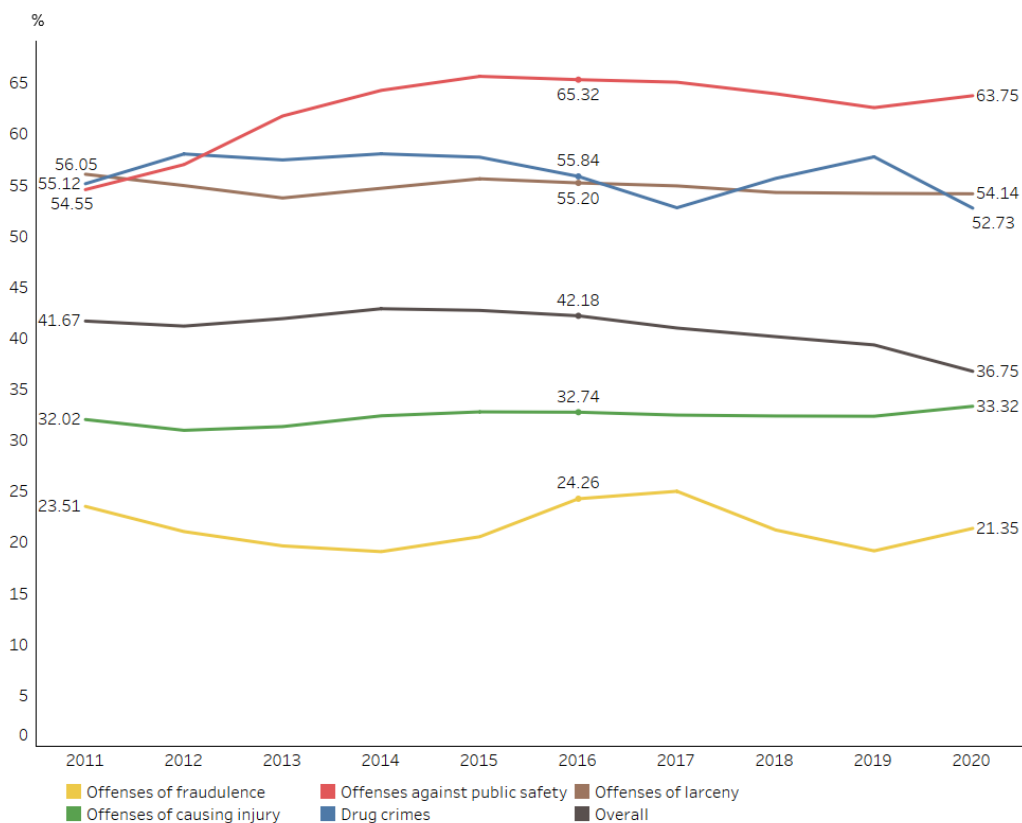
Figure 2. Main types of crimes of concluded investigations and prosecution rate in the past ten years
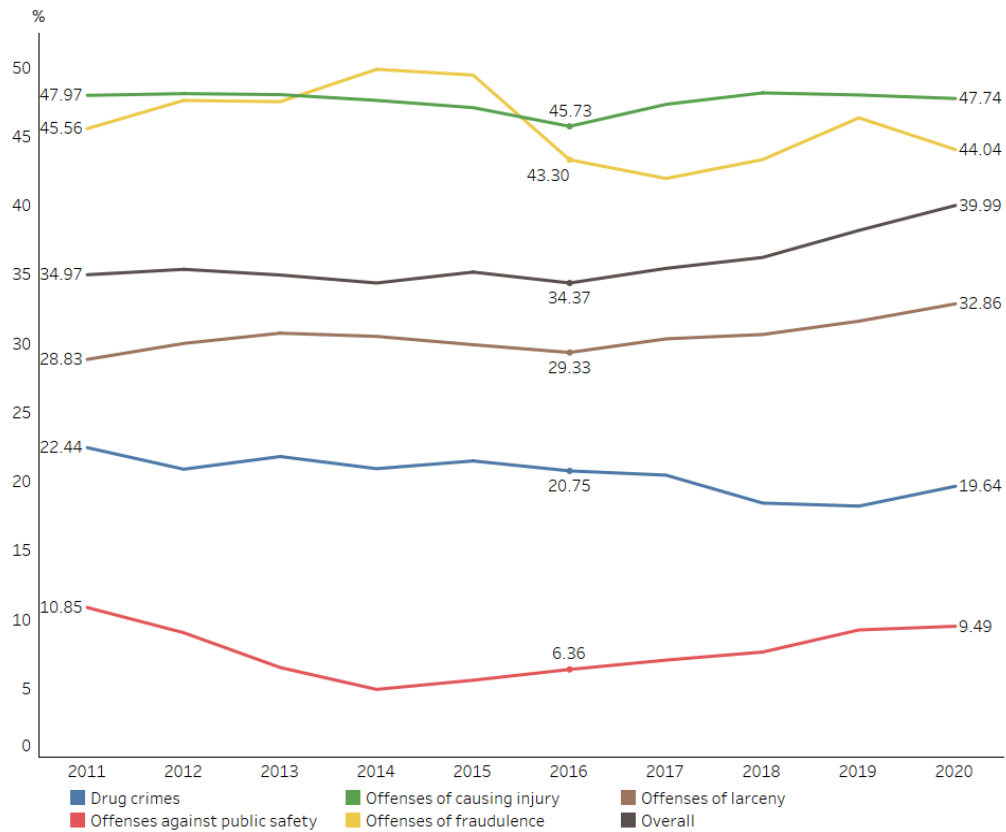
Figure 3. Main types of crimes of concluded investigations and non-prosecution rate in the past ten years
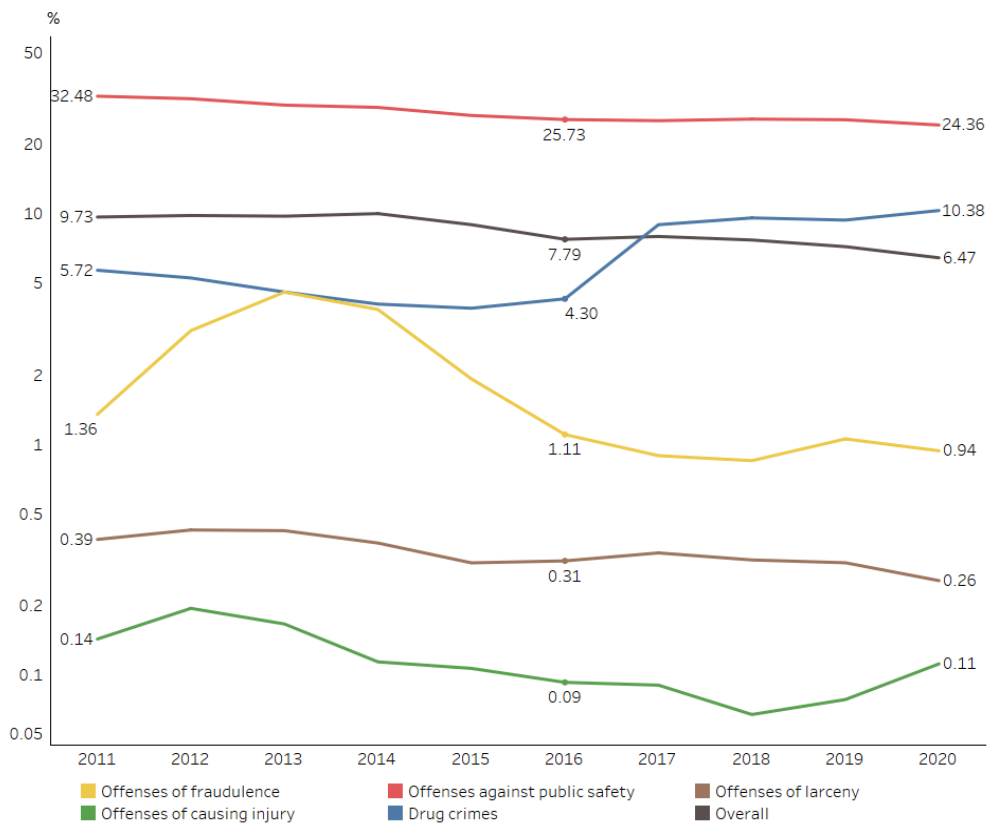

Figure 4. Main types of crimes of concluded investigations and deferred prosecution rate in the past ten years

1.2.1. Offenses of fraudulence

Among the 115,527 defendants in 2020, 24,670 were prosecuted, with a prosecution rate of 21.35%; 50,875 were not prosecuted, the non-prosecution rate being 44.04%; 1,090 received deferred prosecution, which rate was 0.94%. In the past decade, the prosecution rate fluctuated between 24.99% and 19.08%, peaking in 2016 and hitting bottom in 2013. The non-prosecution rate declined from 49.86% in 2014 to 41.95% in 2017, and then increased to 46.34% in 2019. The rate of deferred prosecution decreased annually from 4.60% in 2013, and reached the lowest in 2018 at 0.86%.

1.2.2. Offenses of causing injury

In 2020, among the 89,748 defendants, 29,903 were prosecuted, with a prosecution rate of 33.32%; 42,847 were not prosecuted, the non-prosecution rate being 47.74％; 101 received deferred prosecution, which rate was 0.11%. In the past decade, the prosecution rate dropped annually from 32.77％ in 2015 and reached bottom in 2019 at 32.34％. The non-prosecution rate fluctuated between 48.15％(2018) and 45.73％(2016). The rate of deferred prosecution also seesawed between 0.20% (2012) and 0.07% (2018).

1.2.3. Offenses against public safety

Among the 78,700 defendants in 2020, 50,169 were prosecuted, with a prosecution rate of 63.75%; 7,469 were not prosecuted, the non-prosecution rate being 9.49%; 19,174 received deferred prosecution, which rate was 24.36%. In the past decade, the prosecution rate increased annually from 54.55% in 2011 to 65.64% in 2015, and then dropped every year, hitting rock bottom in 2018 at 62.58%. The non-prosecution rate declined from 10.85％ in 2011 to 4.91％ in 2014, and then increased to 9.49％ in 2020. The rate of deferred prosecution decreased annually from 32.48% in 2011, and reached the lowest in 2017 at 25.45%.

1.2.4. Drug crimes

Among the 69,751 defendants in 2020, 36,781 were prosecuted, with a prosecution rate of 52.73%; 13,698 were not prosecuted, the non-prosecution rate being 19.64%; 7,240 received deferred prosecution, which rate was 10.38%. In the past 10 years, the prosecution rate fluctuated between 58.05% (2014) and 52.73%(2020). The non-prosecution rate decreased annually from 21.47% in 2015, and reached the lowest in 2019 at 18.20%. The rate of deferred prosecution decreased annually from 5.72% in 2011 to 3.91% in 2015, and peaked in 2018 at 9.64%.

1.2.5. Offense of larceny

Among the 52,703 defendants in 2020, 28,532 were prosecuted, with a prosecution rate of 54.14%; 17,318 were not prosecuted, the non-prosecution rate being 32.86%; 1,361 received deferred prosecution, which rate was 0.%. In the past 10 years, the prosecution rate decreased annually from 55.61% in 2015 to 54.14% in 2020. The non-prosecution rate rose on a yearly basis from 29.33% in 2016 to 32.86% in 2020. The rate of deferred prosecution fluctuated between 0.43% (2012 and 2013) and 0.26% (2020).

1.3. Verdict

In 2020, 205,995 people entered the court trial stage from the prosecution stage and received a verdict. Among them, 177,687 were convicted, 6,883 acquitted. The conviction rate (conviction/(conviction+acquittal)*100%) was 96.27%. In the past ten years, the conviction rate fluctuated between 96.74% (2014) and 95.09% (2011) (Chart 2-2-10 in the Book). Of all convictions in 2020, the majority were offenses against public safety (50,438), followed by drug crimes (33,031), offense of larceny (21,852) and offenses of fraudulence (15,815). In the past decade, the number of people convicted of offenses against public safety decreased annually from 61,387 in 2017 to 50,438 in 2020; that of drug crimes fluctuated between 44,541(2018) and 33,031 (2020); offense of larceny also saw fluctuation between 21,852(2020) and 18,900 (2016); offenses of fraudulence seesawed between 15,815 (2020) and 7,520 (2014) (Chart 2-2-3 in the Book).

1.4. Correction

Those who are found guilty by the court and enter the prisons of various places to execute their sentences are the inmates. In 2020, there were 32,547 new prisoners serving sentences. In the former half of the past decade, that number fluctuated between 36,478 (2011) and 33,949(2015), and in the latter, decreased from 36,294 in 2017 to 32,547 in 2020. In 2020, among the inmates, the majority of crimes committed was inability to drive safely (8,038), followed by drug use (6,083), larceny (4,058), and offenses of fraudulence (3,262). In the past ten years, the number of inmates convicted of inability to drive safely increased year by year from 5,020 in 2011 to 9,631 in 2014, then decreased annually to 9,032 in 2017, and once again dropped yearly from 9,165 in 2018 to 8,038 in 2020. As for crimes of drug use, initially,that number decreased annually from 8,917 in 2011 to 7,083 in 2014, then increased year by year to 9,425 in 2017, followed by an annual decline to 6,083 in 2020. Offenses of larceny dropped every year from 6,067 in 2011 to 4,167 in 2016, and then again from 4,387 in 2018 to 4,058 in 2020. With regards to offenses of fraudulence, that number reduced year by year from 2,825 in 2011 to 1,617 in 2015, but upticked annually to reach 3,262 in 2020 (Academy for the Judiciary, Ministry of Justice, 2016. Figure 5 in this paper; Charts 2-4-2, 2-4-6 in the Book).
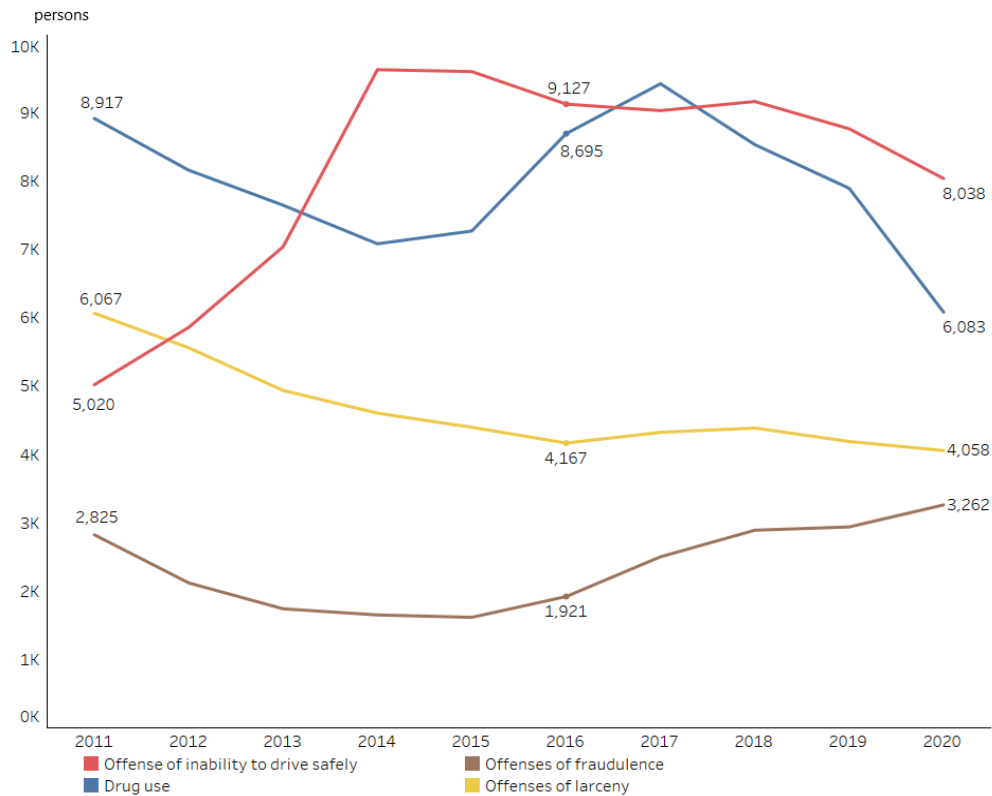
Figure 5. Main types of crimes of new inmates in 2020 and trend in past ten years (persons)

Once a prisoner is treated by a correctional facility and reaches the stage of release, government agencies classify prisoners into two categories - those whose completed prison sentence and those released on parole - and record acts of reoffending accordingly. Starting 2020, the statistical definition of reoffending adheres to that provided in the Ministry of Justice's annual statistical report, which is a prisoner who commits another offense within two years after being released from custody, and is either prosecuted and convicted or received a ruling of deferred prosecution or non-prosecution (Ministry of Justice, 2020).

On the premise that, in principle, criminal cases will go through the prosecution stage, despite not necessarily being opened by police agencies, it could be closer to reality if the cases of reoffending were defined by prisoners reentering the prosecution stage. However, this also means that some cases of reoffending might not be collected in time to enter the database due to the prosecution's timeline for investigation. Therefore, even though reoffending statistics under the prior definition are available from 2016 to 2020, taking into account the aforementioned risk of having some cases excluded from the database, data between 2016 and 2018 is perhaps the more appropriate for further observation. Between 2016 and 2018, the reoffending rate of prisoners within two years after completion of sentence was between 44.33%(2016) and 39.03%(2018), which was higher than that of those released on parole in the same period: between 34.48%(2016)

and 33.69%(2018). Among those released after completion of sentence, between 2016 and 2018, the highest reoffending rate was within six months after release, ranging between 17.61%(2018) and 16.67%(2016). As for those released on parole, between 2016 and 2017, the most acts of reoffending occurred after one year and within two years of release, respectively 14.20% and 12.72%; in 2018, reoffending rate was at its highest after six months and within one year of release, at 12.29% (Chart 2-4-11 in the Book).

1.5. Community treatment

Criminal punishment includes treatment within as well as outside the institution, the latter being community treatment. Community treatment in Taiwan includes voluntary service, addiction treatment and necessary orders, which are requested or ordered by prosecutors or the court after a ruling of deferred prosecution or probation; as well as imprisonment, short-term imprisonment or fine that is convertible to voluntary service; plus protective measures during parole or probation.[2] Government agencies compile statistics annually on the implementation and revocation of such community treatments. The methodology used in the compilation of these data fails to monitor the results of each individual undergoing community treatment year by year, therefore it would be unfitting to infer the effectiveness of these community treatments each year based simply on these data. However, it can still be used for long-term trend analysis.[3]

First of all, with regards to the conditions for voluntary service, addiction treatment and necessary orders under probation and/or deferred prosecution, government agencies combine the latter two categories for statistical purposes:

1.5.1. In the 25,521 cases of conditional deferred prosecution in 2020, there were 1,040 cases of voluntary service, of which 874 were completed, 125 not completed; additionally, there were 24,481 of addiction treatment and necessary orders, of which 18,711 were completed, 5,320 not completed. In the past decade, the estimated completion rate of voluntary service (hereinafter completion rate; calculation equation: number of completed cases/total number of closed cases in the same category) was at its peak in 2012 at 87.48%, while hitting bottom in 2016 at 75.35%. The estimated condition incompletion rate (hereinafter incompletion

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2 The definition of voluntary service is provided in Article 74, Para. 2, Item 5 of the Criminal Code and Article 253-2, Para. 1, Item 5 of the Code of Criminal Procedure. Addiction treatment is regulated by Item 6 of the aforementioned article; while necessary orders are provided by in Items 7 & 8 of the aforementioned article. See requirements for converted community service in Articles 41 & 42-1 of the Criminal Code. See provisions for protective measures in Article 93 of the Criminal Code.

3 This inference method is based on Japan's Ministry of Justice's 2020 Official Crime Report. For defendants suspected of violating the Stimulant Control Act, the report took the total number of people whose probation was revoked under that law and divided it by the total number of people who received probation under the law in the same year. The ratio of the total number of people on probation was used statistically to infer and explain the situations of probation revocation.

rate; calculation equation: number of completed cases/total number of closed cases in the same category) was the highest in 2018, at 14.79%; and the lowest in 2012 at 8.04%. The completion rate of addiction treatment and necessary orders was the highest in 2011 at 85.78%; the lowest at 70.72% in 2018. The incompletion rate for the two combined peaked in 2018 at 28.01%, and reached the lowest point in 2011 at 12.41% (Ministry of Justice, n.d. See Chart 2-4-18)

1.5.2. Of the 5,912 cases of conditional probation in 2020, there were 2,485 cases of voluntary service, of which 1,997 were completed, 360 were not. Additionally, there were 3,427 cases of addiction treatment and necessary orders, of which 3,128 were completed, 190 were not. In the past ten years, the highest rate of completion of voluntary service occurred in 2012 at 86.79%, the lowest in 2020 at 80.36%. The incompletion rate was at its peak in 2019 at 14.53%, the lowest was 8.89% in 2012. The highest completion rate of addiction treatment and necessary orders occurred in 2019 at 93.69%, the lowest in 2016 at 87.56%. The incompletion rate of that was highest in 2011 at 8.45%, and the lowest in 2019 at 4.26% (Ministry of Justice, n.d. Chart 2-4-17 in the Book).

In terms of convertible voluntary service, of the 11,346 cases in 2020, there were 8,440 cases of fix-imprisonment, among which 6,362 cases were complete (75.38%), 1,660 incomplete (19.67%). There were 1,532 cases of imprisonment, of which 1,215 cases were complete (79.31%), 278 were incomplete (18.15%). As for fine, there were 1,374 cases in total, of which 1,141 were complete (83.04%), 191 were incomplete (13.90%). However, between 2011 and 2019, fix-imprisonment converted voluntary service saw the highest rate of completion in 2011 at 48.61%, lowest in 2019 at 42.15%; incompletion rate at the highest in 2019 at 53.43%, and the lowest in 2012 at 45.61%. In terms of detention converted community service, the highest rate of completion occurred in 2011 at 58.91%, the lowest in 2016 at 40.28%; incompletion was at its highest in 2018 at 55.99%, and the lowest in 2011 at 38.23%. As for fine converted voluntary service, the completion rate grew steadily year by year from 46.32% in 2016 to 55.78% in 2019. The incompletion rate was at 47.98% in 2014 and continued to drop to 40.86% in 2019. The completion rate of all forms of convertible voluntary service grew dramatically in 2020, while the incompletion rate dropped drastically. This was because competent authorities's change of policy: the act of applying for completion of fines was switched from the "incomplete" classification to "complete" (Ministry of Justice, n.d. Chart 2-4-20 in the Book).

Finally, in terms of protective measures during parole and/or probation, of the 12,312 cases of parole with protective measures, 8,408 were complete, while 1,174 were incomplete. In the past ten years, the completion rate declined year by year from 78.57%

in 2021 to 65.21% in 2016 and then climbed back up annually to 69.11% in 2019. As for incompletion rate, it increased steadily year by year from 11.95% in 2011 to 17.42% in 2015, and then dropped annually to 9.54% in 2020. Of the 5,051 cases of probation with protective measures in 2020, there were 4,060 complete cases and 631 incomplete cases. In the past decade, the completion rate was at its highest in 2019 at 82.89%, and at its lowest in 2016 at 70.94%. As for incompletion rate, it peaked in 2011 at 14.48% and then hit bottom in 2019 at 11.15% (Ministry of Justice, n.d. Chart 2-4-15 in the Book).

2. Conclusion

Built upon the foundation of the book *2020 Crime Situations and Analyses* and utilizing crime data compiled by the government, this paper presents the main forms of crimes of 2020 at multiple stages of criminal processing and the trend analysis of the past decade. It also shows the post-correction reoffending rates in the same timeframe and the implementation of community treatment. The following are key observations for future related academic and policy research as well as significant conclusions for further in-depth probes:

2.1. Police investigation

Overall criminal cases declined annually between 2013 and 2018, while the number of crime suspects grew year by year. The crime types and forms of behavior of criminal suspects in 2020 were mainly drunk driving and hit-and-run under the offenses against public safety category; use and possession of Category Two narcotics under drug crimes; offenses of fraudulence; and offenses of larceny, including pickpocketing and taking directly. Among them, regarding offenses against public safety, drunk driving decreased year by year between 2014 and 2019, while the number of hit-and-runs increased. The number of offenses of possession of Category Two narcotics increased annually from 2011 to 2017; the number of fraud crimes also grew on a yearly basis between 2013 and 2020.

2.2. Prosecution

Between 2017 and 2020, both the number and the rate of prosecution and deferred prosecution declined year by year, while that of non-prosecution grew. In 2020, the most common types of crimes of investigation concluded were offenses of fraudulence, offenses of causing injury, offenses against public safety, drug crimes, and offenses of larceny. Among them, the non-prosecution rate for offenses of fraudulence decreased between 2014 and 2017, and then increased till 2019. With regards to offenses against public safety, the prosecution rate grew from 2011 to 2015 and then dropped till 2019; the non-prosecution rate declined between 2011 and 2014 and then rose till 2020; as for the rate of deferred prosecution, it went downhill since 2011. Regarding drug crimes, the non-

prosecution rate declined between 2015 and 2019, while the deferred prosecution rate decreased annually from 2011 and then climbed back up starting 2015. In terms of larceny, its non-prosecution rate grew annually between 2016 and 2020.

2.3. Verdict

In the past ten years, conviction rate maintained between 95.00% and 97.00%. The main types of crimes convicted in 2020 were offenses against public safety, drug crimes, offenses of larceny and offenses of fraudulence. Among them, the number of people convicted of offenses against public safety decreased since 2017.

2.4. Correction

The number of new inmates decreased year by year between 2017 and 2020. The types of crimes new inmates committed were mainly crimes of inability to drive safely, crimes of drug use, offenses of larceny and offenses of fraudulence. Among them, the number of people imprisoned for crimes of inability to drive safely grew from 2011 to 2014 and then declined till 2020. Those imprisoned for crimes of drug use increased between 2014 and 2017 and then decreased till 2020. Meanwhile, between 2011 and 2020, the number of people imprisoned for offenses of larceny dropped on a yearly basis except for 2017. The number of people imprisoned for offenses of fraudulence declined before 2015 and then climbed.

Between 2016 and 2018, the reoffending rate within two years of release was higher for those who completed their sentence than those released on parole. For those who completed their sentence, the reoffending rate was highest within six months of release. Between 2016 and 2017, those out on parole were more likely to reoffend between one to two years after their release; while in 2018, it was more likely to happen between six months to one year after release.

2.5. Community treatment

Between 2011 and 2020, the estimated completion rate of conditional deferred prosecution and conditional probation, regardless of the condition - be it voluntary service, addiction treatment or necessary orders - was dramatically higher than the incompletion rate. At the same time, the completion rate for protective measures with parole and/or probation was much higher than the incompletion rate. Between 2011 and 2019, the completion rates of imprisonment, short-term imprisonment and fine converted voluntary service were all slightly higher than incompletion rates. In 2020, while the completion rate was higher than the incompletion rate by a large margin, it was mainly affected by the competent authority's policy change: the act of applying for completion of fines was switched from the "incomplete" classification to "complete".

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