

Chapter 2 Tainan Branch, Taiwan High Prosecutors Office



Section 1 Historical Overview

Shortly after the retrocession of Taiwan, the Procurator's Office of the Taiwan High Court was established in Taipei City only, which was to govern civil and criminal cases appealed from their first instances in the Taiwan region. On June 1, 1947, the First Branch of Taiwan High Court and Prosecutors Office in Tainan City were established, and it was renamed as the "Tainan Branch, Taiwan High Court and Prosecutors Office" on January 1, 1948. On December 24, 1989, the Tainan Branch, Taiwan High Court and Prosecutors Office was renamed to "Tainan Prosecutors Office under the Taichung Branch Court of the Taiwan High Court" in conjunction with the amendment of the Court Organization Act. On May 25, 2018, this establishment was again renamed to the "Tainan Branch, Taiwan High Prosecutors Office," where the wording of "Court" from its organizational name was taken away, in conjunction with the amendment of the Court Organization Act.

Section 2 Territorial Jurisdiction



Geographic Territorial Jurisdiction
of the Tainan Branch, Taiwan High
Prosecutors Office



Section 3 Office Buildings

I. Early stage of the establishment

With the consent by the Tainan Bureau of the Taiwan Posts and Telecommunications Administration of the Ministry of Transportation and Communications and the Tainan City Government, the location of the Tainan Fund Management Office was assigned to be used as the office of the Branch Court and the Prosecutors Office, which underwent the necessary renovation and equipment supplement before being used as the location for the newly established First Branch of Taiwan High Court and Prosecutors Office .

II. Reconstruction of the of the front building on the original site

Affected by the Baihe Earthquake in 1964, cracks were incurred for the front building of the office of the Branch Court and the Prosecutors Office. As the building was severely damaged, it was planned to demolish the front building and reconstruct a reinforced concrete three-story office building on the original site, which was later completed and open for use as of December 17, 1965.



The construction status of the newly added office building in 1953

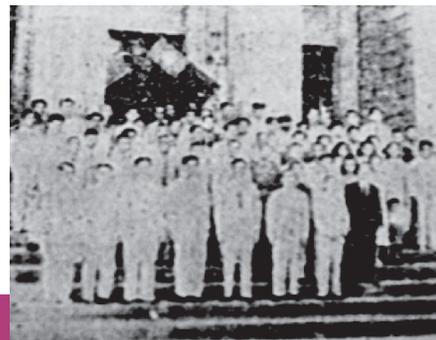


Photo taken at the entrance of the building on the day of the opening

III. Reconstruction of the rear building on the original site

After the separation of the court trial system and the prosecution system, the original offices were insufficient for use. Accordingly, a new three-story office building was constructed at the original garage and warehouse of the rear building. The entire construction was completed on May 26, 1982.

IV. Addition to the front building

In 1982, due to the constant leaking of the roof, which suffered from serious wear-offs, of the front building on rainy days and the constantly increasing business, the original office was obviously too crowded. Accordingly, a new fourth floor was added to the front building, to be shared with the Tainan Branch Court of the Taiwan High Court, which becomes the current presence of the front building for the Tainan Branch, Taiwan High Prosecutors Office. Such construction commenced in June 1982, and was completed in November 1982.



The front view of the front office building after completion



The current situation of the offices of both the Tainan Branch Court of the Taiwan High Court and the Tainan Branch, Taiwan High Prosecutors Office

Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Cheng, Yuan-Fan	1947/07/14~1950/11/01	
2	Leading Prosecutor	Yu, Kao-Chien	1950/11/01~1955/05/03	
3	Leading Prosecutor	Liao, Yen	1955/05/03~1960/01/11	
4	Leading Prosecutor	Chang, Yu	1960/01/11~1963/02/06	
5	Leading Prosecutor	Chiang, Pang-Liang	1963/02/06~1965/09/22	
6	Leading Prosecutor	Hung, Shou-Nan	1965/09/22~1970/09/03	
7	Leading Prosecutor	Liu, Hsien-Nien	1970/09/03~1978/09/27	
8	Leading Prosecutor	Shao, Pin-Ju	1978/09/27~1985/03/16	
9	Leading Prosecutor	Chai, Tsung-Chuan	1985/03/16~1989/12/16	
10	Leading Prosecutor	Lin, Jung-Yao	1989/12/16~1994/11/03	The title was changed to Chief Prosecutor on December 24, 1989
11	Chief Prosecutor	Li, Kuang-Ching	1994/11/03~1998/06/30	
12	Chief Prosecutor	Wu, Kuo-Ai	1998/06/30~2001/04/27	
13	Chief Prosecutor	Chen, Ching-Pi	2001/04/27~2005/03/16	
14	Chief Prosecutor	Yang, Sen-Tu	2005/03/16~2008/04/02	Held ad interim from April 2, 2008 to August 11, 2008 by Head
15	Chief Prosecutor	Wang, Tien-Cheng	2008/08/01~2013/03/11	
16	Chief Prosecutor	Chang, Tou-Hui	2013/03/11~2016/05/27	Held ad interim from May 27, 2016 to July 18, 2016 by Head
17	Chief Prosecutor	Hsieh, Jung-Sheng	2016/07/18~2018/07/09	
18	Chief Prosecutor	Cheng, Wen-Kuei	2018/07/09~2019/01/31	
19	Chief Prosecutor	Chang, Ching-Yun	2019/01/31~2021/05/05	
20	Chief Prosecutor	Fei, Ling-Ling	2021/05/05 to present	

Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Head Clerk	Wang,Chi-Liang	from 1947/07/14	
2	Head Clerk	Yeh,Kuang-Han	from 1950/11/07	
3	Head Clerk	Yueh,Chin-Chi		
4	Head Clerk	Hsu,Chih-Fang	from 1954/05/18	
5	Head Clerk	Yeh,Cheng-Ching	1955/05/05~1955/05/06	
6	Head Clerk	Wang,Chi-Kun	1955/05/07~1965/09	
7	Head Clerk	Chang,Kuo-Ting	1965/09/22~1970/09/07	
8	Head Clerk	Tang,Ching-Chi	1970/09/09~1973/10/11	
9	Chief Secretary	Lu,Yi-Min	1985/03/18~1989/12/26	
10	Chief Secretary	Lo,Kuang-Tsun	1990/01/15~1991/03/01	
11	Chief Secretary	Li,Chun-Te	1994/01/31~2009/01/16	
12	Chief Secretary	Kuo,Chun-Hsing	2009/02/12 to present	

Tainan Branch, TJPPO

Section 6 Business Evolutions

- I. On August 2, 2017, the “Tainan Regional Anti-Drug Collaborative Unit” was inaugurated and established for the planning of the internet connection, compilation, and analysis of the drug database in the jurisdiction, and for the synchronous drug investigation actions jointly taken with each law enforcement authorities on a regular basis, so as to fully implement the “Peaceful Living and Drug Enforcement Project.”
- II. In response to the trend toward E-Court, online exchange of digital files and exhibits between the Branch Court and the Prosecutors Office was launched on September 18, 2018, which constitutes an embodiment of the deployment of science and technology in the handling of and approaches to judicial cases.

Section 7 Excerpts of Major Cases

Re-trial of the offense of larceny committed by Cheng, *-Hui

In the early morning of January 30, 1986, the vehicle of a Tainan citizen Hsieh, *-Tien, which was parked in front of No. **, ** Road of Tainan City, was stolen and driven away. At that time, Hsieh, *-Tien ran out of his house and rode a motorcycle to chase after the person driving away Hsieh's car, and then Hsieh continued to chase after the thief in a taxi driven by Chao, *-Chin. When the taxi chased after the thief all the way to a rural field in Renwu Township, Kaohsiung County, it was found that the car had been abandoned on the roadside and the thief had escaped. Hsieh, *-Tien then drove the car back.

However, during the chase run, Hsieh, *-Tien felt that the thief resembled Cheng, *-Hui, the responsible person of ** Car Body Shop. Therefore, Cheng, *-Hui was accused of theft by Hsieh, *-Tien. The taxi driver Chao, *-Chin also testified Cheng, *-Hui to be the thief. The police then transferred Cheng, *-Hui to the District Prosecutors Section for being suspected of committing the offense of larceny. The Prosecutor of the Tainan District Prosecutors Section (later renamed as the Tainan District Prosecutors Office) prosecuted Cheng, *-Hui after the investigation, and the Tainan District Court sentenced Cheng, *-Hui to a term of one year imprisonment based on the offense of larceny after the trial. Later, an appeal by the accused was dismissed by the Tainan Branch Court of the Taiwan High Court, and the sentence was executed and Cheng, *-Hui was put in prison in October, 1986.

However, after the incident of the offense, Cheng, *-Hui persistently denied committing the crime. Cheng's wife also firmly believed that Cheng, *-Hui's innocence and made her petition everywhere. After receiving the petition, the Lead Prosecutor (title later changed to Chief Prosecutor) believed that the crime found in the case presented many doubts, who then immediately assigned the Prosecutor to request the court for a detailed file review. It was found that the facts identified in the case were not clear, and it was possible that Cheng, *-Hui was wrongfully convicted. Therefore, on the one hand, the Tainan Prison was ordered to temporarily suspend the execution of the sentence for Cheng, *-Hui and release Cheng who had served his term for 88 days. On the other hand, an application (No. (76)-Sheng-Zai-zi-51) was made to the Tainan Branch Court of the Taiwan High Court in 1987 for a retrial of the case.

The Tainan Branch Court of the Taiwan High Court then initiated the proceeding for the retrial as per File No. (76)-Zai-zi-5. On June 10, 1987, the original sentence judgment was revoked for Cheng, *-Hui who was determined to be not guilty at the retrial, based on the ground that the victim Hsieh, *-Tien could not be certain that the offender for sure to be Cheng, *-Hui. During the police interrogation, first instance, second instance, and retrial, Hsieh, *-Tien could only either say the theft must be Cheng, *-Hui, or only the profile of the theft suspect was seen, or the back view of the suspect resembled that of Cheng, *-Hui. Moreover, the witness, the taxi driver Chao, *-Chin, said the more he looked at Cheng, *-Hui, the less Cheng looked like the suspect he saw at the night of the incident. During the testimonial, Cheng, *-Hui's wife claimed that her husband Cheng, *-Hui was sleeping at home when Hsieh, *-Tien's car was stolen. At the retrial, the Judge for the retrial believed that the chase took place in a dark night in a hasty manner at high speed, and the windows of Hsieh, *-Tien's car were affixed with dark sheets. Therefore, it was hard to believe that it was possible to clearly recognize the theft's identity. Accordingly, the retrial Judge determined that it was impossible to prove the offence was committed by Cheng, *-Hui who was then found to be not guilty.

The number of retrial cases handled and closed by the Tainan Branch, Taiwan High Prosecutors Office

Year	1996	1997	1998	1999	2000
Cases	5	15	27	15	23
Year	2001	2002	2003	2004	2005
Cases	20	20	12	13	5
Year	2006	2007	2008	2009	2010
Cases	15	8	20	7	12
Year	2011	2012	2013	2014	
Cases	6	10	8	10	

Section 8 Cover page of the History of Prosecutors Office and the link of global website



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