

13.高等法院暨分院受理刑事第二審案件裁判結果一按罪名別分

中華民國 99 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數														免除 其刑 Penalty releas- ed	無罪 Acqui- tted
		合計 Total	上訴駁回 Appeals dismissed														
			科刑 Individuals Sentenced														
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 Timed imprisonment										拘役 Deten- tion		
		六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years							
合計 Total	21 172	29 988	1	26	3 425	3 888	876	192	685	275	513	94	217	759	113	7	4 261
普通刑法 Subtotal of general criminal law	12 643	17 649	1	19	2 815	1 792	475	81	293	102	301	52	10	731	82	5	2 871
瀆職罪 Offenses of malfeasance in office	34	120	-	-	4	4	-	-	-	-	-	-	-	-	-	-	11
妨害公務罪 Offenses of interference with public functions	60	74	-	-	20	3	2	-	-	-	-	-	-	9	-	-	15
妨害投票罪 Offenses of interference with voting	22	155	-	-	17	-	-	-	-	-	-	-	-	-	-	-	76
妨害秩序罪 Offenses of interference with public order	4	4	-	-	1	-	-	-	-	-	-	-	-	3	-	-	-
脫逃罪 Offenses of escape	3	7	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	14	28	-	-	11	4	-	-	-	-	-	-	-	1	-	-	3
偽證罪 Offenses of perjury	132	188	-	-	60	7	1	-	-	-	-	-	-	-	-	4	46
誣告罪 Offenses of malicious accusation	212	245	-	-	53	10	1	1	-	-	-	-	-	1	-	-	79
公共危險罪 Offenses against public safety	613	654	-	-	124	196	7	-	12	-	4	-	-	7	1	-	74
放火 Arson	74	93	-	-	1	3	2	-	12	-	4	-	-	-	-	-	18
燒燬建築物及住宅 Destruction by fire of building and residence	54	72	-	-	1	-	2	-	12	-	4	-	-	-	-	-	15
燒燬其他物件 Destruction by fire of other objects	20	21	-	-	-	3	-	-	-	-	-	-	-	-	-	-	3
失火 Negligent fire	22	36	-	-	11	2	-	-	-	-	-	-	-	4	-	-	12
燒燬建築物及住宅 Destruction by fire of building and residence	15	29	-	-	11	2	-	-	-	-	-	-	-	2	-	-	8
燒燬其他物件 Destruction by fire of other objects	7	7	-	-	-	-	-	-	-	-	-	-	-	2	-	-	4
違背建築術成規 Violation of building practice	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
妨害衛生 Obstruction to sanitation	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	4	4	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	508	516	-	-	109	191	5	-	-	-	-	-	-	3	1	-	42
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
不能安全駕駛 Inability to drive safely	121	121	-	-	41	38	-	-	-	-	-	-	-	3	1	-	8
肇事致人死傷逃逸 Hit and run	370	373	-	-	59	152	5	-	-	-	-	-	-	-	-	-	28
其他 Other	17	22	-	-	9	1	-	-	-	-	-	-	-	-	-	-	6
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	3	3	-	-	1	-	-	-	-	-	-	-	-	-	-	-	2

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
42	328	12	28	58	839	512	329	127	337	218	460	102	305	85	7	3	47	
32	234	8	27	33	630	379	160	38	128	57	192	33	6	77	3	-	25	
-	80	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	5	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	-	-	7	3	-	-	-	-	-	-	-	-	-	-	-	
3	3	-	-	-	7	3	1	-	-	-	-	-	-	-	-	-	-	
2	5	-	-	-	8	15	5	-	2	-	1	-	-	1	-	-	-	
2	-	-	-	-	-	-	4	-	2	-	1	-	-	-	-	-	-	
2	-	-	-	-	-	-	2	-	2	-	1	-	-	-	-	-	-	
-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	
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-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	5	-	-	-	8	15	1	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	5	-	-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	7	15	-	-	-	-	-	-	-	-	-	-	-	
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13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續一)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數 Defendants													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted	
	無期徒刑 Life Sentence	有期徒刑 Timed imprisonments									拘役 Detention			罰金 Punitive fine
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
合計 Total	13	1 169	780	582	280	562	259	471	195	210	111	22	7	1 105
普通刑法 Subtotal of general criminal law	11	834	486	285	92	218	64	144	55	6	106	15	3	632
瀆職罪 Offenses of malfeasance in office	-	2	3	-	-	1	-	-	-	-	-	-	-	5
妨害公務罪 Offenses of interference with public functions	-	1	-	3	-	-	-	-	-	-	3	-	-	3
妨害投票罪 Offenses of interference with voting	-	3	9	2	-	-	-	-	-	-	-	-	1	27
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-	-	-	-	-	-
脫逃罪 Offenses of escape	-	-	-	-	-	-	-	-	-	-	-	-	-	-
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	-	1	-	-	-	-	-	-	-	-	-	-	-	1
偽證罪 Offenses of perjury	-	15	5	-	-	-	-	-	-	-	-	-	-	18
誣告罪 Offenses of malicious accusation	-	19	2	-	-	-	-	-	-	-	-	-	-	37
公共危險罪 Offenses against public safety	-	33	11	8	1	5	-	-	-	-	-	-	-	16
放火 Arson	-	1	1	7	1	5	-	-	-	-	-	-	-	6
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	6	1	4	-	-	-	-	-	-	-	5
燒燬其他物件 Destruction by fire of other objects	-	1	1	1	-	1	-	-	-	-	-	-	-	1
失火 Negligent fire	-	-	-	-	-	-	-	-	-	-	-	-	-	-
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	-	-	-	-	-	-	-	-	-	-	-
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害衛生 Obstruction to sanitation	-	-	-	-	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	-	32	10	1	-	-	-	-	-	-	-	-	-	10
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-	-	-	-	-	-
不能安全駕駛 Inability to drive safely	-	3	1	-	-	-	-	-	-	-	-	-	-	-
肇事致人死傷逃逸 Hit and run	-	28	9	1	-	-	-	-	-	-	-	-	-	9
其他 Other	-	1	-	-	-	-	-	-	-	-	-	-	-	1
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 1)

2010

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced														免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑	無期徒刑	有期徒刑 timed imprisonments										拘役	罰金	免除其刑						
Death Sentence	Life Sentence	六月以下	逾六月至一年以下	逾一年至二年以下	逾二年至三年以下	逾三年至五年以下	逾五年至七年以下	逾七年至十年以下	逾十年至十五年以下	逾十五年	Detention	Punitive fine	Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other	
		6 or less than 6 months	Over 6 months to 1 year	Over 1 year to 2 years	Over 2 years to 3 years	Over 3 years to 5 years	Over 5 years to 7 years	Over 7 years to 10 years	Over 10 years to 15 years	Over 15 years										
2	7	820	368	254	117	244	146	189	81	52	166	59	1	57	156	6	219	2 040	67	
2	2	662	276	178	61	132	51	89	33	3	152	41	1	20	89	4	134	1 048	28	
-	-	3	4	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	1	
-	-	6	1	-	-	-	-	-	-	-	-	-	-	-	1	-	2	2	-	
-	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	3	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	3	-	
-	-	7	5	-	-	-	-	-	-	-	-	-	-	-	1	-	-	7	-	
-	-	12	1	-	-	1	-	-	-	-	1	-	-	-	3	-	1	5	1	
-	-	26	18	6	1	6	-	-	-	-	3	1	-	-	2	-	6	46	1	
-	-	2	-	5	-	6	-	-	-	-	-	-	-	-	-	-	-	10	-	
-	-	-	-	2	-	6	-	-	-	-	-	-	-	-	-	-	-	7	-	
-	-	2	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	
-	-	4	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	
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-	-	20	18	1	1	-	-	-	-	-	-	1	-	-	1	-	6	33	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	5	1	-	-	-	-	-	-	-	-	1	-	-	1	-	6	5	-	
-	-	14	17	1	1	-	-	-	-	-	-	-	-	-	-	-	-	27	-	
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### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
合計 Total	784	-	33	4	153	83	455	56	884	1 073	253
普通刑法 Subtotal of general criminal law	591	-	32	2	138	83	300	36	700	607	239
瀆職罪 Offenses of malfeasance in office	-	-	-	-	-	-	-	-	2	3	-
妨害公務罪 Offenses of interference with public functions	2	-	-	-	-	-	2	-	7	-	2
妨害投票罪 Offenses of interference with voting	-	-	-	-	-	-	-	-	3	-	-
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-	-	-
脫逃罪 Offenses of escape	-	-	-	-	-	-	-	-	-	3	-
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	1	-	-	-	-	-	1	-	-	1	-
偽證罪 Offenses of perjury	2	-	-	-	-	-	2	-	19	2	-
誣告罪 Offenses of malicious accusation	6	-	-	-	-	-	6	-	23	5	-
公共危險罪 Offenses against public safety	24	-	3	1	-	1	19	-	33	51	5
放火 Arson	5	-	1	-	-	1	3	-	1	4	-
燒燬建築物及住宅 Destruction by fire of building and residence	5	-	1	-	-	1	3	-	1	4	-
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	-
失火 Negligent fire	-	-	-	-	-	-	-	-	2	-	3
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	-	-	-	-	-	2	-	2
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	1
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-	-	-
妨害衛生 Obstruction to sanitation	-	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	19	-	2	1	-	-	16	-	30	47	2
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-	-	-
不能安全駕駛 Inability to drive safely	3	-	1	1	-	-	1	-	1	1	2
肇事致人死傷逃逸 Hit and run	10	-	-	-	-	-	10	-	23	46	-
其他 Other	6	-	1	-	-	-	5	-	6	-	-
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 2)

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月 有期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
883	1 053	253	1	20	-	1 229	5 081	1 693	22	6 736	5 538	1 185	3 368	6	-
699	598	239	1	9	-	212	2 408	5	1	2 899	4 656	1 122	2 254	3	-
2	3	-	-	-	-	1	-	1	-	-	8	-	22	-	-
7	-	2	-	-	-	-	2	-	-	11	25	13	1	-	-
3	-	-	-	-	-	43	3	1	-	3	31	-	32	-	-
-	-	-	-	-	-	-	2	-	-	-	1	3	-	-	-
-	3	-	-	-	-	-	-	-	-	1	1	-	-	-	-
-	1	-	-	-	-	-	-	-	-	2	15	2	1	-	-
19	2	-	-	-	-	-	2	-	-	16	-	-	28	-	-
23	5	-	-	-	-	-	5	-	-	17	6	2	41	-	-
33	51	5	-	-	-	-	25	-	-	199	190	14	27	-	-
1	4	-	-	-	-	-	23	-	-	15	3	-	4	-	-
1	4	-	-	-	-	-	16	-	-	12	1	-	1	-	-
-	-	-	-	-	-	-	7	-	-	3	2	-	3	-	-
2	-	3	-	-	-	-	-	-	-	-	15	7	9	-	-
2	-	2	-	-	-	-	-	-	-	-	15	4	9	-	-
-	-	1	-	-	-	-	-	-	-	-	-	3	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
30	47	2	-	-	-	-	2	-	-	184	169	7	13	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	1	2	-	-	-	-	1	-	-	62	50	7	-	-	-
23	46	-	-	-	-	-	1	-	-	121	108	-	13	-	-
6	-	-	-	-	-	-	-	-	-	1	11	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續三)

中華民國 99 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced										免除 其刑 Penalty releas- ed	無罪 Acquitt- ed				
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments													
六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years			逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years	拘役 Deten- tion	罰金 Puniti- ve fine						
偽造貨幣罪 Offenses of counterfeiting currency	13	17	-	-	-	-	-	2	1	-			-	-	-	-	-	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	313	389	-	-	17	13	39	7	46	1	-	-	-	-	-	-	-	54
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	1 226	1 865	-	-	311	84	110	10	6	-	-	-	-	-	5	-	-	360
偽造變造私文書 Forgery or alteration of private documents	786	1 038	-	-	208	59	8	3	3	-	-	-	-	-	-	-	-	225
偽造變造公文書 Forgery or alteration of public documents	196	342	-	-	3	11	95	7	3	-	-	-	-	-	-	-	-	11
偽造變造特種文書 Forgery or alteration of special documents	3	5	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-
公文書不實登載 False entry in public documents	54	135	-	-	1	8	5	-	-	-	-	-	-	-	-	-	-	18
使公務員登載不實 Causing a functionary to make false entries in public documents	116	224	-	-	70	3	1	-	-	-	-	-	-	2	-	-	-	72
業務上文書登載不實 False entry in occupational documents	48	87	-	-	22	-	-	-	-	-	-	-	-	3	-	-	-	27
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	12	19	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	7
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	11	15	-	-	1	3	1	-	-	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	1 054	1 118	-	-	47	51	41	10	157	4	58	6	-	-	-	-	-	130
強制性交猥褻 Forced sexual intercourse or obscene act	1 038	1 100	-	-	46	51	41	10	157	4	58	6	-	-	-	-	-	127
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	5	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	11	12	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	3
妨害風化罪 Offenses against sexual morality	223	370	-	-	72	21	3	-	-	-	2	-	-	3	-	-	-	55
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	193	336	-	-	65	21	3	-	-	-	2	-	-	-	-	-	-	43
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text or article	28	32	-	-	7	-	-	-	-	-	-	-	-	2	-	-	-	11
其他 Other	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
妨害婚姻及家庭罪 Offenses against marriage and family	90	115	-	-	36	3	-	-	-	-	-	-	-	-	-	-	-	28

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 3)

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	2	-	-	-	-	-	-	-	1	2	-	-	-	-	-	-	-	
-	3	-	-	-	2	1	16	1	25	3	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	31	1	-	-	108	43	53	8	3	-	-	-	-	2	-	-	4	
-	11	-	-	-	82	26	5	5	3	-	-	-	-	-	-	-	4	
-	9	-	-	-	-	10	44	3	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	8	-	-	-	1	6	3	-	-	-	-	-	-	-	-	-	-	
-	2	1	-	-	18	1	1	-	-	-	-	-	-	1	-	-	-	
-	1	-	-	-	4	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	1	2	17	17	12	5	53	3	43	1	-	-	-	-	-	
-	1	-	-	-	16	16	12	5	53	3	43	1	-	-	-	-	-	
-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	23	10	3	-	1	1	1	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	23	10	3	-	1	1	1	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	7	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	



13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續四)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	無期徒刑 Life Sentence	科刑 Individuals Sentenced									免除其刑 Penalty released	無罪 Acquitted		
		有期徒刑 timed imprisonments												
六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	拘役 Detention	罰金 Punitive fine				
偽造貨幣罪 Offenses of counterfeiting currency	-	-	-	1	3	1	-	-	-	-	-	1	-	1
偽造有價證券罪 Offenses of counterfeiting valuable securities	-	2	5	21	3	35	3	1	-	-	-	-	-	35
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	-	112	91	43	16	8	1	-	-	-	2	-	-	85
偽造變造私文書 Forgery or alteration of private documents	-	78	39	14	11	5	-	-	-	-	-	-	-	42
偽造變造公文書 Forgery or alteration of public documents	-	6	13	18	5	3	1	-	-	-	-	-	-	5
偽造變造特種文書 Forgery or alteration of special documents	-	1	-	-	-	-	-	-	-	-	-	-	-	-
公文書不實登載 False entry in public documents	-	8	38	11	-	-	-	-	-	-	-	-	-	16
使公務員登載不實 Causing a functionary to make false entries in public documents	-	10	-	-	-	-	-	-	-	-	1	-	-	6
業務上文書登載不實 False entry in occupational documents	-	7	-	-	-	-	-	-	-	-	1	-	-	14
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	-	-	-	-	-	-	-	-	-	-	-	-	-	2
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	2	1	-	-	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	2	23	26	33	12	76	9	33	2	-	-	-	-	69
強制性交猥褻 Forced sexual intercourse or obscene act	-	22	25	32	12	76	8	33	2	-	-	-	-	68
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	2	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	1	1	1	-	-	1	-	-	-	-	-	-	1
妨害風化罪 Offenses against sexual morality	-	47	32	12	1	5	-	-	-	-	-	-	-	10
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	-	45	32	12	1	5	-	-	-	-	-	-	-	9
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text or article	-	2	-	-	-	-	-	-	-	-	-	-	-	1
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	-	4	-	2	-	1	-	-	-	-	-	-	-	5

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 4)**

2010

Unit: individual

Defendants																			
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty												撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他		
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other	
		有刑徒刑 timed imprisonments																	拘役 Detention
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年	Over 15 years								
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	-	-	8	2	13	1	-	-	-	-	-	-	2	2	3	1	20	3
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	87	36	46	20	8	-	-	-	-	6	-	-	2	9	-	13	136	4
-	-	66	20	9	9	4	-	-	-	-	-	-	-	2	7	-	12	76	2
-	-	-	9	33	11	4	-	-	-	-	-	-	-	-	1	-	-	35	2
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	5	4	-	-	-	-	-	-	-	-	-	-	1	-	-	2	-
-	-	14	1	-	-	-	-	-	-	-	5	-	-	-	-	-	1	14	-
-	-	2	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	4	-
-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	4	5	13	7	53	4	24	-	1	-	-	-	-	11	-	1	48	3
-	-	4	5	13	7	53	4	24	-	-	-	-	-	-	10	-	1	48	3
-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
-	-	23	2	3	2	-	-	-	-	-	6	1	-	-	-	-	1	27	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	22	2	3	2	-	-	-	-	-	-	-	-	-	-	-	1	26	1
-	-	1	-	-	-	-	-	-	-	-	6	1	-	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	10	-

### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續五)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonment of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonment more than 6 months	拘役罰金 Detention or punitive fine
偽造貨幣罪 Offenses of counterfeiting currency	1	-	-	-	-	-	1	-	-	2	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	15	-	-	-	1	-	14	-	3	39	-
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	25	-	-	-	2	-	20	3	114	73	7
偽造變造私文書 Forgery or alteration of private documents	10	-	-	-	2	-	8	-	72	16	-
偽造變造公文書 Forgery or alteration of public documents	6	-	-	-	-	-	6	-	4	15	-
偽造變造特種文書 Forgery or alteration of special documents	-	-	-	-	-	-	-	-	-	-	-
公文書不實登載 False entry in public documents	6	-	-	-	-	-	6	-	5	40	-
使公務員登載不實 Causing a functionary to make false entries in public documents	3	-	-	-	-	-	-	3	21	2	4
業務上文書登載不實 False entry in occupational documents	-	-	-	-	-	-	-	-	10	-	3
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	-	-	-	-	-	-	-	-	2	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	-	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	156	-	4	-	-	82	68	2	23	68	-
強制性交猥褻 Forced sexual intercourse or obscene act	154	-	4	-	-	81	67	2	23	67	-
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	-	-	-	-	-	-	-	-	-	-	-
其他 Other	2	-	-	-	-	1	1	-	-	1	-
妨害風化罪 Offenses against sexual morality	3	-	-	-	-	-	3	-	8	9	-
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	3	-	-	-	-	-	3	-	8	9	-
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text or article	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	-	-	-	-	-	-	-	-	7	2	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 5)

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收的追 徵、追繳 或抵償件 數 Number of confisca- tion and payment	追徵、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
-	2	-	-	-	-	-	10	-	-	4	-	-	-	-	-
3	39	-	-	-	-	-	214	-	-	51	20	-	23	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
114	73	7	-	-	-	1	524	-	-	169	601	18	590	1	-
72	16	-	-	-	-	-	354	-	-	93	433	-	343	1	-
4	15	-	-	-	-	-	142	-	-	49	2	-	31	-	-
-	-	-	-	-	-	-	3	-	-	2	6	1	3	-	-
5	40	-	-	-	-	1	6	-	-	7	1	-	78	-	-
21	2	4	-	-	-	-	3	-	-	9	111	9	85	-	-
10	-	3	-	-	-	-	2	-	-	1	35	8	42	-	-
2	-	-	-	-	-	-	5	-	-	3	7	-	2	-	-
-	-	-	-	-	-	-	9	-	-	5	6	-	6	-	-
23	64	-	-	4	-	5	55	-	-	114	35	-	82	-	-
23	63	-	-	4	-	-	52	-	-	112	32	-	78	-	-
-	-	-	-	-	-	5	1	-	-	1	-	-	-	-	-
-	1	-	-	-	-	-	2	-	-	1	3	-	4	-	-
8	9	-	-	-	-	-	103	-	-	71	160	9	83	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
8	9	-	-	-	-	-	87	-	-	67	150	-	82	-	-
-	-	-	-	-	-	-	16	-	-	3	10	8	1	-	-
-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-
7	2	-	-	-	-	-	1	-	-	2	48	-	8	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續六)

中華民國 99 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計		上訴駁回 Appeals dismissed														
		Total	科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitiv- e fine	
					六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years					
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	4	8	-	-	-	2	1	-	-	-	-	-	-	-	-	-	-	1
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	73	229	-	-	34	6	-	-	-	-	-	-	-	-	-	35	-	62
單純賭博 Simple gambling	22	83	-	-	-	-	-	-	-	-	-	-	-	-	-	35	-	31
供給賭博場所等賭博 Gamble of providing gambling places and the like	51	146	-	-	34	6	-	-	-	-	-	-	-	-	-	-	-	31
殺人罪 Offenses of homicide	779	944	1	17	74	99	17	7	4	43	16	30	8	1	-	-	-	120
殺人 Homicide	368	487	1	17	-	-	-	7	4	43	16	30	8	-	-	-	-	38
既遂 Consummation	190	267	1	17	-	-	-	1	1	2	7	29	7	-	-	-	-	28
普通殺人 General homicide	186	263	1	15	-	-	-	1	1	2	7	29	6	-	-	-	-	28
殺害直系尊親屬 Homicide of lineal ascendants by blood	4	4	-	2	-	-	-	-	-	-	-	-	1	-	-	-	-	-
未遂 Attempt	178	220	-	-	-	-	-	6	3	41	9	1	1	-	-	-	-	10
普通殺人 General homicide	172	214	-	-	-	-	-	6	3	41	8	1	1	-	-	-	-	10
殺害直系尊親屬 Homicide of lineal ascendants by blood	6	6	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
過失致死 Manslaughter	411	457	-	-	74	99	17	-	-	-	-	-	-	1	-	-	-	82
一般過失致人於死 General negligent killing	9	11	-	-	-	2	2	-	-	-	-	-	-	-	-	-	-	5
醫師業務過失致人於死 Occupational negligent killing by a physician	32	43	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	24
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
交通業務過失致人於死 Occupational negligent killing by a driver	141	154	-	-	22	36	5	-	-	-	-	-	-	1	-	-	-	24
交通一般過失致人於死 General negligent killing by a driver	190	199	-	-	47	55	10	-	-	-	-	-	-	-	-	-	-	18
其他業務過失致人於死 Other occupational negligent killing	39	50	-	-	4	6	-	-	-	-	-	-	-	-	-	-	-	11

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 6)

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	7	4	3	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	7	4	3	-	-	-	-	-	-	-	-	-	-	
-	4	-	10	25	9	14	4	3	1	15	11	24	5	-	-	-	1	
-	4	-	10	25	-	-	2	3	1	15	11	24	5	-	-	-	-	
-	-	-	10	23	-	-	1	-	-	3	1	21	4	-	-	-	-	
-	-	-	10	22	-	-	1	-	-	3	1	21	4	-	-	-	-	
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	4	-	-	2	-	-	1	3	1	12	10	3	1	-	-	-	-	
-	4	-	-	2	-	-	1	3	1	12	10	3	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	
-	-	-	-	-	9	14	2	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	3	6	1	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	3	8	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續七)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted	
	無期徒刑 Life Sentence	有期徒刑 timed imprisonments									拘役 Detention			罰金 Punitive fine
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	-	-	-	2	-	-	-	-	-	-	-	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	-	28	7	1	-	-	-	-	-	-	-	7	-	1
單純賭博 Simple gambling	-	-	-	-	-	-	-	-	-	-	-	7	-	-
供給賭博場所等賭博 Gamble of providing gambling places and the like	-	28	7	1	-	-	-	-	-	-	-	-	-	1
殺人罪 Offenses of homicide	3	55	19	5	9	10	18	16	40	6	-	-	1	34
殺人 Homicide	3	1	1	2	8	10	18	16	40	6	-	-	1	20
既遂 Consummation	3	-	-	-	2	3	5	8	37	6	-	-	-	12
普通殺人 General homicide	3	-	-	-	2	3	5	8	37	6	-	-	-	12
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-	-	-	-
未遂 Attempt	-	1	1	2	6	7	13	8	3	-	-	-	1	8
普通殺人 General homicide	-	1	1	2	6	7	13	8	3	-	-	-	1	8
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-	-	-	-
過失致死 Manslaughter	-	54	18	3	1	-	-	-	-	-	-	-	-	14
一般過失致人於死 General negligent killing	-	-	1	-	-	-	-	-	-	-	-	-	-	-
醫師業務過失致人於死 Occupational negligent killing by a physician	-	7	-	-	-	-	-	-	-	-	-	-	-	3
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-
交通業務過失致人於死 Occupational negligent killing by a driver	-	18	5	-	-	-	-	-	-	-	-	-	-	4
交通一般過失致人於死 General negligent killing by a driver	-	15	10	1	-	-	-	-	-	-	-	-	-	3
其他業務過失致人於死 Other occupational negligent killing	-	14	2	2	1	-	-	-	-	-	-	-	-	4

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 7)**

2010

Unit: individual

Defendants																					
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty															撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced															免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑	無期徒刑	有刑徒刑 timed imprisonments									拘役	罰金	免除其刑								
Death Sentence	Life Sentence	六月以下	逾六月至一年以下	逾一年至二年以下	逾二年至三年以下	逾三年至五年以下	逾五年至七年以下	逾七年至十年以下	逾十年至十五年以下	逾十五年	Detention	Punitive fine	Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other		
		6 or less than 6 months	Over 6 months to 1 year	Over 1 year to 2 years	Over 2 years to 3 years	Over 3 years to 5 years	Over 5 years to 7 years	Over 7 years to 10 years	Over 10 years to 15 years	Over 15 years											
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	20	1	-	-	-	-	-	-	-	-	6	-	-	2	-	1	4	-		
-	-	-	-	-	-	-	-	-	-	-	-	6	-	-	1	-	1	2	-		
-	-	20	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	2	-		
2	2	26	23	13	2	6	20	9	26	2	1	-	1	1	6	-	1	23	1		
2	2	-	-	1	2	6	20	9	26	2	-	-	1	1	5	-	1	18	1		
2	2	-	-	-	-	-	1	3	22	1	-	-	-	-	-	-	-	3	1		
2	2	-	-	-	-	-	1	3	22	1	-	-	-	-	-	-	-	3	1		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	-	1	2	6	19	6	4	1	-	-	1	1	5	-	1	15	-		
-	-	-	-	1	2	6	18	6	3	-	-	-	-	1	5	-	1	15	-		
-	-	-	-	-	-	-	1	-	1	1	-	-	1	-	-	-	-	-	-		
-	-	26	23	12	-	-	-	-	-	-	1	-	-	-	1	-	-	5	-		
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	5	1	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	12	9	4	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-		
-	-	7	12	7	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-		
-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-		



### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續八)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul- sory cure	強制工作 Compul- sory work	強制治療 Compul- sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	2	-	-	-	-	-	2	-	-	3	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	3	-	-	-	-	-	3	-	11	4	8
單純賭博 Simple gambling	-	-	-	-	-	-	-	-	-	-	8
供給賭博場所等賭博 Gamble of providing gambling places and the like	3	-	-	-	-	-	3	-	11	4	-
殺人罪 Offenses of homicide	35	-	12	-	1	-	13	9	53	78	-
殺人 Homicide	25	-	12	-	1	-	3	9	-	5	-
既遂 Consummation	17	-	8	-	1	-	1	7	-	1	-
普通殺人 General homicide	17	-	8	-	1	-	1	7	-	1	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-
未遂 Attempt	8	-	4	-	-	-	2	2	-	4	-
普通殺人 General homicide	8	-	4	-	-	-	2	2	-	4	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-
過失致死 Manslaughter	10	-	-	-	-	-	10	-	53	73	-
一般過失致人於死 General negligent killing	-	-	-	-	-	-	-	-	-	-	-
醫師業務過失致人於死 Occupational negligent killing by a physician	-	-	-	-	-	-	-	-	2	-	-
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-
交通業務過失致人於死 Occupational negligent killing by a driver	-	-	-	-	-	-	-	-	18	33	-
交通一般過失致人於死 General negligent killing by a driver	10	-	-	-	-	-	10	-	28	37	-
其他業務過失致人於死 Other occupational negligent killing	-	-	-	-	-	-	-	-	5	3	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 8)

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月 有期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
-	3	-	-	-	-	-	-	-	-	1	-	-	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11	4	8	-	-	-	-	48	-	-	15	90	-	17	-	-
-	-	8	-	-	-	-	14	-	-	-	-	-	-	-	-
11	4	-	-	-	-	-	34	-	-	15	90	-	17	-	-
53	77	-	-	1	-	114	171	-	-	86	163	2	57	-	-
-	4	-	-	1	-	114	171	-	-	82	-	-	6	-	-
-	-	-	-	1	-	106	91	-	-	45	-	-	2	-	-
-	-	-	-	1	-	102	89	-	-	43	-	-	2	-	-
-	-	-	-	-	-	4	2	-	-	2	-	-	-	-	-
-	4	-	-	-	-	8	80	-	-	37	-	-	4	-	-
-	4	-	-	-	-	8	79	-	-	36	-	-	4	-	-
-	-	-	-	-	-	-	1	-	-	1	-	-	-	-	-
53	73	-	-	-	-	-	-	-	-	4	163	2	51	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-	-	-	-	14	1	16	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18	33	-	-	-	-	-	-	-	-	1	55	1	18	-	-
28	37	-	-	-	-	-	-	-	-	3	72	-	3	-	-
5	3	-	-	-	-	-	-	-	-	-	22	-	14	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續九)

中華民國 99 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計		上訴駁回 Appeals dismissed														
		Total	科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitiv e fine	
					六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年以 下 Over 10 years to 15 years	逾十 五年 Over 15 years					
傷害 Offenses of causing bodily harm	1 488	1 977	-	-	445	44	30	5	23	7	53	1	-	364	18	-	180	
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	12	12	-	-	6	-	-	-	-	-	-	-	-	1	-	-	1	
重傷 Serious bodily harm	32	53	-	-	-	-	3	3	-	3	1	1	-	-	-	-	2	
傷害致死 Bodily harm resulting in death	99	205	-	-	-	-	-	2	11	3	52	-	-	-	-	-	2	
醫師業務過失傷害 Occupational negligent bodily harm by a physician	7	9	-	-	1	-	-	-	-	-	-	-	-	-	-	-	3	
密醫過失傷害 Negligent bodily harm by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
交通業務過失傷害 Occupational negligent bodily harm by a driver	148	151	-	-	65	11	-	-	-	-	-	-	-	15	-	-	14	
交通一般過失傷害 General negligent bodily harm by a driver	419	433	-	-	148	5	-	-	-	-	-	-	-	94	1	-	44	
其他業務過失傷害 Other occupational negligent bodily harm	35	45	-	-	13	3	-	-	-	-	-	-	-	6	1	-	10	
其他 Other	736	1 069	-	-	212	25	27	-	12	1	-	-	-	248	16	-	104	
墮胎 Offenses of abortion	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
遺棄 Offenses of abandonment	6	7	-	-	1	-	-	-	-	-	-	-	-	-	-	-	3	
妨害自由 Offenses against personal liberty	650	1 191	-	-	242	64	17	3	1	-	3	-	-	123	1	-	242	
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	3	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
略誘 Abduction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
剝奪行動自由 Deprivation of freedom of movement	208	442	-	-	90	43	16	3	1	-	3	-	-	7	-	-	49	
強制 Coercion offense	165	315	-	-	64	13	1	-	-	-	-	-	-	41	-	-	75	
恐嚇危害安全 Obstruction of safety by threat	253	392	-	-	83	8	-	-	-	-	-	-	-	72	1	-	96	
侵入或滯留 Trespassing on, or lingering in, a property	21	37	-	-	5	-	-	-	-	-	-	-	-	3	-	-	19	
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 9)

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced											免除 其刑 Penalty released	無罪 Acquitted			
			死刑 Death Sent- ence	無期徒刑 Life Sent- ence	有刑徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
1	37	-	-	-	51	9	3	2	12	9	27	-	-	31	1	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	6	2	-	-	-	-	-	-	
-	-	-	-	-	-	-	1	-	3	3	25	-	-	-	-	-	-	
-	2	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	4	-	-	-	-	-	-	-	-	1	-	-	-	
-	3	-	-	-	14	-	-	-	-	-	-	-	-	8	1	-	-	
-	-	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	
1	32	-	-	-	28	9	2	2	9	-	-	-	-	22	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
1	8	-	-	-	73	18	2	1	1	-	1	-	-	21	1	-	4	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	-	-	32	14	2	1	1	-	1	-	-	5	-	-	-	
1	1	-	-	-	17	3	-	-	-	-	-	-	-	6	-	-	1	
-	3	-	-	-	24	1	-	-	-	-	-	-	-	9	1	-	3	
-	2	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	科刑 Individuals Sentenced												免除其刑 Penalty released	無罪 Acquitted	
	無期徒刑 Life Sentence	有期徒刑 timed imprisonments										拘役 Detention			罰金 Punitive fine
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
傷害 Offenses of causing bodily harm	罪	-	81	30	26	7	38	14	26	3	-	58	2	1	33
傷害直系尊親屬 Bodily harm of lineal ascendants by blood		-	-	1	-	-	1	1	-	-	-	-	-	-	-
重傷 Serious bodily harm	害	-	-	1	1	2	5	4	3	-	-	-	-	-	2
傷害致死 Bodily harm resulting in death	死	-	-	-	-	-	20	9	23	3	-	-	-	1	5
醫師業務過失傷害 Occupational negligent bodily harm by a physician	害	-	-	-	-	-	-	-	-	-	-	1	-	-	1
密醫過失傷害 Negligent bodily harm by an unlicensed physician	害	-	-	-	-	-	-	-	-	-	-	-	-	-	-
交通業務過失傷害 Occupational negligent bodily harm by a driver	害	-	9	3	-	-	-	-	-	-	-	3	-	-	2
交通一般過失傷害 General negligent bodily harm by a driver	害	-	16	1	-	-	-	-	-	-	-	19	1	-	9
其他業務過失傷害 Other occupational negligent bodily harm	害	-	1	-	-	-	-	-	-	-	-	-	-	-	3
其他 Other	他	-	55	24	25	5	12	-	-	-	-	35	1	-	11
墮胎 Offenses of abortion	罪	-	-	-	-	-	-	-	-	-	-	-	-	-	-
遺棄 Offenses of abandonment	罪	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害自由 Offenses against personal liberty	罪	-	92	38	16	1	-	-	-	-	-	23	1	-	36
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons		-	-	-	-	-	-	-	-	-	-	-	-	-	2
詐術使人出國 Fraudulently causing a person to leave the territory		-	-	-	-	-	-	-	-	-	-	-	-	-	-
略誘 Abduction	罪	-	-	-	-	-	-	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	由	-	53	28	14	1	-	-	-	-	-	-	-	-	7
強制 Coercion offense	罪	-	19	8	2	-	-	-	-	-	-	11	1	-	9
恐嚇危害安全 Obstruction of safety by threat	全	-	20	2	-	-	-	-	-	-	-	11	-	-	18
侵入或滯留 Trespassing on, or lingering in, a property		-	-	-	-	-	-	-	-	-	-	1	-	-	-
違法搜索 Illegal search	索	-	-	-	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 10)

2010

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced														免除其刑						
死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments										拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	撤銷改判免訴 Revocation of previous judgment by new judgment but of exemption from prosecution	撤銷改判不受理 Revocation of previous judgment by new judgment but of non-entertainment	撤銷改判管轄錯誤 Revocation of previous judgment by new judgment but of wrong jurisdiction	撤銷改判發回原審法院 Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years										
-	-	62	14	8	6	25	10	17	5	-	43	8	-	-	14	-	21	68	3	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	1	-	-	5	1	-	-	-	-	-	-	4	-	-	3	-	
-	-	-	-	1	-	12	1	15	5	-	-	-	-	-	2	-	-	5	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	11	-	2	-	-	-	-	-	-	3	-	-	-	-	-	2	6	-	
-	-	17	3	-	-	-	-	-	-	-	19	1	-	-	2	-	9	18	-	
-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	2	-	
-	-	33	11	4	6	13	4	1	-	-	20	6	-	-	6	-	10	34	2	
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	48	18	6	3	-	-	-	-	-	24	3	-	2	3	-	1	47	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	17	15	5	3	-	-	-	-	-	1	-	-	-	1	-	1	26	-	
-	-	22	3	1	-	-	-	-	-	-	6	1	-	-	1	-	-	7	1	
-	-	9	-	-	-	-	-	-	-	-	16	-	-	2	1	-	-	11	1	
-	-	-	-	-	-	-	-	-	-	-	1	2	-	-	-	-	-	3	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十一)  
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re- formatory education	監護 Guardian	禁戒 Compul- sory cure	強制工作 Compul- sory work	強制治療 Compul- sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine
傷害 Offenses of causing bodily harm	35	-	5	-	-	-	26	4	145	31	134
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-
重傷 Serious bodily harm	3	-	1	-	-	-	1	1	-	1	-
傷害致死 Bodily harm resulting in death	2	-	-	-	-	-	2	-	-	3	-
醫師業務過失傷害 Occupational negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	-
密醫過失傷害 Negligent bodily harm by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-
交通業務過失傷害 Occupational negligent bodily harm by a driver	-	-	-	-	-	-	-	-	20	7	9
交通一般過失傷害 General negligent bodily harm by a driver	3	-	-	-	-	-	3	-	69	2	50
其他業務過失傷害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	5	1	5
其他 Other	27	-	4	-	-	-	20	3	51	17	70
墮胎 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-
遺棄 Offenses of abandonment	-	-	-	-	-	-	-	-	-	1	-
妨害自由 Offenses against personal liberty	11	-	-	-	-	-	9	2	27	12	19
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	-	-	-	-
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-
略誘 Abduction	-	-	-	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	5	-	-	-	-	-	5	-	18	7	1
強制 Coercion offense	1	-	-	-	-	-	1	-	4	4	5
恐嚇危害安全 Obstruction of safety by threat	5	-	-	-	-	-	3	2	5	1	12
侵入或滯留 Trespassing on, or lingering in, a property	-	-	-	-	-	-	-	-	-	-	1
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 11)

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine										
144	29	134	1	2	-	2	99	1	-	145	637	514	84	-	-
-	-	-	-	-	-	-	2	-	-	1	7	1	-	-	-
-	1	-	-	-	-	-	10	-	-	10	-	-	1	-	-
-	2	-	-	1	-	2	28	1	-	27	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	2	1	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20	7	9	-	-	-	-	-	-	-	-	88	23	1	-	-
69	2	50	-	-	-	-	-	-	-	2	196	150	2	-	-
5	1	5	-	-	-	-	-	-	-	-	18	7	6	-	-
50	16	70	1	1	-	-	59	-	-	105	326	332	72	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-
27	12	19	-	-	-	-	54	1	-	187	454	195	191	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18	7	1	-	-	-	-	30	1	-	100	188	13	97	-	-
4	4	5	-	-	-	-	11	-	-	45	122	64	34	-	-
5	1	12	-	-	-	-	13	-	-	41	138	112	60	-	-
-	-	1	-	-	-	-	-	-	-	1	6	6	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-



13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十二)

中華民國 99 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitiv e fine	
					六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年以 下 Over 10 years to 15 years	逾十 五年 Over 15 years					
妨害名譽及信用罪 Offenses against personal reputation & credits	229	270	-	-	7	-	-	-	-	-	-	-	-	78	18	-	84	
妨害秘密罪 Offenses relating to protection of secrets	15	29	-	-	2	-	-	-	-	-	-	-	-	1	-	-	4	
竊盜罪 Offenses of larceny	1 635	1 966	-	-	311	655	60	2	5	-	-	-	-	33	3	-	204	
普通竊盜竊占 Common theft and theft of movables or immovables	636	717	-	-	207	71	11	-	-	-	-	-	-	33	3	-	134	
加重竊盜 Severe theft	986	1 222	-	-	104	584	48	1	2	-	-	-	-	-	-	-	66	
常業竊盜 Occupational theft	13	27	-	-	-	-	1	1	3	-	-	-	-	-	-	-	4	
強盜罪 Offenses of robbery	426	661	-	2	-	1	1	7	22	46	147	13	1	-	-	-	27	
搶奪及海盜罪 Offenses of snatch of property and piracy	208	240	-	-	2	79	24	1	1	-	-	-	-	-	-	-	11	
侵占罪 Offenses of misappropriation	466	549	-	-	75	95	22	6	2	-	-	-	-	2	5	-	132	
普通侵占 Common embezzlement	119	133	-	-	28	10	4	-	-	-	-	-	-	2	-	-	48	
公務公益侵占 Official embezzlement	6	10	-	-	-	1	-	-	-	-	-	-	-	-	-	-	4	
業務侵占 Occupational embezzlement	329	393	-	-	47	84	18	6	2	-	-	-	-	-	-	-	75	
侵占遺失物 Embezzlement of lost articles	12	13	-	-	-	-	-	-	-	-	-	-	-	-	5	-	5	
詐欺罪 Offenses of fraud	1 854	2 817	-	-	646	222	68	18	11	1	-	-	-	63	-	-	601	
一般詐欺 Common fraud	1 769	2 461	-	-	646	206	57	10	4	1	-	-	-	63	-	-	522	
常業詐欺 Occupational fraud	85	356	-	-	-	16	11	8	7	-	-	-	-	-	-	-	79	
背信罪 Offenses of breach of trust	112	227	-	-	18	10	12	-	-	-	-	-	-	3	-	-	63	
重利罪 Offenses of usury	118	221	-	-	45	5	-	-	-	-	-	-	-	9	-	-	42	
恐嚇取財罪 Offenses of obtaining property by threats	249	456	-	-	47	88	14	1	-	-	-	-	-	-	-	-	55	
擄人勒贖罪 Offenses of kidnapping for ransom	25	70	-	-	-	-	2	1	2	-	18	2	1	-	-	1	3	
贓物罪 Offenses relating to illegally obtained property	155	244	-	-	60	21	3	-	-	-	-	-	-	5	-	-	53	
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	129	177	-	-	30	3	-	-	-	-	-	-	-	20	1	-	51	
妨害電腦使用罪 Offenses of impairment to use of computers	8	16	-	-	2	-	-	-	-	-	-	-	-	-	-	-	2	

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 12)

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	4	-	-	-	2	-	-	-	-	-	-	-	-	-	11	1	-	1
-	2	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
1	5	1	-	-	31	80	9	2	1	-	-	-	-	3	-	-	6	
1	5	1	-	-	19	8	3	-	-	-	-	-	-	3	-	-	2	
-	-	-	-	-	12	71	5	-	-	-	-	-	-	-	-	-	4	
-	-	-	-	-	-	1	1	2	1	-	-	-	-	-	-	-	-	
-	-	-	13	5	-	-	-	1	11	24	102	5	1	-	-	-	-	
-	1	-	-	-	1	25	6	-	1	-	-	-	-	-	-	-	-	
3	6	2	-	-	15	22	5	1	-	1	-	-	-	-	-	-	1	
2	2	1	-	-	1	4	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	4	1	-	-	14	18	5	1	-	1	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
16	21	-	-	-	165	71	29	11	14	1	-	-	-	1	-	-	3	
15	21	-	-	-	147	46	13	2	3	-	-	-	-	1	-	-	3	
1	-	-	-	-	18	25	16	9	11	1	-	-	-	-	-	-	-	
-	3	-	-	-	6	-	3	1	-	-	-	-	-	-	-	-	2	
-	-	-	-	-	30	2	-	-	-	-	-	-	-	3	-	-	-	
2	-	-	-	-	44	35	2	1	-	-	-	-	-	-	-	-	-	
-	-	-	3	1	-	-	-	-	1	-	6	3	-	-	-	-	-	
-	-	3	-	-	9	5	-	-	-	-	-	-	-	-	-	-	-	
-	6	1	-	-	8	1	-	-	-	-	-	-	-	4	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十三)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	無期徒刑 Life Sentence	科刑 Individuals Sentenced									免除其刑 Penalty released	無罪 Acquitted		
		有期徒刑 timed imprisonments												
六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	拘役 Detention	罰金 Punitive fine				
妨害名譽及信用罪 Offenses against personal reputation & credits	-	2	-	-	-	-	-	-	-	-	5	2	-	9
妨害秘密罪 Offenses relating to protection of secrets	-	3	-	-	-	-	-	-	-	-	1	-	-	1
竊盜罪 Offenses of larceny	-	64	43	10	2	4	-	-	-	-	1	1	-	32
普通竊盜竊占 Common theft and theft of movables or immovables	-	27	7	2	-	-	-	-	-	-	1	1	-	21
加重竊盜 Severe theft	-	37	34	6	1	-	-	-	-	-	-	-	-	10
常業竊盜 Occupational theft	-	-	2	2	1	4	-	-	-	-	-	-	-	1
強盜罪 Offenses of robbery	3	-	-	2	2	14	17	62	6	-	-	-	-	11
搶奪及海盜罪 Offenses of snatch of property and piracy	-	3	15	6	1	-	-	-	-	-	-	-	-	5
侵占罪 Offenses of misappropriation	-	28	17	12	3	2	-	-	-	-	-	-	-	15
普通侵占 Common embezzlement	-	3	2	-	-	-	-	-	-	-	-	-	-	6
公務公益侵占 Official embezzlement	-	-	3	-	-	1	-	-	-	-	-	-	-	-
業務侵占 Occupational embezzlement	-	25	12	12	3	1	-	-	-	-	-	-	-	9
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	-	120	88	54	23	16	1	-	-	-	8	-	-	76
一般詐欺 Common fraud	-	117	56	18	8	2	-	-	-	-	8	-	-	63
常業詐欺 Occupational fraud	-	3	32	36	15	14	1	-	-	-	-	-	-	13
背信罪 Offenses of breach of trust	-	12	1	6	3	2	-	-	-	-	-	-	-	36
重利罪 Offenses of usury	-	25	2	2	-	-	-	-	-	-	1	-	-	3
恐嚇取財罪 Offenses of obtaining property by threats	-	36	34	15	5	-	-	-	-	-	-	-	-	4
擄人勒贖罪 Offenses of kidnapping for ransom	3	-	-	-	-	-	1	6	4	-	-	-	-	2
贓物罪 Offenses relating to illegally obtained property	-	11	7	1	-	-	-	-	-	-	1	-	-	14
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	10	1	2	-	-	-	-	-	-	3	1	-	8
妨害電腦使用罪 Offenses of impairment to use of computers	-	2	-	-	-	-	-	-	-	-	-	-	-	-

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 13)**

2010

Unit: individual

Defendants																			
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty													撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other	
		有刑徒刑 timed imprisonments																	拘役 Detention
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years									
-	-	2	-	-	-	-	-	-	-	-	11	7	-	-	3	-	4	19	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	13	1	-
-	-	66	58	16	1	-	-	-	-	-	9	4	-	1	5	-	2	232	3
-	-	52	13	1	-	-	-	-	-	-	9	4	-	1	3	-	1	70	3
-	-	14	45	15	1	-	-	-	-	-	-	-	-	-	1	-	1	160	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	2	-
-	-	-	-	-	1	4	10	38	2	-	-	-	-	-	-	-	-	60	-
-	-	2	3	4	-	-	-	-	-	-	-	-	-	-	-	-	-	49	-
-	-	15	12	5	1	1	-	-	-	-	1	3	-	-	5	-	6	28	-
-	-	5	2	1	1	-	-	-	-	-	1	-	-	-	1	-	3	5	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	10	9	4	-	1	-	-	-	-	-	-	-	-	4	-	3	23	-
-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-
-	-	144	56	26	15	11	3	-	-	-	34	1	-	7	12	1	37	117	5
-	-	142	52	22	8	3	-	-	-	-	34	1	-	7	10	1	37	108	4
-	-	2	4	4	7	8	3	-	-	-	-	-	-	-	2	-	-	9	1
-	-	17	3	4	-	-	-	-	-	-	2	-	-	5	5	-	4	6	-
-	-	20	3	4	-	-	-	-	-	-	4	2	-	-	-	-	1	18	-
-	-	16	6	10	-	-	-	-	-	-	-	-	-	-	-	-	2	39	-
-	-	-	-	-	-	4	3	1	-	-	-	-	-	-	-	-	-	2	-
-	-	22	4	-	-	-	-	-	-	-	4	1	-	-	1	-	1	18	-
-	-	5	2	-	-	-	-	-	-	-	2	4	-	-	3	-	9	2	-
-	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-

### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十四)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compulsory cure	強制工作 Compulsory work	強制治療 Compulsory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonments more than 6 months	拘役罰金 Detention or punitive fine
妨害名譽及信用罪 Offenses against personal reputation & credits	3	-	-	-	-	-	3	-	2	-	25
妨害秘密罪 Offenses relating to protection of secrets	-	-	-	-	-	-	-	-	-	-	-
竊盜罪 Offenses of larceny	112	-	3	-	87	-	15	7	38	26	10
普通竊盜竊占 Common theft and theft of movables or immovables	27	-	2	-	20	-	2	3	14	1	10
加重竊盜 Severe theft	76	-	1	-	58	-	13	4	24	25	-
常業竊盜 Occupational theft	9	-	-	-	9	-	-	-	-	-	-
強盜罪 Offenses of robbery	22	-	2	-	9	-	3	8	-	3	-
搶奪及海盜罪 Offenses of snatch of property and piracy	26	-	1	-	21	-	4	-	1	5	-
侵占罪 Offenses of misappropriation	6	-	-	-	-	-	6	-	23	36	1
普通侵占 Common embezzlement	3	-	-	-	-	-	3	-	4	3	1
公務公益侵占 Official embezzlement	-	-	-	-	-	-	-	-	-	1	-
業務侵占 Occupational embezzlement	3	-	-	-	-	-	3	-	19	32	-
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	79	-	-	-	11	-	68	-	129	120	23
一般詐欺 Common fraud	62	-	-	-	7	-	55	-	115	73	23
常業詐欺 Occupational fraud	17	-	-	-	4	-	13	-	14	47	-
背信罪 Offenses of breach of trust	-	-	-	-	-	-	-	-	4	11	1
重利罪 Offenses of usury	2	-	-	-	-	-	2	-	9	-	1
恐嚇取財罪 Offenses of obtaining property by threats	14	-	1	1	5	-	6	1	7	14	-
擄人勒贖罪 Offenses of kidnapping for ransom	-	-	-	-	-	-	-	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	4	-	-	-	1	-	3	-	5	5	1
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	2	-	1	-	-	-	1	-	4	-	2
妨害電腦使用罪 Offenses of impairment to use of computers	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 14)

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收的追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
2	-	25	-	-	-	-	2	-	-	1	13	105	2	-	-
-	-	-	-	-	-	-	6	-	-	1	6	6	2	-	-
38	26	10	-	-	-	-	439	-	-	890	469	51	71	-	-
14	1	10	-	-	-	-	53	-	-	256	302	51	47	-	-
24	25	-	-	-	-	-	377	-	-	627	167	-	21	-	-
-	-	-	-	-	-	-	9	-	-	7	-	-	3	-	-
-	1	-	-	2	-	30	215	1	-	197	-	-	-	-	-
1	5	-	-	-	-	-	39	-	-	123	8	-	6	-	-
23	36	1	-	-	-	-	38	-	1	61	133	3	112	-	-
4	3	1	-	-	-	-	4	-	-	10	37	3	27	-	-
-	1	-	-	-	-	-	1	-	-	-	-	-	5	-	-
19	32	-	-	-	-	-	33	-	1	51	96	-	78	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
129	120	23	-	-	-	1	209	-	-	332	1054	121	503	-	-
115	73	23	-	-	-	1	157	-	-	302	1052	121	402	-	-
14	47	-	-	-	-	-	52	-	-	30	2	-	101	-	-
4	11	1	-	-	-	-	3	-	-	3	53	5	58	2	-
9	-	1	-	-	-	-	39	-	-	28	121	20	69	-	-
7	14	-	-	-	-	1	66	-	-	90	144	-	89	-	-
-	-	-	-	-	-	14	15	-	-	13	-	-	-	-	-
5	5	1	-	-	-	-	13	-	-	50	105	10	31	-	-
4	-	2	-	-	-	-	5	-	-	16	53	29	13	-	-
-	-	-	-	-	-	-	1	-	-	-	12	-	7	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十五)

中華民國 99 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數														免除 其刑 Penalty releas- ed	無罪 Acquitt- ed	
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											拘役 Deten- tion	罰金 Punitiv e fine			
			死刑 Deat h Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 timed imprisonments													
					六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年以 下 Over 10 years to 15 years	逾十 五年 Over 15 years					
特別刑事法 Sub-total of special criminal law	計	8 271	12 339	-	7	610	2 096	401	111	392	173	212	42	207	28	31	2	1 390
貪污治罪條例 Punishment of corruption act		394	1 260	-	-	2	11	13	6	6	7	11	14	2	-	-	-	340
懲治盜匪條例 Punishment of thieves and bandits act		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act		11	11	-	-	2	1	-	-	-	-	-	-	-	-	-	-	7
違反電信法 Violation of the telecommunications act		12	16	-	-	1	2	-	-	-	-	-	-	-	2	-	-	4
違反糧食管理法 Violation of the grain control law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act		89	338	-	-	65	12	-	-	-	-	-	-	-	-	-	-	22
違反森林法 Violation of the forestry law		44	74	-	-	11	22	2	-	-	-	-	-	-	-	-	-	6
違反漁業法 Violation of the fishery law		1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act		5 617	6 660	-	7	222	1 892	172	64	134	74	183	28	205	1	-	-	222
製造運輸販賣 Manufacture, transport, or sale		2 499	3 492	-	7	-	3	49	58	133	71	183	28	205	-	-	-	197
施用 Use		2 877	2 891	-	-	189	1 875	102	1	-	-	-	-	-	-	-	-	13
其他 Other		241	277	-	-	33	14	21	5	1	3	-	-	-	1	-	-	12
陸海空軍刑法 Criminal law of the armed forces		1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law		6	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5
違反電業法 Violation of the electricity management law		19	21	-	-	3	6	-	-	-	-	-	-	-	-	-	-	4
違反海商法 Violation of the maritime commercial law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law		12	18	-	-	4	-	-	-	-	-	-	-	-	1	1	-	3
違反能源管理法 Violation of the energy management law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law		8	13	-	-	-	-	-	-	-	-	-	-	-	-	3	-	7
違反勞工安全衛生法 Violation of the labor safety and health law		1	13	-	-	1	1	-	-	-	-	-	-	-	-	4	-	3

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 15)**

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced													免除 其刑 Penalty released	無罪 Acquitted	
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments										拘役 Deten- tion			罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
10	94	4	1	25	209	133	169	89	209	161	268	69	299	8	4	3	22	
3	39	-	-	-	1	5	8	18	6	28	17	27	-	-	-	2	13	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	88	4	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	4	6	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
3	39	2	1	25	16	46	44	49	110	80	233	40	299	1	-	-	5	
2	1	1	1	25	-	2	30	45	110	76	233	40	299	-	-	-	5	
-	35	1	-	-	9	37	3	1	-	-	-	-	-	-	-	-	-	
1	3	-	-	-	7	7	11	3	-	4	-	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	1	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	



13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十六)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced												免除其刑 Penalty released	無罪 Acquitted
	無期徒刑 Life Sentence	有期徒刑 timed imprisonments									拘役 Detention	罰金 Punitive fine		
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
特別刑事法計 Sub-total of special criminal law	2	335	294	297	188	344	195	327	140	204	5	7	4	473
貪污治罪條例 Punishment of corruption act	-	14	32	57	47	34	46	70	48	1	-	-	3	149
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反電信法 Violation of the telecommunications act	-	2	-	-	-	-	-	-	-	-	-	-	-	-
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act	-	71	1	2	1	-	-	-	-	-	-	-	-	1
違反森林法 Violation of the forestry law	-	3	5	-	-	-	-	-	-	-	-	-	-	8
違反漁業法 Violation of the fishery law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	2	60	118	86	92	192	110	230	91	203	-	-	1	136
製造運輸販賣 Manufacture, transport, or sale	2	1	9	71	86	191	110	230	91	203	-	-	-	126
施用 Use	-	47	82	-	-	-	-	-	-	-	-	-	1	6
其他 Other	-	12	27	15	6	1	-	-	-	-	-	-	-	4
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	-	-	-	-	2
違反電業法 Violation of the electricity management law	-	1	1	-	-	-	-	-	-	-	-	-	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	4	-	-	-	-	-	-	-	-	-	-	-	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反勞工安全衛生法 Violation of the labor safety and health law	-	-	-	-	-	-	-	-	-	-	-	1	-	1

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 16)**

2010

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other		
		有刑徒刑 timed imprisonments																	拘役 Detention	罰金 Punitive fine
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年	Over 15 years									
-	5	158	92	76	56	112	95	100	48	49	14	18	-	37	67	2	85	992	39	
-	-	4	4	10	14	10	37	24	15	-	-	-	-	17	19	-	3	12	11	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	2	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	45	1	-	-	-	-	-	-	-	3	-	-	-	1	-	-	20	1	
-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	3	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	4	9	40	15	23	48	42	72	29	49	2	-	-	12	22	1	45	713	16	
-	4	-	-	5	21	47	42	72	29	48	-	-	-	7	8	-	8	266	11	
-	-	2	29	1	-	-	-	-	-	-	-	-	-	3	13	1	34	404	2	
-	-	7	11	9	2	1	-	-	-	1	2	-	-	2	1	-	3	43	3	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	3	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十七)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
特別刑事法計 Sub-total of special criminal law	193	-	1	2	15	-	155	20	184	466	14
貪污治罪條例 Punishment of corruption act	6	-	-	-	-	-	5	1	4	50	-
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act	-	-	-	-	-	-	-	-	1	-	-
違反電信法 Violation of the telecommunications act	-	-	-	-	-	-	-	-	1	-	-
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act	2	-	-	-	-	-	2	-	32	7	-
違反森林法 Violation of the forestry law	3	-	-	-	-	-	3	-	4	4	-
違反漁業法 Violation of the fishery law	-	-	-	-	-	-	-	-	1	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	41	-	-	-	-	-	24	17	-	40	-
製造運輸販賣 Manufacture, transport, or sale	38	-	-	-	-	-	23	15	-	38	-
施用 Use	-	-	-	-	-	-	-	-	-	-	-
其他 Other	3	-	-	-	-	-	1	2	-	2	-
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	2	-	-	-	-	-	2	-	-	2	-
違反電業法 Violation of the electricity management law	2	-	-	-	1	-	1	-	1	-	1
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	-	-	-	-	-	-	-	4	-	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-	-	2
違反勞工安全衛生法 Violation of the labor safety and health law	-	-	-	-	-	-	-	-	-	1	1

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 17)

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine										
184	455	14	-	11	-	1 017	2 673	1 687	21	3 837	882	63	1 114	3	-
4	50	-	-	-	-	652	31	123	21	17	1	-	170	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	1	3	-	-	-	-
1	-	-	-	-	-	-	4	-	-	4	3	2	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
32	7	-	-	-	-	-	37	-	-	28	4	3	109	-	-
4	4	-	-	-	-	-	17	-	-	16	19	-	4	-	-
1	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-
-	30	-	-	10	-	136	1 733	1 543	-	3 296	304	12	44	-	-
-	28	-	-	10	-	134	486	1 521	-	1 228	-	-	4	-	-
-	-	-	-	-	-	-	1 129	1	-	1 981	246	-	8	-	-
-	2	-	-	-	-	2	118	21	-	87	58	12	32	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	-	-	-	-	-	-	-	1	-	1	-	-
1	-	1	-	-	-	-	6	-	-	6	5	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
4	-	-	-	-	-	-	2	-	-	-	9	1	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	2	-	-	-	-	-	-	-	-	-	-	1	-	-
-	1	1	-	-	-	-	-	-	-	-	2	-	2	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果一按罪名別分(續十八)

中華民國 99 年

單位：件：人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		上訴駁回 Appeals dismissed																
		科刑 Individuals Sentenced																
		合計 Total	死刑 Death Sentence	無期 徒刑 Life Sentence	有期徒刑 timed imprisonments										拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	無罪 Acquitted
六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year				逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years							
違反各種稅法 Violation of various taxation laws	30	62	-	-	6	1	-	-	-	-	-	-	-	-	1	-	-	19
違反菸酒管理法 Violation of tobacco and alcohol management law	3	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	9	16	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	16	24	-	-	2	6	-	-	-	-	-	-	-	-	-	-	-	2
違反藥事法 Violation of the pharmaceutical affairs act	131	165	-	-	30	20	5	-	-	-	-	-	-	-	-	-	-	20
偽藥 Counterfeit medicine	129	160	-	-	30	20	5	-	-	-	-	-	-	-	-	-	-	17
其他 Other	2	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違反麻醉藥品管理條例 Violation of the anaesthetics control act	3	3	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1
違反著作權法 Violation of the copyright law	4	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違法重製罪 Offence of unlawful reproduction	2	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	2	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	2	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反公平交易法 Violation of the fair trade act	7	24	-	-	12	-	-	-	-	-	-	-	-	-	1	-	-	1
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	21	32	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	5
違反野生動物保育法 Violation of the wildlife conservation law	16	20	-	-	6	-	-	-	-	-	-	-	-	-	-	-	-	4
違反水污染防治法 Violation of the water pollution control law	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反兩岸關係條例 Violation of the cross-strait relations act	126	232	-	-	21	27	23	3	13	-	-	-	-	-	-	-	-	21

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 18)

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	6	-	-	-	-	-	-	-	-	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	6	1	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	8	7	1	1	-	-	-	-	-	-	-	1	-	-
-	-	-	-	-	8	7	1	1	-	-	-	-	-	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	-	12	12	6	-	10	-	-	-	-	-	-	-	-	-

13.高等法院暨分院受理刑事第二審案件裁判結果一按罪名別分(續十九)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced										免除其刑 Penalty released	無罪 Acquitted		
	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments											拘役 Detention	罰金 Punitive fine
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
違反各種稅法 Violation of various taxation laws	-	4	1	-	-	-	-	-	-	-	-	-	-	5
違反菸酒管理法 Violation of tobacco and alcohol management law	-	-	-	-	-	-	-	-	-	-	-	-	-	2
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	-	-	-	-	-	1	1	1	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	-	1	1	1	-	-	-	-	-	-	-	-	-	6
違反藥事法 Violation of the pharmaceutical affairs act	-	8	11	-	-	-	-	-	-	-	-	3	-	10
偽藥 Counterfeit medicine	-	8	11	-	-	-	-	-	-	-	-	3	-	10
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	-	-	2	2	-	-	-	-	-	-	-	1	-	-
違法重製罪 Offense of unlawful reproduction	-	-	-	-	-	-	-	-	-	-	-	1	-	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	-	-	-	-	-	-
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	-	2	2	-	-	-	-	-	-	-	-	-	-
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	-	-	7	-	-	-	-	-	-	-	-	-	-	-
違反公平交易法 Violation of the fair trade act	-	2	2	-	-	-	-	-	-	-	-	-	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	-	5	-	1	-	-	-	-	-	-	-	-	-	4
違反野生動物保育法 Violation of the wildlife conservation law	-	5	1	-	-	-	-	-	-	-	-	-	-	-
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反兩岸關係條例 Violation of the cross-strait relations act	-	14	12	8	1	5	-	-	-	-	-	-	-	11

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 19)**

2010

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty															撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other		
		有刑徒刑 timed imprisonments	拘役 Detention	罰金 Punitive fine	逾六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years								逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years
-	-	1	-	-	-	-	-	-	-	-	-	1	-	-	-	-	12	4	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	
-	-	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	9	8	1	-	-	-	-	-	-	-	1	-	-	-	1	2	16	2	
-	-	9	8	1	-	-	-	-	-	-	-	1	-	-	-	1	2	15	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	2	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	9	1	3	1	-	-	-	-	-	-	-	-	-	1	-	1	15	1	



13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二十)  
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re- formatory education	監護 Guardian	禁戒 Compul- sory cure	強制工作 Compul- sory work	強制治療 Compul- sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine
違反各種稅法 Violation of various taxation laws	-	-	-	-	-	-	-	-	-	1	1
違反菸酒管理法 Violation of tobacco and alcohol management law	-	-	-	-	-	-	-	-	-	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	-	-	-	-	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	-	-	-	-	-	-	-	-	-	6	-
違反藥事法 Violation of the pharmaceutical affairs act	6	-	-	-	-	-	5	1	10	3	-
偽藥 Counterfeit medicine	6	-	-	-	-	-	5	1	10	3	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	-	-	-	-	-	-	-	-	-	-	-
違法重製罪 Offence of unlawful reproduction	-	-	-	-	-	-	-	-	-	-	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	-	-	-
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	-	-	-	-	-	-	-	-	-	-
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	-	-	-	-	-	-	-	-	-	4	-
違反公平交易法 Violation of the fair trade act	-	-	-	-	-	-	-	-	5	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	2	-	-	-	-	-	2	-	3	4	-
違反野生動物保育法 Violation of the wildlife conservation law	1	-	-	-	-	-	1	-	2	1	-
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	-	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	11	-	-	-	-	-	11	-	14	35	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 20)

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
-	1	1	-	-	-	-	-	-	-	1	17	3	22	-	-
-	-	-	-	-	-	-	1	-	-	1	1	-	-	-	-
-	-	-	-	-	-	-	6	1	-	4	-	-	-	-	-
-	6	-	-	-	-	-	4	-	-	1	3	-	5	-	-
10	3	-	-	-	-	-	53	1	-	33	6	-	28	-	-
10	3	-	-	-	-	-	53	1	-	33	6	-	28	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	2	-	-	-	1	-	5	-	-
-	-	-	-	-	-	-	1	-	-	-	1	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	4	-	-	-	-	-	-	-	-	1	-	-	7	-	-
5	-	-	-	-	-	-	-	2	-	-	20	1	10	-	-
3	4	-	-	-	-	-	-	8	-	-	4	11	-	13	-
2	1	-	-	-	-	-	-	10	-	-	7	7	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
14	35	-	-	-	-	-	-	20	-	-	25	38	-	126	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二一)

中華民國 99 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
六月以下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years			逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years								
違反公司法 Violation of the company law	23	51	-	-	10	-	-	-	-	-	-	-	-	-	-	-	-	18
違反食品衛生管理法 Violation of the food sanitation control law	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸出仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	679	864	-	-	8	7	48	26	164	72	13	-	-	-	-	-	-	61
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	3	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	11
違反銀行法 Violation of the banking law	65	372	-	-	1	3	31	-	19	2	5	-	-	-	-	-	-	156
違反選舉罷免法 Violation of the election and recall law	191	358	-	-	9	2	40	2	13	-	-	-	-	-	-	-	1	83
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	92	194	-	-	9	2	8	1	31	13	-	-	-	-	-	-	-	9
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	3	25	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	8
其他 Other	629	1417	-	-	189	72	59	9	12	1	-	-	-	22	23	-	-	340
併案裁判 consolidated judgments	258	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 21)

2010

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	4	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	2	2	12	11	43	38	9	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	4	-	-	-	-	8	21	1	8	-	4	2	-	-	-	-	-	-
-	-	-	-	-	-	1	38	2	13	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	3	2	2	17	5	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	11	1	-	-	67	31	36	4	2	4	4	-	-	2	2	1	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二二)

中華民國 99 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted		
	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments									拘役 Detention			罰金 Punitive fine	
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
違反公司法 Violation of the company law	-	4	1	-	-	-	-	-	-	-	-	-	-	-	3
違反食品衛生管理法 Violation of the food sanitation control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	-	3	7	51	26	34	22	7	1	-	-	-	-	-	30
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	-	-	10	12	1	22	9	17	-	-	-	-	-	-	5
違反選舉罷免法 Violation of the election and recall law	-	20	8	24	5	15	-	-	-	-	-	-	-	-	34
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	-	2	2	17	8	29	7	1	-	-	-	-	-	-	6
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	-	4	2	2	1	-	-	-	-	-	-	-	-	-	-
其他 Other	-	108	70	34	6	12	-	1	-	-	5	2	-	-	59

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 22)

2010

Unit: case; individual

Defendants															撤銷改判免訴 Revocation of previous judgment by new judgment but with increased penalty	撤銷改判不受理 Revocation of previous judgment by new judgment but of non-entertainment	撤銷改判管轄錯誤 Revocation of previous judgment by new judgment but of wrong jurisdiction	撤銷改判發回原審法院 Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released								
		有刑徒刑 timed imprisonments											拘役 Detention	罰金 Punitive fine						
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	Revocation of previous judgment by new judgment but of exemption from prosecution				Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other	
-	-	-	-	1	-	-	-	-	-	-		-	1	-						-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	2	7	7	25	6	1	4	-	-	-	-	1	3	-	3	102	4	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	1	13	-	4	3	3	-	-	-	-	-	-	1	-	1	5	-	-
-	-	1	2	11	4	13	-	-	-	-	-	-	-	-	3	-	-	14	-	-
-	-	2	-	-	-	4	6	-	-	-	-	-	-	1	1	-	-	6	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	1	-	-	-	-	-	-	-	-	-	-	1	-	-	2	-	-
-	-	60	25	11	5	8	1	-	-	-	6	13	-	5	5	-	14	66	3	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二三完)  
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 99 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re- formatory education	監護 Guardian	禁戒 Compul- sory cure	強制工作 Compul- sory work	強制治療 Compul- sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine
違反公司法 Violation of the company law	-	-	-	-	-	-	-	-	2	-	4
違反食品衛生管理法 Violation of the food sanitation control law	-	-	-	-	-	-	-	-	-	-	-
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸入偽造之專利品 罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	-	-	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	-	-	-
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	19	-	-	-	1	-	17	1	1	35	-
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	31	-	-	-	-	-	31	-	1	80	-
違反選舉罷免法 Violation of the election and recall law	21	-	-	-	-	-	21	-	3	83	-
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	11	-	-	-	-	-	11	-	5	13	-
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	-	-	-	-	-	-	-	-	2	2	-
其他 Other	35	-	1	2	13	-	19	-	88	95	5

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. End)**

2010

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine										
2	-	4	-	-	-	-	1	-	-	-	14	5	25	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	34	-	-	1	-	6	506	4	-	222	13	-	13	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	80	-	-	-	-	-	19	3	-	9	1	-	21	-	-
3	83	-	-	-	-	223	85	5	-	15	29	-	30	-	-
5	13	-	-	-	-	-	46	2	-	23	7	-	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	2	-	-	-	-	-	-	1	-	2	2	-	6	-	-
88	95	5	-	-	-	-	79	4	-	121	360	35	463	-	-