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

中華民國 97 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 released	無罪 Acquitted
			死刑 Death Sentence	無期徒刑 Life Sentence	有期徒刑 Timed imprisonment									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 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	25 399	36 236	7	58	3 903	4 340	948	198	774	280	483	154	123	621	96	3	5 593
普通刑法計 Subtotal of general criminal law	14 663	21 902	7	27	3 215	1 705	446	111	367	117	288	64	8	582	67	1	4 031
瀆職罪 Offenses of malfeasance in office	18	42	-	-	1	2	-	-	-	-	-	-	-	-	-	-	15
妨害公務罪 Offenses of interference with public functions	73	97	-	-	23	5	-	1	-	-	-	-	-	13	-	-	20
妨害投票罪 Offenses of interference with voting	54	1 143	-	-	70	2	-	-	-	-	-	-	-	-	-	-	874
妨害秩序罪 Offenses of interference with public order	4	6	-	-	-	1	-	-	-	-	-	-	-	-	-	-	3
脫逃罪 Offenses of escape	3	5	-	-	1	-	1	-	-	-	-	-	-	-	-	-	2
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	10	21	-	-	8	-	-	-	-	-	-	-	-	-	-	-	6
偽證罪 Offenses of perjury	138	205	-	-	55	10	2	-	-	-	-	-	-	-	-	1	77
誣告罪 Offenses of malicious accusation	225	280	-	-	51	6	1	-	-	-	-	-	-	1	-	-	100
公共危險罪 Offenses against public safety	619	661	-	-	140	138	9	3	12	2	1	-	-	10	2	-	73
放火 Arson	80	97	-	-	-	1	4	3	12	2	1	-	-	-	-	-	12
燒燬建築物及住宅 Destruction by fire of building and residence	63	79	-	-	-	1	2	3	12	2	1	-	-	-	-	-	8
燒燬其他物件 Destruction by fire of other objects	17	18	-	-	-	-	2	-	-	-	-	-	-	-	-	-	4
失火 Negligent fire	20	24	-	-	9	-	-	-	-	-	-	-	-	3	-	-	8
燒燬建築物及住宅 Destruction by fire of building and residence	15	19	-	-	9	-	-	-	-	-	-	-	-	-	-	-	6
燒燬其他物件 Destruction by fire of other objects	5	5	-	-	-	-	-	-	-	-	-	-	-	3	-	-	2
違背建築術成規 Violation of building practice	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
妨害衛生 Obstruction to sanitation	5	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7
漏逸氣體 Gas leak	4	4	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	507	521	-	-	130	137	4	-	-	-	-	-	-	7	2	-	45
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	141	144	-	-	36	36	-	-	-	-	-	-	-	6	2	-	11
肇事致人死傷逃逸 Hit and run	344	345	-	-	89	99	3	-	-	-	-	-	-	-	-	-	26
其他 Other	22	32	-	-	5	2	1	-	-	-	-	-	-	1	-	-	8
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	2	2	-	-	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

2008

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				
68	308	27	32	155	859	563	265	116	396	240	511	217	134	57	12	2	44
37	226	18	32	66	712	397	150	47	194	71	261	75	10	49	9	1	24
-	16	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	5	1	1	-	1	1	-	-	-	-	-	-	-
-	-	-	-	-	15	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
-	-	-	-	-	5	2	-	-	-	-	-	-	-	-	-	-	1
-	10	-	-	-	5	2	-	-	-	-	-	-	-	-	-	-	-
-	2	1	-	-	20	13	2	-	3	-	-	-	-	2	1	-	1
-	-	1	-	-	-	2	2	-	3	-	-	-	-	-	-	-	1
-	-	1	-	-	-	1	1	-	3	-	-	-	-	-	-	-	1
-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	-	20	11	-	-	-	-	-	-	-	2	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	-	8	1	-	-	-	-	-	-	-	2	1	-	-
-	-	-	-	-	9	10	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	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(續一)

中華民國 97 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	31	1 811	1 220	617	289	507	302	489	332	183	109	56	7	1 221
普通刑法計 Subtotal of general criminal law	28	1 336	810	400	161	252	99	202	84	19	104	43	1	701
瀆職罪 Offenses of malfeasance in office	-	4	1	1	-	-	-	-	-	-	-	-	-	1
妨害公務罪 Offenses of interference with public functions	-	6	1	2	-	-	-	-	-	-	-	-	-	6
妨害投票罪 Offenses of interference with voting	-	64	11	2	-	-	-	-	-	-	-	-	1	55
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-	-	-	2	-	-
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	-	2	1	-	-	-	-	-	-	-	-	-	-	-
偽證罪 Offenses of perjury	-	17	1	3	-	-	-	-	-	-	-	-	-	14
誣告罪 Offenses of malicious accusation	-	40	6	-	-	1	-	-	-	-	-	-	-	23
公共危險罪 Offenses against public safety	-	34	10	12	-	6	-	6	-	-	3	-	-	20
放火 Arson	-	1	3	12	-	3	-	6	-	-	-	-	-	5
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	10	-	3	-	6	-	-	-	-	-	5
燒燬其他物件 Destruction by fire of other objects	-	1	3	2	-	-	-	-	-	-	-	-	-	-
失火 Negligent fire	-	1	-	-	-	-	-	-	-	-	1	-	-	1
燒燬建築物及住宅 Destruction by fire of building and residence	-	1	-	-	-	-	-	-	-	-	1	-	-	1
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	-	2	2	-	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	-	30	5	-	-	3	-	-	-	-	2	-	-	14
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	-	9	-	-	-	-	-	-	-	-	-	-	-	-
肇事致人死傷逃逸 Hit and run	-	20	5	-	-	-	-	-	-	-	-	-	-	10
其他 Other	-	1	-	-	-	3	-	-	-	-	2	-	-	4
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)

2008 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	無期徒刑	有刑徒刑 timed imprisonments									拘役	罰金							
Death Sentence	Life Sentence	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	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
4	16	945	426	170	101	227	160	223	131	40	151	49	-	64	211	2	327	4 158	70
4	4	789	325	107	61	118	70	112	42	1	138	32	-	23	133	-	258	1 986	44
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	3	-	-	-	-	-	-	-	-	1	-	-	-	1	-	-	4	-
-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	7	-	-	38	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	-
-	-	8	-	-	-	-	-	-	-	-	-	-	-	1	2	-	-	6	-
-	-	19	-	-	-	-	-	-	-	-	2	-	-	1	2	-	2	7	1
-	-	23	19	9	-	4	1	-	-	-	-	-	-	-	2	-	2	75	-
-	-	-	1	3	-	4	1	-	-	-	-	-	-	-	-	-	-	14	-
-	-	-	1	1	-	4	1	-	-	-	-	-	-	-	-	-	-	12	-
-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	21	18	6	-	-	-	-	-	-	-	-	-	-	2	-	2	57	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	6	5	-	-	-	-	-	-	-	-	-	-	-	1	-	1	17	-
-	-	15	13	6	-	-	-	-	-	-	-	-	-	-	1	-	1	38	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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 97 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	849	-	42	3	211	188	363	42	1 104	966	198
普通刑法計 Subtotal of general criminal law	697	-	41	1	180	186	281	8	911	630	184
瀆職罪 Offenses of malfeasance in office	-	-	-	-	-	-	-	-	-	-	-
妨害公務罪 Offenses of interference with public functions	4	-	3	-	1	-	-	-	2	-	3
妨害投票罪 Offenses of interference with voting	2	-	-	-	-	-	2	-	66	1	-
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	-	-	-	-	-	-	-	-	-	-	-
偽證罪 Offenses of perjury	5	-	-	-	-	-	5	-	30	2	-
誣告罪 Offenses of malicious accusation	4	-	-	-	-	-	4	-	41	2	-
公共危險罪 Offenses against public safety	20	-	6	1	-	1	12	-	30	30	1
放火 Arson	8	-	5	-	-	1	2	-	-	3	-
燒燬建築物及住宅 Destruction by fire of building and residence	6	-	4	-	-	1	1	-	-	2	-
燒燬其他物件 Destruction by fire of other objects	2	-	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	1	-	1	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	11	-	-	1	-	-	10	-	30	27	1
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	2	-	-	1	-	-	1	-	1	1	1
肇事致人死傷逃逸 Hit and run	9	-	-	-	-	-	9	-	29	25	-
其他 Other	-	-	-	-	-	-	-	-	-	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. 2)

2008

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯人數	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	沒收件數	沒收並追徵、追繳或抵償件數	追徵、追繳或抵償件數						
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	Number of persons deprived of civil rights	Number of confisca-tion cases	Number of confisca-tion and payment	Number of payment	Number of recidivists	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
1 104	938	198	-	28	-	1 895	6 934	1 272	42	7 565	6 182	976	9 385	7	2
911	604	184	-	26	-	482	3 131	5	3	3 180	5 066	910	7 243	5	1
-	-	-	-	-	-	-	2	-	-	-	5	-	12	-	-
2	-	3	-	-	-	-	5	-	-	15	34	14	27	-	-
66	1	-	-	-	-	156	1	1	-	2	153	-	147	-	-
-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	3	-	-
-	-	-	-	-	-	-	1	-	-	1	11	2	10	-	-
30	2	-	-	-	-	-	2	-	-	17	-	-	75	-	-
41	2	-	-	-	-	1	2	-	-	17	12	5	124	-	-
30	30	1	-	-	-	-	39	-	-	161	192	22	171	-	-
-	3	-	-	-	-	-	27	-	-	13	1	-	22	-	-
-	2	-	-	-	-	-	20	-	-	10	-	-	19	-	-
-	1	-	-	-	-	-	7	-	-	3	1	-	3	-	-
-	-	-	-	-	-	-	1	-	-	-	10	4	8	-	-
-	-	-	-	-	-	-	1	-	-	-	10	1	7	-	-
-	-	-	-	-	-	-	-	-	-	-	-	3	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	1	2	-	4	-	-
-	-	-	-	-	-	-	1	-	-	-	2	-	2	-	-
30	27	1	-	-	-	-	10	-	-	147	176	18	134	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	1	1	-	-	-	-	3	-	-	66	59	15	12	-	-
29	25	-	-	-	-	-	4	-	-	78	110	-	108	-	-
-	1	-	-	-	-	-	3	-	-	3	7	3	14	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	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(續三)

中華民國 97 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	無罪
			死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments									拘役	罰金			
					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 10years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	Detention	Punitive fine	Penalty released	Acquitted
偽造貨幣罪 Offenses of counterfeiting currency	36	44	-	-	-	1	4	1	10	-	-	-	-	-	-	-	9
偽造有價證券罪 Offenses of counterfeiting valuable securities	369	439	-	-	3	7	40	1	55	2	-	-	-	-	-	-	74
偽造度量衡罪 Offenses of falseifying weights and measures	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
偽造文書印文罪 Offenses of forging instruments or seals	1 355	2 217	-	-	276	87	52	5	5	-	-	-	-	9	-	-	385
偽造變造私文書 Forgery or alteration of private documents	981	1 474	-	-	174	64	25	3	3	-	-	-	-	-	-	-	257
偽造變造公文書 Forgery or alteration of public documents	123	192	-	-	4	13	25	2	2	-	-	-	-	-	-	-	12
偽造變造特種文書 Forgery or alteration of special documents	21	30	-	-	5	1	-	-	-	-	-	-	-	2	-	-	3
公文書不實登載 False entry in public documents	44	166	-	-	7	8	1	-	-	-	-	-	-	-	-	-	28
使公務員登載不實 Causing a functionary to make false entries in public documents	124	252	-	-	68	1	1	-	-	-	-	-	-	5	-	-	58
業務上文書登載不實 False entry in occupational documents	37	75	-	-	9	-	-	-	-	-	-	-	-	2	-	-	25
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	16	18	-	-	6	-	-	-	-	-	-	-	-	-	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	9	10	-	-	3	-	-	-	-	-	-	-	-	-	-	-	2
妨害性自主罪 Offenses against sextual autonomy	1 195	1 260	-	2	58	49	39	11	143	11	53	2	-	-	-	-	177
強制性交猥褻 Forced sexual intercourse or obscene act	1 171	1 235	-	-	57	48	37	11	143	11	53	2	-	-	-	-	175
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	13	14	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	11	11	-	-	1	1	2	-	-	-	-	-	-	-	-	-	2
妨害風化罪 Offenses against sexual morality	275	509	-	-	99	30	9	-	2	1	-	-	-	3	-	-	43
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	242	475	-	-	90	28	9	-	2	1	-	-	-	-	-	-	34
製造散布持有陳列猥褻文字圖畫物品 Production, distribution, possession or display of pornographic text or article	31	32	-	-	9	2	-	-	-	-	-	-	-	3	-	-	8
其他 Other	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
妨害婚姻及家庭罪 Offenses against marriage and family	85	118	-	-	48	1	1	-	-	-	-	-	-	-	-	-	18

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)

2008 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												拘役 Deten-tion	罰金 Punitive fine	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													
					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	5	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	7	9	1	32	-	-	-	-	-	-	-	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
6	33	1	-	-	103	46	30	6	10	-	-	-	-	6	-	1	2	
4	20	1	-	-	83	22	15	5	8	-	-	-	-	-	-	-	2	
-	9	-	-	-	1	11	9	1	2	-	-	-	-	-	-	1	-	
-	4	-	-	-	5	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	12	6	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	10	1	-	-	-	-	-	-	-	3	-	-	-	
-	-	-	-	-	4	-	-	-	-	-	-	-	-	3	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	4	-	3	2	12	11	10	3	76	7	50	4	-	-	-	-	-	
-	4	-	-	-	12	11	10	3	76	7	50	4	-	-	-	-	-	
-	-	-	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	23	12	4	1	3	5	-	1	-	2	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	23	12	4	1	3	5	-	1	-	2	-	-	-	
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	7	-	-	-	1	-	2	-	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(續四)

中華民國 97 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 無期徒刑 Life Sentence	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 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
偽造貨幣罪 Offenses of counterfeiting currency	-	-	2	-	2	3	-	-	-	-	-	1	-	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	-	7	12	41	8	26	6	-	-	-	-	-	-	27
偽造度量衡罪 Offenses of falseifying weights and measures	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	-	232	136	60	16	8	2	-	-	-	4	-	-	99
偽造變造私文書 Forgery or alteration of private documents	-	191	49	29	12	7	1	-	-	-	-	-	-	72
偽造變造公文書 Forgery or alteration of public documents	-	6	25	12	3	-	1	-	-	-	-	-	-	5
偽造變造特種文書 Forgery or alteration of special documents	-	4	1	-	-	-	-	-	-	-	-	-	-	-
公文書不實登載 False entry in public documents	-	3	57	19	1	1	-	-	-	-	-	-	-	6
使公務員登載不實 Causing a functionary to make false entries in public documents	-	15	2	-	-	-	-	-	-	-	1	-	-	9
業務上文書登載不實 False entry in occupational documents	-	11	-	-	-	-	-	-	-	-	3	-	-	6
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	-	2	1	-	-	-	-	-	-	-	-	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	-	1	-	-	-	-	-	-	-	-	-	-	1
妨害性自主罪 Offenses against sextual autonomy	3	29	24	39	7	88	9	49	1	1	-	-	-	71
強制性交猥褻 Forced sexual intercourse or obscene act	-	27	24	38	7	87	9	49	1	-	-	-	-	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	3	-	-	-	-	-	-	-	-	1	-	-	-	2
其他 Other	-	2	-	1	-	1	-	-	-	-	-	-	-	1
妨害風化罪 Offenses against sexual morality	-	46	89	18	4	4	1	-	3	-	-	-	-	8
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	88	18	4	4	1	-	3	-	-	-	-	8
製造散布持有陳列猥褻文字圖畫物品 Production, distribution, possession or display of pornographic text or article	-	-	1	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	1	-	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	-	6	-	1	-	1	-	1	-	-	-	-	-	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. 4)

2008 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 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
科刑 Individuals Sentenced													免除其刑 Penalty released							
死刑 Death Sentence	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										
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	3	-
-	-	2	5	7	5	16	5	-	-	-	-	-	-	1	7	-	-	30	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	139	37	15	9	2	1	-	-	-	4	-	-	3	23	-	169	188	7	
-	-	103	23	2	8	2	1	-	-	-	-	-	-	2	16	-	136	130	4	
-	-	1	6	9	1	-	-	-	-	-	-	-	-	1	-	-	11	16	3	
-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	
-	-	1	8	4	-	-	-	-	-	-	-	-	-	-	1	-	-	3	-	
-	-	20	-	-	-	-	-	-	-	-	2	-	-	-	4	-	22	28	-	
-	-	7	-	-	-	-	-	-	-	-	2	-	-	-	1	-	-	2	-	
-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	5	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	
-	-	7	15	8	10	36	11	28	3	-	-	-	-	-	9	-	3	80	2	
-	-	7	15	8	10	36	11	27	3	-	-	-	-	-	9	-	3	80	2	
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	30	6	2	1	1	-	-	-	-	5	-	-	-	1	-	2	48	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	29	6	2	1	1	-	-	-	-	-	-	-	-	1	-	1	47	-	
-	-	1	-	-	-	-	-	-	-	-	5	-	-	-	-	-	1	1	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	11	3	-	-	-	-	1	-	-	-	-	-	-	3	-	3	4	-	

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 97 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
偽造貨幣罪 Offenses of counterfeiting currency	-	-	-	-	-	-	-	-	-	1	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	12	-	-	-	1	-	11	-	-	48	-
偽造度量衡罪 Offenses of falseifying weights and measures	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	13	-	-	-	6	-	7	-	145	97	7
偽造變造私文書 Forgery or alteration of private documents	10	-	-	-	5	-	5	-	100	26	-
偽造變造公文書 Forgery or alteration of public documents	2	-	-	-	1	-	1	-	4	14	-
偽造變造特種文書 Forgery or alteration of special documents	1	-	-	-	-	-	1	-	2	1	-
公文書不實登載 False entry in public documents	-	-	-	-	-	-	-	-	8	55	-
使公務員登載不實 Causing a functionary to make false entries in public documents	-	-	-	-	-	-	-	-	24	-	4
業務上文書登載不實 False entry in occupational documents	-	-	-	-	-	-	-	-	5	-	3
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	-	-	-	-	-	-	-	-	2	1	-
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 sextual autonomy	264	-	2	-	-	179	83	-	32	78	-
強制性交猥褻 Forced sexual intercourse or obscene act	259	-	2	-	-	174	83	-	32	78	-
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	-	-	-	-	2	-	-	-	-	-
其他 Other	3	-	-	-	-	3	-	-	-	-	-
妨害風化罪 Offenses against sexual morality	9	-	-	-	-	1	8	-	29	25	3
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	9	-	-	-	-	1	8	-	29	25	2
製造散布持有陳列猥褻文字圖畫物品 Production, distribution, possession or display of pornographic text or article	-	-	-	-	-	-	-	-	-	-	1
其他 Other	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	1	-	-	-	-	-	1	-	6	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. 5)

2008 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 confiscation cases	沒收並追徵、追繳或抵償件數 Number of confiscation and payment	追徵、追繳或抵償件數 Number of payment						
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	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						六月以下有期徒刑 Timed imprisonments 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
-	1	-	-	-	-	-	26	-	-	8	-	-	4	-	-
-	48	-	-	-	-	-	254	-	-	48	7	-	41	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
145	97	7	-	-	-	1	565	-	-	154	695	25	1 070	2	1
100	26	-	-	-	-	-	449	-	-	109	517	-	688	-	-
4	14	-	-	-	-	-	83	-	-	21	2	-	78	2	1
2	1	-	-	-	-	-	9	-	-	4	20	2	21	-	-
8	55	-	-	-	-	-	4	-	-	3	2	-	110	-	-
24	-	4	-	-	-	-	5	-	-	11	109	12	121	-	-
5	-	3	-	-	-	-	-	-	-	2	31	11	40	-	-
2	1	-	-	-	-	1	10	-	-	2	10	-	8	-	-
-	-	-	-	-	-	-	5	-	-	2	4	-	4	-	-
32	75	-	-	3	-	12	56	-	-	111	33	-	192	-	-
32	75	-	-	3	-	1	52	-	-	109	31	-	188	-	-
-	-	-	-	-	-	11	4	-	-	2	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	2	-	3	-	-
29	25	3	-	-	-	2	153	-	-	73	188	11	248	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
29	25	2	-	-	-	2	136	-	-	68	177	2	240	-	-
-	-	1	-	-	-	-	17	-	-	5	10	9	8	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
6	1	-	-	-	-	-	3	-	-	3	65	-	51	-	-

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 97 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														免除其刑 Penalty released	無罪 Acquitted
			科刑 Individuals Sentenced															
			死刑 Death Sentence	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 1year	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	3	7	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
賭博罪 Offenses of gambling	100	504	-	-	68	28	-	-	-	-	-	-	-	-	27	-	-	233
單純賭博 Simple gambling	29	290	-	-	-	-	-	-	-	-	-	-	-	-	27	-	-	211
供給賭博場所等賭博 Gamble of providing gambling places and the like	71	214	-	-	68	28	-	-	-	-	-	-	-	-	-	-	-	22
殺人罪 Offenses of homicide	997	1 235	5	17	118	111	17	6	12	51	17	34	3	-	-	-	-	108
殺人 Homicide	457	620	5	17	-	2	2	6	12	51	17	34	3	-	-	-	-	29
既遂 Consummation	249	357	5	17	-	1	1	1	1	1	6	30	3	-	-	-	-	16
普通殺人 General homicide	242	350	5	16	-	1	1	1	1	1	6	30	2	-	-	-	-	15
殺害直系尊親屬 Homicide of lineal ascendants by blood	7	7	-	1	-	-	-	-	-	-	-	-	1	-	-	-	-	1
未遂 Attempt	208	263	-	-	-	1	1	5	11	50	11	4	-	-	-	-	-	13
普通殺人 General homicide	204	259	-	-	-	1	1	5	11	50	10	4	-	-	-	-	-	13
殺害直系尊親屬 Homicide of lineal ascendants by blood	4	4	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
過失致死 Manslaughter	540	615	-	-	118	109	15	-	-	-	-	-	-	-	-	-	-	79
一般過失致人於死 General negligent killing	12	13	-	-	3	2	-	-	-	-	-	-	-	-	-	-	-	2
醫師業務過失致人於死 Occupational negligent killing by a physician	20	27	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	13
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	200	215	-	-	33	38	7	-	-	-	-	-	-	-	-	-	-	23
交通一般過失致人於死 General negligent killing by a driver	249	261	-	-	68	63	8	-	-	-	-	-	-	-	-	-	-	15
其他業務過失致人於死 Other occupational negligent killing	59	99	-	-	14	6	-	-	-	-	-	-	-	-	-	-	-	26

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)

2008 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	-	-	-	28	3	5	-	-	-	-	-	-	-	-	3	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-
-	1	-	-	-	28	3	5	-	-	-	-	-	-	-	-	-	-	1
-	6	-	17	46	19	8	2	3	5	29	13	32	4	-	-	-	-	2
-	4	-	17	46	-	-	-	3	5	29	13	32	4	-	-	-	-	1
-	1	-	17	46	-	-	-	1	-	1	2	32	4	-	-	-	-	-
-	1	-	16	45	-	-	-	1	-	1	2	32	4	-	-	-	-	-
-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	3	-	-	-	-	-	-	2	5	28	11	-	-	-	-	-	-	1
-	3	-	-	-	-	-	-	2	5	28	11	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
-	2	-	-	-	19	8	2	-	-	-	-	-	-	-	-	-	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	7	4	1	-	-	-	-	-	-	-	-	-	-	1
-	-	-	-	-	12	4	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 97 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				
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	-	1	1	2	-	-	-	-	-	-	-	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	-	24	4	1	-	-	-	-	-	-	-	25	-	5
單純賭博 Simple gambling	-	2	1	-	-	-	-	-	-	-	-	25	-	4
供給賭博場所等賭博 Gamble of providing gambling places and the like	-	22	3	1	-	-	-	-	-	-	-	-	-	1
殺人罪 Offenses of homicide	14	80	34	8	12	18	31	12	49	11	3	-	-	51
殺人 Homicide	14	1	1	1	9	18	31	12	49	11	-	-	-	29
既遂 Consummation	14	-	-	1	-	5	10	5	48	11	-	-	-	20
普通殺人 General homicide	13	-	-	1	-	5	10	5	48	10	-	-	-	20
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	-	-	-	-	-	-	-	-	1	-	-	-	-
未遂 Attempt	-	1	1	-	9	13	21	7	1	-	-	-	-	9
普通殺人 General homicide	-	1	1	-	9	13	21	6	1	-	-	-	-	9
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	1	-	-	-	-	-	-
過失致死 Manslaughter	-	79	33	7	3	-	-	-	-	-	3	-	-	22
一般過失致人於死 General negligent killing	-	1	2	-	-	-	-	-	-	-	1	-	-	-
醫師業務過失致人於死 Occupational negligent killing by a physician	-	4	-	-	-	-	-	-	-	-	-	-	-	6
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	-	33	15	2	1	-	-	-	-	-	-	-	-	9
交通一般過失致人於死 General negligent killing by a driver	-	25	5	1	-	-	-	-	-	-	-	-	-	5
其他業務過失致人於死 Other occupational negligent killing	-	16	11	4	2	-	-	-	-	-	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. 7)

2008 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	無期徒刑	有刑徒刑 timed imprisonments										拘役	罰金							
Death Sentence	Life Sentence	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		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
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	18	3	-	-	-	-	-	-	-	-	-	16	-	-	1	-	-	10	-
-	-	-	-	-	-	-	-	-	-	-	-	-	16	-	-	-	-	-	1	-
-	-	18	3	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	9	-
1	2	47	26	6	2	1	30	10	23	1	3	-	-	1	4	-	4	58	8	
1	2	-	-	1	2	1	30	10	23	1	-	-	-	-	3	-	-	32	6	
1	2	-	-	-	-	-	16	1	21	1	-	-	-	-	1	-	-	12	2	
1	2	-	-	-	-	-	16	1	21	1	-	-	-	-	1	-	-	12	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	2	1	14	9	2	-	-	-	-	-	2	-	-	20	4	
-	-	-	-	1	2	1	14	9	2	-	-	-	-	-	2	-	-	19	4	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	47	26	5	-	-	-	-	-	-	3	-	-	1	1	-	4	26	2	
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	3	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	18	4	2	-	-	-	-	-	-	-	-	-	-	1	-	1	14	1	
-	-	23	18	3	-	-	-	-	-	-	1	-	-	-	-	-	-	9	-	
-	-	6	3	-	-	-	-	-	-	-	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 97 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	-	-	-	-	-	-	-	-	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	12	-	-	-	2	-	10	-	36	12	-
單純賭博 Simple gambling	-	-	-	-	-	-	-	-	-	-	-
供給賭博場所等賭博 Gamble of providing gambling places and the like	12	-	-	-	2	-	10	-	36	12	-
殺人罪 Offenses of homicide	33	-	14	-	1	1	13	4	68	70	3
殺人 Homicide	22	-	13	-	1	1	3	4	-	4	-
既遂 Consummation	10	-	7	-	-	1	-	2	-	1	-
普通殺人 General homicide	8	-	5	-	-	1	-	2	-	1	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	2	-	2	-	-	-	-	-	-	-	-
未遂 Attempt	12	-	6	-	1	-	3	2	-	3	-
普通殺人 General homicide	11	-	5	-	1	-	3	2	-	3	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	-	1	-	-	-	-	-	-	-	-
過失致死 Manslaughter	11	-	1	-	-	-	10	-	68	66	3
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	-	-	-	-	-	-	-	-	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	3	-	1	-	-	-	2	-	24	30	-
交通一般過失致人於死 General negligent killing by a driver	8	-	-	-	-	-	8	-	27	32	1
其他業務過失致人於死 Other occupational negligent killing	-	-	-	-	-	-	-	-	14	4	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. 8)

2008 Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯人數	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	沒收件數	沒收並追徵、追繳或抵償件數	追徵、追繳或抵償件數						
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	Number of persons deprived of civil rights	Number of confisca-tion cases	Number of confisca-tion and payment	Number of payment	Number of recidivists	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
-	-	-	-	-	-	-	-	-	-	2	1	-	8	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
36	12	-	-	-	-	-	75	-	-	16	136	-	178	-	-
-	-	-	-	-	-	-	21	-	-	-	2	-	49	-	-
36	12	-	-	-	-	-	54	-	-	16	134	-	129	-	-
68	69	3	-	1	-	199	242	1	-	97	262	6	309	1	-
-	3	-	-	1	-	199	240	1	-	94	-	-	17	1	-
-	1	-	-	-	-	188	131	1	-	56	-	-	11	1	-
-	1	-	-	-	-	183	130	1	-	54	-	-	11	1	-
-	-	-	-	-	-	5	1	-	-	2	-	-	-	-	-
-	2	-	-	1	-	11	109	-	-	38	-	-	6	-	-
-	2	-	-	1	-	11	109	-	-	37	-	-	6	-	-
-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
68	66	3	-	-	-	-	2	-	-	3	262	6	292	-	-
1	-	-	-	-	-	-	1	-	-	-	4	1	10	-	-
2	-	-	-	-	-	-	-	-	-	-	4	-	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
24	30	-	-	-	-	-	1	-	-	-	91	-	110	-	-
27	32	1	-	-	-	-	-	-	-	3	127	1	111	-	-
14	4	2	-	-	-	-	-	-	-	-	36	4	57	-	-

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 97 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 released	無罪 Acquitted
			死刑 Death Sentence	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	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				
傷害罪 Offenses of causing bodily harm	1 477	2 011	-	-	442	59	13	5	27	7	35	3	2	296	11	-	225
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	7	7	-	-	1	-	1	-	-	-	1	-	1	1	-	-	-
重傷害 Serious bodily harm	42	65	-	-	-	-	3	1	4	3	1	-	-	-	-	-	3
傷害致死 Bodily harm resulting in death	149	270	-	-	-	-	-	3	7	4	33	3	1	-	-	-	11
醫師業務過失傷害 Occupational negligent bodily harm by a physician	10	11	-	-	1	-	-	-	-	-	-	-	-	-	-	-	5
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	153	156	-	-	60	11	-	-	-	-	-	-	-	13	-	-	15
交通一般過失傷害 General negligent bodily harm by a driver	362	370	-	-	141	7	-	-	-	-	-	-	-	61	-	-	38
其他業務過失傷害 Other occupational negligent bodily harm	25	34	-	-	5	-	-	-	-	-	-	-	-	2	-	-	13
其他 Other	729	1 098	-	-	234	41	9	1	16	-	-	-	-	219	11	-	140
墮胎罪 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
遺棄罪 Offenses of abandonment	12	18	-	-	2	1	-	-	-	-	-	-	-	-	-	-	7
妨害自由罪 Offenses against personal liberty	673	1 318	-	-	224	40	17	-	1	-	3	-	-	85	1	-	235
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	4	16	-	-	-	-	1	-	-	-	3	-	-	-	-	-	3
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
略誘罪 Abduction	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	221	593	-	-	74	31	11	-	1	-	-	-	-	3	-	-	67
強制罪 Coercion offense	169	316	-	-	66	3	-	-	-	-	-	-	-	20	-	-	73
恐嚇危害安全 Obstruction of safety by threat	257	363	-	-	84	5	5	-	-	-	-	-	-	55	1	-	80
侵入或滯留 Trespassing on, or lingering in, a property	22	29	-	-	-	1	-	-	-	-	-	-	-	7	-	-	12
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)

2008 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	41	-	-	-	39	13	4	4	13	2	38	10	1	13	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	3	2	1	2	-	-	-	-	-	-
-	-	-	-	-	-	3	1	-	3	-	36	10	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	3	-	-	-	7	-	-	-	-	-	-	-	-	-	-	-	-
-	9	-	-	-	10	-	-	-	-	-	-	-	-	3	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	29	-	-	-	22	10	3	1	8	1	-	-	-	10	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	54	1	-	-	95	11	4	1	-	-	5	-	-	18	-	-	-
-	-	-	-	-	-	-	1	-	-	-	5	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	52	1	-	-	55	8	2	1	-	-	-	-	-	5	-	-	-
-	-	-	-	-	26	1	-	-	-	-	-	-	-	3	-	-	-
1	2	-	-	-	13	2	1	-	-	-	-	-	-	9	-	-	-
-	-	-	-	-	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)

中華民國 97 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 無期徒刑 Life Sentence	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 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
傷害罪 Offenses of causing bodily harm	-	105	53	27	24	36	22	45	13	3	38	6	-	36
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	-	-	1	-	-	-	-	-	-	-	-	-	-	-
重傷害 Serious bodily harm	-	2	6	9	5	3	6	-	-	-	-	-	-	2
傷害致死 Bodily harm resulting in death	-	1	-	4	14	17	16	45	13	3	-	-	-	1
醫師業務過失傷害 Occupational negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	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	-	7	-	-	-	-	-	-	-	-	3	-	-	2
交通一般過失傷害 General negligent bodily harm by a driver	-	20	-	-	-	-	-	-	-	-	13	-	-	5
其他業務過失傷害 Other occupational negligent bodily harm	-	3	-	-	-	-	-	-	-	-	2	-	-	4
其他 Other	-	72	46	14	5	16	-	-	-	-	19	6	-	19
墮胎罪 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-	-	-	-
遺棄罪 Offenses of abandonment	-	1	-	1	-	-	-	-	-	-	-	-	-	1
妨害自由罪 Offenses against personal liberty	-	115	68	32	4	2	-	3	-	-	25	3	-	35
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	3	-	-	-	-	-	-
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-	-	-	-
略誘罪 Abduction	-	-	-	-	-	1	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	-	75	56	28	4	1	-	-	-	-	5	-	-	6
強制罪 Coercion offense	-	14	7	3	-	-	-	-	-	-	11	2	-	10
恐嚇危害安全 Obstruction of safety by threat	-	25	5	1	-	-	-	-	-	-	7	1	-	18
侵入或滯留 Trespassing on, or lingering in, a property	-	1	-	-	-	-	-	-	-	-	2	-	-	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. 10)

2008 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 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
科刑 Individuals Sentenced													免除其刑 Penalty released								
死刑 Death Sentence	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											
-	-	79	16	-	3	20	4	16	3	-	35	4	-	-	14	-	16	85	1
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	2	2	1	-	-	-	-	-	-	-	1	-	-	3	-
-	-	-	-	-	-	11	-	15	3	-	-	-	-	-	2	-	-	9	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	15	4	-	-	-	-	-	-	-	2	-	-	-	1	-	4	9	-
-	-	30	2	-	-	-	-	-	-	-	8	-	-	-	-	-	8	15	-
-	-	2	-	-	-	-	-	-	-	-	1	-	-	-	-	-	2	-	-
-	-	32	9	-	1	7	3	-	-	-	24	4	-	-	10	-	2	49	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	-
-	-	58	21	2	1	-	-	1	-	-	37	-	-	1	5	-	4	101	4
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	23	18	1	1	-	-	1	-	-	7	-	-	-	4	-	1	50	1
-	-	25	3	-	-	-	-	-	-	-	12	-	-	-	1	-	1	35	-
-	-	9	-	1	-	-	-	-	-	-	17	-	-	1	-	-	2	15	3
-	-	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 97 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
傷害罪 Offenses of causing bodily harm	39	-	3	-	-	-	36	-	115	46	99
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	1	-	-	-	-	-	1	-	-	-	1
重傷害 Serious bodily harm	7	-	-	-	-	-	7	-	-	7	-
傷害致死 Bodily harm resulting in death	10	-	1	-	-	-	9	-	-	9	-
醫師業務過失傷害 Occupational negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	1
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	1	-	-	-	-	-	1	-	25	5	6
交通一般過失傷害 General negligent bodily harm by a driver	3	-	-	-	-	-	3	-	51	4	33
其他業務過失傷害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	2	-	2
其他 Other	17	-	2	-	-	-	15	-	37	21	56
墮胎罪 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-
遺棄罪 Offenses of abandonment	-	-	-	-	-	-	-	-	-	-	-
妨害自由罪 Offenses against personal liberty	8	-	1	-	-	-	7	-	23	9	24
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	-	-	1	-
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-
略誘罪 Abduction	-	-	-	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	5	-	-	-	-	-	5	-	10	7	5
強制罪 Coercion offense	1	-	1	-	-	-	-	-	5	-	8
恐嚇危害安全 Obstruction of safety by threat	2	-	-	-	-	-	2	-	8	1	10
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)

2008

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯人數	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	沒收件數	沒收並追徵、追繳或抵償件數	追徵、追繳或抵償件數						
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	Number of persons deprived of civil rights	Number of confisca-tion cases	Number of confisca-tion and payment	Number of payment	Number of recidivists	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
115	35	99	-	11	-	12	109	-	-	132	654	386	794	-	-
-	-	1	-	-	-	-	-	-	-	3	1	1	1	-	-
-	2	-	-	5	-	-	12	-	-	9	-	-	24	-	-
-	3	-	-	6	-	11	38	-	-	30	-	-	13	-	-
-	-	1	-	-	-	-	-	-	-	-	1	1	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
25	5	6	-	-	-	-	-	-	-	1	89	18	76	-	-
51	4	33	-	-	-	-	1	-	-	-	198	88	175	-	-
2	-	2	-	-	-	-	-	-	-	-	10	5	15	-	-
37	21	56	-	-	-	1	58	-	-	89	355	273	486	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	2	2	-	5	-	-
23	9	24	-	-	-	1	85	-	-	181	469	169	762	-	-
-	1	-	-	-	-	-	4	-	-	4	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10	7	5	-	-	-	1	45	-	-	102	214	18	388	-	-
5	-	8	-	-	-	-	13	-	-	41	126	46	166	-	-
8	1	10	-	-	-	-	23	-	-	33	126	91	202	-	-
-	-	1	-	-	-	-	-	-	-	1	3	14	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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 97 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									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	215	265	-	-	14	-	-	-	-	-	-	-	-	59	14	-	89
妨害秘密罪 Offenses relating to protection of secrets	7	7	-	-	-	-	-	1	-	-	-	-	-	-	-	-	3
竊盜罪 Offenses of larceny	2 492	2 930	-	-	560	707	76	13	3	-	-	-	-	34	4	-	280
普通竊盜竊占 Common theft and theft of movables or immovables	972	1 076	-	-	337	115	17	2	-	-	-	-	-	34	4	-	173
加重竊盜 Severe theft	1 503	1 804	-	-	222	588	56	11	2	-	-	-	-	-	-	-	98
常業竊盜 Occupational theft	17	50	-	-	1	4	3	-	1	-	-	-	-	-	-	-	9
強盜罪 Offenses of robbery	664	969	2	5	-	-	5	6	44	37	175	22	2	-	-	-	30
搶奪及海盜罪 Offenses of snatch of property and piracy	293	342	-	-	11	83	31	3	-	-	-	-	-	-	-	-	24
侵占罪 Offenses of misappropriation	544	646	-	-	119	66	11	3	4	-	-	-	-	4	3	-	140
普通侵占 Common embezzlement	137	169	-	-	30	10	1	-	-	-	-	-	-	4	-	-	63
公務公益侵占 Official embezzlement	9	12	-	-	-	2	1	-	1	-	-	-	-	-	-	-	3
業務侵占 Occupational embezzlement	386	452	-	-	89	54	9	3	3	-	-	-	-	-	-	-	70
侵占遺失物 Embezzlement of lost articles	12	13	-	-	-	-	-	-	-	-	-	-	-	-	3	-	4
詐欺罪 Offenses of fraud	1 835	2 884	-	-	536	172	90	44	29	4	-	-	-	26	1	-	454
一般詐欺 Common fraud	1 645	2 294	-	-	532	145	57	19	9	-	-	-	-	26	1	-	431
常業詐欺 Occupational fraud	190	590	-	-	4	27	33	25	20	4	-	-	-	-	-	-	23
背信罪 Offenses of breach of trust	134	318	-	-	13	8	5	1	1	-	-	-	-	2	-	-	126
重利罪 Offenses of usury	137	301	-	-	51	11	1	4	4	-	-	-	-	4	-	-	28
恐嚇取財罪 Offenses of obtaining property by threats	262	512	-	-	123	59	19	3	8	2	-	-	-	-	-	-	54
擄人勒贖罪 Offenses of kidnapping for ransom	53	123	-	3	-	-	-	-	6	-	4	3	1	-	-	-	9
贓物罪 Offenses relating to illegally obtained property	178	283	-	-	63	15	3	-	1	-	-	-	-	13	-	-	61
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	116	168	-	-	37	5	-	-	-	-	-	-	-	23	4	-	42
妨害電腦使用罪 Offenses of impairment to use of computers	10	10	-	-	1	-	-	-	-	-	-	-	-	-	-	-	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. 12)

2008 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												拘役 Deten-tion	罰金 Punitive fine	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													
					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	-	-	-	2	-	-	-	-	-	-	-	-	3	2	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	4	5	-	-	85	126	14	5	2	1	-	-	-	1	-	-	1
1	3	1	-	-	40	17	2	-	-	-	-	-	-	1	-	-	-
-	1	4	-	-	45	107	10	2	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	2	3	1	1	-	-	-	-	-	-	1
-	-	-	8	10	-	-	4	5	11	17	143	23	4	-	-	-	-
-	-	-	-	-	2	21	4	-	-	1	-	-	-	-	-	-	1
1	5	1	-	-	34	16	6	1	-	-	-	-	-	-	1	-	4
-	4	-	-	-	9	4	2	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	1	1	-	-	25	12	4	1	-	-	-	-	-	-	-	-	4
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
18	22	4	-	-	131	73	40	12	24	2	1	-	-	-	-	-	-
17	14	4	-	-	130	49	10	2	2	-	-	-	-	-	-	-	-
1	8	-	-	-	1	24	30	10	22	2	1	-	-	-	-	-	-
2	4	1	-	-	7	2	1	-	1	-	-	-	-	-	-	-	5
1	-	-	-	-	37	2	1	-	-	-	-	-	-	-	-	-	1
1	1	-	-	-	32	24	6	4	4	-	-	-	-	-	-	-	-
-	-	-	4	8	-	-	-	-	3	6	11	5	1	-	-	-	-
-	2	4	-	-	7	4	-	-	-	-	-	-	-	2	-	-	1
-	7	-	-	-	4	-	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(續十三)

中華民國 97 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 無期徒刑 Life Sentence	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 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
妨害名譽及信用罪 Offenses against personal reputation & credits	-	4	-	-	-	-	-	-	-	-	11	4	-	10
妨害秘密罪 Offenses relating to protection of secrets	-	-	1	-	-	-	-	-	-	-	-	-	-	1
竊盜罪 Offenses of larceny	-	102	67	12	7	3	-	-	-	-	7	-	-	35
普通竊盜竊占 Common theft and theft of movables or immovables	-	44	17	1	-	-	-	-	-	-	7	-	-	17
加重竊盜 Severe theft	-	58	48	9	2	-	-	-	-	-	-	-	-	17
常業竊盜 Occupational theft	-	-	2	2	5	3	-	-	-	-	-	-	-	1
強盜罪 Offenses of robbery	8	1	-	8	8	23	18	75	12	3	-	-	-	30
搶奪及海盜罪 Offenses of snatch of property and piracy	-	4	10	5	10	3	-	-	-	-	-	-	-	8
侵占罪 Offenses of misappropriation	-	39	25	7	6	1	1	-	-	-	1	1	-	17
普通侵占 Common embezzlement	-	6	5	-	-	-	-	-	-	-	1	-	-	3
公務公益侵占 Official embezzlement	-	1	3	-	-	-	-	-	-	-	-	-	-	1
業務侵占 Occupational embezzlement	-	32	17	7	6	1	1	-	-	-	-	-	-	13
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-	1	-	-
詐欺罪 Offenses of fraud	-	213	173	86	41	21	4	1	-	-	9	-	-	94
一般詐欺 Common fraud	-	186	65	28	9	2	1	-	-	-	9	-	-	67
常業詐欺 Occupational fraud	-	27	108	58	32	19	3	1	-	-	-	-	-	27
背信罪 Offenses of breach of trust	-	45	18	11	3	2	-	-	-	-	1	-	-	14
重利罪 Offenses of usury	-	54	29	10	4	1	-	-	-	-	1	-	-	1
恐嚇取財罪 Offenses of obtaining property by threats	-	43	24	10	5	1	-	-	-	-	-	-	-	16
擄人勒贖罪 Offenses of kidnapping for ransom	3	-	-	-	-	4	5	10	6	1	-	-	-	3
贓物罪 Offenses relating to illegally obtained property	-	12	8	1	-	-	-	-	-	-	1	-	-	12
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	6	1	-	-	-	-	-	-	-	-	1	-	4
妨害電腦使用罪 Offenses of impairment to use of computers	-	-	-	-	-	-	-	-	-	-	-	-	-	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. 13)

2008 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 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
科刑 Individuals Sentenced													免除其刑 Penalty released							
死刑 Death Sentence	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										
-	-	4	-	-	-	-	-	-	-	-	8	8	-	-	10	-	3	13	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	77	66	13	6	3	-	-	-	-	7	2	-	7	8	-	5	578	3
-	-	48	13	1	-	-	-	-	-	-	7	2	-	4	3	-	5	159	1
-	-	26	51	12	5	2	-	-	-	-	-	-	-	3	5	-	-	417	2
-	-	3	2	-	1	1	-	-	-	-	-	-	-	-	-	-	-	2	-
3	2	1	-	-	1	2	11	47	8	-	-	-	-	2	5	-	-	146	2
-	-	5	11	4	1	2	-	-	-	-	-	-	-	-	1	-	-	97	-
-	-	23	12	7	4	4	-	2	-	-	2	2	-	1	2	-	2	64	4
-	-	12	-	-	-	-	-	-	-	-	2	-	-	-	-	-	2	10	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	11	12	7	4	4	-	2	-	-	-	-	-	1	2	-	-	53	2
-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	1	1
-	-	147	57	25	14	17	5	-	-	-	15	-	-	4	17	-	32	219	7
-	-	142	44	17	6	8	-	-	-	-	15	-	-	4	16	-	21	199	7
-	-	5	13	8	8	9	5	-	-	-	-	-	-	-	1	-	11	20	-
-	-	22	2	5	-	1	-	-	-	-	1	-	-	-	-	-	-	13	1
-	-	12	5	1	1	1	-	-	-	-	5	-	-	-	1	-	3	27	-
-	-	20	8	2	2	1	1	-	-	-	-	-	-	1	2	-	-	36	-
-	-	-	-	-	-	6	1	7	5	-	-	-	-	-	-	-	-	7	1
-	-	20	11	1	1	-	-	-	-	-	8	-	-	-	-	-	-	30	2
-	-	5	2	-	-	-	-	-	-	-	4	-	-	-	6	-	6	9	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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 97 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
妨害名譽及信用罪 Offenses against personal reputation & credits	1	-	-	-	-	-	1	-	5	-	18
妨害秘密罪 Offenses relating to protection of secrets	-	-	-	-	-	-	-	-	-	-	-
竊盜罪 Offenses of larceny	129	-	8	-	107	-	13	1	43	25	9
普通竊盜竊占 Common theft and theft of movables or immovables	44	-	7	-	29	-	7	1	19	6	9
加重竊盜 Severe theft	71	-	1	-	64	-	6	-	24	14	-
常業竊盜 Occupational theft	14	-	-	-	14	-	-	-	-	5	-
強盜罪 Offenses of robbery	29	-	4	-	12	4	9	-	-	12	-
搶奪及海盜罪 Offenses of snatch of property and piracy	23	-	-	-	17	-	6	-	-	6	-
侵占罪 Offenses of misappropriation	4	-	-	-	-	-	3	1	44	27	1
普通侵占 Common embezzlement	1	-	-	-	-	-	-	1	10	1	1
公務公益侵占 Official embezzlement	-	-	-	-	-	-	-	-	1	4	-
業務侵占 Occupational embezzlement	3	-	-	-	-	-	3	-	33	22	-
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	46	-	-	-	19	-	26	1	141	103	2
一般詐欺 Common fraud	27	-	-	-	6	-	21	-	130	27	2
常業詐欺 Occupational fraud	19	-	-	-	13	-	5	1	11	76	-
背信罪 Offenses of breach of trust	-	-	-	-	-	-	-	-	9	11	1
重利罪 Offenses of usury	7	-	-	-	-	-	7	-	18	3	1
恐嚇取財罪 Offenses of obtaining property by threats	29	-	-	-	12	-	16	1	17	18	-
擄人勒贖罪 Offenses of kidnapping for ransom	-	-	-	-	-	-	-	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	3	-	-	-	2	-	1	-	7	2	2
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	-	-	-	-	-	-	-	4	1	10
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)

2008

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯人數	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	沒收件數	沒收並追徵、追繳或抵償件數	追徵、追繳或抵償件數						
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	Number of persons deprived of civil rights	Number of confisca-tion cases	Number of confisca-tion and payment	Number of payment	Number of recidivists	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
5	-	18	-	-	-	-	3	-	-	6	24	83	86	-	-
-	-	-	-	-	-	-	2	-	-	-	-	-	3	-	-
43	25	9	-	-	-	-	651	2	-	1 208	560	59	619	-	-
19	6	9	-	-	-	-	109	1	-	424	332	59	246	-	-
24	14	-	-	-	-	-	529	1	-	772	227	-	359	-	-
-	5	-	-	-	-	-	13	-	-	12	1	-	14	-	-
-	2	-	-	10	-	59	293	1	-	263	2	-	21	-	-
-	6	-	-	-	-	-	62	-	-	138	14	-	50	-	-
44	27	1	-	-	-	-	48	-	1	40	182	7	291	-	-
10	1	1	-	-	-	-	3	-	1	8	57	7	80	-	-
1	4	-	-	-	-	-	-	-	-	-	-	-	7	-	-
33	22	-	-	-	-	-	45	-	-	32	125	-	195	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	9	-	-
141	102	2	-	1	-	2	264	-	2	279	844	50	1 183	2	-
130	27	2	-	-	-	2	149	-	2	228	839	50	974	2	-
11	75	-	-	1	-	-	115	-	-	51	5	-	209	-	-
9	11	1	-	-	-	-	6	-	-	3	85	4	123	-	-
18	3	1	-	-	-	-	51	-	-	40	139	10	179	-	-
17	18	-	-	-	-	-	73	-	-	85	153	-	274	-	-
-	-	-	-	-	-	37	36	-	-	20	-	-	2	-	-
7	2	2	-	-	-	-	16	-	-	49	90	24	110	-	-
4	1	10	-	-	-	-	6	-	-	8	50	33	66	-	-
-	-	-	-	-	-	-	-	-	-	-	3	-	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(續十五)

中華民國 97 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 released	無罪 Acquitted
			死刑 Death Sentence	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					
特別刑事法計 Sub-total of special criminal law	10 718	14 334	-	31	688	2 635	502	87	407	163	195	90	115	39	29	2	1 562
貪污治罪條例 Punishment of corruption act	463	1 266	-	-	2	6	13	11	4	12	14	18	-	-	-	1	333
懲治盜匪條例 Punishment of thiefs and bandits act	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
妨害兵役治罪條例 Punishment of offenses against military service act	12	12	-	-	1	-	-	-	-	-	-	-	-	-	-	-	6
違反電信法 Violation of the telecommunications act	19	25	-	-	7	-	-	-	-	-	-	-	-	-	-	-	3
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	27	54	-	-	9	6	-	-	-	-	-	-	-	-	-	-	6
違反森林法 Violation of the forestry law	27	37	-	-	2	9	3	1	-	-	-	-	-	-	-	-	2
違反漁業法 Violation of the fishery law	2	6	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	7 312	8 173	-	31	347	2 454	319	27	63	61	164	72	115	3	-	-	266
製造運輸販賣 Manufacture, transport, or sale	2 091	2 887	-	31	-	-	8	16	63	61	163	71	115	-	-	-	230
施用 Use	4 967	4 975	-	-	305	2 418	292	1	-	-	-	-	-	-	-	-	13
其他 Other	254	311	-	-	42	36	19	10	-	-	1	1	-	3	-	-	23
陸海空軍刑法 Criminal law of the armed forces	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	4	19	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違反電業法 Violation of the electricity management law	25	29	-	-	7	6	-	1	-	-	-	-	-	1	-	-	3
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	10	12	-	-	4	-	-	-	-	-	-	-	-	-	1	-	1
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	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	5	8	-	-	-	-	-	-	-	-	-	-	-	-	2	-	4
違反勞工安全衛生法 Violation of the labor safety and health law	2	13	-	-	1	-	-	-	-	-	-	-	-	-	6	-	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)

2008 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					
31	82	9	-	89	147	166	115	69	202	169	250	142	124	8	3	1	20
3	-	-	-	-	11	6	9	20	6	46	30	62	-	-	-	1	3
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	2	3	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
20	50	5	-	87	21	103	31	14	47	57	212	79	124	-	-	-	6
3	9	1	-	87	-	-	4	12	47	54	212	79	124	-	-	-	6
14	40	4	-	-	17	96	12	-	-	-	-	-	-	-	-	-	-
3	1	-	-	-	4	7	15	2	-	3	-	-	-	-	-	-	-
-	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 97 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 無期徒刑 Life Sentence	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 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
特別刑事法計 Sub-total of special criminal law	3	475	410	217	128	255	203	287	248	164	5	13	6	520
貪污治罪條例 Punishment of corruption act	-	19	75	34	43	31	68	44	38	-	-	-	2	138
懲治盜匪條例 Punishment of thiefs 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	-	3	2	-	-	-	-	-	-	-	-	1	-	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	-	18	2	-	-	-	2	-	-	-	-	-	-	-
違反森林法 Violation of the forestry law	-	5	1	-	-	-	-	-	-	-	-	-	-	2
違反漁業法 Violation of the fishery law	-	2	2	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	2	67	93	35	29	113	70	230	207	164	-	-	2	131
製造運輸販賣 Manufacture, transport, or sale	2	-	3	14	22	108	68	229	207	164	-	-	-	121
施用 Use	-	58	66	8	-	-	-	-	-	-	-	-	2	7
其他 Other	-	9	24	13	7	5	2	1	-	-	-	-	-	3
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	10	6	-	-	-	-	-	-	-	-	-	-	-
違反電業法 Violation of the electricity management law	-	7	-	-	-	-	-	-	-	-	-	-	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	2	1	-	-	-	-	-	-	-	-	-	-	-
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	-	-

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)

2008 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 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
科刑 Individuals Sentenced													免除其刑 Penalty released							
死刑 Death Sentence	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										
-	12	156	101	63	40	109	90	111	89	39	13	17	-	41	78	2	69	2 172	26
-	-	6	6	12	11	13	30	13	30	-	-	-	-	10	15	-	1	10	6
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	6	-
-	-	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	11	29	44	15	11	25	33	85	56	39	1	-	-	13	29	1	43	1 805	12
-	11	-	-	2	8	24	30	85	55	39	-	-	-	7	2	-	6	278	6
-	-	15	41	9	1	-	-	-	-	-	-	-	-	5	26	1	37	1 482	5
-	-	14	3	4	2	1	3	-	1	-	1	-	-	1	1	-	-	45	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	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 97 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	152	-	1	2	31	2	82	34	193	336	14
貪污治罪條例 Punishment of corruption act	5	-	-	-	-	-	4	1	13	51	-
懲治盜匪條例 Punishment of thiefs 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	-	-	-	-	-	-	1	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	-	-	-	-	-	-	-	-	10	1	-
違反森林法 Violation of the forestry law	1	-	-	-	-	-	-	1	2	3	-
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	42	-	-	-	1	-	10	31	-	18	-
製造運輸販賣 Manufacture, transport, or sale	37	-	-	-	-	-	6	31	-	11	-
施用 Use	3	-	-	-	1	-	2	-	-	3	-
其他 Other	2	-	-	-	-	-	2	-	-	4	-
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	-	-
違反電業法 Violation of the electricity management law	1	-	-	-	1	-	-	-	3	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-

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)

2008

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯人數	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	沒收件數	沒收並追徵、追繳或抵償件數	追徵、追繳或抵償件數						
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	Number of persons deprived of civil rights	Number of confisca-tion cases	Number of confisca-tion and payment	Number of payment	Number of recidivists	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
193	334	14	-	2	-	1 413	3 803	1 267	39	4 385	1 116	66	2 142	2	1
13	51	-	-	-	-	745	26	158	36	20	-	-	197	2	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	1	5	-	3	-	-
1	-	-	-	-	-	-	9	-	-	6	10	-	12	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10	1	-	-	-	-	3	11	-	-	4	9	-	33	-	-
2	3	-	-	-	-	-	15	-	-	7	10	-	15	-	-
1	-	-	-	-	-	-	2	-	-	2	3	-	-	-	-
-	16	-	-	2	-	339	2 455	1 089	-	3 787	321	4	413	-	-
-	9	-	-	2	-	337	563	1 069	-	808	-	-	10	-	-
-	3	-	-	-	-	-	1 768	-	-	2 881	269	-	251	-	-
-	4	-	-	-	-	2	124	20	-	98	52	4	152	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	2	-	-	-	10	-	16	-	-
3	-	-	-	-	-	-	12	-	-	8	12	1	11	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	1	7	-	7	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	4	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	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(續十八)

中華民國 97 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 released	無罪 Acquitted
			死刑 Death Sentence	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	60	98	-	-	15	2	-	-	-	-	-	-	-	1	-	-	40
違反菸酒管理法 Violation of tobacco and alcohol management law	4	7	-	-	-	1	-	-	-	-	-	-	-	-	-	-	4
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	18	29	-	-	-	-	-	-	1	2	-	-	-	-	-	-	2
違反醫師法 Violation of the physicians law	14	21	-	-	5	1	-	-	-	-	-	-	-	-	-	-	4
違反藥事法 Violation of the pharmaceutical affairs act	115	159	-	-	19	12	5	-	1	-	-	-	-	-	-	-	12
偽藥 Counterfeit medicine	115	159	-	-	19	12	5	-	1	-	-	-	-	-	-	-	12
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	4	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	140	221	-	-	27	14	-	-	-	-	-	-	-	2	2	-	55
違法重製罪 Offence of unlawful reproduction	54	88	-	-	13	7	-	-	-	-	-	-	-	-	1	-	21
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	35	46	-	-	4	6	-	-	-	-	-	-	-	-	1	-	11
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	27	39	-	-	10	-	-	-	-	-	-	-	-	2	-	-	16
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	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	23	46	-	-	-	1	-	-	-	-	-	-	-	-	-	-	7
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	6	7	-	-	1	-	-	-	-	-	-	-	-	-	1	-	5
違反公平交易法 Violation of the fair trade act	7	31	-	-	-	1	-	-	-	-	-	-	-	-	2	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	28	54	-	-	10	2	-	-	-	-	-	-	-	-	-	-	8
違反野生動物保育法 Violation of the wildlife conservation law	13	14	-	-	2	3	-	-	-	-	-	-	-	-	-	-	3
違反水污染防治法 Violation of the water pollution control law	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	111	183	-	-	8	21	24	2	2	-	-	-	-	-	-	-	15

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)

2008 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 prosecutable	不受理 Case declined	管轄錯誤 Mistake of competency	科刑 Individuals Sentenced												拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
			死刑 Death Sentence	無期徒刑 Life Sentence	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					
-	-	1	-	-	5	1	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	2	-	6	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	-	11	10	-	1	1	1	-	-	-	-	2	-	-	
-	2	-	-	-	11	10	-	1	1	1	-	-	-	-	2	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	4	-	-	-	15	2	1	-	-	-	-	-	-	1	1	-	-	
-	2	-	-	-	4	-	1	-	-	-	-	-	-	1	1	-	-	
-	2	-	-	-	8	2	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	6	9	13	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(續十九)

中華民國 97 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	-	8	1	-	-	-	-	-	-	-	-	-	-	5
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	-	-	1	-	2	2	7	2	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	-	3	3	1	-	-	-	-	-	-	-	-	-	2
違反藥事法 Violation of the pharmaceutical affairs act	-	14	14	4	9	3	-	-	-	-	-	1	-	5
偽藥 Counterfeit medicine	-	14	14	4	9	3	-	-	-	-	-	1	-	5
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	1	-	-	-	1	-	-	-	-	-	1
違反著作權法 Violation of the copyright law	-	12	24	1	-	-	-	-	-	-	-	2	-	7
違法重製罪 Offence of unlawful reproduction	-	7	2	-	-	-	-	-	-	-	-	1	-	6
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	-	3	-	-	-	-	-	-	-	-	-	-	-	1
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	22	1	-	-	-	-	-	-	-	1	-	-
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反公平交易法 Violation of the fair trade act	-	20	3	-	-	-	-	-	-	-	1	1	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	-	10	3	4	1	-	-	-	-	-	-	-	-	8
違反野生動物保育法 Violation of the wildlife conservation law	-	2	-	-	-	-	-	-	-	-	-	-	-	2
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	-	12	23	6	2	-	-	-	-	-	-	-	-	7

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)

2008 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 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
科刑 Individuals Sentenced														免除其刑 Penalty released							
死刑 Death Sentence	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										
-	-	12	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	5	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	4	9	4	1	1	-	-	-	-	-	-	1	-	-	1	-	1	10	-
-	-	4	9	4	1	1	-	-	-	-	-	-	1	-	-	1	-	1	10	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	16	4	-	-	-	-	-	-	-	5	2	-	-	9	1	3	10	-	
-	-	11	2	-	-	-	-	-	-	-	1	2	-	-	2	-	2	1	-	
-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	-	
-	-	2	-	-	-	-	-	-	-	-	4	-	-	-	2	1	1	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	5	-	-	4	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	5	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	
-	-	5	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	21	-	

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 97 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	-	-	-	-	-	-	-	-	6	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	-	-	-	-	-	-	-	-	1	1	-
違反藥事法 Violation of the pharmaceutical affairs act	-	-	-	-	-	-	-	-	8	8	-
偽藥 Counterfeit medicine	-	-	-	-	-	-	-	-	8	8	-
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	6	-	-	-	-	-	6	-	19	9	2
違法重製罪 Offence of unlawful reproduction	1	-	-	-	-	-	1	-	9	1	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	1	-	-	-	-	-	1	-	6	-	1
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	-	-	-	-	-	-	-	-	2	-	-
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	-	-	-	-	-	-	-	-	2	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	4	-	-	-	-	-	4	-	-	8	-
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	-	-	-	-	-	-	-	-	-	-	-
違反公平交易法 Violation of the fair trade act	-	-	-	-	-	-	-	-	12	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	-	-	-	-	-	-	-	-	-	-	-
違反野生動物保育法 Violation of the wildlife conservation law	-	-	-	-	-	-	-	-	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	6	-	-	-	-	-	6	-	7	20	-

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)

2008 Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯人數	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	沒收件數	沒收並追徵、追繳或抵償件數	追徵、追繳或抵償件數						
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	Number of persons deprived of civil rights	Number of confisca-tion cases	Number of confisca-tion and payment	Number of payment	Number of recidivists	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
6	1	-	-	-	-	-	1	-	-	5	38	1	45	-	-
-	-	-	-	-	-	-	1	-	-	1	2	-	1	-	-
-	-	-	-	-	-	-	15	-	-	5	-	-	3	-	-
1	1	-	-	-	-	-	4	-	-	2	9	-	12	-	-
8	8	-	-	-	-	-	67	1	-	19	9	-	96	-	-
8	8	-	-	-	-	-	67	1	-	19	9	-	96	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	3	-	-	2	-	-	-	-	-
19	9	2	-	-	-	-	74	-	1	18	67	8	108	-	-
9	1	1	-	-	-	-	29	-	-	5	35	2	47	-	-
6	-	1	-	-	-	-	16	-	1	8	17	-	18	-	-
2	-	-	-	-	-	-	13	-	-	1	13	6	14	-	-
2	-	-	-	-	-	-	1	-	-	-	2	-	2	-	-
-	8	-	-	-	-	-	15	-	-	4	-	-	27	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	1	1	-	1	-	-
12	-	-	-	-	-	-	1	-	-	2	22	1	29	-	-
-	-	-	-	-	-	-	5	-	-	6	21	-	31	-	-
1	-	-	-	-	-	-	6	-	-	2	4	-	4	-	-
-	-	-	-	-	-	-	-	-	-	1	-	3	3	-	-
7	20	-	-	-	-	-	15	-	-	21	25	1	128	-	-

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 97 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	無罪
			死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments										拘役	罰金		
					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		Detention	Punitive fine	Penalty released	Acquitted
違反公司法 Violation of the company law	39	57	-	-	13	-	1	-	2	-	-	-	-	1	-	-	6
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	44	74	-	-	16	1	-	-	-	-	-	-	-	2	-	-	30
侵害他人商標罪 Offense of trademark infringement	9	29	-	-	4	-	-	-	-	-	-	-	-	-	-	-	19
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	34	44	-	-	12	1	-	-	-	-	-	-	-	2	-	-	10
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	1 118	1 371	-	-	8	27	43	40	296	82	10	-	-	-	-	1	91
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	10	14	-	-	-	-	-	-	-	-	-	-	-	3	-	-	10
違反銀行法 Violation of the banking law	36	137	-	-	-	1	4	-	8	1	7	-	-	-	-	-	17
違反選舉罷免法 Violation of the election and recall law	257	636	-	-	7	3	49	2	16	-	-	-	-	-	-	-	267
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	113	162	-	-	10	3	2	1	8	3	-	-	-	-	-	-	30
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	668	1 394	-	-	166	62	39	2	6	2	-	-	-	26	15	-	332
併案裁判 consolidated judgments	18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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)

2008 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	-	-	-	8	2	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	-	2	-	-	-	-	-	-	-	-	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	-	2	-	-	-	-	-	-	-	-	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	6	-	-	2	4	-	13	21	104	51	5	-	-	-	-	-	-	-	2
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	4	-	-	-	-	-	4	-	4	-	2	-	-	-	-	-	-	-	-
-	1	-	-	-	4	2	14	4	18	-	-	-	-	-	-	-	-	-	2
-	1	-	-	-	-	1	-	1	13	5	-	1	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	5	1	-	-	51	26	26	4	9	3	1	-	-	5	-	-	-	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(續二二)

中華民國 97 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 無期徒刑 Life Sentence	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 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
違反公司法 Violation of the company law	-	4	-	-	-	-	-	-	-	-	-	-	-	5
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	-	6	-	-	-	-	-	-	-	-	2	-	-	4
侵害他人商標罪 Offense of trademark infringement	-	1	-	-	-	-	-	-	-	-	1	-	-	3
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	5	-	-	-	-	-	-	-	-	1	-	-	1
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	1	12	25	53	31	79	40	8	2	-	-	-	1	41
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反銀行法 Violation of the banking law	-	2	15	3	-	8	-	-	-	-	-	-	-	41
違反選舉罷免法 Violation of the election and recall law	-	85	28	28	3	9	-	-	-	-	-	-	1	46
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	5	4	4	13	2	1	-	-	-	-	6
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	149	86	42	4	6	3	-	-	-	2	7	-	67

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)

2008

Unit: case; 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 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
科刑 Individuals Sentenced														免除其刑 Penalty released						
死刑 Death Sentence	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										
-	-	2	-	-	-	-	-	-	-	-	-	1	-	-	1	1	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	5	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	2	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	4	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	1	5	10	5	37	15	6	3	-	-	-	-	-	2	3	-	5	173	4
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	3	-	4	-	-	-	-	-	-	-	-	-	-	8	-
-	-	14	1	3	8	15	-	-	-	-	-	-	-	-	-	3	-	-	2	1
-	-	7	-	5	1	12	6	-	-	-	-	-	-	-	-	1	-	-	12	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	43	28	12	2	3	4	3	-	-	2	10	-	12	16	-	12	88	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 97 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	-	-
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	-	-	-	-	-	-	-	-	2	1	2
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	1	-	-
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	1	1	2
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	5	-	1	-	1	-	3	-	2	35	-
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	1
違反銀行法 Violation of the banking law	1	-	-	-	-	-	1	-	-	18	-
違反選舉罷免法 Violation of the election and recall law	24	-	-	-	-	-	24	-	17	74	-
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	9	-	-	-	-	2	7	-	3	10	-
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-
其他 Other	51	-	-	2	28	-	21	-	82	86	9

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)

2008 Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯人數	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	沒收件數	沒收並追徵、追繳或抵償件數	追徵、追繳或抵償件數						
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	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	Number of persons deprived of civil rights	Number of confiscation cases	Number of confiscation and payment	Number of payment	Number of recidivists	六月以下有期徒刑 Timed imprisonments 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
2	-	-	-	-	-	-	1	-	-	1	27	2	37	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	1	2	-	-	-	-	26	-	-	1	29	6	30	-	-
1	-	-	-	-	-	-	5	-	-	-	6	1	6	-	-
1	1	2	-	-	-	-	21	-	-	1	23	5	24	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	35	-	-	-	-	11	838	3	-	319	19	-	121	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	3	1	-	-
-	18	-	-	-	-	-	9	4	-	2	2	-	19	-	-
17	74	-	-	-	-	313	76	9	-	22	102	-	135	-	-
3	10	-	-	-	-	-	35	-	-	14	18	-	10	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
82	86	9	-	-	-	2	93	3	2	105	333	36	609	-	-