# 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 96 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** | **25 845** | **36 294** | **4** | **74** | **2 277** | **2 320** | **784** | **183** | **689** | **284** | **532** | **187** | **40** | **409** | **83** | **1** | **4 980** |
| **普通刑法計 Subtotal of general criminal law** | **15 211** | **22 137** | **4** | **35** | **1 774** | **1 142** | **465** | **130** | **308** | **137** | **336** | **98** | **5** | **385** | **58** | **-** | **3 589** |
| 瀆職罪 Offenses of malfeasance in office | 28 | 72 | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | 14 |
| 妨害公務罪 Offenses of interference with public functions | 86 | 95 | - | - | 23 | 2 | - | 1 | - | - | - | - | - | 4 | - | - | 12 |
| 妨害投票罪 Offenses of interference with voting | 52 | 725 | - | - | 86 | 1 | - | - | - | - | - | - | - | - | - | - | 452 |
| 妨害秩序罪 Offenses of interference with public order | 8 | 27 | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | 7 |
| 脫逃罪 Offenses of escape | 7 | 8 | - | - | - | 2 | - | - | - | - | - | - | - | - | - | - | 2 |
| 藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence | 12 | 36 | - | - | 6 | 5 | 1 | - | - | - | - | - | - | - | - | - | 6 |
| 偽證罪 Offenses of perjury | 124 | 181 | - | - | 33 | 14 | 2 | - | - | - | - | - | - | - | - | - | 45 |
| 誣告罪 Offenses of malicious accusation | 214 | 259 | - | - | 30 | 11 | 3 | - | - | - | - | - | - | 2 | - | - | 72 |
| 公共危險罪 Offenses against public safety | 651 | 694 | - | - | 88 | 111 | 14 | - | 7 | 1 | - | - | - | 2 | 4 | - | 68 |
| 放火 Arson | 79 | 90 | - | - | 1 | 2 | 10 | - | 7 | 1 | - | - | - | - | - | - | 10 |
| 燒燬建築物及住宅 Destruction by fire of building and residence | 64 | 72 | - | - | - | 1 | 5 | - | 7 | 1 | - | - | - | - | - | - | 10 |
| 燒燬其他物件 Destruction by fire of other objects | 15 | 18 | - | - | 1 | 1 | 5 | - | - | - | - | - | - | - | - | - | - |
| 失火 Negligent fire | 16 | 22 | - | - | 8 | - | - | - | - | - | - | - | - | 1 | - | - | 1 |
| 燒燬建築物及住宅 Destruction by fire of building and residence | 14 | 20 | - | - | 8 | - | - | - | - | - | - | - | - | 1 | - | - | 1 |
| 燒燬其他物件 Destruction by fire of other objects | 2 | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違背建築術成規 Violation of building practice | 1 | 5 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 |
| 妨害衛生 Obstruction to sanitation | 2 | 7 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 漏逸氣體 Gas leak | 6 | 6 | - | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - | 1 |
| 妨害交通安全 Obstruction to traffic safety | 545 | 562 | - | - | 78 | 108 | 4 | - | - | - | - | - | - | 1 | 4 | - | 53 |
| 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 | 131 | 134 | - | - | 21 | 21 | - | - | - | - | - | - | - | 1 | 4 | - | 4 |
| 肇事致人死傷逃逸 Hit and run | 393 | 394 | - | - | 50 | 87 | 4 | - | - | - | - | - | - | - | - | - | 35 |
| 其他 Other | 21 | 34 | - | - | 7 | - | - | - | - | - | - | - | - | - | - | - | 14 |
| 危險物 Hazard materials | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 爆裂物 Explosives | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 核能放射線 Nuclear radiation | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |

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

2007 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 | | | | |
| **139** | **478** | **22** | **53** | **252** | **648** | **516** | **536** | **181** | **533** | **322** | **558** | **233** | **27** | **55** | **20** | **1** | **68** |
| **46** | **301** | **2** | **47** | **95** | **498** | **293** | **322** | **122** | **297** | **99** | **287** | **87** | **4** | **47** | **14** | **-** | **39** |
| - | 25 | - | - | - | 7 | 3 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 3 | - | - | - | 1 | - | - | - | - | 1 | - | - | - |
| - | - | - | - | - | 10 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| - | - | - | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 2 | - | - | - | 4 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 2 | - | - | - | 4 | 1 | - | - | - | - | - | - | - | - | - | - | - |
| 1 | 2 | - | - | - | 7 | 5 | 1 | - | - | - | - | - | - | 2 | - | - | - |
| - | 5 | - | - | - | 8 | 16 | 2 | - | 6 | - | 1 | - | - | 1 | 2 | - | 1 |
| - | - | - | - | - | - | - | 2 | - | 6 | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 1 | - | 6 | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - |
| - | 2 | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 2 | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 3 | - | - | - | 7 | 15 | - | - | - | - | 1 | - | - | 1 | 2 | - | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 3 | - | - | - | 1 | - | - | - | - | - | - | - | - | 1 | 1 | - | - |
| - | - | - | - | - | 6 | 15 | - | - | - | - | - | - | - | - | - | - | 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(續一)

中華民國 96 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 | 無罪 |
| | 無期徒刑 Life Sentence | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 Detention | 罰金 Punitive fine | Penalty released | Acquitted |
| | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | | | | |
| **合計 Total** | **44** | **3 630** | **1 418** | **941** | **350** | **538** | **354** | **538** | **399** | **63** | **312** | **73** | **8** | **1 091** |
| **普通刑法計 Subtotal of general criminal law** | **41** | **2 523** | **848** | **616** | **213** | **299** | **143** | **215** | **111** | **15** | **275** | **50** | **2** | **619** |
| 瀆職罪 Offenses of malfeasance in office | - | 4 | 2 | 1 | - | - | - | - | - | - | - | - | - | 6 |
| 妨害公務罪 Offenses of interference with public functions | - | 13 | 1 | - | 1 | 1 | - | - | - | - | 1 | - | 1 | 8 |
| 妨害投票罪 Offenses of interference with voting | - | 81 | 2 | 1 | - | - | - | - | - | - | - | - | - | 50 |
| 妨害秩序罪 Offenses of interference with public order | - | 10 | - | - | - | - | - | - | - | - | - | - | - | - |
| 脫逃罪 Offenses of escape | - | - | - | - | - | 1 | - | - | - | - | - | - | - | 1 |
| 藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence | - | 6 | - | - | - | - | - | - | - | - | 1 | - | - | 1 |
| 偽證罪 Offenses of perjury | - | 28 | 9 | - | - | - | - | - | - | - | - | - | - | 15 |
| 誣告罪 Offenses of malicious accusation | - | 33 | 7 | 4 | - | - | - | - | - | - | 2 | - | - | 37 |
| 公共危險罪 Offenses against public safety | - | 113 | 24 | 21 | 1 | 1 | 1 | - | - | - | 5 | - | - | 13 |
| 放火 Arson | - | 3 | 5 | 11 | 1 | 1 | 1 | - | - | - | - | - | - | 2 |
| 燒燬建築物及住宅 Destruction by fire of building and residence | - | 1 | 3 | 11 | 1 | 1 | 1 | - | - | - | - | - | - | 2 |
| 燒燬其他物件 Destruction by fire of other objects | - | 2 | 2 | - | - | - | - | - | - | - | - | - | - | - |
| 失火 Negligent fire | - | 1 | - | - | - | - | - | - | - | - | 2 | - | - | 1 |
| 燒燬建築物及住宅 Destruction by fire of building and residence | - | 1 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 燒燬其他物件 Destruction by fire of other objects | - | - | - | - | - | - | - | - | - | - | 2 | - | - | - |
| 違背建築術成規 Violation of building practice | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 妨害衛生 Obstruction to sanitation | - | - | 2 | 4 | - | - | - | - | - | - | - | - | - | - |
| 漏逸氣體 Gas leak | - | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - |
| 妨害交通安全 Obstruction to traffic safety | - | 109 | 15 | 5 | - | - | - | - | - | - | 3 | - | - | 10 |
| 強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 不能安全駕駛 Inability to drive safely | - | 22 | 2 | - | - | - | - | - | - | - | 3 | - | - | 1 |
| 肇事致人死傷逃逸 Hit and run | - | 78 | 13 | 5 | - | - | - | - | - | - | - | - | - | 9 |
| 其他 Other | - | 9 | - | - | - | - | - | - | - | - | - | - | - | - |
| 危險物 Hazard materials | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| 爆裂物 Explosives | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| 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)

2007 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 | | | | | | | |
| | | 六月以下 | 逾六月至一年以下 | 逾一年至二年以下 | 逾二年至三年以下 | 逾三年至五年以下 | 逾五年至七年以下 | 逾七年至十年以下 | 逾十年至十五年以下 | 逾十五年 | | | | | | | | | |
| Death Sentence | Life Sentence | 6 or less than 6 months | Over 6 months to 1 year | Over 1 year to 2 years | Over 2 years to 3 years | Over 3 years to 5 years | Over 5 years to 7 years | Over 7 years to 10 years | Over 10 years to 15 years | Over 15 years | 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 |
| **14** | **36** | **941** | **514** | **387** | **143** | **249** | **159** | **235** | **171** | **13** | **123** | **93** | **-** | **144** | **236** | **3** | **361** | **5 166** | **58** |
| **12** | **9** | **767** | **333** | **230** | **98** | **148** | **67** | **104** | **83** | **2** | **116** | **83** | **-** | **26** | **161** | **3** | **143** | **2 678** | **38** |
| - | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 6 | - | - |
| - | - | 3 | - | - | - | - | - | - | - | - | 1 | 1 | - | - | 2 | - | 2 | 13 | - |
| - | - | 22 | - | - | - | - | - | - | - | - | - | - | - | - | 8 | - | 4 | 7 | - |
| - | - | 3 | 3 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | 3 | - |
| - | - | 7 | 4 | - | - | - | - | - | - | - | - | - | - | - | 2 | - | - | 15 | - |
| - | - | 10 | 4 | - | - | - | - | - | - | - | - | 1 | - | - | 19 | - | - | 6 | - |
| - | - | 29 | 18 | 2 | - | 5 | - | 1 | - | - | 3 | 2 | - | - | 2 | - | 3 | 113 | - |
| - | - | - | 4 | 1 | - | 5 | - | 1 | - | - | - | - | - | - | 1 | - | - | 15 | - |
| - | - | - | 1 | 1 | - | 5 | - | 1 | - | - | - | - | - | - | 1 | - | - | 12 | - |
| - | - | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | - |
| - | - | 4 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 4 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 24 | 11 | 1 | - | - | - | - | - | - | 3 | 2 | - | - | 1 | - | 3 | 97 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 5 | 4 | - | - | - | - | - | - | - | 3 | 2 | - | - | 1 | - | 2 | 32 | - |
| - | - | 19 | 7 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 1 | 63 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 96 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** | **799** | **-** | **38** | **3** | **234** | **202** | **292** | **30** | **1 180** | **1 075** | **180** |
| **普通刑法計 Subtotal of general criminal law** | **634** | **-** | **35** | **3** | **174** | **202** | **209** | **11** | **924** | **713** | **166** |
| 瀆職罪 Offenses of malfeasance in office | - | - | - | - | - | - | - | - | 7 | 4 | - |
| 妨害公務罪 Offenses of interference with public functions | 2 | - | 2 | - | - | - | - | - | 1 | - | 1 |
| 妨害投票罪 Offenses of interference with voting | 1 | - | - | - | - | - | 1 | - | 79 | 3 | - |
| 妨害秩序罪 Offenses of interference with public order | - | - | - | - | - | - | - | - | - | 1 | - |
| 脫逃罪 Offenses of escape | - | - | - | - | - | - | - | - | - | - | - |
| 藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence | - | - | - | - | - | - | - | - | 1 | 4 | 1 |
| 偽證罪 Offenses of perjury | 1 | - | - | - | - | - | 1 | - | 27 | 7 | - |
| 誣告罪 Offenses of malicious accusation | 1 | - | - | - | - | - | 1 | - | 23 | 7 | 3 |
| 公共危險罪 Offenses against public safety | 19 | - | 6 | 1 | - | - | 12 | - | 51 | 47 | 2 |
| 放火 Arson | 9 | - | 6 | - | - | - | 3 | - | 1 | 7 | - |
| 燒燬建築物及住宅 Destruction by fire of building and residence | 7 | - | 5 | - | - | - | 2 | - | 1 | 4 | - |
| 燒燬其他物件 Destruction by fire of other objects | 2 | - | 1 | - | - | - | 1 | - | - | 3 | - |
| 失火 Negligent fire | - | - | - | - | - | - | - | - | 2 | - | - |
| 燒燬建築物及住宅 Destruction by fire of building and residence | - | - | - | - | - | - | - | - | 2 | - | - |
| 燒燬其他物件 Destruction by fire of other objects | - | - | - | - | - | - | - | - | - | - | - |
| 違背建築術成規 Violation of building practice | - | - | - | - | - | - | - | - | - | 3 | - |
| 妨害衛生 Obstruction to sanitation | 2 | - | - | - | - | - | 2 | - | - | 3 | - |
| 漏逸氣體 Gas leak | - | - | - | - | - | - | - | - | - | - | - |
| 妨害交通安全 Obstruction to traffic safety | 8 | - | - | 1 | - | - | 7 | - | 48 | 34 | 2 |
| 強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety | - | - | - | - | - | - | - | - | - | - | - |
| 不能安全駕駛 Inability to drive safely | 2 | - | - | 1 | - | - | 1 | - | - | - | 2 |
| 肇事致人死傷逃逸 Hit and run | 5 | - | - | - | - | - | 5 | - | 42 | 34 | - |
| 其他 Other | 1 | - | - | - | - | - | 1 | - | 6 | - | - |
| 危險物 Hazard materials | - | - | - | - | - | - | - | - | - | - | - |
| 爆裂物 Explosives | - | - | - | - | - | - | - | - | - | - | - |
| 核能放射線 Nuclear radiation | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - |

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

2007 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 |
| **1 179** | **1 055** | **180** | **1** | **20** | **-** | **2 228** | **7 049** | **1 086** | **39** | **6 201** | **6 624** | **944** | **6 806** | **23** | **4** |
| **923** | **695** | **166** | **1** | **18** | **-** | **705** | **3 222** | **2** | **-** | **2 782** | **5 042** | **865** | **4 824** | **19** | **4** |
| 7 | 4 | - | - | - | - | - | - | - | - | - | 13 | - | 14 | - | - |
| 1 | - | 1 | - | - | - | - | 4 | - | - | 16 | 41 | 8 | 20 | - | - |
| 79 | 3 | - | - | - | - | 202 | 1 | 1 | - | 1 | 199 | - | 96 | - | - |
| - | 1 | - | - | - | - | - | 4 | - | - | 5 | 15 | - | 10 | - | - |
| - | - | - | - | - | - | - | - | - | - | 3 | - | - | 1 | - | - |
| 1 | 4 | 1 | - | - | - | - | 1 | - | - | 2 | 16 | 2 | 13 | - | - |
| 27 | 7 | - | - | - | - | - | 1 | - | - | 14 | - | - | 54 | - | - |
| 23 | 7 | 3 | - | - | - | 1 | 3 | - | - | 11 | 8 | 9 | 53 | - | - |
| 51 | 47 | 2 | - | - | - | - | 38 | - | - | 112 | 215 | 18 | 186 | - | - |
| 1 | 7 | - | - | - | - | - | 32 | - | - | 8 | 3 | - | 19 | - | - |
| 1 | 4 | - | - | - | - | - | 24 | - | - | 6 | 1 | - | 14 | - | - |
| - | 3 | - | - | - | - | - | 8 | - | - | 2 | 2 | - | 5 | - | - |
| 2 | - | - | - | - | - | - | - | - | - | 1 | 14 | 3 | 5 | - | - |
| 2 | - | - | - | - | - | - | - | - | - | - | 14 | 1 | 4 | - | - |
| - | - | - | - | - | - | - | - | - | - | 1 | - | 2 | 1 | - | - |
| - | 3 | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 3 | - | - | - | - | - | - | - | - | - | - | - | 4 | - | - |
| - | - | - | - | - | - | - | 1 | - | - | 1 | 2 | - | 1 | - | - |
| 48 | 34 | 2 | - | - | - | - | 4 | - | - | 102 | 196 | 15 | 156 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 2 | - | - | - | - | 2 | - | - | 47 | 45 | 15 | 33 | - | - |
| 42 | 34 | - | - | - | - | - | 2 | - | - | 55 | 135 | - | 110 | - | - |
| 6 | - | - | - | - | - | - | - | - | - | - | 16 | - | 13 | - | - |
| - | - | - | - | - | - | - | 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(續三)

中華民國 96 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 10years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | | | | | |
| 偽造貨幣罪 Offenses of counterfeiting currency | 53 | 71 | - | - | - | - | 4 | - | 15 | - | - | - | - | - | 2 | - | 6 |
| 偽造有價證券罪 Offenses of counterfeiting valuable securities | 445 | 546 | - | - | 1 | 1 | 25 | 5 | 59 | 3 | - | - | - | - | - | - | 76 |
| 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 | 1 480 | 2 421 | - | - | 171 | 67 | 52 | 15 | 3 | 1 | - | - | - | 4 | - | - | 470 |
| 偽造變造私文書 Forgery or alteration of private documents | 1 102 | 1 563 | - | - | 87 | 49 | 19 | 9 | 3 | 1 | - | - | - | - | - | - | 328 |
| 偽造變造公文書 Forgery or alteration of public documents | 105 | 160 | - | - | 1 | 4 | 18 | 6 | - | - | - | - | - | - | - | - | 8 |
| 偽造變造特種文書 Forgery or alteration of special documents | 12 | 15 | - | - | 4 | - | - | - | - | - | - | - | - | - | - | - | 5 |
| 公文書不實登載 False entry in public documents | 57 | 160 | - | - | - | 3 | 11 | - | - | - | - | - | - | - | - | - | 13 |
| 使公務員登載不實 Causing a functionary to make false entries in public documents | 127 | 350 | - | - | 67 | 6 | 3 | - | - | - | - | - | - | 4 | - | - | 77 |
| 業務上文書登載不實 False entry in occupational documents | 47 | 127 | - | - | 5 | 2 | - | - | - | - | - | - | - | - | - | - | 29 |
| 偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature | 18 | 28 | - | - | 4 | 2 | - | - | - | - | - | - | - | - | - | - | 10 |
| 偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal | 12 | 18 | - | - | 3 | 1 | 1 | - | - | - | - | - | - | - | - | - | - |
| 妨害性自主罪 Offenses against sextual autonomy | 1 063 | 1 111 | - | 1 | 19 | 30 | 20 | 6 | 96 | 10 | 42 | 4 | - | - | - | - | 126 |
| 強制性交猥褻 Forced sexual intercourse or obscene act | 1 040 | 1 085 | - | - | 19 | 30 | 20 | 6 | 96 | 10 | 42 | 3 | - | - | - | - | 125 |
| 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 | 16 | 19 | - | 1 | - | - | - | - | - | - | - | 1 | - | - | - | - | - |
| 其他 Other | 7 | 7 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 妨害風化罪 Offenses against sexual morality | 321 | 516 | - | - | 33 | 17 | 24 | 3 | - | - | 1 | - | - | 3 | - | - | 22 |
| 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 | 283 | 470 | - | - | 24 | 17 | 23 | 3 | - | - | 1 | - | - | 2 | - | - | 16 |
| 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 | 34 | 42 | - | - | 9 | - | 1 | - | - | - | - | - | - | 1 | - | - | 6 |
| 其他 Other | 4 | 4 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 妨害婚姻及家庭罪 Offenses against marriage and family | 79 | 112 | - | - | 32 | 2 | 2 | - | - | 2 | - | - | - | - | - | - | 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)

2007 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 | - | - | - | - | - | - | - | 10 | - | - | - | - | - | - | - | - | - |
| 1 | - | - | - | - | - | 1 | 34 | 7 | 67 | 8 | 4 | - | - | - | - | - | - | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 12 | 126 | 1 | - | - | 95 | 46 | 52 | 15 | 17 | - | - | - | - | 3 | - | - | - | 11 |
| 8 | 31 | - | - | - | 74 | 41 | 24 | 12 | 10 | - | - | - | - | - | - | - | - | 11 |
| - | 15 | - | - | - | 2 | 3 | 15 | 3 | 6 | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 12 | - | 1 | - | - | - | - | - | - | - | - | - |
| 4 | 80 | 1 | - | - | 10 | 1 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 5 | - | - | - | - | - | - | - | - | 3 | - | - | - | - |
| - | - | - | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | 3 | - | 10 | - | 9 | 16 | 19 | 4 | 91 | 13 | 64 | 7 | - | - | - | - | - | - |
| - | 3 | - | - | - | 9 | 15 | 17 | 4 | 91 | 13 | 64 | 7 | - | - | - | - | - | - |
| - | - | - | 10 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | 2 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 15 | 10 | 31 | 3 | 6 | - | - | 1 | - | 2 | 1 | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 13 | 9 | 31 | 3 | 6 | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | 2 | 1 | - | - | - | - | - | - | - | 2 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - |
| - | 3 | - | - | - | 2 | - | 1 | - | - | - | - | - | - | - | - | - | - | - |

# 13.高等法院暨分院受理刑事第二審案件裁判結果－按罪名別分(續四)

中華民國 96 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 | | | | |
| 偽造貨幣罪 Offenses of counterfeiting currency | - | - | 1 | 7 | 1 | 6 | - | - | - | - | - | 1 | - | 3 |
| 偽造有價證券罪 Offenses of counterfeiting valuable securities | - | 3 | 11 | 48 | 3 | 41 | 11 | 6 | - | - | - | - | - | 21 |
| 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 | - | 339 | 159 | 87 | 15 | 17 | 5 | - | - | - | 7 | - | - | 101 |
| 偽造變造私文書 Forgery or alteration of private documents | - | 251 | 91 | 39 | 7 | 13 | 1 | - | - | - | - | - | - | 68 |
| 偽造變造公文書 Forgery or alteration of public documents | - | 4 | 25 | 11 | 5 | 1 | 1 | - | - | - | - | - | - | 4 |
| 偽造變造特種文書 Forgery or alteration of special documents | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - |
| 公文書不實登載 False entry in public documents | - | 4 | 34 | 36 | 3 | 3 | 3 | - | - | - | - | - | - | 11 |
| 使公務員登載不實 Causing a functionary to make false entries in public documents | - | 37 | 5 | - | - | - | - | - | - | - | 4 | - | - | 9 |
| 業務上文書登載不實 False entry in occupational documents | - | 33 | 2 | - | - | - | - | - | - | - | 3 | - | - | 8 |
| 偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature | - | 4 | 1 | - | - | - | - | - | - | - | - | - | - | 1 |
| 偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal | - | 4 | 1 | 1 | - | - | - | - | - | - | - | - | - | - |
| 妨害性自主罪 Offenses against sextual autonomy | 5 | 59 | 31 | 45 | 18 | 74 | 14 | 44 | 1 | - | - | - | - | 51 |
| 強制性交猥褻 Forced sexual intercourse or obscene act | - | 58 | 31 | 44 | 18 | 74 | 14 | 44 | 1 | - | - | - | - | 49 |
| 強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act | 5 | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 其他 Other | - | 1 | - | 1 | - | - | - | - | - | - | - | - | - | 1 |
| 妨害風化罪 Offenses against sexual morality | - | 74 | 83 | 30 | 3 | 4 | 2 | - | 1 | - | 2 | 1 | - | 12 |
| 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 | - | 68 | 83 | 30 | 3 | 4 | 2 | - | 1 | - | - | - | - | 12 |
| 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 | - | 5 | - | - | - | - | - | - | - | - | 2 | - | - | - |
| 其他 Other | - | 1 | - | - | - | - | - | - | - | - | - | 1 | - | - |
| 妨害婚姻及家庭罪 Offenses against marriage and family | - | 20 | 2 | 4 | 1 | 3 | - | - | - | - | - | - | - | 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)

2007 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 | | | | | | | | | | |
| - | - | - | - | 2 | - | 5 | - | - | - | - | - | - | - | - | - | - | - | 6 | - |
| - | - | 1 | 2 | 9 | 8 | 22 | 3 | - | - | - | - | - | - | 1 | 10 | 1 | 2 | 49 | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 110 | 50 | 37 | 13 | 5 | - | - | - | - | 8 | - | - | 5 | 18 | - | 13 | 265 | 6 |
| - | - | 90 | 37 | 21 | 10 | 4 | - | - | - | - | - | - | - | 3 | 13 | - | 8 | 196 | 4 |
| - | - | - | 2 | 4 | 1 | 1 | - | - | - | - | - | - | - | 1 | 3 | - | - | 14 | 2 |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | - | 10 | 10 | 2 | - | - | - | - | - | - | - | - | 1 | - | - | - | 3 | - |
| - | - | 13 | 1 | - | - | - | - | - | - | - | 4 | - | - | - | 1 | - | 3 | 20 | - |
| - | - | 5 | - | 1 | - | - | - | - | - | - | 4 | - | - | - | 1 | - | 2 | 24 | - |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | - |
| - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | 4 | - |
| - | - | 6 | 2 | 9 | 5 | 21 | 6 | 23 | 3 | - | - | - | - | 1 | 4 | - | 3 | 92 | 4 |
| - | - | 6 | 2 | 9 | 5 | 21 | 6 | 22 | 3 | - | - | - | - | 1 | 4 | - | 3 | 92 | 4 |
| - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 23 | 12 | 14 | - | - | - | 1 | 1 | - | 1 | - | - | - | 1 | - | 5 | 73 | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 20 | 8 | 14 | - | - | - | 1 | 1 | - | - | - | - | - | 1 | - | 4 | 68 | 1 |
| - | - | 2 | 4 | - | - | - | - | - | - | - | 1 | - | - | - | - | - | 1 | 5 | - |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 10 | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | 5 | - |

# 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 96 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 | - | - | - | - | - | 1 | - | - | 5 | - |
| 偽造有價證券罪 Offenses of counterfeiting valuable securities | 10 | - | - | - | 1 | - | 8 | 1 | - | 51 | - |
| 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 | 16 | - | - | - | 7 | - | 7 | 2 | 142 | 122 | 6 |
| 偽造變造私文書 Forgery or alteration of private documents | 10 | - | - | - | 6 | - | 4 | - | 80 | 43 | - |
| 偽造變造公文書 Forgery or alteration of public documents | 1 | - | - | - | - | - | 1 | - | 2 | 9 | - |
| 偽造變造特種文書 Forgery or alteration of special documents | 1 | - | - | - | 1 | - | - | - | 1 | - | - |
| 公文書不實登載 False entry in public documents | 2 | - | - | - | - | - | 2 | - | 2 | 62 | - |
| 使公務員登載不實 Causing a functionary to make false entries in public documents | 2 | - | - | - | - | - | - | 2 | 54 | 5 | 3 |
| 業務上文書登載不實 False entry in occupational documents | - | - | - | - | - | - | - | - | 2 | 2 | 3 |
| 偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature | - | - | - | - | - | - | - | - | 1 | - | - |
| 偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal | - | - | - | - | - | - | - | - | - | 1 | - |
| 妨害性自主罪 Offenses against sextual autonomy | 247 | - | 1 | 1 | 1 | 188 | 56 | - | 26 | 53 | - |
| 強制性交猥褻 Forced sexual intercourse or obscene act | 237 | - | 1 | 1 | 1 | 180 | 54 | - | 25 | 52 | - |
| 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 | 6 | - | - | - | - | 6 | - | - | - | - | - |
| 其他 Other | 4 | - | - | - | - | 2 | 2 | - | 1 | 1 | - |
| 妨害風化罪 Offenses against sexual morality | 6 | - | - | - | - | - | 6 | - | 16 | 27 | - |
| 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 | 6 | - | - | - | - | - | 6 | - | 16 | 27 | - |
| 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 | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - |
| 妨害婚姻及家庭罪 Offenses against marriage and family | 2 | - | - | - | - | - | 2 | - | 5 | 3 | - |

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

2007 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 |
| - | 5 | - | - | - | - | - | 40 | - | - | 19 | - | - | 4 | - | - |
| - | 51 | - | - | - | - | 1 | 316 | - | - | 58 | 3 | - | 18 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 142 | 122 | 6 | - | - | - | 1 | 580 | - | - | 162 | 699 | 23 | 588 | 11 | - |
| 80 | 43 | - | - | - | - | - | 478 | - | - | 120 | 498 | - | 377 | 6 | - |
| 2 | 9 | - | - | - | - | 1 | 66 | - | - | 22 | 1 | - | 32 | 1 | - |
| 1 | - | - | - | - | - | - | 7 | - | - | 1 | 8 | 1 | 12 | - | - |
| 2 | 62 | - | - | - | - | - | 6 | - | - | 3 | - | - | 50 | - | - |
| 54 | 5 | 3 | - | - | - | - | 1 | - | - | 10 | 127 | 12 | 67 | - | - |
| 2 | 2 | 3 | - | - | - | - | 3 | - | - | 1 | 48 | 10 | 36 | 4 | - |
| 1 | - | - | - | - | - | - | 10 | - | - | 2 | 10 | - | 6 | - | - |
| - | 1 | - | - | - | - | - | 9 | - | - | 3 | 7 | - | 8 | - | - |
| 25 | 52 | - | 1 | 1 | - | 18 | 62 | - | - | 85 | 40 | - | 115 | - | - |
| 24 | 51 | - | 1 | 1 | - | 2 | 57 | - | - | 81 | 40 | - | 114 | - | - |
| - | - | - | - | - | - | 16 | 5 | - | - | 4 | - | - | - | - | - |
| 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - |
| 16 | 27 | - | - | - | - | - | 159 | - | - | 80 | 144 | 8 | 179 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 16 | 27 | - | - | - | - | - | 137 | - | - | 68 | 124 | 2 | 163 | - | - |
| - | - | - | - | - | - | - | 22 | - | - | 12 | 18 | 6 | 13 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | 2 | - | 3 | - | - |
| 5 | 3 | - | - | - | - | - | - | - | - | 5 | 65 | - | 37 | - | 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(續六)

中華民國 96 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 | 4 | 5 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 賭博罪 Offenses of gambling | 120 | 585 | - | - | 20 | 5 | - | - | - | - | - | - | - | - | 34 | - | - | 228 |
| 單純賭博 Simple gambling | 45 | 378 | - | - | 1 | 2 | - | - | - | - | - | - | - | - | 34 | - | - | 215 |
| 供給賭博場所等賭博 Gamble of providing gambling places and the like | 75 | 207 | - | - | 19 | 3 | - | - | - | - | - | - | - | - | - | - | - | 13 |
| 殺人罪 Offenses of homicide | 1 205 | 1 532 | 3 | 22 | 91 | 104 | 20 | 8 | 3 | 46 | 34 | 39 | 1 | 1 | - | - | - | 202 |
| 殺人 Homicide | 552 | 754 | 3 | 22 | - | - | 2 | 8 | 2 | 46 | 34 | 39 | 1 | - | - | - | - | 55 |
| 既遂 Consummation | 323 | 445 | 3 | 21 | - | - | - | - | - | 2 | 10 | 39 | 1 | - | - | - | - | 28 |
| 普通殺人 General homicide | 319 | 441 | 3 | 21 | - | - | - | - | - | 2 | 10 | 39 | 1 | - | - | - | - | 27 |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | 4 | 4 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 未遂 Attempt | 229 | 309 | - | 1 | - | - | 2 | 8 | 2 | 44 | 24 | - | - | - | - | - | - | 27 |
| 普通殺人 General homicide | 225 | 305 | - | 1 | - | - | 2 | 8 | 2 | 44 | 23 | - | - | - | - | - | - | 26 |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | 4 | 4 | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | 1 |
| 過失致死 Manslaughter | 653 | 778 | - | - | 91 | 104 | 18 | - | 1 | - | - | - | - | 1 | - | - | - | 147 |
| 一般過失致人於死 General negligent killing | 13 | 53 | - | - | 2 | 1 | 2 | - | - | - | - | - | - | - | - | - | - | 39 |
| 醫師業務過失致人於死 Occupational negligent killing by a physician | 21 | 29 | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 11 |
| 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 | 222 | 232 | - | - | 23 | 29 | 9 | - | 1 | - | - | - | - | 1 | - | - | - | 31 |
| 交通一般過失致人於死 General negligent killing by a driver | 313 | 335 | - | - | 59 | 67 | 6 | - | - | - | - | - | - | - | - | - | - | 28 |
| 其他業務過失致人於死 Other occupational negligent killing | 84 | 129 | - | - | 6 | 7 | 1 | - | - | - | - | - | - | - | - | - | - | 38 |

## 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)

2007 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 | - | - | - |
| - | - | - | - | - | 24 | - | - | - | - | - | - | - | - | - | - | 7 | - | - |
| - | - | - | - | - | 9 | - | - | - | - | - | - | - | - | - | - | 7 | - | - |
| - | - | - | - | - | 15 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 10 | - | 16 | 67 | 27 | 21 | 8 | 3 | 7 | 38 | 24 | 41 | 1 | - | - | - | 2 | |
| - | 10 | - | 16 | 67 | - | - | - | 3 | 7 | 38 | 24 | 41 | 1 | - | - | - | 2 | |
| - | - | - | 16 | 67 | - | - | - | 1 | - | 1 | 7 | 39 | 1 | - | - | - | - | |
| - | - | - | 15 | 67 | - | - | - | 1 | - | 1 | 7 | 39 | 1 | - | - | - | - | |
| - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| - | 10 | - | - | - | - | - | - | 2 | 7 | 37 | 17 | 2 | - | - | - | - | 2 | |
| - | 10 | - | - | - | - | - | - | 2 | 7 | 37 | 17 | 2 | - | - | - | - | 2 | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| - | - | - | - | - | 27 | 21 | 8 | - | - | - | - | - | - | - | - | - | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| - | - | - | - | - | 13 | 8 | 2 | - | - | - | - | - | - | - | - | - | - | |
| - | - | - | - | - | 10 | 10 | 4 | - | - | - | - | - | - | - | - | - | - | |
| - | - | - | - | - | 3 | 3 | 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 96 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 | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 賭博罪 Offenses of gambling | - | 94 | 12 | 2 | - | - | - | - | - | - | - | 26 | - | 1 |
| 單純賭博 Simple gambling | - | - | 1 | - | - | - | - | - | - | - | - | 26 | - | - |
| 供給賭博場所等賭博 Gamble of providing gambling places and the like | - | 94 | 11 | 2 | - | - | - | - | - | - | - | - | - | 1 |
| 殺人罪 Offenses of homicide | 17 | 148 | 38 | 30 | 8 | 12 | 40 | 23 | 64 | 13 | 5 | - | - | 45 |
| 殺人 Homicide | 17 | - | 1 | 7 | 7 | 12 | 40 | 23 | 64 | 13 | - | - | - | 18 |
| 既遂 Consummation | 16 | - | 1 | 1 | 1 | 5 | 6 | 13 | 64 | 12 | - | - | - | 11 |
| 普通殺人 General homicide | 15 | - | 1 | 1 | 1 | 5 | 6 | 13 | 64 | 12 | - | - | - | 11 |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 未遂 Attempt | 1 | - | - | 6 | 6 | 7 | 34 | 10 | - | 1 | - | - | - | 7 |
| 普通殺人 General homicide | 1 | - | - | 6 | 6 | 7 | 34 | 10 | - | - | - | - | - | 7 |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - |
| 過失致死 Manslaughter | - | 148 | 37 | 23 | 1 | - | - | - | - | - | 5 | - | - | 27 |
| 一般過失致人於死 General negligent killing | - | 1 | 1 | 2 | - | - | - | - | - | - | 4 | - | - | 1 |
| 醫師業務過失致人於死 Occupational negligent killing by a physician | - | 5 | - | - | - | - | - | - | - | - | - | - | - | 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 | - | 46 | 18 | 5 | 1 | - | - | - | - | - | - | - | - | 8 |
| 交通一般過失致人於死 General negligent killing by a driver | - | 77 | 15 | 1 | - | - | - | - | - | - | - | - | - | 4 |
| 其他業務過失致人於死 Other occupational negligent killing | - | 19 | 3 | 15 | - | - | - | - | - | - | 1 | - | - | 12 |

## 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)

2007 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 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 34 | 1 | 1 | - | - | - | - | - | - | - | - | 65 | - | - | 4 | - | - | 26 | 1 |
| - | - | 9 | - | 1 | - | - | - | - | - | - | - | - | 65 | - | - | 2 | - | - | 5 | 1 |
| - | - | 25 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - | - | 21 | - |
| 5 | 3 | 26 | 25 | 6 | 5 | 4 | 17 | 15 | 42 | 2 | 3 | - | - | 1 | 18 | - | - | 77 | 1 | |
| 5 | 3 | 1 | - | 1 | 3 | 4 | 17 | 15 | 42 | 2 | - | - | - | 1 | 7 | - | - | 29 | 1 | |
| 5 | 3 | - | - | 1 | 1 | 1 | 3 | 9 | 40 | 2 | - | - | - | - | 3 | - | - | 11 | - | |
| 5 | 3 | - | - | 1 | 1 | 1 | 3 | 9 | 39 | 2 | - | - | - | - | 3 | - | - | 11 | - | |
| - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | |
| - | - | 1 | - | - | 2 | 3 | 14 | 6 | 2 | - | - | - | - | 1 | 4 | - | - | 18 | 1 | |
| - | - | 1 | - | - | 2 | 3 | 14 | 6 | 2 | - | - | - | - | 1 | 4 | - | - | 17 | 1 | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | |
| - | - | 25 | 25 | 5 | 2 | - | - | - | - | - | 3 | - | - | - | 11 | - | - | 48 | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 6 | - | - | 2 | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| - | - | 9 | 11 | 4 | - | - | - | - | - | - | - | - | - | - | 1 | - | - | 12 | - | |
| - | - | 12 | 13 | 1 | - | - | - | - | - | - | 3 | - | - | - | 2 | - | - | 23 | - | |
| - | - | 3 | 1 | - | 2 | - | - | - | - | - | - | - | - | - | 2 | - | - | 11 | - | |

# 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 96 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 | - | - | - | - | - | - | - | - | - | - | 1 |
| 賭博罪 Offenses of gambling | 1 | - | - | - | - | - | 1 | - | 15 | 3 | 1 |
| 單純賭博 Simple gambling | - | - | - | - | - | - | - | - | - | - | 1 |
| 供給賭博場所等賭博 Gamble of providing gambling places and the like | 1 | - | - | - | - | - | 1 | - | 15 | 3 | - |
| 殺人罪 Offenses of homicide | 34 | - | 9 | - | 9 | 2 | 10 | 4 | 110 | 93 | 5 |
| 殺人 Homicide | 26 | - | 9 | - | 9 | 2 | 2 | 4 | - | 3 | - |
| 既遂 Consummation | 12 | - | 3 | - | 5 | 1 | - | 3 | - | - | - |
| 普通殺人 General homicide | 12 | - | 3 | - | 5 | 1 | - | 3 | - | - | - |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | - | - | - | - | - | - | - | - | - | - | - |
| 未遂 Attempt | 14 | - | 6 | - | 4 | 1 | 2 | 1 | - | 3 | - |
| 普通殺人 General homicide | 13 | - | 5 | - | 4 | 1 | 2 | 1 | - | 3 | - |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | 1 | - | 1 | - | - | - | - | - | - | - | - |
| 過失致死 Manslaughter | 8 | - | - | - | - | - | 8 | - | 110 | 90 | 5 |
| 一般過失致人於死 General negligent killing | - | - | - | - | - | - | - | - | 2 | 1 | 4 |
| 醫師業務過失致人於死 Occupational negligent killing by a physician | - | - | - | - | - | - | - | - | 1 | - | - |
| 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 | 2 | - | - | - | - | - | 2 | - | 33 | 29 | 1 |
| 交通一般過失致人於死 General negligent killing by a driver | 6 | - | - | - | - | - | 6 | - | 58 | 42 | - |
| 其他業務過失致人於死 Other occupational negligent killing | - | - | - | - | - | - | - | - | 16 | 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. 8)

2007

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 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | 4 | - | - |
| - | - | 1 | - | - | - | - | 1 | - | - | - | - | 1 | - | - | - |
| 15 | 3 | 1 | - | - | - | - | 77 | - | - | 17 | 172 | - | 147 | - | - |
| - | - | 1 | - | - | - | - | 27 | - | - | 3 | 19 | - | 32 | - | - |
| 15 | 3 | - | - | - | - | - | 50 | - | - | 14 | 153 | - | 115 | - | - |
| 110 | 92 | 5 | - | 1 | - | 259 | 262 | - | - | 100 | 287 | 9 | 244 | 2 | 2 |
| - | 2 | - | - | 1 | - | 259 | 261 | - | - | 97 | 1 | - | 20 | 2 | 2 |
| - | - | - | - | - | - | 250 | 167 | - | - | 56 | - | - | 13 | 2 | 2 |
| - | - | - | - | - | - | 247 | 166 | - | - | 55 | - | - | 13 | 2 | 2 |
| - | - | - | - | - | - | 3 | 1 | - | - | 1 | - | - | - | - | - |
| - | 2 | - | - | 1 | - | 9 | 94 | - | - | 41 | 1 | - | 7 | - | - |
| - | 2 | - | - | 1 | - | 8 | 93 | - | - | 41 | 1 | - | 7 | - | - |
| - | - | - | - | - | - | 1 | 1 | - | - | - | - | - | - | - | - |
| 110 | 90 | 5 | - | - | - | - | 1 | - | - | 3 | 286 | 9 | 224 | - | - |
| 2 | 1 | 4 | - | - | - | - | - | - | - | - | 3 | 4 | 8 | - | - |
| 1 | - | - | - | - | - | - | - | - | - | - | 8 | - | 6 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 33 | 29 | 1 | - | - | - | - | - | - | - | - | 89 | 1 | 63 | - | - |
| 58 | 42 | - | - | - | - | - | - | - | - | 3 | 155 | 3 | 121 | - | - |
| 16 | 18 | - | - | - | - | - | 1 | - | - | - | 31 | 1 | 26 | - | - |

# 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 96 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 | | | | | |
| 傷害罪 Offenses of causing bodily harm | 1 663 | 2 284 | - | 1 | 325 | 54 | 33 | 9 | 30 | 12 | 40 | 17 | - | 218 | 6 | - | 266 |
| 傷害直系尊親屬 Bodily harm of lineal ascendants by blood | 6 | 6 | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 重傷害 Serious bodily harm | 52 | 85 | - | - | - | - | - | 4 | 2 | 1 | 1 | - | - | - | - | - | 6 |
| 傷害致死 Bodily harm resulting in death | 154 | 259 | - | 1 | - | - | - | 1 | 13 | 5 | 39 | 17 | - | - | - | - | 4 |
| 醫師業務過失傷害 Occupational negligent bodily harm by a physician | 7 | 43 | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | 40 |
| 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 | 203 | 213 | - | - | 63 | 8 | 1 | - | - | - | - | - | - | 6 | - | - | 16 |
| 交通一般過失傷害 General negligent bodily harm by a driver | 445 | 468 | - | - | 118 | 12 | - | - | - | - | - | - | - | 77 | 1 | - | 36 |
| 其他業務過失傷害 Other occupational negligent bodily harm | 29 | 39 | - | - | 7 | 1 | - | - | - | - | - | - | - | 1 | - | - | 16 |
| 其他 Other | 767 | 1 171 | - | - | 134 | 33 | 32 | 4 | 15 | 6 | - | - | - | 134 | 5 | - | 147 |
| 墮胎罪 Offenses of abortion | 2 | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 遺棄罪 Offenses of abandonment | 15 | 23 | - | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - | 2 |
| 妨害自由罪 Offenses against personal liberty | 628 | 1 152 | - | - | 134 | 48 | 10 | - | - | - | - | - | - | 55 | 2 | - | 173 |
| 使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons | 1 | 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 | 253 | 575 | - | - | 64 | 42 | 9 | - | - | - | - | - | - | 6 | - | - | 55 |
| 強制罪 Coercion offense | 149 | 256 | - | - | 30 | 6 | 1 | - | - | - | - | - | - | 19 | - | - | 47 |
| 恐嚇危害安全 Obstruction of safety by threat | 199 | 281 | - | - | 37 | - | - | - | - | - | - | - | - | 26 | - | - | 61 |
| 侵入或滯留 Trespassing on, or lingering in, a property | 26 | 36 | - | - | 3 | - | - | - | - | - | - | - | - | 4 | 2 | - | 10 |
| 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)

2007 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 | 39 | - | - | 1 | 72 | 10 | 13 | 6 | 25 | 6 | 22 | 4 | - | 17 | 2 | - | 2 |
| - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 1 | - | - | - | - | - | 1 | 3 | 3 | 2 | 1 | - | - | - | - | - | - |
| - | - | - | - | 1 | - | - | - | - | 3 | 1 | 21 | 4 | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 3 | - | - | - | 11 | 1 | 1 | - | - | - | - | - | - | 1 | - | - | - |
| - | 7 | - | - | - | 18 | 2 | - | - | - | - | - | - | - | 3 | - | - | - |
| - | - | - | - | - | 5 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 1 | 27 | - | - | - | 38 | 7 | 11 | 3 | 19 | 3 | - | - | - | 13 | 2 | - | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | 6 | - | - | - | 54 | 12 | 10 | 4 | 2 | - | 1 | - | - | 5 | 1 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 6 | - | - | - | 22 | 10 | 10 | 4 | 2 | - | 1 | - | - | - | - | - | - |
| 1 | - | - | - | - | 25 | 1 | - | - | - | - | - | - | - | 1 | 1 | - | - |
| - | - | - | - | - | 7 | 1 | - | - | - | - | - | - | - | 3 | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 96 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 | | | | |
| 傷害罪 Offenses of causing bodily harm | - | 263 | 35 | 35 | 29 | 30 | 18 | 38 | 14 | - | 125 | 5 | - | 39 |
| 傷害直系尊親屬 Bodily harm of lineal ascendants by blood | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - |
| 重傷害 Serious bodily harm | - | - | 3 | 10 | 6 | 6 | 3 | - | - | - | - | - | - | 3 |
| 傷害致死 Bodily harm resulting in death | - | - | 1 | 3 | 11 | 17 | 15 | 37 | 14 | - | - | - | - | 7 |
| 醫師業務過失傷害 Occupational negligent bodily harm by a physician | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 密醫過失傷害 Negligent bodily harm by an unlicensed physician | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 交通業務過失傷害 Occupational negligent bodily harm by a driver | - | 43 | 1 | - | - | - | - | - | - | - | 9 | 1 | - | 5 |
| 交通一般過失傷害 General negligent bodily harm by a driver | - | 65 | 1 | - | - | - | - | - | - | - | 35 | - | - | 1 |
| 其他業務過失傷害 Other occupational negligent bodily harm | - | 3 | - | - | - | - | - | - | - | - | - | - | - | 2 |
| 其他 Other | - | 151 | 29 | 22 | 12 | 7 | - | 1 | - | - | 81 | 4 | - | 21 |
| 墮胎罪 Offenses of abortion | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| 遺棄罪 Offenses of abandonment | - | 3 | - | - | 1 | 5 | 1 | - | - | - | - | - | - | 1 |
| 妨害自由罪 Offenses against personal liberty | - | 205 | 65 | 32 | 10 | 1 | 1 | 2 | - | - | 44 | 3 | - | 20 |
| 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 | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - |
| 剝奪行動自由 Deprivation of freedom of movement | - | 104 | 58 | 25 | 10 | - | 1 | 1 | - | - | 6 | - | - | 3 |
| 強制罪 Coercion offense | - | 57 | 2 | 3 | - | - | - | - | - | - | 7 | - | - | 7 |
| 恐嚇危害安全 Obstruction of safety by threat | - | 42 | 5 | 4 | - | - | - | - | - | - | 25 | 2 | - | 8 |
| 侵入或滯留 Trespassing on, or lingering in, a property | - | 2 | - | - | - | - | - | - | - | - | 6 | 1 | - | 2 |
| 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)

2007 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 | | | | | | | | | | |
| - | - | 82 | 32 | 20 | 12 | 13 | 6 | 15 | 4 | - | 42 | 2 | - | - | 24 | - | 14 | 153 | 3 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - |
| - | - | - | - | 5 | 9 | 4 | 4 | 2 | - | - | - | - | - | - | 2 | - | - | 3 | - |
| - | - | - | - | 2 | - | 8 | 1 | 13 | 4 | - | - | - | - | - | 2 | - | - | 14 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 11 | 8 | - | - | - | - | - | - | - | 3 | - | - | - | 1 | - | 1 | 19 | - |
| - | - | 35 | 3 | 1 | - | - | - | - | - | - | 21 | 1 | - | - | 1 | - | 6 | 24 | - |
| - | - | 1 | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 35 | 19 | 12 | 3 | 1 | 1 | - | - | - | 18 | 1 | - | - | 17 | - | 7 | 91 | 3 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 3 | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | 4 | - |
| - | - | 63 | 12 | 3 | 1 | - | - | 2 | - | - | 14 | 1 | - | 1 | 6 | - | 3 | 144 | 1 |
| - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 30 | 8 | 3 | 1 | - | - | 1 | - | - | - | - | - | 1 | 2 | - | - | 90 | - |
| - | - | 18 | 2 | - | - | - | - | - | - | - | 4 | - | - | - | 2 | - | 1 | 21 | - |
| - | - | 13 | 2 | - | - | - | - | - | - | - | 10 | 1 | - | - | 2 | - | 1 | 30 | 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 96 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 | 35 | - | 6 | - | - | - | 27 | 2 | 124 | 46 | 82 |
| 傷害直系尊親屬 Bodily harm of lineal ascendants by blood | - | - | - | - | - | - | - | - | - | - | - |
| 重傷害 Serious bodily harm | 2 | - | 1 | - | - | - | 1 | - | - | 2 | - |
| 傷害致死 Bodily harm resulting in death | 12 | - | 3 | - | - | - | 7 | 2 | - | 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 | - | - | - | - | - | - | - | - | 32 | 2 | 6 |
| 交通一般過失傷害 General negligent bodily harm by a driver | - | - | - | - | - | - | - | - | 55 | 3 | 35 |
| 其他業務過失傷害 Other occupational negligent bodily harm | - | - | - | - | - | - | - | - | 3 | 3 | - |
| 其他 Other | 21 | - | 2 | - | - | - | 19 | - | 33 | 27 | 41 |
| 墮胎罪 Offenses of abortion | - | - | - | - | - | - | - | - | - | - | - |
| 遺棄罪 Offenses of abandonment | - | - | - | - | - | - | - | - | 3 | 1 | - |
| 妨害自由罪 Offenses against personal liberty | 14 | - | 1 | 1 | 3 | - | 9 | - | 45 | 8 | 25 |
| 使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons | - | - | - | - | - | - | - | - | - | - | - |
| 詐術使人出國 Fraudulently causing a person to leave the territory | - | - | - | - | - | - | - | - | - | - | - |
| 略誘罪 Abduction | - | - | - | - | - | - | - | - | - | - | - |
| 剝奪行動自由 Deprivation of freedom of movement | 4 | - | 1 | 1 | - | - | 2 | - | 16 | 6 | - |
| 強制罪 Coercion offense | 8 | - | - | - | 3 | - | 5 | - | 18 | 2 | 11 |
| 恐嚇危害安全 Obstruction of safety by threat | 2 | - | - | - | - | - | 2 | - | 10 | - | 11 |
| 侵入或滯留 Trespassing on, or lingering in, a property | - | - | - | - | - | - | - | - | 1 | - | 3 |
| 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)

2007 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 |
| 124 | 36 | 82 | - | 10 | - | 25 | 118 | - | - | 110 | 741 | 408 | 635 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | 2 | - | 1 | - | - |
| - | - | - | - | 2 | - | - | 16 | - | - | 6 | - | - | 11 | - | - |
| - | 2 | - | - | 7 | - | 25 | 36 | - | - | 22 | - | - | 10 | - | - |
| 1 | - | - | - | - | - | - | - | - | - | - | 2 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 32 | 2 | 6 | - | - | - | - | 1 | - | - | 2 | 128 | 21 | 69 | - | - |
| 55 | 3 | 35 | - | - | - | - | - | - | - | 2 | 235 | 137 | 137 | - | - |
| 3 | 3 | - | - | - | - | - | - | - | - | - | 16 | 1 | 5 | - | - |
| 33 | 26 | 41 | - | 1 | - | - | 65 | - | - | 78 | 358 | 249 | 402 | - | - |
| - | - | - | - | - | - | - | 1 | - | - | - | - | - | 1 | - | - |
| 3 | 1 | - | - | - | - | - | - | - | - | 4 | 4 | - | 11 | - | - |
| 45 | 8 | 25 | - | - | - | 5 | 69 | - | - | 144 | 448 | 123 | 441 | - | - |
| - | - | - | - | - | - | - | 1 | - | - | 1 | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 16 | 6 | - | - | - | - | 5 | 32 | - | - | 81 | 216 | 12 | 190 | - | - |
| 18 | 2 | 11 | - | - | - | - | 10 | - | - | 30 | 130 | 31 | 99 | - | - |
| 10 | - | 11 | - | - | - | - | 26 | - | - | 28 | 95 | 67 | 139 | - | - |
| 1 | - | 3 | - | - | - | - | - | - | - | 4 | 7 | 13 | 13 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

# 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 96 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 | 197 | 258 | - | - | 4 | - | - | - | - | - | - | - | - | 29 | 6 | - | 108 |
| 妨害秘密罪 Offenses relating to protection of secrets | 15 | 49 | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | 6 |
| 竊盜罪 Offenses of larceny | 2 348 | 2 722 | - | - | 252 | 366 | 81 | 26 | 9 | 2 | - | - | - | 26 | - | - | 256 |
| 普通竊盜竊占 Common theft and theft of movables or immovables | 906 | 989 | - | - | 159 | 67 | 8 | 8 | - | - | - | - | - | 26 | - | - | 154 |
| 加重竊盜 Severe theft | 1 384 | 1 622 | - | - | 93 | 295 | 63 | 12 | 6 | - | - | - | - | - | - | - | 96 |
| 常業竊盜 Occupational theft | 58 | 111 | - | - | - | 4 | 10 | 6 | 3 | 2 | - | - | - | - | - | - | 6 |
| 強盜罪 Offenses of robbery | 866 | 1 231 | - | 8 | - | - | 3 | 5 | 52 | 55 | 212 | 34 | 3 | - | - | - | 53 |
| 搶奪及海盜罪 Offenses of snatch of property and piracy | 301 | 350 | - | - | 12 | 42 | 24 | 3 | 5 | - | - | - | - | - | - | - | 25 |
| 侵占罪 Offenses of misappropriation | 564 | 647 | - | - | 36 | 94 | 17 | 5 | 2 | 1 | - | - | - | 5 | 2 | - | 144 |
| 普通侵占 Common embezzlement | 142 | 165 | - | - | 10 | 7 | 3 | 2 | - | - | - | - | - | 5 | - | - | 63 |
| 公務公益侵占 Official embezzlement | 12 | 21 | - | - | - | 1 | 3 | - | - | - | - | - | - | - | - | - | 1 |
| 業務侵占 Occupational embezzlement | 398 | 448 | - | - | 26 | 86 | 11 | 3 | 2 | 1 | - | - | - | - | - | - | 75 |
| 侵占遺失物 Embezzlement of lost articles | 12 | 13 | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - | 5 |
| 詐欺罪 Offenses of fraud | 1 684 | 2 625 | - | - | 234 | 89 | 92 | 32 | 12 | 1 | - | - | - | 14 | - | - | 397 |
| 一般詐欺 Common fraud | 1 440 | 1 908 | - | - | 231 | 78 | 46 | 11 | 3 | - | - | - | - | 14 | - | - | 349 |
| 常業詐欺 Occupational fraud | 244 | 717 | - | - | 3 | 11 | 46 | 21 | 9 | 1 | - | - | - | - | - | - | 48 |
| 背信罪 Offenses of breach of trust | 157 | 418 | - | - | 15 | 17 | 12 | - | 2 | 1 | - | - | - | - | - | - | 140 |
| 重利罪 Offenses of usury | 140 | 283 | - | - | 29 | 8 | 1 | - | - | - | - | - | - | 1 | - | - | 28 |
| 恐嚇取財罪 Offenses of obtaining property by threats | 274 | 438 | - | - | 34 | 31 | 23 | 7 | - | - | - | - | - | - | - | - | 38 |
| 擄人勒贖罪 Offenses of kidnapping for ransom | 69 | 182 | 1 | 3 | - | - | - | - | 13 | 2 | 7 | 4 | 1 | - | - | - | 12 |
| 贓物罪 Offenses relating to illegally obtained property | 181 | 271 | - | - | 27 | 15 | 2 | 5 | - | - | - | - | - | 3 | - | - | 81 |
| 毀棄損壞罪 Offenses of destruction, abandonment, and damage of property | 141 | 185 | - | - | 33 | 4 | - | - | - | - | - | - | - | 18 | 2 | - | 32 |
| 妨害電腦使用罪 Offenses of impairment to use of computers | 13 | 20 | - | - | 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)

2007 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 | 3 | - | - | - | 3 | - | - | - | - | - | - | - | - | 5 | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 17 | 3 | - | - | - | 38 | 75 | 26 | 25 | 8 | 2 | - | - | - | 2 | - | - | 6 |
| 12 | 3 | - | - | - | 21 | 11 | 6 | 5 | - | - | - | - | - | 2 | - | - | 2 |
| 5 | - | - | - | - | 17 | 64 | 13 | 7 | 1 | - | - | - | - | - | - | - | 2 |
| - | - | - | - | - | - | - | 7 | 13 | 7 | 2 | - | - | - | - | - | - | 2 |
| 1 | 1 | - | 15 | 22 | - | - | 3 | 6 | 28 | 22 | 147 | 34 | 3 | - | - | - | 1 |
| - | - | - | - | - | 2 | 7 | 4 | 1 | 3 | 2 | - | - | - | - | - | - | 3 |
| 1 | 9 | 1 | - | - | 10 | 13 | 2 | 3 | 2 | 2 | 2 | - | - | - | 1 | - | 2 |
| - | 7 | 1 | - | - | 3 | 1 | - | - | - | - | - | - | - | - | - | - | 2 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | 2 | - | - | - | 7 | 12 | 2 | 3 | 2 | 2 | 2 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - |
| 7 | 22 | - | - | - | 49 | 24 | 75 | 33 | 17 | 3 | - | - | - | 4 | - | - | 7 |
| 7 | 22 | - | - | - | 48 | 18 | 14 | 11 | 1 | - | - | - | - | 4 | - | - | 6 |
| - | - | - | - | - | 1 | 6 | 61 | 22 | 16 | 3 | - | - | - | - | - | - | 1 |
| 1 | 22 | - | - | - | 11 | 2 | 3 | 3 | 1 | - | - | - | - | - | - | - | 1 |
| - | - | - | - | - | 13 | 13 | 17 | 2 | - | - | - | - | - | - | - | - | - |
| 2 | 5 | - | - | - | 17 | 11 | 20 | 7 | 1 | - | - | - | - | - | - | - | - |
| - | - | - | 6 | 5 | - | - | - | - | 5 | 3 | 22 | - | - | - | - | - | 1 |
| - | 1 | - | - | - | 9 | 3 | 1 | - | - | - | - | - | - | - | - | - | - |
| - | 9 | - | - | - | 3 | 1 | - | - | - | - | - | - | - | 3 | - | - | - |
| - | 1 | - | - | - | - | 3 | - | - | - | - | - | - | - | 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 96 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 | | | | |
| 妨害名譽及信用罪 Offenses against personal reputation & credits | - | 7 | - | - | - | - | - | - | - | - | 27 | 9 | - | 17 |
| 妨害秘密罪 Offenses relating to protection of secrets | - | 1 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 竊盜罪 Offenses of larceny | - | 329 | 66 | 39 | 16 | 13 | - | - | - | - | 17 | 1 | 1 | 35 |
| 普通竊盜竊占 Common theft and theft of movables or immovables | - | 121 | 14 | 3 | 1 | 1 | - | - | - | - | 17 | 1 | - | 17 |
| 加重竊盜 Severe theft | - | 207 | 50 | 28 | 8 | 5 | - | - | - | - | - | - | 1 | 18 |
| 常業竊盜 Occupational theft | - | 1 | 2 | 8 | 7 | 7 | - | - | - | - | - | - | - | - |
| 強盜罪 Offenses of robbery | 8 | - | 2 | 5 | 12 | 26 | 33 | 85 | 19 | 2 | - | - | - | 13 |
| 搶奪及海盜罪 Offenses of snatch of property and piracy | - | 22 | 20 | 5 | 6 | 4 | - | - | - | - | - | - | - | 5 |
| 侵占罪 Offenses of misappropriation | - | 74 | 28 | 14 | - | 4 | 1 | - | - | - | 2 | 3 | - | 23 |
| 普通侵占 Common embezzlement | - | 15 | 4 | 2 | - | - | - | - | - | - | 2 | - | - | 3 |
| 公務公益侵占 Official embezzlement | - | 3 | 2 | 2 | - | - | - | - | - | - | - | - | - | 5 |
| 業務侵占 Occupational embezzlement | - | 56 | 22 | 10 | - | 4 | 1 | - | - | - | - | - | - | 15 |
| 侵占遺失物 Embezzlement of lost articles | - | - | - | - | - | - | - | - | - | - | - | 3 | - | - |
| 詐欺罪 Offenses of fraud | - | 345 | 155 | 163 | 77 | 45 | 9 | - | - | - | 13 | - | - | 62 |
| 一般詐欺 Common fraud | - | 328 | 81 | 36 | 29 | 7 | 1 | - | - | - | 13 | - | - | 48 |
| 常業詐欺 Occupational fraud | - | 17 | 74 | 127 | 48 | 38 | 8 | - | - | - | - | - | - | 14 |
| 背信罪 Offenses of breach of trust | - | 30 | 25 | 21 | 3 | 7 | 3 | - | - | - | 1 | - | - | 15 |
| 重利罪 Offenses of usury | - | 76 | 24 | 6 | - | - | - | - | - | - | 10 | 1 | - | 2 |
| 恐嚇取財罪 Offenses of obtaining property by threats | - | 87 | 24 | 12 | 6 | 2 | 1 | - | - | - | - | - | - | 2 |
| 擄人勒贖罪 Offenses of kidnapping for ransom | 11 | - | - | - | - | 2 | 3 | 17 | 12 | - | - | - | - | 3 |
| 贓物罪 Offenses relating to illegally obtained property | - | 30 | 17 | 3 | 2 | - | - | - | - | - | 4 | - | - | 6 |
| 毀棄損壞罪 Offenses of destruction, abandonment, and damage of property | - | 25 | 2 | 1 | - | - | - | - | - | - | 9 | - | - | 4 |
| 妨害電腦使用罪 Offenses of impairment to use of computers | - | 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. 13)

2007 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 | | | | | | | | | | |
| - | - | 5 | - | - | - | - | - | - | - | - | 10 | 2 | - | - | 2 | - | 3 | 17 | - |
| - | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | 34 | 4 | - |
| - | - | 89 | 58 | 40 | 19 | 11 | 2 | - | - | - | 11 | 2 | - | 4 | 8 | - | 5 | 735 | 1 |
| - | - | 49 | 13 | 4 | - | 2 | - | - | - | - | 11 | 2 | - | 3 | - | - | 3 | 243 | - |
| - | - | 40 | 45 | 29 | 16 | 8 | - | - | - | - | - | - | - | - | 8 | - | 2 | 482 | 1 |
| - | - | - | - | 7 | 3 | 1 | 2 | - | - | - | - | - | - | 1 | - | - | - | 10 | - |
| 5 | 3 | - | 1 | - | 1 | 21 | 21 | 43 | 24 | - | - | - | - | 4 | 4 | - | 1 | 189 | 1 |
| - | - | 4 | 11 | 6 | 2 | 4 | - | - | - | - | - | - | - | - | - | - | 1 | 127 | - |
| - | - | 27 | 11 | 12 | 2 | - | - | - | - | - | 4 | 1 | - | - | 9 | 1 | 4 | 71 | 2 |
| - | - | 13 | 4 | - | - | - | - | - | - | - | 4 | - | - | - | 4 | - | - | 10 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | 1 | - |
| - | - | 14 | 7 | 12 | 2 | - | - | - | - | - | - | - | - | - | 5 | 1 | 1 | 60 | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | 1 |
| - | - | 132 | 59 | 50 | 25 | 26 | 9 | - | - | - | 7 | - | - | 7 | 7 | 1 | 20 | 296 | 5 |
| - | - | 129 | 35 | 31 | 9 | 7 | 1 | - | - | - | 7 | - | - | 4 | 5 | - | 19 | 254 | 1 |
| - | - | 3 | 24 | 19 | 16 | 19 | 8 | - | - | - | - | - | - | 3 | 2 | 1 | 1 | 42 | 4 |
| - | - | 32 | 6 | 6 | - | 2 | - | - | - | - | - | - | - | 1 | 7 | - | 4 | 17 | 7 |
| - | - | 13 | - | 4 | 1 | - | - | - | - | - | 1 | - | - | - | - | - | - | 31 | 2 |
| - | - | 7 | 13 | 5 | 3 | 4 | - | - | - | - | - | - | - | - | 2 | - | 5 | 69 | - |
| 2 | 3 | - | - | - | - | 4 | 3 | 4 | 9 | - | - | - | - | - | 1 | - | - | 22 | 1 |
| - | - | 8 | 4 | 2 | 1 | - | - | - | - | - | 6 | 1 | - | 1 | 1 | - | 3 | 34 | 1 |
| - | - | 12 | 1 | - | - | - | - | - | - | - | 4 | 5 | - | - | 1 | - | 8 | 8 | - |
| - | - | 4 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | - |

# 13.高等法院暨分院受理刑事第二審案件裁判結果－按罪名別分(續十四)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 96 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 | - | - | - | - | - | - | - | - | - | - | 15 |
| 妨害秘密罪 Offenses relating to protection of secrets | - | - | - | - | - | - | - | - | - | - | - |
| 竊盜罪 Offenses of larceny | 125 | - | 5 | - | 107 | - | 12 | 1 | 45 | 27 | 13 |
| 普通竊盜竊占 Common theft and theft of movables or immovables | 25 | - | 4 | - | 17 | - | 3 | 1 | 13 | 5 | 13 |
| 加重竊盜 Severe theft | 66 | - | 1 | - | 56 | - | 9 | - | 32 | 21 | - |
| 常業竊盜 Occupational theft | 34 | - | - | - | 34 | - | - | - | - | 1 | - |
| 強盜罪 Offenses of robbery | 30 | - | 3 | - | 10 | 12 | 5 | - | - | 7 | - |
| 搶奪及海盜罪 Offenses of snatch of property and piracy | 10 | - | 2 | - | 8 | - | - | - | - | 1 | - |
| 侵占罪 Offenses of misappropriation | 3 | - | - | - | - | - | 3 | - | 31 | 43 | 2 |
| 普通侵占 Common embezzlement | 1 | - | - | - | - | - | 1 | - | 6 | 3 | 2 |
| 公務公益侵占 Official embezzlement | - | - | - | - | - | - | - | - | 1 | 1 | - |
| 業務侵占 Occupational embezzlement | 2 | - | - | - | - | - | 2 | - | 24 | 39 | - |
| 侵占遺失物 Embezzlement of lost articles | - | - | - | - | - | - | - | - | - | - | - |
| 詐欺罪 Offenses of fraud | 50 | - | - | - | 17 | - | 32 | 1 | 108 | 110 | 6 |
| 一般詐欺 Common fraud | 13 | - | - | - | 2 | - | 11 | - | 102 | 32 | 6 |
| 常業詐欺 Occupational fraud | 37 | - | - | - | 15 | - | 21 | 1 | 6 | 78 | - |
| 背信罪 Offenses of breach of trust | 2 | - | - | - | - | - | 2 | - | 22 | 18 | - |
| 重利罪 Offenses of usury | 7 | - | - | - | - | - | 7 | - | 12 | 10 | - |
| 恐嚇取財罪 Offenses of obtaining property by threats | 9 | - | - | - | 4 | - | 5 | - | 16 | 6 | - |
| 擄人勒贖罪 Offenses of kidnapping for ransom | - | - | - | - | - | - | - | - | - | - | - |
| 贓物罪 Offenses relating to illegally obtained property | 8 | - | - | - | 7 | - | 1 | - | 6 | 3 | - |
| 毀棄損壞罪 Offenses of destruction, abandonment, and damage of property | - | - | - | - | - | - | - | - | 8 | 2 | 3 |
| 妨害電腦使用罪 Offenses of impairment to use of computers | - | - | - | - | - | - | - | - | 1 | 1 | - |

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

2007 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 |
| - | - | 15 | - | - | - | - | 3 | - | - | 3 | 19 | 74 | 59 | - | - |
| - | - | - | - | - | - | - | 3 | - | - | - | 3 | - | 2 | - | - |
| 45 | 27 | 13 | - | - | - | 1 | 563 | - | - | 896 | 539 | 60 | 609 | - | - |
| 13 | 5 | 13 | - | - | - | 1 | 48 | - | - | 293 | 286 | 60 | 233 | - | - |
| 32 | 21 | - | - | - | - | - | 476 | - | - | 574 | 253 | - | 372 | - | - |
| - | 1 | - | - | - | - | - | 39 | - | - | 29 | - | - | 4 | - | - |
| - | 1 | - | - | 6 | - | 112 | 394 | 1 | - | 326 | - | - | 13 | - | 1 |
| - | 1 | - | - | - | - | - | 49 | - | - | 106 | 22 | - | 63 | - | - |
| 31 | 43 | 2 | - | - | - | - | 46 | - | - | 40 | 140 | 11 | 148 | 3 | - |
| 6 | 3 | 2 | - | - | - | - | 1 | - | - | 8 | 41 | 11 | 36 | - | - |
| 1 | 1 | - | - | - | - | - | - | - | - | 2 | 1 | - | 6 | - | - |
| 24 | 39 | - | - | - | - | - | 45 | - | - | 30 | 98 | - | 103 | 3 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | - | - |
| 108 | 110 | 6 | - | - | - | 3 | 244 | - | - | 266 | 705 | 39 | 611 | - | - |
| 102 | 32 | 6 | - | - | - | 3 | 94 | - | - | 189 | 703 | 39 | 512 | - | - |
| 6 | 78 | - | - | - | - | - | 150 | - | - | 77 | 2 | - | 99 | - | - |
| 22 | 18 | - | - | - | - | 6 | 5 | - | - | 7 | 88 | 1 | 60 | 3 | - |
| 12 | 10 | - | - | - | - | - | 63 | - | - | 31 | 129 | 19 | 119 | - | - |
| 16 | 6 | - | - | - | - | 2 | 64 | - | - | 78 | 133 | - | 136 | - | - |
| - | - | - | - | - | - | 69 | 40 | - | - | 23 | - | - | 1 | - | - |
| 6 | 3 | - | - | - | - | - | 4 | - | - | 43 | 73 | 15 | 61 | - | - |
| 8 | 2 | 3 | - | - | - | - | 3 | - | - | 15 | 73 | 36 | 68 | - | - |
| 1 | 1 | - | - | - | - | - | 4 | - | - | - | 8 | 1 | 3 | - | - |

# 13.高等法院暨分院受理刑事第二審案件裁判結果－按罪名別分(續十五)

中華民國 96 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** | **10 634** | **14 157** | **-** | **39** | **503** | **1 178** | **319** | **53** | **381** | **147** | **196** | **89** | **35** | **24** | **25** | **1** | **1 391** |
| 貪污治罪條例 Punishment of corruption act | 386 | 1 074 | - | - | - | 4 | 10 | 5 | 2 | 12 | 11 | 8 | - | - | - | - | 278 |
| 懲治盜匪條例 Punishment of thiefs and bandits act | 5 | 13 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 |
| 妨害兵役治罪條例 Punishment of offenses against military service act | 41 | 42 | - | - | 3 | - | 1 | - | - | - | - | - | - | - | - | - | 18 |
| 違反電信法 Violation of the telecommunications act | 23 | 28 | - | - | 1 | - | 1 | - | - | - | - | - | - | - | - | - | 8 |
| 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 | 40 | 79 | - | - | 7 | 3 | - | - | - | - | - | - | - | - | - | - | 18 |
| 違反森林法 Violation of the forestry law | 52 | 71 | - | - | 9 | 10 | 3 | - | - | - | - | - | - | - | - | - | 6 |
| 違反漁業法 Violation of the fishery law | 1 | 3 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反毒品危害防制條例 Violation of the narcotics endangerment prevention act | 6 721 | 7 436 | - | 39 | 227 | 1 072 | 136 | 11 | 45 | 35 | 171 | 75 | 35 | - | - | 1 | 254 |
| 製造運輸販賣 Manufacture, transport, or sale | 1 931 | 2 606 | - | 39 | - | - | 5 | 8 | 44 | 33 | 171 | 72 | 35 | - | - | - | 209 |
| 施用 Use | 4 524 | 4 528 | - | - | 216 | 1 057 | 119 | 1 | - | - | - | - | - | - | - | 1 | 13 |
| 其他 Other | 266 | 302 | - | - | 11 | 15 | 12 | 2 | 1 | 2 | - | 3 | - | - | - | - | 32 |
| 陸海空軍刑法 Criminal law of the armed forces | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反水利法 Violation of the irrigation management law | 11 | 12 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 違反電業法 Violation of the electricity management law | 18 | 22 | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 違反海商法 Violation of the maritime commercial law | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反就業服務法 Violation of the employment services law | 9 | 10 | - | - | 1 | 1 | - | - | - | - | - | - | - | 1 | - | - | 2 |
| 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 | 76 | 77 | - | - | 5 | 1 | - | - | - | - | - | - | - | 2 | - | - | 8 |
| 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 | 7 | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | 3 |
| 違反勞工安全衛生法 Violation of the labor safety and health law | 5 | 14 | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 10 |

## 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)

2007 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 | | | | | |
| **93** | **177** | **20** | **6** | **157** | **150** | **223** | **214** | **59** | **236** | **223** | **271** | **146** | **23** | **8** | **6** | **1** | **29** |
| 7 | 3 | 7 | - | - | - | 6 | 14 | 11 | 14 | 27 | 20 | 35 | - | - | - | - | 3 |
| - | - | 5 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 2 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 2 | - | - | - | - | - | 6 | 3 | - | - | - | - | - | - | - | - | - | 3 |
| 2 | - | - | - | - | - | 6 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 41 | 49 | 5 | 6 | 156 | 39 | 138 | 32 | 11 | 45 | 56 | 226 | 108 | 23 | - | - | - | 6 |
| 3 | 3 | 3 | 6 | 156 | - | 1 | 6 | 5 | 44 | 52 | 226 | 107 | 23 | - | - | - | 6 |
| 32 | 44 | 2 | - | - | 34 | 131 | 15 | - | 1 | - | - | - | - | - | - | - | - |
| 6 | 2 | - | - | - | 5 | 6 | 11 | 6 | - | 4 | - | 1 | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | - | - | - | - | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 36 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

# 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 96 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 | | | | |
| **特別刑事法計 Sub-total of special criminal law** | **3** | **1 107** | **570** | **325** | **137** | **239** | **211** | **323** | **288** | **48** | **37** | **23** | **6** | **472** |
| 貪污治罪條例 Punishment of corruption act | - | 4 | 21 | 41 | 31 | 31 | 61 | 35 | 38 | - | - | - | 1 | 114 |
| 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 | - | 4 | - | - | - | - | - | - | - | - | - | - | - | 2 |
| 違反電信法 Violation of the telecommunications act | - | 6 | - | 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 | - | 10 | 3 | 4 | 1 | - | - | - | - | - | - | - | - | 8 |
| 違反森林法 Violation of the forestry law | - | 8 | 8 | 2 | - | - | - | - | - | - | - | - | - | 3 |
| 違反漁業法 Violation of the fishery law | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反毒品危害防制條例 Violation of the narcotics endangerment prevention act | - | 566 | 248 | 49 | 27 | 82 | 69 | 274 | 245 | 48 | 1 | - | - | 96 |
| 製造運輸販賣 Manufacture, transport, or sale | - | - | 3 | 10 | 19 | 81 | 67 | 274 | 245 | 48 | - | - | - | 90 |
| 施用 Use | - | 548 | 222 | 14 | - | - | - | - | - | - | - | - | - | 2 |
| 其他 Other | - | 18 | 23 | 25 | 8 | 1 | 2 | - | - | - | 1 | - | - | 4 |
| 陸海空軍刑法 Criminal law of the armed forces | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反水利法 Violation of the irrigation management law | - | 2 | 2 | - | - | - | - | - | - | - | - | - | - | 2 |
| 違反電業法 Violation of the electricity management law | - | 5 | - | - | - | - | - | - | - | - | 1 | - | - | - |
| 違反海商法 Violation of the maritime commercial law | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反就業服務法 Violation of the employment services law | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - |
| 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 | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - |
| 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. 16)

2007 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 | | | | | | | | | |
| **2** | **27** | **174** | **181** | **157** | **45** | **101** | **92** | **131** | **88** | **11** | **7** | **10** | **-** | **118** | **75** | **-** | **218** | **2 488** | **20** |
| - | - | 2 | 6 | 10 | 8 | 19 | 26 | 18 | 21 | - | - | - | - | 61 | 8 | - | 32 | 7 | 2 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 5 | - | - | - | - |
| - | - | 5 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 6 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 7 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | 1 | 3 | - | - | - | - | - | - | - | - | - | - | - | - | 1 | 5 | 1 |
| - | - | 4 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 10 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 2 | 27 | 29 | 125 | 91 | 7 | 18 | 22 | 104 | 66 | 10 | - | - | - | 38 | 31 | - | 151 | 1 960 | 8 |
| 2 | 27 | - | - | 2 | 4 | 18 | 22 | 104 | 66 | 10 | - | - | - | 11 | 8 | - | 7 | 226 | 5 |
| - | - | 14 | 118 | 82 | 1 | - | - | - | - | - | - | - | - | 27 | 23 | - | 139 | 1 669 | 3 |
| - | - | 15 | 7 | 7 | 2 | - | - | - | - | - | - | - | - | - | - | - | 5 | 65 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 5 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 4 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | 1 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 1 | - | - | - | - | - | - | - | - | 2 | - | - | 9 | - | - | 2 | 10 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | 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 96 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** | **165** | **-** | **3** | **-** | **60** | **-** | **83** | **19** | **256** | **362** | **14** |
| 貪污治罪條例 Punishment of corruption act | 1 | - | - | - | - | - | 1 | - | 1 | 53 | - |
| 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 | - | - | - | - | - | - | - | - | 6 | - | - |
| 違反電信法 Violation of the telecommunications act | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | 8 | 1 | - |
| 違反森林法 Violation of the forestry law | 1 | - | - | - | - | - | 1 | - | 5 | 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 | 27 | - | 1 | - | - | - | 9 | 17 | 1 | 12 | - |
| 製造運輸販賣 Manufacture, transport, or sale | 22 | - | - | - | - | - | 5 | 17 | - | 8 | - |
| 施用 Use | 4 | - | 1 | - | - | - | 3 | - | - | 4 | - |
| 其他 Other | 1 | - | - | - | - | - | 1 | - | 1 | - | - |
| 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 | - | - | - | - | - | - | - | - | 4 | - | - |
| 違反海商法 Violation of the maritime commercial law | - | - | - | - | - | - | - | - | - | - | - |
| 違反就業服務法 Violation of the employment services law | 1 | - | - | - | - | - | - | 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 | - | - |
| 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)

2007 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 |
| **256** | **360** | **14** | **-** | **2** | **-** | **1 523** | **3 827** | **1 084** | **39** | **3 419** | **1 582** | **79** | **1 982** | **4** | **-** |
| 1 | 53 | - | - | - | - | 549 | 25 | 109 | 38 | 15 | - | - | 36 | 4 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 6 | - | - | - | - | - | - | 1 | - | - | - | 10 | - | 7 | - | - |
| 3 | - | - | - | - | - | - | 5 | - | - | 4 | 9 | - | 5 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 8 | 1 | - | - | - | - | 1 | 9 | - | - | 10 | - | - | 12 | - | - |
| 5 | 3 | - | - | - | - | - | 17 | - | - | 15 | 20 | - | 17 | - | - |
| 1 | - | - | - | - | - | - | 1 | - | - | - | 3 | - | 3 | - | - |
| 1 | 11 | - | - | 1 | - | 488 | 2 252 | 950 | 1 | 2 760 | 693 | 3 | 929 | - | - |
| - | 7 | - | - | 1 | - | 487 | 585 | 935 | 1 | 727 | - | - | 11 | - | - |
| - | 4 | - | - | - | - | - | 1 555 | - | - | 1 957 | 647 | - | 816 | - | - |
| 1 | - | - | - | - | - | 1 | 112 | 15 | - | 76 | 46 | 3 | 102 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 1 | - | - | 1 | 4 | - | 5 | - | - |
| 4 | - | - | - | - | - | - | 4 | - | - | 1 | 15 | 1 | 9 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 1 | - | - | - | - | - | - | - | - | 1 | 1 | 3 | 3 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | - | - | - | - | - | - | - | - | - | 3 | 6 | 6 | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | 2 | 4 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - | - |

# 13.高等法院暨分院受理刑事第二審案件裁判結果－按罪名別分(續十八)

中華民國 96 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 |
| 違反各種稅法 Violation of various taxation laws | 45 | 65 | - | - | 17 | - | - | - | - | - | - | - | - | - | - | 1 | - | 22 |
| 違反菸酒管理法 Violation of tobacco and alcohol management law | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 妨害國幣懲治條例 Violation of the punishment for impairment of state currency act | 17 | 32 | - | - | - | - | - | 2 | - | 1 | 1 | - | - | - | - | - | - | 2 |
| 違反醫師法 Violation of the physicians law | 21 | 24 | - | - | 4 | 3 | - | - | - | - | - | - | - | - | - | - | - | 7 |
| 違反藥事法 Violation of the pharmaceutical affairs act | 89 | 127 | - | - | 11 | 7 | 11 | 1 | - | - | - | - | - | - | - | 1 | - | 14 |
| 偽藥 Counterfeit medicine | 89 | 127 | - | - | 11 | 7 | 11 | 1 | - | - | - | - | - | - | - | 1 | - | 14 |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反麻醉藥品管理條例 Violation of the anaesthetics control act | 15 | 15 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反著作權法 Violation of the copyright law | 245 | 351 | - | - | 32 | 9 | 10 | 2 | - | - | - | - | - | - | - | 7 | - | 47 |
| 違法重製罪 Offence of unlawful reproduction | 82 | 124 | - | - | 17 | 4 | - | - | - | - | - | - | - | - | - | 5 | - | 26 |
| 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 | 60 | 69 | - | - | 10 | 5 | 1 | - | - | - | - | - | - | - | - | 2 | - | 4 |
| 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 | 24 | 33 | - | - | 5 | - | - | - | - | - | - | - | - | - | - | - | - | 9 |
| 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 | 5 | 5 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 |
| 侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright | 74 | 120 | - | - | - | - | 9 | 2 | - | - | - | - | - | - | - | - | - | 6 |
| 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 | 6 | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 2 |
| 違反公平交易法 Violation of the fair trade act | 4 | 19 | - | - | 2 | 4 | 2 | - | - | - | - | - | - | - | - | 2 | - | 2 |
| 違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law | 33 | 55 | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - | 9 |
| 違反野生動物保育法 Violation of the wildlife conservation law | 14 | 18 | - | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | 3 |
| 違反水污染防治法 Violation of the water pollution control law | 3 | 3 | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 違反兩岸關係條例 Violation of the cross-strait relations act | 117 | 158 | - | - | 4 | 2 | 15 | 1 | 8 | - | - | - | - | 3 | - | - | - | 5 |

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

2007 Unit: case; individual

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

# 13.高等法院暨分院受理刑事第二審案件裁判結果－按罪名別分(續十九)

中華民國 96 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 | - | 10 | 3 | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | 1 | 11 | 1 | - | - | - | - | - | 1 |
| 違反醫師法 Violation of the physicians law | - | 4 | 4 | - | - | - | - | - | - | - | - | - | - | - |
| 違反藥事法 Violation of the pharmaceutical affairs act | - | 21 | 9 | 4 | 5 | 1 | - | - | - | - | - | 2 | - | 2 |
| 偽藥 Counterfeit medicine | - | 21 | 9 | 4 | 5 | 1 | - | - | - | - | - | 2 | - | 2 |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反麻醉藥品管理條例 Violation of the anaesthetics control act | - | - | - | 1 | 1 | - | 3 | - | - | - | - | - | - | - |
| 違反著作權法 Violation of the copyright law | - | 31 | 61 | 14 | 4 | - | - | - | - | - | 3 | 8 | - | 11 |
| 違法重製罪 Offence of unlawful reproduction | - | 14 | 4 | 2 | - | - | - | - | - | - | - | 5 | - | 4 |
| 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 | - | 11 | 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 | 1 | - | - | - | - | - | - | - | 3 | 2 | - | 4 |
| 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 | - | - | - | - | - | - | - | - | - | - | - |
| 侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright | - | 4 | 49 | 12 | 4 | - | - | - | - | - | - | - | - | 3 |
| 違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違法利用他人著作罪 Offense of unlawful use of another person's work of authorship | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 虛偽記載登記罪 Offense of false entry or registration | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反建築法 Violation of the building law | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反公平交易法 Violation of the fair trade act | - | 4 | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law | - | 11 | 5 | 3 | - | - | - | - | - | - | - | - | - | 4 |
| 違反野生動物保育法 Violation of the wildlife conservation law | - | 3 | 1 | - | - | - | - | - | - | - | - | - | - | 3 |
| 違反水污染防治法 Violation of the water pollution control law | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反兩岸關係條例 Violation of the cross-strait relations act | - | 7 | 20 | 22 | 1 | 3 | - | - | - | - | - | - | - | 5 |

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

2007 Unit: individual

| Defendants | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty | | | | | | | | | | | | | | | | 撤銷改判免訴 | 撤銷改判不受理 | 撤銷改判管轄錯誤 | 撤銷改判發回原審法院 | 撤回 | 其他 |
| 科刑 Individuals Sentenced | | | | | | | | | | | | | | 免除其刑 | | | | | | | |
| 死刑 Death Sentence | 無期徒刑 Life Sentence | 有刑徒刑 timed imprisonments | | | | | | | | | | 拘役 Detention | 罰金 Punitive fine | | | | | | | | |
| | | 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 | | | | 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 |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 3 | 1 | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | - | - | - | 2 | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - |
| - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | 5 | 1 | 1 | 1 | 3 | - | - | - | - | - | - | 1 | - | 1 | - | - | - | 9 | 1 | |
| - | - | 5 | 1 | 1 | 1 | 3 | - | - | - | - | - | - | 1 | - | 1 | - | - | - | 9 | 1 | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 4 | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 10 | 8 | 6 | - | - | - | - | - | - | - | - | 2 | - | 1 | 11 | - | 5 | 34 | - | |
| - | - | 9 | 2 | - | - | - | - | - | - | - | - | - | 2 | - | - | 4 | - | 4 | 9 | - | |
| - | - | 1 | 1 | 3 | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | 13 | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 1 | 3 | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | |
| - | - | - | 5 | 3 | - | - | - | - | - | - | - | - | - | - | - | 6 | - | - | 8 | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 5 | 4 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 8 | - | |
| - | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 3 | 2 | 5 | - | 3 | 1 | - | - | - | - | - | - | - | 1 | 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 96 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 | - | - | - | - | - | - | - | - | 14 | - | - |
| 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 | 2 | - |
| 違反藥事法 Violation of the pharmaceutical affairs act | 2 | - | - | - | - | - | 2 | - | 16 | 11 | - |
| 偽藥 Counterfeit medicine | 2 | - | - | - | - | - | 2 | - | 16 | 11 | - |
| 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 | 3 | - | - | - | - | - | 3 | - | 18 | 31 | - |
| 違法重製罪 Offence of unlawful reproduction | - | - | - | - | - | - | - | - | 7 | 4 | - |
| 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 | - | 9 | 4 | - |
| 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 | - | - | - | - | - | - | - | - | 1 | - | - |
| 侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad | - | - | - | - | - | - | - | - | - | - | - |
| 侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright | 2 | - | - | - | - | - | 2 | - | 1 | 23 | - |
| 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 | - | - | - | - | - | - | - | - | - | 4 | - |
| 違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law | - | - | - | - | - | - | - | - | 4 | 3 | - |
| 違反野生動物保育法 Violation of the wildlife conservation law | 3 | - | - | - | - | - | 3 | - | 4 | 1 | - |
| 違反水污染防治法 Violation of the water pollution control law | - | - | - | - | - | - | - | - | 1 | - | - |
| 違反兩岸關係條例 Violation of the cross-strait relations act | 3 | - | - | - | - | - | 3 | - | 2 | 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)

2007 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 |
| 14 | - | - | - | - | - | - | 2 | - | - | 2 | 29 | - | 22 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 14 | - | - | 5 | - | - | - | - | - |
| 1 | 2 | - | - | - | - | - | 5 | - | - | 3 | 8 | - | 9 | - | - |
| 16 | 11 | - | - | - | - | - | 50 | - | - | 22 | 9 | - | 43 | - | - |
| 16 | 11 | - | - | - | - | - | 50 | - | - | 22 | 9 | - | 43 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | 8 | - | - | 8 | - | - | - | - | - |
| 18 | 31 | - | - | - | - | - | 143 | - | - | 25 | 74 | 4 | 118 | - | - |
| 7 | 4 | - | - | - | - | - | 33 | - | - | 2 | 42 | - | 36 | - | - |
| 9 | 4 | - | - | - | - | - | 38 | - | - | 9 | 25 | - | 19 | - | - |
| 1 | - | - | - | - | - | - | 7 | - | - | 2 | 7 | 4 | 6 | - | - |
| - | - | - | - | - | - | - | 2 | - | - | 1 | - | - | 1 | - | - |
| 1 | 23 | - | - | - | - | - | 63 | - | - | 11 | - | - | 56 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | - | - |
| - | 4 | - | - | - | - | - | - | - | - | 2 | 9 | - | 5 | - | - |
| 4 | 3 | - | - | - | - | - | 14 | - | - | 8 | 18 | - | 19 | - | - |
| 4 | 1 | - | - | - | - | - | 5 | - | - | 1 | 6 | - | 4 | - | - |
| 1 | - | - | - | - | - | - | - | - | - | 1 | 2 | - | 1 | - | - |
| 2 | 20 | - | - | - | - | - | 12 | - | - | 31 | 13 | 3 | 54 | - | - |

# 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 96 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 | | | | | |
| 違反公司法 Violation of the company law | 31 | 58 | - | - | - | 1 | - | - | - | - | - | - | - | 2 | - | - | 3 |
| 違反食品衛生管理法 Violation of the food sanitation control law | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反專利法 Violation of the patent law | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 偽造專利品罪 Offense of forgery of patented articles | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 竊用專利方法罪 Offense of wrongful use a patented process | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 虛偽標示罪 Offense of false marking | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反商標法 Violation of the trademark law | 94 | 131 | - | - | 19 | 4 | - | - | - | - | - | - | - | 3 | - | - | 32 |
| 侵害他人商標罪 Offense of trademark infringement | 43 | 61 | - | - | 7 | 1 | - | - | - | - | - | - | - | 1 | - | - | 15 |
| 販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark | 51 | 70 | - | - | 12 | 3 | - | - | - | - | - | - | - | 2 | - | - | 17 |
| 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 | 1 247 | 1 595 | - | - | 7 | 12 | 50 | 22 | 284 | 94 | 12 | 4 | - | - | - | - | 79 |
| 國家安全法 National security law | 2 | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 集會遊行法 Mass gathering and demonstration act | 2 | 3 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 |
| 違反銀行法 Violation of the banking law | 15 | 38 | - | - | - | - | 2 | - | 1 | - | - | - | - | - | - | - | 1 |
| 違反選舉罷免法 Violation of the election and recall law | 392 | 832 | - | - | 44 | 12 | 37 | 4 | 28 | - | - | - | - | - | - | - | 245 |
| 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 | 131 | 204 | - | - | 8 | 1 | 3 | - | 10 | 4 | - | 2 | - | 2 | - | - | 18 |
| 違反兒童及少年福利法 Violation of the children's and juvenile's welfare law | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | 716 | 1 531 | - | - | 97 | 30 | 38 | 5 | 3 | 1 | 1 | - | - | 10 | 12 | - | 287 |

## 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)

2007 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 | - | - | - | 6 | 1 | 1 | - | - | - | - | - | - | 2 | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | 9 | 2 | - | - | - | - | - | - | - | 1 | - | - | - |
| - | - | - | - | - | 5 | 1 | - | - | - | - | - | - | - | 1 | - | - | - |
| - | - | - | - | - | 4 | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 4 | - | - | 1 | - | 6 | 39 | 19 | 139 | 96 | 19 | 1 | - | - | - | - | 2 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 1 | - | - | - | - | - | 11 | - | 3 | 1 | - | - | - | - | - | - | - |
| - | - | - | - | - | 28 | 10 | 25 | 5 | 19 | - | - | - | - | - | - | 1 | 3 |
| - | 1 | 1 | - | - | - | 1 | 6 | 2 | 8 | 29 | 3 | 1 | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 2 | 108 | 1 | - | - | 46 | 22 | 56 | 9 | 6 | 6 | - | - | - | 4 | 1 | - | 11 |

# 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 96 年　　單位：人

| 罪名別 Crime Type | 被告人數 | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty | | | | | | | | | | | | | |
| | 科刑 Individuals Sentenced | | | | | | | | | | | | 免除其刑 Penalty released | 無罪 Acquitted |
| | 無期徒刑 Life Sentence | 有刑徒刑 timed imprisonments | | | | | | | | | | 拘役 Detention | 罰金 Punitive fine | |
| | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | | | | |
| 違反公司法 Violation of the company law | - | 17 | 1 | - | - | - | - | - | - | - | 7 | - | - | - |
| 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 | - | 21 | 1 | 1 | - | - | - | - | - | - | 2 | - | - | 6 |
| 侵害他人商標罪 Offense of trademark infringement | - | 11 | 1 | - | - | - | - | - | - | - | 1 | - | - | 4 |
| 販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark | - | 10 | - | 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 | 3 | 45 | 30 | 60 | 32 | 57 | 52 | 12 | 5 | - | - | - | 2 | 33 |
| 國家安全法 National security law | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 集會遊行法 Mass gathering and demonstration act | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反銀行法 Violation of the banking law | - | - | - | - | 6 | 6 | 2 | - | - | - | - | - | - | - |
| 違反選舉罷免法 Violation of the election and recall law | - | 125 | 33 | 34 | 6 | 12 | - | - | - | - | - | - | 3 | 91 |
| 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 | - | 6 | 4 | 9 | 4 | 27 | 9 | 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 | - | 193 | 116 | 78 | 19 | 19 | 4 | - | - | - | 20 | 12 | - | 84 |

## 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)

2007

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 | 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 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 5 | 6 | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 12 | - | 1 | - | - | - | - | - | - | 1 | - | - | - | - | - | - | 2 | 14 | - |
| - | - | 9 | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | - |
| - | - | 3 | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | 2 | 11 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 3 | 6 | 12 | 16 | 37 | 24 | 6 | 1 | 1 | - | - | - | 1 | 3 | - | 6 | 255 | 3 | |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | 1 | 1 | 1 | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - |
| - | - | 25 | 4 | 13 | 1 | 9 | - | - | - | - | - | - | - | - | 3 | - | - | 11 | 1 | |
| - | - | 4 | 1 | - | 2 | 11 | 11 | 1 | - | - | - | - | - | - | - | - | 2 | 6 | - | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 50 | 20 | 14 | 7 | - | 2 | 2 | - | - | 3 | 4 | - | 6 | 11 | - | 7 | 102 | 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 96 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 | - | 8 |
| 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 | - | - | - | - | - | - | - | - | 8 | 1 | 1 |
| 侵害他人商標罪 Offense of trademark infringement | - | - | - | - | - | - | - | - | 6 | 1 | 1 |
| 販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark | - | - | - | - | - | - | - | - | 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 | 23 | - | - | - | 2 | - | 20 | 1 | 37 | 45 | - |
| 國家安全法 National security law | - | - | - | - | - | - | - | - | - | - | - |
| 集會遊行法 Mass gathering and demonstration act | - | - | - | - | - | - | - | - | - | - | - |
| 違反銀行法 Violation of the banking law | 1 | - | - | - | - | - | 1 | - | - | 5 | - |
| 違反選舉罷免法 Violation of the election and recall law | 21 | - | - | - | - | - | 21 | - | 25 | 75 | - |
| 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 | - | 2 | 9 | - |
| 違反兒童及少年福利法 Violation of the children's and juvenile's welfare law | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | 77 | - | 2 | - | 58 | - | 17 | - | 92 | 85 | 5 |

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

2007 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 | - | 8 | - | - | - | - | 2 | - | - | 1 | 25 | 11 | 26 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 8 | 1 | 1 | - | - | - | - | 52 | - | - | 13 | 61 | 7 | 34 | - | - |
| 6 | 1 | 1 | - | - | - | - | 23 | - | - | 3 | 32 | 3 | 16 | - | - |
| 2 | - | - | - | - | - | - | 29 | - | - | 10 | 29 | 4 | 18 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 37 | 44 | - | - | 1 | - | 14 | 902 | 2 | - | 329 | 18 | - | 121 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | 1 | - | 1 | - | - |
| - | - | - | - | - | - | - | - | - | - | 1 | 1 | - | - | - | - |
| - | 5 | - | - | - | - | - | 3 | - | - | 2 | - | - | - | - | - |
| 25 | 75 | - | - | - | - | 470 | 127 | 17 | - | 17 | 215 | - | 123 | - | - |
| 2 | 9 | - | - | - | - | - | 61 | - | - | 25 | 17 | 2 | 9 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 92 | 85 | 5 | - | - | - | - | 112 | 6 | - | 112 | 314 | 37 | 361 | - | - |