

Rewarding and Protecting Corruption Reporting and Eliminating Fraudulent Claims for Rewards

“Cleaning out corruption to build a clean and competent government” is the expectation of the Taiwanese people, and “encouraging reports of corruption and providing substantial protection” is an important measure for combatting corruption and building a clean and competent government. To encourage the reporting of corruption, the Executive Yuan promulgated and enforced amendments to the Anti-Corruption Informant Rewards and Protection Regulations (hereinafter referred to as “Rewards and Protection Regulations”) on March 16, 2016, which included “the scope of offenses reported that are to be rewarded”, “the addition of reasons for not granting a reward”, and “the addition of the exception of granting one-tenth of the full reward to an informant who has provided concrete evidence of significant, substantial assistance to the investigation of a case despite the reported fact being inconsistent with the adjudicative fact”. The AAC indicated that, from its establishment on July 20, 2011 to May 31, 2016, it had processed a total of 10,071 Lian-Li cases – cases deemed crime-related – of which 6,545 cases were reported by the general public, accounting for 64% of all Lian-Li cases. Moreover, there were 2,371 Lian-Cha cases – Lian-Li cases deemed suspicious and worthy of further investigation following

reviews by the Intelligence Review Committee – of which 474 cases were tip-offs received from the public, accounting for 20% of all Lian-Cha cases. The amendment to the Rewards and Protection Regulations took both practical needs and the rights and interests of informants into consideration, and also facilitated the implementation of anti-corruption work.

Although tip-offs are conducive to the investigation of corruption, the identity of informants must be kept confidential in order to protect them, safeguarding the rights and interests of informants and, at the same time, encouraging members of the public to bravely report any corruption by granting rewards. On the other hand, there are a small number of dishonest public servants who claim rewards fraudulently, taking advantage of loopholes in related procedures. For instance, in 2011, the AAC conducted an investigation into allegations against a coast guard commander, surnamed Kuo, at the Central Coast Patrol Office of Coast Guard Administration for using an old acquaintance surnamed Cheng as a figurehead to fraudulently claim NT\$3.7 million in tip-off rewards. The accused was then found guilty and was sentenced to 14 years in prison for corruption by the Taiwan Kaohsiung District Court.

After analyzing the patterns of “corruption cases that had occurred”, the Department of Ethics, Coast Guard Administration believed that “fraudulent claiming of tip-off

rewards” may also occur among similarly tasked units and supporting measures must be taken for prevention and elimination. With the full support of the chief official, the CGA established the 2012 Operation for Supervision and Evaluation of Measures against Corruption and Malfeasance in Criminal Investigation. Subsequently, the CGA conducted a special inspection of reward claims made by various coast patrol offices between 2006 and 2013 and found 13 suspected cases of “fraudulent claiming of tip-off rewards”. These 13 cases were later transferred to the AAC for investigation, and, following reviews by the AAC’s Intelligence Review Committee, 11 of them were filed as Lian-Cha cases requiring further investigation. Following the completion of investigations conducted by AAC resident prosecutors and agents, 3 of the 11 cases were sent to district prosecutors offices for investigation, and guilty verdicts were handed out in trials of 1st and 2nd instances for two of these cases. Additionally, in May this year, there was one case that the Taipei District Prosecutors Office closed investigation and filed charges of corruption against the accused.

To effectively prevent similar criminal cases from happening, on April 15, 2013 the Department of Ethics, Coast Guard Administration revised the Guidelines to Encourage the Populace to Furnish the Coast Guard Authority with Clues for

Solving Criminal Cases after the approval of the chief official, conducting a review of reward claiming and granting procedures and putting a monitoring mechanism into effect. Because the measures by the Department of Ethics, CGA and the judicial investigation by the AAC had produced a certain degree of deterrence effect, at present four individuals involving three cases, worrying about their malfeasance being discovered, have turned themselves in to the AAC with the assistance of government employee ethics units. Subsequently, the CGA has made routine these measures against corruption and malfeasance to prevent the granting of tip-off rewards from becoming a hidden risk of the CGA due to a lack of third-party monitoring.

The AAC indicated that establishing an anti-corruption mechanism and encouraging turning oneself in to the authorities should be the best means for reducing the attrition of judicial investigative resources. According to the statistics, from its establishment on July 20, 2011 to May 31, 2016, the AAC processed 283 cases, involving 522 individuals, who had turned themselves in, tallying illegal gains worth NT49,826,528. With the dedication of government employee ethics officers and the AAC in related anti-corruption work and the full support of chief officials, we believe that we can without a doubt accomplish the objective of “Honest Government, Faithful Society, and Clean Homeland”.