

Content

Title :	Regulations Governing Investigation of Prisoner' s Information CH
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Legislative :	1.Promulgated on July 15, 2020
Article 1	These Regulations are established in accordance with Paragraph 3, Article 9 of the Prison Act (hereinafter referred to as the Act).
Article 2	<p>The terms used in these Regulations are defined as follows:</p> <ol style="list-style-type: none">1. Prison: Referring to any prison under the Agency of Corrections, Ministry of Justice, including any branch or female unit set up by the prison.2. Prison official: Referring to the head of a Prison under the preceding subparagraph and the person authorized thereby.3. Prison officer: Referring to the custody and security, edification, investigation and classification, and health officer of the prison under Subparagraph 1.
Article 3	<p>In accordance with Paragraph 1, Article 9 of the Act, the investigation of prisoner' s information shall include the following:</p> <ol style="list-style-type: none">1. Name and place of origin.2. Physical and mental health.3. Criminal record and status.4. Social, mental and family condition.5. Professions and skills.6. Needs of social welfare and protection.7. Matters such as the residence after discharge, future cohabitation members, family support, employment referral, rehabilitation protection and assistance.8. Other matters that should be investigated in accordance with laws and regulations.9. Other matters served as reference for treatment. <p>If a prisoner has been in detention center before admitted into Prison, the information investigated during the period of detention, aside from those that should be attached or transferred in accordance with Article 108 of the Detention Act, the prison may request for the investigated information from the detention center where the prisoner was detained, as the references for investigation.</p>
Article 4	Prisons shall set up investigation team consisting of investigation and classification, edification, work, health, custody and security, general affairs and other relevant officers. The head of team shall be the head of investigation and classification section or other high-level officer appointed by the prison official.
Article 5	<p>The investigation under the preceding article shall be conducted by the following methods:</p> <ol style="list-style-type: none">1. Direct investigation: member of the investigation team shall conduct direct investigation by observations or interviews and keep the records. The investigator shall sign on the records.2. Indirect investigation: the investigation team shall request for relevant data from relevant institutions (organizations), legal entities, groups, or individuals.3. Psychological test: the investigation team shall conduct test on intelligence, behavior and emotion. <p>The psychological test under the preceding paragraph is optional based on the needs of investigation. The officer conducting the test shall be qualified or professionally trained.</p>

Article 6 The prisoner investigations can be categorized into admission investigation, in-prison review and post imprisonment investigation. Admission investigation shall be conducted by direct investigation method, and shall be completed within 20 days after the prisoner is admitted into a Prison. The period of indirect investigation and psychological test shall not exceed two months. The investigation may be in a summary form if the prisoner's sentence is less than one year. In-prison review shall be conducted every two years after the admission of the prisoner, which may be conducted at any time whenever found necessary. Post imprisonment investigation shall be conducted three months before release or before the request of release on parole is submitted. The review investigation may be conducted again before the release whenever found necessary. The supervisory authority shall establish the forms of investigations set forth in the preceding four paragraphs.

Article 7 The investigation team shall conduct admission investigation in accordance with Subparagraph 1 to Subparagraph 6, Subparagraphs 8 and 9 of Paragraph 1, Article 3. With regard to the information investigated under the preceding paragraph, the investigation team shall seek prisoners' opinion on the records on admission investigation, and establish or revise the individual treatment plans based on the prisons' condition and resources within three months after the new prisoners have been admitted into prison. When a prison cannot meet the prisoners' needs of special treatment measures due to prison conditions and resources, it shall be specified in individual treatment plans. The admission investigation and individual treatment plans set forth in preceding two paragraphs shall be submitted to investigation review meeting for review.

Article 8 The investigation team shall review or investigate relevant data of admission investigation and individual treatment plans, and make revisions on the individual treatment plans if actual needs are found, the team shall make the in-prison review records and submit them for the review of the investigation review meeting.

Article 9 The prison officers shall investigate matters set forth in Subparagraph 6 to Subparagraph 8 of Paragraph 1, Article 3, and Article 139 to Article 142 of the Act, and make post-imprisonment investigation records and submit them for the review of the investigation review meeting.

Article 10 The prison officials may designate relevant prison officers to conduct admission investigation, in-prison review, and post-imprisonment investigation and made written records which the prisoners shall sign on the records after reading. The records shall be revised or added with prisoners' opinion if the prisoners have different opinions. If the prisoners refuse to sign on the records, the reasons shall be noted on the records.

Article 11 Investigation review meeting shall be chaired by the prison officials or the designated officer, and the meeting shall be attended by officers at secretary level or above, heads of prison sections and relevant professionals. Prisons may seek assistance from experts, scholars and social organization members specialized in the fields of psychology, education, society, law, criminology, and penology, to participate and provide assistance in handling defendants' information and individual treatment plans.

Article 12 The investigation review meeting reviews the following items:
1. Admission investigation records and individual treatment plans.
2. In-prison review records.
3. Post-imprisonment investigation records.
Investigation review meeting shall call the meeting at least once per month.

Article 13 These regulations shall take effect as of July 15, 2020.

