

Zero Tolerance for Gender-Based Violence



Your Safety is Our Priority

Gender-Based Violence Prevention Multilingual E-Book



Published by Taoyuan City Government

Foreword

In recent years, Taiwan has seen frequent amendments to laws related to “the prevention of gender-based violence.” Since June 2022, revisions have been made to the “Stalking and Harassment Prevention Act,” “Criminal Code of the Republic of China,” “Sexual Assault Crime Prevention Act,” “Child and Youth Sexual Exploitation Prevention Act,” “Crime Victim Rights Protection Act,” “Gender Equity Education Act,” “Act of Gender Equality in Employment,” “Sexual Harassment Prevention Act” and “Domestic Violence Prevention Act.”

Given the large number of legal amendments, law enforcement and related personnel are required to undergo training to thoroughly understand the differences between them. Needless to say, it is an even greater challenge for migrant workers and new immigrants, grappling with these legal concepts in a foreign language.

For many years, Taoyuan City Government has tirelessly advanced “gender-friendly” related policies and with the increasingly comprehensive nature of central government regulations, drafted an “Inter-Department Promotional Gender-Based Violence Prevention Multilingual E-Book.” This enables foreign workers and new immigrants to quickly understand various “gender-based violence” prevention measures and rights protections in their native languages. It also reflects the city’s respect, friendliness, and empathy toward this community, and it is hoped will foster their trust in city government officials and personnel in related departments, so they are more willing to seek out assistance when encountering gender-based violence related issues.

This e-book provides a greater understanding of related issues to not only foreign workers and new immigrants but also Taiwan nationals (including family members, employers, and work colleagues). It also facilitates a deeper appreciation of gender-based violence by labor brokers and interpreters, enabling them to offer related advice and facilitate the smooth operation of judicial processes for foreign workers and new immigrants.

Mayor of Taoyuan City

張善政

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“Gender-Based Violence Cases” Prevention and Processing

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§ 1

Sexual Harassment

1-1 What Are the Key Differences Between the “Three Sexual Harassment Laws” ?

Sexual harassment can take many forms. Any discriminatory or insulting words or actions related to “sex and gender” that make someone feel “offended or uncomfortable” can constitute sexual harassment. Depending on the target or location, such behavior is governed by the “Gender Equity Education Act,” the “Gender Equality in Employment Act,” or the “Sexual Harassment Prevention Act.” These three laws are collectively referred to as the “Three Sexual Harassment Laws.”

To make it easier to remember, the types of sexual harassment behavior covered under these laws are categorized as “Campus Sexual Harassment,” “Workplace Sexual Harassment” and “General Sexual Harassment” :

Campus sexual harassment → “Gender Equity Education Act”:

This law applies to situations involving “students” and “school principals, teachers, staff, workers, or other students.”

When the above criteria are met the “Gender Equity Education Act” takes priority, regardless of where the incident occurred.

Example: Student A is sexually harassed by school principal B while working part-time at a convenience store.

Example: Student A is sexually harassed by teacher B from another school while at a department store.

Workplace sexual harassment → “Gender Equality in Employment Act”:

(1) In principle the “Gender Equality in Employment Act” applies if an employee is sexually harassed “when working.”

Example: A is sexually harassed by colleague B in the office during work hours.

Example: A is sexually harassed by company boss B during a job interview.

(2) Exception - “Outside Work” :

Example: A is continuously sexually harassed by the same salesperson B (a specific person) who works at a plant that cooperates with their company, both at work and outside work.

Example: A is sexually harassed by company boss B (the highest ranking official) after work.

✘ What is meant by the term “power-based sexual harassment” in work place sexual harassment cases?

This refers to a situation where an individual uses his or her authority or takes advantage of an opportunity created by their seniority or supervision of a subordinate as a result of employment, job seeking or execution of work-related tasks, to engage in sexual harassment.

General sexual harassment → “Sexual Harassment Prevention Act”:

(1) A is groped by a passenger (a non-specific individual) on a bus (a place open to the public) during a business trip to another county/city during work hours.

(2) Any other sexual harassment behavior that does not fall under the two aforementioned laws.

✘ What is “power-based sexual harassment” in general sexual harassment cases?

This refers to a situation where an individual uses his or her authority or an opportunity created by the supervision, care or guidance of a subordinate as a result of education, training, medical care, public service, business, job seeking or other related relationship, to engage in sexual harassment.

1-2 Common Types of Violations and Penalties in “Sexual Harassment” Cases

The penalties for sexual harassment cases vary depending on whether the parties involved are in a “power-based” relationship:

Verbal harassment:

A makes comments about the body and appearance of B, using such mocking terms as “flat-chested” or “tomboy.”

Message harassment:

A repeatedly sends pornographic images and videos to B via messaging apps, making B feel disgusted and uncomfortable.

Physical harassment:

1. A deliberately rubs his or her genitals against B on a crowded bus or subway.
2. Care worker A often touches mobility impaired care recipient B’s chest or thighs without consent (power-based relationship).
3. Supervisor A hugs employee B in the office and sends B a message after work, saying, “If you do what I say, I’ll make sure you get a pay raise this year” (power-based relationship).

Penalties

Verbal/Message Harassment:

Non-power-based relationship: A fine of NT\$10,000 to NT\$100,000.

Power-based relationship: A fine of NT\$60,000 to NT\$600,000.

Physical Harassment:

Non-power-based relationship:

Punishable by up to 2 years in prison, detention and a fine of up to NT\$100,000.

Power-based relationship: The penalty can be increased by up to 50%.

Q&A

Does receiving sexually explicit images or emails count as sexual harassment? Can I forward them for fun? Or does doing so constitute sexual harassment?

The primary criterion for sexual harassment is the “subjective feeling” of the victim.

If the recipient does not feel offended there is no sexual harassment. However, if the recipient does feel uncomfortable, it could constitute sexual harassment.

Similarly, forwarding sexually explicit images or emails to others can constitute sexual harassment if the recipient feels offended or uncomfortable. In such cases, they can file a “complaint” in accordance with the law.

If the sexually explicit images involve photographs of children or youths engaged in sexual intercourse or lewd acts, forwarding them to others constitutes a violation of the “Child and Youth Sexual Exploitation Prevention Act” and is subject to criminal penalties.

1-3 What Should I Do If am Subject to Sexual Harassment?

Take the following steps

Confront the harasser:

Say “No” directly to the offender and demand they stop the sexual harassment.

Collect evidence:

Document the incident and collect related evidence.

File a report:

If you wish to file a “complaint” or “criminal complaint,” report the incident directly to the police, who will handle it in accordance with the law.

Seek emotional support:

Share your feelings with family, friends, or colleagues. Do not blame yourself or feel ashamed because of the sexual harassment.

How to preserve evidence?

Save text messages and records:

Save screenshots of sexually harassing messages or images sent by the offender that can be used as evidence. In addition, document the time, location, offender and details of each instance of sexual harassment.

Seek out witnesses or additional evidence:

If others witnessed the sexual harassment, inform the police. If it occurred in a public place with surveillance cameras, request the footage when reporting the incident to the police.

Q&A

I was sexually harassed on a bus...

Since December 1, 2014, The Department of Transportation, Taoyuan City Government, has coordinated with Taoyuan, Zhongli, Hsinchu, and United Highway Bus companies so if a passenger is subject to sexual harassment on a bus, they can immediately notify the driver and the vehicle will be driven to the nearest police station, where the police will handle the case in accordance with law.

1-4 Complaints, Criminal Charges and Mediation in Dealing with Offenders

Should I file a “complaint” or a “criminal complaint”?

Sexual harassment **without** physical contact - You can file a **“complaint.”**

Sexual harassment **involving** physical contact - You can file both a **“complaint”** and a **“criminal complaint.”**

Where should I file a “complaint” or “criminal complaint”? Is there a time limit?

Complaints:

Type	Location	Processing Method	Time Limit	Notes
Campus Sexual Harassment	Schools	The school will convene a “Gender Equity Education Committee” to investigate the incident.	None.	
Workplace Sexual Harassment	Non-Power-Based	1. Employers 2. Department of Labor See details on Page 8.	Time limit for filing with the Department of Labor: 1. Within 2 years of becoming aware of the sexual harassment. 2. A complaint cannot be filed 5 years or more after the sexual harassment ended.	If the victim was “a minor” at the time of the incident, a complaint can be filed within 3 years of reaching adulthood.
	Power-Based		Time limit for filing with Department of Labor: 1. Within 3 years of becoming aware of the sexual harassment. 2. A complaint cannot be filed 7 years or more after the sexual harassment ended.	1. If the perpetrator is the “highest ranking official” or an “employer,” a complaint can be filed within 1 year of leaving the position or within 10 years of the sexual harassment ending. 2. If the victim was “a minor” at the time of the incident, a complaint can be filed within 3 years of reaching adulthood.
General Sexual Harassment	Non-Power-Based	1. Government agencies, military units, schools 2. Department of Social Welfare 3. Police agencies See details on Page 9.	1. Within 2 years of becoming aware of the sexual harassment. 2. A complaint cannot be filed 5 years or more after the sexual harassment ended.	If the victim was “a minor” at the time of the incident, a complaint can be filed within 3 years of reaching adulthood.
	Power-Based		1. Within 3 years of becoming aware of the harassment. 2. A complaint cannot be filed 7 years or more after the sexual harassment ended.	

Criminal complaint and time limits

To file criminal charges for physical sexual harassment an incident must be reported to the police **within 6 months** of its occurrence.

✘If you file a complaint when reporting to the police, they will assist in ensuring the case is transferred to the competent (investigative) authority.

1-5 Filing a “Workplace Sexual Harassment” Complaint

How do I file a “complaint” if I experience sexual harassment as an employee or job seeker at work or during an interview?

1. File a complaint with an “employer.”
2. If either of the following situations pertain file a complaint with the “Department of Labor, Taoyuan City Government” :
 - (1) The person engaging in harassment is your “employer” or the “highest ranking official” at the company.
 - (2) The employer fails to address your complaint, or you are dissatisfied with the investigation or disciplinary action undertaken.

✘How do I file a complaint with the Department of Labor?

Visit the service counter at the “Labor Care Center” on the 1st Floor of Taoyuan City Hall, where staff will help you fill in a “Gender Equality in Employment Complaint Form.”

What assistance can I ask an “employer” to provide if I experience sexual harassment at work?

1. Implementation of measures to ensure the complainant is not subjected to further sexual harassment.
2. Referrals for consultations, medical treatment or psychological counseling, social welfare resources, or other necessary services.
3. Investigation into the sexual harassment allegation.
4. Appropriate disciplinary action or measures against the offender.

Are “workplace sexual harassment” cases subject to mediation?

No, mediation procedures do not apply to “workplace sexual harassment” cases.

1-6 Filing a “Complaint” and “Mediation” in “General Sexual Harassment Cases”

Where do I file a sexual harassment “complaint”?

Offender's employment situation	Complaint filing agency
You know the offender works at a certain government agency, military unit, or school	In Principle: File with the relevant government agency, military unit, or school.
	Exception: If the offender is the head of the government agency or military unit, principal of the school, or the highest ranking official/employer of an organization → File with the Department of Social Welfare, Taoyuan City Government.
You do not know where the offender works	File with the police authority in the location where the sexual harassment occurred.
The offender works at a private company	
The offender is unemployed or has no fixed employment	
The offender's identity is unknown	

※You can also call the **1955 Worker’s Consultation Hotline**, where the operator will assist in referring your case.

※Alternatively, report directly to the police, who will forward the case to the competent (investigative) authority.

What assistance can I request from the “owner of the premises” where the sexual harassment occurred?

1. Assistance in filing a “complaint” and preserving related evidence.
 2. Notifying the police authorities and asking them to visit the premises when necessary.
 3. Reviewing safety measures at the premises.
- If the owner of the premises violates these obligations, he or she can be fined NT\$20,000 to NT\$200,000.
Failure to make improvements within a set period can result in repeat fines.

Are “general sexual harassment” cases subject to mediation?

In principle:

Yes. During the investigation, if either party wishes to pursue mediation, they can submit a “**Sexual Harassment Incident Mediation Application**” to the **Center for Domestic Violence and Sexual Assault Prevention, Taoyuan City Government**.

Exception:

Cases involving power-based sexual harassment are **not subject to mediation**.

※Reminder:

If mediation is successful → You cannot file a complaint, criminal complaint, private prosecution, or civil lawsuit in the same case.

1-7 Questions on Procedures Relating to the Handling of “Sexual Harassment” Cases

What assistance is provided when reporting a case?

The police provide a range of assistance depending on the type of case, including:

- Interpretation services.
- Accompaniment by social workers.
- Forensic examination and injury documentation.
- Anonymization of personal information.
- Providing a private space and an officer of a preferred gender to take your statement.
- Assessment for placement or protection.
- Notifications and referrals for other services.
- Designated address to receive legal documents.
- Petitions for the removal of sexual images.
- Requests for a crime victim protection order, stalking harassment protection order, or civil protection order.

→ For more details, see [pages 46 to 47](#).

Can I petition for a “protection order” if I am subject to sexual harassment?

If you are subjected to repeated and continuous sexual harassment, you can file a complaint under the “Stalking and Harassment Prevention Act.” The court can then issue a “Stalking and Harassment Protection Order,” prohibiting harassment by the offender or requiring them to stay a specified distance from certain locations.

→ For more details go to [page 16](#).

After filing a “complaint” or “criminal complaint” will I be notified of the investigation outcome?

Complaint:

Both parties will be notified whether or not the sexual harassment complaint is upheld.

Criminal complaint:

Related legal documents will be sent to addresses designated by both parties.

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“Gender-Based Violence Cases” Prevention and Processing

§ 2 Stalking and Harassment

Definition of “Stalking and Harassment,” Common Types of Criminal Violation and Fines | 2

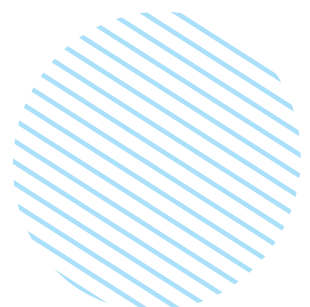
- Definition of “stalking and harassment” as referenced in the “Stalking and Harassment Prevention Act”
- If a neighbor constantly rings the bell to my apartment over parking related issues or a creditor keeps turning up at my home or workplace demanding to be repaid does that constitute “stalking and harassment” ?
- Common Types of Violations and Penalties Under the “Stalking and Harassment Prevention Act”
 - “General stalking and harassment” offenses - chargeable only on complaint
 - “Aggravated stalking and harassment” offenses - subject to public prosecution
 - “Violations of stalking and harassment protection orders”
 - If someone pursuing me harasses my partner, family members or relatives does that constitute harassment?

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- Take the following steps
- How to preserve evidence?

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- What kind of assistance is provided when reporting a case?
- How does a “written warning” or “stalking and harassment protection order” help me?
- If either party contests the police issue (or failure to issue) a “written warning” what happens?
- Does the other party have to violate the terms of an issued “written warning” before I can petition for a “stalking and harassment protection order” ?



§ 2

Stalking and Harassment

2-1 Definition of “Stalking and Harassment,” Common Types of Criminal Violations and Penalties

Definition of “stalking and harassment” as referenced in the “Stalking and Harassment Prevention Act”

Not all stalking and harassment behavior meets the definition of stalking and harassment as detailed in the “Stalking and Harassment Prevention Act.”

Firstly, stalking and harassment behavior must “simultaneously” meet the following four conditions:

“Directed at a specific person,” “repeated or continuous” “related to sex or gender” “against the will of the subject and engenders fear”

1. Directed at a specific person:

- ✓ “a specific victim”
- ✗ Directed at a specific or non-specific group

2. Repeated or continuous:

- ✗ Followed on one occasion, or occasionally

3. Related to sex or gender:

Includes the physiological differences between men and women as well as the social and cultural meaning assigned to gender differences by society, including heterosexual and same sex interactions. For example, obsessive love, unsuccessful pursuit, gender discrimination, sexual revenge and sexual blackmail.

4. Against the will of the subject and engenders fear:

- ✓ Against the will of the victim.
- ✓ Clearly makes the victim feel uneasy or fearful
- ✓ Has an undue impact on the daily life or social life of the victim.
- ✓ Exceeds the acceptable limits of social convention.

Secondly, the actions must fall under one of the following eight criminal violations:

1. Monitoring and observation:

Monitoring, observing and stalking a specific individual.

2. Following and approaching:

Covertly watching, waiting for, following or employing some other method to get close to the home, residence, school, workplace or other locations frequented by a specific person.

3. Discrimination and belittling:

Warning, threatening, mocking, verbally insulting, discriminating against, expressing animosity toward a specific individual or other related language or actions.

4. Communications harassment:

Use of a telephone, FAX, electronic communications, the Internet or other equipment to harass a specific individual.

5. Inappropriate pursuit:

Asking for a date, contacting or other pursuit related behavior directed at a specific individual.

6. Giving gifts:

Sending, leaving, displaying, or broadcasting text, pictures, sounds, images, or other items to or for a specific person.

7. Reputational harm:

Disclosing or showing information or items to a specific person that harms their reputation.

8. Misappropriation of personal information:

Misuse of the personal data of a specific person, or ordering goods and services in their name but without their agreement.

Q&A

If a neighbor constantly rings the bell to my apartment over parking related issues or a creditor keeps on turning up at my home or workplace demanding to be repaid does that constitute “stalking and harassment?”

Neither a dispute with a neighbor or creditor meets the “related to sex or gender” requirement detailed in the “Stalking and Harassment Prevention Act” and as such do not constitute “stalking and harassment” ; However, such behavior can still be prosecuted under the provisions of the “Criminal Code of the Republic of China” or “Social Order Maintenance Act.”

Common Types of Violations and Penalties Under the “Stalking and Harassment Prevention Act”**General stalking and harassment offenses- chargeable only on complaint**

1. A waits outside B’ s office for several consecutive days and when B gets off work follows her home and takes photographs up her skirt from the stairwell.
2. A has a crush on and pursues B, as a result of which he sends numerous harassing messages to B asking to be friends.
3. A is a fan of singer B and one night goes to B’ s home and repeatedly presses the doorbell, indicating she wants to give him hot soup. A also writes on her Facebook page hinting that the two had a one night stand.

Penalty

Up to one year in prison, detention and/or fine of up to NT\$100,000.

Aggravated stalking and harassment offenses- subject to public prosecution

Stalking and harassing someone while in possession of a weapon or other dangerous object can result in up to 5 years in prison, detention and/or a fine of up to NT\$500,000.

→In order to get back an ex-girlfriend, A waits outside B’ s home and when she gets in her car smashes the windows with a baseball bat, while asking B to get out of the car and talk to him.

Violations of stalking and harassment protection orders

A obsessively pursues and harasses B and continues to do so even after B successfully petitions for a stalking and harassment protection order.

Penalty

Up to 3 years in prison, detention and/or a fine of up to NT\$300,000.

Q&A

If someone in pursuing me harasses my partner, family members or relatives does that constitute harassment?

Example:

A wants to get back together with B and continually harasses B’ s older sister (or roommate) C, asking for B’ s new phone number or company address.

→C can also fill a stalking and harassment complaint.

2-2 What Should I do if I am Being “Stalked or Harassed” ?

Take the following steps

Try to identify anyone who looks suspicious

If you suspect you may be being followed and harassed but are not 100% certain, tell a colleague, friend, family member, community or company security guard to keep a look out and try to change your daily routine, such as the routes you travel or transport you take. Change your cellphone number and, if necessary, directly file a report with the police (call 110).

Be more vigilant

When getting in and out of your vehicle inspect inside the car and the area around the car park and always keep the car door locked.

Avoid revealing too much personal information online (such as workplace and home address). Whenever posting a message, first carefully consider whether it reveals your location to avoid individuals with ulterior motives going there to harass you.

Carry a whistle and self-defense related items on your person.

Calmly seek assistance

If you find you are being stalked and harassed, head to an area where there are large numbers of people (such as a shop or restaurant) and ask a passerby or store employee to help you call the police.

How to preserve evidence?

1. Document the stalking and harassment. For example, when it starts and finishes, location, appearance of the offender and how they are dressed, direction in which they fled, license plate number etc. so police can access security camera footage.
2. Provide the police with harassing messages, images, audio and video files, or other related evidence.
3. Seek the help of family members, friends and colleague with the collection of evidence.

2-3 Questions on Procedures Relating to the Handling of Stalking and Harassment Cases

What kind of assistance is provided when reporting a case?

→ For more details see [pages 46 to 47](#).

How does a “written warning” or “stalking and harassment protection order” help me?

If a police investigation identifies an individual suspected of engaging in stalking and harassment offenses, the competent police authority should ex officio, or at the request of the victim, issue a “written warning” to the offender.

If the offender engages in stalking or harassment behavior **within two years** of the “written warning” being issued, the victim can petition a court for a “stalking and harassment protection order.” This:

1. Prohibits the offender from stalking or harassing a specific individual.
 2. Requires the offender to stay a specific distance from designated venues.
 3. Prohibits the offender from accessing the household data of a specific individual.
 4. Orders the related party to complete a treatment program.
 5. Other measures deemed necessary to prevent the related party from again engaging in stalking and harassment.
- ✗If the offender violates a protection order, the police can arrest the individual as an active criminal.

If either party contests the police issue (or failure to issue) a “written warning” what happens?

1. The offender fails to obey a “written warning” issued by the police.
2. The victim contests the refusal of the police to issue a “written warning”
 - A protest can be filed within 10 days of receiving notification of a “written warning” or “failure to issue a written warning.”

Does the other party have to violate the terms of a “written warning” before I can petition for a “stalking and harassment protection order”?

In principle: Yes.

Exceptions:

1. If an individual and the offender are “family members” or “non-cohabiting intimate partners” as defined in the “Domestic Violence Protection Act” you can petition a court for a “civil protection order” or the police can do so on your behalf.
2. After considering the specific dangers of an individual case a police substation domestic violence prevention officer can directly file an ex officio petition.
 - For more details on “civil protection orders” see [pages 35 to 37](#).

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“Gender-Based Violence Cases” Prevention and Processing



§ 3

Non-Consensual Filming and Dissemination of Sexual Images



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- Filming without consent
- Forced filming of sexual images
- Non-consensual dissemination of sexual images
- Production and dissemination of deepfake sexual images

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- If I obtain the consent of the other party when filming sexual images is it illegal?
- If I never visited the location in the film or know the other person being filmed, but one of the people looks exactly like me what should I do? Can I report the matter to the police?
- If someone sends me sexual images and I do not resend or disseminate them but “hold onto them” is that breaking the law?

What Can I do if Someone Films Sexual Images of Me? 20

- Take the following steps
- How to preserve evidence?

Questions on Procedures Relating to the Handling of Cases Involving “Sexual Images” 21

- What assistance is provided when reporting a case?
- How do I petition to have sexual images taken down?
- After reporting a case or petitioning to have sexual images taken down will I be notified of the investigation outcome?
- Is it possible to take down all sexual images disseminated online?
- Can an individual who has sexual images of themselves filmed petition for a protection order?
- How does a “crime victim protection order” help me?



§ 3

Non-Consensual Filming and Dissemination of Sexual Images

3-1 Common Types of Violations and Penalties in Cases Involving “Sexual Images”

Filming without consent

A and B were previously in a relationship and during that time A secretly used a cellphone to film B on the toilet and record the couple having sex, without consent.

Penalty

Up to 3 years in prison.

Forced filming of sexual images

A threatens to fire B if she does not undress and allow him to take pictures of her genitals.

Penalty

Up to 5 years in prison and a fine of up to NT\$500,000.

Non-consensual dissemination of sexual images

A sends consensually filmed footage of himself and B having sex to a third party without the consent of B.

Penalty

Up to 5 years in prison and a fine of up to NT\$500,000

Production and dissemination of deepfake sexual images

As a way of showing off his computer skills A superimposes the head of B onto someone in a sex video and uploads the video to the Internet for others to view.

Penalty

Up to 5 years in prison, detention and/or a fine of up to NT\$500,000.

※ Selling sexual images of other people, increases the aggravated criminal liability by half

※ Selling deepfake sexual images can result in a prison sentence of up to 7 years and a fine of up to NT\$700,000.

3-2 Is This Behavior Illegal?

If I obtain the consent of the other party when filming sexual images is it legal?

That depends on whether the other party was an adult at the time the recording was made:

If the individual being filmed is “a minor,” even if they consent to the filming, the offender is still committing a crime.

→ If the sexual images are from a **sex-film** then the act of filming could also constitute **sexual assault**.

Q: Does that mean if adults consent to film sexual images it is legal?

A: If **adults** consent to the filming of sexual images, but the photographs or video are **disseminated without consent**, the act of dissemination constitutes a crime.

✕ In Taiwan the legal definition of a “minor” is anyone under the age of 18.

★ If the victim in a case involving “sexual images” is under the age of 18, priority is given to penalties detailed in the “Child and Youth Sexual Exploitation Prevention Act” which have a higher degree of criminal liability than in the “Criminal Code of the Republic of China.”

If I never visited the location in the film or know the other person being filmed, but one of the people looks exactly like me what should I do? Can I report the matter to the police?

It is possible someone has used new “AI face-swapping” deepfake technology, to combine your appearance with another person's body, in a way that could lead others to mistakenly believe the person in the sexual image is you, which could then be used to engage in fraud or extortion. This is an illegal act that can be reported to the police.

If someone sends me sexual images and I do not resend or disseminate them but “hold onto them” is that breaking the law?

Being in possession of sexual images of a “minor” without a justifiable reason is illegal and can result in up to 3 years in prison and a fine of up to NT\$600,000.

3-3 What Can I Do if Someone Films Sexual Images of Me?

Take the following steps

1. If you discover that you are being secretly filmed, shout loudly at the offender to stop and ask family members, friends, passersby or store employee to help you report the matter to the police, while trying to prevent the suspect from fleeing or destroying evidence.
2. If you find that sexual images of you have been disseminated online, preserve related evidence and report the matter to the nearest police authority.

How to preserve evidence?

Immediately take a screenshot

Some online platforms have limits on viewing duration and number of views, so **as soon as** you discover sexual images of yourself have been disseminated **take a screenshot** to avoid the possibility of being later unable to access the site and collect evidence.

Ensure the screenshot contains as much of the following information as possible to aid the police investigation:

1. "Website name," "website address," "sexual image content."
2. Date of post, account number (ID) of disseminating party, IP Address, date of birth, company, school attended, head shot.
3. If you viewed the images on a computer, take a full screen screenshot and include the "time" and "date" the screenshot was taken (in the right bottom corner of the screen).

Document dialogue

Take a screenshot to preserve a record of any dialogue on a cellphone, communication software, or social media.

Record the events in detail

Ensure the details of the incident, including people, events, time, places and objects, are accurately recorded, to facilitate future prosecution and comparison.

✘Reminder

1. Recollections and records:

The likely time, location and person responsible for filming the sexual images.

2. Do not delete or block:

Do not delete the chat history with the suspect (take a screenshot to preserve it) and do not block him or her.

3. Refuse to be extorted:

Do not agree to remit money or film more sexual images and send them to the suspect to stop the dissemination of existing images, as any new footage could also be disseminated.

4. Refuse to meet in private:

Do not comply with any instructions to meet up to avoid further and more serious injury.

3-4 Questions on Procedures Relating to the Handling of Cases Involving “Sexual Images”

What assistance is provided when reporting a case?

→ For more details see [pages 46 to 47](#).

How do I petition to have sexual images taken down?

Ministry of Health and Welfare Sexual Images Processing Center (<https://tw-ncii.win.org.tw/>)

File a petition on your own

File a petition on your own with the Sexual Images Processing Center.

Police report and assistance filing a petition

After a police officer has taken your statement assistance will be provided in filing an petition with the Sexual Images Processing Center.

After reporting a case or petitioning to have sexual images taken down will I be notified of the investigation outcome?

The District Prosecutors Office or court will send you related legal documents.

The Sexual Images Processing Center will notify you of the outcome of your petition to have sexual images taken down.

Is it possible to take down all sexual images disseminated online?

The Sexual Images Processing Center is only able to seek the removal of sexual images on websites provided by the complainant.

Can an individual who has sexual images of themselves filmed petition for a protection order?

1. When giving a statement to prosecutors the victim can ask the prosecutors to issue a “crime victim protection order” ?
→ For more details go to [page 22](#).
2. If you and the offender are “family members” or “non-cohabiting intimate partners” as defined in the “Domestic Violence Protection Act” you can petition the court for a “civil protection order” or the police can do so on your behalf.
→ For more details on “civil protection orders” see [pages 35 to37](#).

How does a “crime victim protection order” help me?

In cases that involve criminal acts leading to death, severe injury, sexual assault and sexual images, when a court, judge or public prosecutor believe it to be necessary they can order that the defendant observe the following regulations (summary) for a period up to two years:

Prohibition of harm and contact

A prosecutor or judge can order the offender to observe the following:

1. Prohibition on **causing physical harm or property damage** to the victim or the victim’ s relatives
2. Prohibition on **intimidation, harassment, contacting or stalking**.
3. Prohibition on **approaching** the residence, school, workplace or other specific locations frequented by the victim or the victim’ s relatives **without a justifiable reason**.
4. Prohibition of all other matters that harm the crime victim or their relatives.

Prohibition on reproduction and dissemination of sexual images

A prosecutor or judge can order the offender to observe the following:

1. Prohibition on **reproducing, disseminating, broadcasting, delivering, publicly displaying or the use of any other method that enables others to view** sexual images of the victim.
2. To **notify of and hand over** sexual images of the victim.
3. To **remove or petition to delete** sexual images of the victim uploaded online.

✘If an offender violates a protection order the police can arrest the individual as an “active criminal”

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“Gender-Based Violence Cases” Prevention and Processing

**§ 4**

Sexual Exploitation of Children and Youth



Common Types of Violations and Penalties in Cases Involving “Sexual Exploitation of Children and Youth”

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- Definition of minors in Taiwan
- Common types of violations and penalties
 - Engaging in sexual acts for money with minors
 - Forcing minors to perform sexual or indecent acts to be viewed by others
 - Filming sexual images of minors
 - Disseminating sexual images of minors
 - Facilitating the use of minors as hosts/hostesses at drinking establishments
 - Possessing sexual images of minors without a justifiable reason
 - Paying to possess or view sexual images of minors

What to Do When a Minor is Subjected to “Sexual Exploitation” ?

26

- Take the following steps
- How to preserve evidence?

Questions on Procedures Relating to the Handling of “Sexual Exploitation of Children and Youth” Cases

26

- What assistance is provided when reporting a case?
- Is shelter provided for victims?



§ 4

Sexual Exploitation of Children and Youth

4-1 Common Types of Violations and Penalties in Cases Involving “Sexual Exploitation of Children and Youth”

Definition of minors in Taiwan

In Taiwan the legal definition of a “minor” is anyone under the age of 18.

Common types of violations and penalties

Engaging in sexual acts for money with minors:

Adult A, with the consent of minor B, pays B NT\$6,000 to engage in sexual acts.

★Reminder:

- 1.If the person concerned is a minor then even if he or she consents to engage in sexual acts for money with another individual, that still constitutes a violation of the “Child and Youth Sexual Exploitation Prevention Act.”
- 2.If the person concerned is under 16 years old, even if he or she consents to engage in sexual acts with another individual and whether money exchanges hands or not, that constitutes a violation of the “Criminal Code of the Republic of China.”

Penalties

- 1.Paying to engage in sexual or indecent acts with someone under 16 years of age is punishable under the “Criminal Code of the Republic of China” :
 - (1) If B is under 14 years old: 3 to 10 years in prison.
 - (2) If B is 14 to 16 years old: up to 7 years in prison.
 - 2.If B is 16 to 18 years old: up to 3 years in prison, detention, or a fine of up to NT\$100,000.
- ★If A engages in sexual acts with B through an intermediary, the intermediary faces 1 to 7 years in prison and a fine of up to NT\$3 million.

Forcing minors to perform sexual or indecent acts to be viewed by others:

With the consent of minor B, A pays NT\$6,000 to watch B touch his or her own genitals.

Penalties

3 to 10 years in prison and a fine of up to NT\$3 million.

Filming sexual images of minors:

A has a relationship with minor B and films the two of them having sex using a mobile phone with B's consent.

Penalty

1 to 7 years in prison and a fine of NT\$100,000 to NT\$1 million.

★Reminder: Filming sexual images of minors is illegal even if they consent.

Disseminating sexual images of minors:

A disseminates photos and videos of minor B's naked genitals online.

Penalty

1 to 7 years in prison and a fine of up to NT\$5 million.

Facilitating the use of minors as hosts/hostesses in drinking establishments:

A facilitates the use of minor B as a host/hostess in a bar for NT\$3,000 per day.

Penalty

Up to 1 year in prison and a fine of up to NT\$300,000.

Possessing sexual images of minors without a justifiable reason:

A searches for and downloads sexual videos of minors online.

Penalty

Up to 3 years in prison, detention and a fine of NT\$60,000 to NT\$600,000.

Paying to possess or view sexual images of minors:

A joins a voyeuristic website, paying to download and view sexual videos involving minors.

Penalty

1 to 7 years in prison and a fine of NT\$100,000 to NT\$1 million.

4-2 What to Do When a Minor is Subjected to “Sexual Exploitation” ?

Take the following steps

1. If you see someone being secretly filmed without their knowledge, you should **loudly intervene**, ask family members, friends, passersby, or store staff to **call the police and try to prevent the perpetrator from escaping or destroying evidence**.
2. If you find sexual images of yourself disseminated online, **take a screenshot to preserve the evidence** and report the incident at the nearest police authority.
3. If you discover your child, a classmate, or friend is serving as a host/hostess or engaging in sex for money, intervene promptly. Examine their phone, messaging apps, and social media records. **Take screenshots of any information pertaining to facilitation or financial transaction details to preserve evidence**.

How to preserve evidence?

Immediately take a screenshot, save chat records and record events in detail

→ For more details go to [page 20](#).

Undertake a forensic examination at a hospital and obtain a certificate of diagnosis

For individuals “under the age of 16,” even if they consent to engage in sexual activity, the other party is still in violation of the “Criminal Code of the Republic of China” under provisions related to the “violation of sexual autonomy.” In such cases, the minor is classified as a victim of “sexual assault.” Parents should take their child to an emergency room at a designated hospital, where a forensic examination will be conducted in accordance with procedures for victims of sexual assault.

→ For details on “sexual assault” forensic examination go to [page 31](#).

→ For the addresses of the seven designated “sexual assault” forensic examination hospitals in Taoyuan City go to [page 59](#).

4-3 Questions on Procedures Relating to the Handling of “Sexual Exploitation of Children and Youth” Cases

What assistance is provided when reporting a case?

→ For more details see [pages 46 to 47](#).

Is shelter provided for victims?

If a social worker’s assessment of a minor who is a victim of sexual exploitation determines they have an unstable family environment, making placing them in the care of parents, a guardian, or a relative unsuitable, emergency shelter can be arranged. This is followed by a judge’s decision to place the minor in a welfare institution, foster family, transitional school, or other appropriate medical or educational institution.

→ For more details go to [page 51](#).

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“Gender-Based Violence Cases” Prevention and Processing



§ 5 Sexual Assault



Common Types of Violations and Penalties in Cases Involving “Sexual Assault” 28

- Rape
- Aggravated sexual intercourse
- Opportunistic sexual assault
- Consensual sexual intercourse between an adult and a minor
- Power-abused sexual assault

What is “Active Consent” ? 29

What Should I do if I am Subject to Sexual Assault? 30

- Take the following steps
- How to preserve evidence?

Questions on Procedures Relating to the Handling of “Sexual Assault” Cases 31

- What assistance is provided when reporting a case?
- Do I have to go to a designated hospital for a forensic examination?
- Are registration fees and a health insurance card required for the examination? Are there additional charges for an injury report or certificate of diagnosis?
- Are there social workers at the hospital?
- Should the injury report be given to the police when reporting the case?



§ 5

Sexual Assault

5-1 Common Types of Violations and Penalties in Cases Involving “Sexual Assault”

Rape:

A lures B to his home under the pretense of offering a job and forces B to engage in sexual acts.

Penalty

3 to 10 years in prison.

Aggravated sexual intercourse:

A and B go to a bar. When B goes to the restroom, A secretly drops a strong sedative in B's soft drink. Unaware, B finishes the drink and falls asleep, at which point A takes B to a motel and sexually assaults her.

Penalty

A minimum of 7 years in prison.

Opportunistic sexual intercourse:

A sexually assaults B when she is inebriated.

Penalty

3 to 10 years in prison.

Consensual sexual intercourse between an adult and a minor:

20-year-old A is in a relationship with 14-year-old B, and they engage in consensual sexual activity.

Penalty

Up to 7 years in prison.

Power-abuse sexual intercourse:

Employer A demands sexual favors from employee B. Fearing problems at work or dismissal, B feels there is no option but to comply.

Penalty

6 months to 5 years in prison.

✘ Reminder

Even if the sexual activity is consensual, it still constitutes sexual assault if one party is under the age of 16.

5-2 What is “Active Consent” ?

Excerpt from the Supreme Court of the Republic of China (Taiwan) Criminal Judgment 2021 Taishangtzu No. 1781:

✓ **Only Yes means Yes**

“Any sexual activity should be based on mutual respect and consent. It absolutely adheres to the principle ‘No means No’ and ‘Only Yes means Yes’ ”

✓ **Responsibility of the party initiating sexual activity**

“The party who initiates sexual activity is responsible for **ensuring the other party ‘consents’ while ‘fully conscious’** (this excludes actions involving individuals under 16 years old, those with mental disabilities, or unconscious, situations where there is a power imbalance, or cases where individuals are manipulated under the guise of religion).”

✓ **There is no ambiguity in consent**

“**Silence is not consent. Uncertainty or hesitation is also not consent.** Prior to consent being given simply accompanying you home alone or resting together should be regarded as normal social interaction, not a sexual overture. Consenting to a hug or a kiss does not imply consent to sexual intercourse. **There is no such thing as unclear space for interpretation whereby ‘not saying no means yes,’ nor the ambiguity of “half-hearted consent.”**”

✓ **Do not engage in victim blaming as a way of rationalizing sexual assault**

“**The occurrence of sexual assault must not be attributed to personal factors or the reactions of the victim** (e.g., wearing revealing clothing or working in sex-related industries cannot be used as a pretext for sexual activity).”

5-3 What Should I do if I am Subject to Sexual Assault?

Take the following steps:

If the offender is still present

1. Prioritize protecting yourself and **avoid provoking the offender**.
2. If there are stores or residences nearby, shout for help to draw attention.
3. If you find yourself in the city outskirts or outdoors:
Find an excuse to return to the city center or a more populated area, and use the opportunity to buy something and seek help from store staff or passersby.

If the offender has left

1. If you are in the city outskirts or outdoors: call the police immediately and seek help from store staff or passersby.
2. If you are in a motel, hotel, or B&B:
 - (1) Preserve the crime scene and **do not move or touch** any objects.
 - (2) Directly ask staff for assistance in **calling the police** and tell them to **refrain from cleaning the room** before the police collect evidence left by the offender.

Document information about the offender

This includes information on their appearance (height, build, hairstyle etc.), physical features (tattoos, scars), clothing and accessories, mode of transportation, license plate number, and direction of escape, to aid with the police investigation.

Call the police and undertake a forensic examination

Report the incident to the police immediately and an officer will assist you in undertaking a forensic examination. If your injuries are severe, ask store staff or passersby to call the emergency services (119) for immediate medical attention. After being called the police will visit the hospital to gather information about the incident.

→ For the addresses of the seven designated “sexual assault” forensic examination hospitals in Taoyuan City go to [page 59](#).

How to preserve evidence?

1. Before undergoing a medical examination, do not shower, rinse your mouth, or change clothes → This facilitates the collection of DNA left by the offender.
2. Collect items left at the crime scene by the suspect (e.g., used tissues, condoms, clothing, or hair).
3. Preserve communication records with the suspect, such as chat messages and photos from mobile communication apps or social media.
4. Keep the suspect's contact details, such as cellphone number, messaging app, or social media accounts, to assist the police in identifying and contacting them.
5. Accurately document the details of the incident, including people, events, times, locations and objects, to assist with future prosecution and comparisons.

5-4 Questions on Procedures Relating to the Handling of “Sexual Assault” Cases

What assistance is provided when reporting a case?

→ For more details see pages 46 to 47.

Do I have to go to a designated hospital for a forensic examination?

It is recommended that victims go to a designated “sexual assault” forensic examination hospital. These are equipped with comprehensive facilities to conduct sexual assault forensic examinations and collect trace evidence. They also have more experience in conducting forensic medical evaluations and collecting evidence.

Are registration fees and a health insurance card required for the examination? Are there additional charges for an injury report or certificate of diagnosis?

1. Please bring your health insurance card to the “Emergency Registration Counter” and indicate that you are a “victim of sexual assault” requiring a forensic medical examination.
2. Registration fees are not charged for “sexual assault” examinations. The hospital will observe the relevant medical procedures for handling victims of sexual assault. Thereafter, in accordance with Article 28 of the “Sexual Assault Crime Prevention Act,” subsequent medical expenses are covered by the municipal or county(city) competent authority.
3. Although the injury report and certificate of diagnosis are part of medical fees and not covered by health insurance, victims are not required to bear the cost as hospitals apply for payment from government agencies.

Are there social workers at the hospital?

All seven designated “sexual assault” forensic examination hospitals in Taoyuan City have medical social workers who can sit with victims during the examination, assist with calling the police, applying for medical expenses and provide follow-up resources.

Should the injury report be given to the police when reporting the case?

The injury report can be submitted to the police as supporting evidence. In principle, when undergoing a forensic medical examination at a designated hospital, even if the victim is not willing to call the police at the time, the hospital will notify the police to process related evidence (including the injury report).

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“Gender-Based Violence Cases” Prevention and Processing



§ 6 Intimate Partner Violence



Common Types of Violations and Penalties in Cases Involving “Intimate Partner Violence”

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- Does the violent behavior have to come from a current spouse for it to constitute “intimate partner violence?”
- Common types of violations and penalties
 - Physical violence
 - Sexual violence
 - Economic violence
 - Violation of a protection order

What Should I do if I am Subject to Intimate Partner Violence?

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Questions on Procedures Relating to the Handling of “Intimate Partner Violence” Cases

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- What assistance is provided when reporting a case?
- Can I file a lawsuit?
- I dare not return home as a result of being subjected to abuse what can I do?
- How do I petition for a “civil protection order?”

Types of “Civil Protection Orders” as Detailed in the “Domestic Violence Prevention Act”

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- Three categories of “civil protection order”
- Will I be notified after the issue of a “civil protection order” ?
- Should I select as many items as possible on the “civil protection order” petition form?
- If after petitioning for a protection order I decide it is not needed, can it be cancelled?
- Protection order petitions and reminders

What Should I Do If the Other Party Violates the Terms of the “Civil Protection Order?”

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- What situations constitute a “protection order” violation?
- What are the penalties for “protection order” violations?
- If the other party violates provisions not covered by the above scenarios, what can I do?

§ 6

Intimate Partner Violence

6-1 Common Types of Violations and Penalties in Cases Involving “Intimate Partner Violence”

Does the violent behavior have to come from a current spouse for it to constitute “intimate partner violence?”

Any physiological, psychological, or economic aggression or controlling behavior by a **current or former** intimate partner (including **partners** who are dating or have broken up, **spouses**, or **ex-spouses**) constitutes “intimate partner violence.” This also applies to same-sex partners.

Common types of violations and penalties

A and B are in an intimate relationship:

Physiological violence:

A and B argue over breaking up. A strangles B and slams B’s head against a wall.

Psychological violence:

A criticizes B for earning too little, often insults B’s appearance, education, or family background, and publicly insults B using such derogatory terms as “idiot” or “slut.”

Sexual violence:

A ties B’s hands together with a belt without B’s consent, and sexually assaults her.

Economic violence:

A drinks heavily at home every day, and gambles away B’s salary every month, leaving their family of four struggling to pay rent and buy food, so B has to take on three jobs.

Penalties

1. If **physical harm** is involved:
Victims can press charges **within 6 months**. Offenders face up to 5 years in prison, detention, or a fine of up to NT\$500,000.
2. If **sexual violence between spouses** is involved:
The victim can press charges **within 6 months**. Perpetrators face 3 to 10 years in prison.
3. If **public defamation** is involved:
The victims can press charges **within 6 months**. Offenders face detention or a fine of up to NT\$9,000.

Violation of a protection order:

A frequently beats B so B files for a protection order to stop the violence, but is still assaulted by A.

Penalties

1. “**Violation of a protection order**” can result in up to 3 years in prison, detention, and/or a fine of up to NT\$100,000.
2. Victims can press charges for “**assault**” within 6 months of an incident and offenders face up to 5 years in prison, detention, or a fine of up to NT\$500,000.

6-2 What Should I do if I am Subject to Intimate Partner Violence?

Protect yourself:

Avoid saying anything that might provoke the other party. Prioritize protecting yourself, particularly your **head, face, neck, chest and abdomen.**

Shout for help:

Ask family members or neighbors for assistance.

Escape as soon as possible:

Leave the scene and take a bag containing essential items such as your ID, health insurance card, cash, and important contact phone numbers. Stay with relatives, neighbors, or friends. If you have nowhere to go temporarily, inform the police you need “shelter” and they will contact the Domestic Violence and Sexual Assault Prevention Center to make arrangements.

Call the police and seek assistance:

Call 110 and ask the police to stop the violence or help you get medical attention. Ask them to take your statement and document the incident.

Preserve evidence:

Examples include photos of injuries, an injury report, chat records, damaged clothing, weapons, written apologies, or videos of the violence. **If you already have a court-issued protection order inform the police.**

6-3 Questions on Procedures Relating to the Handling of “Intimate Relationship Violence” Cases

What assistance is provided when reporting a case?

→ For more details see [pages 46 to 47.](#)

Can I file a lawsuit?

In addition to petitioning for a “civil protection order” you can also file a civil or criminal complaint:

(1) **File a civil complaint:** compensation for emotional distress.

(2) **File a criminal complaint:**

Commonly seen criminal offenses include: assault, intimidation, attempted murder, deprivation of liberty, vandalism, seizure of property, and violation of sexual autonomy. Some criminal acts are classified as “**complaint-based**” cases. For example, in the case of assault, a complaint must be filed **within 6 months** of an incident occurring.

I dare not return home as a result of being subjected to abuse what can I do?

If you dare not return to your residence and are unable to stay with a relative or friend, inform the police you require “protection” and they will contact social workers who will assess your situation and get in touch with protective services.

How do I petition for a “civil protection order”?

In addition to filing an application with a court in person, individuals can also provide related evidence when reporting the case to the police, which will be submitted to the court for review.

→For more details on “civil protection orders” see [pages 35 to 37.](#)

6-4 Types of “Civil Protection Orders” as Detailed in the “Domestic Violence Prevention Act”

Three categories of “civil protection order”

There are three types of protection orders: emergency protection orders, temporary protection orders and standard protection orders

Type Item	Emergency protection orders	Temporary protection orders	Standard protection orders
Petitioner	Prosecutor, police authorities, special municipality, county (city) government	Victim, prosecutor, police authorities, special municipality, county (city) government	Victim, prosecutor, police authorities, special municipality, county (city) government
Time and method of petition	File a petition within 4 hours in writing, orally, by fax, or with other technological devices	File a written petition during court working hours	File a written petition during court working hours
Date comes into effect	Comes into effect on the day of issue		
Period of validity	Terminated with the issue or rejection of a standard protection order	Terminated with the issue or rejection of a standard protection order	Valid for up to 2 years and on expiration can petition for an extension, with each extension lasting a maximum of 2 years.
Can petition under	Protection orders issued under Subparagraphs 1-7, Subparagraphs 12-14 and Subparagraph 16	Protection orders issued under Subparagraphs 1-7, Subparagraphs 12-14 and Subparagraph 16	Petitions can be filed under various subparagraphs
Order details	<ol style="list-style-type: none"> 1. Prohibition order: Prohibits physical violence and other illegal harm. 2. Restraining order: Prohibits harassment, contact, stalking, phone calls, communication, or any other unnecessary contact. 3. Eviction order: Eviction from the residence of the victim, and disposal or other provisional injunctions concerning property. 4. No-contact order: Ordered to stay away from the victim’s residence, school, workplace, or other specific frequented places. 5. Handover order: Ordered to hand over passbooks, property deeds, motorcycle, and other items considered essential for the victim’s daily life, occupation, or education. 6. Temporary custody order: Provisional arrangements for the exercise or burden of rights and obligations relating to minor children, including the details, method, or manner for handing over the children. 7. Visitation order: Details the manner of interaction with minor children, or prohibits interaction. 8. Payment order: Payment of rent for a residence or child support for minor children. 9. Payment of the cost of medical treatment, counseling, shelter or financial losses for the victim or specific family members. 10. Treatment program (treatment order): The individual subject to the treatment order is required to complete addiction treatment, psychiatric treatment, psychological counseling, or other therapies, counseling etc. 11. Orders the other party to cover the cost of lawyer’s fees. 12. Prohibits the other party and their specific family members from accessing household registration, school records, and sources of income-related information relating to the victim and minor children under the latter’s temporary custody. 13. Prohibits the other party from reproducing, disseminating, broadcasting, delivering, publicly displaying, or using any other method to allow others to view sexual images of the victim without his or her express consent. 14. Orders the other party to hand over all sexual images of the victim in their possession; if necessary, the court may also order the deletion of such images. 15. Orders the other party to delete or apply to the internet platform provider, internet application service provider, or internet access service provider to remove sexual images of the victim they uploaded. 16. Other orders deemed necessary to protect the victim and their specific family members. 		

Will I be notified after the issue of a “civil protection order”?

After a civil protection order is issued, the court will send a paper copy to the applicant, the other party, police authorities and the competent authority.

Q&A**Should I select as many items as possible on the “civil protection order” petition form?**

The more items selected, the more time the court will need to review related evidence and determine whether it is necessary to issue the order, which could make it harder to quickly obtain a protection order. **Carefully select items based on actual needs.**

Q&A**If after petitioning for a protection order I decide it is not needed, can it be cancelled?**

If after petitioning for a protection order, but before it has been issued by the court, you believe there is no need to continue with the petition, you can independently submit a “withdrawal” request to the court; If the protection order has already been issued, a petition for its cancellation can be filed with the court. However, the “withdrawal” or “cancellation” only comes into effect after the court issues an official notification.

✂️ **If you are threatened by the other party to withdraw the complaint or cancel the protection order, immediately report the matter to the police.**

Protection order petitions and reminders

Obtaining a protection order does not mean you can directly hit back if subjected to violence. **Always put your own safety first** and in a dangerous situation find a way to leave the scene and shout for help, avoiding direct conflict. When police arrive on the scene, show them the protection order, so law enforcement officers can take necessary action directed at the party violating the order.

6-5 What Should I Do if the Other Party Violates the Terms of the “Civil Protection Order” ?

What situations constitute a “protection order violation”?

The breaking of an issued provision does not necessarily constitute a protection order violation. To do so it **must involve violating one of the following specific provisions of the protection order:**

1. Prohibition from engaging in domestic violence.
2. Prohibition from harassment, contact, stalking, phone calls, communication, or any other unnecessary contact.
3. Evictions from a residence.
4. Staying away from the victim’s residence, school, workplace, or other specific frequented places.
5. Completion of an offender’s treatment program.
6. Prohibition from reproducing, disseminating, broadcasting, delivering, publicly displaying, or using any other method to allow others to view sexual images of the victim without their express consent.
7. Order to hand over or delete all sexual images of the victim in their possession.
8. Order to delete or apply to the internet platform provider, internet application service provider, or internet access service provider to remove sexual images of the victim they uploaded.

What are the penalties for “protection order violations”?

Offenders can receive up to 3 years in jail, detention and/or a fine of up to NT\$100,000.

If you face imminent danger, call the police immediately. When officers arrive on the scene they will arrest the other party, place them in handcuffs and take them to the local prosecutors’ office and court for investigation. Even if not in imminent danger you can still file a “protection order violation” complaint at the nearest police station submitted with related evidence, to ensure the other party is appropriately punished.

If the other party violates provisions not covered by the above scenarios, what can I do?

1. If the other party **refuses to hand over necessary items** for the victim’s daily life, profession or education detailed in the protection order, **call the police** for assistance. On receiving such a request from the victim, police will **enter** the residence, building or other location where the designated object is located, **seize the item in question and hand it over to the victim.**
2. If the other party **refuses to comply** with the protection order regarding the time, location, and manner that a **minor child has to be handed over**, you can **petition the police authorities to issue an order** for the other party to **deliver the child within a fixed period.** If necessary, the court can **enforce the compulsory execution** of this order against the other party.

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“Gender-Based Violence Cases” Prevention and Processing



§ 7 Human Trafficking



What is “Human Trafficking?” 39

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§ 7

Human Trafficking

7-1 What is Human Trafficking?

Human trafficking refers to a situation in which an offender, for personal gain, uses illegal means to exploit the victim by forcing them to engage in sex for money (**sexual exploitation**), coerces them into labor, engaging in labor with a significant disparity between workload and salary (**labor exploitation**), removes the victim's organs, buys and sells organs, or engages in the buying or selling of people and other such activities.

Examples of “illegal methods” :

Use of violence, threats, intimidation and other methods that violate the will of the victim; restricting someone's personal freedom or monitoring their actions; using drugs to control them; employing deceptive tactics; withholding passports and other important documents; exploiting debt owed by a victim.

In 2023, the Ministry of Labor compiled the “**Handbook on the Prohibition of Forced Labor**” (Chinese-English) to address the issue of **labor exploitation**, which lists 11 types of “**forced labor**,” including:

1. Exploitation of vulnerabilities
2. Deception
3. Restriction of movement
4. Isolation
5. Physical or sexual violence
6. Intimidation and threats
7. Withholding identity documents
8. Withholding wages
9. Debt bondage
10. Excessive overtime
11. Harsh work and living conditions

✕Reminder

If the victim is a “minor,” even if the offender has not used any of the above illegal methods, the actions still constitute a violation of the “Human Trafficking Prevention Act,” while certain behaviors are also a violation of the “Child and Youth Sexual Exploitation Prevention Act.”

→ For more details related to child and youth sexual exploitation prevention see [pages 23-26](#).

7-2 Common Types of Violations and Penalties for “Human Trafficking”

Labor exploitation

1. General labor exploitation:

A is enrolled on an industry-academic collaboration program at a technical college and undertakes an internship at a private company arranged by the school. Initially he thinks this will provide an opportunity to study while gaining related experience, but **the work involved in the internship is unrelated to his studies** and the amount of time spent working is far greater than that in classes. In addition to **the long work hours, the salary is low** and A **has almost no time off**, but in order to pay the installment fees for tuition and other study expenses he has no choice but to continue working.

Penalty

Up to 3 years in jail and a fine of up to NT\$1 million.

2. Profit making intent + general labor exploitation:

A's passport is withheld by his boss B, who also **imposes a set of harsh salary deduction rules at work**, ensuring A and many other workers are paid an actual monthly salary of less than NT\$8,000; However, B's wife C **offers the workers high interest loans, allowing them to offset their debt by working overtime without compensation**, with a deduction of NT\$150 from their loans for every hour worked.

Penalty

3 to 10 years in jail and a fine of up to NT\$7 million.

3. Profit making intent + violence and labor exploitation:

A is an undocumented foreign worker. The employer takes advantage of A's fear of being deported to **confiscate his passport** and often asks A to work overtime **without overtime pay** and **allows only one day of leave per month**. Finding this situation intolerable A wants to leave, but the employer **restricts his freedom of movement and threatens** to call the police and have him arrested if he does not do the work assigned.

Penalty

3 to 10 years in jail and a fine of up to NT\$7 million.

Sexual exploitation**1. Fraudulently obtaining a signature and forced prostitution:**

A needs money and borrows from B, who forces A to sign a promissory note for a large amount. Because A is unable to repay the loan B forces her to work as a prostitute to repay the debt.

Penalty

6 months to 5 years in jail and a fine of up to NT\$3 million.

2. Arranging for minors to engage in paid sex work

A is under 18 years of age and a friend who is aware she is a minor still arranges for her to engage in paid sex work.

Penalty

1 to 7 years in jail and a fine of up to NT\$3 million.

Organ extraction**Profit making intent + violence and organ extraction:**

A is desperate to find work and sees an online job ad for clerical work placed by B. However, after the two meet B kidnaps A, drugs him and then uses illegal channels to start the bidding process for A's organs, extracting the organs and delivering them to the highest bidder.

Penalty

Up to 10 years in jail and a fine of up to NT\$12 million.

7-3 What Should I do if I am Subject to Human Trafficking?

Take the following steps

Seek immediate outside help

If the situation permits, prepare important documents, cash and clothing and wait for an opportunity to flee. Use an appropriate opportunity to phone for outside help or after escaping a situation where you are controlled by others immediately call the police.

Look for opportunities to write a message asking for help on a piece of paper or cloth and throw it out of a window, or ask a customer to call the police on your behalf.

If you have an opportunity to be outside, even when there are people guarding you, if you encounter a police traffic stop or a place where there is heavy traffic or crowds of people try to get free, shout “Jiu Ming (救命, in Chinese)” or HELP in English so that people around you immediately understand the situation.

Do not deliberately conceal any aspect of the case

Tell government officials all the details of your case to make it easier for them to determine whether you are a victim of “human trafficking” and initiate related follow up protective measures.

Possibility of reduced responsibility or immunity for other criminal liability

If as a result of being “human trafficked” you broke other laws, there is the possibility of reduced responsibility or immunity for such actions.

Never seek to conceal aspects of the case in an effort to cover up your own illegal behavior as that could hinder the investigation.

How to preserve evidence?

Make use of audio, video and monitoring equipment

Use a cellphone to record the criminal actions, appearance, clothing and means of transportation used by the offender; If your freedom of movement is restricted try to stand in an area recorded by CCTV as evidence of your victimization.

Use screenshots to preserve and send records of chats

Take a screenshot to preserve a record of chats and immediately send it to a friend or relative you trust, to ensure such records cannot be deleted if the suspect takes your cellphone.

Keep a detailed record of events

Keep a detailed record of people, events, times and places related to the case, to facilitate future prosecution and comparisons.

When receiving a forensic examination at a hospital always ask for a certificate of diagnosis

1. Do not shower, rinse your mouth or change clothes → this is important for the purpose of collecting DNA left by the other party/parties.
2. Remember the distinguishing features of the offender, call the police as soon as possible and go to a hospital where your injuries can be examined and treatment administered:
 - (1) General physical violence: Visit any medical facility that issues a forensic examination diagnosis certificate.
 - (2) Related to sexual assault: Visit an emergency department at a designated hospital for a forensic examination and treatment.
 - For the addresses of the 7 designated “sexual assault” forensic examination hospitals in Taoyuan City see [page 59](#).

7-4 Questions on Procedures Relating to the Handling of “Human Trafficking” Cases

What assistance is provided when reporting a case

→ For more details see [pages 46 to 47](#).

What confirmation will I receive after filing a police report?

After filing a police report, police officers will conduct “human trafficking victim identification” focused on the victim and issue a “Human Trafficking Victim Identification Notification.”

If I object to the police authority’s “Human Trafficking Victim Identification Result” how can I seek redress?

An objection to the result should be filed in writing a maximum of 20 day from the days after the result is issued, with the reasons for the objection detailed.

The original identification agency or its higher authority will make a decision within 10 days of the identification objection being received. You will be notified of the outcome in the form of an “Identification Objection Result Notification.”

What should I do if when filing the police report I felt no need for social welfare services assistance, but later change my mind?

Take the “Human Trafficking Victim Identification Notification” and seek assistance at the local social services agency (Department of Social Welfare, Social Affairs Bureau).

If I overstay or exceed the expiry date on my residency in Taiwan as a result of human trafficking, will I be fined?

If you break the law as a result of human trafficking, resulting in you overstaying or exceeding your residency in Taiwan, you will, in accordance with the law, not be fined.

However, if you overstayed or exceeded your residency in Taiwan prior to being human trafficked, you will still be fined.

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§ 1

Assistance Available When Reporting a Case?

Interpreters

An interpreter accompanies the victim when a statement is taken → For more details on which languages interpretation services are available in see [page 48](#).

Social workers

If the victim is **under 18 years old** or has **mental disability** identification, the police will ensure a social worker is present. Moreover, even if the individual does not meet the aforementioned criteria (adults with no mental disability), when a request for the presence of a social worker is made, the police will notify one. The victim can also ask the police to contact a social worker or other related professionals for assistance.

Forensic examinations

If a victim requires a forensic examination, the police will make the necessary arrangements at a hospital. After leaving the hospital, staff will also provide follow-up care and remind the patient to return for further appointments.

Personal data will be anonymized

When taking a statement in cases **involving sexual privacy**, such as those relating to sexual assault, sexual exploitation, sexual harassment, stalking and harassment, sexual images etc., **the name of the victim will be replaced with a code or alias**. In addition, age and household registry related information will not be published in publicly accessible documents.

Private space and the taking of statements by a police officer of a preferred gender

In cases **involving sexual privacy**, the police will provide a private space for the taking of statements. You can also ask for your statement to be taken by an officer of a preferred gender.

Inquiry and interrogation assistance from designated professionals

If the victim has a mental disability certificate or is mute, deaf, hearing-impaired or a foreign national, where necessary a professional will be provided to help the victim during the taking of the statement.

Assistance in petitioning for the taking down of sexual images

→ For more information on how to file such petitions go to [page 21](#).

Designated location for documents to be sent

Related legal documents will be sent to a location designated by the victim where they must be signed for.

Ensuring physical safety

If an individual expresses concerns over their physical safety, the police can provide security measures.

Protection and emergency placement

In cases of suspected “**human trafficking**,” once an individual is identified as a victim the police, depending on the individual’s status, will assist with placement and the competent authority assess the best method of placement.

If an assessment by a social worker determines **minors who are victims of “sexual exploitation”** have an unstable family environment, making placing them in the care of parents, a guardian, or a relative unsuitable, emergency shelter can be arranged. This is followed by a judge's decision to place the minor in a welfare institution, foster family, transitional school, or other appropriate medical or educational institution.

If after being abused an individual dare not return to their residence and are unable to stay with a relative or friend, inform the police you require “protected placement” and they will contact social work personnel who will assess the situation and contact protective services.

→ For more details go to [page 51](#).

Assistance reporting a case and referral for other services

Police officers will report your case to the competent authority and a **social worker** will contact you later to provide counseling, psychological support, legal assistance, social welfare resources, and any other needed services.

→ For more details go to [page 57](#).

Assistance with petitions for “stalking and harassment protection orders”

These prohibit the offender from stalking and harassing, ordering the individual to keep a specific distance from designated venues; If the offender violates the provisions of a protection order, the police can arrest the individual as an “active criminal.”

→ For more details go to [page 16](#).

Assistance with petitions for “crime victim protection orders”

These prohibit the offender from causing harm and harassing, forbidding the reproduction or dissemination of sexual images. If the offender violates the provisions of a protection order, the police can arrest the individual as an “active criminal.”

→ For more details go to [page 21](#).

Assistance with petitions for “civil protection orders”

If you and the offender are “family members” or “non-cohabiting intimate partners” as defined in the “Domestic Violence Protection Act,” you can petition the court for a “civil protection order” or the police can do so your behalf.

→ For more details on “civil protection orders” see [pages 35 to 37](#).

Q&A

When giving a statement or appearing in court can I avoid contact with the offender?

1. When the police take a statement you and the suspect will be questioned separately.
2. When giving a statement you can ask to be questioned separately from the offender during court proceedings.
3. If it is necessary to point out the suspect, the police will ask you to do so through one-way glass, video clips, photographs or a video link. As such, you will not come into direct contact with the suspect.

§ 2

Having an Interpreter and Social Worker Present When Interviewed

In which languages are there interpreters to help me?

In principle, individuals will be provided with interpretation services in their mother language. However, if an interpreter in that language is not available, interpretation will be provided in another language the individual is familiar with.

Taoyuan City Specialized Operation Brigades under the National Immigration Agency (NIA), Ministry of the Interior and the NIA's Taoyuan City Service Station interpretation resources have worked long-term with the Taoyuan City New Immigrant Interpretation Association to provide interpretation and translation services.

Existing interpretation services at related agencies are as follows:

Language	Unit	Police Department (Foreign Affairs Section)	National Immigration Agency	
			Taoyuan City Specialized Operation Brigade	Taoyuan City Service Station
Vietnamese		✓	✓	✓
Tagalog		✓ (English and Tagalog)		✓
Thai		✓	✓	✓
Indonesian		✓	✓	✓
English		✓	✓	
Japanese		✓		
Korean		✓		
Malaysian		✓		
Mongolian		✓		

Do I have to apply for interpretation services?

The person concerned does not have to file an application for interpretation services as the court and police will proactively seek the assistance of an interpreter to help with the taking of statements.

Do I have to pay for the interpretation service?

The person concerned **does not have to pay**, as related costs are covered by the competent authority.

Q&A

Can I ask a friend or family member to serve as an interpreter and be present when I give my statement?

In principle, when a case is in the investigation stage the interpreter provided must have received professional training and is also **required to remain impartial** throughout proceedings. Moreover, **because their job involves them being impartial and accurate in all they say an interpreter is selected from a government agency list of approved individuals.** However, if your friend is someone you trust, he or she can be present when your statement is given.

Other than an interpreter can anyone else be with me when I give my statement?

1. A legally registered and licensed lawyer and a legal representative
2. In cases involving sexual images, sexual assault, human trafficking:
Your legal representative, spouse, direct relatives or collateral relatives within three degrees of kinship, parents, relatives, doctor, psychologist, counselor, social worker, or trusted friend can be present when the statement is given and are permitted to express their opinion.

Who can have a social worker present when interviewed?

1. Victims who are children or juveniles under 18 years old.
2. Individuals with a mental disability certificate.
3. Individuals with significant physiological and psychological trauma responses, those involved in major cases, cases with media attention, or in need of professional assistance.

Do I have to pay for a social worker to be present during an interview?

The person concerned does not have to pay, as related costs are covered by the competent authority.

§ 3

Legal Aid and Consultation

Taoyuan New Immigrants Culture Hall

The Taoyuan New Immigrants Culture Hall provides consultations in multiple languages.

Address: No. 135, Fuxing Road, Taoyuan District, Taoyuan City.

The service times for various languages are listed below:

Day Time	Monday	Tuesday	Wednesday	Thursday	Friday
8:00-11:00	 Thai	 Vietnamese	 Indonesian	 Indonesian	 Vietnamese
11:00-14:00	 Indonesian	 Tagalog	 Vietnamese	 Burmese Cambodian (shifts)	 Vietnamese
14:00-17:00	 Vietnamese	 Thai Burmese English (shifts)	 Vietnamese	 Vietnamese	 Indonesian

TEL: (03)333-9885 EXT 30, (03)333-0025 EXT 10

Ministry of Labor Labor Consultation and Complaints Hotline

Interpreters provide 24-hour toll-free information and assistance filing complaints in multiple languages through the “1955” Labor Consultation and Complaints Hotline, including referrals for protective placement and real time online interpretation services.

Department of Labor, Taoyuan City Government

The Foreign National Consultation Services Center established by the Transnational Labor Affairs Section provides assistance and services in Vietnamese, Thai, Indonesian and English: TEL: 03-3322101 EXT: 6812-6813.

Legal Aid Foundation

The Legal Aid Foundation (laf.org.tw) provides foreign workers with free legal consultations and can also help cover the cost of hiring a lawyer for lawsuits, drafting legal documents and mediating legal disputes.

The Foundation’s official website has versions in English, Vietnamese, Thai, Tagalog, Burmese and Indonesian. For more details click the relevant site link.

§ 4

Placement and Protection

If I receive shelter or protection, do I have to pay?

Recipients are not required to pay for shelter, as related costs are covered by the competent authority.

Placement measures for victims of “child and youth sexual exploitation”

When a victim reports to the police in cases involving “child and youth sexual exploitation,” a **social worker** will be notified to accompany the victim when their statement is taken. The social worker will also assess the victim’s education, employment, life adaptation, physical safety, family care and protection functions to **determine whether there is a need for “placement” and if the case should be designated a “protection case.”**

If it is determined that placement is necessary, the victim will be placed in an emergency shelter. That is followed by a judge’s decision to place the child or youth in a welfare institution, foster family, transitional school, or other appropriate medical or educational institution.

Do all victims of human trafficking require shelter?

Victims of “human trafficking” will be assessed for placement based on their identity, safety and personal preference. If the competent authorities determine that institutional placement is necessary, the placement process will go ahead and the location will remain confidential.

Are there limits on freedom of movement at a shelter?

Shelters can be divided into “institutional shelters” and “community-based shelters.” Victims placed in “institutional shelters” are required to obey the shelter’s code of conduct.

What is a community-based shelter?

Upon assessment by the competent authority and with the victim’s agreement, they can be placed at a relative’s or friend’s residence, or another appropriate location.

§5

Protection of Employment Rights

Can I continue to work if I am placed in a shelter or under protection?

The original job will stop, but you can apply for a “victim of human trafficking work permit” and continue to work in Taiwan:

1. Application for a special case work permit:

If you want to work during the placement period, assistance can be provided in applying to the Ministry of Labor for a special case **temporary work permit**. Once approved you can work in Taiwan during the placement period to meet your basic living needs.

2. Work source confidentiality:

For the duration of an approved valid special case temporary work permit the sheltered individual can **independently look for work** or do so through the placement agency. The work location will remain confidential.

3. Extension of placement work permit:

(1) In principle, the individual can apply for a provisional work permit that is valid for **1 year**.

(2) If there is a need to extend the placement in Taiwan for work purposes, the prosecutor handling the case will assess the necessity based on the progress of the investigation. If an extension of the placement is deemed necessary, the temporary work permit can be **renewed**.

Q&A

Can I ask to change work if the person who assaulted me is a colleague, manager, employer or relative of the employer?

Yes. After reporting the case to the police and giving a statement the police will help you file a report with the competent social affairs authority and a social worker will ask you about your needs and preferences, notifying the department of labor to help change employers, return to your home country or mediate a labor dispute.

Help extending your residency in Taiwan, temporary stay permit, or returning to your home country**Protection of status in Taiwan**

If an individual is designated a victim requiring placement, a social worker will assist them in applying to the Taoyuan City Service Station for related documents such as an extended residence permit or a temporary stay permit.

Procedure for help returning to home country

After the investigation into a case has been completed and an individual indicates no desire to continue working in Taiwan, the Taoyuan City Specialized Operation Brigade will expedite the process by which they return to their home country, with Taoyuan City Service Station applying for related exit documents.

Q&A

Will I lose my job and be deported if I am a suspect in a crime?

1. **During the investigation phase** of a judicial inquiry you still have the right to work legally.

2. If found guilty of a crime by a court:

(1) If sentenced to a prison term of **1 year or more**, or a “**deportation order**” is issued your residence permit will be revoked or annulled, your residence certificate will be cancelled and **you will be deported** in accordance with the law.

(2) If **no deportation order is issued**, the National Immigration Agency (NIA), Ministry of the Interior, retains discretionary authority.

§ 6

Economic Employment and Subsidies

If a victim requires financial help, where can they go for assistance?

Based on the “Guidelines on Subsidies for Victims of Domestic Violence and Sexual Assault, Sexual Harassment and Stalking in Taoyuan City,” the Taoyuan City Sexual Assault Prevention Center can apply for a range of financial help. This includes emergency living assistance, medical expenses, psychological rehabilitation expenses, legal litigation and lawyers’ fees, housing rental expenses and childcare expenses for victims of **sexual assault, sexual harassment and stalking domestic violence**.

If an assessment by the competent authority determines economic subsidies are necessary, **victims and suspected victims of human trafficking** can apply for the payment of such subsidies, with a maximum of NT\$15,000 available per person.

If I choose to rent a residence is there a rent subsidy? How much is it?

Subsidy recipients

If an assessment by the competent authority determines it is safe for a victim of human trafficking receiving placement services to rent an external residence who needs a rent subsidy, an application for such a subsidy and payment of a security deposit can be filed with the necessary documents.

Subsidy amounts and time limits

A maximum subsidy of NT\$5,000 per person per month, over a maximum period of three months.

Maximum security deposit of NT\$10,000 per person. When the rental relationship ends the security deposit should be returned.

Who can sign up for the “employment promotion classes” provided by Taoyuan City Government? How do I sign up?

1.Target groups:

- (1) Specific individuals detailed in Article 24 of the Employment Service Act.
- (2) New immigrants (foreign spouses or spouses from Mainland China).
- (3) Individuals classified as having special family circumstances.
- (4) Economically disadvantaged households (high-risk family cases, homeless).
- (5) Crime victims (including victims of sexual assault and human trafficking).
- (6) Individuals who use narcotics.
- (7) Juveniles aged 15-17, who are not in education nor employed.

2.Types of courses:

- (1) Employment seminars.
- (2) Workshops.
- (3) Small group courses.
- (4) Workplace visits.
- (5) Industry seminars.

3.How to register:

Taoyuan Employment Center: 03-3333005 EXT 235

Zhongli Employment Center: 03-4681106 EXT 126

Can I attend “vocational training” held by Taoyuan City Government?**1. Vocational training target groups:**

Unemployed individuals aged 15 and above who are willing to work but lack the necessary skills and meet one of the following qualifications:

- (1) Republic of China nationals.
- (2) New immigrants.
- (3) Individuals permitted to reside in Taiwan in accordance with the provisions of Paragraph 3 or 4, Article 16 of the “Immigration Act.”
- (4) Victims of transnational (cross-border) human trafficking who have obtained a work permit.
- (5) Individuals who are diagnosed by a medical professional as having lost part of their work ability due to an occupational injury or disease, and whose degree of disability meets the criteria set out in the 2nd to 15th levels of disability under the Standards for Disability Benefits of Labor Insurance, and who have not been reported by an employer for being absent from work and out of contact for three consecutive days, pursuant to Paragraph 1, Article 56 of the “Employment Service Act.”

2. Types of course:

- (1) Short-term skill-building workshops for new immigrants.
- (2) Long-term vocational training programs.
- (3) Specialized care worker training courses.

3. How to apply:

- (1) Online registration (via the Taiwan Jobs website)
- (2) In-person registration at the training unit, or by phone /Fax / Mail.
- (3) Referral registration at employment centers.

4. Childcare subsidies for new immigrants undertaking vocational training:**(1) Subsidy eligibility:**

Foreign spouses holding an alien residence certificate, and spouses from Mainland China, Hong Kong, or Macau who have a residence permit, long-term or permanent residence, who are participating in vocational training courses provided by the Office of Employment Services and Vocational Training, and raising a child/children 6 years old and younger who is/are placed in legal childcare institutions.

(2) Childcare subsidy standards:

- ① For childcare at registered infant daycare centers, kindergartens, or registered home-based caregivers for temporary childcare or educational services, the hourly care subsidy is based on the minimum hourly wage standard announced by the central competent labor authority each year.
- ② A maximum subsidy of NT\$5,000 per month per child for full-day care, with a maximum total subsidy of NT\$15,000. When the subsidy is less than the maximum and the training period is less than one month, subsidies are adjusted proportionally based on the number of days in attendance.

(3) How to apply:

Taoyuan City Government Office of Employment Services and Vocational Training: 03-3322101, EXT. 8016.

§ 7

Psychological Counseling and Support



What should I do if I suffer psychological trauma due to abuse?

Cases involving general sexual harassment, stalking and harassment, sexual images, child and youth sexual exploitation, sexual assault, intimate relationship violence

If a social worker assesses that you need psychological counseling, they will put you in touch with a counselor to provide related services. If you are already in protective custody or placement, you can also reflect your needs to a social worker at the shelter.

Cases involving workplace sexual harassment:

If a victim requires psychological counseling, the Taoyuan City Government Department of Labor will **reimburse employers who pay for** psychological counseling services.

Cases involving “human trafficking” :

Victims who are referred for psychological counseling services can apply for subsidies. The victim can apply for reimbursement based on actual expense, with a maximum subsidy of NT\$2,000 per session per person and a maximum of 10 sessions per person. In special circumstances, when a medical institution, psychological counseling agency or professional assess there is a special need, and approval is granted by the competent authority or labor authority, the subsidy limit of 10 sessions can be waived.

§ 8

Residency (Stay) Related Issues

If a foreign or mainland Chinese spouse gets a divorce due to domestic violence, can they continue to reside in Taiwan

Foreign spouse

In accordance with the “Immigration Act,” if a foreign spouse gets divorced due to domestic violence and does not remarry, they can be granted permission to continue residing in Taiwan.

Mainland Chinese spouse

In accordance with the “Regulations on Dependent-based Residence, Long-term Residence and Permanent Residence Certificates in the Taiwan Area for People from the Mainland Area,” if a court grants a spouse a divorce due to domestic violence and there are minor biological children with household residence in the Taiwan area, the spouse can apply for an extension of the existing residence certificate.

What can I do if my travel permit or residence permit is withheld by the other party?

Ask the police to accompany you to the residence to retrieve the documents. If the other party refuses to hand them over, take the police report certificate, residence application form, protection order and related certified documents and apply for the cancellation of those documents as well as new replacement documents at a National Immigration Agency special municipality, county (city) service station.

If a foreign spouse gets a divorce due to domestic violence, can they apply for a Taiwan ID?

Based on the Nationality Law, the spouse of a Republic of China national who gets divorced due to domestic violence and does not remarry, can apply for naturalization.

If a mainland Chinese spouse gets a divorce due to domestic violence, can they apply for a Taiwan ID?

If a court grants a spouse a divorce due to domestic violence and there are minor biological children with household residence in the Taiwan area the spouse can continue to reside in Taiwan and this does not influence any application for long-term or permanent residence.

If a foreign spouse separates from her husband due to domestic violence, does she have to change her residence address?

If a foreign national changes his or her residential address during their period of residence in Taiwan, they are required to register the change with the National Immigration Agency within 30 days of the day after it occurs.



§ 9

Taoyuan City Government Domestic Violence and Sexual Assault Prevention Centre Treatment Services



When a report is received an investigation and case assessment are initiated

Members of the public can report incidents by calling 113, or contacting the center at 03-332-2111. The Ministry of Health and Welfare's "Social Safety Net - Ecare" online reporting system can also be used. When the center receives a report, it initiates an investigation and case assessment, with social workers developing a care service plan for designated protection cases.

"Domestic violence" case management services

Based on the home situation, regular home visits, financial assistance, legal support, employment services, protection or housing services, psychological counseling, and services for children who have witnessed trauma are provided. If necessary, other organizations are contacted to provide joint assistance for the family.

"Sexual assault" case management services

These provide protection and assistance services (such as psychological trauma recovery counseling, legal aid, medical assistance, accompaniment services, emergency placement, financial support, resource referral and consultation services), as well as follow-up counseling and psychosomatic therapy for the offender.

"Child and youth sexual exploitation" case management services (including cases involving sexual images of "minors")

1. Based on a victim's needs in areas such as education, employment, life adaptation, physical safety, family care and protection functions, an assessment is made to determine whether placement is necessary and whether the case should be designated a "protection case." In cases where placement is deemed necessary this is followed by a judge's decision to place the minor in a welfare institution, foster family, transitional school, or other appropriate medical or educational institution.
2. Based on the needs of the child or youth and their family, related counseling and resource matching services are provided, such as judicial accompaniment and consultation, assistance in building cognitive skills for the child/youth and carer, matched with psychological counseling, parenting education, school or employment assistance, accompaniment to medical appointments, financial support, and referrals to related organizations based on the needs of the child/youth or carer. A network of collaborators is established to monitor the child/youth's living conditions and provide resources for the taking down of harmful images.
3. Based on existing legal provisions, victims whose "placement period ends" or who "have not been placed in a shelter but are classified as protective cases," are referred for follow-up counseling. This is intended to help stabilize the community living situation of the child or youth and prevent them from falling into further situations of sexual exploitation.

"Sexual image" case management services (including "adult" victims)

These provide legal resources and procedure accompaniment, physical safety protection, trauma recovery, as well as assistance for the victim's significant others, school or employment support, accompaniment to medical appointments, financial assistance, and referrals to related organizations based on the needs of the victim.

§10**Related Official Contact Information**

Contact information for Republic of China National Immigration Agency specialized operation brigades and service stations”

<https://www.immigration.gov.tw/5385/22805/58847/>

Hotline for foreign nationals living in Taiwan:

For calls made in Taiwan dial 1990, for calls made overseas dial 886-800-001990.

Republic of China Ministry of Foreign Affairs official website - Contact information for foreign institutions in Taiwan	
	Republic of Indonesia
Nama	The Indonesia Economic and Trade Office to Taipei
Alamat	6F, No. 550, Ruiguang Road, Taipei City, 11492 (Twinhead building)
Kontak	TEL: 02-8752-6170 FAX: 02-8752-3706
	Republic of the Philippines
Nama	Manila Economic and Cultural Office
Alamat	2F, No. 55 & 57, Zhouzi Street, Neihu District, Taipei City, 11493
Kontak	TEL: 02-2658-8825 FAX: 02-2658-8867
	Kingdom of Thailand
Nama	Thailand Trade and Economic Office
Alamat	No. 206, Section 3, Civic Boulevard, Da' an District, Taipei City, 10666
Kontak	TEL: 02-2775-2211 FAX: 02-2740-3300
	Socialist Republic of Vietnam
Nama	Vietnam Economic and Cultural Office in Taipei
Alamat	3F, No. 65, Songjiang Road, Taipei City, 10455
Kontak	TEL: 02-2516-6626 FAX: 02-2516-6625

§11

Seven Designated “Sexual Assault” Forensic Examination Hospitals in Taoyuan City and Their Service Hours

Designated hospitals		
Hospital	TEL	Address
Taoyuan Hospital, Ministry of Health and Welfare	03-3699721	No. 1492, Zhongshan Road, Taoyuan District, Taoyuan City
Min-Sheng General Hospital	03-3179599	No. 168, Jingguo Road, Taoyuan District, Taoyuan City
Taipei Veterans General Hospital, Taoyuan Branch	03-3384889	No. 100, Section 3, Chenggong Road, Taoyuan District, Taoyuan City
Saint Paul’s Hospital	03-3613141	No. 123, Jianxin Street, Taoyuan District, Taoyuan City
Linkou Chang Gung Memorial Hospital	03-3281200	No. 5, Fuxing Street, Guishan District, Taoyuan City
Landseed International Hospital	03-4941234	No. 77, Guangtai Road, Pingzhen District, Taoyuan City
Military Taoyuan General Hospital	03-4799595	No. 168, Zhongxing Road, Longtan District, Taoyuan City

Note: Website information is updated regularly. For the latest updates, go to the Ministry of Health and Welfare's Department of Mental Health website.

Times allocated for “sexual assault” forensic examination services at designated hospitals							
Hospital Day	Saint Paul’s Hospital	Min-Sheng General Hospital	Taoyuan Hospital	Linkou Chang Gung Memorial Hospital	Taipei Veterans General Hospital, Taoyuan Branch	Landseed International Hospital	Military Taoyuan General Hospital
Monday	●	●	0800-2200	●	●	0830-2030	●
Tuesday	●	●		●	●		●
Wednesday	●	●		●	●		●
Thursday	●	●		●	●		●
Friday	●	●		●	●		●
Saturday	●	●		●	●	0830-1130	●
Sunday	●	●		●	●	×	●
Notes							First call the emergency room to confirm if a doctor is on duty

● = 24-hour provision of forensic examination and evidence collection services.
As forensic examination times can change, call the emergency room to confirm the service is available before going to the hospital.

§12

Friendly Medical Services for Foreign Nationals in Taoyuan City (brief introduction to seven designated hospitals)

October 12, 2023 version

Designated Hospital	Friendly Services
<p>Taoyuan Hospital, Ministry of Health and Welfare</p>	<ol style="list-style-type: none"> 1. Provides English-language webpage information and medical guidance on the physical examination process, medical manuals and pamphlets, health education materials, medication bag instructions and guidelines on taking medication, live-in foreign care worker skills manuals, receipts, diagnostic certificates, medical treatment certificates, birth certificates etc. 2. Provides medical manuals and pamphlets in Indonesian, Vietnamese and Thai; provides admission and discharge, outpatient and emergency procedures, descriptions of the physical examination process, health education materials, and live-in foreign care worker skills manuals in Indonesian and Vietnamese. 3. Provides English-language hospital instructions, simple disease symptom and medical terminology reference manuals (tables), language translation devices, interpreters, referral interpretation services, as well as simple disease symptom or medical terminology reference manuals (tables) in Vietnamese, Thai and Indonesian. 4. Provides translation machine services in Japanese, Korean, Vietnamese, Thai, Indonesian, Malaysian and Tagalog, as well as referral interpretation services in Vietnamese and Indonesian. 5. Provides medical care based on different ethnic and religious beliefs (e.g., refusal of blood transfusion care etc.) when hospitalized. 6. Registration desk staff provide explanations in English and Japanese. 7. Some health education pamphlets are available in Vietnamese, Indonesian, Tagalog, and Thai for foreign nationals.
<p>Min-Sheng General Hospital</p>	<ol style="list-style-type: none"> 1. Provides English-language webpage information on the physical examination process, health education materials, receipts, diagnostic certificates, birth certificates, surgical consent forms, anesthesia consent forms etc.; Japanese-language webpage information and physical examination process descriptions. 2. Provides health education materials in Thai and Vietnamese, and care worker skills manuals in Indonesian, Vietnamese, and English. 3. Provides English-language hospital instructions. 4. Provides interpretation services in English, Japanese, Vietnamese, Thai and Indonesian, and referral interpretation services in Tagalog and Indonesian. 5. Provides medical care based on different ethnic and religious beliefs (e.g., refusal of blood transfusion care, etc.) when hospitalized.

Designated Hospital	Friendly Services
<p>Taipei Veterans General Hospital, Taoyuan Branch</p>	<ol style="list-style-type: none"> 1. Provides English-language webpage information, medical guidance, surgical and anesthesia consent forms, health education materials, medication bag instructions and guidelines on taking medication, live-in foreign care worker skills manuals, diagnostic certificates, medical treatment certificates, birth certificates etc. 2. Provides medical pamphlets and health education materials in Vietnamese and Indonesian. 3. Provides English-language hospital instructions, and interpretation services in English and Japanese. 4. Provides medical care based on different ethnic and religious beliefs (e.g., refusal of blood transfusion care, etc.) when hospitalized.
<p>Saint Paul's Hospital</p>	<ol style="list-style-type: none"> 1. Provides English-language medical guidance, descriptions of physical examination processes, health education materials, receipts, diagnostic certificates, medical treatment certificates, birth certificates, medication bag instructions and guidelines on taking medication, surgical consent forms, anesthesia consent forms etc. 2. Provides descriptions of physical examination processes and health education materials in Vietnamese and Indonesian. 3. Provides English-language hospital instructions and language translation device services. 4. Provides medical care based on different ethnic and religious beliefs (e.g., refusal of blood transfusion care, etc.) when hospitalized.
<p>Linkou Chang Gung Memorial Hospital</p>	<ol style="list-style-type: none"> 1. Provides English-language webpage information and medical guidance on admission and discharge processes, outpatient and emergency procedures, descriptions of physical examination processes, medical manuals and pamphlets, health education materials, medication bag instructions and guidelines on taking medication, receipts, diagnostic certificates, birth certificates, surgical consent forms, anesthesia consent forms etc. 2. Provides medical guidance on admission and discharge processes, outpatient and emergency procedures, medical manuals and pamphlets, surgical consent forms, anesthesia consent forms etc., in Indonesian, Vietnamese and Thai. 3. Provides English-language hospital instructions, as well as referral interpretation services in English, Japanese, Korean, Vietnamese, Thai, Indonesian, Malaysian and Tagalog. 4. Provides medical care based on different ethnic and religious beliefs (e.g., refusal of blood transfusion care etc.) when hospitalized, and places for religious rituals.
<p>Landseed International Hospital</p>	<ol style="list-style-type: none"> 1. Provides English-language webpage information and medical guidance, medication bag instructions and guidelines on taking medication, receipts, diagnostic certificates, birth certificates, surgical consent forms, anesthesia consent forms etc.; provides Japanese-language anesthesia consent forms. 2. Provides interpretation services in English, Japanese, Thai and Vietnamese. 3. Provides English-language hospital instructions. 4. Provides physical examination process descriptions and live-in foreign care worker skills manuals (in English, Indonesian and Vietnamese).

Designated Hospital	Friendly Services
Military Taoyuan General Hospital	<ol style="list-style-type: none"> 1. Health education materials (in Indonesian, Vietnamese and Thai). 2. Service assistants (in Indonesian, Vietnamese and Thai). 3. Provides English-language webpage information and medical guidance on admission and discharge processes, outpatient and emergency procedures, a description of the physical examination process, medical manuals and pamphlets, health education materials, medication bag instructions and guide lines on taking medication, receipts, diagnostic certificates, medical treatment certificates, birth certificates etc.

Note: This list will be occasionally updated. For the latest updates, go to the Taoyuan City Government Department of Public Health website and download the “**Resource Directory for Foreign National Friendly Healthcare Services.**”

“Foreign Worker Friendly Healthcare Map” newly available on 1955 E-Line

You can also download the 1955 E-Line APP provided by the Workforce Development Agency under the Ministry of Labor. Related language Line IDs include:

[Chinese@1955mw_tw](#)
[English@1955mw_ph](#)
[Indonesian@1955mw_id](#)
[Vietnamese@1955mw_vn](#)
[Thai@1955mw_th](#)

The “Foreign Worker Friendly Healthcare Map” officially went online on October 1, 2024. Functions include the ability to search for the nearest medical facility, providing guidance for medical visits and real-time translations of text and images.





§13

Follow-up Medical Assistance for Victims of “Human Trafficking”



Who is eligible for medical assistance?

Victims and suspected victims of human trafficking subject to “placement” can apply for subsidies to cover medical costs and physical health examinations.

What does medical assistance include?

It includes a registration fee, out-of-pocket medical expenses, the cost of issuing a medical certificate and other necessary medical expenses.

Is there a limit to financial subsidies for medical costs?

1. For individuals with National Health Insurance, the maximum annual amount is NT\$3,000 per person (costs covered by health insurance cannot be claimed).
2. For individuals without National Health Insurance, the maximum annual amount is NT\$10,000 per person.

What items are included in a physical health examination?

Chest X-rays, serum tests (syphilis, HIV, hepatitis B and C tests), routine blood tests, routine stool and urine tests.

Is there a limit to financial subsidies for physical health examinations?

Individuals are limited to one application per person and a maximum of NT\$3,000.

§14

Gender-Based Violence Related Laws and Regulations in Taiwan

Crime Type	Applicable Law
Sexual harassment	<ol style="list-style-type: none"> 1. "Gender Equity Education Act" 2. "Gender Equality in Employment Act" 3. "Sexual Harassment Prevention Act"
Stalking and harassment	"Stalking and Harassment Prevention Act"
Non-consensual filming / Dissemination of sexual images	<ol style="list-style-type: none"> 1. "Criminal Code of the Republic of China" 2. "Child and Youth Sexual Exploitation Prevention Act" 3. "Social Order Maintenance Act"
Child and youth sexual exploitation	<ol style="list-style-type: none"> 1. "Child and Youth Sexual Exploitation Prevention Act" 2. "Criminal Code of the Republic of China"
Sexual assault	<ol style="list-style-type: none"> 1. "Criminal Code of the Republic of China" 2. "Sexual Assault Crime Prevention Act"
Intimate relationship violence	"Domestic Violence Prevention Act"
Human trafficking	<ol style="list-style-type: none"> 1. "Human Trafficking Prevention Act" 2. "Child and Youth Sexual Exploitation Prevention Act" 3. "Labor Standards Act" 4. "Criminal Code of the Republic of China" 5. "Human Organ Transplant Act"



Zero Tolerance for Gender-Based Violence!
Your Safety is Our Priority
- Gender-Based Violence Prevention Multilingual E-Book
English

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Department of Labor, Taoyuan City Government

Department of Public Health, Taoyuan City Government

Department of Women and Children Development, Taoyuan City Government

Domestic Violence and Sexual Assault Prevention Center, Taoyuan City
Government

Taoyuan City Service Center, Northern District Affairs Unit, National Immigration
Agency, Ministry of the Interior

Taoyuan City Specialized Operation Brigade, Northern District Affairs Unit,
National Immigration Agency, Ministry of the Interior

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