



Taiwan Taoyuan District Prosecutors Office News Release

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Taiwan Taoyuan District Prosecutors Office has now concluded “December 14, 2017 Sican Co., LTD Fire Case”-- the responsible person and the factory manager were both rendered deferred prosecution.

1. Conclusion of Investigation:

- (1) After a thorough investigation conducted by Prosecutor Yu-syun Hung of the Taoyuan District Prosecutor Office, it is concluded that the responsible person of Sican Co., LTD, Chen * Ru (male, 49; hereinafter, Chen) and the factory manager, Hsieh * Yi (male, 48; hereinafter, Hsieh), have both contributed to the negligent death of the company’s foreign workers, thus were in violation of Article 276, Section 2 of Taiwan’s Criminal Code, as well as Article 91, Section 2 and Article 77, section 1 of the Building Act.
- (2) To come up with the deferred prosecution decision, Prosecutor Hung has taken the following factors into consideration pursuant to Article 57 of the Criminal Code: the fact that the offenses committed by Defendant Chen and Hsieh were not punishable with death penalty, life imprisonment, or with a minimum punishment of imprisonment for not less than three years; the fact that there is no criminal record of imprisonment of the two defendants; the fact that they have both plead guilty and showed good attitude and willingness to take the responsibility after committing the crimes; that fact that they settled with the complainants and victims’ families in a short time, while offering them funeral, travel, and accommodation expense; the fact that they compensated other foreign workers who were injured in the fire accident with medical, daycare and life expenses; and the fact that the victims’ families and complainants all agreed to the decision of a deferred prosecution.
- (3) Both the two defendants’ period of deferred prosecution are 2 years. Defendant Chen is required to pay NTD 800,000 to governmental account within 6 months, starting from the date the ruling of deferred prosecution is

finalized. Defendant Hsieh is required to pay NTD 600,000 to governmental account within 6 months, starting from the date the ruling of deferred prosecution is finalized.

2. Pertinent Fact of the Case

Chen was the responsible person and Hsieh was the factory manager of Sican Co., LTD. Chen rent a two-story iron-sheet building located at No. 12, Ln. 9, Dayou St., Luzhu Dist., Taoyuan City 338, Taiwan (R.O.C.), and made it the principle address of the company. The first floor of the building was used as the company's warehouse, while the second floor was the dormitory of twelve Vietnamese workers. Knowing that the iron-sheet building was an illegal construction which shouldn't be used to accommodate the foreign workers, regardless of the danger of causing fire injury, Chen and Hsieh still did so while there was only one exit in the building. Moreover, neither routine wiring security check, facilitating of fire escape equipment, nor use of fire-proof materials in the building had ever been done by Chen and Hsieh.

At 1:51 am, December 14 2017, a fire caused by faulty wiring struck the building. Starting from the electricity fault of the distribution box located outside of the bedroom door and the faulty wiring in the east side living room in the second-floor dormitory area, the fire spread rapidly and devoured inflammable items and iron sheet around, resulting in different levels of damage to the dormitory area and the warehouse area.

Foreign workers Juan * Yu, Juan * Hai, Pan * Cheng, Chen * Li, Chu * Wu escaped from the building immediately, but were still injured by heat and smoke. (There was no complaint of negligence filed by these victims.) Nonetheless, Chen * Shuei, Juan * Jhih, Huang * Yu, Feng * Chun, Juan * Yi, Pei * Jung, who could not escape in time due to the lack of more than one stairway out, were stuck in the dormitory area on the second floor and were found dead after the fire was ceased. .

3. Cause of Fire

The case prosecutor went to the scene of fire with Taoyuan Fire Department for the inspection, and the Fire Department later produced an inspection report, indicating the starting spot of fire was at the east side of the living room in the second-floor dormitory area. It was revealed that there were five electric pots, one electric fan, one electric oven and one extension electricity cord found in the east side of the living room. To closely inspect these items, the fire officials found the electric pots, electric fan and electric oven were all severely burned out, oxidized and discolored, the extension electricity cord was severely burned out and carbonized by heat, and the skin of the power cable of the cord was severely heated, melted, and carbonized causing the copper wire inside to be exposed and fused. The report thus concluded that electrical fault was more likely the cause of fire.