

## Global China Seminar

### Balancing Justice and Speed: Dilemmas in reforms to prosecution of minor crime in China



(Image: Shutterstock)

Economic reform in China has produced new forms of crime, many of them minor. China's criminal justice system faces the problem of how to deal efficiently and justly with the increasing number of minor offences. Political attention became focused on this issue after abolition of the administrative detention power of re-education through labour at the end of 2013 and transfer of some of those cases into the criminal justice system. The Chinese criminal justice system currently draws no distinction between minor and serious offending. It is searching for a way to distinguish between the cases that require a greater allocation of time and resources and those that can be handled in an expedited manner. In this presentation the speaker will discuss some of the reforms designed to improve efficiency in handling minor offences. To date these reforms have focused on the courts and prosecution agencies, but omitted reforms to the role of the police. Whilst there has been some simplification of procedures, the reforms have primarily focused on speeding up the process by imposing tighter time limits on various stages of criminal proceedings. How are these changes balancing the practical need for efficiency with the demands of justice? What broader sets of assumptions are reflected in the design of these reforms? This talk will consider these issues.

#### About the speaker



Sarah Biddulph is Assistant Deputy Vice Chancellor International – China. She is also Professor of Law at the Melbourne Law School and Director of its Asian Law Centre. Sarah's research focuses on the Chinese legal system with a particular emphasis on legal policy, law making and enforcement as they affect the administration of justice in China. Her particular areas of research are contemporary Chinese administrative law, criminal procedure, labour, comparative law and the law regulating social and economic rights. Her recent publications include; *The Stability Imperative: Human Rights and Law in China* (2015) UBC Press, *Law and Fair Work in China: Making and Enforcing Labour Standards in the PRC* co-authored with Sean Cooney and Ying Zhu (2013) Routledge, and *Legal Reform and Administrative Detention Powers in China* (2007) CUP for which she was awarded the Woodward Medal. She was a solicitor with Blake Dawson Waldron (now Ashurst) between 1986 and 1992 in Sydney and Melbourne and again between 1998 and 2001 in the firm's Shanghai representative office.

**Date:** Tuesday 28 May 2019

**Time:** 5.30-6.30pm

**Venue:** Room 117 (GB117), Government Building, Pipitea Campus, Victoria University of Wellington ([map](#))

If you are interested to attend, please email [Lai Ching](#) or call 04 463 9549 to RSVP.