

A Seminar on Pretrial Detention Reforms in China

Dr. Guo Zhiyuan

China University of Political Science and Law

Chairperson: Professor Kumaralingam Amirthalingam

DATE, TIME & VENUE

Wednesday, 26 March 2025

1.15pm to 2.15pm

NUS Law (Bukit Timah Campus), Federal Bartholomew Conference Room (FED-01-02)

ABSTRACT

The high pretrial detention rate (PDT) in China's criminal cases has long been a target of criticism by both international legal community and the domestic academics. Chinese government has been launching reforms after reforms to reduce the PDT over the past decade. However, the effects were unnoticeable until very recently. In April 2021, *fewer comprehensions, cautious prosecution and detention* has been officially established as a national criminal policy and listed as one of the working focuses for the year of 2021. The Supreme People's Procuratorate has launched a six-month nationwide special campaign on the necessity examination for continuous detention, which was later extended to the end of 2022. The procuratorates at all levels were required to replace detention with alternative compulsory measures where it's unnecessary to keep the suspects in custody. Under the influence of the national criminal policy and accompanying special campaigns, the PDT has plummeted from around 50% in 2021 to 26.7% in 2022. However, some scholars worried that the progress may not be sustainable because the reduction of the PDT was coincident with the COVID-19 pandemic during which there were not only few crimes but also few detentions due to concerns of pandemic control difficulty in detention facilities. This seminar will examine how the fewer comprehension and cautious detention policy is understood and implemented in practice, to what extent this national policy affected the reduction of PDT in criminal cases, and whether there were other contributing factors such as the policy adjustments to handle DWI crimes to cause the dramatic drop of PDT. In the year 2023, the speaker conducted a series of field research on the pretrial detention reduction across the country. Quite a few interesting empirical findings have been obtained. Meanwhile, the national legislature of China has started to amend the Criminal Procedure Law since the second half of 2023. Academic discussions around the amendment of the pretrial detention system have been active. The speaker would share with the audience the academic debates on this topic in China and her research on *Reducing Pretrial Detention: The Effects and Challenges of Implementing the Fewer Comprehensions and Cautious Detention Policy in China*.

ABOUT THE SPEAKER



Guo Zhiyuan is a Professor of Law at China University of Political Science and Law (CUPL) in Beijing, where she specializes in Criminal Procedure, Evidence, International Human Rights Law and Law and Society Studies. She is the Vice Dean of the College of Criminal Justice, CUPL, Adjunct Professor at Buffalo State College, US and Chinese University of Hong Kong, she is also a Non-resident Senior Research Fellow at US-Asia Law Institute, New York University School of Law. Prof. Guo was appointed as Guanghua Visiting Scholar at NYU School of Law from 2008-2009 and as Sohmen Visiting Scholar at Faculty of Law, Hong Kong University in 2011. She was appointed as a Fulbright Research Scholar and visited Stanford Law School for the 2015-2016 academic year. She was appointed as Academic Writing Fellow of Rockefeller Foundation Bellagio Center in February 2019. She was just appointed as Asian Law Institute (ASLI) Visiting Fellow for spring, 2025.

Prof. Guo has published extensively on academic journals in both Chinese and English languages. Her research interests include Exclusionary Rules of Evidence, Plea Bargaining, Lay Participation, Effective Counsel, Criminal Mental Health Law and Anti-Corruption Policies in China. Prof. Guo lectured across the world, including but not limited to New York University (U.S.), University of California at Davis (U.S.), University of Vienna (Austria), University of Zagreb (Croatia), University of Pompeu Fabra (Spain), G D Goenka University (India), FGV Direito SP (Brazil) and University of Bucharest (Romania).

REGISTRATION



There is no registration fee for this seminar, but seats are limited. Refreshments will be provided on a first-come-first-served basis.

Visit <https://bit.ly/4hm5Ne9> or scan the QR Code to register by Friday, 21 March 2025, 12.00pm

For enquiries, please contact the ASLI Secretariat at asli@nus.edu.sg