

LW6212E: SPECIAL TOPICS IN THE CHINESE CRIMINAL JUSTICE SYSTEM: AN INTERNATIONAL PERSPECTIVE

Effective Term

Semester A 2026/27

Part I Course Overview

Course Title

Special Topics in the Chinese Criminal Justice System: An International Perspective

Subject Code

LW - Law

Course Number

6212E

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

3

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

Nil

Precursors

Nil

Equivalent Courses

Nil

Exclusive Courses

Nil

Additional Information

Nil

Part II Course Details

Abstract

This course examines ten special topics in China's criminal justice system from an international and comparative perspective. It begins with an introductory overview, then explores the relationship between "Strike Hard" campaigns and mass-line justice. Subsequent sessions analyse policing and administrative punishment, the plea leniency system and its implications for procedural fairness, and the challenges facing defense lawyers. The course also addresses wrongful convictions, emerging crimes in the modern era, and China's growing role in extraterritorial law enforcement cooperation. Restorative justice with Chinese characteristics is examined alongside the highly debated issue of the death penalty. Through comparative analysis, students will assess how China's legal traditions, political structure, and reform efforts interact with international norms and practices such as those found in common law jurisdictions. The course seeks to foster intellectual independence by encouraging students to critically engage with course materials and develop the ability to transform complex legal issues into clear, debatable points from a cross-cultural perspective.

Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Analytically describe and explain the core differences between the Chinese criminal justice tradition and the Western criminal justice tradition.	25	x	x	x
2	Contrast how the police, courts, and prisons operate in China versus Western nations (such as the U.S., UK, Australia or EU).	25	x	x	x
3	Critically analyse how culture, history, economy and politics shape the way criminal justice is administered in different parts of the world.	25	x	x	x
4	Construct well-researched legal arguments that respect different cultural perspectives while identifying universal challenges in modern criminal justice.	25	x	x	x

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Learning and Teaching Activities (LTAs)

LTAs		Brief Description	CILO No.	Hours/week (if applicable)
1	Seminars	Seminars include both lectures and interactive discussions between the teacher and students, as well as among the students themselves. The goal is to foster intellectual autonomy and exchange. The classes emphasise active participation from students, who engage with and expand on each other's ideas, transforming challenging readings into clear, discussion-worthy claims.	1, 2, 3, 4	3 hours
2	Self-Directed Study	In a self-directed manner, students prepare for class by reading from the compulsory and optional prescribed readings, taking notes, drafting answers to seminar questions, reviewing class content, and conducting research on particular topics.	1, 2, 3, 4	5 hours (approximately)

Additional Information for LTAs

Nil

Assessment Tasks / Activities (ATs)

	ATs	CILO No.	Weighting (%)	Remarks ("- for nil entry)	Allow Use of GenAI?
1	Seminar Participation and Group Discussion: students work in small groups to debate, ask questions, and explore problem-based scenarios derived from lecture material. Through this process, students analyse and assess various course topics. The discussion also provides a platform where they can express any doubts or uncertainties to the lecturer.	1, 2, 3, 4	20	-	No
2	A Research Essay (final assessment): Students are required to produce a high-quality paper (usually 3,000 to 5,000 words) that critically and comparatively analyses a specific criminal justice problem by looking at both the Chinese and Western contexts.	1, 2, 3, 4	30	-	No

Continuous Assessment (%)

50

Examination (%)

50

Examination Duration (Hours)

2

Minimum Continuous Assessment Passing Requirement (%)

40

Minimum Examination Passing Requirement (%)

40

Additional Information for ATs

Exam (Duration: 2 hours)

A two-hour open book exam will assess students' capacity to describe, explain, and compare the objectives and functioning of the Chinese criminal justice system. It will also evaluate students ability to critically examine the policies, laws, and social factors that shape the system, and to propose solutions to some of its current problems.

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter

Students must obtain a minimum mark of 40% in both coursework and the final examination and an overall mark of 40% in order to pass the course.

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

Students must obtain a minimum mark of 50% in both coursework and the final examination and an overall mark of 50% in order to pass the course.

Assessment Rubrics (AR)

Assessment Task

Seminar participation and group discussion (Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

- 1) Prior preparation on seminar questions and a willingness to actively engage in discussion;
- 2) Ability to critically assess the law and policy that underpin and shape criminal justice administration;
- 3) Ability to convey thoughts clearly and respond thoughtfully to others within the context of group dialogue and formal debate.

Excellent

(A+, A, A-) Strong evidence of capacity to analyse and synthesise; superior grasp of subject matter; superior public speaking and groupwork dynamic; superior oral expression with original ideas.

Good

(B+, B, B-) Evidence of analytical ability; reasonable understanding of issues; evidence of familiarity with the law; reasonable public speaking and groupwork dynamic; decent level of oral expression.

Fair

(C+, C, C-) Student who is profiting from the university experience; basic understanding of the subject; ability to develop solutions to simple problems in the material. Some evidence of group cooperation and some ability to speak publicly, satisfactory level of oral expression.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course; Sporadic evidence of positive group dynamic; faltering level of oral expression.

Failure

(F) Little evidence of familiarity with the subject matter; an incorrect understanding or application of the law; poor public speaking and an unworkable group dynamic. Poor quality oral expression .

Assessment Task

Research Essay (Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

- 1) Knowledge of the law and its context;
- 2) Quality and depth of critical analysis;
- 3) Clear and succinct writing style, a logical and coherent structure, and clarity of the central argument;
- 4) Sophistication of the research, including proper referencing of relevant legislation, cases and other authorities.

Excellent

(A+, A, A-)

- 1) Shows thoughtful interaction with course readings, a solid grasp of the policy reasons behind criminal justice, and a strong ability to spot legal issues and turn concepts into original insights;
- 2) Presents a well-organised essay with a clear main argument, supported by detailed discussion and development throughout every section;
- 3) Follows a clear, logical structure and shows how information from different sources connects together;
- 4) Has no spelling or grammar errors, and all sources are properly cited.

Good

(B+, B, B-)

- 1) Shows some thoughtful engagement with course materials, a good understanding of the policy reasons behind criminal justice, and a reasonable ability to identify legal issues and turn concepts into personal insights;
- 2) Has a clear essay structure with a main argument, supported by reasonable discussion and development across most sections;
- 3) The paper flows fairly well, with only a few awkward jumps, and shows how information from different sources connects;
- 4) Has very few spelling or grammar errors, and all sources are cited correctly.

Fair

(C+, C, C-)

- 1) Shows little thoughtful engagement with course materials, a weak understanding of the policy reasons behind criminal law, and a poor ability to spot legal issues or turn concepts into personal insights;
- 2) Has a poorly organised essay with a main argument that is only briefly or superficially discussed across all sections, or discussed in just a few sections;
- 3) The paper does not flow smoothly and seems pieced together from unrelated points. Shows only a limited understanding of how information from different sources connects.
- 4) Contains many spelling and grammar errors, with very few sources cited.

Marginal

(D)

- 1) Shows no thoughtful engagement with course materials, no understanding of the policy reasons behind criminal justice, and a poor ability to spot legal issues or turn concepts into personal insights;
- 2) Has a disorganised essay with a main argument that is only briefly or superficially discussed across all sections, or discussed in just a few sections;
- 3) The paper lacks logical flow and seems to be put together from disconnected or random points. Shows very little understanding of how information from different sources relates;
- 4) Contains an unacceptable number of spelling and grammar errors, and very few sources are cited.

Failure

(F) The paper does not demonstrate that the student has made any effort to research and write

Assessment Task

Final Examination (Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

- Legally examine the issues raised by a given set of facts;
- Propose remedies for the issues identified.

Excellent

(A+, A, A-) Demonstrates a strong interest in and critical engagement with all course material, significant understanding of the Chinese criminal justice system's policy, legal and social underpinnings, an exceptional ability to identify legal issues and accurately apply the law to solve practical problems.

Good

(B+, B, B-) Demonstrates some critical engagement with course material, a more limited understanding of the Chinese criminal justice system's policy, legal and social underpinnings, a reasonable ability to identify legal issues and accurately apply the law to solve practical problems.

Fair

(C+, C, C-) Demonstrates limited critical engagement with course material, little understanding of the Chinese criminal justice system's policy, legal and social underpinnings, a basic ability to spot legal issues and accurately apply the law to solve practical problems.

Marginal

(D) Despite otherwise participating in the teaching and learning activities, the student demonstrates no critical engagement with course material, no understanding of the Chinese criminal justice system's policy, legal and social underpinnings, infrequent ability to apply the law to solve practical problems.

Failure

(F) Almost no participation in teaching and learning activities. The student cannot demonstrate that he or she has read or understands the course material, or that he or she understands the Chinese criminal justice system's policy, legal and social underpinnings. The student does not apply the criminal law correctly to solve practical problems.

Assessment Task

Seminar participation and group discussion (Applicable to students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

- 1) Prior preparation on seminar questions and a willingness to actively engage in discussion;
- 2) Ability to critically assess the law and policy that underpin and shape criminal justice administration;
- 3) Ability to convey thoughts clearly and respond thoughtfully to others within the context of group dialogue and formal debate.

Excellent

(A+, A, A-) Strong evidence of capacity to analyse and synthesise; superior grasp of subject matter; superior public speaking and groupwork dynamic; superior oral expression with original ideas.

Good

(B+, B) Evidence of analytical ability; reasonable understanding of issues; evidence of familiarity with the law; reasonable public speaking and groupwork dynamic; decent level of oral expression.

Fair

-

Marginal

(B-, C+, C) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course; Sporadic evidence of positive group dynamic; faltering level of oral expression.

Failure

(F) Little evidence of familiarity with the subject matter; an incorrect understanding or application of the law; poor public speaking and an unworkable group dynamic. Poor quality oral expression.

Assessment Task

Research Essay (Applicable to students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

- 1) Knowledge of the law and its context;
- 2) Quality and depth of critical analysis;
- 3) Clear and succinct writing style, a logical and coherent structure, and clarity of the central argument;
- 4) Sophistication of the research, including proper referencing of relevant legislation, cases and other authorities.

Excellent

(A+, A, A-)

- 1) Shows thoughtful interaction with course readings, a solid grasp of the policy reasons behind criminal justice, and a strong ability to spot legal issues and turn concepts into original insights;
- 2) Presents a well-organised essay with a clear main argument, supported by detailed discussion and development throughout every section;
- 3) Follows a clear, logical structure and shows how information from different sources connects together;
- 4) Has no spelling or grammar errors, and all sources are properly cited.

Good

(B+, B)

- 1) Shows some thoughtful engagement with course materials, a good understanding of the policy reasons behind criminal justice, and a reasonable ability to identify legal issues and turn concepts into personal insights;
- 2) Has a clear essay structure with a main argument, supported by reasonable discussion and development across most sections;
- 3) The paper flows fairly well, with only a few awkward jumps, and shows how information from different sources connects;
- 4) Has very few spelling or grammar errors, and all sources are cited correctly.

Fair

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Marginal

(B-, C+, C)

- 1) Shows little thoughtful engagement with course materials, a weak understanding of the policy reasons behind criminal law, and a poor ability to spot legal issues or turn concepts into personal insights;
- 2) Has a poorly organised essay with a main argument that is only briefly or superficially discussed across all sections, or discussed in just a few sections;
- 3) The paper does not flow smoothly and seems pieced together from unrelated points. Shows only a limited understanding of how information from different sources connects.
- 4) Contains many spelling and grammar errors, with very few sources cited.

Failure

(F) The paper does not demonstrate that the student has made any effort to research and write

Assessment Task

Final Examination (Applicable to students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

- Legally examine the issues raised by a given set of facts;
- Propose remedies for the issues identified.

Excellent

(A+, A, A-) Demonstrates a strong interest in and critical engagement with all course material, significant understanding of the Chinese criminal justice system's policy, legal and social underpinnings, an exceptional ability to identify legal issues and accurately apply the law to solve practical problems.

Good

(B+, B) Demonstrates some critical engagement with course material, a more limited understanding of the Chinese criminal justice system's policy, legal and social underpinnings, a reasonable ability to identify legal issues and accurately apply the law to solve practical problems.

Fair

-

Marginal

(B-, C+, C) Demonstrates limited critical engagement with course material, little understanding of the Chinese criminal justice system's policy, legal and social underpinnings, a basic ability to spot legal issues and accurately apply the law to solve practical problems.

Failure

(F) Almost no participation in teaching and learning activities. The student cannot demonstrate that he or she has read or understands the course material, or that he or she understands the Chinese criminal justice system's policy, legal and social underpinnings. The student does not apply the criminal law correctly to solve practical problems.

Part III Other Information

Keyword Syllabus

Policing, Prosecution, Trial, Sentencing, Crimes, Substantive Justice, Procedural Fairness, Campaign-style Justice, Mass-line Justice, Public Order, Arrest, Detention, Social Harmony, Rule of Law, Plea Bargaining, Defense Lawyers, Administrative Penalty, Criminal Punishments, The Death Penalty, Cybercrimes, Sex Crimes, Transnational Crimes, Terrorism, National Security, Wrongful Convictions, Miscarriage of Justice, Restorative Justice, Rehabilitation, Corrections.

Detailed Syllabus

Topic One: An Introduction to the Chinese Criminal Justice System: A Comparative Perspective

Topic Two: "Strike Hard" Campaigns and Mass-Line Justice

Topic Three: Policing and Administrative Punishment

Topic Four: Plea Leniency System and Procedural Fairness

Topic Five: The Plight of Defense Lawyers

Topic Six: Wrongful Convictions

Topic Seven: Emerging Crimes in the Modern Era

Topic Eight: Extraterritorial Law Enforcement Cooperation

Topic Nine: Restorative Justice with Chinese Characteristics

Topic Ten: The Death Penalty

(The exact topics may vary slightly as the class moves through the course content)

Reading List

Compulsory Readings

Title	
1	Mike McConville, Criminal Justice in China: An Empirical Inquiry (2011)
2	Bin Liang and Hong Lu: The Death Penalty in China: Policy, Practice, and Reform (2015)
3	Elisa Nesossi, Sarah Biddulph; Flora Sapio and Susan Trevaskes: Legal Reforms and Deprivation of Liberty in Contemporary China (2016)
4	Sida Liu and Terence Halliday (2016), Criminal Defense in China: The Politics of Lawyers at Work
5	Enshen Li, Punishment in Contemporary China: Its Evolution, Development and Change (2018)
6	Margaret K. Lewis, Legal Systems in China in Liqun Cao, Ivan Sun and Bill Heberton (eds.) The Routledge Handbook of Chinese Criminology (2013)

7	Sarah Biddulph, Elisa Nesossi and Susan Trevaskes, Criminal Justice Reform in the Xi Jinping Era. <i>China Law and Society Review</i> 2(1): 63-128 (2017)
8	Elisa Nesossi and Susan Trevaskes, Procedural Justice and the Fair Trial in Contemporary Chinese Criminal Justice in Tony Saich and Edward Cunningham (eds.) <i>Brill Research Perspectives in Governance and Public Policy in China</i> (2017)
9	Wei Wu and Tom Vander Beken, Understanding Criminal Punishment and Prisons in China. <i>The Prison Journal</i> 98(6), 700-721 (2018)
10	Mou Yu, Overseeing Criminal Justice: The Supervisory Role of the Public Prosecution Service in China, <i>Journal of Law and Society</i> 44(4): 620-645 (2017)
11	Xin He, Pressures on Chinese Judges under Xi. <i>The China Journal</i> 85: 49-74 (2021)
12	Enshen Li, Forward-leaning Policing and Stability Maintenance: The Politics of Penal control in Xi' s China. <i>Punishment & Society</i> , 26(2), 368-393 (2024)
13	Jianhong Liu and George B. Palermo, Restorative Justice and Chinese Traditional Legal Culture in the Context of Contemporary Chinese Criminal Justice Reform, <i>Asian Pacific Journal of Police & Criminal Justice</i> 7: 49-68 (2009)
14	Enshen Li, Haste Makes Waste: Why China' s New Plea Leniency System is Doomed to Fail, <i>Asian Journal of Comparative Law</i> 17(1): 76-105 (2022).
15	*The rest of the reading materials will be provided during the course