

Judiciary reports on effort to push reform

China's top judicial authorities presented long-anticipated reports on Wednesday to national legislators on their progress in upholding the law and preventing wrongful convictions in the wake of important judicial reforms in 2013.

The Supreme People's Court and Supreme People's Procuratorate both submitted reports to the bimonthly session of the Standing Committee of the National People's Congress on Wednesday.

The top court said it had overturned 37 wrongful convictions since November 2012, including in the high-profile case of Nie Shubin, who was exonerated on Dec 2, 2016, more than two decades after he was wrongly executed for rape and murder.

"We've issued guidelines in recent years to prevent wrongful cases, such as the one regulating evidence reviews by courts, and we've ordered courts not to convict defendants on insufficient evidence," said Zhou Qiang, president of the top court. "The aim is to uphold justice and protect human rights."

Thanks to these efforts, courts acquitted 4,032 defendants in accordance with the law between 2013 and September this year, the report said.

Courts have also been ordered to strictly exclude evidence obtained illegally, including evidence gained by torture, "and not to force anyone to plead guilty", Zhou said.

In Shanghai, for example, between July 2016 and September this year, the city's courts received 24 applications from defense attorneys to strike evidence suspected to have been obtained illegally, leading to 15 reviews on the legality of evidence, he said.

The top prosecuting authority said in its report that it has also improved its work system to guard against wrongful cases.

"What we want is to keep prosecutors from making mistakes or proceeding with unsound prosecutions," said Cao Jianming, procurator general of the top procuratorate.

Since 2013, charges against 870 people have been dropped after discovery of improper or illegal evidence, according to the report delivered by Cao.

Wang Dianxue, a criminal defense lawyer in Beijing, applauded the authorities' efforts to remove improper evidence "because the stricter the review of evidence, the more effective the avoidance of wrongful convictions".

Many courts start their review program when lawyers apply for the exclusion

of improper evidence, he said. But improving communication with lawyers so they understand more about the application period also is necessary.