

Life Imprisonment in China: Law and Practice

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Abstract: Life Imprisonment is one of the five principle criminal punishments in Chinese criminal law, which includes control, criminal detention, fixed term imprisonment, life imprisonment, and death penalty. Considering the Chinese tradition of imposing harsh punishment to prevent future crimes, and the potential abolishment of death penalty in the not-too-distant future, life imprisonment plays an increasingly essential role in crime control of China. This paper will explore the legal framework and general practice of life imprisonment in China. Part I will describe how life imprisonment is imposed according to the Chinese Criminal Law. Part II will explore life imprisonment from procedural perspective, discussing some special procedural institutions involving life imprisonment, especially the procedure of releasing life sentence prisoners, including conditional release and recall to prison, etc. Part III will compare Chinese legislation with the international norms on life imprisonment and identify the gap between Chinese laws and the international treaties. Part IV will examine the Chinese practice of imposition of life imprisonment and release of life sentence prisoners, then put forward some reform proposals to improve the life imprisonment system in China.

Key Words: life imprisonment, China, conditional release, parole, life sentence prisoner

I. Provisions of life imprisonment in the Criminal Law of PRC

In China, life imprisonment is the second most serious punishment, next only to the death penalty. In the current *Criminal Law of the People's Republic of China*, relevant provisions of life imprisonment are distributed in the general provisions and specific provisions. In general provisions of the Criminal Law, the articles on life imprisonment include Articles 33, 46, 50, 57, 69, 78, 80, 81, 83, 86 and 87 etc. General provisions of the Criminal Law mainly involve the provisions about execution of life imprisonment and set the general principles of life imprisonment. According to Article 46 of the Criminal Law, "any criminal who is sentenced to fixed-term imprisonment or life imprisonment shall serve his sentence in prison or another place for the execution. Anyone who is able to work shall do so to accept education and reform through labor." This article specifies the place and method of execution of life imprisonment. Article 57 stipulates that any criminal who is sentenced to life imprisonment shall be imposed the supplementary punishment of deprivation of political rights for life. Article 69 stipulates the principle of combined punishment for several crimes. Articles 78 and 80 provide for commutation of punishment for criminals sentenced to life imprisonment. Articles 81, 83 and 86 provide for parole for criminals

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sentenced to life imprisonment. Article 87 is the limitation period for prosecution for crimes that may be sentenced to life imprisonment. It is worth noting that the commutation and conditional release procedures of life imprisonment are stipulated in the substantive law in China and are not stipulated in the criminal procedure law.

In specific provisions of the Criminal Law, except for the chapter of Crimes of Dereliction of Duty, other chapters all have provisions on life imprisonment. That means, in the Criminal Law of China, life imprisonment is applicable in a wide range of crimes. In some cases, life imprisonment is often used as an alternative to the death penalty. However, in the process of execution, life imprisonment is in fact an indeterminate sentence², i.e., after a criminal is sentenced to life imprisonment, he will not really serve life imprisonment in prison. In most cases, life imprisonment may be commuted to fixed-term imprisonment or even conditional release via appropriate procedures. Therefore, there is an essential difference between life imprisonment in China and imprisonment for life in other countries.³ Articles 78 and 81 of the Criminal Law stipulate the conditions for commutation of punishment and conditional release for criminals sentenced to life imprisonment. According to Article 78, a criminal who is sentenced to life imprisonment "may be commuted if, while serving his sentence, he conscientiously observes prison regulations, accepts education and reform through labor and shows true repentance or performs meritorious services". If he performs any of a series of major meritorious services, the punishment shall be commuted. Conditional release may also be granted to a criminal who is sentenced to life imprisonment. Conditional release is a special way of execution of punishments. A criminal sentenced to life imprisonment who has served not less than 13 years of the term may be granted conditional release if he conscientiously observes prison regulations, accepts education and reform through labor, shows true repentance and is no longer in danger of recidivism. Different from release after execution of punishments, any criminal who is granted conditional release shall still observe certain regulations. Article 84 of the Criminal Law lists the regulations that a criminal who is granted conditional release shall observe, such as reporting on his own activities to the supervising organ and reporting to the supervising organ on any departure from the place he lives in.

To sum up, life imprisonment in China has the following characteristics:

(a) Life imprisonment is second only to the death penalty in severity.

Life imprisonment in China is a type of punishment that is mainly served in prison and shall perform forced labor. It shall be applied to criminals who have committed serious crimes and who are highly dangerous, and it shall be imposed with the supplementary punishment of deprivation of political rights for life. In addition, in China's penalty harshness hierarchy, life imprisonment is a penalty ranking after the death penalty. In some serious crimes, life imprisonment is often applied selectively with the death penalty, i.e., life imprisonment may replace the death penalty, the most severe punishment, in some cases.

² See Zhang Mingkai, "Abolition of the Death Penalty Does Not Need Replacement of a Life Sentence", [2008] 2 Chinese Journal of Law 93

³ See Zhang Mingkai, "Abolition of the Death Penalty Does Not Need Replacement of a Life Sentence", [2008] 2 Chinese Journal of Law 93

(b) Life imprisonment is a type of punishment with a wide scope of application.

From the types of punishments that can be imposed in specific provisions of the Criminal Law of China, the crimes applicable to life imprisonment account for over one quarter of all the crimes, and almost all types of crimes can be sentenced to life imprisonment. At the same time, the criminal subjects applicable to life imprisonment are also extensive. Any natural person who has attained the age of 14 years old and has any criminal liability can be sentenced to life imprisonment. It shows that life imprisonment is widely applicable in China. Although China will not publish the statistics of criminals sentenced to life imprisonment every year, in published cases, it can be seen that cases sentenced to life imprisonment are very common.

(c) Life imprisonment is essentially a long-term fixed-term imprisonment.

In China, life imprisonment can be adjusted to fixed-term imprisonment by means of commutation and parole. This characteristic is the biggest difference between life imprisonment in China and imprisonment for life in other countries. Although there is a provision in the Criminal Law that "no conditional release shall be granted to criminals who are sentenced to life imprisonment for crimes of violence such as homicide, explosion, robbery, rape and kidnap", it does not restrict commutation of punishment. Therefore, life imprisonment in China is essentially a long-term fixed-term imprisonment.

It is worth noting that according to Article 383 in the *Amendment IX to the Criminal Law*, if a person is sentenced to the death penalty with a suspension of execution for embezzlement, the People's Court may, in the light of the seriousness of the circumstances, decide simultaneously that after the expiration of the two-year suspension of execution of the death penalty when he is commuted to life imprisonment in accordance with the law, he shall be sentenced to imprisonment for the rest of his life and cannot be granted commutation or parole. This provision has brought the system of "imprisonment for life" to China, which has become a type of "life imprisonment" in practice. The increase in imprisonment for life is mainly to cater to China's current campaign against corruption. However, there are different definitions of the nature of this measure. Professor Huang Jingping believes that "imprisonment for life" is a typical intermediate punishment between the immediate execution of the death penalty and the sheer suspension of execution of the death penalty. Intermediate punishment is not an independent type of punishment, but one of the execution methods of a specific punishment.⁴ Huang Mingru and Xiang Tingting believe that "imprisonment for life" is neither a new type of punishment nor an execution system of punishments, but a punishment execution method applicable only to serious crimes of embezzlement and bribery in the type of punishment of "life imprisonment".⁵ Huang Yongwei and Yuan Dengming believe that "imprisonment for life" is an alternative measure for the immediate execution of some cases of the death penalty.⁶ Zhang Mingkai believes that "imprisonment for life" should be included in the scope of application of Article 50 of the Criminal Law for interpretation

⁴See Huang Jingping, "Legal Orientation and Judicial Application of Life Imprisonment", [2015] 4 Journal of Beijing Union University (humanistic and social science page) 98

⁵See Huang Mingru, Xiang Tingting, "On the Nature of "Life Imprisonment" in the Amendment IX to the Criminal Law", [2016] 5 Journal of Xiangtan University (philosophy and social science page) 14

⁶ Huang Yongwei, Yuan Dengming, "On Life Imprisonment in the Amendment IX to the Criminal Law", [2016] 3 Journal of Law Application, 36

and regarded as a special case of the application of suspension of execution of the death penalty.⁷ The author supports that it is more appropriate to regard it as a special case of the application of suspension of execution of the death penalty. Imprisonment for life in China is based on suspension of execution of the death penalty. Therefore, it cannot be regarded as an independent mode of punishment. After the defendant is sentenced to suspension of execution of the death penalty, imprisonment for life is not announced simultaneously, which means that imprisonment for life is not a way of execution of punishments. Imprisonment for life is declared only after the defendant is sentenced to suspension of execution and commuted to life imprisonment. In essence, it is a special situation applicable in the suspension of execution of the death penalty.

II. Special procedural institutions involving life imprisonment

After a defendant is sentenced to life imprisonment, he will be sent to prison for the execution of life imprisonment. However criminals will not really "wear through the prison floor". The existence of commutation and conditional release determines that life imprisonment in China is not a punishment for life in essence. In this part, the author will discuss the procedures of application of life imprisonment, including commutation and parole procedures as well as probation period for conditional release and revocation of conditional release.

(a) Commutation

According to Article 78 of the *Criminal Law of the People's Republic of China*, commutation can be divided into "may be commuted" and "shall be commuted". If a criminal observes prison regulations, accepts education and reform through labor and shows true repentance or performs meritorious services, he may be commuted. In this case, the judge has the discretion to decide whether to commute the sentence. Those who have made significant meritorious services shall be commuted. The circumstances under which the sentence shall be commuted mainly include preventing other people's serious criminal activities, reporting on serious criminal activities inside and outside the prison, invention and creation, major technological innovation or other outstanding contributions. In such cases, the judge must commute the sentence in the process of execution. The second paragraph stipulates that those sentenced to life imprisonment may apply for commutation after serving not less than 13 years of the term, which sets a certain limit on the period of punishment to be served before applying for commutation of the sentence of life imprisonment.

(b) Conditional release

In China, conditional release is called parole, and criminals can be released after meeting certain conditions. During the period of release, they must also observe certain rules. The distinctive feature of parole is to oppose retribution punishment and advocate education punishment (purpose punishment), which aims to educate and reform criminals through humane means of punishments, encourage criminals to reform consciously and return to society as soon as possible.⁸

(i) Conditions of conditional release (parole)

⁷ Zhang Mingkai, "Nature and Application of Life Imprisonment", [2017] 5 Modern Law Science 81

⁸ Xu Jingcun, "On the Systems of Commutation and Parole", [2010] Modern Law Science 3

Article 81 of the *Criminal Law of China* stipulates the conditions for the application of parole: parole can only be applied to criminals sentenced to fixed-term imprisonment and life imprisonment, i.e. criminals sentenced to short-term penalty of depriving freedom such as public surveillance and criminal detention are not applicable. Paragraph 2 of Article 82 of the Criminal Law stipulates that "no parole shall be granted to recidivists or criminals who are sentenced to more than 10 years of imprisonment or life imprisonment for crimes of violence such as homicide, explosion, robbery, rape and kidnap." which sets certain restrictions on parole against some criminals who commit violent crimes. The Criminal Law also stipulates that a criminal sentenced to fixed-term imprisonment who has served more than half of the term of the original sentence or a criminal sentenced to life imprisonment who has served not less than 10 years of the term may be granted parole, which sets certain restrictions on the period of serving the original sentence.

In order to apply for parole, the conditions that criminals must meet are a criminal who conscientiously observes prison regulations, accepts education and reform through labor, shows true repentance and is no longer in danger of recidivism may be granted parole. From the statement, the core of this condition is true repentance and no danger of recidivism. For the application of these two standards in judicial practice, it is stipulated in the *Supreme People's Court's Provisions on Specific Application of Laws in Handling Commutation and Parole Cases* issued by the Supreme People's Court in 2017 that "true repentance" means that the following conditions are met simultaneously: (1) plead guilty and repent; (2) observe laws, regulations and prison rules and accept education and reform through labor; (3) actively participate in ideological, cultural and vocational and technical education; (4) actively participate in labor and work hard to complete labor tasks. We can see that the law stipulates relatively clear evaluation criteria on "true repentance" for prison administrators to judge from the day-to-day performance of prisoners. However, the procedure for deciding whether to apply parole based on documentary that submitted by the prison administration organs. That is to say, the judge may not be able to fully understand the real situation of the criminal.

For "no danger of recidivism", the provision suggests the comprehensive factors such as the specific circumstances of the crime, the original sentence, the day-to-day performance in the execution of the punishment, the offender's age, physical condition, personality, the source of income and supervision conditions after parole should be considered. This provision is relatively in principle, which is difficult for application in practice. We can see that the provisions on parole conditions in China are relatively substantive, and the judge needs to assess whether the offender is likely to recommit the crime. i.e. it is difficult to determine in practice whether an offender is still in danger of recidivism and judges are less likely to make the decision of parole. As a result, the parole rate has been relatively low in China. For example, in Guangdong Province, the parole rate from 2014 to 2017 was 0.44%, 0.60%, 0.70% and 1.07% respectively, while the commutation rate was 37.31%, 40.81%, 45.62% and 32.07% respectively. The latter was 85 times, 68 times, 65 times and 30 times respectively of the former.⁹ Fortunately, this issue has been recognized by the prison management department. Since 2017, the prison management department has begun to take measures to improve the application rate of parole.

⁹ Ministry of Justice: The proportion of parole in China is low, and the law enforcement standard will be unified in the next step, (Southern Metropolis Daily, 29 January 2019)

<<http://m.mp.oeeee.com/a/BAAFRD000020190129134929.html>> accessed 23 September 2021

(ii) Probation period for parole and revocation

In order to prevent mistakes in the decision of parole, Article 83 of the *Criminal Law* stipulates that the probation period for parole in the case of life imprisonment shall be ten years. The probation period for parole is that during the probation period, criminals who are granted parole shall be subject to supervision by the local public security organ, and the public security organ shall hand over them to the community-level organizations in the places where the criminals live for supervision and examination. During the probation period for parole, criminals who are granted parole shall also observe certain regulations, mainly including reporting on their own activities as required, and they shall not leave the city or county where they live. During the probation period for parole if a criminal who is granted parole commits another crime, or is discovered to have committed, before the judgment is pronounced, other crimes for which no punishment is imposed, or violates laws, administrative rules and regulations during the probation period for parole, the parole shall be revoked and he shall be put back into prison for execution of punishment. That is to say, after parole, the criminal is not permanently released. During the probation period, if the criminal commits another crime or is found to have an untreated crime, he shall still be put in prison for punishment.

(iii) Procedures for commutation and parole

It is worth noting that the procedures for granting commutation and parole are not stipulated in the *Criminal Procedure Law of the People's Republic of China (CPL)*, but in the *Criminal Law*. Article 79 of the *Criminal Law* stipulates that if punishment to a criminal is to be commuted, the executing organ shall submit to a People's Court at or above the intermediate level a written proposal for commutation of punishment. The People's Court shall form a collegiate panel for examination and issue an order of commutation or parole. However, no punishment shall be commuted without going through legal procedure. From the statement of this article, in China, the decision-making power to apply commutation is a judicial power, which is examined by a collegiate panel formed by the court. It is different from the practice in some countries where the right to grant commutation and parole is defined as an administrative power, which is decided by administrative organs, especially the prison administration organs.

As for the ownership of the decision-making power of commutation and parole in China, some scholars believe that the decision-making power of commutation and parole should be put under the control of the punishment execution organ, mainly for the following reasons: a. From the essential attribute of the decision-making power of commutation and parole, it is an executive power (administrative power) rather than judicial power, so it should be exercised by the punishment execution organ; b. From the basic content of criminal jurisdiction, the decision-making power of commutation and parole does not belong to criminal jurisdiction, so it should not be exercised by the court; c. From the judicial practice, if the decision-making power of commutation and parole is exercised by the punishment execution organ, it is conducive to reducing intermediate links and improving case handling efficiency.¹⁰ The author supports that the decision-making power of commutation and parole should still belong to the court and it falls into the scope of judicial power, because the essence of judicial power lies in judgment, while the

¹⁰ See Liu Zhongwei, "On the Essence of Parole - Also on the Nature and Ownership of Parole Right", [2004] 5 China Legal Science 118; Ma Jinbao, "On the Ownership of Commutation and Parole Rights", [2005] 1 Criminal Science 70

essence of administrative power lies in execution, and the essence of deciding whether to grant commutation and parole is still to make judgment.¹¹ Therefore, it is more appropriate to be classified into judicial power. If it is classified into the scope of administrative power, it may result in judicial corruption due to lack of supervision over the decision on commutation and parole. In fact, in China's judicial practice, there are still great loopholes in the commutation and parole system. Due to the lack of supervision, some criminals were commuted or paroled illegally. In 2019, Sun Xiaoguo case attracted great attention in China. He was released from prison through illegal commutation, and only 13 years of fixed-term imprisonment was executed. It revealed that the procedure of making decision of commutation and parole need supervision, and it should not be determined only by administrative organs.

III. Gaps between Chinese and international norms

Different from the definition in international law, life imprisonment in China is not equivalent to imprisonment for life in other countries. Article 37 (a) of the United Nations *Convention on the Rights of the Child* in 1989 defines imprisonment for life as "life imprisonment without possibility of release."¹² However, in the judicial system in China, in most cases, life imprisonment can be commuted or paroled, and then transformed into fixed-term imprisonment. Therefore, in China, there is no imprisonment for life in its full sense. Life imprisonment is a type of punishment between imprisonment for life and fixed-term imprisonment. In this sense, the provisions on life imprisonment in China are more humanitarian than those in some countries. However, compared with many European countries, the application of life imprisonment in judicial practice in China is more extensive. Subject to Article 3 of the *European Convention on Human Rights*, i.e. "no one shall be subjected to torture or to inhuman or degrading treatment or punishment", many European countries have raised the humanization of punishments and the re-socialization of criminals to the level of constitutional law. As of 2010, only less than 100 criminals in custody across Europe had been sentenced to imprisonment for life not eligible for parole.¹³ At present, there is no official data in China to show how many defendants are sentenced to life imprisonment every year, but from the scope of application of life imprisonment in specific provisions of the *Criminal Law*, the proportion of application of life imprisonment in China is still high. However, in the United States, the majority of defendants sentenced to imprisonment for life are criminals of first-degree murders.¹⁴ In contrast, almost a quarter of crimes in China can be imposed life imprisonment, not only serious violent crimes, but also other economic crimes can be sentenced to life imprisonment. The wide range of crimes applicable inevitably leads to the high application rate of life imprisonment.

¹¹ Chen Yongsheng, "On the Ownership of the Jurisdiction of Commutation and Parole", [2007]4 Criminal Science 4

¹² Article 37 (a) of the United Nations *Convention on the Rights of the Child* stipulates that "No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age."

¹³ See Dirk Van Zyl Smit, *Outlawing Irreducible Life Sentences*, 23FED.SENT'G REP.19(2010) . p.124

¹⁴ Wu Yuhao, "On Life Imprisonment as an Alternative to Death Penalty", [2017]1 Global Law Review 134

The author thinks that there is no big gap on the nature of life imprisonment between the Chinese and international norms. While being sentenced to life imprisonment, criminals are also given the right to be released. A criminal will not spend the rest of his life in prison but can basically be commuted to fixed-term imprisonment and released from prison. However, in judicial practice, the application rate of life imprisonment is really high.

However, in terms of the release of life imprisonment, i.e., parole, there is still a certain gap between China's practice and international practice. According to the *United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)* in 1990, the parole system shall comply with the following basic criteria:

(i) Balance of purpose and the corresponding balance of criteria selection and needs. Article 8.1 of the *Tokyo Rules* stipulates that the judicial authority should take into consideration in making its decision the rehabilitative needs of the offender, the protection of society and the interests of the victim who should be consulted whenever appropriate. In a decision to grant parole, every effort should be made to strike a balance between the rights of the victim and the constitutional rights of the offender.

(ii) Minimize imprisonment whenever appropriate. Article 9.1 of the *Tokyo Rules* stipulates that the competent authority shall have at its disposal a wide range of post-sentencing alternatives to avoid institutionalization and to assist offenders in their early reintegration into society.

(iii) Perform supervision according to law to reduce reoffending and to assist the offender's reintegration into society. The *Tokyo Rules* stipulate that supervision must help criminals integrate into society in a way which minimizes the likelihood of a return to crime.

Compared with the *Tokyo Rules*, we can discover the following issues in the application of parole in China:

(i) Participation of the victim in the decision-making process is ignored. The criminal's parole is a decision that has a huge impact on the rights of the victim, so the victim shall also participate in the trial procedure. However, in China, the decision of parole is often made in secret. The court often forms an ad hoc collegiate panel for trial, with far less attention paid to the rights of the victim. This leads to the lack of due supervision in the process of making decisions on parole.

(ii) The application rate of parole in China is low. As mentioned above, the application rate of parole in China is basically less than 1%. The reasons of this situation lie in two aspects: in terms of the conditions of applying parole, the conditions for parole in the legislation in China are too harsh, which makes it difficult for judges to determine whether a criminal has no harm to society through limited materials in the actual trial. Moreover, in terms of the procedure aspect, Due to the implementation of the judicial responsibility system, judges rarely make the decision of parole. To be more specific, if a criminal commits a crime again after parole, there is no fault-tolerant mechanism for the judges. Once a criminal commits a crime again after parole, the judges who made the parole decision will bear the risk of punishment. Due to the concern of potential risks, it is difficult to apply parole from submission to supervision and then to adjudication.

(iii) The community correction system is inadequate. Due to the lack of professional social workers and psychological counselors, the community correction system is only in its infancy in China, which means that criminals cannot get good care from society after parole, so it is difficult for them to integrate into society, and they even commit crimes again.

IV. Ways to improve life imprisonment and its release procedures

(a) Restrict the range of crimes or circumstances of crimes where life imprisonment is applicable.

With the trend of lighter punishments in the world, the death penalty, the most severe punishment, has been gradually abolished in many countries. With the promulgation of *Amendments to the Criminal Law*, more and more crimes have been exempted from the death penalty in China. The significance of restricting the range of crimes or circumstances of crimes where life imprisonment is applicable is to make it one of a few severe punishments with concentrated efforts by strictly restricting and reducing its application.

The author believes that the crimes or circumstances of crimes where life imprisonment is applicable should be limited to a few of the most serious or very serious crimes and the extremely serious or very serious circumstances of some crimes. Generally speaking, crimes endangering national security, crimes endangering public security and crimes infringing on citizens' personal rights can be classified as such cases. Combined with the current situation in China, drug crimes and embezzlement and bribery crimes can also be included. In other words, except the above circumstances, the application of life imprisonment should be strictly restricted. Naturally, the current high application of life imprisonment is closely related to the retention and high application of the death penalty in China, therefore, the process of restriction and reduction of life imprisonment shall be accompanied by the process of restriction, reduction and even abolition of the death penalty.

(b) Improve the application rate of parole.

The fundamental way is to amend the provisions of the principles in the current Criminal Law and make the conditions of parole specific and feasible. Through careful analysis, we can see that the judgment standard of the condition "no longer harm the society after parole" can only be "conscientiously observes prison regulations, accepts education and reform through labor and shows true repentance". In this regard, the author thinks that the applicable conditions of parole can be simplified, with the standard of no longer harm the society after parole incorporated into the daily supervision of criminals, which makes the conditions of parole easier to achieve so as to improve the application rate of parole.

(c) Reform the trial procedure for parole.

The trial procedure for commutation and parole should be similar to that for ordinary cases. To be specific, the executive organ and the criminal try to prove that the criminal meets the conditions of commutation and parole, while the procurator and the victim try to prove that the criminal does not meet the conditions of commutation and parole. The judge reviews the claims and evidence put forward by both parties and makes an intermediate decision. In the trial procedure, the victim shall be allowed to participate, and his opinions should be heard. At the same time, if the court decides not to grant parole, the criminal shall be given the right of relief. In the current *Criminal Procedure Law of China*, only Article 274 gives the People's Procuratorate the right to put forward opinions on the ruling of commutation and parole. This provision does not give the criminal the right of relief, which will inevitably lead to the issue that the ruling is biased.

(d) Improve the community correction system

Although Article 269 of the *Criminal Procedure Law* stipulates that community correction shall be implemented according to law for criminals who are granted parole, and the community correction organ shall be responsible for the implementation. However, because an adequate community correction system has not been established in China, criminals who are granted parole cannot be properly supervised in the community. In the 1980s, the Ministry of Justice investigated on people who committed crimes again within three years after their release from prison. It found that 48% of them committed crimes again within the first year, 32.2% within the second year and 19.8% within the third year.¹⁵ We can see that the released prisoners can fully integrate into society after a period, and in this process, community management and help play a great role. Therefore, the author suggests that we should strengthen the management and investment in the community correction system, set up a Parole Committee in the prison management, and uniformly coordinate the management of criminals who are granted parole throughout the country, so that the community correction system can better help criminals who are granted parole integrate into society.

¹⁵ Chen Xingliang, Chief Editor, “Research on the Criminal Policy of Tempering Justice with Mercy” (1st ed China Renmin University Press 2007) p. 173