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SPC to standardize sentences for convictions

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The Supreme People's Court of China(SPC) is introducing criminal sentencing standards under new guidelines that move authority away from individual judges, according to China's *Legal Daily* Tuesday.

Gao Jinghong, a member of the SPC's judicial committee and presiding judge of the third criminal tribunal, said the SPC is introducing a guideline to establish set penalties for criminal convictions across the country.

Gao said more than 120 courts had tried the new guidelines under a pilot program beginning June 1. The new program seeks to standardize five criminal charges relating to traffic offenses, intentional injury, theft and drugs.

"Lawsuits concerning these five criminal activities make up more than 95 percent of the country's criminal cases," he said, adding that the guideline is intended to attain "just and balanced sentencing."

The SPC aimed to enlarge the scope of guideline to 15 charges, including rape, fraud, robbery, blackmail, illegal detention, disrupting public service, white-collared crimes and mass violence, before the end of next year, he said.

Gao said currently the terms of sentencing before courts was not open and transparent, "leading to a few unjust sentences involving money and relationships as well as damaging judicial authority and credibility."

"The sentencing terms at present are not quantified and some penalty extent is so broad that different judges could hand out very different rulings," he said.

"The guideline is to ensure a unified enforcement of law."

Gao said people's courts across the country should establish sentencing standards in line with the guideline based on the conditions of their own regions, as the economic and social development was unbalanced among different parts of the country.

He said procedures of measuring penalties should be efficient, independent and transparent.

"Prosecuting agents could offer sentencing suggestions during trial and prosecution and defense should fully voice opinions to ensure justice," Gao said.

(Xinhua News Agency August 12, 2009)

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