

Exclusion of Illegal Evidence in Supervision Cases

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Abstract: *The exclusionary rule of illegal evidence has always been a focal point of attention in both academic and practical circles, but its application remains fraught with numerous issues. There are also exclusionary rules for illegal evidence in supervision cases. From the perspective of legal norms, the exclusion of illegal evidence in supervision cases shares both similarities and differences with ordinary criminal cases. Due to the inherent uniqueness of crimes involving abuse of power, applying the exclusionary rule to supervision cases presents several challenges. However, these challenges are not insurmountable. This article first analyzes the current status of the exclusion of illegal evidence in supervision cases at the normative level. It then discusses the difficulties of fully applying the exclusionary rule to supervision cases and finally proposes potential solutions for excluding illegal evidence in supervision cases. The aim is to offer insights and references for the study of excluding illegal evidence in supervision cases.*

Keywords: *Supervision System Reform; Law of Evidence; Exclusion of Illegal Evidence*

1. Introduction

According to the current legal norms, the requirements for applying the exclusion of illegal evidence in supervision cases are naturally stipulated by the legal norms governing supervision. However, due to the relatively immature and incomplete state of legislation in the field of supervision, our country lacks previous legislative experience to refer to. Therefore, in the "Supervision Law," relevant legislative provisions borrowed from the "Criminal Procedure Law" were adopted and linked to the Criminal Procedure Law. From the perspective of safeguarding human rights, China's laws have always taken a very serious attitude toward the exclusion of illegal evidence in the "Criminal Procedure Law" and the "Provisions on Several Issues Concerning the Strict Exclusion of Illegal Evidence in the Handling of Criminal Cases." Any evidence determined to have been obtained by illegal means must be completely excluded. [1] Subsequently, when formulating the "Supervision Law", the legislative aspect continued this practice, even adopting a more stringent and cautious approach based on the special nature of supervision cases.

2. Normative Aspects

2.1. Similarity of the Application Standards of Illegal Evidence in Supervision Cases and General Criminal Cases by Supervisory Organs

Regarding the requirements for applying illegal evidence in supervision cases, the "Supervision Law" adopts relevant legislative provisions borrowed from the "Criminal Procedure Law" and is linked to the Criminal Procedure Law. Its manifestations can generally be summarized as follows:

Firstly, it should be clarified that illegal evidence in supervision cases refers to evidence obtained through unlawful means, rather than simply evidence that is legally invalid in the general sense. The term "illegal" refers to the illegality of the means used to obtain supervisory evidence, rather than the evidence not conforming to the prescribed statutory forms of evidence in the "Supervision Law." Currently, there is a consensus that if the superficial form of the evidence does not comply with the relevant types of evidence specified in Article 41 of the "Supervision Law," it cannot be automatically regarded as the illegal evidence we refer to. [2]

Secondly, concerning the illegal means of obtaining evidence in supervision cases, the "Supervision Law" has made corresponding provisions. The "Supervision Law" stipulates that collecting evidence through threats, inducement, deception, and other illegal methods is strictly prohibited. Purely in terms

of form, this provision in the "Supervision Law" could serve as the basis for supervisory authorities to determine illegal evidence. However, Article 33 of the "Supervision Law" introduces a provision for evidence connection, which leads to the provision in the "Criminal Procedure Law" remaining the basis for supervisory authorities to determine illegal evidence.

Thirdly, the criminal evidence rules expand the scope of determining illegal evidence in supervision cases. The legal basis for determining illegal evidence in China is primarily reflected in Article 56 of the "Criminal Procedure Law." Summarizing the various norms mentioned above concerning rules related to illegal evidence, the illegal evidence in supervision cases can be roughly categorized as: confessions obtained through torture, testimonial evidence obtained through illegal means, and physical evidence, documentary evidence, and so on, obtained in ways that do not conform to statutory procedures. [3]

2.2. Stricter Exclusion Standards in Supervision Cases Compared to General Criminal Cases

This strictness is mainly reflected in the following aspects:

Firstly, there are no exceptions specified for the exclusion of illegal evidence in supervision cases; instead, all such evidence is uniformly excluded. In China, although legislation does not explicitly provide exceptions, certain scenarios for excluding illegal evidence have gradually emerged in theoretical discussions and judicial practice and have gained recognition over time. However, in Article 33, Paragraph 3 of the "Supervision Law," the rule of excluding illegal evidence is a general provision without additional exceptions, adopting a more rigorous and cautious attitude—any evidence falling under illegal evidence is to be excluded.

Secondly, unlike ordinary criminal cases, defective evidence discovered during the supervision phase cannot be rectified in the manner provided by the "Criminal Procedure Law" to give it full evidentiary effect. The "Supervision Law" has different provisions, indicating that such evidence cannot be supplemented or reasonably explained.

Furthermore, there are no additional conditions for the exclusion of illegal evidence. Since the exclusion of evidence obtained through illegal means may come at the cost of deviating from the objective truth, in general criminal cases, according to Article 56 of the "Criminal Procedure Law," exclusion cannot be applied uniformly without considering specific circumstances. However, in contrast to the provisions of the "Supervision Law," it mandates the universal exclusion of all illegal evidence existing during the supervision stage without distinction. [4]

3. Challenges of Fully Applying the Exclusion of Illegal Evidence Rule to Supervision Cases

3.1. Difficulties in Self-Exclusion by Investigating Authorities

During the handling of cases by supervisory committees, the exclusion of illegal evidence is applicable throughout the entire process and all stages. It can be excluded during the investigative process or identified for exclusion in subsequent litigation procedures. However, in judicial practice, difficulties are present regardless of the stage.

3.1.1. Uncertainty Regarding Who Performs the Exclusion

Within the supervisory committee, there are primarily three departments responsible for handling case affairs: the disciplinary supervision department, the disciplinary review department, and the case trial department. [5] Although the organizational structure of the supervisory committee theoretically facilitates division of labor and effective coordination among departments, it is worth noting that such functional division does not specify which department(s) within the supervisory committee is vested with the authority to exclude illegal evidence in the process of handling specific cases. [6] Considering the current functional division within the supervisory committee, each department can potentially engage in activities related to excluding illegal evidence at different stages of case progression. On the surface, this structure could lead to mutual passing of responsibilities among multiple departments.

3.1.2. Inherent Flaws in Relying Solely on Self-Exclusion and Internal Supervision of the Supervisory Committee

Firstly, both the overseers and those being overseen in the internal supervision of the supervisory committee are personnel within the same organization. This shared professional mindset could result in

homogenization of their work processes. [7] Secondly, in the internal supervision of the supervisory committee, there are common interests between the supervisory party and the supervised party. [6] When dealing with specific cases, if oversight and those being overseen are part of the same department or organization, the broader interests of that department or organization become shared interests, and due to these shared interests, the procedures for initiating the exclusion of illegal evidence might not be initiated when the conditions are met. [8] Lastly, in the internal supervision of the supervisory committee, both the overseers and the supervised parties are colleagues working in the same unit or even the same department, and sometimes they have close relationships or friendships. It is extremely challenging to expect someone to disregard societal norms and apply the exclusion of illegal evidence rule at all costs.

3.1.3. Ambiguity in the Investigative Authority of Supervisory Organs

Amid the backdrop of the reform of the supervision system, supervisory organs are responsible for investigating illegal activities and crimes committed by public officials. However, since supervisory organs share office space with disciplinary inspection organs, the nature of this investigative authority is not clearly defined. Article 3 of the "Supervision Law" explicitly outlines the responsibilities of supervisory institutions, positioning them as "supervisory institutions" that assume the responsibilities of the "national supervisory institution". In the process of implementing the "supervision system," it further clarifies that these institutions are political entities rather than administrative or judicial ones. Article 11 of the "Supervision Law" specifically stipulates that supervisory institutions possess unique functions, including problem resolution, oversight, and investigation. [9]

3.2. Limited Application of Illegal Evidence Exclusion in Criminal Proceedings

3.2.1. Challenges Stemming from Different Organizational Positions

The supervisory committee's status is higher than that of the procuratorate and the court. Consequently, it is undoubtedly challenging to expect the procuratorate and the court, which are in a relatively weaker position, to apply the exclusion of illegal evidence rule to evidence collected during investigations and case handling by the supervisory committee, which holds a higher position. When cases handled by the supervisory committee enter the litigation phase and the relevant materials are handed over to the procuratorate and the court, both the leaders of the procuratorate and the court and the specific personnel responsible for handling the case need to consider the potential consequences of applying the exclusion of illegal evidence rule. These consequences operate on two dimensions. Within their respective organizations, the impact might manifest in areas like performance assessments, budget applications, and optimizing working environments. On a personal level, it could affect the individual's appraisals, promotions, and even lead to subsequent investigations by the supervisory committee. Considering these factors, even when facing evidence transferred by the supervisory committee, there might not be the courage to apply the exclusion of illegal evidence rule, even if it is believed that the evidence has been obtained through illegal means as defined by the law. [10]

3.2.2. Influence of Case Handling Practices in Practice

Similar to the difficulty in altering the verdict of a first-instance trial during an appeal, there exists what is known as procedural inertia in supervision cases. This inertia signifies that once the judicial process for a crime begins, it will continue almost uninterrupted, with only slight chances of disruption. The force of procedural inertia is strong, yet people, especially judicial personnel, tend to disregard it, forming what experts term as "judicial conventions." Individuals involved in case handling often overlook evidence that is unfavorable to the advancement of the procedure. In some extreme cases, they ignore the truth and turn cases with clear errors into ironclad judgments. [11] In cases like the Zhao's uncle and nephew case and the Horqin case, among many other miscarriages of justice, the potency of procedural inertia is evident. In these instances, suspicions were raised, yet those responsible for the cases chose to ignore them, allowing the cases to proceed through the litigation process step by step. For instance, in the well-known case of Zhao Zuohai, the People's Procuratorate of Shangqiu City deemed the case as having "unclear facts and insufficient evidence." They sent the case back for supplementary investigation twice. Despite being returned twice, the case was eventually prosecuted again due to coordination from the Political and Legal Affairs Committee. The court ultimately made an erroneous judgment when the facts couldn't be ascertained, causing significant harm to Zhao Zuohai's life. The emergence of procedural inertia in judicial practice can be attributed to two primary reasons. First and foremost, the deeply ingrained notion and thought process of "presumption of guilt" are the fundamental factors. Once a case enters the investigative phase and the

suspected perpetrator is identified through investigation, most judicial personnel handling the case unconsciously enter a cycle of presuming innocence. They tend to overlook the protection of the human rights of the suspects, focusing only on collecting evidence to prove guilt. Secondly, there might also be reasons driven by interests. During the investigation phase, after identifying and apprehending a suspected perpetrator based on existing evidence, bonuses and honors might be given. During the stages of prosecution review and trial, closure rates might matter. If the subsequent stage of litigation negatively assesses a previous completed stage, not only will the benefits received be affected, but there will also be considerable negative repercussions. Based on these considerations, in judicial practice, activities such as excluding illegal evidence are generally avoided in subsequent stages if they cast a negative light on the preceding stage. [12]

3.2.3. Difficulty in Determining Whether Evidence is Illegal During the Litigation Process

According to the provisions of Article 56 and Article 57 of the "Criminal Procedure Law," coupled with Articles 17 and 25 of the "Strict Exclusion of Illegal Evidence Regulations" issued by the two higher courts and three legal departments, it is evident that if a party to the case applies for the exclusion of illegal evidence, they bear only the initial burden of proof. They need to provide relevant case materials or clues, which is different from the People's Procuratorate's responsibility, which is significantly higher. The People's Procuratorate is required to further prove the legality of evidence based on investigation and verification and demonstrate that there is no evidence obtained through illegal means. [13]

While this is the legal provision, in practice, the handling of cases by supervisory committees has its own peculiarities. On one hand, due to the secretive nature of duty-related crimes, the process of handling cases by supervisory committees is relatively secretive and closed compared to ordinary criminal cases. Its closed nature is mainly reflected in the fact that in regular criminal cases, lawyers can intervene once the case is transferred to a detention center, whereas supervisory committees do not allow lawyers to intervene in cases beforehand. When the supervisory committee employs detention measures, the locations are relatively closed, typically in secret offices designated by the supervisory committee or hotels. In regular criminal cases, the suspects are generally detained in detention centers and similar places. The closed and secretive nature of case handling by supervisory committees also provides convenience and a sense of security for obtaining evidence through illegal means. On the other hand, similar to illegal evidence-gathering methods in other ordinary criminal cases, such methods are becoming increasingly difficult to detect by outsiders and leave exact traces and evidence. This poses significant challenges for both the parties involved and the procuratorate in providing evidence. Moreover, one must also consider that the status of supervisory committees is far higher than that of judicial institutions such as courts and procuratorates, making it difficult for these judicial institutions to demand cooperation from supervisory committees and obtain corresponding evidence materials.

4. Pathways to Addressing the Exclusion of Illegal Evidence in Supervision Cases

Firstly, similar to ordinary criminal cases, the handling of supervision cases should gradually break free from the constraints of "investigation (inquiry) centrism" in order to truly implement a judicial system reform that places "trial at the core." This is fundamentally similar to the aforementioned procedural inertia. In the context of the entire criminal procedure, there are stages such as investigation, prosecutorial review, and the final trial phase where the roles of public security, procuratorates, and courts can become central to criminal litigation. However, due to the impact of procedural inertia, the current judicial practice is dominated by "investigation centrism." This implies that the central focus of the entire criminal procedure is the investigation stage, where the initiation of cases and the gathering of evidence take place, which constitute the start and the primary anti-crime aspects of the criminal procedure. The consequence of this is that the roles of the procuratorates and the courts are extremely limited in the subsequent stages of the criminal litigation process. If evidence that forms the basis for conviction and sentencing has issues during the investigation stage, and if the procuratorates and the courts, due to procedural inertia, neglect to scrutinize it during their review, the situation can arise where evidence with pre-existing issues manages to complete the entire process unscathed. Since the Fourth Plenum of the 18th Central Committee, "promoting a litigation system centered on trials" has been a widely discussed topic in society. This concept signifies establishing the influence of the role of the judicial branch throughout the entire litigation process, overcoming "investigation centrism," conducting comprehensive reviews of cases submitted for prosecution, particularly conducting substantive reviews of evidence used for conviction and sentencing, and preventing the rule of

excluding illegal evidence from being left in a precarious situation. [14] According to Article 33 of the "Supervision Law," the evidence collected and used by supervisory organs in their case handling should meet the requirements and standards for evidence in criminal trials, reinforcing and confirming, at the legislative level, the impact of evidence collection and utilization in criminal trials for cases of duty-related crimes. This also aligns with the emphasis on "trial-centered litigation system reform" that society has been promoting since the Fourth Plenum of the 18th Central Committee.

Secondly, the procuratorial organs must fulfill their duties according to the law and carefully examine the form and substance of evidence collected by supervisory organs. Since the reform of the supervision system, specific crimes that were originally under the jurisdiction of procuratorial organs have been transferred to supervisory organs, but this only involves the diversion of investigative powers. After supervisory organs collect evidence of guilt, they still need to transfer it to the procuratorates for review and prosecution. While this division of powers has a significant impact on the entire criminal procedure, the legal role of the procuratorates remains unchanged. They function as public prosecution and legal supervision organs. Therefore, the procuratorates must diligently fulfill their responsibilities by conducting substantive reviews of evidence submitted by supervisory organs during the prosecutorial review stage to achieve mutual checks and balances. According to Article 45 of the "Supervision Law," if the case involves suspected criminal activity, after the supervisory organ conducts an investigation according to statutory procedures and combines the evidence on record, if the criminal facts are clear and the evidence is indeed sufficient, the procuratorate should file charges. Subsequently, the case materials and evidence on record are transferred to the procuratorate, and the case enters the stage of prosecution. For the procuratorate, they must apply the provisions of the "Criminal Procedure Law." According to Article 168 and Article 363 of the "Criminal Procedure Rules of the People's Procuratorates," during the prosecutorial review stage, the procuratorate's review should include examining whether the evidence is indeed sufficient, whether it was legally collected, and whether the statutory rules for excluding illegal evidence should be applied. If problems are discovered during the prosecutorial review stage and further verification is needed, the case should be returned to the supervisory organ for supplementary investigation. In this situation, the procuratorate can conduct supplementary investigation into the case submitted by the supervisory organ; it doesn't necessarily mean that it has to be sent back to the supervisory organ for additional investigation. [15] The provisions in the "Supervision Law" and the procuratorate's authority to conduct supplementary investigation mutually affirm each other. During the prosecutorial review stage, the procuratorate's examination serves as the first check on whether the evidence has been lawfully obtained. Article 17 of the "Exclusion of Illegal Evidence Regulations" stipulates that during the prosecutorial review process, if the procuratorate discovers that evidence has been obtained by investigators using methods similar to torture or other illegal means, the procuratorate should exclude such evidence according to the law and present reasonable and lawful corrective opinions. Depending on the specifics of each case, the procuratorate also has the authority to conduct its own investigation and gather evidence. Although the application of the exclusion of illegal evidence is relatively rare in practice, it is primarily concentrated in the prosecutorial review stage of the procuratorate. If illegal evidence is excluded during this stage, then this evidence naturally will not proceed to the subsequent trial phase. Although some viewpoints argue that evidence obtained through supplementary investigations or independent investigations is a processed form of secondary evidence, from an objective perspective, this provision does indeed allow for a certain degree of scrutiny and exclusion of illegal evidence. [16] Currently, there are two main aspects of China's "Supervision Law" that hinder the procuratorate from fully exercising its supervisory authority over supervision cases: Firstly, there are no clear provisions in the legal norms for the procuratorate to investigate and verify the evidence collected and used by supervisory organs. Secondly, if the procuratorate decides not to prosecute a case submitted by the supervisory organ, the decision is raised by the higher-level procuratorate. Regarding the first issue, the procuratorate can refer to existing legal regulations, such as the "Criminal Procedure Law" and the "Criminal Procedure Rules of the People's Procuratorates," to inquire with the criminal suspect, interview relevant personnel, and listen to the opinions of defense attorneys. Additionally, based on actual needs, the procuratorate has the authority to access audio and video recordings and conduct examinations and appraisals of victims' injuries.[17] Regarding the second issue, the procuratorate cannot overcome it through existing legal norms. This reflects the special procedures and thresholds for non-prosecution set in supervision cases. On one hand, it highlights the superiority of supervisory organ case handling, and on the other hand, it makes it even more challenging to make non-prosecution decisions in judicial practice. According to Article 33 of the "Supervision Law", the verbal and material evidence collected by supervisory organs during case handling can be directly used as evidence in accordance with the Criminal Procedure Law. However, because most of the evidence obtained by supervisory organs through investigation is verbal evidence, which falls under hearsay evidence and has its inherent characteristics as evidence, when the

procuratorate conducts prosecutorial review, special attention should be given to investigating and verifying evidence such as confessions and witness testimonies. Even considering the two major flaws at the current legal norm level, the procuratorate cannot relax its standards of review.

Thirdly, it is important to ensure the exercise of the right to defense. While the "Supervision Law" has introduced new supervisory agencies and powers, it has not granted corresponding rights to the subjects under investigation, especially since the supervisory agencies have a different legal nature and role than the procuratorates. This has led to a situation where individuals under investigation for crimes almost find themselves in a relatively isolated and helpless position. This imbalance between power and rights, as well as rights and obligations, is evident. Article 34(1) of the "Criminal Procedure Law" stipulates that "a criminal suspect has the right to appoint a defense attorney from the day the investigating agency conducts its first interrogation or takes compulsory measures." Articles 38 and 39 explicitly state that during the investigative period, defense lawyers have the right to provide legal assistance to criminal suspects of duty-related crimes, including meeting and communication assistance. [18] Some viewpoints argue that these provisions from a systemic design perspective provide defense attorneys with more and ample opportunities to participate in the investigation process, and play a role in discovering the truth of the case and safeguarding the rights of criminal suspects, which helps balance the significant power disparity between the defense and prosecution. However, in supervision cases, due to the different legal nature of the agencies involved, the "Criminal Procedure Law" provision "from the day the investigating agency conducts its first interrogation or takes compulsory measures" cannot be directly applied. Unfortunately, the "Supervision Law" doesn't specifically address the rights of criminal suspects in duty-related crimes to appoint defense lawyers or participate in the investigative process. Article 34 of the "Criminal Procedure Law" states that the People's Procuratorate should inform criminal suspects of their right to appoint a defense attorney within three days of receiving the case materials for review and prosecution. If this provision is followed, then the time point for criminal suspects in supervision cases to appoint a defense attorney would revert to the provisions of the Criminal Procedure Law before its modification. Therefore, many scholars advocate that in the absence of clear legislation, from the perspective of safeguarding the legitimate rights of criminal suspects, the supervisory commission's legal advisors or public lawyers could initially provide assistance similar to legal aid to individuals who are under investigation and have been subjected to compulsory measures. It's worth acknowledging that this viewpoint considers the human rights and litigation rights of the individuals under investigation, but allowing individuals with legal knowledge to intervene early may significantly weaken the strength and effectiveness of anti-corruption efforts. Although the law does not allow lawyers or defense attorneys to intervene during the phase managed by supervisory organs, if the case has progressed to the prosecutorial review stage, the right to defense for criminal suspects should be ensured.[19] Articles 39, 40, and 41 of the "Criminal Procedure Law" state that defense attorneys have the right, from the day the case is transferred for review and prosecution, to verify relevant evidence, inspect and copy case materials, and apply to the People's Procuratorate to collect evidence. According to Article 16 and 17 of the "Exclusion of Illegal Evidence Regulations," during the stages of reviewing arrests and prosecuting, if criminal suspects or their defense attorneys apply for the exclusion of illegal evidence and provide relevant clues or materials, the People's Procuratorate should investigate and verify. During the stage of the criminal procedure that is in the jurisdiction of the procuratorate, it is crucial to ensure the effective exercise of litigation rights such as the exclusion of illegal evidence for criminal suspects.

5. Conclusion

This paper systematically analyzed the application standards of illegal evidence by supervisory organs in supervision cases, their connections and distinctions with general criminal cases. The challenges of fully applying the rule of excluding illegal evidence to supervision cases were also elaborated upon. Lastly, the paper proposed three approaches for excluding illegal evidence in supervision cases. The conclusion indicates that the exclusion of illegal evidence in supervision cases is an area worth researching. Although this study has its limitations, it offers significant reference value for understanding the exclusion of illegal evidence in supervision cases.

References

[1] Zhang Shuo. *The System of Excluding Illegal Evidence in Supervision Cases: Legal Deconstruction and Practical Paths*. *Political and Legal Forum*, 2020, (2): 117-128.

- [2] Wu Hongqi. *Legal Interpretation of the Systematization of Evidence Law*. *Legal Studies*, 2019, (5): 157-172.
- [3] Wang Haiyan. *Trial Center and Supervision System Reform: A Perspective on the Evidence System*. *Xinjiang Social Sciences*, 2018, (3): 118-124.
- [4] Ma Fang, Wu Tong. *Logic and Judiciary: Deconstruction and Construction of Evidence Rules in Supervision Procedures*. *Hebei Law Science*, 2018, (9): 50-66.
- [5] Bai Rongjing, Wang Yutong. *Examination of the Legislative Mode of Excluding Illegal Evidence in Supervision Investigations and Criminal Investigations*. *Journal of Shanghai Institute of Political Science and Law (Rule of Law Series)*, 2021, (4): 156-169.
- [6] Zheng Xi. *On the Application of Exclusion of Illegal Evidence Rules to Cases Handled by Supervisory Committees*. *Evidence Science*, 2018, (5): 37-45.
- [7] Xie Chao. *The Legal Impact of the "Supervision Law" on China's Characteristic Anti-Corruption Work*. *Legal Journal*, 2018, (3): 48-62.
- [8] Zheng Xi. *Research on Investigation and Interrogation Procedures*. Beijing: Peking University Press; 2015: 194.
- [9] Zhang Baosheng. *Excluding Illegal Evidence and the Rule of Testimony by Investigative and Prosecutorial Personnel*. *Criminal Science*, 2017, (4): 30-39.
- [10] Kong Lingyong. *Exceptional Pattern of Exclusion of Illegal Evidence: Dogmatic Analysis of Exclusion Rules for Repeated Confessions*. *The Jurist*, 2019, (6): 142-156, 195.
- [11] Ma Mingliang. *The Structural Predicament of the Exclusion Rule of Illegal Evidence—Reflection Based on an Internal Perspective*. *Modern Law Science*, 2015, 37(4): 184-193.
- [12] Liu Yanhong. *On Examination and Elimination of Illegal Evidence in Duty-related Crime Cases*. *Law Review*, 2019, (1): 172-183.
- [13] Chen Weidong. *Research on Some Issues of Criminal Investigation and Investigation Procedure*. *Political and Legal Studies*, 2018, (1): 19-27.
- [14] Chen Ruihua. *On Investigation-Centeredness*. *Political and Legal Forum*, 2017, (2): 68-75.
- [15] Shen Deyong. *The Essential Positioning of the "Trial-Centered" Judicial System: The Learning and Practice Journal*, 2016, (8): 81-86.
- [16] Wu Hongyao. *The Rules and Effectiveness of Excluding Illegal Evidence—Discussion on the Improvement of China's Rules on Excluding Illegal Evidence*. *Modern Law Science*, 2014, (4): 121-130.
- [17] Xie Dengke. *The Use of Supervision Evidence in Criminal Proceedings—Discussion on the Understanding and Application of Article 33 of the "Supervision Law"*. *Journal of the Party School of the Central Committee of the Communist Party of China*, 2018, (5): 122-128.
- [18] Feng Junwei. *Evidence Connection Issues in the Implementation of the "Supervision Law"*. *Administrative Law Research*, 2019, (6): 85-95.
- [19] Shen Deyong. *On the Reform of the Trial-Centered Judicial System*. *Chinese Law Studies*, 2015, (3): 5-19.