

Appendix 1: Index of Interviews

Code	Location	Interviewee
A1-1	District 1. Site A	Half-way house staff
A1-2	District 1. Site A	Law professor/former justice officer
A1-3	District 1. Site A	District justice officer/former prison officer
A1-4	District 1. Site A	Judge, district court
A1-5	District 1. Site A	Judge, district court
A1-6	District 1. Site A	Police officer
A1-7	District 1. Site A	Half-way house staff
A1-8	District 1. Site A	Grassroots justice officer
A1-9	District 1. Site A	Half-way house staff
A1-10	District 1. Site A	Judge, municipal court
A2-11	District 2. Site A	Grassroots Social Management Assistant (SMA)
A2-12	District 2. Site A	Judge, high court
A3-13	District 3. Site A	Half-way house staff
A3-14	District 3. Site A	Half-way house staff
A3-15	District 3. Site A	Half-way house staff and director
A1-16	District 1. Site A	Senior prosecutor/scholar
A1-17	District 1. Site A	Law professor/CSM expert/legislation advisor
A2-18	District 2. Site A	Prosecutor
A4-19	District 4. Site A	Half-way house staff
A4-20	District 4. Site A	Half-way house staff
A4-21	District 4. Site A	Half-way house staff

(continued)

Code	Location	Interviewee
A4-22	District 4. Site A	Half-way house staff
A4-23	District 4. Site A	Ex-prisoner
A4-24	District 4. Site A	Ex-prisoner
A4-25	District 4. Site A	Half-way house staff/police officer/former labour camp guard
B5-26	District 5. Site B	Social worker
B6-27	District 6. Site B	Prosecutor
B5-28	District 5. Site B	District justice officer
B7-29	District 7. Site B	Judge, district court
B6-30	District 6. Site B	Prosecutor
B6-31	District 6. Site B	Prosecutor
B6-32	District 6. Site B	Grassroots justice officer
B6-33	District 6. Site B	Prosecutor
B8-34	District 8. Site B	Police officer/labour camp guard
B6-35	District 6. Site B	Prosecutor
B5-36	District 5. Site B	Officer of the Politics and Law Committee (PLC)
B7-37	District 7. Site B	Judge, district court
B5-38	District 5. Site B	Prosecutor
B8-39	District 8. Site B	Police officer/labour camp guard/former social worker
A1-40	District 1. Site A	Law professor/CSM expert/government advisor

Appendix 2: Sample of Scenario Test

Scenario One

College student W (aged 20) robbed two children (aged 10 and 11) of ¥73 in a cybercafé by threatening them with a knife. The victims were not physically injured, and W was arrested shortly after the offence while he was playing video game in the same cybercafé. After his arrest, W returned all the money and apologised to the victims. The victims' parents gave written statement to the court, expressing their forgiveness and asking for leniency in W's sentence.

- Please write down the crime(s) you think W has committed:

- Please write down the appropriate punishment in your opinion:

- Do you think W's sentence could be suspended?
Yes
No
Need more information Please specify: _____

- Please tick the reason why you think W's sentence could be suspended:

(Please choose two options in maximum)

The victims' forgiveness Returning the money W's age

The offence was not a planned crime

W was a college student and considerations should be given to his studies

The circumstances were not serious

Only a small amount of money was involved

Other reasons Please specify _____

- If you think the sentence could be suspended, will you attach a restriction order?

Yes Please write down what requirements do you plan to include in the restriction order: _____

No Please explain why not:

A. Hard to implement the restriction order in practice

B. The restriction order is a new sentencing option; no guidelines are available

C. Not necessary for the offender

D. Other reasons Please specify: _____

- If you think W's sentence should not be suspended, please tick your reason:

(Please choose two options in maximum)

Robbery is a serious crime

Offender has no legally defined mitigating circumstances

Victims were children

Committing robbery in public place and staying after crime indicate W's deviant attitude

W's addiction to games raises the possibility of re-offending

Other reason Please specify _____

Scenario Two

Party members Z and L worked in a Villagers' Committee in rural China. They conspired to embezzle ¥36,000 from public education funds. The case was first investigated by the Party's Inspection and Discipline Committee (IDC). During the IDC's investigation, both Z and L confessed; they also returned some of embezzled money to the IDC. After the case was transferred to the prosecutors' office, the two offenders returned the remaining criminal proceeds.

- Please write down the crime(s) you think Z and L have committed:

- Please write down the appropriate punishment in your opinion:

- Do you think Z and L's sentences could be suspended?
Yes
No
Need more information Please specify: _____
- Please tick the reason why you think Z and L's sentences could be suspended:
(Please choose two options in maximum)
Offenders returned money to the IDC before the case was transferred to the People's Procuratorate
Offenders returned all the money after being formally prosecuted
The circumstances were not serious
The amount of money involved was not significant
Other reasons Please specify _____
- If you think the sentence could be suspended, will you attach a restriction order?
Yes Please write down what requirements do you plan to include in the restriction order: _____
No Please explain why not:
A. Hard to implement the restriction order in practice
B. The restriction order is a new sentencing option; no guidelines are available

C. Not necessary for the offender

D. Other reasons Please specify:_____.

- If you think Z and L's sentences should not be suspended, please tick your reason:

(Please choose two options in maximum)

Corruption crime therefore not appropriate for suspension

Offenders' identity as Villagers Committee members

Embezzling education funds

Amount of money involved

Other reason Please specify _____

Scenario Three

Offender X's wife was suffering from serious uremia, but as a migrant worker, she had no medical insurance. X forged the seal and receipts of a public hospital and used them to get his wife free hemodialysis. The fraud continued for two years and in total ¥170,000 was involved.

After X was arrested, his case attracted widespread media coverage. A citizen in South China alone donated ¥100,000 to X, hoping that 'money could help him avoid prison'. Relying on people's donations, X returned all the ¥170,000 to the hospital before trial.

- Please write down the crime(s) you think X has committed:

- Please write down the appropriate punishment in your opinion:

- Do you think X's sentence could be suspended?

Yes

No

Need more information Please specify:_____

- Please tick the reason why you think X's sentence could be suspended:

(Please choose two options in maximum)

X's reason for committing crime is worthy of sympathy

His wife will lose support if he is sentenced to prison

The circumstances were not serious and X's motivation was not malicious

Offender has returned all the money

Public attention and media coverage

Other reasons Please specify_____.

- If you think the sentence could be suspended, will you attach a restriction order?

Yes Please write down what requirements do you plan to include in the restriction order:_____

No Please explain why not:

A. Hard to implement the restriction order in practice

B. The restriction order is a new sentencing option; no guidelines are available

C. Not necessary for the offender

D. Other reasons Please specify:_____

- If you think X's sentence should not be suspended, please tick your reason:

(Please choose two options in maximum)

The amount of money involved was significant

Offence continued for a long period of time

Media bias and inequality for other offenders

Offender has no legally defined mitigating circumstances

Other reason Please specify _____

Thank you for participating.

Appendix 3: Samples of Offenders Under Community Supervision

Sample 1 ($n = 44$)

Age	Gender	Crime	Category
18	Male	Robbery	Probation
19	Male	Assault	Probation
21	Male	Disturbing public order	Probation
25	Female	Embezzlement (non-governmental sector)	Probation
30	Male	Corruption (non-governmental sector)	Probation
31	Male	Disturbing the performance of official duties	Probation
34	Male	Bigamy	Probation
35	Male	Disturbing public order	Probation
35	Male	Intentional disclosure of state secrets	Probation
40	Male	Assault	Probation
41	Male	Embezzlement	Probation
42	Male	Criminal damage	Probation
42	Female	Credit card fraud	Probation
43	Male	Gambling	Probation
43	Male	Illegal business practices	Probation
44	Male	Traffic offence	Probation
45	Male	Corruption	Probation

(continued)

Age	Gender	Crime	Category
46	Male	Selling counterfeit and inferior goods	Probation
48	Male	Assault	Probation
53	Male	Assault	Probation
60	Male	Disturbing public order	Probation
60	Male	Running gambling house	Probation
61	Male	Assault	Probation
38	Male	Assault	Parole
47	Male	Murder	Parole
52	Male	Assault	Parole
19	Female	Robbery	Parole
20	Male	Robbery and assault	Parole
22	Male	Robbery	Parole
23	Male	Assault	Parole
27	Male	Traffic offence	Parole
37	Male	Assault	Parole
39	Male	Robbery	Parole
39	Male	Murder	Parole
42	Male	Corruption	Parole
46	Male	Corruption	Parole
46	Male	Illegal possession of drugs	Parole
47	Male	Corruption	Parole
47	Male	Bribery	Parole
49	Male	Fraud	Parole
51	Male	Robbery	Parole
53	Male	Endanger public safety	Parole
53	Female	Drug dealing	Parole
60	Female	Corruption	Parole

Sample 2 ($n = 35$)

Age	Gender	Crime	Type
18	Male	Concealing proceeds of crime	Probation
19	Male	Fraud	Probation
22	Male	Disturbing public order	Probation
22	Male	Theft	Probation
27	Male	Assault	Probation
30	Male	Assault	Probation
31	Male	Assault	Probation
31	Male	Theft	Probation

(continued)

Age	Gender	Crime	Type
32	Male	Illegal possession of guns	Probation
33	Male	Assault	Probation
34	Male	Disturbing public order	Probation
37	Male	Felonious restraint	Probation
38	Male	Assault	Probation
38	MAKE	Disturbing public order	Probation
39	Male	Theft	Probation
46	Male	Fraud	Probation
46	Male	Bank fraud	Probation
47	Male	Disturbing public order	Probation
49	Male	Manslaughter	Probation
53	Male	Running gambling house	Probation
53	Male	Counterfeiting registered trademarks	Probation
53	Male	Traffic offence	Probation
	Male	Spreading pornographic publications	Probation
21	Male	Theft	Parole
25	Male	Robbery	Parole
33	Male	Fraud and insurance fraud	Parole
35	Female	Contract fraud	Parole
36	Male	Fraud	Parole
37	Male	Assault	Parole
38	Female	Drug dealing	Parole
40	Male	Traffic offence	Parole
43	Male	Assault	Parole
43	Male	Corruption	Parole
49	Male	Fraud	Parole
53	Female	Corruption and favouritism	Parole

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