Research Seminar

‘Judicial Sovereignty and Judicial Review in China’.

By: Dr Shumei Hou, Postdoctoral Research Fellow, Griffith Asia Institute.

China’s entry into the WTO was accompanied by great expectations. China would advance further down the track towards the rule of law. Convergence with the WTO would facilitate the reform of state administration and address China’s “soft investment environment” facilitating a more transparent legal system. Since its WTO induction China has become deeply engaged with the world economy; however, recent court cases involving foreigners have once again raised the question as to whether it is possible to get a fair trial in China without having to worry about improper state interference. In light of the Stern Hu case, for example, Kevin Rudd expressed disappointment in the absence of a transparent rule of law in China as an emerging world power. Chinese reply has insisted on China’s “judicial sovereignty.” This seminar paper considers the substance and clarifies the record of Chinese convergence with WTO norms of independent judicial review before moving on to consider the relevance of WTO-based reform to current legal reform. The latter highlights “deepening judicial reform” to meet the needs of the people in light of spreading judicial corruption. Party response to judicial corruption has complicated reform balancing of best international practice with Chinese understandings of local values, priorities and practice.

Dr Shumei Hou completed her PhD thesis on China’s Judicial Review Reform under the WTO Regime at UTS and is now a Postdoctoral research Fellow at Griffith Asia Institutte. She is a certified lawyer in China, Her case experience concerns foreign business operating in China and Chinese business operating in Australia, and she has experience as a legal advisor to a leading Chinese mining company in Queensland. Dr Hou was a head of Department of Administrative Law, Henan Political Science and Law, China. She has published extensively in areas of public law, and trained Chinese judges, lawyers and public security personnel.

→ Wednesday 22 September 2010
→ N54 (Bray Centre), Meeting Room 2.02
→ Nathan campus
→ 12.30 -1.50pm

To RSVP, please contact Natasha Vary on (07) 3735 5322 or n.vary@griffith.edu.au no later than 5.00pm Monday 20 September 2010.