

Chair

Cabinet

**REPORT ON OVERSEAS TRAVEL: HON JUDITH COLLINS: CHINA & SINGAPORE:
20 – 25 OCTOBER 2013**

PROPOSAL

- 1 I propose that Cabinet note this report on my visit to China and Singapore.

SUMMARY

- 2 I visited Beijing and Shanghai, China from 20 – 23 October and Singapore from 24 – 25 October 2013.
- 3 Meetings in China with senior officials provided an opportunity to broaden and deepen our engagement on judicial and legal issues. I used the visit to underline New Zealand's commitment to the bilateral relationship with China, shared New Zealand's experience in building good governance institutions and conveyed New Zealand's willingness to support China's on-going judicial reform and anti-corruption initiatives.
- 4 Following a very successful meeting with Minister of Justice Wu Aiyong, I met with Secretary Meng Jianzhu, head of the Central Politics and Law Committee of the Communist Party of China and senior member of the Polit-Bureau to reaffirm the strength of the bilateral relationship with China after 40 years and to note New Zealand's pride in having several "firsts" in our relationship. I reaffirmed New Zealand's commitment to broaden our cooperation with China on areas of interest to both countries, including in areas of judicial and legal reform.
- 5 In Shanghai, I was invited to address the Chinese Executive Leadership Academy, Pudong (CELAP). The speech was entitled "*Building a Clean Government – NZ Model and Experience*". The new Premier of China, Li Keqiang, has identified fighting corruption and increasing transparency as top priorities – he has stated that, "Clean governance is the cornerstone for the credibility of a government, and it is expected by the people. Open and transparent use of power is the key to building a clean government." New Zealand's record as Transparency International's least corrupt country provides a sound basis for supporting China's anti-corruption initiatives.
- 6 At the conclusion of my visit to China, senior officials advised that Minister of Justice Wu had expressed an interest in visiting New Zealand in 2014 for more in-depth

discussions on judicial and legal reform. A Working Party of Ministry officials will visit New Zealand from 27 – 29 November to pursue these discussions.

- 7 During my visit to Singapore I further developed New Zealand's strong bilateral relationship with Singapore, discussing recent developments in a range of court reforms. The Minister for Law HE Mr K. Shanmugan expressed an interest in learning more about New Zealand's experience in legal aid and family court reform. Chief Justice Sundaresh Menon also expressed an interest in New Zealand's recent family court reform including greater use of mediation to support the resolution of family disputes outside the court.
- 8 Presentations were provided by both the Supreme Court and the Subordinate Courts of Singapore's experience in the use of technology for case management and file management in their courts. Singapore's electronic case management has been a significant factor in driving efficiencies across all courts.

REPORT

- 9 My trip to China (Beijing and Shanghai) from 20 – 23 October was at the invitation of the Ministry of Justice in China. The Ministry provided substantial support for all meetings, accommodation in Beijing and transportation and facilitation throughout the visit. This was my second visit to China (my previous visit was principally in my capacity as Minister of Ethnic Affairs).
- 10 There was a clear interest from Chinese officials in developing deeper relationships with New Zealand as China continues to progress with developments in its legal system, judicial reform, penal reform and anti-corruption initiatives.
- 11 The fact that New Zealand has been named by Transparency International as the least corrupt country for several years and has also been recognised by Forbes as one of the easiest countries in the world to do business are two factors of significant interest to Chinese officials. New Zealand's willingness to engage positively with China to support its fight against corrupt practices provides a positive basis for further developing the bilateral relationship.

BEIJING

- 12 I had a very productive meeting with Minister of Justice Wu Aiyong who then hosted a lunch. Minister Wu talked about the significant reforms taking place across China in the legal and judicial fields including prison reforms to standardise prisoner management and improve training for officials so that prisoners can be better supported. A pilot programme had been launched to better reintegrate prisoners into the community. A new examination had been introduced for lawyers and judges to

- help build professionalism and there were now more than 400,000 lawyers and judges sitting this exam each year. A new legal aid system was being introduced.
- 13 Minister Wu noted the establishment of the Asia-Pacific Regional Office for the Hague Conference in Hong Kong which is being supported by China and which she thought would be useful for resolution of international private law cases.
- 14 I shared with Minister Wu several innovations in New Zealand's legal arena including reforms in legal aid, criminal procedure, family court and the upcoming judiciary modernisation reforms. Minister Wu was particularly interested in New Zealand's experience in selecting and training judges and the roles of various government agencies that contribute to New Zealand's lack of corruption.
- 15 During the lunch, I discussed with Minister Wu, the case of Jane Duan, a New Zealander who was being held on fraud charges in Shenzhen for over 3 years since her trial with no decision. Minister Wu undertook to look into the matter. Since my return I have learned that there have been positive results for Jane Duan as a result of this intervention.
- 16 I then met with Secretary Meng Jianzhu, Head of the Central Politics and Law Committee of the CPC and senior Politburo member. I had met Secretary Meng on my previous visit in his former role as a state councillor. Secretary Meng welcomed discussions on greater judicial cooperation. He noted that, as our countries became more interconnected through trade and people flows, it was important to increase our cooperation to prevent crime. He also welcomed on-going cooperation around deportation and extradition to ensure criminals are held to account.
- 17 I also held separate meetings with Procurator-General Cao Jianming (responsible for overseeing investigations and public prosecutions in China) and Supreme People's Court Vice-President Jin Hanqiao who gave an overview of the court system in China and recent developments. Vice-President Jin noted the on-going development of the rule of law in China and the increasing pressure on courts as more commercial disputes were brought before the courts and public expected greater judicial impartiality and openness. I shared with them New Zealand's programme to modernise our courts and increase transparency by having decisions available online.
- 18 A further useful meeting was held with the Vice Governor of the People's Bank of China, Li Dongrong to discuss recent developments in anti-money laundering initiatives.
- 19 Partners in the firm of King & Wood Mallesons, one of China's largest law firms which is partnered to Mallesons in Australia, provided valuable insights into the more private perspective of law and justice in China and the challenges of engaging in the commercial legal environment. In addition, the New Zealand Ambassador, Carl Worker hosted a dinner at the residence attended by four Chinese academic legal experts who shared their thoughts on the current state of legal reforms in China including recent changes to China's labour laws and the impacts of urbanisation.

- 20 The Ambassador also hosted a lunch attended by a number of prominent New Zealanders in Beijing including representatives from Fonterra, Nestle and Oravida.

SHANGHAI

- 21 In Shanghai, I delivered a speech at the Chinese Executive Leadership Academy, Pudong (CELAP) to a group of approximately 40 selected community leaders from across China. The speech was entitled "*Building a Clean Government – the New Zealand Experience*". It was followed by a 45 minute question and answer session covering New Zealand's constitutional arrangements and institutions that contribute to the control of corrupt practices and open government. CELAP is one of five Party schools operating across China to provide leadership training. It is charged with promoting an international, innovative and practical approach. Training has been delivered to 100,000 Chinese officials and 3900 foreign students. The Embassy is following up with CELAP to investigate opportunities for more interaction with the programme.
- 22 Following the CELAP visit, I called on the Secretary of the Shanghai CPC Politics and Law Committee, Jiang Ping (former Vice Mayor of Shanghai and Governor of Pudong District). The Central government has selected Shanghai to lead judicial reform and anti-corruption initiatives. Secretary Jiang noted that the development of the China (Shanghai) Pilot Free Trade Zone will require considerable time and effort to manage complex relationships and legal issues.
- 23 While in Shanghai, I also had a meeting with Deputy Director-General Mme Chen Chunlan of the Shanghai Justice Bureau. We discussed a range of legal and judicial issues including sharing ideas on the provision of legal aid to assist in access to justice. The Chinese legal aid system started in Shanghai as a pilot in 1995 and has now been rolled out across China but challenges existed to manage demand and cost. I was able to share with her some of New Zealand's reforms in the area of legal aid.
- 24 At the conclusion of my visit to China, I received advice that Minister of Justice Wu has expressed a keen interest to visit New Zealand in 2014 to further engage in discussions on legal and judicial reform. To this end, a Working Party from the Ministry of Justice in China is visiting New Zealand from 27 – 29 November.

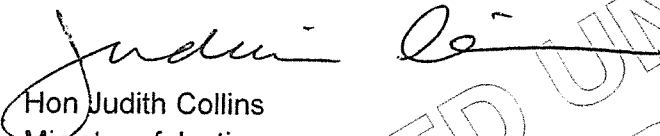
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RELEASED UNDER THE
OFFICIAL INFORMATION ACT

RECOMMENDATION

35 I recommend that Cabinet:

a. Note this report.


Hon Judith Collins
Minister of Justice

Date: 7 November 2013

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