

Vertical and Horizontal Comparison as well as Referential Perfection of the Cohesion Between Inspection and Supervision in China and South Korea Under the Background of Judicial Reform

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Abstract. As China revised the Criminal Procedure Law in 2018, new requirements were put forward for procuratorial organs in the investigation of duty crimes, that is, proper connection and mutual cooperation. However, the cases investigated by the newly established national highest supervisory agency, the supervisory committee, are transferred to the people's procuratorates. Thus, when the handling methods of cases accepted by the people's procuratorates are based on the inconsistency between the provisions of the Supervision Law and the Criminal Procedure Law, the supervisory agencies and procuratorial agencies are faced with the connection of litigation procedures. From a horizontal point of view, this paper compares the procedures of cohesion between inspection and supervision in China and South Korea. Meanwhile, it grasps the unclear jurisdiction and intervention in the current cohesion process vertically to discuss the necessity and adaptability of system design. It puts forward that the evidence chain connection, the system establishment of case handling communication and coordination, and the procuratorate's early intervention and the supervisory agency's opinion are the rational thinking to promote the procedure cohesion, which helps clarify the duty crime case handling and ensures the logical consistency of the inspection and supervision cohesion system.

Keywords: Judicial Reform; Connection Between Inspection and Supervision; Procuratorial Investigation; Comparison Between China and Korea; Intervention Jurisdiction.

1. Introduction: Origin of Cohesion System Between Inspection and Supervision in China

In order to strengthen the anti-corruption and rule of law, China revised the Constitution and Criminal Procedure Law in 2018 as well as newly enacted and promulgated the Supervision Law. Meanwhile, the National Supervision Commission, the highest state supervisory agency was newly established. According to the Constitution and the Criminal Procedure Law, the supervisory committee is positioned as the highest supervisory agency for handling cases of duty violations and duty crimes, which is the national anti-corruption institution, while the procuratorial agency is positioned as the legal supervision organ. According to different legal relationships, the nature of supervision is inconsistent. However, in the operation of the two agencies, they will inevitably encounter the overlapping of functions and powers as well as the supervision and restriction of powers. For example, there may be problems such as the unclear scope of cases and unclear intervention time in the cohesion between inspection and supervision in early intervention. The imperfect regulations and procedures of supplementary investigation also exist. In addition, the investigation of duty crimes from the supervisory committee has strong traceability, which conforms to the basic law of the administrative power operation but inevitably has a certain conflict with the judicial field where the procuratorial organs are usually located. Therefore, establishing and perfecting the system of cohesion between inspection and supervision is the fundamental premise of fighting corruption and promoting honesty as well as the necessary guarantee of power restriction.

supervisory duties and scope of the Supervisory Committee, including supervising the performance of official duties by all officials, investigating suspected duty criminals, disposing of the identified duty criminals by government affairs, and transferring them to procuratorial organs for examination and prosecution. Therefore, it is more accurate to be characterized as a national supervisory agency instead of a political organ, which is more in line with its authority setting, with its legal basis found in the Supervision Law.

Secondly, from the perspective of the nature of supervision and investigation, some scholars generally believe that supervision organs should be recognized as law enforcement supervision organs. Because the nature of investigation power is different from investigation power, which should be divided into disciplinary investigation and illegal investigation according to violation of discipline and law. However, some scholars hold that the essence of investigation power lies in its origin and enforcement.

Thirdly, from the perspective of the effect of supervision and filing, some scholars believe that cases transferred by supervisory organs to procuratorial organs can only be called criminal filing and enter criminal proceedings after transformation. However, the opposition holds that the filing of supervision naturally has the effect of initiating criminal prosecution, given that the filing of duty crimes by the supervisory committee is bound by the Criminal Procedure Law.

Fourthly, from the perspective of supervisory evidence, some scholars think that the evidence materials collected by supervisory organs should be used as the basis for deciding a case as long as they are corresponding qualified. However, others hold that the evidence of mobile phones of supervisory organs should be transformed before entering criminal proceedings. To sum up, the academic research on the cohesion between supervision and inspection has been quite in-depth, so perfecting the cohesion system between supervision and inspection has a rich theoretical basis.

2.2 Keyword Clustering Timeline Map

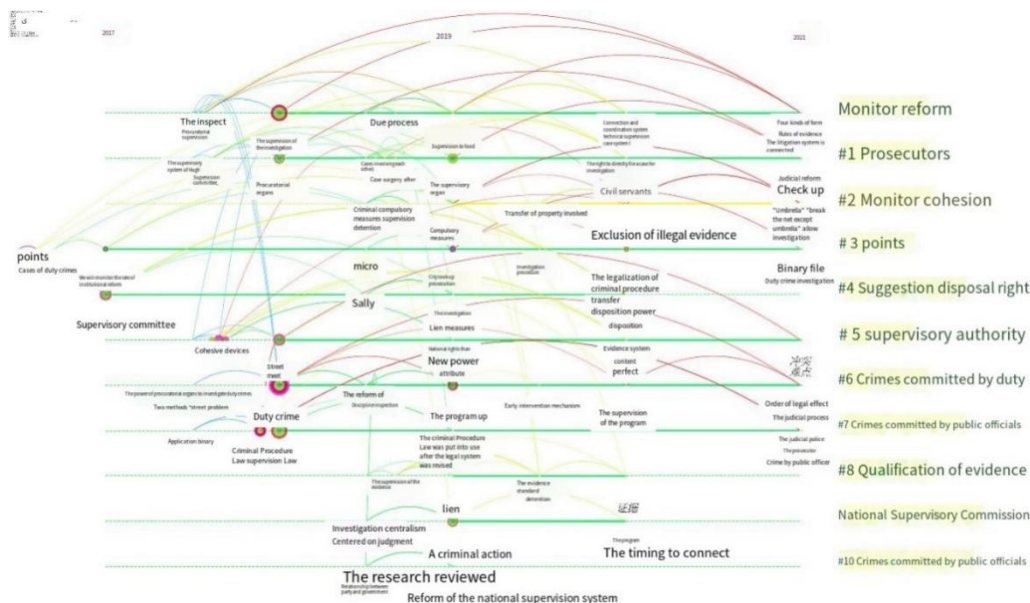


Fig. 2 Keyword Clustering Timeline Map

In order to further study the time evolution of these keywords, classified labels are used as vertical axes, and years of keywords are horizontal axes. On the whole, it is a group of hot trends in various time periods.

The timeline shows that the problems of supervision and investigation, inspection and supervision cohesion, and procedural duality were gradually exposed during the period from 2017 to 2019. Meanwhile, some intersections and conflicts between the Criminal Procedure Law and the Supervision Law appeared. From 2019 to 2021, with the emerging supervision saturation and the more detailed micro-content of cohesion, such as cohesion consultation, system cohesion, case

investigation, transfer and disposal, and evidence cohesion, the existing problems need to be solved urgently. Four forms of evidence rules, the dual investigation of duty crimes, the rank inheritance of legal effect, and the quality requirements of procurators and supervisors need to be scrutinized repeatedly after 2021. To sum up, we can also see the previous specific duty crime cases, the implementation and application of the *Supervision Law*, and then the specific adaptation of the cohesion between procedures and entities from the timeline. Then, we pay more attention to the intersection of procuratorial power and supervisory power. Finally, we have made a breakthrough in developing and exploring the cohesion between procuratorial power and supervisory power in the actual cases in recent years, which shows the progress of guiding practice.

As we all know, Korean procuratorates have great procuratorial power that most countries have never given to respective organs in the world, which leads to the restriction of the supervisory power exercised by the supervisory institutions with a hidden danger of cohesion between inspection and supervision. On January 21, 2021, the Korean Senior Officials in Criminal Investigation Office was officially inaugurated; On January 28th, the Constitutional Court of South Korea confirmed that the establishment of the Investigation Office was in line with the constitution. This is an important reform of the investigation and litigation system for duty crimes in South Korea as well as a core of major procuratorial system reform in South Korea recently. The establishment of the Criminal Investigation Office of Senior Officials marks that the procuratorial reform in South Korea has shifted from the legislative stage to the implementation stage, which also symbolizes the end of the procuratorial power era with criminal justice as its axis in South Korea. Will the establishment of the Investigation Office weaken the actual procuratorial power? Will there be problems with the cohesion between prosecution and supervision in that between the Investigation Office and the prosecution's procedures? Thus, studying the cohesion between inspection and supervision in South Korea is bound to provide a reference for the system research in China.

3. Practice of Cohesion Between Inspection and Supervision System in South Korea and its Status Quo of Academic Research

3.1 System Composition of Anti-corruption Institutions—Board of Audit and Inspection as Well as Procuratorates

(1) System of Board of Audit and Inspection

The Board of Audit and Inspection is a national agency established in accordance with the Constitution and led by the President of South Korea. The Act for Board of Audit and Inspection, enacted by Law No. 1286, was formed on 20 March 1963 by merging the Inspectorate of Auditors, which oversees government accountants, and the Inspectorate of Public Servants. In order to prevent corruption of public officials fundamentally, a Commission on Measures to Prevent Corruption was established under the Ombudsman's Rule No. 99 of April 1993, and an Ombudsman's Institute of Education was established in January 1995 to conduct research on education and supervision of employees. The main functions of the Board of Audit and Inspection are finally casting accounts of the annual revenue and expenditure of the state, accounts of the state, local, and government investment institutions, and other administrative agencies. Besides, it can supervise the public affairs of government agencies and the administrative process of public officials; when illegal facts and failure to perform their duties are found through the supervision of government departments or investment institutions, the Board of Audit and Inspection will report to the judicial organs or ask the relevant departments or investment institutions for correction.

(2) Procuratorate System

South Korea uses the theory of power balance to separate the executive power, legislative power, and judicial power in different national institutions to restrict each power in the independent operation. The procuratorate belongs to the Ministry of Justice with a relatively independent status. The main functions of the Korean procuratorial organs are to file a case for investigation of corruption cases

within the jurisdiction and to file lawsuits against public officials suspected of corruption. Meanwhile, it can supervise and track the process of handling cases by the procuratorate, cross-examine the cases, supervise judicial organs, and verify the handed physical evidence. In addition, it can supervise the criminal adjudication and the implementation degree of the adjudication as well as supervise litigation cases in which the state is a party or participant. Other matters prescribed by law can be also within its jurisdiction.

(3) Legal Rules Applicable to Cohesion of Inspection and Supervision in South Korea

The applicable principle of the cohesion between inspection and supervision in South Korea is similar to that in China, which requires adhering to the principle of anti-corruption by law with the trial as its center and sticking to the checks and balances of power. Duty violations and duty crimes should be strictly distinguished to constantly sum up the experience of power convergence and discover legal loopholes in cohesion. In the process of obtaining evidence, the supervisory court and procuratorate cannot use illegal methods such as extorting confessions by torture, fatigue interrogation, threat, seduction, etc. It is also necessary to avoid improper interference of power because disputes will inevitably occur in the power cohesion. As long as disputes are within the scope permitted by jurisprudence, they can be regarded as the inevitable result of power checks and balances.

(4) Current Situation of Academic Research on Cohesion Between Inspection and Supervision in South Korea

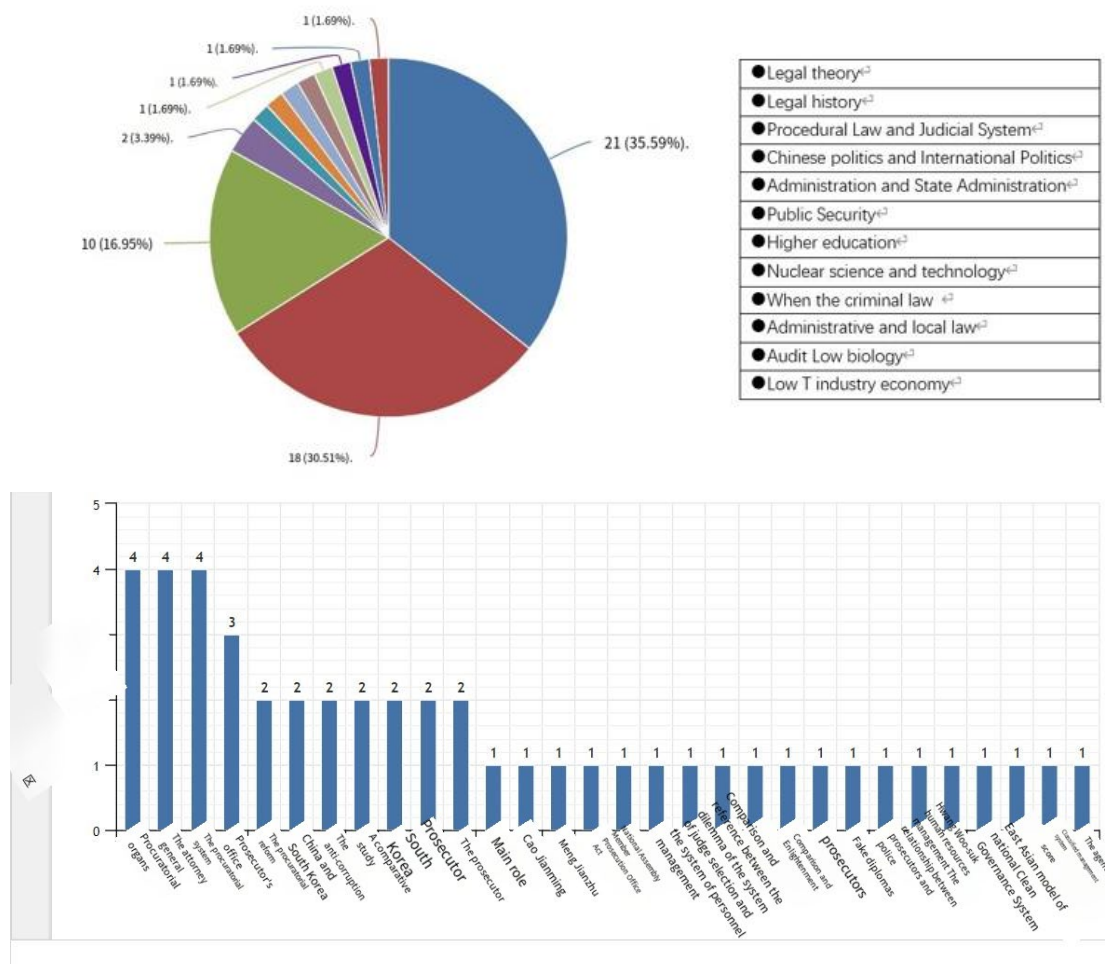


Fig. 3 diagram

South Korea’s cohesion between inspection and supervision has less content in literature collection with a large time span and there is no literature review that highlights the variability. According to the visual analysis of CNKI, we can find the problems of cohesion between inspection and supervision in South Korea is not as prominent as that in China. South Korea’s administrative supervision and audit supervision need to cooperate with each other in order to better supervise

government officials. Therefore, it has formed a supervision system that combines supervisory organs and audit organs into one. The highest supervisory agency in South Korea is the Board of Audit and Inspection, which integrates the Supervisory Committee and the Audit Institute. Independent of the Parliament and the government, it is only led by the President. There's a special Act for the Board of Audit and Inspection in South Korea. The main task of the Board of Audit and Inspection is to audit and expose duty crimes. Nonetheless, the power of prosecutors in South Korea is in an inflated position to a certain extent, it restricts the Board of Audit and Inspection greatly. Fortunately, South Korean scholars have also paid attention to this phenomenon, mainly focusing on procuratorial agencies, anti-corruption, prosecutors, and comparative studies, especially the establishment of the Public Investigation Office, which has a brand-new influence on its institutional setup. It can be seen that research on the cohesion between inspection and supervision in South Korea mainly emphasizes theoretical traceability and practical application. Judicial characteristics are reflected by historical and legal sources, while comparative checks and balances are stressed by procedural law and the judicial system.

4. Similarities and Differences Between China and South Korea on Cohesion of Inspection and Supervision

Cohesion between inspection and supervision in China mainly refers to the functional cohesion between the procuratorate and the Supervisory Committee, while South Korea mainly involves the intersection of powers between the procuratorate and the Board of Audit and Inspection. As for the cohesion between the procuratorate and the procuratorate's office, there are the following similarities and differences between the supervisory committee and the audit supervision institute in judicial practice.

4.1 Common Functions and Powers of Supervision Commission in China and Board of Audit and Inspection in South Korea

First, its establishment is based on the provisions of the Constitution; Secondly, both organs are free from external interference when performing their duties. The core value of their supervision lies in the independence of the highest national supervision agency as a professional supervision organ. In order to ensure the impartiality and trust of the supervision activities of the highest supervision agency, it is necessary to build an institutional basis for the supervision institutions to carry out supervision activities objectively and independently. Professional supervision institutions in both China and South Korea are legally free from outside interference.

4.2 Different Powers of Supervision Commission in China and Board of Audit and Inspection in South Korea

There are differences between China's Supervision Commission and South Korea's Board of Audit and Inspection in terms of supervision objects, jurisdiction, and authority.

First, as for the respective supervision object, those in China include civil servants, personnel managed with reference to the Civil Service Law of the People's Republic of China, managers of state-owned enterprises, personnel engaged in management in public education, scientific research, culture, medical and health care, sports and other primary mass autonomous organizations, as well as other personnel who perform public duties according to law. The supervision object of South Korea is limited to civil servants under the Ministry of Administration.

Secondly, as for respective jurisdictions, the former can supervise, investigate, and deal with violations of law and discipline such as bribery and abuse of power; the latter can only supervise and investigate illegal or improper behaviors of civil servants, that is, deal with them that are not within the scope of their duties. When the Board of Audit and Inspection in South Korea finds out that a certain behavior of a civil servant constitutes the object of administrative punishment, it requires the

object of supervision to punish the civil servant; If an act constitutes a crime, it will complain to the procuratorate or the police.

Thirdly, as for respective authorities, the former has powerful means, such as supervision, investigation, and disposal; the latter have more limited powers, such as requests for information, seals, and requests for attendance at the defense.

Generally speaking, China's Supervision Commission has the following five characteristics compared with the Board of Audit and Inspection in South Korea:

First of all, the working relationship between supervisory organs and other national organs has been clarified. The supervisory organ and other organs cooperate with each other and make joint efforts.

Secondly, discipline and law enforcement is combined in China. As the special organ of the national supervision function, China's Supervision Commission is co-located with the Party's discipline inspection organs, which strengthens the centralized and unified leadership of anti-corruption work and improves the national anti-corruption ability.

Thirdly, the establishment of the supervisory committee expands the width and depth of supervision. On the one hand, it expands the scope of supervision from the former narrow government to a broad government. On the other hand, under the direct leadership of the Party, the supervisory committee not only investigated and dealt with duty crimes according to law after the reform but also strengthened the investigation of duty violations, improved efficiency, concentrated on anti-corruption issues, prevented potential problems, and nipped corruption in its buds.

Fourthly, the supervisory committee pays attention to strengthening the combination of self-supervision and external supervision. Self-supervision is carried out by setting up internal supervision institutions, establishing registration, and filing systems for inquiring about cases. Meanwhile, asking questions about cases, interceding and intervening, stipulating avoidance systems, employment restriction systems for leaving posts, and accountability systems for major mistakes in case handling are all built.

Fifthly, the establishment of China's supervisory committee provides a guarantee for the legal basis. It is conducive to carrying out anti-corruption in-depth, realizing the effective cohesion between the supervision law and the party's discipline and criminal law, as well as deepening and enriching the national supervision system.

As an anti-corruption organ, China Supervision Commission has strong authority to supervise all civil servants, which is beneficial to effective anti-corruption. However, it's also necessary to oversee its authority and develop measures to ensure transparency in the investigation.

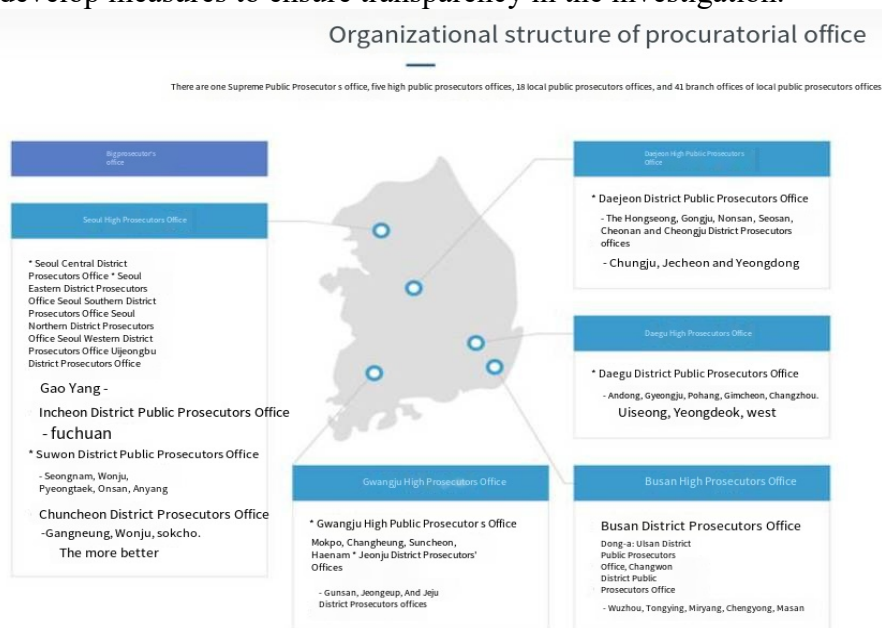


Fig. 4 Organizational structure of procuratorial office

It can also be seen from the above figure that the cohesion of the procuratorate is far larger than that of the Board of Audit and Inspection, which shows that procuratorial power in South Korea still includes supervisory power to a certain extent in the power adaptation. The Board of Audit and Inspection in South Korea has two powers, namely, audit supervision and post supervision. The objects of audit supervision include administrative departments, legislative departments, and judicial departments. On the contrary, the objects of post supervision are limited to administrative departments. We can see that the Board of Audit and Inspection pays more attention to audit supervision. As for the financial transaction investigation authority, the Board of Audit and Inspection is limited to audit supervision. Meanwhile, the financial transaction investigation authority related to post-supervision is not recognized. Therefore, it is difficult to carry out an in-depth investigation of hidden and organized transactions while exposing illegal and improper matters through supervision activities. That's why it is necessary to expand its authority and supervision scope related to the post-supervision.

From the above research, we can see that South Korea has an early origin, wide content, and a distinct political style on the cohesion between inspection and supervision. However, due to the influence of objective factors, the cohesion between supervision and procuratorial work in China has a wide range of problems and messy contents, but it also has the characteristics of the times and continuity. Therefore, in dealing with the problem of the cohesion between inspection and supervision, the Board of Audit and Inspection system has a certain reference significance.

5. Preliminary Exploration and Lessons of Cohesion Between Inspection and Supervision After the Procuratorial Power Reform in South Korea

Due to the excessive expansion of procuratorial power and its extensive involvement in the political struggle, South Korean procuratorial power has also suffered great controversy. In addition, corruption cases of prosecutors occur frequently, which leads to the failure of supervision departments or related functions and powers to be properly exercised. In recent years, restricting procuratorial power has become a social consensus. On December 30, 2019, the South Korean National Assembly passed the Act on Establishing a Criminal Investigation Office for High-Level Public Officials to implement the South Korean version of Supervision Reform. On January 13, 2020, the Korean National Assembly passed the Amendment to the Criminal Procedure Law and the Amendment to the Procuratorial Office Law, which made major adjustments to procuratorial power from the legal level. On January 21 this year, the Criminal Investigation Office of Senior Public Officials in South Korea was officially inaugurated. The main contents of this round of procuratorial reform in South Korea include:

(1) Strip the power of ordinary criminal investigation and that of high-level public officials to investigate crimes. According to the new Criminal Procedure Law, the judicial police have the right to investigate ordinary crimes independently. According to the Act on Establishing a Criminal Investigation Office for High-Level Public Officials, the Criminal Investigation Office for High-level Public Officials in South Korea enjoys the right to investigate crimes committed by high-level public officials (including retirees) and their families, such as the President, members of Congress, judges, heads of local self-governing organizations, prosecutors, police officers, and above. But procuratorial organs no longer retain the above investigation power. In other words, there will be no case of special prosecutors investigating and prosecuting the former President of South Korea in the future.

(2) Abolish the command power of police investigation activities and increase the supplementary investigation power to correct investigation activities. Article 195 of the new Criminal Procedure Law of South Korea adds provisions that prosecutors and judicial police should cooperate with each other in the investigation, prosecution, and maintenance of public prosecution. At the same time, it deletes the provisions of the original law on procuratorial command of the police. In this way, the relationship between prosecutors and police in South Korea has been adjusted to cooperate and restrict each other.

(3) Endow the judicial police with the right to withdraw cases. According to Article 245 of the new Criminal Procedure Law, the judicial police have the right to judge whether it constitutes a crime and whether the case is transferred to the procuratorial organ for examination and prosecution according to the investigation results.

(4) Cancel the right of public prosecution against prosecutors for crimes. According to the Act on Establishing a Criminal Investigation Office for High-Level Public Officials, the investigation office will perform the duty of public prosecution for crimes committed by prosecutors and the procuratorial organs will no longer enjoy the right of public prosecution for crimes committed by prosecutors.

Although South Korea has not reformed the cohesion between inspection and supervision, the joint office of relevant institutions will be affected after the reform of the procuratorate with greater power. For example, the handling of duty crimes of senior officials will be handed over to the Public Investigation Office for investigation and handling cases. It no longer has the right to investigate such figures, which also avoids the overlapping powers in the cohesion between inspection and supervision to a certain extent.

6. Warning and Reference that China Learns From the Change of Cohesion Between Inspection and Supervision in South Korea

6.1 Macro Aspects

(1) Strengthen the confidence in China's procuratorial system. After the reform, South Korea's procuratorial system is getting closer to China's procuratorial system in terms of the relationship between prosecutors and police as well as the investigation system of duty crimes. A prosecutor from the Jeonju District Prosecutor's Office in South Korea wrote that the procuratorial reform in South Korea borrowed from the reform of China's procuratorial system and supervision system.

(2) Procuratorial credibility is the key to the development of procuratorial work. Due to the involvement of procuratorial power in political struggle and procuratorial corruption, it has become a common consensus in South Korean society to reform the procuratorial system. The work of the procuratorate needs the supervision of the supervisory committee to provide it with credibility and authority.

(3) Strive to improve the relationship between inspection and supervision as well as their mutual coordination. The practice of procuratorial work in South Korea has proved that the power disparity of the organs involved in judicial power does not meet the requirements of the criminal procedure system reform centered on trial. A completely paralleled relationship lacking in the interaction between prosecution and supervision slips into another abyss, which will lead to low efficiency of criminal proceedings and ineffective accusation of crimes. The reasonable choice is to balance and grasp the principle of responsibilities division, cooperation, and mutual restriction between inspectors and supervisors to build and improve the complaint system of cohesion and unity. China's procuratorial organs should make good use of legal procedural means such as integrating arrest and prosecution, intervening in advance, guiding investigation, supplementing investigation, and supervising the investigation. In this way, we can form a procuratorial power operation system with the organic integration of various procedural means and fulfill the leading responsibility of criminal proceedings. The Supervisory Committee should insist on independent planning in the field of duty crimes and gives full help in the cases involved, thus contributing to the development of the world procuratorial supervision system.

(4) Improve the evidence system of criminal proceedings. The Criminal Procedure Law of South Korea has reformed the evidence ability system of prosecutors' interrogation transcripts, which shows that South Korean criminal justice attaches importance to objective evidence and neglects verbal evidence. Evidence system, especially the types of evidence, the ability to be evidence, and the probative force of different kinds of evidence, is a weak field in the theory and practice of criminal procedure in China, which becomes an important branch of theoretical and practical research in the future.

(5) China and South Korea can conduct extensive exchanges and references on the cohesion between supervision and inspection. After the reform of the supervision system, enriching and perfecting the cohesion system between supervision investigation and criminal procedure is a vital issue for China's procuratorial work. In this regard, In addition to actively paying attention to the reform of the cohesion between South Korean investigation offices and procuratorial organs, Chinese procuratorates should also conduct extensive and in-depth exchanges with South Korean procuratorates.

6.2 Microscopic Aspects

From the perspective of China, the Supreme People's Procuratorate can formulate a cohesion system with supervisory organs according to the legal supervision duties entrusted by the Constitution. National Supervision Commission can formulate supervisory laws and regulations for communication and cooperation with procuratorial organs according to the requirements for supervisory duties. Under the condition of legislation first, procuratorial organs and supervisory organs can also set out from the actual needs of handling cases, formulate a scientific and effective cohesion mechanism, divide labor and cooperation, and restrict each other. Besides, they can strengthen communication and coordination between procuratorial and supervisory parties to enhance the efficiency of anti-corruption.

(1) Establish a case clue transfer system

If procuratorial organs find clues of duty crime cases in their work, they should be handed over to supervisory organs for investigation according to law. Procuratorial organs can take advantage of the upgrading of the national unified business application system and the establishment of a large database for handling cases. In addition, they can cooperate with supervisory organs to establish a clue transfer system for duty crime cases. Starting from the establishment of a cooperation system between inspection and supervision, the intelligent inspection and case handling system is used to combine the online transfer of case clues with the offline transfer to ensure timely transfer of clues and comprehensively improve the efficiency of clue judgment.

(2) Establish a consultation system for filing jurisdiction

Criminal Procedure Rules stipulate that procuratorial power and supervisory power adopt the principle of consensus in handling duty crime cases. According to the judicial idea that one who is the most suitable takes charge of filing a case, a consultation system for the jurisdiction of filing a case by inspection and supervision is established. In the process of handling cases, if the procuratorial organs find that the clues of judicial staff suspected of duty crimes should be under the jurisdiction of the supervisory organs, they should timely communicate and negotiate with the supervisory. In principle, the investigation by the supervisory organs is the main one, supplemented by the assistance of the procuratorial organs. Under special circumstances, both parties can file cases separately or the supervisory organs can merge cases.

(3) Establish a communication and coordination system for handling cases

If the procuratorial organs find clues that judicial personnel is suspected of duty crimes in their work and the two organs decide to file cases for investigation after consultation with the supervisory organs, the procuratorial and supervisory parties should establish a timely and effective communication mechanism to handle cases together. This paper studies and discusses the fixed standards of case evidence, procedural norms, supplementary investigation and analysis, and risk prevention of handling cases one by one. On one hand, supervisory organs should strengthen the normal communication and coordination with judicial organs, conscientiously do a good job in cohesion between discipline and law as well as that between laws, and give full play to their respective functions. On the other hand, they should comprehensively enhance the awareness of handling procedures, evidence, and the rule of law, cooperate closely, form a joint force of punishment, and improve the quality and efficiency of handling duty crime cases with joint efforts.

(4) Establish an early intervention and guidance investigation system

At present, the system of early intervention of procuratorial organs has formed a relatively mature operational mechanism. For cases transferred by supervisory organs for examination and prosecution, procuratorial organs can refer to the experience of introducing and collecting evidence for cases investigated by public security organs, and establish a system of early intervention to guide investigation and evidence collection for cases transferred by supervisory organs. As for the duty crime cases with great influence, difficulty, and serious differences in conviction and sentencing, intervention should be in advance as far as possible in the early stage of investigation at the invitation of the supervisory organ or with the consent of the supervisory organs. Besides, opinions and suggestions on the identification of the case, the direction of evidence collection, and the application of laws should be put forward to ensure the timeliness and efficiency of the early investigation and evidence collection, and facilitate investigators to collect and fix evidence.

(5) Establish a joint meeting system for inspection and supervision

In the process of cohesion between inspection and supervision, we can refer to the current cooperation system of the Public Security and Law Department to establish a special joint meeting system of inspection and supervision. The procuratorial organs take the initiative to organize joint meetings on case promotion for cases transferred by the supervisory committees in operation and invite the supervisory organs to communicate with each other on the identification of criminal facts and the acceptance of evidence in major complicated cases to reduce unnecessary return and supplementary investigation links, which is conducive to the consensus of both parties on conviction and sentencing of cases.

With the reform of the supervision system, the cohesion between procuratorial organs and supervisory organs as well as the cohesion between Criminal Procedure Law and Supervision Law will inevitably appear in the handling of duty crime cases. As for the handling of cases and the intersection of the two powers, these two laws have stipulated most of the contents. However, the problems faced in practice, such as the specific limits of procuratorial power intervention and evidence, still need to be stipulated by the law. By comparing the institutional setup, legal explanation, reform status, and experience of the cohesion between inspection and supervision in China and South Korea, we find the similarities and differences between the two countries, which provides a new way to solve this problem in China. It can not only play the investigative role of procuratorial organs but also stimulate the initiative and enthusiasm of supervisory organs in handling cases, which plays a vital role in promoting the legal system integration of cohesion between inspection and supervision as well as the improvement of the anti-corruption governance system in China.

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