

Evaluating New Coercive Measures Under China's Amended Supervision Law: Compulsory Appearance, Ordered Availability, and Protective Custody

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Abstract: The 2024 amendment to China's Supervision Law introduced three coercive measures—compulsory appearance, ordered availability pending investigation, and protective custody—thereby moving the supervisory-measures system toward greater gradation and specificity. The measures respond, respectively, to nonappearance, the need to impose limited obligations where retention in custody is unnecessary or inappropriate, and urgent safety risks involving a person who has not been retained. They fill gaps in the former framework, strengthen the lawful investigation of serious duty-related violations and crimes, and may reduce excessive reliance on retention in custody. Their institutional value, however, does not make them self-justifying. Each measure interferes, to a different degree, with personal liberty, freedom of movement, dignity, privacy, and procedural rights. Vague thresholds, formalistic approval, weak time limits, and inadequate remedies could lead to routine use, blurred boundaries, intensification of nominally mild measures, or disguised detention. This article evaluates the three measures within the structure of supervisory coercion and the relationship between supervisory investigation and criminal justice. It argues that their legitimacy depends on precise statutory conditions, differentiated approval, written proportionality reasoning, strict duration control, effective notification and review, and continuing legality scrutiny after transfer for prosecution. Properly constrained, the new measures can improve investigative effectiveness while preserving a stable balance between anti-corruption enforcement and rights protection.

Keywords: Compulsory appearance, ordered availability pending investigation, protective custody, Supervision Law, supervisory coercive measures.

1. Introduction

The 2024 amendment to the Supervision Law marked a significant transition in China's national supervision reform. Since the Law was enacted in 2018, the supervisory system has developed across institutional organization, jurisdiction over supervised persons, investigative authority, procedure, and internal oversight. The original framework consolidated anti-corruption resources, advanced comprehensive supervision, and placed supervisory investigation on a statutory basis. Years of implementation also exposed insufficient procedural detail, weak coordination among measures, and incomplete rights safeguards. The amendment should therefore be understood not as a technical supplement, but as a movement from institutional creation toward institutional refinement. Its central features include a stronger rights-protection orientation and a substantial reorganization of supervisory measures [1].

The legislative sequence also reflects the changing tasks of supervision law. The 2018 Law primarily supplied a legal foundation for a major institutional reform and necessarily retained framework provisions and space for experimentation. As the reform moved from pilot implementation to routine national operation, that reserved space generated demands for more determinate rules. In simplified terms, the 2018 enactment established the system, whereas the 2024 amendment addressed how supervisory power should operate more precisely and predictably. The amendment thus sought to preserve legal stability while responding to accumulated practical needs [2].

The most consequential changes include compulsory appearance, ordered availability pending investigation, and

protective custody. Before the amendment, the Law authorized interviews, interrogation, inquiry, document retrieval, seizure, freezing, search, exit restrictions, and retention in custody (liuzhi). Retention was the principal measure involving substantial control over the person. It replaced the former Party-disciplinary and administrative practices commonly known as shuanggui and liangzhi and represented an important step toward legalizing anti-corruption investigation. Yet the structure remained polarized. Ordinary investigative measures were sometimes too weak to address refusal to appear, evasion, collusion, or destruction of evidence, while retention was too intrusive for routine or lower-risk situations. The practical dilemma was that mild measures could be inadequate, but the severe measure could be disproportionate.

The three new measures occupy the space between ordinary cooperation and retention. Compulsory appearance addresses refusal or delay in attending an investigation. Ordered availability maintains contact, appearance, and compliance without depriving the person of physical liberty. Protective custody provides an emergency response where an unretained person faces a concrete risk of flight, suicide, self-harm, or comparable danger. Together, they create a more differentiated structure and permit the supervisory organ to select a measure according to the purpose and intensity of intervention.

Institutional usefulness, however, cannot substitute for legal justification. Coercive measures restrict liberty and associated rights and must therefore satisfy legality, necessity, proportionality, and procedural fairness. Compulsory appearance may become a device for prolonged control if its purpose is expanded beyond bringing a person before

investigators. Ordered availability may produce a substantial long-term burden if its obligations are broad or its duration is indefinite. Protective custody, although framed as a safety measure, closely restricts physical liberty and may resemble disguised retention if its threshold and approval are weak.

Evaluation cannot be confined to the Supervision Law alone. Supervisory investigation differs from criminal litigation, but suspected duty-related crimes may proceed from supervisory investigation to prosecutorial review and trial. The accountability process is divided between a supervisory stage and a criminal-justice stage whose institutional logics and rights standards are not identical [3]. Defects in the use of a supervisory measure may therefore affect the admissibility and reliability of evidence, the transition to criminal coercive measures, and the protection of the person after transfer.

The legislative explanations reinforce this dual concern. The explanation to the 2024 amendment emphasized combating corruption through rule-of-law thinking and methods and requiring supervisory power to operate on a legal track [4]. The explanation to the original 2018 bill similarly stressed the need to place the achievements of supervision reform in law [5]. The amendment consequently combines authorization with control: it fills gaps in investigative capacity, but it must also refine conditions, procedure, and rights protection.

This article evaluates the new measures from four perspectives: why they were introduced, how each should be positioned, which normative risks accompany them, and what safeguards are necessary. It first examines the structural gap in the former system and the logic of differentiated authorization. It then analyzes compulsory appearance, ordered availability, and protective custody individually and as a coordinated hierarchy. The article next identifies risks of overbroad application, blurred boundaries, inadequate rights protection, and transmission of procedural defects into criminal justice. It concludes by proposing specific conditions, approval and reasoning requirements, duration limits, remedies, oversight, and inter-law coordination.

2. Institutional Background and the Logic of Authorization

2.1. The Gap in the Former System of Personal Coercion

The 2018 Supervision Law established a broad set of investigative powers, but its measures affecting the person were comparatively thin. Interviews, inquiries, interrogation, requests for materials, seizure, freezing, and related powers primarily serve fact-finding and preservation of evidence or property. Exit restrictions protect against flight across national borders. Retention in custody remained the principal measure capable of sustained and intensive control over the person. Compared with the Criminal Procedure Law, the former supervisory framework therefore offered a relatively narrow range of personal coercive measures [6].

A system dominated by a single high-intensity measure creates two opposite distortions. Where an investigated person refuses to appear, evades contact, coordinates accounts, or destroys evidence, the supervisory organ may lack an effective response if the legal conditions for retention have not been met. Conversely, once a case is complex or a person presents some risk, investigators may be encouraged to use retention because no adequate intermediate measure exists.

The first distortion undermines investigative effectiveness; the second expands the practical field of a severe deprivation of liberty. Scholarship accordingly called for a layered structure in which the level of coercion corresponds to the factual risk and investigative need [7].

General theory likewise cautions against treating personal status as a binary choice between complete freedom and complete custody. Intermediate measures permit the state to address procedural risk without automatically resorting to detention. The policy of fewer arrests, cautious prosecution, and limited custody in criminal justice illustrates the broader value of differentiated coercion [8]. Although supervisory investigation is institutionally distinct, the underlying proportionality insight is transferable: where a lower-intensity measure is sufficient, the higher-intensity measure should not be used.

2.2. Functional Gradation and Systemic Coordination

The three new measures answer different factual problems. Compulsory appearance secures the investigated person's attendance where notification is ineffective or intentionally ignored. Ordered availability applies continuing but noncustodial obligations where investigation must proceed and certain risks must be controlled. Protective custody addresses an urgent and serious safety risk involving an unretained person. Retention remains the measure of higher intensity for the investigation of serious duty-related violations or crimes when its own statutory conditions are satisfied.

These measures should not be regarded as merely parallel powers. Together with retention, they form a sequence from temporary attendance control, through continuing noncustodial restraint, to emergency protection and intensive custody. Their legal purposes differ: appearance, procedural availability, safety protection, and sustained investigative control. Proper gradation reduces the need to force one measure to perform multiple functions and creates a clearer basis for choosing the least restrictive sufficient intervention.

2.3. Authorization, Legality, and Procedural Control

Authorization must be analyzed together with control. Codifying the new measures gives supervisory organs a lawful response to problems that might otherwise be addressed through informal or improvised practices. Because a coercive measure directly affects liberty, internal workload, case pressure, or a broad investigative mandate cannot alone justify its use. Statutory authorization reduces reliance on borrowed powers or internal rules and subjects the measure to legal conditions and accountability.

The relationship between supervisory procedure and criminal procedure further requires a norm-based approach to inter-law coordination [9]. The addition of a measure is both a distribution of authority and a definition of its boundary. Without legal authority, investigators cannot manage genuine procedural and safety risks effectively. Without procedural controls, the same authority may become generalized and difficult to review.

A valid authorization has at least three components. First, it must pursue a lawful and measure-specific purpose. Compulsory appearance is justified only by the need to secure attendance; ordered availability by the need to preserve contact, attendance, and noninterference; and protective

custody by an urgent major safety risk and the protection of the person. Using compulsory appearance for prolonged questioning, ordered availability for general surveillance, or protective custody to obtain a confession would depart from those purposes.

Second, application must satisfy proportionality. Suitability asks whether the measure can advance the lawful purpose. Necessity asks whether a less restrictive alternative could achieve the same result. Balancing asks whether the rights burden is excessive in relation to the concrete investigative or protective benefit. Supervisory organs should therefore begin with voluntary attendance and ordinary measures, use compulsory appearance or ordered availability where sufficient, and escalate only on an independent showing that lower-intensity measures cannot manage the relevant risk.

Third, authorization must be accompanied by procedure. The decision-maker, factual basis, legal basis, duration, method of execution, review, variation, termination, and available complaint must be specified. The deeper logic of the amendment is consequently not simple expansion of power but the combination of statutory authorization, graduated measures, and procedural normalization. Each element is necessary: authorization without gradation sustains dependence on severe measures; gradation without procedure creates new discretion; and procedure without legal authority cannot meet legitimate investigative needs.

The proper evaluative question is thus not only whether a measure is useful, but whether it is legally appropriate. A power may accelerate an investigation yet impose excessive restraints, distort evidence production, or weaken later judicial scrutiny. The new system is justified only if it achieves necessary investigative purposes with a lower overall rights cost than the previous reliance on retention.

3. Functional Position of the New Measures

3.1. Compulsory Appearance as an Attendance-Securing Measure

Compulsory appearance authorizes a supervisory organ, following lawful approval, to bring before it an investigated person suspected of a serious duty-related violation or crime. Its central function is to overcome a failure of attendance that prevents the investigation from beginning or proceeding. Supervisory investigations of duty-related crime require reliable procedural control, but that control must operate through statutory and standardized procedures [10]. Compulsory appearance is therefore not a custodial measure. It is an antecedent attendance measure situated between notification and retention.

Its purpose ends when attendance is secured. The measure may permit investigators to bring the person to an appropriate location, conduct necessary initial procedures, and determine the next lawful step. It does not authorize continued deprivation of liberty merely because the person has arrived. If no further coercive measure is necessary, the person should be released. If ordered availability, protective custody, or retention is considered necessary, the supervisory organ must satisfy the separate conditions and approval requirements for that measure.

Compulsory appearance must also be temporary and short. Duty-related offenses may be concealed, evidentially complex, and associated with sophisticated resistance to

investigation [11]. Complexity does not itself justify stronger coercion. It instead increases the importance of matching the level and duration of intervention to the precise procedural problem. The measure should last only as long as reasonably necessary to complete transport, identity and health checks, notification, and immediate investigative arrangements.

The class of eligible persons must remain narrow. Compulsory appearance should apply only to an investigated person suspected of a serious duty-related violation or crime. It should not be extended to witnesses, ordinary persons connected with the case, interested parties, or other persons asked to cooperate. Object specificity distinguishes compulsory appearance from a general power to compel any person and is essential to preventing arbitrary removal.

Its institutional value lies in resolving an attendance obstacle at a lower coercive cost. It can reduce the temptation to employ retention at the front end of an investigation merely to ensure presence. Concerns about the ‘reverse intervention’ of retention—its premature use before the need for intensive custody is established—show how early reliance on retention undermines gradation [12]. Compulsory appearance should absorb only the attendance function and thereby help restore retention to its proper high-intensity role.

3.2. Ordered Availability as a Noncustodial Restraint

Ordered availability pending investigation applies to an investigated person suspected of a serious duty-related violation or crime where retention is not imposed, is no longer necessary, or would be disproportionate, but continuing obligations are required. It keeps the person contactable, available to appear, and capable of cooperating without placement in a designated facility. Scholarship has accordingly characterized the measure as a noncustodial supervisory coercive measure and investigative device [13].

Its obligations may include not leaving the city or county of residence without permission, reporting changes in residence, workplace, or contact information, appearing when notified, refraining from interference with witnesses, and avoiding collusion or the fabrication, concealment, or destruction of evidence. These obligations affect movement and conduct, but they do not authorize confinement in a particular place. The distinction from retention is therefore substantive, not merely terminological.

The principal function of ordered availability is to provide a milder alternative where some procedural risk exists but custody is unnecessary. Under the former framework, investigators faced a gap between ordinary cooperation and retention. Ordered availability permits targeted restraints while the person continues ordinary life to the extent compatible with the investigation. This can produce a more proportionate balance between effectiveness and rights protection and reduce problematic transitions from supervisory retention to criminal custody [14].

The measure should remain preventive rather than evidentiary. Coercive intervention in personal liberty is generally justified as a means of preventing flight, interference, or obstruction, not as a method for creating pressure to confess [15]. Ordered availability should therefore be used to preserve attendance and evidence integrity, not to subject the person to continuous summonses, intrusive monitoring, or burdens designed to exhaust resistance.

Within the hierarchy, ordered availability follows the short-term function of compulsory appearance and precedes

measures that more closely restrict physical liberty. It has a bridging role: compulsory appearance solves a discrete attendance problem; ordered availability manages a continuing but moderate procedural risk; protective custody addresses an acute safety emergency; and retention supplies intensive control when its higher threshold is met. This systemic placement reflects the broader goal of reconstructing supervisory coercion as a graduated framework [16].

3.3. Protective Custody as an Emergency Safety Measure

Protective custody is the most intrusive and controversial of the three additions. Under the amended Law, where an eligible person who has not been retained presents a major safety risk such as flight or suicide, a supervisory organ may, following lawful approval, place that person under protective custody. The person must be taken promptly to a retention facility, no later than twenty-four hours after the measure is imposed. The measure is thus a short-term restriction of physical liberty directed at an urgent safety risk [17].

First, protective custody is emergency-based. A major safety risk must be concrete, current, and pressing. The measure is not a general form of supervision and cannot be justified by investigative convenience. The existence of a serious case, emotional stress, or a generalized possibility of instability is not enough. There must be facts indicating a real danger of flight, suicide, self-harm, retaliation, or a comparable event.

Second, it is temporary. Its function is to stabilize an immediate risk and create a short interval in which the supervisory organ can decide whether the person should be released, protected through another arrangement, or retained under the independent statutory standard. Because protective custody substantially restricts liberty, it requires especially strict suitability, necessity, and balancing review [18]. It cannot be used to extend investigative time or establish an alternative long-term custodial track.

Third, the measure has a protective dimension. A person who voluntarily surrenders or discloses serious misconduct may suddenly face severe psychological pressure, threats from others, or a heightened danger of self-harm or retaliation. Placement in a controlled environment may protect the person from both self-directed and external danger. Protective custody therefore combines restriction and protection. The protective purpose must shape conditions of execution, including medical attention, rest, observation, and limits on questioning.

Comparative procedural experience shows that systems commonly differentiate measures according to attendance, pretrial availability, danger prevention, and litigation needs. Although supervisory investigation has its own institutional basis, the closer a measure approaches deprivation of liberty, the stronger the approval, supervision, and remedy should be. Debates over the interface between the Criminal Procedure Law and the Supervision Law, and over supplementary investigation after transfer, similarly demonstrate that intensive coercive powers require review beyond the immediate investigative team [19], [20].

Protective custody resembles criminal detention in that both impose short-term physical control and may precede a more intensive measure. Their legal foundations nevertheless differ. Criminal detention serves investigation and prevention of procedural or social danger within criminal proceedings. Protective custody is justified by a major safety risk in the

supervision context and expressly emphasizes personal protection. Contemporary proposals to refine arrest conditions, limit residential surveillance at a designated location, and strengthen custody-necessity review further support the principle that any short-term deprivation of liberty must remain exceptional, urgent, and demonstrably necessary [21].

3.4. Systemic Coordination and Diversion from Retention

The measures should operate as an integrated hierarchy. Compulsory appearance concerns immediate attendance; ordered availability imposes continuing noncustodial obligations; protective custody responds to acute safety danger; and retention provides sustained high-intensity control. Their sequence moves from short-term to continuing intervention and from securing attendance to managing risk and conducting a serious investigation.

This arrangement can divert cases from retention. Previously, retention could be expected to secure appearance, prevent collusion or destruction of evidence, and manage flight or self-harm. Concentrating these functions in one severe measure encouraged expansion of its practical use. Once attendance, noncustodial availability, and emergency protection are assigned to separate measures, retention can more closely correspond to cases that genuinely require intensive control. The development of a more systematic framework for retention supports this functional separation [22].

Diversion does not permit automatic escalation or cumulative restraint. Each measure must have its own factual basis, lawful purpose, and necessity assessment. Prior use of compulsory appearance does not establish the conditions for ordered availability or protective custody, and the possibility of a later measure cannot justify extending the earlier one. Gradation is meaningful only when every transition is independently reasoned and approved.

4. Normative Risks of the New Measures

The new measures improve the investigative toolkit, but they also create new sites of rights interference. Their legal performance depends less on their names than on the precision of their conditions, the integrity of decision-making, the control of duration, and the availability of review. Four categories of risk are particularly significant.

4.1. Overbroad Application Conditions

The first risk is expansive interpretation. A coercive measure remains compatible with the rule of law only if its conditions are clear, fact-based, and reviewable. Compulsory appearance should require an investigated person suspected of a serious duty-related violation or crime and a demonstrated need to secure attendance. If a broad assertion of ‘case need’ is sufficient, the measure may become routine and displace voluntary or notified appearance. General lessons from the legal standards of social danger, arrest necessity, and custody necessity show why coercive thresholds must be differentiated rather than presumed [23].

Ordered availability may similarly become the default status for any unresolved investigation. Because it can restrict intercity movement, require continuing reporting, and impose immediate attendance obligations, prolonged use may

substantially affect employment, family life, and social activity even without physical confinement. It should therefore require both an ongoing investigative need and a specific risk of nonappearance, flight, interference, or evidence obstruction.

Protective custody requires the narrowest construction. The statutory phrase ‘major safety risks such as flight or suicide’ contains an open element, but that openness should not encompass abstract risk, generalized concern, or case-management pressure. A major safety risk must be supported by observable conduct, preparation for flight, credible threats, acute psychological indicators, external danger, or comparable evidence. Broad invocations of case seriousness or emotional instability would collapse the threshold.

The pre-amendment concern was that a severe measure might be generalized. The post-amendment concern is that several measures may each become routine. Empirical research on pretrial custody demonstrates that formal differentiation does not by itself prevent expansive practice [24], [25]. If compulsory appearance, ordered availability, and protective custody are applied as standard tools rather than exceptional responses to defined risks, the reform may create a denser network of intervention without reducing reliance on custody.

4.2. Blurred Boundaries and Intensification of Mild Measures

The second risk is boundary erosion. Compulsory appearance must not become short-term detention. Its legal function is to bring a person before investigators, not to keep the person under continuous control. Once attendance has been secured, any further restraint must rest on a different legal measure and a new decision.

Ordered availability must not become comprehensive surveillance. Its obligations should be limited to what is necessary to preserve attendance and prevent concrete interference with the investigation. Requirements unrelated to those purposes—constant location reporting, unrestricted inspection of communications, excessive summonses, or control of ordinary social relations—would transform a moderate measure into an intrusive monitoring regime.

Protective custody must not become ‘light retention.’ The two measures may share an execution location and both restrict liberty, but they differ in purpose, threshold, and duration. Protective custody addresses an immediate safety danger; retention addresses the needs of investigating serious duty-related violations or crimes under its own conditions. Using protective custody to obtain early control, bypass retention approval, or conduct intensive interrogation would be an institutional distortion.

Intensification occurs when a nominally mild measure produces the practical effect of a severe one. Repeated compulsory appearances may create continuous control; excessive ordered-availability obligations may approximate residential surveillance; extended protective custody may become retention in substance. The danger is that investigators can obtain a severe effect through a lower legal threshold, thereby weakening the safeguards attached to the more intrusive measure. Systematic construction of the basic principles of supervision law accordingly requires attention to substance rather than labels [26].

4.3. Insufficient Rights Protection and Internalized Review

The third risk concerns information, remedies, and review. A person subject to coercion should receive written notice of the measure, its factual and legal basis, duration, obligations, consequences of noncompliance, and available procedures for variation or termination. Without this information, the person cannot understand or contest the restriction. Written notice is especially important for ordered availability and protective custody.

The person, a close relative, or another legally interested party should be able to request modification or termination when facts change. Risk may diminish, health may deteriorate, the investigation may progress, or an alternative may become available. A measure should not continue mechanically merely because it was lawful when imposed.

Complete records are also indispensable. Initiation, approval, execution, review, extension, conversion, and termination should be documented. A decision that leaves no reviewable record is difficult to challenge and difficult to discipline. Internal approval, case-management supervision, and internal review are necessary, but rights protection remains weak if every remedy is confined to the same institutional chain that initiated the measure.

Coercive measures may also produce indirect harms to reputation, employment, family life, business operations, and privacy. Disclosure may create a form of social punishment before responsibility is established. The implementing regulations already emphasize confidentiality, information protection, and related procedural duties [27]. Application of the new measures should therefore follow a need-to-know principle and avoid collateral consequences unrelated to the investigation.

4.4. Transmission of Supervisory Defects into Criminal Justice

The fourth risk arises because defects in supervisory procedure may be transmitted into criminal proceedings. A duty-related crime case may move from supervisory investigation to prosecutorial review and trial. Statements, records, and evidence produced while a person is under a supervisory measure can shape charging and adjudication. The relationship between modern procedural legality and supervision reform has therefore remained a central concern in Chinese criminal-procedure scholarship [28].

The two stages differ. Supervisory investigation is organized around oversight of public power and is more institutionally unilateral. Criminal procedure is structured around prosecution, defense, adjudication, and judicial review and contains a more developed set of defense and evidentiary safeguards. The stages are not identical, but they are consecutive parts of the accountability process. The joint institutional opinion on the coordination between supervisory law enforcement and criminal justice was adopted to manage this interface [29].

Practical questions follow. If a statement is obtained after prolonged control under compulsory appearance, should the prosecutor examine whether the measure became unlawful detention? If ordered availability is used to generate sustained psychological or practical pressure, should resulting statements receive reduced or no evidentiary weight? If questioning during protective custody displaces the protective purpose and exploits an emergency setting, should that affect

voluntariness and admissibility? The implementing framework's effort to resolve gaps in supervision law shows that supplementary rules are necessary where general provisions leave concrete tensions unresolved [30].

These risks do not negate the value of the measures. They demonstrate that every new authorization requires a corresponding architecture of control. Without it, an amendment intended to refine coercion may instead multiply discretionary points and transmit procedural illegality into later stages of justice.

5. Regulatory Safeguards

Principles alone cannot prevent overuse or institutional drift. The amended framework requires operational rules linking each risk to a specific safeguard. The principal safeguards concern application conditions, approval and proportionality, duration, notification and remedies, supervision, and coordination with criminal procedure.

5.1. Define Precise and Measure-Specific Conditions

Compulsory appearance should be limited to an investigated person suspected of a serious duty-related violation or crime and should ordinarily follow a lawful notice to appear that was ignored without good reason. Where immediate action is claimed to be necessary, the decision should identify concrete facts indicating imminent flight, destruction of evidence, collusion, or another risk that makes prior notice ineffective. A conclusory reference to investigative need should be insufficient.

Ordered availability should require three findings: the investigation genuinely remains active; the person presents a specific risk of nonappearance or interference; and a noncustodial measure is more proportionate than retention. It should not automatically accompany every pending investigation or every release from retention. The obligations imposed must be individually connected to the identified risk.

Protective custody should be confined to a real, urgent, and major safety risk. Article 46 of the amended Supervision Law supplies the statutory foundation [31], but operational rules should require concrete indicators such as preparation to abscond, a credible suicidal or self-harm tendency, acute mental instability confirmed through observable facts, a serious external threat, or a risk of retaliation. General safety concerns, administrative convenience, or the gravity of the case should not qualify.

5.2. Strengthen Approval and Proportionality Review

The responsible case unit should submit a written application identifying the person, relevant facts, statutory basis, lawful purpose, proposed duration, rights impact, and less restrictive alternatives considered. The approving authority should conduct substantive rather than formulaic review. It should ask why ordinary notification is inadequate, why a particular obligation is necessary, or why an emergency safety risk cannot be managed by a less restrictive arrangement.

Approval should be differentiated by intensity. Compulsory appearance may use a relatively streamlined but documented process because it is brief and purpose-limited. Ordered availability requires a fuller assessment because its cumulative burden can be substantial. Protective custody

should receive the highest level of prior approval available in the statutory structure and prompt post-decision review because it directly restricts physical liberty. The evolution of time limits in criminal procedure illustrates the need to transform administrative case-management periods into reviewable procedural constraints [32].

A written statement of reasons should accompany every decision. It should specify the factual basis, legal basis, necessity, alternatives, duration, and conditions for review. Reason-giving disciplines the case team, enables meaningful approval, informs the affected person, and creates a record for supervisory, prosecutorial, or later judicial scrutiny. Approval without reasons readily becomes ceremonial; approval grounded in articulated facts can operate as genuine control.

5.3. Impose Strict Time Limits and Prevent Disguised Custody

Compulsory appearance should last only as long as necessary to secure attendance and complete immediate formalities. It should not authorize overnight or prolonged control unless a separate measure is lawfully imposed. If no further restriction is necessary, the person should be permitted to leave. If another measure is considered, the supervisory organ must issue a new written decision rather than treating the transition as automatic. Developing custody-hearing mechanisms in criminal justice offers a useful reminder that sustained liberty restrictions require discrete review [33].

Ordered availability should state a commencement date, an expiry date, and a precise list of obligations. Because a noncustodial measure can still become oppressive through duration, periodic review should be mandatory. Once the facts are substantially clarified, the risk has disappeared, or the obligations are no longer necessary, the measure should terminate. Quantitative and structured assessment of procedural danger, while imperfect, can improve transparency and consistency in such review [34].

Protective custody must remain strictly short-term and emergency-based. The statutory twenty-four-hour transfer requirement should not be treated as permission for a routine twenty-four-hour investigation. Time should be used to stabilize the person, conduct health and safety assessment, notify appropriate persons where legally permissible, and decide the next lawful status. Protective custody, ordered availability, compulsory appearance, and retention must not be concatenated merely to extend total control beyond the limits applicable to any single measure.

A periodic necessity assessment should apply whenever a measure continues over time. The review should consider investigative progress, current risk, health, family and employment impact, compliance, and the availability of less restrictive alternatives. Empirical study of coordination between supervisory and procuratorial organs indicates that clear records and regular communication are indispensable to consistent practice [35]. Any conversion should require fresh approval and a new statement of reasons.

5.4. Improve Notification, Remedies, and Oversight

At the time a measure is imposed, the supervisory organ should serve a written instrument identifying the measure, reasons, legal basis, duration, obligations, consequences, and complaint procedure. For protective custody, a close relative should be notified promptly unless a specific statutory exception applies and the reasons for delay are recorded. The

person should receive appropriate medical care, rest, and protection from humiliation or unnecessary exposure.

The person and close relatives should have a defined right to request modification or termination. The supervisory organ should respond in writing within a reasonable period. Expiry, disappearance of risk, serious health concerns, disproportionality, or the availability of a less intrusive alternative should trigger modification or release. A complaint mechanism should also address unlawful initiation, excessive obligations, delay, inappropriate execution, or resulting harm.

Internal and external supervision should be combined. Case-management, review, and supervisory departments within the supervision commission should monitor initiation, duration, and conversion. After transfer for prosecution, the procuratorate should examine the legality of significant supervisory measures insofar as they affect evidence, voluntariness, or the person's continuing status. The study of jurisdictional coordination between the Supervision Law and the Criminal Procedure Law supports a continuing rather than one-time approach to legality review [36].

Protective custody requires a structured safety record. Risk should not be based solely on an investigator's impression. The file should address behavior, statements, medical and psychological condition, external threats, access to means of self-harm, and connection to the case. Medical, psychological, or security personnel should participate where appropriate. Execution records should include the time and place of transfer, personnel responsible, health checks, rest, questioning, incidents, and reasons for termination or conversion.

5.5. Coordinate the Supervision Law with Criminal Procedure

The legality of the new measures should remain reviewable when a duty-related crime case enters criminal proceedings. Inter-law coordination should not mean that one statute simply serves the other. It should involve a structured dialogue between two basic procedural regimes, with each respecting the legal standards relevant to its stage. Interpretive analysis of the evidentiary interface between supervision and criminal justice supports this reciprocal model [37].

The procuratorate should examine not only the content of evidence but also the conditions under which it was produced. For statements or records obtained during compulsory appearance, ordered availability, protective custody, or retention, review should address whether the measure was lawfully authorized, whether it exceeded its purpose or duration, and whether fatigue, threats, inducement, deception, or inappropriate safety conditions affected voluntariness or reliability.

A legality memorandum should accompany transfer for prosecution whenever a significant supervisory coercive measure was used. It should identify the measure, start and end times, approving authority, factual basis, execution, review, complaints, and final disposition. This material would allow the procuratorate to assess the process rather than infer legality from the existence of evidence alone.

Operational rules should be measure-specific. Rules for compulsory appearance should regulate notice, execution, transport, location, immediate processing, and maximum duration. Rules for ordered availability should define permissible obligations, reporting, violations, review, and

termination. Rules for protective custody should specify risk assessment, place and conditions of execution, medical and safety protection, restrictions on interrogation, and subsequent disposition. The analysis of supervisory confinement likewise shows that the legal character of a measure depends on its purpose, intensity, and procedural safeguards, not merely its title [38].

Legality, rights protection, and proportionality should unify these rules. Legality requires an explicit statutory basis and rejects substitution of internal instructions for law. Rights protection requires respect for liberty, dignity, privacy, health, and the ability to seek review. Proportionality requires the least restrictive measure capable of addressing the concrete risk. Only when these principles are translated into reviewable procedures can the new measures function as lawful components of a refined system.

6. Conclusion

The amendment's introduction of compulsory appearance, ordered availability pending investigation, and protective custody represents a meaningful reconstruction of China's supervisory coercive measures. Compulsory appearance fills the gap in securing attendance; ordered availability supplies a noncustodial alternative to retention; and protective custody creates a statutory emergency response to major safety risks. Together, they can reduce the concentration of multiple functions in retention and permit a closer match between intervention and risk.

Their rule-of-law value nevertheless depends on control rather than authorization alone. Compulsory appearance must not become arbitrary removal or short-term detention. Ordered availability must not become indefinite monitoring. Protective custody must not become early or disguised retention. The greater the practical utility of a measure, the more important it is to define the factual threshold, approval, duration, rights notice, review, and conditions of execution.

Authorization and control are complementary. Adequate authority enables supervisory organs to investigate serious duty-related violations and crimes effectively. Adequate control prevents coercive power from exceeding its lawful purpose or damaging evidence and rights. Future implementation should therefore refine measure-specific rules, institutionalize proportionality reasoning, require periodic necessity review, and ensure that legality scrutiny continues when a case is transferred into criminal proceedings.

Properly implemented, the new measures can make the supervisory system more complete without making it more indiscriminately coercive. Their success should be measured not by frequency of use, but by whether they reduce unnecessary retention, manage genuine risks effectively, and preserve a stable balance between anti-corruption enforcement and the protection of individual rights.

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