



A comparative study of punishment for drug trafficking crime in  
Greater China: With a historical overview and the current practices.

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## **Statement**

I, Ho Weng Chon, hereby state that this thesis is my own and original work, apart from the sections where origins are clearly stated. All the materials in this thesis have never been used (partially or wholly) in fulfilling the requirements for any degree or qualification in this or other universities prior to this submission.

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## **Abstract**

Compared with neighbouring districts, Macao has a sympathetic criminal policy in the fight against drug trafficking. Macao faces a crisis: the region has become a drug transit hub for drug trafficking gangs transporting large quantities of drugs into China and other regions. Therefore the Macao government cannot ignore the problem and should have made changes to discourage potential criminals from entering the drug trafficking business.

This study, discusses the definition and relevant laws of drug trafficking between the four regions (China, Taiwan, Hong Kong and Macao), and through a comparison of criminal judgments from the four regions to explore the severe criminal punishments (severity), time between a person being arrested and sentenced (celerity), and the imprisonment rate among defendants (certainty) in the regions.

Data were collected from different provinces of People's Courts in China, local courts of Taiwan, District courts of Hong Kong and Court of Second Instance of Macao. In each region were collected 100 latest judgments by the method of nonrandom sampling. The results found that China ranks second only to Hong Kong in its swift celerity and has the highest level of certainty. In Taiwan, the

region adopts a stronger attitude towards drug traffickers with regard to severity and the lowest degree of certainty. Hong Kong has a highly efficient criminal system, but holds a softhearted attitude in relation to severity. Macao follows a middle level approach in general regarding certainty and severity, whereas it ranks low in criminal processing time among the four regions, which means that Macao takes more time in trying a defendant who is arrested by the police.

In Macao drawbacks exist in the response to drug trafficking crimes, especially on the celerity issue. Therefore, this study suggests some recommendations for adjusting the current categories of judiciary, legislature and administration of Macao.

**Keywords:** drug trafficking crime, criminal punishment, deterrence

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