Criminal Procedure Is Unique To The Specific Country

Each country has a unique criminal justice system where their criminal procedure each is unique to that specific country. The United States, Germany, China, and Malaysia are key examples of this uniqueness, where despite similarities especially considering that their goal is the same, they attempt to achieve this in different ways. These countries may meet mixed results due to their specific methods or some are more successful than others. Some countries are able to have better control over its society and have reduced crime rate compared to other countries

First up is the United States criminal justice system and its procedures, the United States has one of the more unique systems because its intent is to advocate that a defendant's rights are always protected even if guilt is almost guaranteed (Diskant, 2008). The amount of discretion that most law officials especially judges and prosecutors are pretty lenient in allowing these officials to proceed as they see fit in order to obtain what they need (Diskant, 2008). In this specific case, certain laws have been shifted because attention was placed on corporations (Diskant, 2008). This places the United States in a different position compared to other countries especially because this system is composed of multiple systems (Diskant, 2008).

In the United States, the prosecutors both have a greater amount of power and not so much power as well and as such prosecutors have essentially a double-edged sword in their possession (Diskant, 2008). China has another interesting criminal justice system and has probably experienced the most major and dramatic developments in its history (Bian 2012). This has also caused issues with modernity due to the rapid changes (Bian 2012). To summarize the challenges of china’s system law officials do not enjoy the same powers that other countries do, and they are not able to execute the powers that they do have access to and as such, there is no benefit to them having this power as it stands (Bian 2012).

There has been a call to modify and better modernize this system to better protect their systems and the public’s rights. The way this system compares with the United States is it’s a direct contrast to many of its systems (Bian 2012). However, many systems of china are very similar to the United States as well. Chinas system is working on the many rights that its citizens are currently lacking or strengthening the limited ones that they do possess already (Bian 2012).

Prosecutors have to be careful with what type of proof they use because depending on how it was obtained can make it invalid (Bian 2012). Prosecutors do have under this system the power to absolutely use proof to determine innocence or guilt of the defendant especially if that proof is legal and valid (Bian 2012). This means that prosecutors have full and absolute power in determining the course of a case (Bian 2012). This system does seem to take it a bit further and they look at the potential recidivism and other risk factors of an offender during pre-arrest (Bian 2012).

Some more power that prosecutors have is they are able to conduct interrogations when appropriate to the case and they can even decide whether the arrest goes through or not (Bian 2012). The next criminal justice system is one that is little less known and that is the criminal justice system of Malaysia. A system that prior to a major shift in its system was majorly

inefficient and had almost no regulations on its police force and other aspects of the system (Farrar,2009). Until a resolution was passed that completely restructured this system which made its systems comparable to other countries. Unfortunately, this would not completely solve the issue with the police because they would not exactly take their tasks seriously or they lacked the exact skills required to finish the case and bring it to trial (Farrar,2009).

Speaking of trials, the way the trial system was conducted was not exactly the most efficient either. These trials would last a painfully long amount of time going upwards of 3 years before concluding (Farrar,2009). It seems like there are no real designated prosecutors for cases due to inexperience and lack of organization (Farrar,2009). There is also the issue that only a select few will be able to get efficient aid during court cases and as such this presents a major challenge in ensuring that trials are equal and fair (Farrar,2009). While not exactly exclusive to this system there was also the case of police corruption especially due to the fact that the system was being turned upside down and new systems were poorly implemented (Farrar,2009).

The criminal justice system is a complicated system that requires countless years of experience and dedication and in a system that constantly morphs and shifts with societies whims, it is almost impossible to remain comfortable in this system. Practices that were common five or ten years ago may not be as applicable today as they once were and this is why practitioners must be open to new knowledge and be flexible with the times. In order to best shift with the times, it is key that the older and more experienced practitioners teach the newer ones the ways of the system (Aprile, 2020). While they do this at the same time they must be willing to learn from the new recruits what the future of the system may face in the form of mentoring each other (Aprile, 2020). No matter what country the criminal justice system is placed in, mentoring will allow these systems to better evolve with the times because it ensures that current practices are taught correctly and that the newer generation can be better equipped to move forward within the system itself and then they can continue to improve the system as well (Aprile, 2020). These systems are continuously changing because of these successful or unsuccessful mentorship moments and may play a major role in the next pivotal development of these systems (Aprile, 2020). This could potentially extend to internationally mentoring what other police forces are doing as well, clearly, there is evidence that some countries have some aspects of their systems that work well while others are the opposite (Aprile, 2020). Have experienced officers travel internationally to other countries where they would benefit, and this could potentially allow systems to drastically improve and become more efficient as a result.

Within each country there is a system designed for protecting innocents and punishing those that break the laws, some are effective while others are inefficient in dealing with this. It is important though that each country does at least a portion of their system correctly and the key may be in looking at what they do right and incorporating or at least improving the least effective component of that system. To better understand the world differing systems and the like the easier it will be to improve one's own country.