

LEGAL MEASURES IN THE DEVELOPMENT OF LEGAL COUNSEL ROLE TO PROTECT THE DEFENDANT'S RIGHTS IN CHILDREN AND JUVENILE CASES

Pornphet Cholsaktrakul

Lecturer in Law Program and a researcher of IRDP Phranakhon Rajabhat University, Thailand

Section 120 and Section 121 of the Juvenile and Family Court and Juvenile and Family Procedural Law Act B.E. 2553 stipulate that Legal Counsel is required in the proceedings of children and juvenile cases. A legal counsel must be a lawyer who is certified in accordance with the Order of the President of the Supreme Court, while lawyer who is not certified is not eligible to be a legal counsel. Problem has arisen as to whether the issuance of the said order is intervention of Thailand's Lawyers' Council. The Lawyers' Council of Thailand has issued circular notice prohibiting lawyers from attending the Court's Certification Course, considering such order as the intervention of its role. Without a sufficient number of certified lawyers as legal counsel, children and juvenile judicial process suffers severe damage. Additionally, contrary to the (previous) Section 84 of the Juvenile and Family Court Establishment and Juvenile and Family Procedural Law Act B.E. 2534 (1991), which allow a person who graduates with a Bachelor of Law Degree (LL.B.) and registers as legal counsel can be Legal Counsel, the current Juvenile and Family Court and Juvenile and Family Procedural Law Act B.E. 2553 requires that only certified lawyer is eligible to be Legal Counsel. It is thus important to be determined whether it is necessary for the Legal Counsel's eligibility to require only certified lawyer.

It is found from the research that the authority to train legal counsel is vested with the Children and Juvenile Court because it is Statute-Level legislation. Issuance of the Order of the President of the Supreme Court Re: Legal Counsel Certification cites the authority from the Juvenile and Family Court and Juvenile and Family Procedural Law B.E. 2553. Thus, lawyers who wish to act as a legal counsel must attend such training course. With regard to Legal Counsel's eligibility, it is suggested that the requirement's threshold should be merely those who graduates with LL.B., with or without lawyer license.

Keywords: legal counsel, children and juvenile cases, lawyer

1. Introduction: the significance of the problem

At present, a number of crimes are committed by children and juvenile. Once a crime takes place, the proceedings of crimes committed by alleged offenders and defendants who are children and juvenile are different from the proceedings of other cases. This is because children and juvenile are minors. That is why a trial must be proceeded with caution so that it does not affect children or juvenile's state of mind. The criminal punishment to be inflicted on children and juvenile are also different from criminal punishment in ordinary criminal cases. The objectives of punishment in children and juvenile cases are to improve children and juvenile's emotional state of mind so that they grow up to be good and responsible adults. Moreover, in cases where an alleged offender or the defendant are children and juvenile, a legal counsel – who is not a solicitor – is required to participate in an arrest and an investigation. There is evidence of a concept of legal counsel being adopted in Thailand for the first time in 1951. According to the Act on the Establishment of the Juvenile and Family Court and the Juvenile and Family Procedure Act B.E. 2494 (1951), it is stipulated that a solicitor is prohibited to conduct litigation on behalf of children or juvenile alleged to have committed a crime in the court responsible for children and juvenile cases. Instead, these children or juvenile shall be provided with a legal counsel to perform their duties similar to that of a solicitor. In cases where children or juvenile do not have a legal counsel, the court may appoint a legal counsel for children or juveniles regardless of their wishes.

The right to an attorney or a legal counsel is one of the fundamental rights that the government must consider the protection of these rights for the people to be important. (Polwan, 2004) This is because a principle of criminal procedure is to search for the truth. The fact that both parties are fully able to participate in adversarial manner in the case makes the process of searching for the truth more efficient. (Na Nakorn, 2006). Moreover, the general public usually are commoners who do not understand the provisions of the laws or the elements of crimes as well as legal consequences which may affect their own rights. Accordingly, a legal counsel or an attorney can notify his/her clients of such matters and rights. Therefore, an alleged offender or the defendant in particular shall be entitled to a legal counsel or an attorney, according to the equality principle (Jaiharn, 2007) This is because in some cases, even

though the defendant has caused damages to the society, it may be possible that the defendant misunderstands the fact which is elements of the offence, or maybe the defendant has committed a crime in lawful defence. Especially in cases where a child or juvenile is an offender, a legal counsel plays an instrumental role in protecting the rights of such child or juvenile. All in all, the provisions of the law equipping citizens with the right to an attorney or a legal counsel must be considered vital in criminal trials.

With regard to proceedings of cases in which a child or juvenile is a defendant, the Criminal Procedure Code as well as the Act on the Establishment of Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) are the relevant legislation. In an arrest of a child or juvenile, such person must be notified of his/her rights according to section 69 of the Juvenile and Family Court and Juvenile and Family Procedure Act

B.E. 2553 (2010). Also, at the investigation stage, section 75 of the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) provides that a legal counsel must participate in the process of notifying rights and interrogation of children. (Sangtien, 2003) Furthermore, at the trial stage, section 120 of the Juvenile and Family Court and Juvenile and Family Procedure B.E. 2553 (2010) provides that, in the court responsible for juvenile and family cases, an attorney is not allowed to conduct defending litigation. Instead, the defendant is entitled to a legal counsel to perform duties in similar manner as an attorney. If the defendant does not have a legal counsel, the court shall provide one for the defendant. According to section 121 of the Act on the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) defines a legal counsel as a person qualified to be a lawyer according to the laws relating to a lawyer, has certificate of training on juvenile and family procedure, knowledge on psychology, social work and other relevant knowledge as specified in the Order of the President of the Supreme Court. As a result, from 22 May B.E.2556 (2013) onwards – which was the date the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) was in force – an attorney who wishes to be a legal counsel must be certified by training on children and juvenile cases' procedure according to the Order of the President of the Supreme Court on the Training, Code of Conduct of Legal Counsel, Notification, and Elimination of Names from the List B.E. 2556 (2013), which was enacted under the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010).

From the reasons mentioned earlier, a problem arises as the Lawyers' Council prohibits its members from participate in such training. The Council is of an opinion that the enactment of such order interferes with the performance of lawyers' duties and the lawyers' profession. The legal counsel's training should be organized by the Council rather than the Court Organization. Providing that the Lawyers' Council fails to accept the authority of the President of the Supreme court in such matter, the Lawyers' Council's Order no. 27/2556 explicitly asks its members to comply with the resolution of the Lawyers' Council and the President of 108 Provincial Lawyers' Councils across the country. An attorney is prohibited from participating in the legal counsel's training. If applied or admitted to the training course, such member shall withdraw their names from being a legal counsel. Moreover, if any member fails to comply with the council's resolution, it is deemed that such lawyer does not protect the honor and integrity of lawyer's profession, thus violating section 12(4) of the Lawyers' Council Act B.E. 2528 (1985). Moreover, there is a debate concerning the order requiring a legal counsel to participate in a training program organized by the court. The Lawyers' Council's viewpoint is that the Council should organize such training program by itself, alternatively a joint training program conducted by the Council and the Court of Justice may be organized for the maximum benefits of children. The training could be free of charge, funded by profits of the two organizations. Also, there shall not be an examination after participation of the training program as lawyers are already qualified in law. The Order of the President of the Supreme Court on the Training, Legal Counsel's Code of Conduct, Notification and Elimination of Name from the List B.E. 2556 (2013) is claimed to have been enacted in an unlawful manner. At the same time, Office of the Attorney General issues a note no. Or Sor0007 (Por Kor)/Wor 232 dated 6 September B.E. 2556 (2013) prohibiting public prosecutors from participating in an interrogation of a child or juvenile alleged offender without a legal counsel, and from accepting an investigator's case file which contains a testimony without a legal counsel participating in the investigation. This is therefore issue to be determined as to which agency has the authority to issue a relevant regulation. This is for the maximum benefit for the children and juvenile in having the right to a legal counsel, for the truly beneficial judicial administration of children and juvenile.

Furthermore, the Act on the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) provides that only a lawyer can be a legal counsel. This is different from section 84 (before) of the Establishment of Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2534 (1991) which allowed any law undergraduate and has been registered as a legal counsel can act as a legal counsel without having an extra requirement of being an attorney. This extra condition requiring that only an attorney can be a legal counsel can cause problems, particularly at the stage of investigation where it is stipulated that a legal counsel shall participate every time a child/juvenile alleged offender is notified of his/her rights or interrogated. In practice, it is rather difficult to find a legal counsel right away. This delays the proceedings of a criminal case, negatively affecting the justice system.

2 The scope of research project

2.1 Scope on substantive matter

The scope of this study includes the concept, theory of Thai and foreign laws relating to a legal counsel. The study will include issues concerning the relevant agencies with authority to organize training to a legal counsel and the qualification of a legal counsel.

2.2 Scope on population

The researcher will conduct in-depth interview and focus group among judges, public prosecutors, attorneys, police officers, associate judges and academia in the Bangkok Metropolitan Area.

3 Methodology

In this study, the researcher will conduct a qualitative research, consist the following details:

3.1 Documentary research: the study will be a research of primary data and secondary data both from resources inside and outside country. The research documents will include research, textbooks, books, journals, study reports, statistics data, thesis, court judgment, opinion of academia, other documents from different sources e.g. central library, the library of King Prajadhipok's Institute, and online resources

3.2 In-depth interview: the information obtained from documentary research will be used to formulate questions. The interview will contain open-ended questionnaire. During an interview, if any other issues are discovered, more questions may be asked. The population includes judges, public prosecutors, attorneys, police officers, associate judges, academics. The interview is divided into 12 groups, 2 people each group.

3.3 Focus group: the information obtained from documentary research and in-depth interview will be used to formulate questions. Population selection consists of two judges, two public prosecutors, two attorneys, two police officers, two associate judges and two academic experts, in total 12 people.

3.4 Data analysis: the collection of data will follow qualitative research methodology. Information obtained from documentary research, in-depth interview and focus group will be analyzed altogether to find a solution as to which organization shall be responsible for organizing training for legal counsel, and as to which qualification a legal counsel should have.

4. Result of the research

4.1 Organization with the right to organize training program for legal counsel

From 22 May B.E. 2556 (2013) onwards, the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) stipulates that an interrogation of a child or juvenile must be participated by a legal counsel – not just an attorney with a lawyer's license issued by the Lawyers' Council (Chutinanta, 2008) In other words, apart from having a lawyer's license issued by the Lawyers' Council, an attorney who wishes to be a legal counsel in the Juvenile and Family Court must be certified with training on knowledge relating to children and juvenile cases' procedure according to the Order of the President of the Supreme Court on the Training, Code of Conduct of Legal Counsel, Notification and Elimination of Names from the List B.E. 2556 (2013) enacted under the Act on Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010). However, the Lawyers' Council issues the Lawyers' Council's Order no. 27/2556 explicitly asks its members to comply with the resolution of the Lawyers' Council and the President of 108 Provincial Lawyers' Councils across the country. If admitted to the training course, such member shall withdraw their names from being a legal counsel. Moreover, if any member fails to comply with the council's resolution, it is deemed that such lawyer does not protect the honor and integrity of lawyer's profession, thus violating section 12(4) of the Lawyers' Council Act

B.E. 2528 (1985). Moreover, the Lawyers' Council is of an opinion that the arrangement of the training program is unlawful as it interferes with the authority of the Lawyers' Council, consequently transferring the authority to the Court of Justice. The issue arises as to which organization should be responsible for organizing training program for legal counsel – either the Court Organization or the Lawyers' Council.

The Court Organization claims to use power under section 121 together with section 122 of the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010), which empowers the court in registering attorneys who wish to be legal counsel. The criteria of training of legal counsel are issued by an enactment of the Order of the President of the Supreme Court. A legal counsel must be certified by training of knowledge relating to children and juvenile cases procedure in accordance with the Order of the President of the Supreme Court before they can be registered and listed as eligible legal counsel. Thus, it can be seen that the Order on the Training, Code of Conduct of Legal Counsel, Notification, and Elimination of Names from the List B.E. 2556 (2013) are enacted with power under section 121 and 122 of the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010), which is the legislation of a level of an Act with the authority of enactment of such law deriving from the highest level of legislation in the nation i.e. section 4 and section 242 of the Constitution of the Kingdom of Thailand B.E. 2550 (2007). Accordingly, an enactment of such order by the President of the Supreme Court is claimed to be legal.

The Lawyers' Council raises a defence on this issue that the training for legal counsel and the supervision of their conduct are direct power and duties of the Lawyers' Council, according to section 7(1)(5) of the Lawyers' Act B.E.

2528 (1985) and section 49 paragraph 3 of the Constitution of the Kingdom of Thailand B.E. 2550 (2007). Such legal instrument provides that the Lawyers' Council has power and duties in promoting education and profession of attorneys. Apart from that the conduct of legal profession and providing education relating to laws to the people are specifically stipulated. Therefore, the fact that the Central Juvenile and Family Court – being the Court of Justice and lacks the power under section 218 of the Constitution B.E. 2550 (2007) – decides to organize training for legal counsel and issues its own license must be considered as a direct interference and repetition with the mission of the Lawyers' Council.

Considering this matter in accordance with the legal principle, it can be seen that the Court Organization is vested with the power to enact such order directly. This is there is no specific provision allowing the Lawyers' Council to organize training for legal counsel directly. This is different from section 121 together with section 122 of the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010), which empowers the court to register attorneys who wish to be legal counsel. It is explicitly stated that this can be done by an enactment of the Order of the President of the Supreme Court. Thus, in accordance with the legal principle, the Court Organization has more authority in organizing the training, rather than the Lawyers' Council.

Again, considering this matter in accordance with the legal principle, trials relating to children and juvenile must depend upon the knowledge and specialized expertise. This is because this type of trials requires extra skills further than that required in ordinary cases e.g. knowledge on psychology relating to children and family, social work, procedure of juvenile and family cases. Also, there are many legal measures which are considered new and has never been specified in previous legislation e.g. special measures in lieu of criminal prosecution at the stage of public prosecutors and special measures in lieu of criminal prosecution at trial stage. These are all new criteria specified by the drafters of the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010). Therefore, the fact that the Court of Justice is empowered to enact an order with the President of the Supreme Court as an the main organization in training and register them as legal counsel, together with the fact that the Court of Justice has the jurisdiction to decide children and juvenile cases make it more appropriate for the court to organize training for legal counsel. The lawyers' organization is merely a council of practitioners with duties to file charges and requests to the court. There may be cases that they make mistakes regarding procedure of cases, thus possibly hindering the administration of justice or causing damages on child or juvenile alleged offenders.

The result of in-depth interview and focus group on this matter shows that the majority of interviewees agree that the Court does have the authority to organize training for legal counsel and its actions are indeed in accordance with the laws. However, in practice, the issuance of such order by the court can be considered as an interference of the Lawyers' Council. This is because, based on principle, the Lawyers' Council is vested with the power to determine the criteria and qualification of lawyers. Therefore, the requirement that lawyers need to be trained with the court can be construed as an external inspection of lawyers and the Lawyers' Council. If the court organization demands extra training in children and juvenile cases, it could inform the Lawyers' Council of such requirement. Once the training is organized, cooperation could be made that personnel from the court organization can participate as lecturers or instructors. This would seem to be more appropriate than the court asserts its power in organizing such training by itself. This findings obtained from in-depth interview and focus group on this issue is supported by the writer, in order to unify the court institution and the Lawyers' Council together and thus foster the efficient working relationship between the two organizations for the benefit of children and juvenile.

4.2 Qualification of a legal counsel

The ideal qualification of a legal counsel in children and juvenile cases is some with multi-disciplinary skills and expertise, not just expertise in litigation (Pisitsangkakarn, 1999) A legal counsel shall assist and cooperate with the court in finding the cause of commission of a crime and all circumstances of the case including profession, educational background. This is so that no damage is caused on children and juvenile, viewing their benefit as priority (Putjekwinyusakul, 1994) Moreover, a legal counsel must be equipped with knowledge and expertise on children and teenagers' psychology, social work, with ethical and moral conduct.

The Act on the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) requires that only an attorney can be a legal counsel. This is different from section 84 (previous) of the Act on the Establishment of Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2534 (1991), which allowed any law undergraduate who has been registered as a legal counsel can act as a legal counsel. Consequently, an issue is raised as to whether or not a legal counsel must have qualification of an attorney, or being a law undergraduate who has been registered as a legal counsel would suffice. According to the in-depth interview and focus group, on the one hand it is agreed that a legal counsel should have qualification of an attorney because a legal counsel must conduct litigation in court. Without being an attorney who are familiar with court proceedings i.e. just a law undergraduate, procedure of a case may be delayed. On the other hand, it is viewed that being a law undergraduate should suffice. This is because, in practice, at the stages of arrest and investigation, it is extremely difficult to find a legal counsel to participate. A lower standard of law undergraduate degree would make it more convenient for law enforcement officers at the stage of arrest and investigation.

With regard to this issue, the writer is of an opinion that a legal counsel should not be required to be an attorney. The position should be open for anyone with a law undergraduate degree with experience with children

and juvenile. For example, one may have been selected to be an associate judge in children and juvenile court, been a probation officer in a government agency, or been a human rights protector for children in a non-profit private organization. It is not necessary that a legal counsel must be an attorney before. This is because before the Juvenile Court registers a person as a legal counsel, such person must be intensively trained and thus equipped with necessary knowledge on the proceedings of children and juvenile cases. Also, the proceedings of children and juvenile cases at the stage of trial are different from that of ordinary criminal cases anyway. The emphasis is rather that the defendant who is a child or juvenile should be able to turn his/her life around. Therefore, it is unnecessary to have a legal counsel who is also an attorney. A renowned academic expert in Thailand has explained the principle of having a legal counsel that it is “the restriction limiting a child or juvenile from having an attorney but encourages them to have a legal counsel.” A legal counsel thus performs duties in a similar manner as an attorney i.e. assist in litigation on behalf of a child or juvenile who is a defendant. The change of the title is because, in children and juvenile cases, the aim is to protect the interest of a child so that children and juvenile who have committed crimes can turn their lives around and be good citizens contributing to the society.” As a result, the qualification of law undergraduate degree with previous experience with children and juvenile will allow people from multiple disciplinary to be legal counsel, benefiting children and juvenile than having a legal counsel who only has been an attorney. Also, at the stage of arrest and investigation, it will be more convenient to find a legal counsel which no longer delays the investigation. Therefore allowing a law undergraduate to be a legal counsel is likely to speed the process of the investigation.

5 Conclusion and Suggestion

5.1 Conclusion

The right to an attorney or a legal counsel must be considered one of fundamental rights in the criminal justice system. The government needs to view the protection of these rights to the people so that the alleged offender and the defendant is able to fight his/her case to the fullest extent, according to the equality principle. Also, the Act on the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) updates the substance of the law relating to the protection of rights, welfare, and treatment of children and juvenile etc. to be in line with the Constitution, the Convention on the Right of the Child, and the Beijing Rule. Therefore some provisions have been amended, particularly the provision requiring legal counsel to be trained before being registered to be legal counsel for the Court of Justice. The change in a legal counsel’s qualification leads to an important issue i.e. the Lawyers’ Council does not comply with such requirement and argue that the provisions of the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) empowering the President of the Supreme Court to enact an order relating to legal counsel’s training are unlawful. However, considering the principle of laws, it can be seen that the court organization is directly vested with power to enact such order because there is no provision explicitly empowering the Lawyers’ Council to organize training for legal counsel. This is different from section 121 together with section 122 of the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) which specifically states that the power of registering an attorney who wishes to be a legal counsel shall be vested in the court and the details can be given by an enactment of an order of the President of the Supreme Court. Accordingly, considering the legal principle, the court organization is vested with power to organize such training rather than the Lawyers’ Council.

With regard to an issue of a legal counsel’s qualification, the Act on the Juvenile and Family Court and Juvenile and Family Procedure Act B.E. 2553 (2010) limits the qualification to an attorney only. Thus, it can be seen that, as the emphasis is placed on making a child/juvenile defendant being able to turn his/her life around rather than litigation for the sole purpose of punishment, it is not necessary to have a legal counsel to has expertise in litigation. A legal counsel may therefore be a person with some knowledge in law with other professions – not just an attorney. Moreover, at the stage of arrest and investigation, the law requires participation from a legal counsel. Allowing a law undergraduate to be a legal counsel is therefore likely to speed up the process in the justice system.

5.2 Suggestion

1) The organization entitled with the right to organize training for a legal counsel according to a principle of the laws shall be the court organization. However, in order to diminish the conflict between organizations, the two relevant organizations i.e. the court and the Lawyers’ Council should make efforts for cooperation, not asserting the authority of just one particular organization. This is because both the court organization and the Lawyers’ Council are integral to the administration of justice system. Each of them just plays a different role in the system. With cooperation between the two organizations, the training program will be more beneficial to the participants of such program.

2) Regarding qualification of a legal counsel, a requirement of law undergraduate degree should suffice to conduct litigation in children and juvenile cases. This is because, in these cases, the objective is not to inflict punishment but to help child and juvenile to turn their lives around. A legal counsel therefore should not be limited to only the profession of an attorney.

3) Problem arises at the stage of arrest and investigation in cases where an alleged offender is a child or juvenile as police officers often cannot find a legal counsel immediately. It is therefore suggested that a legal

counsel should be employed at each police station so that the justice system is not delayed or investigation is conducted against a child or juvenile without a legal counsel and thus the rights of children or juvenile are fully protected.

Biography

Ms.Pornphet Cholsaktrakul is a lecturer at law, Humanities and Social Sciences Faculty, Phranakhon Rajabhat University in Thailand. She is graduated with a Bachelor in Engineering, Khon Kaen University and a Bachelor of Law, Ramkhamhaeng University. She later earns a Master of Laws Degree from Ramkhamhaeng University. She is awarded with a Barrister-at-Law certificate by the Thai Bar Association under his Majesty's Royal Patronage and has a lawyer's license by the Lawyers' Council. She has expertise in both civil and criminal litigation.

References

Chaidetchsuriya, C. (2006). *Legal Measures in Human Right Protection in Criminal Justice System*. Bangkok, Thailand: Duen Tula Publishing.

Chatpaiboon, N. (2007). *Restorative Justice: From Theory to Practice at International Level*, Document made in 300th Anniversary of Faculty of Law, Edinburgh University, Bangkok, Thailand: Criminal Law Institute.

Jaihan, N. (2007). *Criminal Procedure Legal Principle*. Bangkok, Thailand: Winyachon Publishing.

Kittayarak, K. (2012). *Community Justice and Restorative Justice*. Bangkok, Thailand: The Community Cooperatives of Agriculture Limited.

Meeboonsalang, N. (2011). *Comparative Criminal Justice System*. Bangkok, Thailand: Sutpaisal Publishing.

Nakorn, K. (2012). *Criminal Procedure*. Bangkok, Thailand: Winyuchon Publishing.

Panuttikorn, S. (2012). *Restorative Justice and Criminal Proceedings in the Family and Juvenile Court*. Bangkok, Thailand: Justice Institute.

Sompong, S. (2008). *Restorative Justice for Children and Juvenile at Trial Stage*, Bangkok, Thailand: Ministry of Justice..

Suteetorn, S. (1998). *Reconciliation for an Agreement between Injured Party in Criminal Case*. Dulapaha, 45(2), 67-75.

Suwanmongkol, R. (2013). *Conference Report, World Congress on Probation and Strategic Meeting on Electronic Monitoring in London, United Kingdom*.

The National Reform-steering Committee on Law and Justice System [Editorial]. (2016). *The Efficient Reform of Criminal Justice System by the use of Evaluation as Indicator*, Bangkok: The Office of Members of Parliament's Secretariat.

Wajanasawat, K. (1986). *Human Rights and Criminal Justice System in Thailand*. Bangkok, Thailand: the Institution of Thai Education.

Wongseyuen, N. (2005, September). *Restorative Justice System by Means of Family Focus Group; Brief Main Principle and some Opinions*, Dulapaha, 52(3), 18-29.