

<b>THEMATIC TITLE</b>	PROTECTION MEASURES OF THE INJURED PERSONS' RIGHTS IN CRIMINAL JUSTICE SYSTEM OF THAILAND
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### **ABSTRACT**

Nowadays, the criminal problem becomes more severe. The criminal justice system of Thailand is focusing on protecting the right of the accused or the defendant. The system does not provide sufficiently protection for the right of the injured person, particularly this thesis hypothesizes that the injured person who is injured or affected by the violation of right does not get appropriately protected and compensated from the governmental and other entities. The right of the injured person shall be sufficiently protected which can be seen from the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 1985. The declaration set the standard for the victims or the injured persons in 4 main issues which are accessing to justice and fair treatment, compensating from the offender, compensating from the states and receiving services and assistance. In regards to the Criminal and Criminal Procedure Law of Thailand, the offender or the defendant is the center of attention. Specifically, under related laws, the laws increase protection for the offender or the defendant in the accusatory and investigatory

procedure. Conceptually, the protection of right of injured persons shall be at least equally protected as of the protection of the offender or the defendant. In fact, there are provisions which were issued to protect the injured person; for instance, the right of the victim to claim the restitution of the property he has been deprived of through the commission of such offence or claim the value of such property and to claim compensation in as much as the commission of offence by the defendant has caused him to lose his life, or sustain bodily or mental harm, personal liberty injury, reputation impairment or proprietary damage. Additionally, as provided in the Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act B.E. 2544, the victim is entitled to the compensation by submitting an application to the Committee Determining Damages for the Injured Person and and Compensation and Expenses for the Accused in Criminal Case Act B.E. 2544. It is important to note that the aforesaid protection is limited to the monetary compensation. The protection do not allow victim to get other types of protection; for instance, the right to information in criminal proceedings such as the right to get informed in related information concerning investigatory procedure – regarding a decision made the police officer, public prosecutor, hearing procedure – the right to access any related information, the right to rehabilitation, the right to seek a safe place to live and the right related to media and news reporting.

Accordingly, in order to render a justice for the injured person in the Criminal Justice System, the proper measures to protect the right of the injured person in pursuant to the Criminal and Criminal Procedure Code is necessary.