

<b>THEMATIC TITLE</b>	PROBLEM OF PUNISHMENT INCREASE FOR DRUG OFFENCE RECIDIVISM ACCORDING TO NARCOTICS ACT B.E. 2522
<b>KEYWORDS</b>	DRUG OFFENCE RECIDIVISM
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<b>YEAR</b>	2017

### **ABSTRACT**

Drugs are one of the most essential issues that every country realizes the importance of finding the solutions. It can be seen that in the current world, technological advancement makes “drug issue” become worse and causes damage to the countries and world population in many terms. In addition, drugs also degenerate health of the drug abusers/ addicts leading to the loss of man power and quality labors. According to such issues, many countries attempt to fine proper measures and solutions to solve this issue effectively. In the past, it was obvious that Thailand solved this problem by exercising stringent measures and although a great deal of drug dealers were suppressed, it could not make drug abusers/ addicts to be completely cured as they should be. Moreover, it appears that a large number of drug abusers/ addicts still exist as a result of indirect problem solving because the current resolution is focused on only the result given that the root cause includes the drug abusers/ addicts themselves. Therefore, it is necessary to study and find proper measures to solve the problems of drug abusers/ addicts as well as to examine and provide guidelines for resolving recidivism issues of these people. This is to find the approaches in restraining from recidivism of drug abusers/ addicts by involving them in rehabilitation programs so that they are able to live with other people in the society as normal. This is the origin of emphasis on rehabilitation measures that only suppression measure is implemented based on principle of

“Prevention proceeds suppression: the abusers need to take treatment and the dealer must be absolutely punished”.

The problem of many drug abusers/ addicts has substantial impacts on the society and nation leading to the fact that many countries attempt to find the way to solve this issue. Each country has its own prevention and resolution differently depending on necessity but the approach that is universally accepted is to recognize drug abusers/ addict as “patients” not the criminals. Universally speaking, drug abusers/ addicts should be urgently treated and assisted by the government and the society because they just have physical and mental abnormalities and offences just arise from MalaProhibita. Thailand is a member in The Single Convention on Narcotic Drugs 1961, Convention on Psychotropic Substances 1971 and United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances stipulating that member countries can use narcotic drugs for medical and scientific purposes only and they shall regulate methods of possessing, purchasing or growing narcotics or psychotropic substances as seen proper. The fact that section 97 of Narcotics Act B.E. 2522 is regulated to increase punishment including the cases that drug abusers/ addicts used to be sentenced is still a problem of sustainable narcotic resolution.

As Narcotics Act B.E. 2522 is regulated to increase punishment for offenders being sentenced with final judgment according to this Act in case of recidivism, according to such provision, the researcher finds that the increase of punishment as per Narcotics Act B.E.2522 is enforced with drug abusers/ addicts which is not consistent with the condition and unnecessary and believes that it cannot truly solve narcotic problems in a case that the offenders are drug abusers/ addicts. Therefore, this comes with the point of studies in this research under the topic of “Problem of Punishment Increase for Drug Offence Recidivism According to Narcotics Act B.E.2522” to construct knowledge about actions of drug abusers/ addicts by adjusting viewpoints toward drug abusers/ addicts from criminals to patients that need to be treated rather than punished.