

|                         |  |
|-------------------------|--|
| <b>THEMATIC TITLE</b>   | THE MEASURE ENFORCING THE ABSOLUTION LAW<br>TOWARDS THE CRIMINAL CONVICT |
| <b>KEYWORDS</b>         | ABSOLUTION, CONVICT  |
| <b>STUDENT</b>          | MONTICHA TIMANEE   |
| <b>THEMATIC ADVISOR</b> | DR.EGKAPONG SARNOI   |
| <b>LEVEL OF STUDY</b>   | MASTER OF LAWS CRIMINAL LAW AND CRIMINAL<br>JUSTICE ADMINISTRATION       |
| <b>FACULTY</b>          | SCHOOL OF LAW SRIPATUM UNIVERSITY  |
| <b>YEAR</b>             | 2018   |

### **ABSTRACT**

This research aims at studying concept and background of the absolution law so as to be aware of intention and purpose of its enforcement and analyzing problems arisen out of enforcement of the absolution law towards the criminal convict. Scope of this research include comparative study on the Absolution Act B.E. 2550 and foreign laws for guiding revision and development of the absolution law of Thailand in relation to the criminal convict to be definite and fairly enforced.

The research finds that the absolution law has objectives of improving and rehabilitating the criminal convict for living with other people and reuniting them to the society. However, section 4 of the Absolution Act B.E. 2550 does not provide definite regulation and conditions in compliance with such objectives of the law i.e. not allow an opportunity by the absolution law to the criminal convict. In addition, as to this law takes its effect and enforcement towards specific group of people, this is contrary to equality principle that ensures equal treatment before the same law. Furthermore, the absolution's result is limited to only absolution of the penalty, but excludes the act. Accordingly, the absolution's result is not truly beneficial to those who are absolutionary and contradicts with the law.

To be a guideline of solution, the researcher suggests a revision of the law by setting out more definite regulation and condition of the absolution, enforcing the law in common nature so as to ensure equality and fairness and revising scope of the absolution's result. The provision of law should rephrase that those who are absolutionary have never been penalized and adjudged by the court.

Lastly, criminal record of the convict should not be deleted, otherwise the convict would recur the offendable act.