

THEMATIC TITLE	PROBLEMS WITH THE VICTIMS' RIGHTS: THE CASE STUDY OF EXERCISING OF THE PROSECUTOR'S DISCRETION PROHIBITING THE DISCLOSURE OF CRIMINAL CASE INFORMATION WITH A FINAL NON-PROSECUTION ORDER
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ABSTRACT

This thematic paper aims to study and analyze issues related to victims' rights in cases of the prosecutor's discretion prohibits the disclosure of criminal case information with a final non-prosecution order.

The study reveals that prosecutors often cite the Criminal Procedure Code to deny victims their rights. Article 144 of The regulations of the Office of the Attorney General on Criminal Prosecution of Public Prosecutors B.E. 2563 grants victims the right to obtain a summary of the evidence along with the opinions of investigators and prosecutors when the case is ordered. However, it lacks clear guidelines for prosecutors on how to prepare such a summary. The unclear provision of the Official Information Act B.E. 2540 Section 15 (3), the condition of Section 17, and the lack of clear criteria for the prosecutor's discretion in disclosing or not disclosing information in criminal cases cause prosecutors to neglect the victims' rights to receive information and always issue non-disclosure orders, even though the case has already been considered. This contradicts victims' fundamental rights and is inconsistent with the purpose of the Official Information Act. Furthermore, it conflicts with the policy of the Attorney General.