



# **ITIJ QUARTERLY**

Thailand Institute of Justice Newsletter

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Propelling the Development-led  
Crime Prevention Approach  
on the International Stage

# ED'S TALK



"People tend to commit crime when they do not have any viable options." This is a concept recognized by a number of people in academia and at the policy-making level, and it is agreed upon that the criminal justice process alone is not sufficient to build a safe society. The task rather requires integrated cooperation across all sectors for prevention, mitigation, and root-cause solutions. One of the solutions is to provide "options" for people, which can lead to self-improvement and the development of the capability of the individuals in the community, consequently leading to a society with sustainable development.

One of the missions of the Thailand Institute of Justice (TIJ), as an institute within the United Nations Crime Prevention and Criminal Justice Program Network of Institutes (PNIs), is to be a connector between international standards and practices in Thailand and other countries within the region, specifically with regard to "the rule of law," "crime prevention," and the development of a "criminal justice system" to achieve tangible results. The institute has, therefore, been working with the government to push for a resolution on the rule of law, crime prevention, and criminal justice in the context of the 2030 Sustainable Development Goals in the 27<sup>th</sup> session of the Commission on Crime Prevention and Criminal Justice (CCPCJ) in Vienna, Austria. The resolution is to promote the prevention of crime while highlighting the understanding of the root causes of crime for a broad and comprehensive perspective that will consequently help with the establishment of sustainable crime prevention guidelines and solutions.

In the conference, the TIJ also presented concepts and knowledge by contributing to the organization of three side events; namely, a "Development-led Approach for Crime Prevention and Treatment of Offenders," "Global Prison Trends 2018," and "Reducing Reoffending: Latest Issues and Efforts."

Moreover, by organizing the 5<sup>th</sup> TIJ Public Forum on "Sustainable Development, Crime Prevention, and Safe Societies" at the United Nations Conference Centre, Bangkok, and opening up opportunities for the exchange of knowledge among experts from network partners, the TIJ has made a contribution to nationwide integrated cooperation. The event emphasized the development-led approach to crime prevention and the creation of a law-abiding culture. Correspondingly, the TIJ organized a visit for the TIJ Executive Program on the Rule of Law and Development (RoLD Program) participants to Ban Kanchanapisek Juvenile Vocational Training Centre for Boys in order to help them understand the concept of "Leave no one behind" in accordance with the SDGs.

The TIJ, together with Thammasat University, have also conducted studies along with collection of data nationwide under the "public survey on public safety" project. This will lead to the establishment of databases and comparisons of public safety issues in Thailand, as well as build partnership networks with various agencies regarding the issues. Further, this cooperation will lead to policy recommendations.

Hopefully, TIJ Quarterly readers will gain useful knowledge and information that can be applied further to their field of work.

A handwritten signature in black ink, reading "K. Kittayarak". The signature is fluid and cursive.

Professor Dr. Kittipong Kittayarak  
Executive Director of Thailand Institute of Justice

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# COVER STORY



## PROPELLING THE DEVELOPMENT-LED CRIME PREVENTION APPROACH ON THE INTERNATIONAL STAGE

From the 14<sup>th</sup> to the 18<sup>th</sup> of May 2018, the Royal Thai government, together with the Thailand Institute of Justice (TIJ), participated in the 27<sup>th</sup> session of the Commission on Crime Prevention and Criminal Justice (CCPCJ) in Vienna, Austria. During the session, Thailand raised a number of challenging questions concerning crime prevention and the promotion of criminal justice systems for the consideration of member countries in order to propose solutions and to achieve the crucial United Nations Sustainable Development Goals (SDGs).

During the world conference, which provided opportunities for member countries to suggest resolutions to tackle regional problems and overall global issues, the TIJ assumed a role in preparing a joint resolution draft for the Thai government, submitted together with the Japanese government, on the rule of law, crime prevention, and criminal justice in the context of the 2030 Sustainable Development Goals. The CCPCJ session approved the resolution in principle and will forward the resolution for the consideration of the Economic and Social Council and, subsequently, the General Assembly of the United Nations at the end of the year.

The resolution on the rule of law, crime prevention, and criminal justice in the context of the 2030 Sustainable Development Goals encourages member countries to have a broader and more comprehensive perspective on crime prevention and solutions rather than relying solely on the criminal justice system, since the criminal justice system is not the only tool for crime prevention. The society must also assume an active role in this regard.



The development-led approach in the resolution consists of 2 dimensions. Regarding the first dimension, the **development-led approach to crime prevention**, the government was inspired by the work of His Majesty the late King Bhumibol Adulyadej regarding the sufficiency economy philosophy and the Royal Project Foundation, as well as the work of the late Princess Srinagarindra. The royal projects stemming from the royal initiatives have all met with success because vulnerable groups have been helped in terms of the root causes of the problems, and these individuals have been encouraged to provide for themselves without violating the law. The royal projects in northern Thailand provide minorities with support for the adoption of agricultural occupations and for growing cool-season crops instead of illegal opium poppies.

The second dimension is the **development-led approach to criminal justice**, an initiative for relieving prison overcrowding and difficulties with the reintegration of former inmates that will be stigmatized and not accepted by the society. This dimension emphasizes creating awareness among criminal justice authorities, from the

polymaking level to the practitioner level, on the effects of criminal proceedings while taking into consideration, from the initial stage of the procedure, the balance between the individual's offense and the appropriate severity of the penalty. In the case of minor offenses, restorative justice or non-custodial penalties should be applied, such as community service, community-based service, or electronic monitoring. As for the offenders sentenced to imprisonment, a process to provide opportunities for them to efficiently reintegrate themselves into society should be established with mental preparation, attitude change, education, and capacity building.

One of the major signs of progress for the development-led approach in terms of tackling prison overcrowding and the reintegration of former inmates is the Bangkok Rules or the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders from the initiative of Her Royal Highness Princess Bajrakitiyabha, approved by the General Assembly of the United Nations in 2010. The Thai government, the TIJ, and their network partners have been cooperating to support and promote the implementation of the Bangkok Rules nationwide and in other ASEAN countries ever since.

Furthermore, during the CCPCJ session, representatives from the TIJ, together with partner agencies, have co-organized and joined three side events on the following:

**1st Topic: Development-led Approach for Crime Prevention and Treatment of Offenders**

This event aimed at sharing experience on how criminal justice policies and practices

promote crime prevention and the reintegration of offenders through a development-led approach by addressing the root causes of crime and violence. It also explored different approaches that integrate multidimensional aspects of crime, violence, public health, human rights, and good governance with criminal justice reform policy.

**2nd Topic: Global Prison Trends 2018**

The TIJ, together with Penal Reform International, launched the Global Prison Trends Report 2018 in order to outline key developments and trends in the use and management of imprisonment worldwide. The report also features a special section with the topic "Rehabilitation and Reintegration of Offenders in the Era of Sustainable Development." It builds on the 2017 Special Focus, which details the links between Sustainable Development Goals, and criminal justice reform, including goals on poverty, health, inequality, and the rule of law.

**3rd Topic: Reducing Reoffending: Latest Issues and Efforts**

The TIJ, in association with the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders or UNAFEI, discussed the promotion of the rule of law in various countries. This event aimed to promote a greater understanding and exchange of perspectives on the issue, which align with the Goal 16 of the United Nations' Sustainable Development Goals. The topic will also be discussed at the 14th United Nations Congress on Crime Prevention and Criminal Justice, which will be held in 2020 in Kyoto, Japan.

*For more information, please visit [www.tijthailand.org](http://www.tijthailand.org)*



# A LOOK INTO THE FIRST IMPLEMENTATION OF THE BANGKOK RULES IN AN ASEAN PRISON



After the adoption in 2010 of the Bangkok Rules or the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, the TIJ has partnered with its network partners both in the public and private sectors to promote and support the implementation of the Bangkok Rules in various prisons and correctional institutions in Thailand. This has led to the establishment of the "Model Prison Project", which has received great cooperation from the Department of Corrections of Thailand.

With the contribution of the TIJ's Implementation of the Bangkok Rules and Treatment of Offenders Program (IBR), the TIJ has also organized a regional training project since 2016 to pass on this international standard to other ASEAN countries. The Republic of Indonesia is one of the countries showing interest and is constantly sending officials from the Department of Corrections of Indonesia to

participate in the training. The objective is to establish an international standard for the treatment of inmates, specifically female inmates, where the current number exceeds the capacity of the Department of Corrections of Indonesia to accommodate. The Indonesian government began to adopt the Bangkok Rules in their prisons at the beginning of 2017 with the Class IIA Tangerang Women's Prison in Jakarta as the pioneering prison to adopt an international standard.

On 2 April, 2018, Her Royal Highness Princess Bajrakitiyabha Mahidol, the United Nations Office on Drugs and Crime Goodwill Ambassador on the Rule of Law for Southeast Asia and the initiator of the Bangkok Rules, visited the Class IIA Tangerang Women's Prison and to observe the progress and success of the implementation of the Bangkok Rules, as well as to exchange prison management experience.



The Class IIA Tangerang Women's Prison can accommodate 250 inmates. However, in March 2018, it was holding 396 inmates, most of whom were involved in drug-related crimes. The adoption of the Bangkok Rules covers the women's progress, from their admission into prison to their release. Details include information from their physical and mental examination from the initial period, hygiene and healthcare services provided for pregnant women, mothers with children in prison, and rehabilitation programs such as religious activities, advice on legal matters and human rights, health counseling, sports activities, vocational training, and art activities—all of which, upon release, offer the inmates opportunities for self-development and a normal and happy life.

Her Royal Highness Princess Bajrakitiyabha also took part in a discussion with prison staffs after her visit to the Class IIA Tangerang Women's Prison, stating the following: "I would like to support the coordination and close relationship between the Thai and Indonesian correctional officials in order to exchange views and experience to enhance prison management in the two countries. And I would like to congratulate the Indonesian prison department on the progress made in the Class IIA Tangerang Women's Prison."

Mrs. Herlin Chandrawati, Head of the Class IIA Tangerang Women's Prison, addressed that the Indonesian government emphasized the importance of human rights in accordance with the government policies and laws of Indonesia. As a result, it is appropriate to adopt the Bangkok Rules with their emphasis on trainings and development of the human resources of correctional institutions as well as the preparation of inmates prior to their release for the inmates' reintegration into the society and return to normal life.

As a participant in the regional training of the TIJ's Implementation of the Bangkok Rules and Treatment of Offenders Program in 2016, Dr. Hetty Widiastuti, Head of the Infected Disease Prevention Care, Directorate General of Corrections, Indonesia, said that after the training with the TIJ, the Indonesian government had adopted the Bangkok Rules specified guidelines for the Department of Corrections in relation to good healthcare and the environment of incarcerated women and children, and established rules for the treatment and rights of female inmates. Training for corrections officials and the heads of women prisons in Indonesia were also organized, in addition to operational plans encouraging tangible implementation of the Bangkok Rules.

The Class IIA Tangerang Women's Prison of Indonesia is one of the examples regarding progress in the implementation of the Bangkok Rules in ASEAN. It is a positive sign of the promotion of the human rights and dignity of inmates, while substantially preparing them to become a good citizen of the society.



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# HIGHLIGHTS



## FIRST HIGH-LEVEL CONFERENCE ON SUSTAINABLE DEVELOPMENT AND THE RULE OF LAW IN ASEAN

The Thailand Institute of Justice (TIJ), in association with the United Nations Office on Drugs and Crime (UNODC), co-organized a High-Level Conference entitled "Sustainable Development, Crime Prevention, and Safe Societies" on 5<sup>th</sup> March, 2018 at the United Nations Conference Center, Bangkok, with the mission to promote and disseminate practices in accordance with the rule of law and the development of crime prevention and criminal justice systems, which are crucial foundations for the achievement of Sustainable Development Goals. This event also provided an opportunity for the exchange of opinions among various relevant sectors and for the development of societies that promote social engagement.

The conference featured a panel of keynote speakers from world-class, regional, and Thai institutes such as Mr. Yury Fedotov, Executive Director of the United Nations Office on Drugs and Crime (UNODC), Mr. Stefanos Fotiou, Director of the Environment and Development United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), Dr. Miwa Kato, Regional Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), Mr. Isra Sunthornvut, Secretary-General of the ASEAN Inter-Parliamentary Assembly (AIPA), Mr. Aung Kyi, Chairperson of the Anti-Corruption Commission of Myanmar, and Dr. Zin-Hwan Kim, President of the Korean Institute of Criminology.

In this regard, Her Royal Highness Princess Bajrakitiyabha, the United Nations Office on Drugs and Crime Goodwill Ambassador for the Rule of Law in Southeast Asia, was invited to preside over the conference. An excerpt from Her Royal Highness's speech at the conference follows: "It is too often the case that those concerned with justice, security, governance, and development work in isolation from one another. At the same time, justice and law enforcement authorities and institutions have traditionally not been engaged in social and economic development agendas. Events like this that bring these groups together to consider and discuss the relationship of the rule of law and sustainable development show that times are changing."

The first session of the conference, "Challenges to the Rule of Law in Southeast Asia," addressed the notion that the ASEAN countries face challenges regarding various types of crime, from international drug trafficking to human trafficking, international smuggling, and corruption, and different criminal justice systems have been adopted in each country to cope with each problem. Moreover, the problem of inaccessibility to justice systems due to a lack of personal rights and the lack of the recognition of rights and opportunities in accessing these systems, as well as issues concerning poverty, minorities, and the status of the elderly, were identified. Furthermore, it was mentioned that the rule of law was both an enabling factor for and a result of sustainable development. Key players in societies, specifically regarding judicial processes, must change their attitudes and ways of working by not overly relying on the justice systems while at the same time emphasizing development through a development-led approach for crime prevention. Concurrently, societies must emphasize building a law-abiding culture as well.

The second session of the conference, "The Role of the Sustainable Development Goals in Reshaping the Landscape," addressed the issues that the SDGs concerned inclusively-integrated cooperation across all sectors, both public and private sectors, as well as among the people. The efficient adjustment of the landscape of work to the region's justice systems and institutions, therefore, depend on the coordination among



"IF WE WANT A SAFE AND SUSTAINABLE SOCIETY, WE NEED TO ESTABLISH AN EFFICIENT RULE OF LAW AND CRIMINAL JUSTICE SYSTEMS."

MR. YURY FEDOTOV, UNODC EXECUTIVE DIRECTOR

various related agencies. For example, the public sector should allocate budgets to monitor the progress of operations to achieve the SDGs as currently carried out by the Canadian government. The Korean Institute of Criminology suggested the application of information technology, which is playing a great role at the present time in both the establishment of the credibility of government organizations and the dissemination of interesting information and studies related to cybercrime, terrorism, trafficking, and other transnational crimes. In addition, attention should be paid to vulnerable groups, especially women, through the promotion of gender diversity in terms of progress regarding justice specifically, since currently only a small number of women are holding important positions in the region's juridical process.

Lastly, during the third session, in which a "Roadmap for Achieving the Sustainable Development Goals" was discussed, the importance of the rule of law was emphasized since weak rules of law leads to weak economic and social conditions in the society. Thus, the

implementation of strong rules of law is essential as a robust foundation for the development of a society, and stakeholders should maximize the impact of their collaborative work instead of working alone. Having a mechanism to reinforce cooperation such as this high-level conference and the promotion of cooperation assessments are important to achieve the SDGs.

This first High-level Conference in ASEAN on the rule of law and sustainable development was a great success, with more than 200 participants from the network partners, including high-level officials and key proponents of the 2030 agenda for sustainable development in Southeast Asia, such as the Deputy Prime Minister and Minister of Justice, and the Attorney General of Thailand, senior diplomats and delegations from the ASEAN countries and partnering countries, the leadership of UN agencies based in Bangkok and other Southeast Asian countries, as well as the participants of the TIJ Executive Program on the Rule of Law and Development (RoLD Program).

# WARM EMBRACE OF OPPORTUNITIES AT "BAN KANCHANAPISEK"



"MISTAKES IN THEIR LIVES ARE NOT BECAUSE OF A LACK OF OCCUPATIONAL SKILLS BUT RATHER A LACK OF SKILLS TO MANAGE GRIEF, LOVE, POVERTY, ANGER IN LIFE, ETC."

MRS. TICHA NA NAKORN, DIRECTOR OF BAN KANCHANAPISEK JUVENILE VOCATIONAL TRAINING CENTRE FOR BOYS

The Ban Kanchanapisek Juvenile Vocational Training Centre for Boys, in Nakhon Pathom province, is one of the 19 reformatories or "children prisons" in Thailand. However, despite being a reformatory, the place does not project the feeling of incarceration, imprisonment, or pressure but rather exudes the ambiance of generosity and warmth for young people that have made mistakes so that one day they will have an opportunity to become good citizens of the society.

From the beginning to the end of the rehabilitation process, Ban Kanchanapisek has exhibited a distinctive characteristic that reflects its commitment to the "Leave no one behind" concept. Mrs. Ticha na Nakorn, Director of the Ban Kanchanapisek Juvenile Vocational Training Centre for Boys, or "Auntie Mol," shared her work approach that:

"We shall not presume that child and juvenile offenders are criminals. What the society and the state should do is consider what kind of society shapes a child to grow into this. The problem is not a mere family issue but rather a problem that requires policies, and the state should pay attention to rehabilitating and taking care of the children that will one day become the future of the country."

The TIJ arranged a visit for the participants of the TIJ Executive Program on the Rule of Law and Development (RoLD Program) 2018 to the Juvenile Vocational Training Centre to demonstrate to the participants that crime prevention can be achieved through rehabilitation and empowerment Programs. A lot can be learned from lives of the vulnerable youth that have been given a second chance at the reformatory.

On the first day of entering Ban Kanchanapisek, all of the boys that have made mistakes will receive a warm welcoming embrace from Auntie Mol.

Auntie Mol has stated that an "embrace" is a ritual and a link of relationship in order to convey messages to the youth that there are values within them, that they are worthy of love, that they have a chance to do whatever makes them proud, and that their opinions will always be heard and will carry weight at Ban Kanchanapisek.

In terms of the changing process of a child that has been through domestic violence, both physically and mentally, to re-establish his "self-respect" and recognize his responsibilities towards the "society," Ban Kanchanapisek utilizes the method of developing the youth's potentials through "positive discipline" with training, teaching, and the rehabilitation, both physically and mentally, of those that have made mistakes.

In terms of physical appearance, the place does not feel like a prison. There are neither walls, doors, violent penalties, nor any rules that reinforce the feeling of being a delinquent. The staff do not wear uniforms or act like guards but rather as helpers and refuges for youth when needed.

In addition, the youth at Ban Kanchanapisek are given rights, unlike what can be seen at other reformatories. For example, parents are allowed to make visits on Sundays from 8.30 to 16.30 hrs. and share meals with their child, and the youth can return home once a month for 3 days, and they have the right to go out and eat outside the reformatory. Moreover, the youth have the right to express their opinions and to participate in activities, as well as the right to dress according to their own preferences.

As for the mental aspect, Ban Kanchanapisek aims for the youth to respect human values and dignity while providing opportunities for them to learn "life skills," to take part in volunteer work in order to reduce the feeling of "we/them" discrimination, and parents are encouraged to contribute to the children's mental rehabilitation. There is also an arrangement ceremony for the youth to make an apology to the victims, injured persons, and society.

The activity held at Ban Kanchanapisek that has gained much attention from the youth is movie

screening, which offers a variety of movie genres—from action movies to detective movies and movies about family and love—all of which are selected for their content that deals with problems similar to the youth's life experiences. In addition, there are the activities of bedtime journal writing and newspaper or news reading, which provide an opportunity at the end of the activity for each person to exchange opinions on issues found in various media outlets. The activity should result in their subsequent knowledge of vocabulary, general knowledge, a widened perspective of the world, as well as allow them to express their opinions, analyse the events in their lives through the eyes of an outsider, and to have the experience of participating in activities with others.

Auntie Mol discussed the activities above, indicating that, "the mistakes in their lives are not because of a lack of occupational skills but rather a lack of skills in managing grief, love, and the pressures that occur. So, here, we will not focus on having the children study or learn occupational skills. What Ban Kanchanapisek does is offer movies and news analysis since watching movies enables the youth to learn by widening their world perspective, to be able to adapt to all situations, and to compare themselves with the characters in order to discover what kind of person they want to become."

Moreover, Ban Kanchanapisek offers an "empowerment" course to restore the relationships between the family and the youth, to provide an opportunity for the two parties to have a discussion and to understand each other, as well as to tighten their relationship, which is a way to rehabilitate and strengthen the children's mind to become better citizens for the society.

One of more than 100 boys at Ban Kanchanapisek, First (alias), recounted his story that he was sent to Ban Kanchanapisek because of an offence related to guns and causing death to other person. He resorted to violence to solve his problems because he felt alone in the world and the family never understood him. He was always compared to other people's children concerning everything he did and his mother did not appreciate his actions. When he joined a gang, using violence and being the ringleader, he felt that he was valued and was needed by others.

First continued to recount his story, indicating that upon staying at Ban Kanchanapisek, nobody felt that way anymore. First and his friends were able to sleep, be themselves, had rights, and everyone respected one another. The youth there rarely had a brawl, as the solution for every problem was to talk and express their opinions, which improved their understanding of one another. First characterized his experience at Ban Kanchanapisek in the following:

"I have been in Ban Kanchanapisek for about more than a year and I feel that I have changed completely. I feel that I have created a new identity here. Previously, there was a constant anxiety of getting beaten up like a sandbag but I could not afford to show my weakness to anyone to avoid becoming a target."

Ban Kanchanapisek is full of the love and warmth of "Auntie Mol," and the staff there working with the youth that have made mistakes reflects faith in humanity and appears as the youth's guiding even during the bleakest moments.



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# TIJ PROBES

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## FROM INTERROGATION TO INVESTIGATIVE INTERVIEWING— NEW NORMS FOR THE REVELATION OF TRUTH



What can investigators do to investigate and obtain the truth to be used for legal proceedings when human brains can be selective in terms of their memory or can recall only the events from their side of the truth while at the same time there are also people that try to give false information to cover up their wrongdoings?

The Thailand Institute of Justice (TIJ), in cooperation with the Royal Thai Police, together with the Norwegian Centre for Human Rights (NCHR) and the University of Oslo, unveiled the secrets of criminal investigation at the Experts Roundtable Meeting entitled “From Interrogation to Investigative Interviewing” on 22<sup>nd</sup> March, 2018.

The meeting featured a debate on whether the police should grant suspects the right to be presumed innocent in accordance with human rights principles. Further, in order to obtain sufficient confessions that can be used in court from the interrogation process, the information obtained must not be a result of coercion, intimidation, or body or mental torture since this can lead to invalid or inaccurate information.

Dr. Ivar Fahsing, a police crime detective from Norway, the keynote speaker on the topic “From Interrogation to Investigative Interviewing,” discussed investigation processes where the police made interpretations from what they saw, which is the same as the perception of ordinary people. Therefore, when two people provide different statements, it is necessary to identify which statements are false. Prevalently practiced throughout the world from the 1980s to the 1990s, methods of investigation are means to identify lies through a number of techniques, from leading questions to repetition of the same question, lengthy interrogation, and mental coercion, in order to press the suspects to confess. Yet, to be freed from

# The “PEACE” Model



## 1. PLANNING AND PREPARATION

Physical and mental preparation, including evidence and information relevant to the case



## 2. ENGAGE AND EXPLAIN

Beginning to record the interview by establishing trust with the interviewee through reasoning



## 3. ACCOUNT INTERVIEWING IN FURTHER DEPTH

Verifying the information obtained without making the suspect feel as if he/she is under scrutiny.



## 4. CLOSURE

Summarizing the data obtained through positive closure



## 5. EVALUATION

Processing the results of each interview by evaluating the benefits of the information obtained, the effectiveness of the investigation, and assessing the work of the inquiry officer

interrogation pressure, some suspects have had to confess to crimes that they have not in fact committed and this has led to the incarceration of innocent people.

However, in order to obtain quality information, the police must take into account the essence of interrogative interviewing; namely, the establishment of the environment and work conditions that are most supportive of the verification of truth and the investigation of the actual situations surrounding the events, as well as establishing probability through the removal of conflicting information or evidence that indicates the falsehood of information as much as possible.

In Norway, a training program on investigative interviewing methods was initiated 15 years ago. The technique involves interviewing incorporated with advanced psychology and this technique was later accepted by many countries. One of the interviewing investigation methods is called the CREATIVE model: Communication, Rule of Law, Ethics and Empathy, Active Awareness, Trust through Openness, Information, and Verified by Research, developed from a British model called “PEACE,” shortened from: Planning and Preparation, Engage and Explain, Account, Closure, and Evaluation.”.

However, investigators must take into account that false allegations are to be expected throughout the process. As a result, investigators are required to have the skills to make observations and compare stories, as well as the ability to find reliable witnesses and evidence in order to eliminate improbabilities. It is important to have thorough supporting or refuting evidence against presumptions so that efficient use of information during the proceedings can be attained.

The Criminal Investigation Training Program is another important step for the Thai government to elevate the level of the Thai police's operations through the implementation of its practices. The Program should help transform Thai society into a safe and transparent one, with equal access to the law and to create a society with sustainable development.



# BUILDING A SAFE SOCIETY THROUGH THE USE OF PUBLIC SAFETY INDICATORS

The Sustainable Development Goals identify security and safety as the target and enabler of continuous development that can benefit all people. Goal 16 regarding the rule of law and the effectiveness of the justice system not only includes the indicators on crime and violence, but also the indicators on the perception of safety, which is indicator 16.1.4: the proportion of population that feels safe walking alone around the area in which they live.

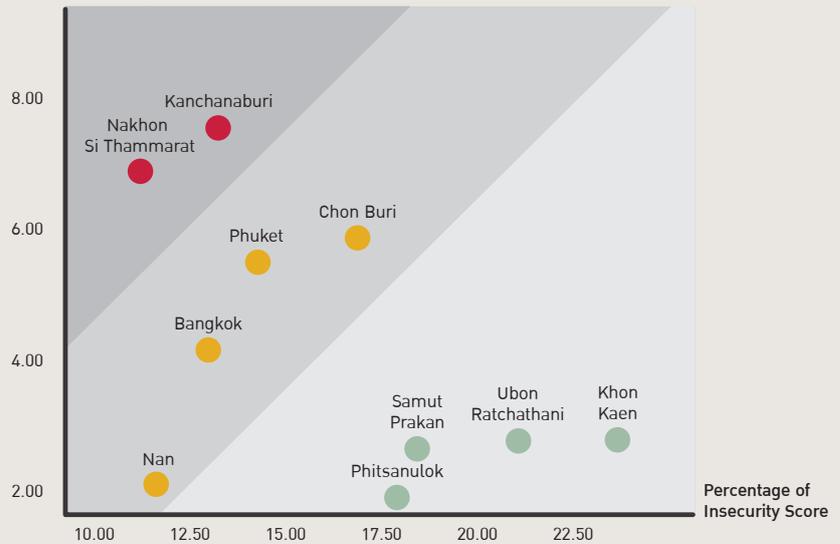
The perception of public safety and the fear of crime are common topics in studies of the effectiveness of crime prevention, which involve various dimensions from justice administration and the community to urban planning and architectural design.

The perception of public safety and the fear of crime are independent from one's personal experience. A person can have negative perception despite never having experienced crime personally. Fear usually derives from physical or social disorder, knowledge of crimes from the news, or sometimes from the person's inability to access social capital and resources. Although considered by some to be just irrational 'feelings', fear of crime has a serious effect on people's quality of life and economic activities, and can hinder efforts for development.

TIJ conducted a survey on the perception of safety and the fear of crime. The survey was developed in accordance with the SDG Indicator 16.1.4. It looks into fear of crime when a person is walking alone in the neighborhood or staying alone in the house, and whether the feeling is different between daytime and nighttime. The survey also has a supplement that asks victimization experiences in four types of crimes. The sample design and data collection process was conducted in collaboration with the Faculty of Sociology and Anthropology, Thammasat University. The survey samples include 8,300 households in 10 provinces across the country.

## CORRELATION BETWEEN PERCEPTION OF PUBLIC SAFETY AND CRIME OCCURRENCE IN 10 PROVINCES

Percentage of Crime Victim to Total Population



- Provinces where the perception of public safety does not correlate with the actual crime occurrences **(High crimes but low insecurity score)**
- Provinces where the perception of public safety correlates with the actual crime occurrences
- Provinces where the perception of public safety does not correlate with the actual crime occurrences **(Low crimes but high insecurity score)**



### SAMPLE PROVINCES

1<sup>st</sup> period (9 to 10 March 2018)

Chon Buri, Samut Prakan, and Bangkok

2<sup>nd</sup> period (23 March to 12 April 2018)

Ubon Ratchathani, Khon Kaen, Phitsanulok, and Nan

3<sup>rd</sup> period (12 April to 2 May 2018)

Kanchanaburi, Nakhon Si Thammarat, and Phuket

The preliminary findings of the survey is that samples in Amphoe Mueang Khon Kaen reported the highest score of insecurity due to its busy nightlife establishments in the area, although only a few people have actually experienced crime first hand.

The project is currently undergoing a detailed data analysis, in order to publish a report and use in policy recommendation. The data set will also be available to those interested for further studies.

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# TIJ MOVEMENTS

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# 1

## TIJ PROPOSES SOLUTIONS FOR WORLD DRUG PROBLEMS



From the 14<sup>th</sup> to the 16<sup>th</sup> of March, 2018, a United Nations Commission on Narcotic Drugs Meeting was held in Vienna, Austria, during which representatives involved in solutions to drug problems from various countries discussed drug issues and the current measures being applied.

A group of representatives from the TIJ participated in the meeting, consisting of Ms. Jane Holloway, Head of the Crime and Development Program, and Ms. Chontit Cheunurah, Head of the Implementation of the Bangkok Rules and Treatment of Offenders Program (IBR). In addition, the TIJ co-organized a side-event meeting on “Women, Drug Policy and Incarceration in Southeast Asia: Mainstreaming a Gendered Perspective.” The panel was joined by Mr. Jeremy Douglas from the United Nations Office on Drugs and Crime (UNODC) Asia-Pacific, Ms. Mary Catherine Alvarez from the International Drug Policy Consortium (IDCP), and Mr. Ernesto Cortes from the Asociación Costarricense para el Estudio e Intervención en Drogas (ACEID).

The meeting reached the conclusion that most women inmates in ASEAN are indicted because of drug-related cases and there is an increased number of women inmates today. Some of the solutions to the problem are to understand the root causes and pathways that led the vulnerable groups to committing crimes. Furthermore, vocational training before release should also be promoted in order to create social opportunities for inmates, as well as legal reforms to mitigate penalties, the erasure of criminal records after incarceration, or the use non-custodian measures for drug-related cases.

# 2

## TIJ ORGANIZES A PARALEGAL TRAINING WORKSHOP IN 2018



The TIJ, together with the Foundation for Women, Law and Rural Development (FORWARD), and the Department of Women’s Studies, the Faculty of Social Sciences, Chiang Mai University, held the Paralegal Training-Workshop: Women for Justice, Justice for Women 2018, to enhance knowledge on gender sensitivity, understanding of related judicial processes and laws, and to develop related skills for access to the judicial process. Also, it aims to establish networks among female and male paralegals and individuals working in judicial processes, as well as to increase the number of female paralegals. The target audience of the training was community leaders, social developers, social workers, emergency home staff, women’s rights activists, and lawyers.

The training includes workshops, lectures, and study visits to model institutes and covers gender ideology and sexual violence, the judicial process mechanism, procedures, and basic laws related to women. The training has been conducted four times: from the 25<sup>th</sup> to the 27<sup>th</sup> of March, 2018 in Khon Kaen province, from the 27<sup>th</sup> to the 29<sup>th</sup> of April, 2018 in Chiang Mai province, from the 11<sup>th</sup> to the 14<sup>th</sup> of June 2018 in Nakhon Pathom province, and from the 9<sup>th</sup> to the 11<sup>th</sup> of July, 2018 in Krabi province.

# 3

## FROM HEART TO HEART IN PRISONS: INNER CHANGE FOR LIFE OUTSIDE PRISON



On the 25<sup>th</sup> of April, 2018, the TIJ organized a knowledge-sharing session for the opportunity to exchange knowledge and experiences between institute officials and the Voices Behind Bars, a group of experts from the “From Heart to Heart” project. The project aims to rehabilitate the mental state of inmates and to grant them opportunities for self-discovery and to learn what they want in life so that they can be reintegrated into the society at the end of their prison term.

During the session, Ms. Auaipom Suthonthanyakorn, the leader of the “From Heart to Heart” project facilitators, and Ms. Vijitr Wongwaree, a gender studies researcher, presented and exchanged information on inmate mental rehabilitation processes. The “From Heart to Heart” project was initiated in September, 2013 with three goals: (1) for the inmates to receive long-term mental rehabilitation; (2) for officials to understand that inmate treatments require a balance between control and rehabilitation; and (3) for the women prison or correctional institution officials to develop mental health and primary healthcare systems to support inmates.

The essence of the “From Heart to Heart” project lies in self-reflection, both in the understanding of oneself and others, the practice of self-awareness and the recognition of inner values, learning to “keep up” with the society (life skills such as understanding gender systems, consumerism, the social mechanisms that affect one’s identity), and to recognize the connection of things. The inmates that join the project will learn to understand and respect themselves, and know that there is a meaning to life that will strengthen their mind and prepare them for their reintegration into society.

# 4

## IBR WELCOMES STUDY VISIT OF CAMBODIAN REPRESENTATIVES



From the 20<sup>th</sup> to the 30<sup>th</sup> of May 2018, Dr. Nathee Chitsawang, Special Advisor of the TIJ and a delegation from the TIJ, welcomed a group of representatives from the General Department of Prisons of Cambodia. The delegation traveled to Thailand for a study visit of the Model Prison Project under the Bangkok Rules at Chiang Mai Women's Correctional Institute and the inmate rehabilitation project at Doi Rang Open Prison, Chiang Rai province.

As a result of the study visit and the exchange of opinions and experiences regarding prison management, Mr. Heng Hag, Under Secretary of the Ministry of the Interior of Cambodia, and Mr. Chan Kimseng, General Director of General Department of Prisons of Cambodia, agreed to cooperate with the TIJ to initiate the implementation of the Bangkok Rules project in women's prisons in Cambodia. The project will begin at Correctional Center 2 and will consist of two phases: 1. the observation and assessment period (May to September 2018) and 2. the implementation of the Bangkok Rules and follow-up period (October 2018 to September 2019).

# 5

## IBR PROVIDES LIFE SKILLS TRAINING FOR WOMEN INMATES



Between May and June, 2018, the Implementation of the Bangkok Rules and Treatment of Offenders Program (IBR) of the TIJ, together with the Department of Corrections and the private sector, carried out the "In-Depth Model Prison Project" to promote and develop a comprehensive rehabilitation Program for women inmates. The Program aims to build the ability and knowledge of the inmates, as well as build on the occupational skills that the inmates already possess through business planning courses. This is to instill in them entrepreneurial ideas for their entry into the labor market and to become a quality workforce. Further, the Program will develop the inmates' essential knowledge of debt management and related laws. In addition, it will help reduce the possibility of repeat offenses and establish cooperation between the TIJ and the private sector on issues related to the development and rehabilitation of offenders at the community level.

The project's target group is 60 women inmates per prison/correctional institute that are due to be released in October, 2018. The inmates under the project must be assessed by prison officers and deemed to have a low probability of repeat offenses while exhibiting good behavior in accordance with prison standards. Trainings under the project have already been conducted in 2 prisons: the Thonburi Women Correctional Institute and Thanya Buri Women's Penitentiary.

# 6

## TIJ JOINS SEMINAR TO PROMOTE NON-CUSTODIAL MEASURES



On the 2<sup>nd</sup> of June, 2018, the TIJ participated in a workshop on the "Opportunity for the Offenders" (non-custodial measures) at the Miracle Grand Convention Hotel with Dr. Nathee Chitsawang, Special Advisor to the TIJ, who joined the panel of speakers and spoke on the topic "Implementation of Alternative Penalty after Trial," along with Assoc. Prof. Dr. Srisombat Chokprajakchat, Faculty of Social Sciences and Humanities, Mahidol University, Dr. Thaneer Worapat, Faculty of Law Preedeeapanomyong, Dhurakij Pundit University, and Mr. Payon Sindhunawa, Deputy Director of the Department of Probation. The seminar also included a workshop on measures for imprisonment penalty avoidance before trial and a special lecture on alternatives to imprisonment.

This workshop aimed to share experiences on ways and methods to implement laws in order to avoid or encourage alternatives to imprisonment. The workshop detailed imprisonment in the Thai and international context as well as non-custodial measures that have been implemented and met with success in various countries. The ultimate goal of this workshop is to change the ways of solving problems in compliance with international standards—from building more prisons to reducing the number of inmates. The non-custodial measures will help relieve prison administration burdens and hence reduce the violation of human rights in terms of physical and mental impacts by preventing inmates from becoming criminally emboldened from the so-called "prison school," as well as being stigmatized by the society.

# 7

## SPECIAL: IT'S OUR ROLD "RoLD PROGRAM"

The TIJ launched its second executive program on the Rule of Law and Development (RoLD Program) between February and July, 2018. Prof. Dr. Kittipong Kittayarak addressed the rationale of the program, that the Thailand 4.0 era requires cooperation across all sectors in order to propel Thailand in terms of economic, social, technological, and environmental aspects. In addition, the implementation of the rule of law must also be emphasized.

On the 8<sup>th</sup> of February, 2018, H.E. Dr. Suvit Maesincee, Minister of Science and Technology, initiated a discussion on the topic "Revolutionizing the Rule of Law for Thailand 4.0." It can be concluded that the rule of law and social justice are important factors for the success of Thailand 4.0. From the initial stages, the government has had the duty to establish programs or an ecosystem that are conducive to the establishment of a fair and equal society. The difficulty with the establishment of a fair society lies in the lack of attention and cooperation for change on the part of various units in the society, from bigger units down to families and individuals.

On the 15<sup>th</sup> of February, 2018, Dr. Korbsak Phutrakool, Minister to the Prime Minister's Office, along with Mr. Kitti Tangjitmaneesakda, Secretary-General of the Federation of Thai Industries and member of the Law Reform Commission Thailand, and Mr. Pakorn Nilprapunt, Deputy Secretary-General, Office of the Council of State, were lecturers on the topic "Thailand's



Journey on Regulatory Guillotine." It can be concluded that in order for Thailand to have quality laws, the rule of law is required throughout all processes to ensure social inclusion. With the process of listening to the stakeholders in mind, the voices of all groups including the marginalized will be heard. The resulting laws are then a result of public consent. Additionally, the rule of law aims to improve people's quality of life and to reduce social inequality and to meet demands equally across all sectors.

On the 22<sup>nd</sup> of February, 2018, a lecture on "Social Impact and Capital Market" was given by Dr. Chaiyawat Wibulwasdi, Chairman of the

Board of Governors of the Stock Exchange of Thailand. The lecture focused on the important role of the capital market and the cooperation of other stakeholders in related business sectors to solve social and environmental problems, especially through social activities for a better society or a decrease in social inequality. In this regard, the Stock Exchange of Thailand (SET) has been supporting entrepreneurs and small investors with access to the capital market for example in terms of training platforms to provide knowledge for start-up companies.

Moreover, the SET supports social activities through corporate social responsibility and sustainable development activities. The most important element for the organization of a social activity is that the organization's leader believe in and recognize the importance of social activities as this will result in policymaking and work plans, and may lead to work process adjustments. Recognition and initiation at the corporate level are, therefore, crucial since they could disseminate the results to trade and business partners, and ultimately throughout the entire business sector.





On the 29<sup>th</sup> of March, 2018, Prof. Dr. Kitipong Kittayarak, Executive Director of the TIJ, gave a lecture on the topic “Overview of the Thai Judicial Reform,” addressing the reform of Thai justice systems. He explained that the number of inmates in Thailand was among the highest in the world due to the country’s systems, which are geared towards criminal penalties. However, good justice systems aim to reduce the offence rate in order to create a society where people can coexist in peace. Thus, other measures such as alternative penalties that appropriately compensate for offenses should be implemented in the justice system in order to reduce prison populations. Coordination across the entire justice system is required on the part of the police, prosecutors, courts, the agencies overseeing offenders, and attorneys in order to uphold justice, find solutions, and to achieve increased work integration. Additionally, all parties could contribute to justice system reform by offering opportunities to wrongdoers and encouraging them to become good citizens.

On the 26<sup>th</sup> of April, 2018, Dr. Veerathai Santiprabhob, Governor of the Bank of Thailand (BOT), exchanged ideas with the participants of the “Conversation with the Governor” session. Dr. Veerathai mentioned that, with its important role in the Thailand 4.0 era, FinTech is an alternative financial product that meets the demands of the SMEs and low-income earners that previously could not obtain financial products

from financial institutions and had to depend on informal loans, resulting in being exploited by loan sharks through unfair interest rates. According to the governor, FinTech is a way to diversify opportunity for access to capital sources and disparity reduction.

On the 10<sup>th</sup> of May, 2018, Dr. Surakiart Sathirathai, Chairman of the Asian Peace and Reconciliation Council, was a keynote speaker on “The Rule of Law and Conflict Reconciliation” session. The session addressed the rule of law and international conceptual framework, the rule of law in the Thai context, the rule of law and development under the royal initiatives of His Majesty the late King Bhumibol Adulyadej, as well as the role of the rule of law in the reconciliation process to create harmony, reduce conflicts, and achieve sustainable development.

On the 24<sup>th</sup> of May, 2018, Prof. Dr. Borwomsak Uwanno, Chairman of the Office of Law Reform Commission of Thailand, was invited to be a keynote speaker for the RoLD Program on “The Rule of Law and Democracy in Thailand.” Dr. Borwomsak addressed the conceptual framework of the rule of

law in the international and Thai context, as well as the role of democracy with its effects on the promotion of the rule of law in society, and the present challenges of the implementation of the rule of law.

On the 31<sup>st</sup> of May 2018, Mr. Mechai Viravaidya, Founder and President of Mechai Viravaidya Foundation, was a keynote speaker on the “Establishment of Culture of Lawfulness in Thailand.” According to Mr. Mechai, the culture of lawfulness in Thailand can begin with the effort to nurture Thai children to be good and to instill in them a culture of law and orderliness. This has led to the establishment of the Mechai Pattana School as a child-centered school. The school provides students with the opportunity to participate in the operations of the school, from school management, such as establishing a student council, to discussing and voting on regulations, the selection of the courses or subjects to study, thus building close bonds with the neighboring communities. Moreover, the students are nurtured to be honest and sharing, and are encouraged to be thinkers and developers.





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