**HARMONIOUS JUSTICE: THAILAND'S APPROACH TO** RESTORATIVE JUSTICE

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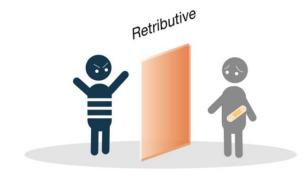




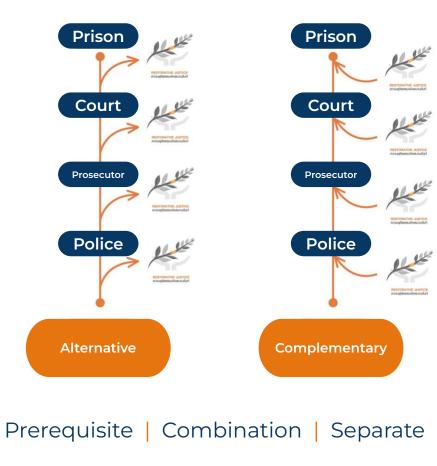
## HOW CAN WE USE RJ?

Restorative justice is a flexible, participatory, and problem-solving response to criminal behaviour, which can provide a complementary or and alternative path to justice.

(UNODC, Handbook on Restorative Justice Programmes, Second Edition)







### **Objectives of RJ Implementation**



**Reaffirms** common values of their community



Supports victims' participation



**Restores** relationship between parties



Increases offenders' responsibility and repentance

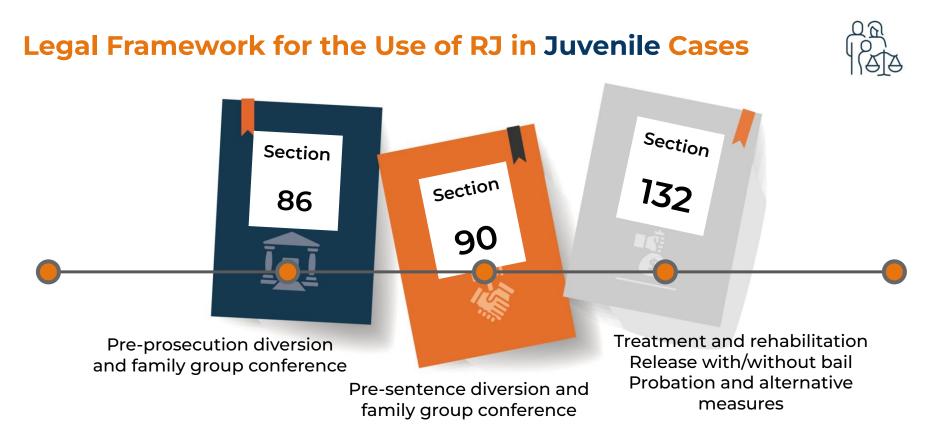


Promotes social harmony



**Prevents** recidivism and future offence

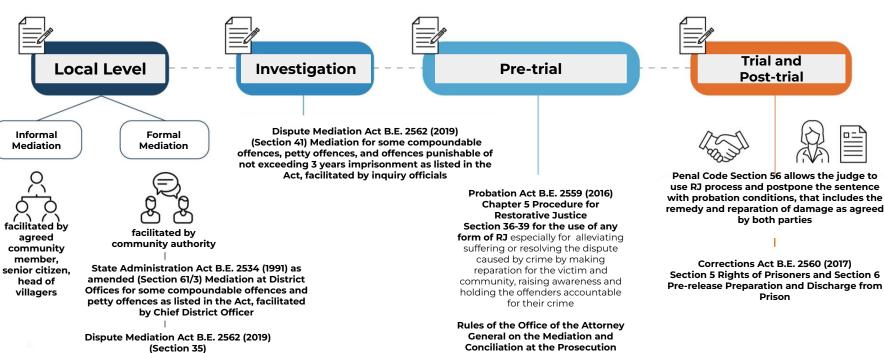




#### Juvenile and Family Court and Procedure Act B.E. 2553 (2010)



### Legal Framework for the Use of RJ in Adult Cases



Civic Mediation Center in the community for some compoundable offences and petty offences as listed in the Act, facilitated civic mediation center

Rules of the Office of the Attorney General on the Rights Protection and Legal Assistance (2019)

Stage (2012)

### **Case study I** Fund Managers in Loei Province

- **Ground:** Prosecuted for embezzlement
- **Remarks:** Unsuccessful mediation
- **RJ:** during court proceeding
- **Trigger:** Community interest
- Key result: Social harmony







## **Case study II** Vocational training student in Satun

- **Ground:** Causing loss of property and harm to person
- **Remark:** Reoffending
- **RJ:** in Juvenile Detention Center
- **Trigger:** Empathy
- **Key result:** Child offender turned into better person and passed the civil servant exam, now work as a government officer.

## **Indicators of Success**

#### identified by practitioners and experts



#### TOP 7 Challenges identified by practitioners and experts



- Public awareness
- 2. Technical skills and knowledge
- 3. Cooperation from parties, External influencing power
- 4. Organizational resources & budget
- 5. Communication among stakeholders
- Ego and self-centered mindset, Time limit, Lack of facilitators, Dissatisfaction with conditions of RJ agreement, Lack of support from heads of relevant offices
- 7. Eligibility criteria for the use of RJ, Trustworthiness of facilitators, Offenders' capability to compensate

#### TOP 7 Support Needs identified by practitioners and experts

- 1. Advanced training programs
- 2. Awareness raising campaigns
- 3. Budget allocation

(0-50)

answers

of

<sup>-</sup>requency

- 4. Collaboration between criminal justice organizations
- 5. Number of RJ officers and facilitators
- 6. Technological advancement in RJ process
- 7. Comprehensive legislation on RJ and effective law enforcement

### **KEY FINDINGS & RECOMMENDATIONS**



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Public Awareness & Attitude

- Public attitudes and opinions about RJ
- Access to information and RJ education
- Improved referrals to RJ programmes
- Contribution of the media



- Victims' access to RJ
- Monitoring and compliance with agreements
- System monitoring and evaluation
- Data and research

#### Strategic Funding



Funding mechanism

### Legal Framework

- Need for a comprehensive legislation
- Eligibility criteria

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- Legal safeguards for participants
- Victim protection
- Compliance monitoring and enforcement

#### **Capacity Building**

- Training of officials
- Operational policies and protocols
- Leveraging communication technology
- International cooperation and assistance

## TIJ's Ongoing programmes



Innovation for RJ process, E-learning and multimedia



Advanced training course for policymakers and practitioners



RJ youth camp and awareness raising campaign in schools



# **THANK YOU**