

Development of Family and Community Group Meeting Patterns In the Administration of Criminal Justice on Children and Youth

At present, problems on the commission of offences of children and youth have become more severe until children and youth who have committed offences shall be forwarded into the administration of criminal justice of the Juvenile and Family Court; whereas, the Juvenile and Family Court has used the family and community group meeting patterns in its special measures in lieu of criminal actions. This Research was aimed at studying operational guidelines, patterns, processes and methods, and criteria for use of family and community group meeting at the pre-litigation stage of the Juvenile Observation and Protection Center, and at the trial stage of the Juvenile and Family Court, including the current problems and difficulties of Thailand, for analysis of problems of the family and community group meetings and recommendations of guidelines for amendment of laws and related regulations.

According to the research result, it was summarized that, under the Juvenile and Family Court and the Juvenile and Family Case Procedure Act B.E.2553, the roles of the Juvenile and Family Court have increased in the protection of children and youth; as a result, guidelines for custody of children and youth during litigation have been changed from the principle that children and youth shall be sent under the custody of the Juvenile Observation and Protection Center; meanwhile, children and youth may return to be under the custody of their parents or guardians upon receiving prior permission from the Director of the Juvenile Observation and Protection Center. However, under the new principle, the Juvenile and Family Court may deliver the children or youth to be under the custody of their parents or guardians under the Juvenile Correction and Rehabilitation Plan as agreed in the family and community group meeting; as a result, the administration of justice for children and youth of Thailand has been adjusted to a new direction with emphasis on patterns of participation of related parties from different organizations in the custody of children and youth who have committed offences outside the juvenile detention facilities, and this Act shall be used as significant tool for development of the justice system of children and youth of Thailand into the work system which has mainly emphasized measures and methods which have not limited the freedom of children and youth; therefore, all related parties shall be obliged to cooperate and take actions in the same directions by adhering to the utmost benefits of children and youth.

When directions of the administration of justice for children and youth have been adjusted at the conceptual level of the system; therefore, it will result in changes of operational guidelines which shall be developed in conformity with new patterns of the structure at the conceptual level, requiring participation of the related party networks with children and youth, particularly children and youth who have behavioral problems in contrary to the laws.