

COMMUNITY JUSTICE IN THAILAND: PARTNERSHIP IN TREATMENT OF OFFENDERS AND ENHANCEMENT OF COMMUNITY QUALITY OF LIFE

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I. INTRODUCTION

Crime prevention and control have long been viewed as tasks of criminal justice agencies and approaches that have been traditionally adopted are to enforce laws and punish or rehabilitate those who violate them. In this sense, the formal criminal justice agencies, i.e. police, prosecutors, courts and corrections, are the major players and offenders are the focus of the justice system. Recently, a new concept has been introduced and changed the view of crime and the ultimate goal of the justice system. Such a paradigm shift proposes that crime and disorder in society are problems which should be dealt with by the community and that the role of the criminal justice system should be to promote quality of life and safety in communities, not just to punish offenders. Criminal justice agencies and professionals should work with the community in responding to crimes. This paradigm is often referred to as “community justice” and is now widely accepted as an effective method to complement the formal justice system in dealing with crimes in Thailand.

Community justice underlines the involvement of the community in the justice process. The concept of community justice is rather a complement to, not a replacement of, the mainstream criminal justice ideal. In Thailand, this concept is not a totally new idea. The Thai communities have a centuries-old tradition of contributing to the maintenance of peace and order. Even in the modern administration of justice, we have had community involvement in the criminal justice system for many decades. However, the concept of community justice is more than merely the involvement of community members. It is based on the profound idea of building partnerships between the community and the state, creating justice at the grass roots level and developing sustainable communities. To clarify this concept, the Thai experience in implementing community justice will be used as a case study. This case study will detail how we established community justice, to what extent we implement it, what benefits we gained, and what we learned from it.

II. FROM VOLUNTEERS TO COMMUNITY JUSTICE

The involvement of communities in the criminal justice system has been recognized for many years. The private sector and community members work closely with criminal justice agencies in reporting crimes, rehabilitating offenders and assisting in social reintegration of offenders. One of the most prominent examples of community involvement in criminal justice is the Volunteer Probation Officer Scheme (VPO), which was established in Thailand in 1986. VPOs are community members who voluntarily work with the Department of Probation (DOP) in providing probation services. From the beginning, the VPOs have been an integral part of the probation system, since they provide a linkage between the State and the general public. They also serve as multiplying factors in the attempt by the DOP to reach out to the community, either through various schemes to disseminate information, to educate people, or to sensitize the public to various issues, including certain types of criminal offences. One of these important roles is to provide effective monitoring for the offenders who are serving probation orders within the community to ensure their conduct is in accordance with the conditions set by the Court.

In performing such duties, these volunteers are also responsible for providing help to, and assessing the progress made by these offenders – an indispensable element of the successful probation system. Thus, the

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volunteer probation officers make an invaluable contribution to foster the effective reintegration of offenders back into society, particularly through their roles in narrowing the gaps that exist between the lives of offenders and those of the normal citizen, and help the offenders overcome the alienation they feel upon their return to the society.

The following list comprises the basic qualification requirements for those interested in joining as a volunteer:

- Be of at least 20 years of age
- Live in a permanent residence
- Be literate
- Be a person of integrity and honesty
- Have a suitable income
- Maintain law-abiding behaviour
- Have completed the required training course
- Have no criminal record except for petty offences or negligence.

After being trained on core knowledge in rehabilitating and supervising offenders, VPOs will assist probation officers in supervising and monitoring probationers in their local communities. As of 2011, a total of 13,082 VPOs are working in the Department of Probation nationwide.

A. Volunteers in the Right and Liberty Protection Scheme

This Scheme is another example of a project carried out by the Rights and Liberties Protection Department, Ministry of Justice. This scheme, established in 2005, has recruited community members who wish to become voluntarily involved in justice activities. Their roles are to educate other members on rights protection issues and provide counselling and conflict resolution services if needed in the community. Volunteers under this scheme have been selected and trained by the Department. This year, there are 11,185 volunteers participating in this scheme. Apart from volunteer schemes, the Ministry of Justice also initiated several other programmes of community participation under the ministerial strategy of “Justice for All, All for Justice”. For example, there are community networks to fight against drug abuse; and the justice networks in the Southern border provinces.

The nature of the volunteer activities is to assist criminal justice agencies in casework and to participate in some assigned activities that are mostly initiated by officials. Although their work is valuable, most of them are limited to activities that respond to the needs of these agencies, such as helping in casework and reporting crimes and rights violations. The roles of volunteers are usually assigned by justice agencies, not as a direct response to the community’s needs. In other words, the relationship between justice agencies and the participating community members normally follows a top-down, one-way model.

However, these schemes demonstrate the community’s interest in justice-related activities and its concerns for safety and public order. This new paradigm of criminal justice was presented to communities in the 2000s. As they responded positively, activities related to community justice were initiated.

III. EMERGENCE OF COMMUNITY JUSTICE IN THAILAND

With advent of the progressive, pro-rights Constitution of 1997, the Thai justice system has undergone major reform. One of the important factors which accelerated such changes was the problem of overcrowding. Due to a misguided drugs policy which has placed too much emphasis on inflicting heavy penalties on drug addicts, the numbers of inmates had doubled, from 120,000 in 1997 to 260,000 in 2003. In order to quickly solve the overcrowding problem the government had to come up with innovative ideas for alternatives to imprisonment. Drug diversion programmes and other community-based rehabilitation alternatives are among the major schemes presented to reduce courts’ caseloads and inmate numbers. Under the new policy, drug users and drug addicts, who previously had been prosecuted as criminal offenders, are to be regarded as patients who need rehabilitation treatment. According to the law, the court may divert the case from the traditional criminal justice system and refer the person to designated facilities for drug assessment. If the evaluation result shows that the person is a drug abuser or addict, he or she will be required to attend treatment programmes for a specific period of time. After a successful completion of the programmes with

satisfactory results, the criminal case will be dropped with no criminal records.

The Department of Probation (DOP) has been given the important task of shouldering the burdens of the new programmes designed to reduce the excessive numbers of inmates, especially drug addicts, whose numbers constituted more than half of the inmate numbers. Although the DOP has done excellent work in providing successful adult probation programmes in the past, it has been as yet unable to expand its scope of work to cover new, community-based alternatives to incarceration. Lack of overall criminal justice policy planning, lack of interagency cooperation and coordination among key actors, and inadequate funding were among the major reasons hampering the successful introduction of community-based treatment as alternatives to the long-held practices based mostly on retributive, custodial measures. With the expanded scope of probation work from the traditional probation to the new frontier of prevention and diversion, the DOP has been pressed to come up with innovative ideas to carry on its new assignments and, at the same time, maintain the quality of its traditional functions.

Restorative justice and community justice were two new paradigms in criminal justice administration which have been introduced by the DOP as a strategy to promote support for community-based approaches. As restorative justice emphasizes informal methods of dealing with crime, particularly with the increasing roles of the victims, offenders, and the community, it more or less supports community-based treatment options. Likewise, the concept of community justice views the community as the co-producer of justice and considers the community should be empowered to work as a partner with other criminal justice agencies in maintaining public order and safety.

The community justice concept was put into practice for the first time in 2003 under a project called "Community Justice Networks in Offender Rehabilitation." The major objective was to expand the base of support by the community so as to be able to cope with much more demanding responsibilities, especially on the rehabilitation of drug addicts. With the concept of 'community justice', whereby the community can work in partnership with the government, it was hoped that the community could help during the rehabilitation and reintegration of drug addicts to society. In Thailand, the concept of people in the community joining hands with the authorities in law enforcement and providing justice has long been a tradition in Thai rural communities. This tradition has lately been neglected since the modern criminal justice agencies were established. The pilot project initiated by the DOP has been successful in harnessing this hidden strength of the community. It was found that through the unity and bonding between members in the community, it was possible to bring about positive outcomes in terms of helping and caring for the needy in society. By empowering the community to be more active and get involved in day-to-day justice activities, community resources and social capital can be fully utilized to achieve the desired result.

As the concept of community justice was new and its implementation was different from that of VPOs, the DOP conducted a series of action research projects from 2003 to 2006. One of the most prominent was called "Community Justice Network in Fighting Against Drug Abuse" with the aim of studying how the community justice model might be successful in the Thai context. Important knowledge and information were gained from this project. Training courses and materials for justice officials on necessary skills to effectively work with the community, as well as key mechanisms and processes to develop community partnerships, were drawn up and were applied by related agencies.

After the success of the concept of community justice in the area of offender rehabilitation and reintegration, the Ministry of Justice in 2004 decided that community justice may be an appropriate approach to lessen the problem of violence in the southern border provinces as community justice reduces the gap between the government and the community. Thus, another pilot project was launched in three southern border provinces. In this new pilot project, the scope of activities with the community under the community justice concept was not limited to the treatment of offenders but was instead expanded to new areas. It aimed to strengthen the community, create an environment conducive to reconciliation, and to provide restoration to victims of violence. To achieve such goals, communities in the targeted area must be involved and work as partners with justice agencies. Eventually, the visible outcome of the project was the establishment of community justice centres, which were used as a hub for community members to work with the justice agencies. Both projects proved that community justice can respond to complex problems which were not easy to deal with using conventional approaches.

The use of the community justice concept in the southern border provinces has made the concept of community justice widely known to the public as well as within the Ministry of Justice. The scope of the activities of the community is not limited to rehabilitation and re-entry, as in the past, but also involves crime prevention, reconciliation of conflicts, legal aid, etc. The Ministry of Justice saw the concept of community justice as a strategic policy to engage the public to join hands with the government with the aim of providing better access to justice and more effective crime prevention. Convinced of the usefulness of this policy, the Ministry of Justice in 2005 has made community justice initiatives a major ministerial policy under the strategy of “Justice for All, All for Justice”.

To prepare for a nation-wide implementation of the policy, the Ministry of Justice launched action research called the “Community Justice Development Pilot Project” in 2005. This research project was conducted in 17 provinces to determine the most effective approaches and processes to strengthen communities and promote community justice centres that respond to the community’s needs and context. A total of 36 communities participated in this project and were developed to be model communities of community justice. The outputs of the project included producing a curriculum for educating community justice members and justice personnel in basic knowledge of community justice, community work, community empowerment, and conflict resolution; a manual for working with communities; and research studies on developing approaches and processes for collaboratively working with communities and justice agencies.

The promulgation of the 1997 and 2007 Constitutions also contributed to the growth of community justice policy. In accordance with the spirit of the new constitutions, much progress has been made in the areas of decentralization and local governance in Thailand. Local government is expected to show more initiative and provide more opportunities for public participation. Many duties, including some previously allocated to the central government, were transferred to local authorities, such as the Provincial Administrative Organizations (PAOs) and Tambon Administrative Organizations (TAOs). Services directly affecting locals, such as basic education, development of the quality of life, and public health, are now administered by local administrative organizations. As decentralization empowers people and communities as well as local government bodies, the Ministry of Justice was confident about implementing community justice at the local levels throughout the country.

In addition, government policy on drugs has placed great importance on the role of the community. While much effort has been made for many years to combat drug problems, the situation of drug abuse still remains serious. Previously, drug abuse, especially that involving methamphetamine (*Yaba*), tended to be concentrated among labourers; however, in recent years it has spread to youth, students, and factory workers. The presence of drug dealers in a community is a cause of concern as well as a threat to the safety and well-being of the whole community. The complexity of the drug problem means that state agencies alone cannot solve it: they urgently need cooperation from the public and private sectors. In this connection, the government realized that communities can play a vital role in drug prevention and control. Community justice is undoubtedly an effective means to solving the drug problem and responding adequately to the national policy on drug control.

IV. UNDERSTANDING COMMUNITY JUSTICE IN THE THAI CONTEXT

The American Probation and Parole Association offers the following working definition of community justice: *“a strategic method of crime reduction and prevention, which builds or enhances partnerships within communities. Community justice policies confront crime and delinquency through proactive, problem-solving practices aimed at prevention, control, reduction and reparation of the harm crime has caused. The goal is to create and maintain vital, healthy, safe and just communities and improve the quality of life for all citizens.”* This broad definition can be applied to Thai community justice.

However, in the Thai context, the scope of community justice goes beyond problems of crime. Our experiences in working with the community show that people, especially the poor, feel that community justice needs to address the prevalent problems of injustice in the community. These may include the lack of legal knowledge which made them susceptible to being abused and taken advantage of, the difficulties of getting legal aid and services, the violation of their rights by the authorities or the well-to-do, etc. The framework of community justice in the Thai context, therefore, covers a variety of social problems, such as

rights violations, unequal access to the justice system, and drug abuse, and aims to create peace and justice in the community.

Given the broader scopes of the definition of community justice in Thailand, the nature of work with the community may cover a variety of activities such as dissemination of legal knowledge, providing legal advice through "Justice Clinics", mediating and resolving conflicts, crime prevention and making reparations to victims.

As the concept of criminal justice views the community as the co-producer of justice with the state, the keyword for community justice, which may explain its differences from the idea of volunteers, is "partnership." The key success factor is how to enter into or establish a partnership with the community. By creating partnership with the community, it definitely does not mean that one can instruct or assign the other to do things. In other words, this is not a top-down or one way approach. However, before any activities or projects are initiated in the community, the benefit of such activities should be mutually agreed by the community and the government agencies involved. To do that, there must be a great deal of consultation and interaction between the communities and the government agencies. In our experience, we adopted our own method of collaborating with the community by using slogans like: *"thinking together, planning together, implementing together and gaining together."*

This may sound easy but in reality, as in the case of Thailand, it was very difficult to implement. Thai communities used to have strong bonds and actively participate in public service. However, as a result of strong centralization during the past several decades, the community has lost its autonomy, dynamism and self-initiative. In addition, the government authorities, which are mostly centrally appointed, seem to be accustomed to the command and control approach. This is also true in the context of criminal justice agencies. Local people seemed to rely too heavily on the police to solve their problems. With such background, the revival of the community justice spirit was quite a challenge for us.

In our pilot project on community justice in 17 provinces and 36 different communities around Thailand, we found out that the most appropriate approaches in entering into a "partnership" with each particular community were different. Some communities are more active and strongly bonded than the others. This may result from their common heritage, religious beliefs, shared historical incidents or common concerns of day-to-day problems in their communities, etc. For instance, it would be relatively easier to work in partnership with a community which had past experiences of fighting floods, fires or other national disasters together than a peaceful community where its members do not see the need to work together to achieve common goals. Our trained officers should know the right approach to draw the interest of and create trust within each particular community. It is thus necessary that government officers be specially trained and have the necessary skills and the right attitudes to work with the community.

In Suan Aoy Community, Klong Toey District, a slum area, situated right in the heart of Bangkok, we found that the community justice idea drew great interest from community leaders. The community shared common concerns of fire, sanitation and drugs. They were convinced that if a community justice centre was established within the community with direct links to the relevant government office at the Ministry of Justice, the drug situation would be better controlled and their sons and daughters would be safer. The community leaders agreed to set up a "community justice centre" there. The commitment on their part was that they had to arrange for their own funding for the rent. The Ministry of Justice, on the other hand, provided assistance in securing the premises, organized the panel of community representatives who were willing to serve the community, and provided the necessary training for volunteer helpers who would be responsible for running the community programmes.

The training for community volunteers provided by the Ministry of Justice involved: basic legal knowledge; how to respond to complaints; how to compile data and share it with the MOJ; and in certain instances how to forward cases to relevant MOJ agencies. The training topics also covered basic mediation skills and other restorative justice techniques, including how to organize group meetings for problem-solving at community level.

It should be noted that each community, with different backgrounds and varying degrees of readiness

or resources, requires a specific approach in order to build trust and create an environment conducive to successful community participation.

For certain villages, like the Suan Aoy Community, whose members share common concerns over certain issues, such concerns can serve as an entry point for engaging the community members to come up with desirable programmes to cope with such problems. In other types of communities where traditional beliefs or customs still exert considerable influence on the people, such values can serve as a solid core around which the community justice activities can be organized.

On the other hand, in some areas where there is no common issue or strong sense of cohesion, one possible approach is to try and identify individuals, already recognized by community members as their natural leaders, who are interested in expanding their concerns to encompass broader issues. A good assembly of such strong leaders sometimes is the first step toward building a healthy community justice network.

All things considered, what matters is the understanding of the complex and diverse nature of each community, and to come up with approaches with sufficient flexibility to avoid being trapped in a ‘one-size-fits-all’ mentality.

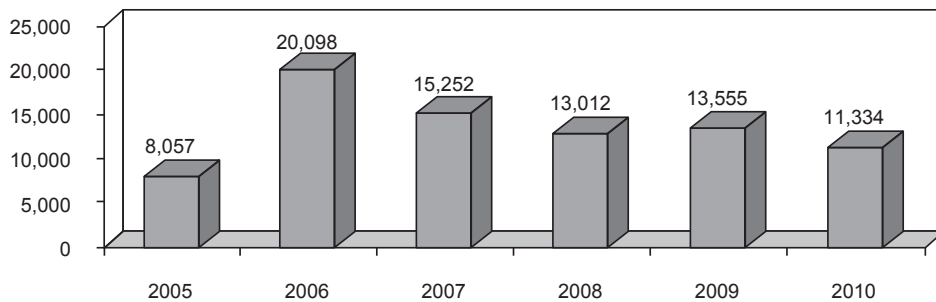


Figure 1. Number of newly recruited community justice members

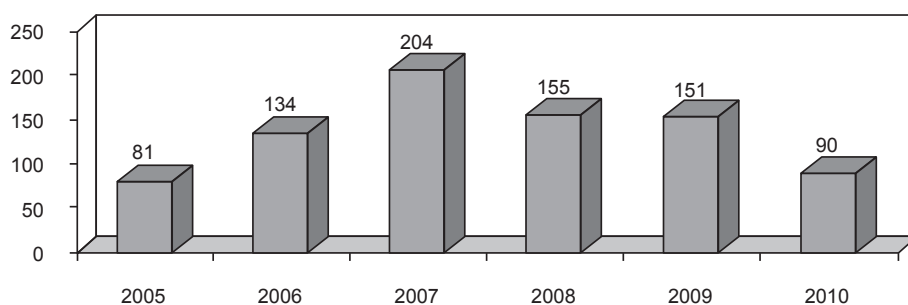


Figure 2. Number of newly established community justice centres

At present, there are 815 community justice centres with 81,308 community justice members. The government has realized the importance of the community justice programme and more funds will be allocated to set up community justice centres as well as expand the services provided by them. In addition to relying solely on budget support from the central government, appropriate linkage between community justice centres and local governments should be explored to find a sustainable mechanism whereby local resources can be maximized for a sustainable programme activities in the future.

Community justice members can act in the following way to help their communities.

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Services/Activities provided by Community Justice Centres in 2010	Number of Cases
Receiving complaints	4,336
Reporting crimes and illegal activities	1,284
Providing assistance and counselling service to crime victims	2,337
Conducting conflict resolution services	5,627
Assisting in pre-sentence investigations	3,025
Supervising probationers	578
Rehabilitating offenders	2,331
Providing aftercare service to ex-offenders	2,106
Participating in justice activities	934
Attending meetings conducted by the Ministry of Justice	476
Participating in crime watch and crime prevention activities	1,523
Publicizing information on justice matters	5,576

Source: Community Network Sub-division, Community Affairs and Community Service Division, Department of Probation

V. COMMUNITY JUSTICE: SERVING OFFENDERS AND THE COMMUNITY'S NEEDS

Unlike the rehabilitation approach conducted by criminal justice agencies, approaches designed and employed by community justice centres are more localized and flexible. This is because the community has an opportunity to tell justice professionals which factors they see as most closely tied to the quality of community life. As the community's needs may differ from one community to another, the programme developed by community justice can be diverse and serve not only the offenders' needs but also the community's needs.

The following cases illustrate the different roles of community justice centres which relate to treatment of offenders and crime control activities.

A. Restoring the Community

The Lat Mayom Canal Cleaning project is an example of a project that serves the interests of the community. Lat Mayom canal is located in Talingchan District, an outer area of Bangkok. It has been a landmark of the Talingchan community since 2004 when it was developed as a floating market and eco-tourism spot. Initiated by Mr. Chuan Chujan, a local farmer, who was concerned about the deterioration of the environment in his community and wanted to improve it, Lat Mayom canal and surrounding areas were developed as an environmental conservation area and community-based tourism site. Community members, under the leadership of Mr. Chuan, improved the environment of Lat Mayom Canal by cleaning the area and setting up a green floating market where they can sell organic vegetables, freshly cooked food and home-made desserts. Lat Mayom Canal has become a popular tourist attraction. Realizing the strength of this community, the Talingchan Probation Office proposed a community justice project to community members.

When the community justice centre was set up, the Lat Mayom community justice members and the Talingchan Probation Office worked together to draft a rehabilitation plan for probationers that would directly serve the interests of the community. The Lat Mayom Canal Cleaning project is a part of community service work for probationers living in this district. Every month, locals, community justice members, and volunteer probation officers join with probationers to clean the canal and surrounding area. A task that used to be performed by locals has become part of offender rehabilitation. Offenders contribute to revitalizing an area that is the heart of the community and are informally accepted by the community.

B. Reintegrating Offenders

The philosophy of Sufficiency Economy, developed by His Majesty King Bhumibol Adulyadej, is the major movement that all sectors in Thailand are applying as a guide to the way of living and behaving

toward “the middle path.”¹ Focusing on moderation and contentment, the philosophy sets out to shield the people and the country from adverse shocks and acknowledges interdependency among people at all levels. Because the philosophy of Sufficiency Economy provides guidance on appropriate conduct covering numerous aspects of life, it is now applied to rehabilitation of offenders under the Kamlangjai (Inspire) Project initiated by Her Royal Highness Princess Bajrakitiyabha.

In order to maintain the continuity of the project, the community justice centres in the participating provinces, namely Chiang Rai, Petchaboon, Trat, and Chainat, are taking part in the Kamlangjai Project at the reintegration stage. Before the offenders under the project are released, the probation office will invite community justice members to become involved in the pre-release programme. The community justice members will get acquainted with offenders and set the reintegration plan with them. Additionally, when the participating offenders are released to the community, community justice members will monitor and support the offenders to continue applying Sufficiency Economy to their lives after release. This means that offenders will be able to acquire a suitable job, adapt to the community way of life, and develop immunity to offending behaviour.

As Sufficiency Economy has been extensively linked to the Thai way of life, the application of this philosophy to offender rehabilitation and reintegration under the Kamlangjai project undoubtedly gives an opportunity for offenders to seamlessly integrate to the community. Besides, with the support from community justice members, reintegration of offenders is more likely to be accomplished.

C. Resolving Conflict

The Panomsarakam community justice centre demonstrates that collaborative work among justice agencies and local communities can effectively and powerfully improve the community’s capacity to solve problems. Panomsarakam, a district in Chachoengsao province, located 100 kilometres from Bangkok, set up the community justice centre in 2005. Due to the strength of the community, the centre has conducted various activities and implemented significant programmes representing the community justice idea. The director of the Chachoengsao Probation Office introduced the community justice concept to the community and then worked with the leaders, prominent community members, and other justice agencies. A network has been set up in the community, which is primarily comprised of a district school, police station, private sector, and probation office.

After understanding the concept and learning new approaches, the community identified their problems and collaboratively worked with other local organizations to solve the problems. For example, the Panomadulvittaya School, the district school in Panomsarakam, applied the restorative approach and probation measure learnt from the community justice centre and the probation office to solve physical fights and disputes in school. Although the programme was started by the deputy director of the school, students are the key persons of the programme. When a dispute occurs, a group of students called a Dispute Resolution Committee will invite the disputing parties to discuss the dispute and solution in a meeting facilitated by students only. If all involved parties can make an agreement, the committee will monitor the completion of the agreement which may be in the form of community service. Teachers and students observed that disputes in the school apparently decreased and positive behavioural change among students increased. The programme has been widely acknowledged and received a gold medal award for school innovation from the Teacher’s Council of Thailand in 2006. The restorative approach is also valued by the Panomsarakam Police Station, which has cooperated with the community justice centre to provide conflict resolution services at the station. The police officers observed that compoundable offences have been significantly reduced and satisfaction has increased. The community justice centre at Panomsarakam has continually established conflict resolution centres in sub-districts and provided support to other community justice centres. The Panomsarakam community justice centre has evidently become a success story of community justice.

D. Promoting Community Safety

The Chaktaduang community located in Rayong province has concerns about drug abuse among youth in their community and realized that this problem is linked to minor crimes in the community. Young drug abusers often steal villagers’ property to buy drugs. When the Rayong Probation Office presented the

¹ A Buddhist teaching to neither deprive nor indulge oneself to one’s detriment.

community justice idea, community members agreed that it would help them deal with their concerns. The probation officers then worked with the community members to develop a Drug Watch Programme. It was suggested to the community leader and members to classify youth according to drug related behaviour. Three groups were identified: a risk group, drug abuser group, and drug dealer group. A committee was arranged to supervise the targeted youth. One committee member was assigned to watch three youths and their families. If the risk group shows any signs of drug involvement, the committee will closely supervise them to prevent drug use. The community member also conducted random urine tests with youth to deter drug use. Drug abusers were encouraged to get treatment by their families and the committee. When they are rehabilitated, the community will welcome them back. Some ex-addicts joined the Drug Watch Programme and provided information of drug trafficking in the community to justice agencies.

The Chaktaduang community members admitted that at the beginning, they did not understand the purpose of community justice. After the community leader and probation officers explained the project and raised concerns about drug problems, which is the critical issue in the community, the community strongly agreed that this problem should be dealt with urgently. When the Drug Watch Programme proved that it can help youth quit using drugs and prevent others from becoming involved, the community entirely supported the community justice centre and felt that their quality of life was improved and that community ties were strengthened.

VI. STRATEGIES TO PROMOTE COMMUNITY INVOLVEMENT

Involving the community in justice activities is not an easy task. Some communities may be ready to participate but many are not. For justice professionals, communities seem to be new territory outside their work. To ensure effective partnership with communities, strategies to promote community involvement are proposed as follows.

A. Building Relationships with Community Members

Based on the assumption that a good relationship will lead to accurate information, justice personnel should start by building relationships with community members. Approaches for building relationships include informal methods, such as small talk and greetings, and formal methods, such as inviting community members to participate in official activities and joining the community's activities. The relationship between justice personnel and communities should reflect trust, mutual respect, and genuineness.

B. Understanding Community Needs and Strengths

Understanding communities is an important step. Justice personnel should understand the problems and concerns occurring in the targeted communities from the viewpoints of local people. Information on the strengths of the community should be collected. Community mapping is a useful tool to identify key community organizations, key partners, and resources and skills that exist within the community, as well as to assess the social and human capital of the community.

C. Serving the Community

To strengthen the relationship with the community, justice agencies may serve the community by setting up a small project that meets the community's needs, such as cleaning the cemetery, conducting vocational training for youth, or arranging a community forum. By working with the community at the early stage before launching the targeted project, we can help community members develop confidence and build relationships with justice agencies.

D. Developing a Vision and Action Plans

Justice personnel should assist the community to develop their vision based on their interests and capacity. After the vision is set, the action plan for the targeted project will be made by the community and officials. Community members should have an opportunity to generate practical ideas into the plan. Finally, it is important that the vision and action plan must gain wider public support.

VII. LESSONS LEARNT FROM THE COMMUNITY JUSTICE INITIATIVE

The community justice idea has been implemented in Thailand for over five years. However, it is still evolving. The model that is best suited for Thai society has not yet been found. During the search for the best practice, some lessons can be drawn up to help in establishing the programme in other systems.

A. Communicating Key Concepts of Community Justice to Justice Officials and Communities

Community justice is about changing the perspectives, values, principles, and assumptions under which we have traditionally operated. It brings in radical changes to the justice system; from focusing on offenders, crime control, and caseload to focusing on the community quality of life. As a result, some officials may resist this change. They may think that approaches based on community justice, such as educating communities about their rights, victim restoration, and mediation, are not their responsibilities. Some officers may not trust or believe that communities can deal with their problems. Furthermore, communities may themselves not believe that they are capable of preventing and controlling crimes. We learned that if the community justice idea was not well understood, justice officers and community members may resist the programme and its implementation may be unsuccessful. It is recommended that key concepts of community justice should be communicated to all stakeholders in the programme through various channels, e.g. community forums, training, and workshops. As the programme continues and shows some impact, staff and community members will have a clearer vision of what they are doing and participation will be more effective.

B. Equipping Staff with Knowledge and Skills for working with Communities

Justice officials are traditionally trained to be law enforcers. Their characteristics and skills are for dealing with crime incidents, criminals, and criminal behaviour. Most of them do not have sufficient knowledge and skills to work with communities. Working with communities requires officers to be sensitive to the community's needs and problems, more flexible and informal, and open-minded. Before implementing community justice initiatives, staff working in the programme should be trained on basic subjects, such as resource management, information gathering, communication skills, conflict management, community assessment tools and public speaking.

C. Working Collaboratively with Other Agencies within and outside the Criminal Justice System

The goals of community justice, which are enhancement of community quality of life and promotion of social justice, cannot be accomplished by a single agency. Community problems are diverse and require different approaches and resources. From our experience, we have learned that collaboration of governmental agencies is essential to the implementation of community justice projects. Responsible agencies must expand the boundaries of their practice and break down the barriers separating them from other components and organizations within and outside the criminal justice system.

In this case, the Ministry of Justice created Provincial Justice Offices to be coordinating centres for providing justice related services and supporting community justice centres throughout the country. The Provincial Justice Office will integrate work and missions of agencies under the Ministry of Justice, such as the probation office, prisons, narcotics suppression office, and rights and liberty protection centre, through the matrix model. Staff from these agencies are rotated to work in the Provincial Justice Office for a certain period of time. The director of the office is also selected from the different justice agencies to operate the office on a rotating basis. In addition to the Provincial Justice Office, the probation office in each province will provide assistance to community justice centres by acting as a resource agency for referral and cooperation with other agencies outside the criminal justice system.

D. Creating Strong and Continuous Support from the Public and Communities

To implement community justice centres nationally, support from public, local communities, local administrative organizations, as well as central government organization, is necessary. People from the community may lack interest in joining the activities, or local organizations may not financially support the programmes proposed by community justice centres, if they do not understand or recognize the benefits of these programmes. To gain support from the public and communities, we must publicize our programmes and successful results locally and nationally. Since the community justice initiatives were launched in 2003, the Ministry of Justice has publicized the project by conducting seminars and conferences, distributing printing material, research reports, VDO clips, and presenting information about community justice in a TV drama. For example, information of the community justice centre and its tasks were presented in a prime-time TV

drama. By introducing community justice through a famous leading actor, we expect that the message will attract wider public attention. To make the community justice initiatives sustainable, strong and continuous support is greatly needed.

VIII. THE OUTLOOK FOR THE FUTURE

Since its reintroduction to Thai society through the piloted scheme by the Ministry of Justice almost a decade ago, community justice has proved to be a promising platform where community members can work in partnership with government agencies toward meeting the needs of the community. Underlying the community justice concept is the guiding principle which treats the community as actor in promoting access to justice and maintaining public safety for the community. With the ability to identify areas of concern and mobilize local resources, the community has limitless potential to play an active role in both enhancing the existing activities and expanding the scope of work piloted so far.

Also intrinsic in this new mode of public participation is the recognition that members of a local community, through the voicing of their concerns and needs, are key actors in the collective effort to address the basic imbalance in the power structure at the national level – a problem with serious implications for Thai society as a whole. Such fundamental inequality often manifests itself in the form of inequality in access to justice, and has been voiced on various occasions, including the most recent political protest, which escalated to confrontation and violence in May 2009. Since then, there has been an urgent call for national reform to look for ways to address inequality in key areas, including justice. As part of the new scheme to ‘reform the nation’, the government has set up a number of independent forums tasked with mobilizing various stakeholders across the nation to synthesize a national plan to address the structural problems faced by Thailand.

The National Reform Committee has been formed to mobilize national stakeholders and come up with suggestions and recommendations for the programmes to be implemented in the hope of providing redress for the most urgent problems, such as land dispute between the people and state agencies, and to promote equal access to social justice, as a means of national reform. The NRC views community justice as an important vehicle where national reform effort can be realized at the most fundamental level. The ultimate goal of the effort is to equip the members of local communities and individual citizens with the institutional tools for them to reduce the gap in access to equal justice. With new emphasis added and increased chances for mobilizing resources, community justice stands a better chance to serve as the local engine of change toward creating the sustainable local mechanisms where members are empowered through their working hand-in-hand with other stakeholders, including the government agencies.

Taking a hint from the NRC, the government has recently announced a new policy of focusing on empowering the citizens in key areas, including access to justice. In this new policy, the community justice network will be the focus of a national attempt to strengthen the local community in order to promote better access to equal justice. The government plans to introduce a community justice centre at local districts, or *Tambon*, across the nation, hoping to equip people with legal knowledge, provide legal aid, and receive complaints on the problems faced by the community members. I believe that with coordination and strong commitment, the new policy, with its focus on enhancing visibility and providing adequate budgets to support the activities at community level, will be further enhanced by the parallel effort by the NRC to support the networking and knowledge-sharing among local communities across the nation.

In conclusion, community justice in Thailand has come to an important juncture. At the root of the problem also lies the seed for the solution. With the strong political will from the government, and the commitment and vision of the NRC which helped promote the shared sense of urgency for equal access to justice, it can be hoped that community justice will undergo another phase of growth as a forum of true public participation and public empowerment. This will in turn provide a healthy foundation for the society through the establishment of effective community forums for dispute resolution and other important areas of community empowerment and development.