

Thailand, Corrections in

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This entry provides insights into the history and realities of the prison system in the Kingdom of Thailand. As of January 2014, there were 144 prisons holding more than 291,000 inmates. Governmental policy states that all parts of these institutions are required to be in good physical shape and well maintained. Inmates are expected to work while in prison. This entry contains information about the various aspects of prisons in Thailand, including problems encountered and contradictions evident in policy versus practice.

History

The prison system in the Kingdom of Thailand falls under the supervision of the Department of Corrections; its history is marked by limited resources, transition, and overcrowding. More to the point, the size of the prison system takes a toll on the government's ability to achieve its mission. In 1936, changes in the administration of justice and the treatment of offenders resulted in the creation of the Thai Penitentiary Act (Department of Corrections n.d.). Prior to 1932, prisons and jails were supervised by different agencies throughout the country; King Rama VI helped lay the foundation for necessary changes. The significance of the Penitentiary Act is that it outlined protocols and governance measures for the prison system. Prisons fall into two distinct administrative categories: central and provincial. The term *central administration* implies administrative oversight by the central government and refers to the many bureaus that cover training, audits, public

relations, and personnel. By contrast, *provincial administration* implies regional supervision and operation of the various prisons throughout the country.

In 1962, the name of the department operating prisons in Thailand changed from the Department of the Penitentiary to the Department of Corrections. The department is under the jurisdiction of the Ministry of the Interior and is responsible for detention homes, reform schools, regional and central prisons, and more than 20 prison camps. Most long-term prisoners are housed in central or regional prisons. For example, a central prison near Bangkok known as Khlong Prem has more than 6,000 inmates.

Prison Life

There is a classification system that governs what should happen to an offender. The classification system helps in identification of offender needs and, in theory, with provision of suitable treatment and jobs programs within the institution. It may also result in the categorization or separation of offenders. For example, male and female offenders are, as far as possible, held in separate prisons. Separation may also be determined by the type of offense committed, and there is, according to government publications, an effort to separate young offenders from the older prison population. Prison life in Thailand, as in other jurisdictions, is predicated upon a system of rewards to reinforce positive behavior and compliance within the institution.

Prison routine

Most prisoners are woken at 5:30 a.m., after which there is time to clean up and stand to show respect for the national anthem before beginning work. Observance of the national anthem is required twice daily, once in the morning and again later in the day.

Food, sports, hard work, and overcrowding

With respect to food, Thai prison officials report that they make allowances for the age and religion of the offender. One government publication indicated that a special effort is made to introduce variety into the menu and that inmates have many choices, including opportunities to purchase foods like hamburgers and pizzas from the commodity store. As far as exercise is concerned, inmates are permitted one hour daily to take physical exercise and attend to their health. On the other hand, there is plenty of testimony to the fact that Thai prisons are overcrowded. For example, rooms designed to accommodate 25 now hold 65 inmates, making trips to the squat toilet an incredibly difficult task, especially at night, even with the lights on. Additional testimony reveals that, while there is official and governmental rhetoric about treatment and rehabilitation, many former guards or inmates maintain that the lofty goals established by the government rarely come to fruition. Former inmates, for example, speak not only of overcrowding, but also of menial work in the prison and working for local factories with little or no compensation. Moreover, when inmates are received at some of the crowded central prisons no mattresses and pillows are provided because there are not enough to go around. If the inmate has money, he or she may be able to buy a mattress from another inmate.

Religion

Prison officials recognize an inmate's faith; inmates are allowed opportunities to worship according to their religious beliefs. In Thai prisons there are large Buddhist and Muslim populations, each with a different religious perspective. The Thai government, in accordance with the Penitentiary Act, makes provisions for prisoner populations with different religious backgrounds. The same governmental publication indicates that prison officials provide sensitivity training for some correctional guards so that they better understand the various religions. And, on a related issue, according to Pichler (2013) there are an increasing number of Buddhist drug rehabilitation centers. One participant explained,

the "participants enter the program as humans; without being labeled as drug addicts or criminals" (Pichler 2013: 198). This approach suggests that some officials in Thailand are addressing the major problem of drug use in the country.

Medical care

A part of the classification process discussed earlier is the need to conduct medical examinations of all newly admitted inmates. If a major illness is detected, a prisoner may be sent to the prison medical center for treatment. After treatment, he or she is returned to the original prison. If the illness is severe enough, then treatment may be provided outside of the prison, but this rarely occurs. In female prisons, there is a provision for prenatal care, if necessary. If a female offender is pregnant at the time of her imprisonment, for example, she may carry the pregnancy to term, and the infant can then live with its biological mother for up to 12 months. In reality, health care treatment is challenging, mostly due to severe cutbacks in the budget.

Visits

The Thai government has made several provisions for prison visiting, ranging from use of the new technologies (e.g., email) to traditional visits. In addition, Thai prisons make distinctions between regular, conjugal, and contact visits for the inmates. Regular visits involve barriers. Contact visits permit physical contact; they may be of short duration, but there are no physical barriers between the inmate and the family member or visitor. Conjugal visits permit an intimate one day and/or one night stay with the inmate's spouse.

Drugs and Sentencing

Over 50% of the inmates in Thai prisons have been incarcerated for drug-related offenses. The number of drug offenders peaked in 2008. There has been a slight decline – attributed to the Narcotics Addict Rehabilitation Act – which has resulted in fewer offenders being sent to prison, but the overall numbers suggest that the Thai government continues to incarcerate those who sell and use illegal drugs. One of many interesting

observations is that some inmates serve more time in prison for drug-related offenses than for murder.

The impact of gender

It is posited that the Kingdom of Thailand has a high percentage of women imprisoned for drug-related offenses. Of the more than 40,000 females in Thai prisons, most are there for possessing or trafficking illegal drugs. Many of these prisoners have been convicted for simple possession of methamphetamine. In Thailand, over 14% of the total inmate population is female, compared to 9% in the United States and 5% in China. A closer look at the females who are in prison reveals that many are there because of the lure of easy money from selling drugs, coupled with financial opportunities to feed hungry children. There are a significant number of female inmates who have been imprisoned because they were used as drug mules by boyfriends.

Executions in Thailand

Inmates sentenced to death for capital offenses go to Bang Kwang Central Prison, near Bangkok. The Bang Kwang Central Prison is sometimes referred to as the “Bangkok Hilton,” by former inmates, but not because it is a wonderful place. In reality, the conditions are deplorable and resources are limited. There are reports of insect infestations and unhygienic conditions. At the Bang Kwang Central Prison, condemned offenders can appeal the death sentence at two different levels and also to the royal family. If the appeal is successful, it is likely to result in the sentence being commuted to one of life imprisonment, but this rarely happens. One interesting observation about the history of executions in Thailand is that, until recently, most involved the use of machine guns to kill the condemned offender, splattering blood everywhere. In 2002, this practice changed to use of lethal injections. Since 1935, there have been over 325 executions. Most executions have been for murder, rape, or the murder of a police officer. The last execution was in 2009. Life on death row is characterized by heavy security; the inmates wear shackles when they leave their cells and the lights are on throughout the night.

Conclusion

Thailand’s lofty ideals and guiding principles may not be the true measure of its practice of imprisonment. Nevertheless, the following observations can be made. First, the rate of recidivism is very low, with 80% of inmates in prison for the first time. Perhaps this number is directly attributable to the repressive nature of Thai prisons. Second, the war on drugs in Thailand has resulted in a war on women and the poor. Third, despite declarations about rehabilitation, treatment, and spiritual and moral corrections, the Thai government must continue to explore innovative ways to address drug use and sales and the conditions that lead to the sale of drugs. There is no evidence that repressive laws and harsh sanctions will curb the drug problem, and the Thai government needs to recognize this reality. Fourth, closer scrutiny of the justice system reveals reports that police officers beat criminal suspects and coerce confessions.

These reports suggest there is little evidence that the government respects the human rights of its citizens. The Thai government should continue to explore community initiatives and endeavor to become a leader in criminal justice reform by sponsoring international conferences, workshops, and seminars. It has also been suggested that the Thai government allow international teams dedicated to ensuring human rights, fairness, and due process unrestricted access to their prison system. If this happens, Thai officials might be positively influenced by seminars sponsored by academics, professional organizations, and international review teams.

SEE ALSO: Buddhism in Prisons; Overcrowding in Prisons; Prisoners’ Rights

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Further Reading

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