



Department of
Probation
Ministry of Justice



Logo of Department of Probation

The logo consists of Scales of Justice, representing fairness of the Court of Justice, and three people, namely an offender, a probation officer, and people involving in the probation service, representing relationship of the key partners in the rehabilitation process. If focusing only the middle people by hiding the heads of the others, we will see the arms of the middle one touching the scales, meaning the work of probation officers who assist the Court of Justice to promote fairness in the society.





Department of Probation,
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History

- 1952 A probation system was used with children and young offenders for the first time in Thailand.
- 1956 Section 56, 57, and 58 of the Penal Code provided regulations for the use of probation, but the courts only used suspended sentencing without applying the probation services.
- 1979 August 7th, the Central Probation Office was established, a division level responsible for providing probation services for adult offenders in the Bangkok area.
- 1983 Regional Probation Offices began to operate and presently spread throughout the country.
- 1985 Volunteer Probation Officers scheme was firstly launched.
- 1992 March 15th, the Central Probation Office was officially upgraded to be the Department of Probation.
- 2001 July 10th, the cabinet resolved that the Department of Probation should be the main agency in providing probation services to juvenile and adult offenders both pre and post trial and to those early released from prisons by parole or sentence remission. The services also include welfare and aftercare support for ex-offenders after the termination of probation or their being released from the Department of Correction. These comprehensive works of probation services for children and adults according to the resolution of the cabinet were effective from October 1st, 2002.
- 2002 October 1st, as a result of the inception of the Narcotic Addict Rehabilitation Act B.E. 2545 (2002), the Department of Probation became the main organization in providing drug rehabilitation in the compulsory drug treatment system through the integration and collaboration with multilateral agencies.
- 2003 The Community Service Order was used in lieu of fine following the Penal Code Sections 30/1, 30/2, and 30/3.
- 2005 Forming of local Community Justice Networks nationwide to encourage the community to work in partnership with the Department of Probation under the ministerial strategy "Justice for All, All for Justice."

Vision

To be professional in protection of society by rehabilitating and reintegrating offenders to the community by the year 2015.

Mission

1. Provide supervision and rehabilitation for offenders in the community, conduct compulsory drug rehabilitation programs for drug addicts, and provide aftercare services to ensure that they will be productive members of society.
2. Promote involvement of family, community, and network agencies in providing care, treatment, and rehabilitation services to offenders.

Introduction to Probation Services

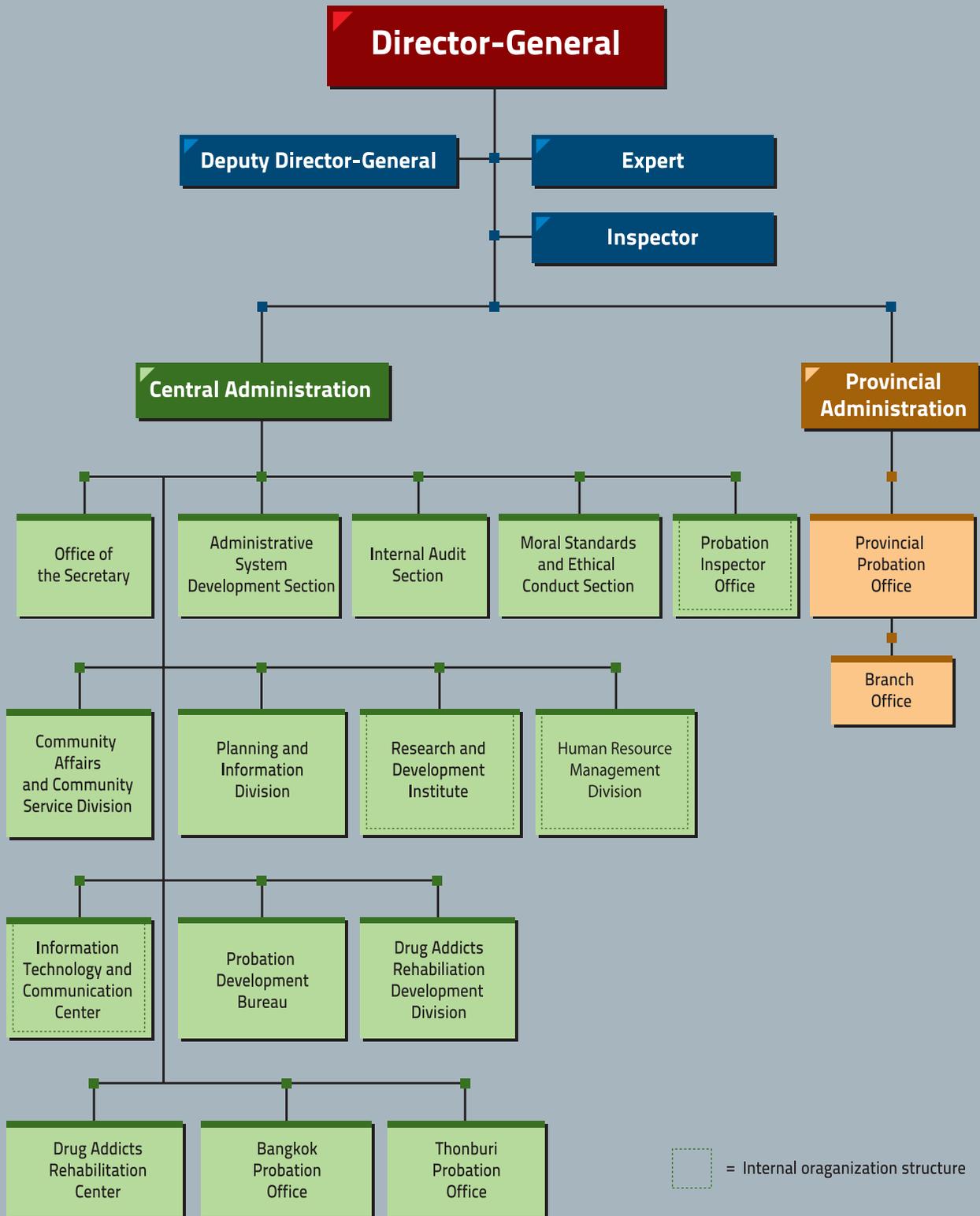


Probation services are a non-custodial measure for offenders. Certain conditions are set for the offenders to conform while they still have the opportunity to live their life normally in society under the supervision of probation officers. The probation officers provide them with assistance and rehabilitation services in order to change their behaviors and minimize their likelihood of re-committing crime again. In addition, the public sector and the community are also encouraged to play a part in helping to rehabilitate the offenders.

Probation services are crucial parts of the criminal justice system at both the pre-trial and post-trial stages. At each aforementioned step, it is the probation officers' responsibilities to rehabilitate and reintegrate them through the process of social investigation and supervision. With the intention of returning the offenders to be productive members of society, probation officers also utilize community resources to help in offender rehabilitation.

In addition, after the legislation of the Narcotic Addicts Rehabilitation Act of 2002, which authorized compulsory drug treatment and rehabilitation, the Department of Probation has become the main agency that responsible for the task and collaboration among other potential agencies, such as the Ministry of Defense, Ministry of Public Health, Ministry of Interior, Ministry of Education, Ministry of Labor, and the Bangkok Metropolitan Administration. The principle of this Act is truly to emphasize on the rehabilitation process for drug addicts.

Organization Chart





Main Tasks of Department of Probation

1. Probation Services.

1.1 Pre-sentence and Post-sentence Investigation.

Social investigation is the process of fact finding about the background of the offenders in order to prepare the social investigation report for the authority to use discretion in determining the appropriate measures against the offending individuals.

At the present time, the Department of Probation is responsible for conducting social investigation in two justice stages:

1) Pre-sentence Stage At this stage the investigation process aims to collect and analyze background information related to the adult offenders and their wrong doings according to the Penal Code Section 56. This process is done by the probation officer according to the court order. After having sufficient information, the probation officers prepare the pre-sentence investigation report with recommendations for appropriate measures for each of the offenders and submit to the court.



2) Post-sentence Stage At this stage the investigation process aims to collect and analyze social background and related information of the prisoners who are eligible for parole or sentence remission including the suitability of the guarantors in relation to their willingness to provide care for the offenders, their residence setting and surrounding, and the people involved. The probation officers will collect and analyze all of the information and prepare the report with recommendations for probation, and then send it to the parole board. The board will then make a decision based on the report. This work and responsibility of the probation officers reduce chances of recidivism among the offenders, thus ensuring safety for the public.



1.2 Supervision and Rehabilitation

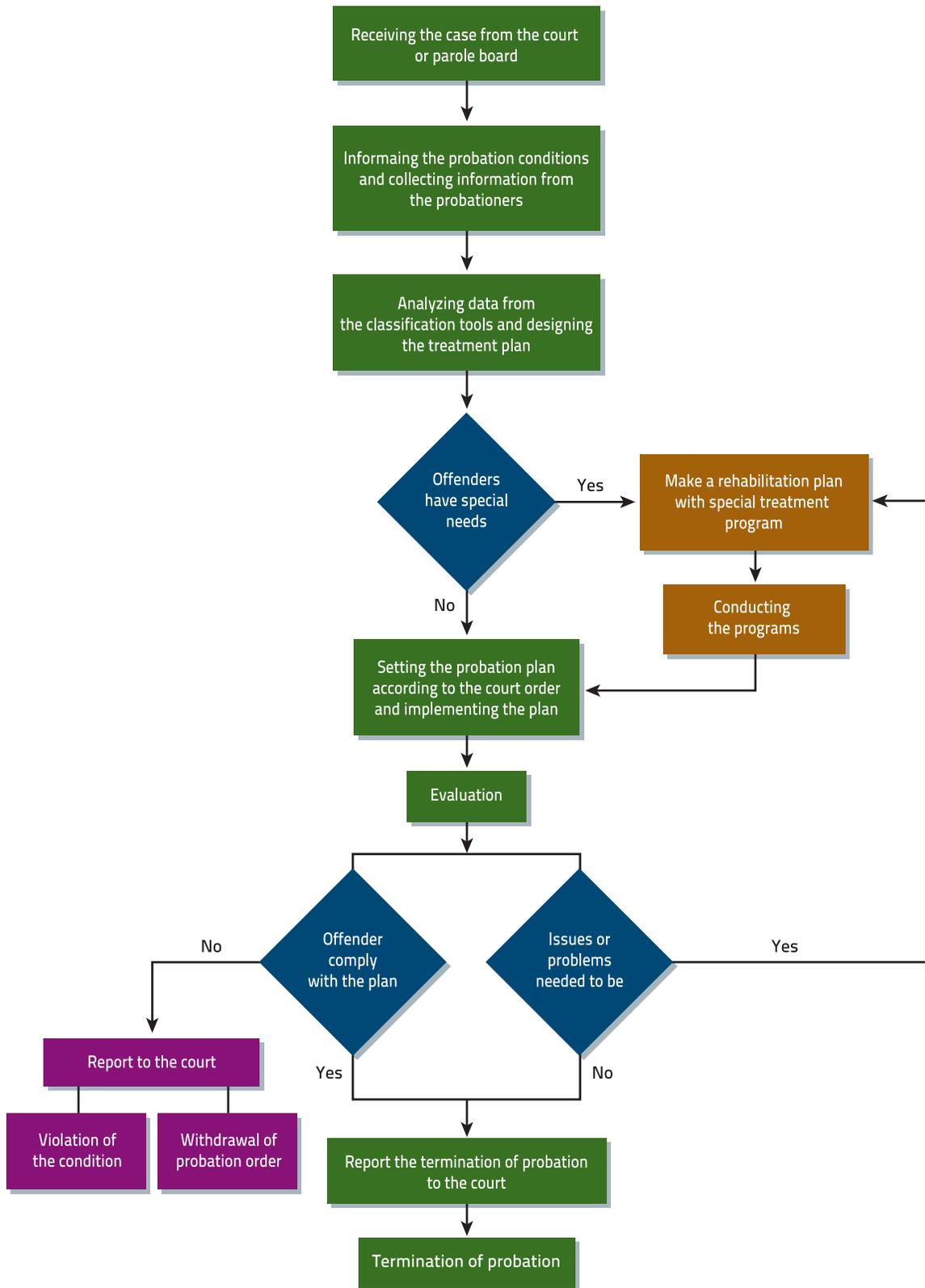
Supervision is the monitoring and caring process for the offenders under probation in order to help them change their behaviors and refrain from committing new crimes. The probation officers will supervise and conduct monitoring visits as well as provide advice and counseling to help the offenders adjust themselves—including their habits, behaviors, education, occupation, etc. Additionally, treatment programs are provide to help offenders overcome their problems and meet the needs of each individual. These programs include counseling, physical and mental illness treatment, education, vocational training, and behavior modification.

Presently, offenders who are under the responsibility of the Department of Probation are divided into three main groups:

1. Adult probationers (aged 18 years and over) who were designated by the court to be on a suspended sentencing or suspended punishment according to the Penal Code Section 56.
2. Children or youth probationers.
3. Probationers (Parolees) who are on parole or sentence remission. These are the prisoners who have already served their time in prison up to the amount of time specified in the Corrections Act B.E. 2479 (1936), Section 32, and were released under parole or sentence remission to be under the condition of the probation.



Supervision Process





2. Drug addicts rehabilitation in the compulsory treatment system.

The Department of Probation has been assigned to be the main organization in providing services in accordance with the Narcotic Addict Rehabilitation Act B.E. 2545 (2002), which has been effective since April 21st, 2003. It is a compulsory treatment system for drug abusers/addicts required by law. The drug abusers/addicts are those who commit drug-related crimes in one of the four following offences: (1) drug use, (2) drug use and possession, (3) drug use and possession for trafficking, and (4) drug use and drug trafficking according to the amount and type indicated in the Ministerial Regulations. The person has to remain in the treatment program until reaching the end of the rehabilitation period prescribed by the law. If the results of the rehabilitation are satisfactory to the Narcotic Addict Rehabilitation sub-committee, the person is acquitted of the charges.

The rehabilitation of drug addicts in the compulsory treatment is different from normal criminal charges because drug addicts are regarded as patients rather than criminals. Thus they should be placed in an alternative measure aiming to divert the cases out of the conventional criminal justice system. The diversion process is conducted at the prosecution stage, which the prosecution is suspended. The Department of Probation is responsible for bringing the drug rehabilitation policy into practice multilaterally.



Implementation of the Act has two operational phases.

1. Drug Assessment Phase

This phase is an initial screening process to identify whether or not the accused are drug users. This step is carried out by staff of the probation offices under the Department of Probation. Then the sub-committee of Drug Addicts Rehabilitation in the area will take into account all the factors and

develop a rehabilitation plan suitable for the drug abusers / drug addicts on an individual basis. The accused then enter into the drug rehabilitation phase.

2. Drug Rehabilitation Phase

This phase is designed to operate multilaterally with networks in a community. There are two drug rehabilitation models, non-custodial and custodial rehabilitation programs.



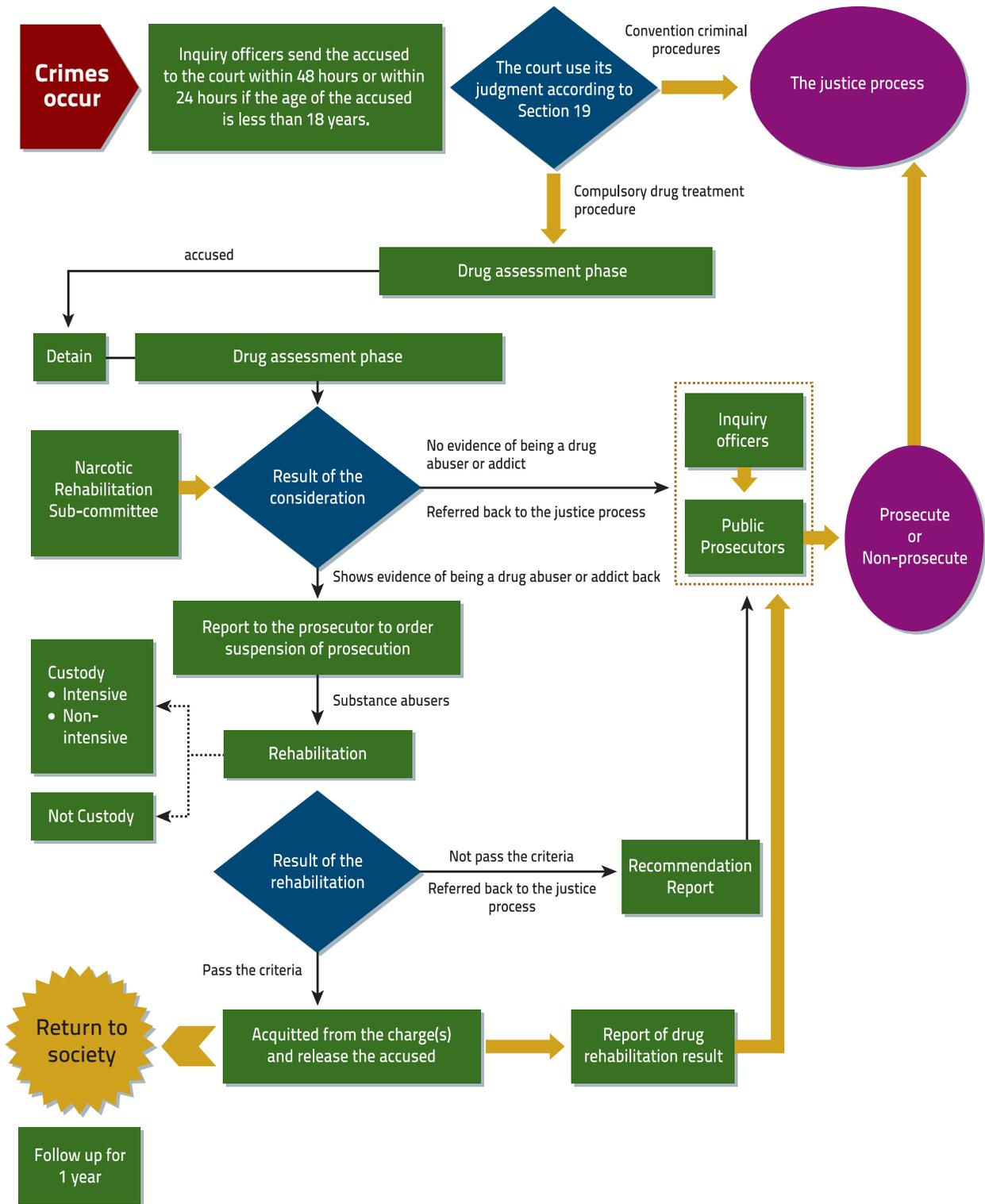


2.1 Non-Custodial Rehabilitation Programs. These programs are suitable for persons who still can control themselves and not cause troubles for the others or the community in which they live. The non-custodial rehabilitation programs include rehabilitation as outpatients; probation office's programs, such as the Prevention of Substance Abuse Relapse Program which is designed for all of the clients; specialized programs for people with special needs; programs using the principles of religion; individual and group counseling, etc.

2.2 Custodial Rehabilitation Programs. These types of interventions are designed for the substance users or drugs addicts who are unable to control themselves who need to continually participate in the treatment programs, and who are likely to escape or cause troubles for the others or the community. The programs include rehabilitation programs with intensive care and rehabilitation programs with non-intensive care. These rehabilitation processes are operated based on academic principles and are delivered within the duration of time prescribed by law.



Procedures of the Narcotic Rehabilitation Act B.E. 2545 (2002)





Drug Rehabilitation Center for Drug Addicts



The Department of Probation has been responsible for the following drug rehabilitation centers.

1. Drug Addicts Rehabilitation Center: Ladlumkaew Home.

This center is for rehabilitation of drug addicts in the intensive and custodial type, where a Therapeutic Community (TC) model is implemented. TC is a treatment program that engages the whole person in the rehabilitation process and challenges the individual to have a positive life. TC's primary goals are the cessation of drug abuse behavior and fostering personal growth. In the therapeutic community, everyone is equally treated and seen as a family member, while the rules and regulations are applied to everyone. Rewarding and punishment are used to shape the members' behavior. Those who are well-performed will be promoted to the next level and receive privileges. The concept underlying this model is that people can change and grow through a group process.

The Drug Addicts Rehabilitation Center Ladlumkaew Home is located at 99 Moo 3, Koo Bang Luang Sub-District, Ladlumkaew District, Pathumthani Province.

2. Drug Addicts Rehabilitation Center: Pattani Province.

This center is under construction and will be operated soon.

Community Service



Community service is a measure which the offenders are asked to conduct community service for the community or public charity organizations without compensation or wages for a certain period according to the court order.

The Department of Probation applies community services for a number of different measures:

1) Community service as a measure for offender rehabilitation, restitution, and punishment, which can be used as:

1.1 A condition during the probation period for both adult and juvenile probationers.

1.2 A rehabilitation program for drug addicts under the compulsory treatment system aiming to assist drug addicts to have a stable and drug free life.

However, even when community service is given as the probation condition, the probation officers may suggest that the participants of the drug addict rehabilitation program provide community service on a voluntary basis.

2) Community service as a measure in lieu of fine. Section 30/1 of the Penal Code provides an option for offenders whom the court may sentence to pay fine not exceeding 80,000 Baht, but do not have enough money to pay. Offenders eligible for this measure must not be a corporation entity and can apply to the court for conducting community in lieu of fine.

There are two types of community service:

1. Individual Community Service

Each offender will be assigned to conduct services to the participating agencies according to their ability or skill, or as required by the organization or community.

2. Group Community Service

A group of offenders are assigned to conduct services together, which will help improve their social relationship skill. Works assigned to offenders may be based on the needs of the community.



Welfare Services for Offenders



Providing welfare services for offenders is a part of the reintegration program in order to help offenders reintegrate to their community. Welfare services can be provided during probation and after termination of probation or imprisonment.

1. Welfare services provided during probation.

Offenders who are eligible to obtain welfare services are the following:

1. Defendants under pre-sentence investigation
2. Adult or juvenile probationers and early released prisoners on parole or sentence remission
3. Offenders under drug assessment or drug rehabilitation according to the Narcotic Addict Rehabilitation Act B.E. 2545
4. Offenders who are conducting a community service in lieu of fine

2. Welfare services provided after termination of probation or imprisonment

Offenders who are eligible to obtain this type of welfare services are the following:

1. Ex-offenders whose probation is terminated
2. Ex-offenders who complete their drug rehabilitation program under the compulsory drug treatment system.
3. Ex-offenders who complete their community services.
4. Ex-offenders who have already served their imprisonment sentence or early released on Royal Pardon.
5. Juveniles who are released from the training centers prescribed by the Juvenile and Family Court.

Welfare services will be provided within a period not exceeding one year from the date of termination of probation or completion of the court order or sentence.





Welfare services may include providing education, job placement services, vocational training, , meal allowance, financial support for their cost of living, medical expenses, and transportation, funding support for occupation, bail assistance for defendants during the pre-sentence investigation, provision of housing (Half-way House), or other assistance to meet other needs that have been approved.



Volunteer

Probation Officers





The Volunteer Probation Officer scheme was initiated with the purpose of providing an opportunity for public and the community to support offender rehabilitation. Trained volunteer probation officers are responsible for monitoring and supervising the probationers, providing welfare services, and reporting the result to the probation officers regularly. Volunteer probation officers also facilitate association between the operation of the courts and the public by disseminating knowledge and providing guidance to the public or offenders' families. As a result, the volunteer probation officer is a critical element in helping the offenders reintegrate into the community. Considering this importance of such work, the Cabinet declared March 16th each year to be "Volunteer Probation Officer Day."





Community Justice Network



The Ministry of Justice assigns the Department of Probation to implement projects under the strategy "Justice for All, All for Justice". This project aims to encourage local people to become involved as partners with the Ministry of Justice. The roles of the community justice network include helping to prevent crimes, providing offender rehabilitation in the community, resolving disputes in the community, promoting public knowledge and understanding of the rights and liberty protection under the Constitution and related protective mechanism, etc. These works promote the thinking process and the incorporation of the members and result in establishing a "Community Justice Center" in their local community. The ultimate goal of the community justice network is to create a "Fairness Society", that is, a society in which every person receives equal justice under the law and a peaceful society with no crime, a basis for the sustainable development of the economy and society.



Family Support

toward Drug Free Life Project

The Ministry of Justice recognizes the significance of the "Power of the Family in Drug Rehabilitation" starting from bringing parents, close friends and relatives to take part in the rehabilitation of drug addicts. Because parents and family members are close to the drug users/addicts, receiving care and encouragement from them will significantly aid the drug addict rehabilitation process. The primary roles of the family to support rehabilitation are the following:

1. Supervising during the probation period and drug rehabilitation process
2. Monitoring after completing the probation period or drug rehabilitation

If family members have offered a good performance and are suitable, they may be trained to be volunteer probation officers and expand their role to provide the care for other offenders in the community.





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Reintegrating
Offenders
into
the Society

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Department of Probation

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