FACTORS AFFECTING TOWARD NARCOTIC TRIAL OF ASSOCIATE JUDGES: CENTRAL JUVENILE AND FAMILY COURT

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A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS (ADDICTIONOLOGY) FACUTY OF GRADUATE STUDIES MAHIDOL UNIVERSITY 2008

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Thesis
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FACTORS AFFECTING TOWARD NARCOTIC TRIAL OF ASSOCIATE JUDGES: CENTRAL JUVENILE AND FAMILY COURT

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ABSTACT

This research was to study factors related to narcotics trials of the associate judges in the Central Juvenile and Family Court. Samples are 37 associate judges in the Central Juvenile and Family Court, holding the term of office between 2006-2009. Interviews were conducted and descriptively analyzed.

Backgrounds of the 37 associate judges were 6 males and 31 females and the largest group, of 17 associate judges, was 68-77 years old. Most were living in Bangkok, married and had completed a bachelor's degree. They had experience of being associate judges for 9.51 years, on average. Twelve judges ran private businesses with an average earning of 85,945.95 Baht a month. Most were trained from the Tulakarn Chalermprakiat Hospital, Office of Justice Court and the Central Juvenile and Family Court. The majority of attentions were focused on causes of narcotic offence among juveniles and their family problems. Intentions of the associate judges were to secure juveniles from narcotics through rehabilitation rather than punishment. Most trials were examining the search reports, personal historical records and inquiries in order to add to information for trial. Major treatments were medical and interdisciplinary techniques with family participation and imposing aggressive strategies of know-before-err projects; school visits for providing knowledge; and instructions to identify ill effects over oneself and their parents. These were to encourage their cooperation in self-correction.

A majority of the associate judges could distinguish between addictive materials and narcotic drugs. Names of drugs were known but never seen for real. They viewed narcotic trials as just a solution to the end causes. Juveniles were given more opportunity for self-corrections than other criminal cases and narcotic offences were not viewed as the intended offences. Ill-effects of the cases were the direct self-victimization rather than victimizing of other people as with rape and assault. Solutions suggested by this study are prevention and suppression, which have to be holistically systematized and taken seriously. This study found that the number of narcotic cases entering court could be reduced if there were coordination and integrated handling by all parties in order to sustainably prevent, remedy, suppress and rehabilitate addicts efficiently and effectively so that these juveniles return to be important forces in social and national development.

KEY WORDS: ASSOCIATE JUDGES/JUVENILE DELINQUENCY/ADDICTION

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องค์ประกอบที่เกี่ยวข้องกับการพิจารณาคดียาเสพติดของผู้พิพากษาสมทบ ศาลเยาวชนและครอบครัวกลาง
(FACTORS AFFECTING TOWARD NARCOTIC TRIAL OF ASSOCIATE JUDGES: CENTRAL JUVENILE AND FAMILY COURT)

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บทคัดย่อ

การวิจัยครั้งนี้มีวัตถุประสงค์ เพื่อศึกษาถึงองค์ประกอบที่เกี่ยวข้องกับการพิจารณาคดียาเสพติดของผู้พิพากษาสมทบ: ศาลเยาวชนและครอบครัวกลาง กลุ่มตัวอย่างสำหรับการศึกษาครั้งนี้คือ กลุ่มผู้พิพากษาสมทบศาลเยาวชนและครอบครัวกลาง ปี 2549-2552 จำนวน 37 ราย โดยศึกษาจากการสัมภาษณ์กลุ่มตัวอย่างและนำมาวิเคราะห์เชิงพรรณนา ผลของการวิจัยได้ดังนี้

ข้อมูลพื้นฐานของกลุ่มตัวอย่าง พบว่า ผู้พิพากษาสมทบของศาลเยาวชนและครอบครัวกลาง จำนวน 37 ราย เป็นเพศชาย 6 ราย เพศหญิง 31 ราย โดยมีอายุระหว่าง 68- 77 ปีเป็นจำนวนมากที่สุดถึง 15 ราย ส่วนใหญ่มีภูมิลำนากรุงเทพมหานคร สถานภาพสมรส และจบการศึกษาในระดับปริญญาตรี มีประสบการณ์การเป็นผู้พิพากษาสมทบเฉลี่ย 9.51 ปี ผู้พิพากษาส่วนใหญ่ประกอบอาชีธุรกิจส่วนตัวมากถึง 12 ราย มีรายได้เฉลี่ย 85,945.95 บาทต่อเดือน ส่วนใหญ่ได้เข้ารับการฝึกอบรมจากโรงพยาบาลตุลาการเฉลิมพระเกียรติ สำนักงานศาลยุติธรรมและศาลเยาวชนและครอบครัวกลาง ความเห็นส่วนใหญ่จะมุ่งไปที่สาเหตุในการกระทำผิดคดียาเสพติดของเด็กและเยาวชนมาจากปัญหาครอบครัว ความประสงค์ของผู้พิพากษาสมทบอยากช่วยเหลือให้เด็กและเยาวชนพ้นภัยยาเสพติดด้วยการแก้ไขมากกว่าการลงโทษ ส่วนใหญ่ดำเนินการพิจารณาคดีจากรายงานการสืบเสาะและการซักประวัติ เพื่อเพิ่มเติมข้อมูลในการพิจารณาตัดสินคดี โดยส่วนใหญ่จะให้การบำบัดรักษาวิธีทางการแพทย์และสหวิชาชีพ และให้ครอบครัวเข้ามามีส่วนร่วมพร้อมทั้งดำเนินการเชิงรุกด้วยการทำโครงการรู้ก่อนผิด เข้าไปให้ความรู้ในโรงเรียน และส่วนใหญ่ใช้การอบรมชี้ให้เห็นถึงผลเสียที่มีต่อตนเองและผู้ปกครองเพื่อชักจูงใจในการร่วมมือแก้ไขตนเอง

ผู้พิพากษาสมทบส่วนใหญ่ สามารถแยกประเด็นระหว่างสิ่งเสพติดกับยาเสพติดได้ ชื่อยาเสพติดจะทราบแต่ไม่เคยเห็นตัวยาของจริง พร้อมทั้งเห็นว่าการพิจารณาคดียาเสพติดเป็นการแก้ที่ปลายเหตุ เด็กและเยาวชนที่กระทำผิดจะได้รับโอกาสในการแก้ไขตนเองมากกว่าคดีอาญาอื่นๆ และเห็นคดียาเสพติดมิได้เป็นการเจตนากระทำผิด โดยผลกระทบจากการก่อคดีจะส่งผลต่อร่างกายตนเองโดยตรงมากกว่าต่อบุคคลอื่นๆ การแก้ไขเป็นไปตามงานวิจัยที่อ้างอิง คือการป้องกัน ปราบปราม ซึ่งจะต้องดำเนินการทั้งระบบหากมีการดำเนินการตั้งแต่การป้องกัน ปราบปรามอย่างจริงจัง จากงานวิจัยชิ้นนี้พบว่าสามารถที่ลดจำนวนคดียาเสพติดที่เข้าสู่ขบวนการของศาลลงได้ พร้อมทั้งมีการประสานงานและดำเนินการแบบบูรณการทุกภาคส่วนในการป้องกัน แก้ไข ปราบปราม ฟื้นฟูบำบัดรักษาผู้ติดยาเสพติดที่ได้ประสิทธิภาพและประสิทธิผลอย่างยั่งยืน เพื่อให้เด็กและเยาวชนเหล่านั้นกลับมาเป็นกำลังสำคัญในการพัฒนาสังคมและชาติต่อไป

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CHAPTER I
INTRODUCTION

1.1 Rationale and Significance of Problems

The Constitution is the supreme of the country that establishes the powers, functions and duties as well as the structure of the Executive, the Legislative and the Judiciary. The present constitution of Thailand, namely, the Constitution of the Kingdom of Thailand, B.E. 2540 (1997) has substantial impact on the reorganization of the political system as well as the judicial system in Thailand. The types of courts recognized under the 1997 Constitution are: the Constitution Court, the Court of Justice, the Administrative Court and the Military Court. The Constitution Court and the Administrative Court were recently established as a result of the provisions of such constitution. Although this change decreases the scope of the jurisdiction of the Courts of Justice, most cases fall under the jurisdiction of the Courts of Justice.

The structure of the Courts of Justice is divided into two parts: administration and adjudication. Before August 20, 2000, the Ministry of Justice was responsible for the administration works of all courts. The main role of the Ministry of Justice was to provide courts supports, including budget, personnel and office equipment, to enable them to operate their works efficiently. At present, the Office of the Judiciary, an independent organization and a juristic person, is the only organization responsible for the administration of the Courts of Justice. This change will guarantee independence of the Thai Judiciary from political interference.

With respect to adjudication, the Courts of Justice have power to try and adjudicate criminal, civil, bankruptcy, and all cases which are not within the Jurisdiction of other types of courts. When there is a problem of whether a particular case will fall under the jurisdiction of which type of courts, the Commission on

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Jurisdiction of Courts chaired by the President of the Supreme Court is authorized by the Constitution to make a decision. Such decision is final.

The Courts of Justice are classified into three levels consisting of the Courts of First Instance, the Courts of Appeal and the Supreme Court. The Courts of Justice have occasionally developed efficiency in handling cases. The developments fall into three ways, i.e., the increase of the number of courts, the emergence of the division and the branch of courts, and the establishment of the specialized courts.

The Courts of First Instance are categorized as general courts, **juvenile and family courts** and specialized courts. The general courts are ordinary courts which have authorities to try and adjudicate criminal and civil cases. Those courts are: Civil Courts, Criminal Courts, Provincial Courts and Kwaeng Courts.

The Juvenile and Family Courts consist of the Central Juvenile and Family Court, the Provincial Juvenile and Family Courts, and the Division of Juvenile and Family Court in the Provincial Courts. Two career judges and **two associate judges, one of those must be a woman,** constitute a quorum of the Juvenile and Family Courts. An appeal against a judgment or order of the Juvenile and Family Courts lies to the Courts of Appeal.

Juvenile delinquency refers to the behavior of non-adults which violates the rules and regulations set by the government or society. Today juvenile delinquency is a major problem in both developed and developing countries.

As a result of the growth in science and technology, industrialization, urbanization and the intensive flow of information, Thailand right now is facing a transition in values. The existence of the value transition can be marked by the diminishing of traditional values, the emergence of new values such as changing family patterns and lifestyles, and the lessening of community social controls. Along with this growth and changes, the number, rate and spread of juvenile delinquency, especially drug abuse among children and teenagers is apparently increasing. As per

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the statistics complied and published by the Central Observation and Protection Center, the Ministry of Justice during 1996- 2000.

Juvenile justice is a system distinct from the adult system and it has been created by legislation; the Act Instituting Juvenile Courts, B.E. 2494 (1951) and the Juvenile Procedure Act, B.E.2494 (1951). As a result, the Central Juvenile Court and the Central Observation and Protection Center were established by virtue of the Act in 1952. For the eleven years that followed the Acts were amended to extend to the juvenile courts' jurisdiction and to bring speedy trials in criminal cases in the interests of the child or young person.

Recently, the Act instituting the juvenile and family court and its procedures relating to juvenile and family cases of 1991 superseded all 13 juvenile court laws and amendments. The new Act has extended the court jurisdiction to cover all family matters as provided by the family law, the civil and commercial code. In criminal proceedings and the welfare of juveniles, the law has clearly defined and revised certain provisions to protect the rights of children and young persons.

The Juvenile and Family Court (JFC) is a constituent of the organized judiciary of Thailand. It is a specialized court of the first instance within the meaning of the constitutional Court of the Justice. At present, there are 10 Juvenile and Family Courts and 24 Juvenile and Family Sections in provincial Courts. Those have commanding from Central Juvenile and Family Court by Chief Justice. All juvenile and Family Courts have similar comprehensive structures. They consist of two separate but coordinating parts; judiciary and administration. The Court is staffed by career judges and associate judged (lay judges). A quorum consists of associate judges.

Social problems at present are critical and problems of juvenile cases entering lawsuits are increasing. Actions taken in court are the narcotic cases and narcotic-related crimes. Being personnel in the Central Juvenile and Family Court, the researcher is interested to investigate key factors used in the proceedings and

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adherence to the due processes particularly the issues of narcotics. By reason, narcotics drugs id deadly to societies and juveniles are those who are directly affected. The associate judges are parts in the special proceedings in solving the juveniles' problems. Being a graduate student the faculty of Arts, School of Addictology under joint-program with the Faculty of Medicine of Siriraj Nursing Sciences, Faulty of Social Sciences and Humanities, Graduate School, Mahidol University, it is required to investigate the problems since juvenile problems are growing violence and increasing. This deserves investigation as reasons and criticality mentioned above.

The results of this study will be benefiting for policy making and practical plan to develop in human resources development aspects for associate judges in juvenile and family courts coinciding the juvenile correction and rehabilitation on the base of the children principle.

1.2 Research Objectives

To study about procedure of Juvenile and Family Court (JFC) and roles of Associate Judges. The researcher investigates the factors affecting toward narcotic trial of associate judges at Central Juvenile and Family Court.

1.3 Research Framework

In this research, the researcher targets are study to **Factors affecting toward narcotic trial of Associate Judges: Central Juvenile and Family Court.** The reasons for research framework were that such areas had statistical of Addiction in a high level degree dedicated effected to Juvenile delinquency. And Central Juvenile and Family Court is topmost leader of juvenile nationwide court, and person set a policy for topmost advantage with a child and the youth in witness.

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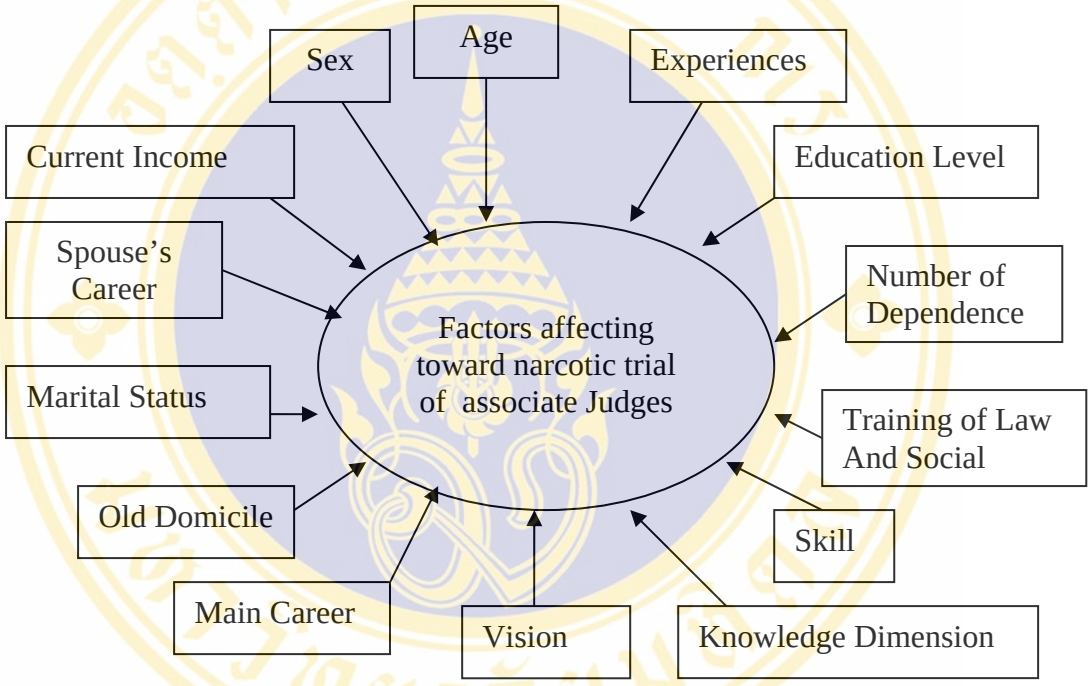
1.4 Research Question

Associate Judges of Central Juvenile and Family Court What should be factors affective to narcotic trail of associate judge?

1.5. Conceptual Framework



1.6 Definition of Terms

1.6.1 **Associate Judges** are layman recruited separately to perform duties in the Juvenile and Family Courts, The aim of having Associate Judges is to have an experienced person who can work closely with a career judge in adjudicating cases.

1.6.2 **Competence in Duty Performing** means knowledge, skills, experiences, techniques to success or occupation the work including the studying and training or any developing through the human resources development direct and indirect ways that affecting on duty performing efficiently. In this study, it means any

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knowledge, shills experiences or any matters that used beneficiary on duty performing concretely and successfully as such.

1.6.3 **Case Management** means talking part in case considering and defined any measures to correct and rehabilitation for juvenile delinquency from initial stage to finish such a case. In this study it means associate judges had took part in case considering study the report conserved including chairing on case considering to do the best for children.

1.6.4 **Children Services** means any conducts aimed to help children and youth as juvenile delinquency to correct including contributing in rehabilitation training, professional assessing and behavioral improving. In this study, it means associate judges took a great role in juvenile correcting and payment to accomplish such works or services.

1.6.5 **Appearance** means appropriate behavioral and expressional aspects both verbal as well as physical including keeping the descriptive and relevant rules in ethical ways. In this study, it means personality disciplinary ethical behave or any appearances of associate judges appropriated for their position as the judge.

1.6.6 **Policy and Administration** means directions trend for working in any organization that had defined as indexes including custom and methods to use in working. In this study, it means target and direction as a wanderer for practicing of any juvenile and Family Courts to guideline associate judges to see the target to approach.

1.6.7 **Morale** means feeling of thinks, attending security and safety of anyone. It might be in negative aspect as inert, unfinished works, quarrel, lazy, etc., or in positive way as enthusiasing happiness, and good relationship and enjoyable. In this study, it means status of thinks and interesting including devoting to work of associate judges or in the other hands.

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1.6.8 **Human Relations** mean consuming casting, helping, talking, sharing experiences including working smoothing with the other. In this study, it means associate judges had good relation for working with the others as juvenile judges, associate judges, state officials and children's parent.

1.6.9 **Definition of Terms** means knowledge of the Sciences of Drug addiction, Drug abuse, Alcoholism, YABA (Crazy drug), Inhalants, Marijuana, Nicotine, Rehabilitation, Community Base Correction etc.,

1.6.10 **knowledge dimension**

1.6.11 **Skill vision or Experience vision**

1.6.12 **Trial Case** mean the associate Judges and Occupation Judges use discretion for narcotic Trial

1.7Expected Benefits

1.6.1 To know the procedure of Juvenile and Family Court and duty performance of Associate Judges of Central Juvenile and Family Court.

1.6.2 To know the factors affecting which related duty performance of Associate Judges.

1.6.3 To know the effect of factors affecting toward narcotic trial and good affecting the juvenile delinquency to law.

1.6.4 Application of findings as data base to narcotic correction, narcotic prevention and suppression.

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CHAPTER II
LITERATURE REVIEW

In the study of **FACTORS AFFECTING TOWARD NARCOTIC TRIAL OF ASSOCIATE JUDGES :CENTRAL JUVENILE AND FAMILY COURT.** the researcher had reviewed the literatures documents and related Drug addiction of Juvenile Delinquency including applications of the work and mission of associate judge in juvenile and family court. The content had been categorized as follows;

2.1 Use Drug and Substance
- 2.1.1 Drug Addiction
- 2.1.2 Drug Abuse

2.2 Juvenile Behavioral

2.3 Juvenile Justicts System
- 2.3.1 Juvenile Case Procedure
- 2.3.2 Principle and Rules Relating to Juvenile Litigation
- 2.3.3 Associate Judges in Juvenile and Family Court
- 2.3.4 History of Probation Thailand
- 2.3.5 Structure of Associate Judges Organization

2.4 Designing a Case Management System to Provide Individualized Treatment

2.5 Related Research

2.1 Use Drug and Substance

2.1.1 Drug Addiction (From Wikipedia the free encyclopedia)

Drug addiction, **substance dependence** or **chemical dependency** is the compulsive use of psychoactive drugs, to the point where the user has no effective choice but to continue use. The phenomenon of drug addiction has occurred to some degree throughout recorded history (see "opium"), though modern agricultural

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practices, improvements in access to drugs, and advancements in biochemistry have exacerbated the problem significantly in the 20th century with the introduction of purified forms of active biological agents, and with the synthesis of hitherto unknown substances, such as methamphetamine.

The alleged addictive nature of drugs varies from substance to substance, and from individual to individual. Drugs such as codeine or alcohol, for instance, typically require many more exposures to addict their users than drugs such as heroin or cocaine. Likewise, a person who is psychologically or genetically predisposed to addiction is much more likely to suffer from it.

Although dependency on hallucinogens like LSD otherwise known as "acid" and psilocybin is listed as Substance-Related Disorder in the DSM-IV, most psychologists do not classify them as addictive drugs. Experts on addiction say that the use of LSD and psilocybin causes neither psychological nor physical dependency. Many users report feeling less desire to use these drugs after every use

There is anecdotal evidence which emerges of psychological addiction to recreational psychedelics such as MDMA (Ecstasy) and Ketamine. Because of the tendency for pills sold on the street as "ecstacy" to contain other drugs such as cocaine or speed, this can make the drug significantly more addictive if it is snorted through the nose

Drug addiction has two components: physical dependency, and psychological dependency. Physical dependency occurs when a drug has been used habitually and the body has become accustomed to its effects. The person must then continue to use the drug in order to feel normal, or its absence will trigger the symptoms of withdrawal. Psychological dependency occurs when a drug has been used habitually and the mind has become emotionally reliant on its effects, either to elicit pleasure or relieve pain, and does not feel capable of functioning without it. Its absence produces intense cravings, which are often brought on or magnified by stress.

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A dependent person may have either aspects of dependency, but often has both. "Chipping" is also a term used to describe a pattern of drug use in which the user is not physically dependent and sustains 'controlled use' of a drug. This is done by avoiding influences that reinforce dependence, such that the drug is used for relaxation and not for escape.

2.1.1.1 The basis for addiction

Scientists have long accepted that there is a biological basis for drug addiction, though the exact mechanisms responsible are only now being identified. It is believed that addictive substances create dependence in the user by changing the brain's reward functions, located in the mesolimbic dopamine system—the part of the brain that reinforces certain behaviors such as eating, sexual intercourse, exercise, and social interaction. Addictive substances, through various means and to different degrees, cause the synapses of this system to flood with excessive amounts of dopamine, creating a brief rush of euphoria more commonly called a "high".

Although the high may last only a few minutes, it also produces more longer-lasting effects in the brain. Dopamine signals occurring normally in the reward system (traveling from the ventral tegmental area to the nucleus accumbens) lead to the activation of proteins designed to calm the initial reaction and foster a continued desire to pursue the behavior responsible. Addictive substances create a greater than normal dopamine release, and the subsequent reactions of the brain are greatly exaggerated as well. The amygdala, hippocampus, and frontal cortex associate the use of the drug with intense pleasure and well-being; an association that is strengthened with each exposure, and which over time comes to dominate normal thoughts and desires. When cravings for the drug are no longer controllable, the user is considered addicted. (For a contrary view of drug addiction, see Rat Park.)'

There seems to be a genetic component to addiction Pankaj Sah of Australian National University believes that chronic marijuana users are self medicating for anxiety problems. In addition Dr. Lonny Shavelson, in his book

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"Hooked," has reported that 70% of female heroin addicts were sexually abused as children.

2.1.1.2 Evolutionary psychology view of addiction

It is obvious that genes for addiction would not be directly selected. Since evolution theory claims that every physical and behavioral trait is a direct or side effect of selection, then the capacity to be addicted to drugs must be a side effect of something that was selected.

A number of writers including Keith Henson have suggested that the capacity to be addicted to drugs is a side effect of social attention rewards. It is easy to understand how sensitivity to social rewards would evolve in social primates. For example, Jane Goodall's observation that chimpanzees who hunt get additional mating opportunities. The proposed evolved mechanism for social rewards is that attention causes the release of endorphins and dopamine into the brain's reward circuits.

It seems that addictive drugs activate brain reward circuits that are normally activated by attention, without the need to kill a large, dangerous animal and drag it back to camp (or modern equivalents.)

In this view, the relative success of 12 step and related programs is due to the more natural social attention-rewards replacing drug-rewards.

2.1.1.3 The chemicals responsible

The CREB protein, a transcription factor activated by cyclic adenosine monophosphate (cAMP) immediately after a high, triggers genes that produce proteins such as dynorphin, which cuts off dopamine release and temporarily inhibits the reward circuit. In chronic drug users, a sustained activation of CREB leaves the user feeling depressed and dissatisfied, and unable to find pleasure in previously enjoyable activities, often leading to a return to the drug for an additional "fix". It also leads to a short term tolerance of the substance, necessitating that a greater amount be taken in order to reach the same high.

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Another transcription factor, known as delta FosB, is thought to activate genes that, counter to the effects of CREB, actually increase the user's sensitivity to the effects of the substance. Delta FosB slowly builds up with each exposure to the drug and remains activated for weeks after the last exposure—long after the effects of CREB have faded. The hypersensitivity that it causes is thought to be responsible for the intense cravings associated with drug addiction, and is often extended to even the peripheral cues of drug use, such as related behaviors or the sight of drug paraphernalia. There is some evidence that delta FosB even causes structural changes within the nuclear accumbens, which presumably helps to perpetuate the cravings, and may be responsible for the high incidence of relapse that occur in treated drug addicts.

Regulator of G-protein Signaling 9-2 (RGS 9-2) has recently been the subject of several animal knockout studies. Animals lacking RGS 9-2 appear to have increased sensitivity to dopamine receptor agonists such as cocaine and amphetamines; over-expression of RGS 9-2 causes a lack of responsiveness to these same agonists. RGS 9-2 is believed to catalyze inactivation of the G-protein coupled D2 receptor by enhancing the rate of GTP hydrolysis of the G alpha subunit which transmits signals into the interior of the cell.

2.1.1.4 Mechanisms of effect

The mechanisms by which different substances activate the reward system vary among drug classes. Depressants such as alcohol and benzodiazepines work by increasing concentrations of GABA in the brain. Narcotics such as morphine and methadone, work by mimicking endorphins—chemicals produced naturally by the body which have effects similar to dopamine—or by disabling the neurons that normally inhibit the release of dopamine. These substances (sometimes called "downers") typically facilitate relaxation and pain-relief.

Stimulants such as amphetamines, nicotine and cocaine increase dopamine signaling, either by directly stimulating its release, or by blocking its absorption.

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These substances (sometimes called "uppers") typically cause heightened alertness and energy.

The most common drug addictions are to legal substances such as:

- Alcohol
- Nicotine in the form of tobacco, particularly cigarettes
- Caffeine in the form of tea, coffee, and caffeinated sodas

Many prescription or over the counter drugs can become addictive if abused. Steroidal medications, for example, are extremely addictive. In addition, a large number of other substances are currently considered to have no medical value and are not available over the counter or by prescription. Depending on the jurisdiction, these drugs may be legal only as part of a government sponsored study, illegal to use for any purpose, illegal to sell, or even illegal to merely possess.

In 1972, United States President Richard Nixon declared a war on illegal drugs in an attempt to control the growing problem of drug addiction and drug-related crime. It is unclear, though, whether laws against drugs do anything to stem usage and dependency. In jurisdictions where addictive drugs are illegal, they are generally supplied by drug dealers, who are often involved with organized crime. Even though the cost of producing most illegal addictive substances is very low, their illegality combined with the addict's need permits the seller to command a premium price, often hundreds of times the production cost. As a result, the addict sometimes turns to crime to support their habit.

2.1.1.5 Recovery from drug addiction

Methods of recovery from addiction to drugs vary widely according to the types of drugs involved, amount of drugs used, duration of the drug addiction, medical complications and the social needs of the individual. Treatment is just as important for the addicted individual as for the significant others in the addicted individuals sphere of contact.

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One of many recovery methods is the 12 Step recovery program, with prominent examples including Alcoholics Anonymous and Narcotics Anonymous. They are commonly known and used for a variety of addictions for the individual addicted and the family of the individual. Substance-abuse rehabilitation (or "rehab") centers frequently offer a residential treatment program for the seriously addicted in order to isolate the patient from drugs and interactions with other users and dealers. Outpatient clinics usually offer a combination of individual counseling and group counseling. Frequently a physician or psychiatrist will assist with prescriptions to assist with the side effects of the addiction (the most common side effect that the medications can help is anxiety). People interested in not using drugs to detoxify from drugs should consider acupuncture detoxification.

12 Step programs are the most common and well-known, but there are many other types of treatment programs. These other programs may use Cognitive-Behavioral Therapy, Rational-Emotive Therapy, or other types of psychological behavior modification methods. Other forms of treatment involve replacement drugs such as methadone. Although methadone is itself addictive, opium dependency is often so strong that the gradual tapering of a less-addictive substance is the only way to reliably treat the user. Other treatments, such as acupuncture, may be used to help alleviate symptoms as well. Determining the best type of recovery program for an addicted person depends on a number of factors, including: personality, drug(s) of addiction, concept of spirituality or religion, mental or physical illness, and local availability and affordability of programs.

Many different ideas circulate regarding what is considered a "successful" outcome in the recovery from addiction. It has widely been established that abstinence from addictive substances is generally accepted as a "successful" outcome.

2.1.1.6 Medical definitions

The 1957 World Health Organization (WHO) Expert Committee on Addiction-Producing Drugs defined addiction and habituation as components of drug abuse:

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Drug addiction is a state of periodic or chronic intoxication produced by the repeated consumption of a drug (natural or synthetic). Its characteristics include: (i) an overpowering desire or need (compulsion) to continue taking the drug and to obtain it by any means; (ii) a tendency to increase the dose; (iii) a psychic (psychological) and generally a physical dependence on the effects of the drug; and (iv) detrimental effects on the individual and on society.

Drug habituation (habit) is a condition resulting from the repeated consumption of a drug. Its characteristics include (i) a desire (but not a compulsion) to continue taking the drug for the sense of improved well-being which it engenders; (ii) little or no tendency to increase the dose; (iii) some degree of psychic dependence on the effect of the drug, but absence of physical dependence and hence of an abstinence syndrome [withdrawal], and (iv) detrimental effects, if any, primarily on the individual.

In 1964, a new WHO committee found these definitions to be inadequate, and suggested using the blanket term 'drug dependence':

The definition of addiction gained some acceptance, but confusion in the use of the terms addiction and habituation and misuse of the former continued. Further, the list of drugs abused increased in number and diversity. These difficulties have become increasingly apparent and various attempts have been made to find a term that could be applied to drug abuse generally. The component in common appears to be dependence, whether psychic or physical or both. Hence, use of the term 'drug dependence', with a modifying phase linking it to a particular drug type in order to differentiate one class of drugs from another, had been given most careful consideration. The Expert Committee recommends substitution of the term 'drug dependence' for the terms 'drug addiction' and 'drug habituation'.

The committee did not clearly define dependence, but did go on to clarify that there was a distinction between physical and psychological ('psychic') dependence. It said that drug abuse was "*a state of psychic dependence or physical*

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dependence, or both, on a drug, arising in a person following administration of that drug on a periodic or continued basis." Psychic dependence was defined as a state in which "*there is a feeling of satisfaction and psychic drive that requires periodic or continuous administration of the drug to produce pleasure or to avoid discomfort*" and all drugs were said to be capable of producing this state:

There is scarcely any agent which can be taken into the body to which some individuals will not get a reaction satisfactory or pleasurable to them, persuading them to continue its use even to the point of abuse — that is, to excessive or persistent use beyond medical need.

The 1957 and 1964 definitions of addiction, dependence and abuse persist to the present day in medical literature. It should be noted that at this time (2006) the Diagnostic Statistical Manual (DSM IVR) now spells out specific criteria for defining abuse and dependence.

In 2001, the American Academy of Pain Medicine, the American Pain Society, and the American Society of Addiction Medicine jointly issued "Definitions Related to the Use of Opioids for the Treatment of Pain," which defined the following terms:

Addiction is a primary, chronic, neurobiologic disease, with genetic, psychosocial, and environmental factors influencing its development and manifestations. It is characterized by behaviors that include one or more of the following: impaired control over drug use, compulsive use, continued use despite harm, and craving.

Physical dependence is a state of adaptation that is manifested by a drug class specific withdrawal syndrome that can be produced by abrupt cessation, rapid dose reduction, decreasing blood level of the drug, and/or administration of an antagonist.

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Tolerance is the body's physical adaptation to a drug: greater amounts of the drug are required over time to achieve the initial effect as the body "gets used to" and adapts to the intake.

Pseudoaddiction is a term which has been used to describe patient behaviors that may occur when pain is undertreated. Patients with unrelieved pain may become focused on obtaining medications, may "clock watch," and may otherwise seem inappropriately "drug seeking." Even such behaviors as illicit drug use and deception can occur in the patient's efforts to obtain relief. Pseudoaddiction can be distinguished from true addiction in that the behaviors resolve when pain is effectively treated.

2.1.1.7 Drugs considered to be addictive (Some may be debatable)

- Adderall
- Alcohol
- Analgesics
- Barbiturates
- Buprenorphine
- Butorphanol
- Caffeine
- Chloral hydrate, trichloroethanol and derivatives
- Cocaine
- Codeine
- Dextropropoxyphene
- Dextromethorphan
- Ethchlorvynol
- Fentanyl and its analogs
- Gamma-hydroxybutyrate (GHB)
- Glutethimide
- Heroin (Diacetylmorphine)
- Hydrocodone
- Hydromorphone (Dilaudid®)

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- Ketamine
- Laxatives
- Levo-alpha-acetylmethadol (LAAM)
- Meperidine
- Meprobamate
- Methamphetamine and other Amphetamines
- Methaqualone and related sedative-hypnotics
- Methadone
- Methcathinone
- Morphine
- Nicotine
- Oxycodone
- Opium
- Synthetic opioid agonists and partial agonists not considered here
- Semi-synthetic opiates not considered here
- Xanax and other benzodiazepines
- Paraldehyde (Paral®)
- Phencyclidine (PCP)
- Flunitrazepam (Rohypnol®)

2.1.1.8 Addiction and drug control legislation

Most countries have legislation which brings various drugs and drug-like substances under the control of licensing systems. Typically this legislation covers any or all of the opiates, canaboids, cocaine, barbiturates, hallucinogenics and a variety of more modern synthetic drugs, and unlicensed production, supply or possession is a criminal offence.

Usually, however, drug classification under such legislation is not related simply to addictiveness. The substances covered often have very different addictive properties. Some are highly prone to cause physical dependency, whilst others rarely

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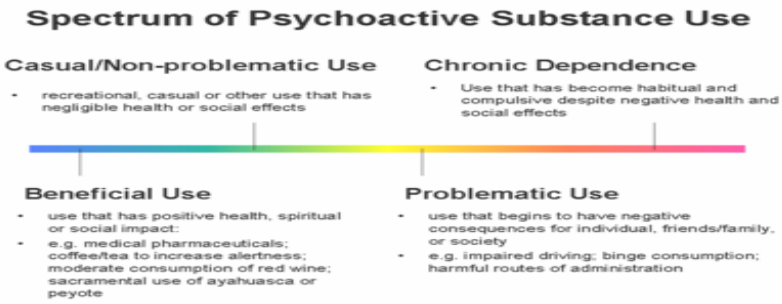
cause any form of compulsive need whatsoever. Also, under legislation specifically about drugs, alcohol is not usually included.

Although the legislation may be justifiable on moral or public health grounds, it can make addiction or dependency a much more serious issue for the individual: reliable supplies of a drug become difficult to secure, and the individual becomes vulnerable to both criminal abuse and legal punishment.

2.1.2 Drug Abuse(From Wikipedia, the free encyclopedia)

Drug abuse has a wide range of definitions, all of them relating either to the misuse or overuse of a psychoactive drug or performance enhancing drug for a non-therapeutic or non-medical effect, or referring to any use of illegal drug in the absence of a required, yet practically impossible to get, license from a government authority (e.g., in the U.S. this is the DEA). Some of the most commonly abused drugs include alcohol, amphetamines, barbiturates, caffeine, cannabis, cocaine, methaqualone, nicotine, opium alkaloids, and minor tranquilizers. Use of these drugs may lead to criminal penalty in addition to possible physical, social, and psychological harm, both strongly depending on local jurisdiction. Other definitions of drug abuse fall into four main categories: public health definitions, mass communication and vernacular usage, medical definitions, and political and criminal justice definitions.

2.1.2.1 Public health definitions



Source: A Public Health Approach to Drug Control in Canada, Health Officers Council of British Columbia, 2005

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In recent decades, public health practitioners have attempted to look at drug abuse from a broader perspective than the individual, emphasising the role of society, culture and availability. Rather than accepting the loaded terms alcohol or drug "abuse," many public health professionals have adopted phrases such as "alcohol and drug problems" or "harmful/problematic use" of drugs.

The Health Officers Council of British Columbia in their 2005 policy discussion paper, *A Public Health Approach to Drug Control in Canada* has adopted a public health model of psychoactive substance use that challenges the simplistic black-and-white construction of the binary (or complementary) antonyms "use" vs. "abuse". This model explicitly recognizes a spectrum of use, ranging from beneficial use to chronic dependence.

Mass communication and vernacular usage.

The term "drug abuse" may be used in newspapers, television, etc. in an ambiguous, catch-all sense rather than as a medical or legal term, sometimes disapprovingly to refer to any drug use at all, particularly of illicit drugs

Medical definitions

In the modern medical profession, the two most used diagnostic tools in the world, the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM) and the World Health Organization's International Statistical Classification of Diseases and Related Health Problems (ICD), no longer recognise 'drug abuse' as a current medical diagnosis. Instead, they have adopted *substance abuse* as a blanket term to include drug abuse and other things. However, other definitions differ; they may entail psychological or physical *dependence*, and may focus on treatment and prevention in terms of the social consequences of substance use.

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Historical positions of the American Psychiatric Association

In the early 1950s, the first edition of the American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders* referred to both alcohol and drug abuse as part of Sociopathic Personality Disturbances, which were thought to be symptoms of deeper psychological disorders or moral weakness . By the third edition, in the 1980s, drug abuse was grouped into 'substance abuse'.

In 1972, the American Psychiatric Association created a definition that used legality, social acceptability, and even cultural familiarity as qualifying factors:

…as a general rule, we reserve the term drug abuse to apply to the illegal, nonmedical use of a limited number of substances, most of them drugs, which have properties of altering the mental state in ways that are considered by social norms and defined by statute to be inappropriate, undesirable, harmful, threatening, or, at minimum, culture-alien.

Historical positions of the American Medical Association

In 1966, the American Medical Association's Committee on Alcoholism and Addiction defined abuse of stimulants (amphetamines, primarily) in terms of "medical supervision":

…"use" refers to the proper place of stimulants in medical practice; "misuse" applies to the physician's role in initiating a potentially dangerous course of therapy; and "abuse" refers to self-administration of these drugs without medical supervision and particularly in large doses that may lead to psychological dependency, tolerance and abnormal behavior.

Handbook on Drug and Alcohol Abuse

The *Handbook on Drug and Alcohol Abuse* defines drug abuse as "*nonmedical use of drugs, both drugs that have and those that do not have generally accepted medical value*"

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Political and criminal justice definitions

Most countries have legislation designed to criminalise some drug use. Usually however the legislative process is self-referential, defining abuse in terms of what is made illegal. The legislation concerns lists of drugs specified by the legislation. These drugs are often called *illegal drugs* but, generally, what is illegal is their unlicensed production, supply and possession. The drugs are also called *controlled drugs* or *controlled substances*.

World Health Organization

The World Health Organization (WHO), a public health agency comprised of delegates appointed by the governments of member nations, is considered by many to be a medical authority. Definitions found in WHO reports are often used as the basis for legislation at national, regional and local levels. The WHO also produces the *ICD*, a major diagnostic resource used by medical professionals worldwide.

Although it consists largely of public health professionals, the WHO is an arm of the United Nations political body, and is therefore responsive to the needs of, demands from, and prevailing views among the UN member states that appoint WHO delegates. The manner in which the WHO has recognized and dealt with 'drug abuse' over the years reflects a continuing struggle to reconcile conflicting historical, political, social, cultural, and medical viewpoints.

In its early reports, the WHO Expert Committee on Addiction-Producing Drugs used the terms 'abuse' and 'addiction' interchangeably. Beginning in 1950s, attempts were made to distinguish between scientific and emotionally-charged terminology. However, the term 'abuse' was still inserted into definitions of addiction and dependency.

In 1957, while not explicitly saying that 'drug abuse' was synonymous with 'addiction', the committee first attempted to clarify existing definitions of addiction and habituation as had been in common parlance since at least 1931:

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Drug addiction is a state of periodic or chronic intoxication produced by the repeated consumption of a drug (natural or synthetic). Its characteristics include: (i) an overpowering desire or need (compulsion) to continue taking the drug and to obtain it by any means; (ii) a tendency to increase the dose; (iii) a psychic (psychological) and generally a physical dependence on the effects of the drug; and (iv) detrimental effects on the individual and on society.

Drug habituation (habit) is a condition resulting from the repeated consumption of a drug. Its characteristics include (i) a desire (but not a compulsion) to continue taking the drug for the sense of improved well-being which it engenders; (ii) little or no tendency to increase the dose; (iii) some degree of psychic dependence on the effect of the drug, but absence of physical dependence and hence of an abstinence syndrome [withdrawal], and (iv) detrimental effects, if any, primarily on the individual.

In 1964, a new WHO committee found these definitions to be inadequate, and suggested using the blanket term 'drug dependence':

The definition of addiction gained some acceptance, but confusion in the use of the terms addiction and habituation and misuse of the former continued. Further, the list of drugs ***abused*** *increased in number and diversity. These difficulties have become increasingly apparent and various attempts have been made to find a term that could be applied to* ***drug abuse*** *generally. The component in common appears to be dependence, whether psychic or physical or both. Hence, use of the term 'drug dependence', with a modifying phase linking it to a particular drug type in order to differentiate one class of drugs from another, had been given most careful consideration. The Expert Committee recommends substitution of the term 'drug dependence' for the terms 'drug addiction' and 'drug habituation'.*

The committee did not clearly define dependence, but did go on to clarify that there was a distinction between physical and psychological ('psychic') dependence. It said that drug abuse was "*a state of psychic dependence or physical*

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dependence, or both, on a drug, arising in a person following administration of that drug on a periodic or continued basis." Psychic dependence was defined as a state in which "*there is a feeling of satisfaction and psychic drive that requires periodic or continuous administration of the drug to produce pleasure or to avoid discomfort*" and all drugs were said to be capable of producing this state:

There is scarcely any agent which can be taken into the body to which some individuals will not get a reaction satisfactory or pleasurable to them, persuading them to continue its use even to ***the point of abuse*** *— that is, to excessive or persistent use beyond medical need.*

This is believed to be the first reference to "medical need" as a factor in the distinction between use and abuse.

In 1965, the same WHO committee commented further now providing a specific definition of abuse:

Drug abuse is the consumption of a drug apart from medical need or in unnecessary quantities. Its nature and significance may be considered from two points of view: one relates to the interaction between the drug and the individual, the other to the interaction between drug abuse and society. The first viewpoint is concerned with drug dependence and the interplay between the pharmacodynamic actions of the drug and the physiological and psychological status of the individual. The second — the interaction between drug abuse and society — is concerned with the interplay of a wide range of conditions, environmental, sociological, and economic.

Individuals may become dependent upon a wide variety of chemical substances that produce central nervous system effects ranging from stimulation to depression. All of these drugs have one effect in common: they are capable of creating, in certain individuals, a particular state of mind that is termed "psychic dependence ".

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Some drugs… induce physical dependence, which is an adaptive state that manifests itself by intense physical disturbances when the administration of the drug is suspended or when its action is affected by the administration of a specific antagonist.

The committee offered several disclaimers of its definitions:

It must be emphasized that drug dependence and drug abuse, as used by the Committee, are general terms and carry no connotation of the degree of risk to public health or of the need for drug control or for a particular type of drug control. The Committee would point out again that the recommendation for the use of the terms drug abuse and drug dependence of this or that type must not be regarded as a re-definition; rather, these terms are intended as descriptive expressions for clarification in scientific reference, interdisciplinary discussions, and national and international procedures.

The 1969 edition of the WHO's International Statistical Classification of Diseases and Related Health Problems (ICD) manual defined drug abuse as "*persistent or sporadic excessive drug use inconsistent with or unrelated to acceptable medical practice*", modern editions have not used the term because of its ambiguity, preferring instead to refer to the cluster of symptoms previously called 'drug abuse' as 'substance abuse'.

In 1973, these statements and recent legislation based upon the term "dependence" rather than "addiction" or "abuse" were praised by President Richard M. Nixon's National Commission on Marihuana and Drug Abuse in its final report:

The Commission applauds the much-belated attempt by the scientific community to sever its conceptual apparatus from the vocabulary of politics and emotion. "Addiction," like "narcotics" and "drug abuse," has a general connotation of evil, suggesting illicit ecstasy, guilt and sin. Because the public image is conditioned more by cultural perceptions than by medical ones, medically-precise meanings simply cannot be harmonized with common parlance.

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And in 1975, the WHO further distanced itself from the term 'drug abuse':

"Drug abuse" is a term in need of some clarification. …The term is really a convenient, but not very precise, way of indicating that (1) an unspecified drug is being used in an unspecified manner and amount … and (2) such use has been judged by some person or group to be wrong (illegal or immoral) and/or harmful to the user or society, or both. What might be called "drug abuse" by some would not necessarily be considered so by others. … For these reasons, the term "drug abuse" is avoided here

The World Health Organization presently prefers to use the terms *harmful use* and *hazardous use* (of drugs), in order to distinguish between the health effects of drug abuse rather than the social consequences. Another preferred term is *drug misuse*, defined as the "*use of a substance for a purpose not consistent with legal or medical guidelines, as in the non-medical use of prescription medications.*" According to WHO, the term misuse is preferred by some in the belief that it is less judgmental.

However, the 1957 and 1964–1965 WHO definitions of addiction, dependence and drug abuse persist to the present day in medical literature and have become entrenched in global legislation, despite the disclaimers and reliance on contentious assumptions. The WHO itself continues to use 'drug abuse' in its publications, and uses the term 'abuse' consistently and exclusively when discussing the control and consumption of illegal substances. This is in keeping with guidelines issued by the WHO's parent organization, the United Nations, which discourages any recognition of "recreational" or "responsible" use of drugs.

Researchers may take note that somewhat less contentious definitions of addiction, dependence, and tolerance (with no speculation as to their roles in the definition of drug abuse) were jointly issued in 2001 by the American Academy of Pain Medicine, the American Pain Society, and the American Society of Addiction

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Medicine in the publication "Definitions Related to the Use of Opioids for the Treatment of Pain".

The US National Institute on Drug Abuse defines drug abuse as "*The use of illegal drugs or the inappropriate use of legal drugs. The repeated use of drugs to produce pleasure, to alleviate stress, or to alter or avoid reality (or all three).*"

Nixon Administration

In 1975, psychiatrist Jerome H. Jaffe (in his role as Drug Policy Director in the Nixon Administration) defined drug abuse as "*the use, usually by self-administration, of any drug in a manner that deviates from the approved medical or social patterns within a given culture*". According to Jaffe, the term "*conveys the notion of social disapproval, and it is not necessarily descriptive of any particular pattern of drug use or its potential adverse consequences*".

2.1.2.2 Abuse potential

Some of the most commonly abused drugs are alcohol, anabolic steroids, amphetamines, analgesics, barbiturates, benzodiazepines, caffeine, cannabis, cocaine, laxatives, methaqualone, opiates, and tobacco. Depending on the actual compound, drug abuse may lead to health problems, social problems, physical dependence, or psychological addiction.

Some drugs that are subject to abuse have central nervous system (CNS) effects, which produce changes in mood, levels of awareness or perceptions and sensations. Most of these drugs also alter systems other than the CNS. But, not all centrally acting drugs are subject to abuse, which suggests that altering consciousness is not sufficient for a drug to have abuse potential. Among drugs that are abused, some appear to be more likely to lead to uncontrolled use than others, suggesting a possible hierarchy of drug-induced effects relative to abuse potential.

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Approaches to managing drug abuse

Attempts by government-sponsored drug control policy to interdict drug supply and eliminate drug abuse have been largely unsuccessful. In the United States, the number of nonviolent drug offenders in prison exceeds by 100,000 the total incarcerated population in the EU, despite the fact that the EU has 100 million more citizens. In spite of the huge efforts by the U.S., drug supply and purity has reached an all time high, with the vast majority of resources spent on interdiction and law enforcement instead of public health.

In addition to being a major public health problem, some consider drug abuse to be a social problem with far-reaching implications. Stress, poverty, domestic and societal violence, and various diseases (i.e., injecting drug users as a source for HIV/AIDS) are sometimes thought to be spread by drug use. Studies have also shown that individuals dependent on illicit drugs experience higher rates of comorbid psychiatric syndromes.

Harm reduction

Main article: Harm reduction

One alternative involves replacing failed law enforcement policies with harm-reduction strategies, which focus on reducing the societal costs of drug abuse and other drug use. Techniques include education to avoid overdose, needle exchange programs to reduce the spread of blood-borne diseases, and opioid substitution therapy to reduce crime related to the procurement of drugs. This pragmatic approach is known as the harm reduction paradigm. Harm reduction also addresses special populations, such as drug-using parents, pregnant drug users and users with psychiatric comorbidity. The philosophy of harm reduction accepts that drug use is part of the community, but that it must be addressed as a public health issue rather than a criminal one.

Harm-reduction measures are at odds with the prevailing framework of international drug control, which rests on law enforcement and the criminalization of behaviors related to illicit drug use. However, harm-reduction has had a notable

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impact and is slowly gaining popularity. In Brazil alone, a comprehensive harm-reduction and drug-access program successfully reduced AIDS mortality among injection drug users by 50%.

Abstinence-Based

Abstinence-based approaches set as a goal complete abstinence from all addictive substances, including both licit and illicit, prescribed and unprescribed. While the harm-reduction approach has been demonstrated to work well with opioids, the abstinence-based approach is the medical community standard of care for sedative (including alcohol) dependence.

Medical treatment

Beyond the sociological issues, many drugs of abuse can lead to addiction, chemical dependency, or adverse health effects, such as lung cancer or emphysema from cigarette smoking.

Medical treatment therefore centers on two aspects: 1) breaking the addiction, 2) treating the health problems.

Most countries have health facilities that specialize in the treatment of drug abuse, although access may be limited to larger population centers and the social taboos regarding drug use may make those who need the medical treatment reluctant to take advantage of it. For example, it is estimated that only fifteen percent of injection drug abusers thought to be in need are receiving treatment.[15] Patients may require acute and long-term maintenance treatment and relapse prevention, complemented by suitable rehabilitation.

Pharmacotherapy

The development of pharmacotherapies for drug dependency treatment are currently in progress. New immunotherapies that prevent drugs like cocaine, methamphetamine, phencyclidine, nicotine, and opioids from reaching the brain are in

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the early stages of testing as is ibogaine, an alkaloid found in the Tabernanthe iboga plant of West Central Africa. Medications such as Buprenorphine, which block the drugs active site in the brain are another new option for the treatment of opioid addiction. Depot forms of medications, which require only weekly or monthly dosing, are also under investigation.

Traditionally, new pharmacotherapies are quickly adopted in primary care settings, however, drugs for substance abuse treatment have faced many barriers . Naltrexone, a drug originally marketed under the name "ReVia," and now marketed in intramuscular formulation as "Vivitrol" or in oral formulation as a generic, is a medication approved for the treatment of alcohol dependence. This drug has reached very few patients. This may be due to a number of factors, including resistance by Addiction Medicine specialists and lack of resources.

Legal treatment

Related articles: Prohibition (drugs), Arguments for and against drug prohibition. Most countries have legislation designed to criminalise drug abuse. Usually however this is limited to drugs specified by the legislation. These drugs are often called *illegal drugs* but, generally, what is illegal is their unlicensed production, supply and possession. The drugs are also called *controlled substances*. Legal punishments, even for simple possession, can be quite severe (including the death penalty in some countries). Legal regimes vary across countries, and even within them, and have fluctuated widely throughout history.

Despite (and perhaps because of) the legislation many large, organized criminal drug cartels operate world-wide. Advocates of decriminalization argue that it is the legislation which makes drug dealing such a lucrative business, and leads to much of the associated criminal activity.

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2.2 Juvenile Delinquency

2.2.1 Definitions of juvenile delinquency

The definition of “delinquency” is not an unalterable given; rather, it is a socially constructed reality. It is a definition that can very greatly, depending on the location and historical period. Definitions very from society to society, state to state, and community to community(Bortner,M.A.,1988:94)

The word “delinquency” stems from the Latin roots de (out), and linquo (to leave). The derivative Latin term delinquo means “ to abandon”, “fail”, “omit duty”, similarly, delinquent a means “ a fault”. Each of the board diversity of disciplines concerned with delinquency – ranging from psychology, psychiatry, sociology and social work criminology and jurisprudence – has developed specific and distinct definitions of its subject. (Roy, E.V. & Kroll, C., 1998:9).

“Delinquent acts” are those behaviors that are analogous or similar to adult misdemeanors and felonies, and they include all acts that would be considered crimes if committed shoplifting, disturbing the peace, or minor theft to the most serious crimes robbery, and aggravated assault and property crimes such as murder, rape, robbery, and aggravated assault and property crimes such as burglary, larceny theft, arson, and motor vehicle theft (Bortner, M.A., 1998:94).

Juvenile delinquency is a violation of the law committed by a juvenile that would have been a crime if committed by an adult; also anti social behavior by juveniles that is subject to legal action (Merrian Webster Legal Dictionary, 2006:juvenile delinquency[Online].

Juvenile delinquency is an inextricable problem from human society. Aftermath of any war, economic depression, or any catastrophic situation jeopardizes social fabric and exiting social structure having severe impact on family and childen (Hafizur, S. & Karzon, R., 2003:[Online]).

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Juvenile delinquency refers to antisocial or criminal acts performed by juveniles. It is an important social issue because juveniles are capable of committing serious crimes, but most legal systems prescribe specific procedures and punishment for dealing with such crimes. Juvenile Delinquency may refer to rather violent or non-violent crime committed by persons who are (usually) under the adult age (18) (Wikipedia. 2005: Juvenile delinquency [Online].

Juvenile delinquency, legal term for behavior children and adolescents that in adult would be judged criminal under law (Columbia University Press Encyclopedia, 2006:[Online].

Teele, J.E. (1992:1020) discussed juvenile delinquency that is a relatively recent social construction. It grew out of legal and humanitarian concern for the well being of children and was designed to allow children to be handled outside the criminal law.

Bynumand & Thompson (1992:36) discussed juvenile delinquency the defined as any act which, if committed by and adult, would be a crime. (WHO, 2004:36)

2.2.2 Risk Factor of Delinquency

Farrington D.(1996) concerned with the backgrounds, circumstances and attitudes of future offenders has identified thousands of factor that point to an increases risk those children and young people will become criminally involved in the future. The major risk factor for juvenile offending are :

- Prenatal and perinatal : early child-bearing increases the risk of such undesirable outcomes for children as low school attainment, antisocial behavior, substance use and early sex activity. An increased risk of offending among children of teenage mothers is associated with low income, poor housing, absent fathers and poor child-rearing methods.

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• Personality: impulsiveness, hyperactivity, restlessness and limited ability to concentrate are associated with low attainment in school and a poor ability to foresee the consequences of offending.

• Intelligence and attainment: low intelligence and poor performance in school, although important statistical predictors of offending, are difficult to disentangle from each other. One plausible explanation of the link between low intelligence and crime is its association with a poor ability to manipulate abstract concept and to appreciate the feeling of victims.

• Parental supervision and discipline: harsh or erratic parental discipline and cold or rejecting parental attitudes have been linked to delinquency and are associated with children's lack of internal inhibitions against offending. Physical abuse by parents has been associated with an increased risk of the children themselves becoming violent offenders in later life.

• Parental conflict and separate: living in a home affected by separation or divorce is more strongly related to delinquency than when the disruption has been caused by the death of one parent. However, it may not be a 'broken home' that creates an increased risk of offending so much as the parental conflict the lead to the separation.

• Socio-economic status: social and economic deprivation are important predictors of antisocial behavior and crime, but low family income and poor housing are better measurements than the prestige of parents' occupations.

• Delinquency friends: delinquents tend to have delinquent friends. But it is not certain whether membership of a delinquent peer group leads to offending or whether delinquents simple gravitate toward eash other's company (or both). Breaking up with delinquent friends often coincides with desisting from crime.

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• School influences: the prevalence of offending by pupils varies widely between secondary school. But it is not clear hoe far schools themselves have an effect on delinquency (for example, by paying insufficient attention to bellying or providing too much punishment and too little praise), or whether it is simply that troublesome children tend to go to high delinquency-rate schools.

• Community influences: the risk of becoming criminally involved are higher for young people raised in disorganized inner city areas, characterized by physical deterioration, overcrowded households, publicly-subsidized renting and high residential mobility. It is not clear, however, whether this is due to a direct influence on children, or whether environmental stress cause family adverdities which in turn cause delinquency.

One difficulty in explaining the development of offending is that most risk factors coincide and are interrelated. For example, adolescents living in physically deteriorated and social disorganized neighborhoods tend, disproportionately, to income from families with poor parental supervision and erratic discipline, and to display a high level of impulsiveness and low intelligence. Moreover, while a great deal is known about risk factors, comparatively little attention has been paid to factors that may protect young people, especially those from high-risk background, against offending. Those factors that are known include having: a resilient temperament; a warm, affectionate relationship with at least one parent; parent who provide effective supervision, pro-social beliefs and consistent discipline; and parent who maintain a strong interest in their children's education.(Ferrington,D.,1996)

2.2.3 Theoretical Perspectives on Juvenile Delinquency

2.2.3.1 Social learning theory

Ronald Akers and Robert Bugess (1996) developed the Social learning Theory to explain deviance by combining variables which encouraged delinquency (e.g. the social pressure from delinquent peers) with variables that discouraged delinquency (e.g. the parental response to discovering delinquency in their children). They described a variety of deviant behaviors. (Wikipedia, 2006:

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Social Learning Theory[Online]) Operant behavior is affected by 'environmental consequences'. Conditioning aims to produce consistency of response to stimulus. They believed that learning criminal behavior excluded other sources of reinforcement, e.g. stealing a loaf of bread may not receive social reinforcement, but it does receive reinforcement because eating the bread nourish a hungry thief which is inherently reinforcing. They allowed any 'group' the possibility of offering positive reinforcement. They agreed that learning criminal behaviors was important to study motivation to see how reinforcement gained value. They broadened the idea from which reinforcements may derived. Effective reinforcements must be analyzed to understand the development of individual behavior within a group. They posited that there was a process in which norms discriminated in favor of delinquency and that behavior was then reinforced. They proposed that when there is an increase in amount of reinforcement, there is also and increase in the response rate.(Wikipedia, 2006: Social Learning Theory[Online]).

2.2.3.2 Deviant behavior

Definition

Deviant behavior is behavior that is a recognized violation of social norms. Formal and informal social controls attempt to prevent or minimize deviance. One such control is through the medicalization of deviance. It is not the act itself, but the reactions to the act, that make something deviant.Crime, the violation of formally enacted law, is formal deviance while an informal social violation such as picking one's nose is an example of informal deviance. It also means not doing what the majority does or alternatively doing what the majority does not do. For instance, behaviors caused by cultural difference can be seen as deviance. It does not necessarily mean criminal behavior.(Wikipedia, 2007:Deviant behavior[Online]).

Types of deviance behavior

a) Anomie

Anomie can accept greater flexibility in the word "norm", and some have used the idea of normlessness to reflect a similar situation to the idea of

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anarchy. But, as used by Émile Durkheim and later theorists, anomie is a reaction against or a retreat from the regulatory social controls of society, and is a completely separate concept from anarchy which is an absence of effective rulers or leaders. (Wikipedia, 2007:Anomie[Online]).

There are two dimensions of the social bond which are social integration and social regulation, and they are for the most part independent. Social integration is the attachment to group and institutions, while social regulation is the adherence to the norms and values of society. Those who are very integrated fall under the category of “altruism” and those who are very unintegrated fall under “egoism”. Similarly, those who are much regulated fall under “fatalism” and those who are much unregulated fall under “anomie”. (Wikipedia, 2007:Deviant behavior[Online]).

b) Strain theory (sociology)

The Strain Theories state that social structures within society may encourage citizens to commit crime. Strain may be either:

- Structural: this refers to the processes at the societal level which filter down and affect how the individual perceives his or her needs, i.e. if particular social structures are inherently inadequate or there is inadequate regulation, this may change the individual's perceptions as to means and opportunities; or
- Individual: this refers to the frictions and pains experienced by an individual as he or she looks for ways to satisfy his or her needs, i.e. if the goals of a society become significant to an individual, actually achieving them may become more important than the means adopted. (Wikipedia, 2007: Strain theory[Online]).

c) Differential association theory

Edwin Sutherland posited that criminals learn criminal and deviant behaviors and that deviance is not inherently a part of a particular individual’s nature. Also, he argues that criminal behavior is learned in the same way that all other behaviors are learned, meaning that the acquisition of criminal knowledge is not

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unique compared to the learning of other behaviors. He outline some very basic points in his theory, such as the idea that the learning comes from the interactions between individuals and groups, using communication of symbols and ideas. When the symbols and ideas about deviation are much more favorable than unfavorable, the individual tends to take a favorable view upon deviance and will resort to more of these behaviors. (Wikipedia,2007: Deviant behavior[Online].

d) Labeling theory

Howard Becker(1963) explained that how criminal behavior is perpetuated by the police and other "labelers". It relates to symbolic interactionism and to social reaction theory and it is concerned with nature, application, and consequence of labels. As an application of phenomenology, the theory hypothesizes that the labels applied to individuals influence their behavior, particularly the application of negative or stigmatizing labels(such as "criminal" or "felon") promote deviant behavior, becoming a self-fulfilling prophecy, i.e. an individual who is labeled has little choice but to conform to the essential meaning of that judgment. Consequently, labeling theory postulates that that it is possible to prevent social deviance via a limited social shaming reaction in "labelers" and replacing moral indignation with tolerance. Emphasis is placed on the rehabilitation of offenders through an alteration of their label(s). (Wikipedia, 2007: Labeling theory [Online].

2.3 Juvenile Justice System

2.3.1 Juvenile Case Procedure

An overview of the juvenile justice system and juvenile case procedure in Thailand shall be described in pursuance of the juvenile law and criminal procedure.

Pre-adjudication process

Under the criminal procedure code any injured person may file a complaint to the police against a child or young person. When a child or young person is alleged to have committed an act against the law, his case shall be

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commenced and investigated by an inquiry police officer, as required by ordinary criminal cases but the handing of a juvenile offender is more informal and lenient.

A competent inquiry police officer, who is assigned to a case, has the power to conduct an investigation within his territorial jurisdiction:

- Where an offence has actually been committed.
- Is alleged or believed to have been committed; and
- The offender is residing or has been arrested within his territorial jurisdiction.

2.3.1.1 Arrest

In principle, a child shall not be arrested for an offence unless a flagrant offence or an injured person identified and insisted on the arrest or a warrant of arrest is made in pursuance of the criminal procedure code. After apprehension, the police officer in charge of the case or who keeps the child or young person in custody is required by law to notify the Director of the OPC, his parents, guardians or a person with whom he is residing.

2.3.1.2 Investigation

The officer shall conduct an initial inquiry and is required to complete this within 24 hours from the time a child or young person has arrived at his office. He will then refer him to the OPC. Further inquiry, if needed may proceed under the law.

2.3.1.3 Detention and Provisional Release on Bail

In general, a child or young person may be detained during investigation at the police station or in a remand home of the Observation and Protection Center (OPC). The Director of the OPC may, if he thinks fit, keep him in custody. Under the law, a request for provision release on bail of the arrestee shall be made to the custodial authorities as the case may be.

2.3.1.4 The OPC is empowered and vested by law to perform the main functions as follows;

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- Preparing a social investigation report concerning a child or young person such as historical background, family, occupation, education, character, crime motive and other social data.

- Preparing a report on both physical and mental examination.

- Preparing an observation report in the case of a child or young person who has been detained in a remand home.

A social investigation report is required in every case, except pre-hearing investigation which is not necessary in trivial cases. In the process a probation officer who is in charge of the case will deliver an investigation report to the police within 18 days. The officer, usually, will conclude his case in 6 days, and then forward an inquiry file attached with the report to the public prosecutor who has discretionary power to decide in pursuance of the procedural law whether to enter or drop the change.

The Director of the OPC will submit the report together with his routine recommendation on causes of delinquency to the JFC.

2.3.1.5 Prosecution and Deferred Prosecution

If the public prosecutor decides to institute prosecution, he has to enter a charge in the JFC within 30 days from the day in which a child or young person has been arrested. In case of necessity when the charge against the offender cannot be filed within the mentioned period, the police officer or public prosecutor who is responsible for the case shall apply by motion to the court for deferment.

In case of a grave offence where the minimum imprisonment is 5 years or over, the court may, if it thinks' fit, grant longer deferment.

2.3.1.6 Trial

The JFC procedure will be informed and simplified for the interest of a child or young person. The judge in charge of the case may call the accused for questioning or explain the proceedings in order to assist him. The trial is healing in

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private. The persons present at the trial are the accused, parents, guardians, legal advisory, witness, prosecutor, members of the court and other persons permitted by the court. Photographs, reports on facts presented at the inquiring proceedings are not to be released to the public. An attorney shall not be appointed in the juvenile court, expect a legal advisor. If the child or young person has no legal advisor, the court shall appoint one for him if it considers it desirable.

2.3.1.7 Adjudication

After the trial is completed, prior to a judgment or an order being given, the court will hear the report and opinion of the Director of the OPC, including his recommendation for measures to be taken.

The JFC always takes the following measures;

1. Admonish the child or young person and then discharge.
2. Discharge parents or guardian with probation order.
3. Place under the care of person or organization the court thinks desirable
    - 3.1 Suspended judgment with probation order
    - 3.2 Suspended judgment without probation order.
4. Commit into juvenile institution.
5. Substitute imprisonment to commit into juvenile institution order.
6. Suspension of judgment with probation order.
7. Fine
8. Imprisonment

2.3.2 Principles and Rules Relating to Juvenile Litigation

Principles on Juvenile Litigation In litigating juvenile cases, a public prosecutor shall take into account the protection of the juvenile's welfare. The remedy, cure and rehabilitation of the juvenile shall be considered as a better means to rehabilitate the juvenile than the punishment. This is in accordance with Article 111 of the Regulation of the Office of the Attorney General regarding Criminal Litigation of Public Prosecutors B.E. 2528.

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Regulations and Orders to be complied with in Litigating Criminal Cases

Regulations and orders regarding litigation of criminal cases as prescribed in the Regulation of the Office of the Attorney General regarding Criminal Litigation of Public Prosecutors B.E. 2528 apply to litigation of juvenile cases mutatis mutandis. This is in accordance with Article 112 of the Regulation and periodic orders and circular letters of the Office of the Attorney General.

Where the Alleged Offender is a Child or Young Person

"Child" means the person who is over the age of seven years old, but not exceeding fourteen years old.

"Young person" means the person who is over fourteen years old, but not attain the age of eighteen years. (Section 4 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

1. Where a child who is not over seven years of age committing a crime, he/she is not subject to punishment.

2. A person who attains a complete eighteen years of age is not a "young person" within the definition under the Act.

Age Calculation

A person's age shall be calculated from the date of his birth. Where the month of the birth is known but the date is not, the first day of the month shall be deemed as his/her date of birth. If it is not possible to ascertain the month and date of birth of a person, the first day of official calendar (1st January) shall be deemed as such person's birth date. (Section 16 of the Civil and Commercial Code)

Juvenile Interrogation

A special interrogation for juvenile shall be conducted where an alleged offender does not attain a complete eighteen years of age at the date the inquiry official (not the arrestor) informs the alleged offender of an offense charge. Thus, where the time the juvenile committed a crime he/she has not yet been eighteen years old, but he/she is over eighteen years old at the time the offense charge is informed,

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the juvenile interrogation is not required. The juvenile interrogation shall be conducted in accordance with Section 133 bis of the Criminal Procedure Code. Pursuant to Section 134 bis of the Criminal Procedure Code, a psychologist or social worker, a person requested by the alleged juvenile and a public prosecutor shall participate in the interrogation.

Responsible Inquiry Official

A responsible inquiry official is an inquiry official having territorial jurisdiction as prescribed by Sections 18-21 of the Criminal Procedure Code.

Lawful Juvenile Interrogation

Where an interrogation requires the presence of a psychologist or social worker, an inquiry official shall comply with Sections 12 bis and 133 bis of the Criminal Procedure Code.

At the date the inquiry official informs the offense charge to the alleged offender who has not attained eighteen years of age; the inquiry official shall ask the alleged offender whether he/she has a defense lawyer (the so-called "legal advisor"). If he/she has none, the state shall provide him/her with a legal advisor. (Section 134 bis of the Criminal Procedure Code)

Interrogation of an alleged offender who has not attained eighteen years of age shall be conducted separately in a place suitable for him/her and a public prosecutor and legal advisor shall be present. In a case where criminal offense provided with imprisonment more than three years or maximum imprisonment not more than three years, and the alleged offender requests, a psychologist or social worker, a person requested by the alleged offender and a public prosecutor shall always participate in such interrogation. Section 133 bis of the Criminal Procedure Code applies here mutatis mutandis by virtue of Section 134 ter of the Criminal Procedure Code.

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In a case where criminal offense provided with maximum imprisonment more than three years or maximum imprisonment not more than three years and the injured person or witness who is a child requests, or where criminal offense of bodily harm of a juvenile who has not attained eighteen years of age, the interrogation of the juvenile in the status of the injured person or witness shall be made separately in a place suitable for him/her, with the presence of a psychologist or social worker, a person requested by the alleged offender and a public prosecutor. (Section 133 bis of the Criminal Procedure Code)

In case of extreme emergency with reasonable cause where it is unable to wait for the psychologist or social worker, the person requested by the juvenile and the public prosecutor to participate in the interrogation simultaneously, the inquiry official may examine the juvenile by just having any such person participate with the interrogation and comply with the requirements specified in the last paragraph of Section 133 bis of the Criminal Procedure Code.

In case where the inquiry official has necessity to arrange a juvenile not yet over eighteen years of age in the status of the injured person or witness to identify the alleged offender, the inquiry official shall arrange the identification of the alleged offender in the place where is suitable and able to prevent the alleged offender from seeing the injured person or witness. The presence of a psychologist or social worker, a person requested by the juvenile and a public prosecutor in the identification is required. (Section 133 ter of the Criminal Procedure Code applies the fifth paragraph of Section 133 bis mutatis mutandis)

In participating in the above-mentioned interrogation or identification, the public prosecutor shall also comply with Articles 11-15 of the Regulation of the Office of the Attorney General regarding Juvenile Protection in Criminal Cases B.E. 2543.

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Litigation by a Public Prosecutor (Pre-trial)

Consideration and Giving of Orders

In giving an order in a criminal case where a juvenile is an alleged offender, a public prosecutor shall exert him/herself with careful consideration.

A public prosecutor shall consider and give an order within the prescription (time limitation) under Section 95 of the Criminal Code. In case of a compoundable offence, an injured person shall make a complaint within three months (Section 96 of the Criminal Code).

A public prosecutor shall have regard to a report on searching of facts regarding the alleged juvenile in giving an order.

A public prosecutor shall take into account the protection of the juvenile's welfare as of higher benefit than the punishment.

A public prosecutor shall give order over exhibits and shall make a request for surrendering the property taken from an injured person or recompensing an injured person the value of the property (Section 43 of the Criminal and Procedure Code).

A public prosecutor shall give an order over an alleged offender's antecedents and refer it to the court.

Prosecution Order

Where a public prosecutor considers giving an order to enter the charge in court, he/she shall put in the file his/her opinion of prosecution and report to his/her immediate superior. This is pursuant to Article 32 of the Regulation of the Office of the Attorney General regarding Criminal Litigation of Public Prosecutors B.E. 2528. Prior to giving a prosecution or non-prosecution order, a public prosecutor shall refer the case back to the inquiry official for further inquiry if it appears that the evidences contained in the case file are not sufficient for considering giving an order (Article 35

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of the Regulation of the Office of the Attorney General regarding Criminal Litigation of Public Prosecutors B.E. 2528).

Non-Prosecution Order

Where evidences contained in a case file are not sufficient for prosecution or the prosecution of a case would not be of public interest or against public order and good morals or would have an impact on safety, security or major interest of the nation, a public prosecutor shall give an order not to prosecute. This is in accordance with Article 51 of the Regulation of the Office of the Attorney General regarding Criminal Litigation of Public Prosecutors B.E. 2528. The public prosecutor then shall report his/her order not to prosecute to his/her immediate superior and the Commissioner General of the Royal Thai Police or the governor of the province, as the case may be.

Permission to Enter a Charge and Postponement of the Entry of a Charge

The permission of the Attorney General shall be obtained in order to enter a charge against the alleged offender where the charge could not be put to the court within the period specified under Section 51 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534. In other word, the permission shall be obtained when the period of postponement of the entry of a charge has been lapsed, either where the case is in the hand of an inquiry official or a public prosecutor.

Trial

The litigation of a criminal case where a juvenile is a defendant shall be conducted without strict adherence to the Criminal Procedure Code. Simple language shall be used so that it may be well understood by the defendant. In addition, full opportunity shall be given to the defendant as well as his/her parents, guardian or the person with whom the defendant is residing or the person who provided the defendant education or job placement or relating to the defendant to state facts, feeling and opinions and to produce witnesses as well as to cross-examine witnesses at any stage

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of the trial. (Section 77 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

Jurisdiction of the Court

Any criminal case in which a juvenile is accused to have committed what the law has provided to be an offense shall be considered as the truth appears that the fact regarding the age of the juvenile at the day the offense has been taken. Thus, in case where the juvenile committed a crime when he/she was not yet over eighteen years old but he/she has fled and is captured when he/she is already over eighteen years old, he/she is under the jurisdiction of the Juvenile and Family Court. (Section 5 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

Which Juvenile and Family Court shall have jurisdiction over an alleged juvenile depends on his/her usual residence. (Section 58 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

In case where there is no Juvenile and Family Court in the locality where a juvenile has usual residence, but there is one in the locality where the juvenile committed the crime, the latter court shall have jurisdiction over the case.

In case where there are Juvenile and Family Courts in both localities (where a juvenile has usual residence and where the juvenile committed a crime), for the interest of the juvenile, the court where the crime has been committed shall have jurisdiction to try the case.

Usual Residence of the juvenile is not the domicile of the juvenile as appears in the House Registration, but is the place where the juvenile actually resides. This is in pursuant to the Supreme Court Decision no. 1382/2523.

1. In case where there is no Juvenile and Family Court in neither the locality where the juvenile has usual residence nor the locality where the juvenile

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committed a crime, the court having jurisdiction over ordinary criminal case in accordance with the Criminal Procedure Code shall have the power to try the case. (Section 58(4) of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

2. In case where the alleged offender who is not over twenty years old committed a crime and the case is under the jurisdiction of the court which has the power to try the ordinary case, the court shall take into consideration physical, mental health, psychological and habitual conditions of that person. If the court considers that such person has a condition as a child or young person, the Juvenile and Family Court shall have jurisdiction for further trial and adjudication. Such person shall be deemed as a child or young person. (Section 61 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

Persons involving in Juvenile Litigation

Judge

There are two types of judges in Juvenile and Family Court, i.e. judges and associated judges (Section 16 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534).

Public Prosecutor

The Attorney General shall appoint one or more public prosecutors to have the duty to proceed with the cases of which the juveniles are alleged to have committed a crime within the jurisdiction of the Juvenile and Family Court. (Section 66 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

Defendant

Unless a defendant is released on bond, he/she is kept in custody of the Observation and Protection Centre.

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Legal Advisor

A juvenile shall not have a defense lawyer acting on his/her behalf but shall have a legal advisor for acting on his/her behalf in similar manner as a defense lawyer. (Section 83 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534)

Taking of Evidences

Taking of evidences in case where the accused is an adult shall comply with Sections 15 and 172-181 of the Criminal Procedure Code, Section 112 of the Civil Procedure Code and Articles 73-88 of the Regulation of the Office of the Attorney General regarding Criminal Litigation of Public Prosecutors B.E. 2528.

Pursuant to Section 72 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534, taking of evidences in case where the witness is not over eighteen years old shall not be conducted in courtrooms used particularly for conducting ordinary cases. If this is not possible, a different time from that fixed for trying ordinary cases shall be assigned for the trial of a juvenile case. The public prosecutor shall also comply with Section 172 ter of the Criminal Procedure Code. Before giving testimony, the witness shall take the oath according to his/her religious or national custom or make a vow that he/she will tell only the truth. Persons under fourteen years old are exempted from this requirement (Section 112(1) of the Civil Procedure Code and Articles 26-29 of the Regulation of the Office of the Attorney General regarding Juvenile Protection in Criminal Cases B.E. 2543).

In Camera Proceedings

If the court considers trial appropriate to be in confidence, the public prosecutor shall conduct it in accordance with Article 73 of the Regulation of the Office of the Attorney General regarding Criminal Litigation of Public Prosecutors B.E. 2528. Only persons relating to the case as specified in Section 73(1)-(7) of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534 are permitted to be present at the trial. These persons are the defendant, his/her legal advisor and person taking charge of him/her, his/her parents, guardian or person with

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whom he/she is residing, official and security guard, public prosecutor and solicitor, witness, expert, interpreter, probation officer or other officers of the Observation and Protection Centre and other persons as the court thinks fit. The in camera proceedings shall be conducted only in the presence of the defendant's legal advisor (Section 90 of the Act for the Establishment of and Procedure for Juvenile and Family Court B.E. 2534).

2.3.3 Associate Judges in Juvenile and Family Court

The concept associate judges of juvenile and family in Thailand was founded in the establishment of Juvenile Courts/Act B.E.2494 aimed to join with judges in case considering and take a great role in children services. The root of approaching associate judges to help in juvenile justice was derived from not only lay judge concept but also the best interest of juvenile principle.

2.3.3.1 Sources of Associate Judge in Juvenile Justice

In the act for establishment of and procedure for Juvenile and Family Court B.E.2534 Section 16 described that in each Juvenile and Family Court, there shall be such number of judges and associate judges as may be deemed appropriate by the Ministry of Justice.

However, the provision of the administration of Court of Justice B.E.2543, section 33 had defined the authority of President of Supreme Court in impost.

For adjudication of any family affairs case, whether will be had have the Associated Judges as a quorum or not, it will be prescribed in Section 109. (Section 24)

Moreover, the case which is under the powers of the Chief Justice of the Central Juvenile and Family Court, Deputy Chief Justice of the Central Juvenile and Family Court, Chief Judge of the Provincial Juvenile and Family Court, Chief Judge of the Juvenile and Family Section of the Provincial Court or any Judge of the Juvenile and Family Court in accordance with Section 21 and 22 of the Constitution

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of the Court of Justice. However, if the Chief Justice of the Central Juvenile and Family Court or the Chief Judge of the Juvenile and Family Section of the Provincial Court considers that the case is of such a nature that it proper to give order for an Associate Judge to sit with him or with the Judges of the Juvenile and Family Court or will be ordered any Judge of the Juvenile and Family Court to form as a quorum, he may give order accordingly, and such quorum shall have the power as provided in Section 22 (5) or (6) of the Constitution of the Court of Justice. (Section 25)

2.3.3.2 Qualification of Associate Judges

Associate Judges of the Juvenile and Family Court are appointed by His Majesty the King from persons, selected by the Judicial Commission under the law on judicial service in conformity with the rules and procedure prescribed by the Ministerial Regulation, who have the following qualifications namely:

1) Being not less than thirty years of age

2) Having or have had a child or children of their own and have engaged in, or being connected with social welfare work or advice the child for not less than two years

3) Having completed a training course due to the functions of the Juvenile and Family Court and the duties of a Judge in conformity with the rules and procedures prescribed by the Ministerial Regulations

4) Being qualified to serve as a civil of judiciary official under the law on civil service of the law on judicial service, except in so far as background of knowledge which shall be as determined in the Ministerial Regulation

5) A person to be appointed as an Associated Judge shall not be a person already serving as a civil or political officer, Member of Parliament or an advocate

6) Having suitable disposition and conduct for adjudication of juvenile and family affairs case (Section 26)

An Associate Judge shall remain in office for three years at a time, but he or she may be repainted by the Royal Command. Those who have already

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completed his or her term, he or she will be on duty until the new coming will take over.

2.3.3.3 Vacating from Position

The Associate Judge vacant his office upon

1) Termination of office

2) Death

3) Resignation

4) Lack of qualifications as provided in Section 26

5) Absent from duty according to his or her term three times without a reasonable excuse, or for committing any act and if he or she is being as judicial officer and have to pass beyond his or her position by expulsion or, removal from office or to be ordered for removal from office under the law on judicial service.

For removing from the office in accordance with 2) or 3) will be informed His Majesty the King to know, and if removing from the office in accordance with 4) or 5) has to be accepted by Judicial Commission according to the law on judicial service and should be informed His Majesty the King for royal command to remove from the office. (Section 28)

In case of the Associate Judge vacating his or her officer because of other reasons with the exception of termination of office according to the Section 28 (1). His Majesty the King will be appointed the person who is selected by the Judicial Commission to be Associate Judge for taking over the vacancy, it may be. To offer the Associate Judge who is taken over the vacancy for remaining a time of which is equal to a rest time of the vacant. (Section 29)

2.3.3.4 Duty Performing

Before taking in this position, the Associate Judge shall take and oath or affirmation before the Chief Justice of the Central Juvenile and Family Court of Chief Judge of the Provincial Juvenile and Family Court, Chief Judge of the Juvenile and Family Section in the Provincial Court of which he or she will be assigned, as the

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case may be, that he or she will justly perform his or her duties and keeps the secrets of the service.

The Associate Judge is an officer in the position of the judicial officer in accordance with the Penal Code. (Section 27)

The Chief Justice of the Central Juvenile and Family Court, the Chief Judge of the Provincial Juvenile and Family Court, Chief Judge of the Juvenile and Family Section of the Provincial Court as the case may be, will determine the rotation of attendance for duty of the Associate Judges.

The Associate Judge who sits in any case shall continue to do so up to finish of such case, unless prevented from so doing by illness or any other necessity. In such case, the authorized person in paragraph one shall order another Associate Judge to sit in his or her place.

The Associate Judge shall receive such honorarium traveling expenses, accommodation, and remuneration as determined in the Royal Decree. (Section 30)

2.3.3.5 Professional Ethics for Associate Judges

When talking about professional ethics of associate judges in Juvenile and Family Courts, we can classify into 2 categories:

1) Disciplines of Associate Judges

The disciplines of associate judges must be applying the general disciplines of general judges to use such as political neutrality, honestly, keep the governmental benefits, devoting for working, modestly, good manners, etc. (According to Section 49-61 of Act of State Official Judges)

2) Manual of Stage Official Judge Ethics

This manual is as a guideline for behaviors of judges that can apply to associate judges too.

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1.1 Ideology of Judge

1.2 Case Management Ethics

1.3 Business Matters Ethics

1.4 Other Matters Ethics

1.5 Appearance and Family Ethics

Be that as it may, we can summarize the associated judges in Juvenile and Family Courts as follows:

a) Honestly

b) Competence

c) Heart Feeling

d) Appropriate Discretion

e) Appearance, Behavior and Duty Performing

2.3.4 Probation Historical Roots

PROBATION - A term coined by John Augustus, From the Latin verb "probare" - to prove, to test.

John Augustus, a Boston cobbler, is credited as the "Father of Probation." In 1841 he persuaded the Boston Police Court to release an adult drunkard into his custody rather than sending him to prison -- the prevalent means of dealing with law violations at that time. His efforts at reforming his first charge were successful, and he soon convinced the court to release other offenders to his supervision. However, this first unofficial probation officer did not perform his altruistic work without controversy. His efforts actually were resisted by police, court clerks, and turnkeys who were paid only when offenders were incarcerated (Klein, 1997).

In 1843, Augustus broadened his efforts to children when he took responsibility for two girls, ages eight and ten, and an 11-year-old boy, all of whom had been accused of stealing. By 1846, he had taken on the supervision of about 30 children ranging from nine to 16 years old (Binder, Geis, & Bruce, 1997). In his own words he describes his ongoing work with children before the court:

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In 1847, I bailed nineteen boys, from seven to fifteen years of age, and in bailing them it was understood, and agreed by the court, that their cases should be continued from term to term for several months, as a season of probation; thus each month at the calling of the docket, I would appear in court, make my report, and thus the cases would pass on for five or six months. At the expiration of this term, twelve of the boys were brought into court at one time, and the scene formed a striking and highly pleasing contrast with their appearance when first arraigned. The judge expressed much pleasure as well as surprise, at their appearance, and remarked, that the object of the law had been accomplished, and expressed his cordial approval of my plan to save and reform. Seven of the number were too poor to pay a fine, although the court fixed the amount at ten cents each, and of course I paid it for them; the parents of the other boys were able to pay the cost, and thus the penalty of the law was answered. The sequel thus far shows, that not one of this number has proved false to the promises of reform they made while on probation. This incident proved conclusively, that this class of boys could be saved from crime and punishment, by the plan which I had marked out, and this was admitted by the judges in both courts.(John Augustus, 1852, p. 34).

By Augustus' (1852) own account, he bailed "eleven hundred persons, both male and female." He also recounted that he had secured the release by the courts of many children:

.of this number one hundred and sixteen were boys under sixteen years of age; eighty-seven were under the age of fourteen; twenty-seven were under twelve years, and four were only seven years old. Of this number only twelve were incorrigible,. . . I have always endeavored to send these persons to school, or some place of employment, and but two, to my knowledge, have stolen since I bailed them, and this shows that nine out of ten have behaved well. . . (pp. 96-97).

By 1869, the Massachusetts legislature required a state agent to be present if court actions might result in the placement of a child in a reformatory, thus providing a model for modern caseworkers. The agents were to search for other

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placement, protect the child's interests, investigate the case before trial, and supervise the plan for the child after disposition. Massachusetts passed the first probation statute in 1878 mandating an official State probation system with salaried probation officers (National Center for Juvenile Justice [NCJJ], 1991). Other states quickly followed suit (NCJJ, 1991):

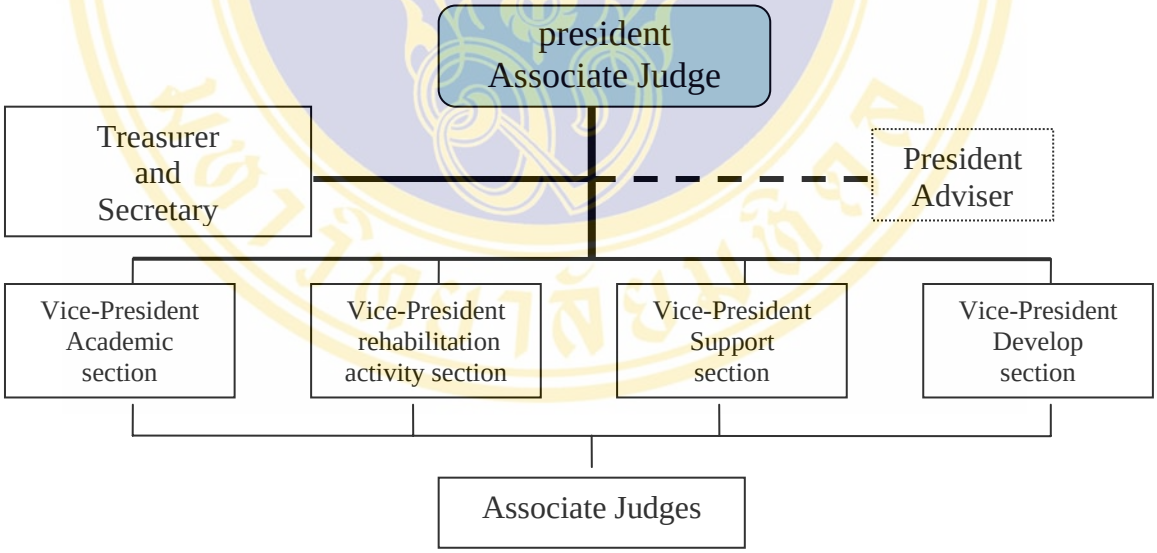
by 1900, Vermont, Rhode Island, New Jersey, New York, Minnesota, and Illinois passed probation laws;

by 1910, 32 more states passed legislation establishing juvenile probation

by 1930, juvenile probation was legislated in every state except Wyoming

Today, probation is authorized in all states and is an integral part of the juvenile justice system. Many foreign nations also have adopted approaches based on the United States prototype.

2.3.5 Structure of Associate Judges Organization



2.4 Designing a Case Management System to Provide Individualized Treatment

Treatment and rehabilitation for juvenile delinquents in Thailand are administered by the OPC. There are 2 treatment programmes for as follows;

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1. Non-institutional treatment
2. Institutional treatment

1. Non-institutional Treatment

Probation service. Probation is used by the JFC to place an offender at liberty under the supervision of a probation officer for a period prescribed the court. Probation is commonly used on first offender committing an offence of relatively minor nature.

The following conditions prescribed by the court under the supervision of the probation officer are as follows;

1. Forbidding the child or young person to enter any place or locality which might corrupt him.

2. Forbidding the child or young person to leave his residence at night time except in case of necessity.

3. Forbidding the child or young person to associate with any person who is deemed undesirable by the court.

4. Forbidding the child or young person to do any act which might corrupt him.

5. Order the child or young person to present himself from time to time to the court or probation officer or social worker who was assigned by the Director of the OPC.

6. Order the child or young person to take up education or carry on any substantial occupation.

A probation officer provides supervision and personal guidance to probationers through regular home visits and interviews them during the probation period, and exercises his/her professional shill and knowledge of local resources to meet the needs of the probationer and, where necessary, that of their family members for financial assistance, employment, etc. The probation supervision is brought back to the courts for review from time to time. The probation report with detailed

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information pertaining to the probationer's behavior is considered to see how he/she has improved and whether there are reasons for revocation of the original order.

The Ministry of Justice and the Probation Division of the OPC operates a volunteer scheme for a probationer which aims at providing greater community involvement in the rehabilitation of offenders as from 1995. Under this scheme, selected volunteers provide probationers with personal and moral support and help them develop meaningful hobbies, habits, cultivate healthy pursuits, find jobs and provide tuition for them.

The volunteer, however, will not take over the role of the probation officer who is dealing with the legal aspect of duties and solving the behavioral problems of the probationer. The volunteer is expected to assist a probationer in activities which require no professional skills.

Suitably recruited volunteers will be given a training and orientation course conducted by the OPC and Department of Probation, Ministry of Justice before they are considered ready for service. Based on the probation cases, probation officers may select a suitable volunteer from the pool of unmatched volunteers to assist a probationer. Once a case is matched, it is the duty of the probation officer to regularly contact the volunteer to keep track of the progress of service and to review its effectiveness on the probationers.

2. Institutional Treatment

A training school is a juvenile institution receiving juveniles committed by the JFC for protective and innovative measures in lieu of a penal sanction. Juvenile institutions set up in the OPC are divided into 3 types;

1. The Training School (There are 22 training schools for males and females in the whole country)
2. The Vocational Training School (There is 1 school)
3. The Therapeutic Community Center (There is 1 center)

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Training School

These schools take juveniles through the order of the JFC, where it appears to the court that other means of rehabilitating them has failed. It should also be noted that these juveniles are not in any sense seriously demoralized. The objective of a juvenile training school is to facilitate readjustment to society and to promote sound growth through disciplined communal life, academic and vocational training, counseling and living guidance.

At present, there are 12 training schools for boys and 10 for girls throughout the country. Since juveniles are committed to the training schools in order to receive reformative treatment and are still at the stage of character formation, educational programmes are conducted. The school programme aims to develop adjustment skills and life skills of inmates through regular guidance, vocational training, education, moral and religious instruction and recreational activities. While most of these activities help instill specific disciplines in them, general discipline is encouraged through a system of granting or revoking rewards and privileges. The rewards and privileges used include home visits, pre-release among others, participation in special activities, etc.

At the beginning of their stay, stress is placed upon developing the social skills required to maintain good human relations with other inmates. In the pre-release period guidance is provided to help juveniles prepare for return to outside social life after release. Juveniles are given the opportunity to return to society as well as to adjust themselves to their families and society. This training school provides various programmes for juveniles, they must choose the course that they prefer and for which they have enough skill, except juveniles who did not finish compulsory school who have to study until they finish. Programmes of these schools are as follows;

2.4.1. Academic Education

Juveniles will be placed at a level relative to their previous academic history prior to their admission. The curriculum of educational programmes and

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standard of education are under supervision and controlled by the Non-Formal Education Department, Ministry of Education.

2.4.2. Vocational Training

Vocational training is provided in training schools so as to enhance employment opportunities. Each training school arranges different vocational courses depending on the employment market and resources in that area. Juveniles are encouraged to qualify for official licenses and certificates. These cover a wide range of craft and technical subjects including printing, carpentry, welding, air-condition repairing, electricity, automobile repairing, hair cutting, ceramics, music training, agriculture, dress making, women's handicrafts, cookery, etc., An inmate who has passed the examination of hair dressing will be given a certificate, issued by the Ministry of Education, and an inmate who passes their welding examination will be given a certificate issued by King Mongkut's Institute of Technology, North Bangkok

2.4.3. Treatment Service

These services are provided by social workers and psychologists in order to develop juveniles' ability to function effectively with peers and family and to change juveniles' behavior and personality. These services include advice, guidance, psychological tests, group activities, etc., which are employed based on the needs and problems presented by juveniles. Moreover, the social workers will provide social services to all inmates who get into difficulties and need services during their training in the training school.

2.4.4. Spiritual and religious services

Spiritual and religious services include the development of moral and spiritual values. Advising shall be helpful in aiding the solution of individual and family problems. Army moral instructors and volunteers from outside impart social values and moral instruction.

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2.4.5. Medical services

Medical services provide comprehensive health care education, health care ranging from routine physical examination by nurses and screening procedures to diagnosis, treatment and follow up of illnesses and other medical problems.

2.4.6. Sports, recreation and athletics.

Offer the juveniles the opportunity to engage in constructive activities, to establish peer relationships and to develop the discipline necessary to improve a skill or gain respect for good physical health. Games and sports are held daily to provide fun and recreation, promote interaction, encourage the proper use of leisure, compliance with rules and develop a spirit of group participation.

Regarding the evaluation of the treatment programme, the social worker, the instructor and housemaster will evaluate the result of the treatment. An inmate whose treatment is satisfactory will be given certain rewards such as home visits, or pre-release, or release in a short-term sentence or be able to participate in special activities, or outings, etc., juveniles may be released sooner depending on the evaluation of the treatment. On the other hand, juveniles will be released at the end of certain period even if the result of his treatment is not satisfactory.

The conduct of a juvenile staying in the training school is evaluated by means of ascertaining his behavior under seven general criteria, which are as follows:

1. Performance at training school, study, vocational training, work
2. Personal appearance
3. Language
4. Behavior
5. Respect for authority
6. Care of property
7. Co-operation

The Director of the OPC is powered to send an incorrigible juvenile who is a source of danger to other juveniles for detention in prison.

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2.4.7. Parole

A juvenile offender who has been conditionally released on parole from the Training School by the decree of the JFC. The term of parole supervision is usually up to the remaining term of his or her sentence with early discharge in case of serving the period of training for one-quarter and good behavior.

Screening of inmates for release on parole is under the conditions as follows;

- Good result of treatment and rehabilitation
- Good home condition
- The JFC makes the decision to release a juvenile on parole

Supervision of parole process is the same as the process of supervision of probationer.

2.4.8. Aftercare service

Aftercare plays an important role in the social reintegration of release from the Training School, the Vocational Training School and the Drug Addiction Treatment Center. It is duty of the Social Work Sub-division, the OPC to do such things as are necessary to ascertain the modus vividness of juveniles released from institutions with a view to assisting them, in so far as may be possible. Aftercare commences soon after an inmate is admitted and includes individual casework aimed at building a solid foundation of confidence and friendship between the inmate, the family and the social worker. The social worker provides solid support to both the inmate and his or her family and those under statutory supervision (probation and parole) overcome obstacles to their rehabilitation.

Regarding the aftercare services, such services are for the released inmates or their families who are confronted with problems. In such a case, the social worker will take care of juveniles and their families and give advice on how they solve problems and what kinds of services will be provided such as bus fares, scholarships, job placements, basic amenities and personal utilities, etc.,

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However, the existing juvenile institutions for juvenile delinquency especially in Bangkok cannot afford effective treatment and rehabilitation systems due to inadequacy of buildings and scarcity of equipment and lack the capacity to administer and operate the programme, to the effect that contents of treatment and rehabilitation become degraded and insufficient.

Under the above mentioned aggravated circumstances in 1991, the Central Juvenile and Family Court, the Ministry of justice, endeavoring to attain more efficient rehabilitation of problem youths, made a plan to newly construct a Vocational Training School to help unlawful youth return to society in Nakorn-prathom Province near Bangkok area by are quest to the Government of Japan for the Grant of aid for the project. The objective oft his project is to construct a mode4l vocational training school functioning as an innovated model school along with its implementation of progressive innovative treatment and rehabilitation, and is expected to enhance and strengthen the functions and systems of juvenile corrections of Thailand. Under this request, the government of Japan approved this project by granting aid and technical assistance. The construction of this project was started on February 17, 1994 and completed on March 31, 1995. The Vocational Training School was open on January 15, 1996. This school has served 910 trainees from 1996-2001.

Thailand has a remarkable situation of drug abuse among children and teenagers and it is increasing year by year. The Central Juvenile and Family Court is endeavoring to attain more efficient treatment and rehabilitation for drug addicts by the establishment of the Drug Addict Treatment Center and the Drug Rehabilitation Center in Bangkok as pilot projects. These Centers were started on June 8, 1994.

In 1994, the Ayudthaya Therapeutic Community Center was opened to serve juvenile drug addicts as well.

In 2001, the Drug Addict Treatment Center and the Drug Rehabilitation Center which were to be used as pilot projects were closed after a follow up and

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evaluation of ineffective treatment and rehabilitation. At present, only the Ayudthaya Therapeutic Community Center still remains.

Other major topics such as the development of model treatment programmes for juveniles and drug addicts as well as designing a case management system for individual treatment in the Vocational Training School and the Ayudthaya Therapeutic Community Center, will be explained next.

The Vocational Training School

The capacity of the school is for 200 persons. The salient features of the Vocational Training School (VTS) emphasize positive working attitudes of juveniles as well as helping juveniles to acquire working skills, arrangements for juveniles to undergo a test of the Trade Standard Testing Committee, the Ministry of Labour and Social Welfare. The conduct effective treatment and operate 8 vocational training courses. The capacity of the school is 200 persons per year.

Enrollment

Due to the reasons that the VTS has limited capacity, the new system of treatment correction and rehabilitation is just introduced in order to get the most qualified outcome.It is not possible for every vocational training course to enroll juveniles at the same time, so the enrollment schedule and number of juveniles are fixed. Each vocational course enrolls 13 juveniles twice a year for 7 courses, except for the construction vehicle operation course which enrolls 18 juveniles once a year and the school provides 8 vocational training courses as follows;

-The are 1 year courses (1,216 hours) in machining, automobile maintenance, printing, welding and sheet metal, woodwork, electric wiring and air-condition repairing

-There is a 6 month course (608 hours) in construction vehicle operation.

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Selection System

In Thailand we don't have a classification system to enroll juveniles to the VTS. We set up a selection system in order to select juveniles under the selection conditions prescribed as follows:

1. Male
2. Ages 14 through to 18 (until 24 years if specially admitted by case)
3. Juveniles who are not afflicted with any great physical or mental disorder.
4. Duration of training is 6 months or more for the construction vehicle operation course and 1 year for other vocational courses.
5. Juveniles can read and write.
6. Juveniles who have appropriate skills for vocational training and interests in vocational training.

The Selection Committee from the OPC selects and screens a juvenile's requirements for training in the VTS form under the enrollment of the VTS schedule.

The committee will review that form and recommend juveniles for selection. The Superintendent will make the selection decision.

Dormitory placement

We arrange the dormitory for juveniles as follows;

- Introductory stage : dormitory 1 – 2 for new admissions
- Intermediate stage : dormitory 4 – 5 for juvenile grades 3 and 2
- Pre-release stage : dormitory 3 for 1 month release.

Individual Treatment Plan

The VTS will be divided into 3 stages for the treatment of juveniles as follows:

1. Introductory stage : 1 month
2. Intermediate stage : 10 months for 1 year course and 4 months for 6 months course.

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3. Pre-release stage : 1 month

Introductory Stage (1 month)

The introductory stage is 1 month prior to the opening of the vocational training course. The stage has the following procedure:

Admission

After juveniles are sent to the VTS, they have to register and have a photo taken, their body checked, take a shower, get their uniform and necessary items, have a physical examination and have a brief introduction regarding the basic rules of the VTS.

Orientation

Orientation starts on the 2nd day of arrival at the VTS by a housemaster, vocational instructor, social worker, psychologist, nurse, librarian and chief of security. The main themes of orientation are rules, regulation, training system, activities, and services. In order to reduce tension, motivate juveniles to improve behavior and encourage the responsibility to abide by the VTS's regulations.

Treatment Programme

Self-supporting work for new admission, juveniles are assigned to self-supporting work such as cleaning the cafeteria, washing dishes, cleaning floors of the dormitory and agriculture work. In order to encourage juveniles to devote themselves, to give them the opportunity to learn about their basic responsibilities and work with others.

Medical services

A physical and mental check up service is provided to every juvenile, including knowledge about health education, prevention of communicative diseases, basic health care, treatment health promotion which is conducted through morning exercise and sport. Responsible staff are physical instructors, nurses, etc.,

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Vocational training

At this stage juveniles will study basic security in workshop and hygiene provided by instructors in charge of each vocational course.

Evaluation and upgrading evaluation

All juveniles sent to the VTS are instantly categorized in grade 4. conditions, privileges and services for juveniles in grade 4 are assigned to do self-supporting work and get permission for parents to visit once a month. The result of performance, conduct, adjustment, group activities are used to evaluate juveniles.

Upgrading

After 1 month, the committee shall hold a meeting to make a consideration as to whether to upgrade juveniles to grade 3.

Intermediate Stage (10 months)

This stage takes 10 months and is divided into the 2 following course:

2. Basic course, 7 months
3. Advanced course, 3 months

During the intermediate stage juveniles learn about relevant advanced techniques and practice to improve their skills. Aside from vocational training, juveniles are required to attend academic class in order to widen their academic knowledge and undergo corrective treatment and rehabilitative programmes as mentioned in individual plans.

Treatment Programme Self-supporting Work

At this stage juveniles are assigned to have self-supporting work the same as at the introductory stage

Medical services

This programme is available on many topics to enhance knowledge of Juveniles about health protection, for example, the prevention of AIDS, prevention of

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drug abuse, sex education, unity promotion, sports promotion, etc., Physical instructors and social workers are responsible for these programmes.

As for sick juveniles, nurses will take care of them. For severe cases, they are sent for treatment at hospitals by security guards.

Sports, recreation and athletics

Offer the juveniles the opportunity to develop the discipline necessary to improve skills or gain good physical health. Sports are held daily to prove recreation, promote interaction, encourage proper use of leisure, compliance with rules and develop a spirit of group participation.

Academic education consists of 3 levels as follows;

1. Compulsory (6 months course)
2. Junior high school (1 year course)
3. Senior high school (1 and a half years)

This course is started for only half a day every Saturday and instructors from the branch Center of Non-Formal Education, Ministry of Education conduct this course. Moreover very juvenile has to do self-study in the dormitory at night time under the supervision of the housemaster.

Vocational training

The basic course consists of theories and basic practice. The training period for the basic course is 7 months.

The advanced course consists of techniques, practice for improving juveniles' skills, providing working experiences. The training period for the advanced course is 3 months. After completion of this course the shill standard testing of the Department of Skill Development, Ministry of Labour and Social Welfare will be provided.

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Rehabilitation programme

At this stage, the rehabilitation programme is done in accordance with an individual plan. This programme can be done through an individual or group process, such as case/group guidance, individual counseling, role playing, role lettering etc., depending upon a juveniles' problems in individual plans. Responsible staffs are social workers, psychologists and housemasters.

Special activities by volunteers or other organizations

The VTS cooperates with other organizations and volunteers outside to arrange projects of activities such as camping projects, job placement programmes, short course vocational training, giving lectures, walk rally activities, etc.,

Evaluation and upgrading evaluation

For this stage, we evaluate juveniles 2 times:

1. From grade 3 to grade 2: juveniles are in grade 3 for 3 months before being considered for upgrade to grade 2. the conditions, privileges and services for juveniles in grade 3 allow them to do self-supporting work and get permission for parental visits and write letters to their patents 2 times a month. They can attend some of the activities organized by the VTS or volunteers outside.

2. From grade 2 to grade 1 : juveniles are in grade 2 for 4 months before being considered for upgrade to grade 1. The conditions, privileges and services for juveniles in grade 2 allow permission to visit and write letters to their patents 3 times a month and join observation tours and other activities.

The result of progressive vocational training, academic education and the improving of their attitudes towards life and performances are used to evaluate juveniles.

Upgrading

At this stage, juveniles are in grade 3, and after 3 months the committee shall hold a meeting to make a consideration to upgrade juveniles to grade 2.

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After 4 months, the committee shall hold a meeting again to consider upgrading juveniles to grade 1.

Pre-release stage

The pre-release stage takes 1 month before the release date. Its procedure is as follows:

Treatment programme self-supporting work

Juveniles are assigned to have self-supporting work, only laundry work at this stage.

Medical services

This is the last check up on juveniles' health by nurses and doctors before release.

Academic education

The academic education course will be completed at the pre-release stage

Vocational training

At this stage, in order to provide juveniles with more opportunity to gain professional experience, juveniles who have satisfactory training results can go out for job training and for those who are allowed, training outside they can practice within the VTS set up.

Rehabilitation program preparation for release

For this stage the objective is to provide more experiences about vocational training and social skills. Juveniles were required to attend special activities. Many topics of lectures provided from lectures outside or observation tours to significant please, factories, and education institutions or to be volunteers of social services, etc.

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Besides preparing juveniles guidance for their families is necessary too. The main idea is to guide parents about juveniles' jobs, education, and services available in society including the proper care of juveniles.

Evaluation and upgrading

At this stage juveniles are in grade 1. Condition, privileges and services for juveniles in grade 1 allow them to go back and spend a night stay at home during weekends. They can join every activity. The juveniles are entitled to pre-release and after care services. Moreover, the last month before their release date, twenty juveniles in dormitory 3 will get special privileges by staying without security guards. The juveniles feel freer.

Release divided into 2 types;

1. Release without parole is applied to juveniles with the following qualification; a juvenile has completed the vocational course, shown progress in evaluation results and is upgraded to grade 1. for juveniles who complete these qualification, the VTS will immediately send their release report to the court for consideration for release without condition.

2. Release under parole is applied to juveniles who have completed the vocational training course but the results of evaluation are unsatisfactory and their grade lower than grade 1. Their release report will sent to the court for consideration for release with conditions.

Aftercare service

Social work sub-division, the OPC will take care of released juveniles who are confronted with problems by giving advice, providing many kinds of services such as job placements, aftercare hostels, foster parents, basic amenities and personal utilities, schools or vocational schools for juveniles, scholarships, etc.,

Follow up after release; the VTS will start to follow up 1 month after juveniles are released from the VTS by questionnaire. Follow up is continued for 1 year after juveniles are released.

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The Drug Addict Treatment Center

The Drug Addict Treatment Center will receive drug dependents who were sentenced by the Juvenile and Family Court.

The objective of the center

1. To assist the juvenile to gain insights into their behavior, attitudes and redirect counterproductive behavior patterns and anti-social attitudes into more positive and constructive ones, furthermore, to change the juveniles to be responsible persons.
2. To enhance the juveniles coping capabilities, trust of others and improved self-image.
3. To rehabilitate and assist the juveniles to change themselves to be good citizens and return those to society free from drugs.

The aims of the compulsory treatment and rehabilitation programme are as follows:

1. Restoration of physical health
2. Uprooting psychological and emotional dependence on drugs.
3. Juvenile treatment and rehabilitation by applying the therapeutic community models and techniques

Treatment and rehabilitation programme

The therapeutic Community Model and techniques have been applied through treatment and rehabilitation programmes in the Drug Addict Treatment Center. These programmes are divided into 3 stages as follows:

Rehabilitation stage

This stage is to root out psychological and emotional dependence on drugs and restore physical health. Furthermore, family therapy is employed based on the need and problems presented by juveniles. The participation of parents and family in the rehabilitation process is encouraged.

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Treatment stage

This stage is to assist the juveniles to gain insights into their behavior and attitudes, and redirect counterproductive behavior patterns and anti-social attitudes into more positive and constructive ones and enhance the juveniles coping capabilities, trust of others and improved self-image. Individual and group counseling is conducted on a regular basis throughout the period of treatment. This work programme is aimed to improve the juvenile's personality and encourage good work habits, establish self-confidence as well as a sense of responsibility. At the same time, in order to implement treatment and rehabilitation programmes more effectively, the Drug Addict Treatment Center has applied therapeutic community models and techniques through treatment and rehabilitation programmes, such as the therapeutic community's philosophy, unwritten philosophy, basic (who you are? What you do?) rules and regulations chains of command for staff and residents, cardinal rules (no physical violence, no use of drugs, no sexual contact), basic house rules, rules of the house (morning meetings, encounter groups, seminars, house meetings, general meetings, static groups, hair cuts, confrontation, peer confrontation)

Re-entry stage

This stage is for juvenile's rehabilitation and assistance in order to return and adjust themselves into society by freedom from drugs. This center will arrange and provide the following reentry activities:

Preparation for release

Juveniles will be prepared one month before release, this duty is under the responsibility of the social worker, nurse and housemaster who will provide general knowledge to make juvenile prepare themselves for release. Besides, juveniles are required to attend special activities outside the center. Parent meetings will provide for guiding patents on how to look after the released juveniles

After care services

This center plays an important role in the social reintegration and discharge from the center. The social worker on after care duty will provide solid

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support to both juveniles and their families and others who may assist juveniles' rehabilitation.

Follow up and evaluation

A follow up will be started after juveniles have been released from this center for 1 – 3 months by home visiting, telephone calling, and questionnaires sent to released juveniles and their patents. Social workers on follow up duty will use this information for solving the juvenile' problems or providing social work services for them to adjust themselves to society free from drugs.

2.5 Related Research

2.5.1 As a matter of fact, there are a few researches on associate Judges in Juvenile and Family Courts, the researcher, then had selected the research concerned to review as follows:

Sutilux Iampijit (2003). Problems and Obstacles confronting Associate Judges in Juvenile and Family Courts: A Case Study of Bangkok Metropolitan and Vicinity. She had studied on factors affected on the duty performances it was found that most of the associate judges expressed their high satisfaction on the competence of Conducting, case managing, social work for children, disciplines of the judges and morale.

Katha Aowsuwan (2007). The Integration of Juvenile Delinquency and Drug Addiction for Duty Performing of the Associate Judges.

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CHAPTER III
RESEARCH METHODOLOGY

A study of **FACTORS AFFECTING TOWARD NARCOTIC TRIAL OF ASSOCIATE JUDGES**: **CENTRAL JUVENILE AND FAMILY COURT.** Research approach aims to study factors affecting toward narcotic trial such drug abuse, drug addition, juvenile delinquency, decision and performance in Central Juvenile and Family Court as following details.

3.1 Target Population

Populations in this research are associate judges in Central Juvenile and Family Court. The number of associate judges had shown on the following;

Associate judges affiliate Juvenile and Family Court	**Number of associate judges**		
	Male	**Female**	**Total**
Central Juvenile and Family Court.	26	141	167

Sources: official residence of Associate Judges (Central Juvenile and Family Court).

Finally, there are 37 associate judges in this process.

Limitation : - Time and Mission of associate Judges is operating at the Court.
- Associate judges advice the qualitative research.

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3.2 Research Instrument

To cover all details in all aspect regarding the factors affecting toward Narcotic trial such drug abuse, drug addition, juvenile delinquency, decision and performance in Central Juvenile and Family Court. Instrumentation had been formulated as follows:

3.2.1 Secondary data had been collected to be useful in respect to fundamental data of the related operations reflecting the general views of the performance of associate judges.

3.2.2 Interview questions contained

Part I :The general information and the personal background which contained sex, age, education level, marital status, old domicile, main career, current income, spouse's career, number of dependence, motivation to be associate judge, experiences of being associate judges etc.,

Part II: The knowledge, attitude of associate judges toward drug abuse, drug addict, juvenile delinquency, pertaining to law is youth and performance in Central Juvenile and Family Court .

Part III:. Opinions and Additional Suggestions.

3.3 Data Collection

The researcher conducts the interviews by himself in Central Juvenile and Family Court and using the interview formats.

Every interview is spent in a likely private room or a house of them and asks permission for recording to check accuracy. Had any one reject it the researcher

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applied a note taking ascertaining the interviewees their confidentiality. All analyzes will certainly not affect them. Each interview takes 1 – 2 hours by , discussion and getting into familiarity, allowing questions for clearing suspicions in order to build trust among each other. Then the researcher resumes respective topics. Sometimes, there is flexibility, if the topic leads to another interesting issues and continuing the content of interview. During interview there is not taking but most rely on recording. By principles, the researcher decodes the recording to revise what has been interviewed to compile with details and for improvements to more covering the content of the following interviewees.

3.4 Data Analysis

They are divided into 2 parts as follows:

3.4.1 The personal background is analyzed by descriptive static frequencies, percentage, means, and standard deviation for the purpose of explaining the general attributes of the samples.

3.4.2 Information of the factors affecting of associate judge toward drug abuse, drug addict, juvenile delinquency and performance are analyzed by the content analysis.

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CHAPTER IV
RESULT

From this study, the key interview is the main way to collect many data that the information received from interviewing for 37 of sample group. The results of this study are as follow.

4.1 The personal background is analyzed by descriptive statistics, frequencies, percentage, and means.

Table 4-1: Demography of the key informants

General Information	Frequency (37)	Percentage (100.00)	Mean
Sex			
Male	6	16.22	
Female	31	83.78	
Age(years)			**63.81**
48-57	8	21.62	
58-67	14	37.84	
68-77	15	40.54	
Education			
Certificate	1	2.70	
Bachelor Degree	18	48.65	
Master Degree	16	43.24	
Doctorate	2	5.41	
Marital Status			
Single	1	2.70	
Married	29	78.38	
Widow	7	18.92	
Hometown			
Bangkok	28	75.68	
Upcountry	9	24.32	
Occupation			
- Official retiree	10	27.03	
- Official retiree and special lecturer	3	8.11	

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- Private business	12	32.43	
- Private business-Special lecturer	1	2.70	
- Businessman	2	5.40	
- Housewife	6	16.22	
- No Answer	3	8.11	
Average income per month(Bath)			**85,945.95**
Lower50,000	18	48.65	
50,001-100,000	7	18.92	
100,001-150,000	3	8.10	
Higher150,000	4	10.81	
No Answer	5	13.51	
Family member			**4.30**
1-4	21	56.76	
5-8	14	37.84	
9-12	2	5.40	
Work Experience (years)			**9.51**
1-10	28	75.68	
11-20	5	13.51	
Higher 21	4	10.81	

Most population is 31 females or 83.78% and 6 males or 16.22%. They are 48-77 years or 63.81% ranged in 3 intervals of 68-77 years at 15 persons or 40.54%; of 58-67 years at 14 persons or 37.84%; and of 48-57 years at 8 persons or 21.62%. Their education is 18 persons or 48.65% earned bachelor degree; 16 persons or 43.24% earned master degree; of 2 persons or 5.41% earned doctoral degree; and of 1 person or 2.70% earned vocational certificate. 29 persons or 78.38% were married; 7 persons or 18.92% were divorced; and 1 person or 2.70% is single. 28 persons or 75.68% live in Bangkok; and 9 persons or 24.32% live in upcountry. 12 persons or 32.43% run private business; 10 persons or 27.03% are official retirees; 6 persons or 16.22% are housewives; 3 persons or 8.11% did not respond on occupation; 1 person or 2.70% is an official retiree and a special lecturer; 3 persons or 8.11% run private business and special lecturers. Earnings by average are 85,945.95 Bath a month divided into 18 persons or 48.65% earn less than 50,000 B/month; 7 persons or 18.92% earn 50,001-100,000 B/month; 5 persons or 13.51% did not respond to rate of earning; 4 persons or 8.10% earn more than150, 000 B/month; and 3 persons or 8.10% earn 100,001-150,000 B/month. The average family members are 4.3 persons divided into 12 persons or 56.76% have 1-4 family members; 14 persons or 37.84%

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have 5-8 family members; and 2 persons or 5.40% have 9-12 family members. Average years of experience are 9.51 years divided into 28 persons or 75.68% have 1-10 years; 5 persons or 13.51% have 11-20 years; and 4 persons or 10.81% have higher than 21years.

4.2. The Interviewees

Interviewee 1

She is 54 years old, graduated with master degree, married and lives in Bangkok. She runs her private business earning more than 150,000 Bath/month. She has 6 family members with experience in associate judges for 13 years. Her position is in the Deputy Chairperson of Academic Department of the associate judges. She has been attended all programs in justice administration, juveniles and family court, Tulakarn Chalermprakiat Hospital and units involved such as Office of the Narcotic Control Board. Being the Deputy Chairperson, she advises on juvenile psychology, therapy activities, juvenile rehabilitation, Therapeutic Community(TC), Matrix Program and so on. 80-90% of juveniles commit crime against narcotics by family problems, peer acceptance needs, experimental curiosity, non-addiction upon uses, exploiting loophole of youth laws by employing them to commit narcotic crime. Problems and limitations are not found. Rational consultations to juveniles and respecting judges are keys. Proceeding problems are non-cooperation from the juvenile families such as during needed parents to cooperate in rehabilitation, they react with ‘Must-earn-income-and-no-time-for’.

Narcotics are drug generally known intoxicating the body, brain and mind whereas addicted things such as internet addiction, motorbike gangsters, and sex swinging are addicted behavior induced by materials or human intervention for facilities. Narcotics used in medicine are under prescription of the physicians such as morphine, painkillers for human and animals. Ignorance of ill-effects and its limits and used by juveniles brings ill-effects and affect the body and mind, and societies around. Upon addiction, it leads to commit other cases in order to gain drug for uses. Most real narcotics are found in training courses such as from Office of The Narcotic

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Control Boards. Fulfilling duties of an associate judges are desiring to see juvenile admitted to the proceedings of juvenile and family court understand narcotics, its benefit-loss, strengthening the mind, knowledge transferred in order to withdraw from narcotics and retune to societies with better life and being useful to societies. These are through classifying juveniles, examining problems, digging roots of problems lading them to offend such as if seriously addicted , they will be admitted to Tulakarn Chalermprakiat Hospital or Thanyalak Hospital. It is also to raise their immune, leveraging their skills in say-no, life skills of cohabiting with societies and previous surroundings. Proceeding of narcotic case and fruitful to juveniles are reports from The Probation Institution, Ministry of Justice, conversation with juveniles, their parents, their backgrounds, education, and problems drawing them to involve narcotics. Adjudication on narcotics trials offers more opportunity than other cases because it is the upstream to other cases such as robbery (total) to sell and to buy narcotics. Addiction is a nervous infection and losing self-control. Therefore, it is viewed that solution by given opportunity for correction and rehabilitation are parts in preventing other cases. Adjudications in other cases are examined by circumstances of the case and ill-effects affecting other people based on rationale and policy of the juvenile and family court. It is to emphasize assistance and solution rather than punishment but focusing on punishment in other cases than that of the narcotic cases.

Interviewee 2

She is 62 years old, earning bachelor degree, married, living in Bangkok, running private business with earning of 330,000 Baht a month, having 5 family members and with experience of associate judge for 18 years.

Education/ training/ special courses/ seminar (topics/ useful contents) are applied in narcotic proceedings, Restorative Justice Administration, programs of Office of Justice Court, programs of the Tulakarn Chalermprakiat Hospital, program of Institute of Justice Administration Development. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are from short of affection from families, peer group and acceptance, being deceit in using to draw to the narcotic ring. Problems and limitations are not found in juvenile narcotics trials. If there are, they come from short of places for treatment and correction, poor parents and short of

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attentive care, consumerist materialism, and illegal earning. Solutions are by family planning if unprepared for having children or accidental pregnancy, creating circumstances and residences to eliminate narcotics such as serious suppression, rigid measures against police traffickers, and duty corruption. Assisting juveniles must be through interdisciplinary profession and with full cooperation of problem-solving where they can lead to better possibility.

Addicted drugs are yaba, Ecstacy, Katamine, and addiction such as gambling, smoking, drinking, games. Benefits of drugs are used in medication such as in operation, surgeons will know how much doses under their prescriptions are. Dangers of drugs are against the body and family and intimate persons. The associate judge herself never sees real drugs but from pictures and from media. Personally, she wants no drug existence, no juveniles victimized by crimes caused by addicted drugs because it brings ill-effects to their families and the juveniles themselves. It tortures the mind and serious sorrows. She does not want to see the addicts and their medication. The narcotics proceedings divide the cases into serious cases for the traffickers and no-serious cases for users. Then procedures are probing juvenile's backgrounds and their families, reports of the Juvenile Probation and Protection Institution for inquiries of levels of drug uses, family and juvenile counseling in order to find the cause of drug uses. This is to bring the juvenile backgrounds such as juveniles during studying to their parents for rehabilitation and continue their study for their future. They may be sent home in cases of living upcountry to keep them away from environments and communities having narcotics drugs near them and easy to find drugs. However, domicile residence must be probed from their parents. Examining narcotics cases, she agrees with the law that the addict is the sick and needed medication. In addition, the circumstances of the case must be divided into 2 categories, i.e. juvenile traffickers are examined whether by bad habits or by bad behavior or by necessity such as their parents are traffickers or for earnings. Other cases such as rape, juveniles will meet psychiatrists to decide if psycho-disorder or by immorality. Adjudication to the latter case will be more serious than other cases because rape stigmatizes lifetime victimization and humiliates victims. To her idea, it is very critical. Adjudication on attempt murder or assault will be examined from their mental background, their families and causes are possible from provocation until

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running short of self-control. Then the interdisciplinary professionals will analyze data and additional historical records whether there is violence in their families. It is by emphasizing psycho-therapy first and sentenced for training and detained by terms of laws. Whereas the case for 2 groups under hunt each other, their families must joint therapy to soften their mind and be subject to punishment by laws.

Interviewee 3

She is 64 years old, graduated doctoral degree, married and stayed in Roi-et, an official retiree with being a special lecturer earning 50,000t a month, having 5 family members with experiencing associate judge for 6 years.

Education/ training/ special courses/ seminar (topics/ useful contents) are applied in narcotic proceedings, Restorative Justice Administration, programs of Office of Justice Court, programs of the Tulakarn Chalermprakiat Hospital, program of Institute of Justice Administration Development. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are from peer persuasion, environmental fit for addiction difficult to withdraw, short of affection from families, and mutually misunderstanding. Juveniles trafficking are because of desires for consumerist materialism or facilities beginning to draw them to the narcotic ring by selling drugs and spending money to buy those things. They are thoughtless and other people use the loophole of laws to use them as tools because laws are weak. Male and female juveniles are coupling which turn them to become accomplices. There are no problems and limitations in fulfilling duties. However, most problems come from offenders and their families by giving inadequate information for examinations. For example, juveniles and their parents lie; parents are traffickers and the juveniles are subject to sell too; endangering environments and juveniles run short of immune of self-protection. The associate judge thought that narcotics rehabilitation requires them to do career and to continue their studies under appropriate institution for short-course training and to enable them to work with 2-3 subjects. Then they can continue their general subjects in order to finish their junior secondary education. There should be research conducted on factors or elements barring juveniles from narcotics rings among the non-bias juvenile sample groups.

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Narcotics are critically endangering the body and difficult to therapy. However, addiction such as games and internet is more possible and easier to solve within short period of time. Benefits are unlikely found but dangers are hallucination and causes of snatches, robbery (total), gang robbery and other crimes. The associate judge never see real drugs but through pictures and media. Upon trials, she wishes juveniles to withdraw from narcotics and aims to conduct therapy because the narcotics rings are frightening. Falling into its trap, it is difficult to free oneself only by death or imprisonment. The narcotics proceedings needs to investigate files of lawsuit, search reports, juveniles' habits, their mental health, checking causes of offence and recommendations from officials on circumstances of the case, confession or rejection, and then using instructions and advice to point out pros and cons against themselves and their families. Elements in narcotics trials and helpful to juveniles are juveniles and their families, communities and environments around them, their low education, wrongly spending leisure time, their careers, sources of their income, and temporal career, insecure, and daily wages. The narcotics proceedings with other cases are to examine whether to use or to sell. If uses, they will be subject to therapy and upon withdrawal, they are subject to rehabilitation under close care of their parents. Most juveniles do not study, so they need career enhancement for further self-reliance. If selling, the y will be examined on volume of narcotics and numbers of times offending. If having been punished but still not learning lessons, adjudication and criminal code for punishment will be imposed. Most juveniles are sentenced for 2-3 year training. Trials of theft and robbery (total) will be adjudicated by short of morality and ethics. If assaulting the property owner, they will be sentenced on antisocial and needed detention to feel repent and admitted to moral camps organized by court but run by the associate judges. There are 2 conditions in sexual abuse, i.e. if settled, they can continue cohabit as spouses and be subject to cohabit with honest profession for earning. If not, there are repayments worth damages. Such case will be prioritized and under close surveillance. The case of motorbike gangsters will be reprimanded and admitted to training based on screening and separating offenders in order to examine their circumstances of the case, family conditions and rehabilitation to stop being accomplices.

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Interviewee 4

She is 74 years old, graduated master degree, married, living in Bangkok, being an official retiree and special lecturer with earning of 100,000 Baht a month, having 5 family members and with experience of associate judge for 13 years.

Education/ training/ special courses/ seminar (topics/ useful contents) are applied in narcotic proceedings, programs of Office of Justice Court, programs of the Advocator, and others. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are mainly from family cooperation in problem-solving because the causes of narcotic abuses are evolved around the narcotics users. There are no problems and limitations in fulfilling duties. Solutions of juvenile narcotic cases in the juvenile and family court are the end-remedy and difficult to solve. Suppression producers and traffickers must be peremptory, eradicate corrupted government officials in the narcotics rings.

Both the narcotics drug and the addicted materials are difficult to medicate. However, the addicted materials are easier for therapy and spent shorter time while drug addiction therapy needs for longer time under all party cooperation. Benefits of drug are in medication while its dangers are countless such as leading to physical and mental defects and illness caused by improper used narcotics. Evidently found is amphetamine during seminars and in media. Other drugs are never really found. In trying juvenile narcotics cases, there is desire to cure them so that they can be future force for the country. This direly needs cooperation from juveniles, parents, schools, and communities. Proceedings are from examining lawsuit files and factors documents. If uses, the verdict will be suspended but admitted to therapy in the Narcotics Therapeutic Center in Phranakhon Sri Ayudhya, The Tulakarn Chalermprakiat Hospital or attended by their parents as out-patients. If prolong uses, they will be admitted for 4 month therapy and wait for report from officers of conduct improvement. 60% are effective and stop using while 40 % needs longer time for therapy. After such process, and if juveniles do not learn lessons by return to use it, they will be admitted to a training school and detained there under the Probation Institution. Elements for narcotics proceedings and benefiting juveniles, the associate judge uses conversation, advices and persuasions to see the parents' concerns; build relation between the associate judges and offenders in order to curve them to see

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concerns around them, point out to see self-values, self-affection and others. Withdrawal from narcotics is the primary self-assistance; point out dangers to their mind and their families; tell them the disasters leading to themselves and their families; and give spiritual supports to change to good habits. Adjudication in other narcotics cases will be provided with assistance and advices of therapy. The associate judge thinks that juveniles mistaken are curable and enabled to return to the parental affection. Other cases affect societies more than the narcotics cases and causes are from juveniles' behaving and it is then required judgment to provide knowledge and instruction on morality and since causes are from juveniles themselves.

Interviewee 5

She is 73 years old, earning bachelor degree, divorced , living in Bangkok, being a housewife with earning of 30,000 Baht a month, having 2 family members and with experience of associate judge for 6 years.

Education/ training/ special courses/ seminar (topics/ useful contents) are applied in narcotic proceedings. Most she did not attend training but self-study on handouts from training and seminars of units involved. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are their offences are increasing because their parents force them to sell; adults use loopholes of laws to offend because if juveniles are under trials, they will be released faster than the adults. Narcotics drugs are simple and speedily to sell, make large profits. It motivates to offend. If not arrested, it is not subject to lawsuit and easy spending. If first arrest, the parents brought their juvenile for therapy or just report to the probation officers. There are no problems and limitations in fulfilling duties. There should be suppression on producers and traffickers peremptory and the state officers involved must be subject to serious punishment.

Narcotics drug is impossible to withdraw by one own self and unconsciously. Narcotic craving is irresistible but material addiction is simple to and nothing is in-taken such as want to be rich so playing gamble. Danger so narcotics- if you own morphine you must be under medical doctor control then it is useful. The associate judge never see real yaba, and marihuana but in pictures and media. When trying narcotics cases, she wants them to quit by admitted them for therapy and under

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Medicare. She finds that punishment serves nothing. The process of using adjudication is to admit them to 3 camps once a week during Tuesdays and for five times in the Eagle Camp for disciplinary training and cohabiting with others; Family Relation Camp for family participation in order to raise understanding between parents and juveniles; and Moral and Ethical Camp for improving emotions. This is to emphasize raising strong spirit. Keynote speakers are the associate judges and venue is the Central Juvenile and Family Court. Narcotics proceedings and benefiting juveniles, the associate judge uses examining from surroundings and residential community because after therapy, all theses must be examined to keep juveniles away from environments leading to offence. Differences of judging the narcotic cases are they are counted as patients and needed therapy and punishment are improper except in the trafficking cases, which endanger the country and kill other people. Other cases are adjudicated by circumstances of the case, number of times offending, motive and circumstances of the situation and impose punishment based on laws.

Interviewee 6

She is 63 years old, graduated doctoral degree, married , living in Bangkok, running private business with earning of 150,000 Baht a month, having 4 family members and with experience of associate judge for 25 years.

Education/ training/ special courses/ seminar (topics/ useful contents) are applied in narcotic proceedings, programs of Office of Justice Court, programs of the Central Juvenile and Family Court, and Prevention and Remedy for the Addicts. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are there must be assistance among teachers, parents, and guardians for behavior-shift by juveniles must have more morals and ethics in order to build immune for self-protection. Problems and limitations in the narcotics proceedings are end-solutions. Juvenile must know dangers of narcotics since range 2 (K4-K6) for the benefits of range 3 (K7-9) when they stay away from systems and life deviation and easy to involve narcotics. Fulfillment must be done for their gaps. They must know how to think and be moral and ethical with creative lifestyles.

Narcotics drugs need long time for medication and participation of physicians and other professions involved. The associate judge thinks that it is difficult for

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medication. It is different from addiction, which is simpler for medication and shorter time spent upon. It just needs time management and just temporal loss. The associate judge never sees any benefits from addiction but dangers and losing everything even finally death. Real yaba has been met in seminars while other narcotics drugs known are unseen but from pictures and media. Trying the narcotics cases of juveniles, they need help for behavior changed stop using drugs and return to study for their future. They are the young breed for further building Thailand. Proceedings of narcotics cases are needed to divide addiction and offence in order to separate their admission either in camps or in hospital - the family relation camp, the eagle camp, the narcotics rehabilitation center of Phranakhon Sri Ayudhya province, and the Tulakarn Chalermprakiat Hospital. This is to better organize medication, perceive what should be done, implant integrity, shift behavior and build self-immune with warrant of a year detention. Narcotics proceedings and benefiting juveniles, the associate judge is required to read personal records of the juveniles, their knowledge, their experience, their determination in cooperating for remedy, their families, and their close surroundings. Differences of judging the narcotic cases are they should be admitted for medicated process in order to eradicate drugs from juveniles followed by encouragement and supports of education and career. Other trials are depended on nature of acts and the circumstance of the case, motives, either principal or accomplice. Sentences will be based on law and judgment of the professional judges.

Interviewee 7

She is 77 years old, earning bachelor degree, married , living in Surathani Province, a housewife with earning of 25,000 Baht a month, having 4 family members and with experience of associate judge for 34 years.

Education/ training/ special courses/ seminar (topics/ useful contents) are applied in narcotic proceedings, are from program of Pol. Gen. Pow Sarasin, previous Police Director General, programs of Office of Justice Court, programs of the Central Juvenile and Family Court. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are caused by bad family, drunken parents, and quarrels in family. Juveniles find improper places then they turn to associate with bad friends who persuade them to theft and narcotics. Problems and limitations in the

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narcotics proceedings are not found but if there are, they mainly come from family problems, which require remedy first. Problems of juveniles associated with friends and persuading each other to continuously offend lead them to offend and finally they are often in and out the court. Remedy should be the cooperation in solving the family problems by providing knowledge, organizing family income, and good role model so that juveniles take as samples first from within their families. They need to stop drinking, quarrelling, gambling, and the most importance is to have time for children at least a common meal once everyday, asking their feeling or moods during the day and giving affection to them properly and reasonably.

Narcotics drugs are deadly problem affecting every atom of things – lifestyles, education, family member relation and relation with others. Addicted materials have less ill-effects than narcotics drugs they can be recuperated. Ill-effects of narcotics drugs are countless such as if being used; one cannot control emotions and senses, endangering one's body, harming one's body, and robbery and so on. Good-effects are not found. The associate judge never sees real narcotics expect in pictures and media. In narcotic trails against juveniles, some should be conscious of not involving and 10% are assumed completely curable to become good and return to continue study and honestly earning. The proceedings in general are to study juveniles' historical records, backgrounds, families, and weaknesses in order to strengthen what they lack such as education and jobs. In education or doing jobs, they will be suspended on punishment. If being jobless, roving and improper peers; they will be admitted to training because if they are still having the same lifestyle, they will return to more serious offending or mishaps. Elements in narcotics trials against juveniles will be positive for them are their historical records, juveniles, families, search reports and records, neighbors' reports (if any), parents' status of income, jobs for earning of the family members and education. In narcotics adjudication and in other cases, most juveniles have low IQ and needed enhancement so that they will realize how to live in societies, in associated with other data that benefits of adjudication would be subject juveniles to probation or detention. Other cases will be examined on numbers of creating mishaps, and their habits. In the case of assaults, it is judged as impulsiveness and they will be admitted for instruction to control their moods. Other cases apart from above will be examined on motives and nature of offence by case.

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Interviewee 8

He is 77 years old, graduated master degree, married,living in Samutsongkhram Province, running private business and being special lecturer, parliament consultant, projecting the White Game shops and Internet for 51 zones in Bangkok with earning of 100,000 Baht a month, having 5 family members and with experience of associate judge for 7 years.

Education/ training/ special courses/ seminar (topics/ useful contents) are applied in narcotic proceedings, are from program of Office of The Narcotic Control Boards, programs of Office of Justice Court, and programs of the Central Juvenile and Family Court, such as psychiatry, youth consultation, basic knowledge of narcotics, and juveniles' motivation. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases; juveniles should not be punished either in petty narcotics cases or in other petty cases. They should be rehabilitated by morals and ethics and follows-up with scoring evaluations. Scores will be added to the trail examinations for solution, and self-improvement. This is to allow juveniles time to perceive and to hear correct and proper data and to evaluate performance. Problems and limitations in the narcotics proceedings are not found but if there are, they mainly come from parents not cooperating in solving their children's problems but attentive to their earnings. In addition, there is a problem of no office evidently proper and existing to rehabilitate juveniles. Viewpoints of the professional judges and the associate judges are in the same direction, i.e. contexts and environments of juveniles. Solutions should be based on principles of laws for the benefits of building relation to their positive sense, providing affection and showing them that the court is trying to help rather than to impose punishment.

Narcotics drugs must be treated with medical principles. Drug addictions need no high maturity but it becomes life addictions. If they want to quit addiction, they must be admitted to the medication process and interdisciplinary remedy for addicted users. The material addictions can be withdrawn by oneself and for those who own higher conditions that the addicted users. It needs time for treatment and no need for medication process, which need shorter time. Benefits of yaba in the past are for diligence and rousing heavy working. Dangers of narcotics are creating misperception among juveniles and self-distrust but need dependency on others. Other dependency is

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persons existing in the narcotic rings, i.e. cognitive condition and talking the same tune, misleading and mal-affection building. The associate judge admits he sees all kinds of narcotic drugs. He has experienced during missions on fieldworks with the Office of The Narcotic Control Boards in communities in arrestment and consultation for those involved with addicted substance. This is to seek fronts for narcotics counter in communities in Bangkok. Upon trail examinations against juveniles, they must have opportunities and been realized that they have opportunity for medication and self-improvement in order to return to societies. Proceedings of narcotics against juveniles are to admit them to the Eagle Camp as key in order to train regulations, disciplines, adjustment to new life with plan, and career training such as training on scientific frame crafts, societal sharing by social works, and facilitating surrounding people. Elements in narcotics trials against juveniles will be positive for them by personal views are building atmosphere of familiarity by calling their nick-name. This can ease them upon punishment and they will cooperate in providing additional data upon inquires. Issues and causes of offences in narcotics adjudication and in other cases must be evidently divided in order to provide opportunity and point out pros and cons for their understanding based on generosity principles. All cases are emphasized on social responsibility and to allow them involve in social work and to provide them solutions.

Interviewee 9

She is 70 years old, earning bachelor degree,married, living in Bangkok, a retiree and being special lecturer, with earning of 45,000 Baht a month, having 6 family members and with experience of associate judge for 3 years.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, program of the Tulakarn Chalermprakiat Hospital, personal experiences, opinions, and attitudes etc., towards juveniles of narcotics cases – it is noted that juveniles have opportunity to improvability and changeability. They go astray by curiosity for experimentation. Youth is the turn of life with countless enticement, accessibility to addicted hub, improper uses of free-time, freedom of life spending during parents on working, lack

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intimate fostering, mal-persuasion to improper life-way, narcotic errands demanded by adults and made them arrested upon carrying narcotics. Problems and limitations of trying the case of narcotics against juveniles are avoidance of therapy. This in turn makes them return to residences of peers and continue narcotic uses without therapy. Recommendations are addicted juveniles should have been under therapy of self-reliance within their families first before admit them to compulsory therapy. By reason, family assistance encourage them more cooperation than demanding to the therapeutic processes.

Narcotics affect brain and health while addictive materials are replaceable. Defects of both are life-turn from normal happiness to enabling the start of committing crimes. Understanding on narcotics is there is no benefit but countless malice. For example, inhaling lacquer – it reaches brain instantly and creates blurring and difficult to medicate. Yaba erodes nerves and creates deviance and all these are up to doses of narcotics uses. The respondent knows about narcotics but never sees real stuff just only sees in pictures and in media. When taking up the trial on juveniles, personally the associate judge wants juveniles to change their behavior to be good and return to societies or at lease guides them the right track to keep away from and discard narcotics rings. Her discretion in trials is examining juveniles whether it is from their over-liveliness and lifestyle in community. The search report of the Observation and Protection Institution is that using narcotics is beginning or so-long used and juveniles are the principals how deep do they venture in the ring? Then they will be admitted for therapy and training. Which one will be best useful for juveniles? Trails and best benefits for juveniles are mostly training them to realize gratitude for their parents who have fostered them and time loss. They will find self-importance; behavior from a broken home can be gradually treated and the importance of education. Problems of adults are such as stress of juveniles of separated parents, narcotics cases which are the major causes to commit other crimes. Examination will be emphasized on times of offending; narcotic doses; possession for use or for distribution; and legal discretion will be primarily applied. Other cases such as quarrel and fight will be examined on circumstances of the case, time of offence, any weapons, aggression of committing crime, alcohol uses or not and so on. Determination of punishment will be based on act. The cases of Patent Act is mostly

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unknown to juveniles because adults use and sell for money and violate law, punishment against juveniles will thus be suspended.

Interviewee 10

He is 74 years old earning bachelor degree, married, living in Bangkok, a retiree officer, earning 30,000 Bath a month, 4 dependents and 7 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from program of Office of The Narcotic Control Board, programs of Office of Justice Court, programs of the Central Juvenile and Family Court, such as basic knowledge of narcotics, family therapy, family relation, personal experiences, opinions, and attitudes etc. Juveniles of narcotics cases should have opportunity of therapy rather than punishment. Personally, the respondent prefers emphasizing rehabilitation by juveniles, family, and parents for encouraging correction which will be better successful. Problems and limitations of trying the case of narcotics against juveniles are cases of evaporate. They are repetitive lawsuits and offences. After leaving the Probation Institution, they return to use them again. Problems of non-cooperation are from parents, their negligence, their discards, and leave children alone and lack how to live happily.

Narcotics must be drug enacted as narcotics and drug but the addicted objects are like games addiction, radio addiction, TV addiction, comic addiction and changeable after growing to maturity. The point of cognition on narcotics' pros and cons – narcotics gives less benefit but deadly as damaging brain, mind, societies and family from smallest point to the largest one. The associate judge just know its names never sees real stuff but from pictures and media. When coming be in charge of narcotic trial against juveniles, it is anticipated that juveniles have opportunity to return to communities with pride and never return to use narcotics. Proceedings of discretion on narcotics trial are whether being a repetitive delinquency, ever commit crime before or looking into search report of the Probation and Observation Department and number of pure substance analyzed by officers. Punishment is ordered by professional judge by law. Supplement in the narcotics proceedings and benefit juveniles; parents should be trained to know pros and cons affecting parents

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and to create awareness on narcotics dangers near them. Personally, the associate judge thinks that it is the double edges. If juveniles being well attended to like relatives, it is benefit for them but if not being helpful still sarcastic, it stigmatizes juveniles or the local officers both distributes and uses themselves such as Klongtei communities and so on. Using discretion on narcotics proceedings against juveniles and other cases, they require counter evidences. For example, the case of theft, and robbery total; the court examines if unclear or in adequate evidences, the discretion will be based on the principles of the professional judge. In the point of narcotics case, it is believed that the arrestment is right because of having substance checked by instruments even the offenders complain of being forced for confession or the offenders admit guilty because of unquestionable evidence by analyses from laboratories. This can be made clearer what kind of narcotics offenders use and how much doses be taken; then they become evidences for trail.

Interviewee 11

She is 67 years old earning master degree, married, living in Nakhonpathom province, a retiree officer, earning 30,000 Bath a month, 6 dependents and 7 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, and program of the Tulakarn Chalermprakiat Hospital, basic knowledge of narcotics therapy, personal experiences, opinions, and attitudes etc., related to juveniles of narcotics cases. They should have families of good background such as narcotics-free parents, environment and residence. Therapy must be holistic both family and the juvenile. Effective therapy requires separating them from previous environments. Problems and limitations of trying the case of narcotics against juveniles are parents and juveniles do not tell all truth which mal-cooperating in full therapy. It is recommended that it needs motivating both juvenile and family cooperate more because if the family mal-cooperates, rehabilitation will fail and bring ill-effects to juveniles themselves.

Narcotics are well known and when needed the users look for it or replaces it with other drugs to meet their physical needs and the group using it together affects

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their co-uses. The addicted matters such as games, internet, and sex are more personal. Cognition on its pros and cons is its pros are just like Codipron is used as healing coughs; opium for pains but their cons are numerous by affecting nervous system, thinking process and the body does not react to normal living – time to eat but not eating and time to sleep but not sleeping. The known narcotics are heroin, opium, marihuana, mytragyna leaves, cigarette, and yaba but never see the real stuffs except in pictures and in media. When trying a narcotics case against juveniles, the associate judge needs them to improve themselves and be secure from narcotics by either action for complete withdrawal. If being left until adulthood, they will be more damaging and unwanted persons in society. The process of applying discretion in narcotics trial will be examining search reports from the Probation and Protection Institution; inquires on historical records of the juveniles, and parents in order to find real causes. Narcotics trails and drawing benefit for juveniles will be from looking into their life background, their parents, environments of the residence, career or earning, education, and associating peers. Applying discretion in narcotics case and other cases; the narcotics cases will be mainly focused on peer involvement, environments, and education. Most causes of addiction are associating with peer and persuasions. Other cases, such as gang rape are required to check reports of mental check, personal behavior, sub-consciousness of morality, ethics and conscience of offending. The case of theft wants the property for some purposes which come from personal gain while other criminal cases are personal cognition.

Interviewee 12

She is 59 years old earning bachelor degree, married, living in Bangkok province, a private business, earning 300,000 Bath a month, 2 dependents and 8 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, and program of the Tulakarn Chalermprakiat Hospital, prevention and knowledge of narcotics therapy, personal experiences, opinions, and attitudes and so on. Juveniles of narcotics cases come from environment, family condition, and peer group persuasion. Problems and

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limitations of trying the case of narcotics against juveniles are none. The critical problem is juveniles do not tell truth and mal-cooperation from parents. It is recommended that families must continue after therapy and contribute knowledge on deadliness against the family both in short-terms and in long term. This will prevent return to narcotics again.

Once drug addicted, it requires medical therapy and therapeutic process while addicted matter is curable by some time and able to stop using it by oneself. Cognition of pros and cons, it is noted there are pros for medication or strengthening confidence such as reducing weight, painkilling by morphine, cough curing with morphine micro-particle. There cons on over doses which affect physical functions, and mental system. The known narcotics are amphetamine, morphine, and methadone and may kinds of drugs and ever see the real stuff because of working in a clinic. In narcotics trial against juveniles, the associate judge needs juvenile sense guilty on what they have done, realizing damages and consequences affecting themselves and people around them, needs them for self-correction rather than allowing other to demand corrections. In the process of using discretion in narcotics trial, the associate judge will admit them for rehabilitation and invite families to closely participate in the process. Circumstances of the case and benefit for juveniles will be by examining environments, family status, and juvenile behaviors whether aggressive, obeying, gesturing, and time spent for parents on attending their children. Using discretion in trial against juvenile on narcotics and other cases – with the case of narcotics, their peers will be examined because none admits begin using by themselves. After examinations, how do families plan to help their children so that judges will add or advise procedures in guiding their children into the rightful way. In other cases, such as gang rape, enticement, and sexy dressing which provoke offenders – juveniles will be tried by either being accomplices or the principals. In other criminal cases, there will be examination on reasonable causes, action during offending, confession, and statements of victims.

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Interviewee 13

She is 60 years old earning master degree, widow, living in Bangkok province, a private business, earning 150,000 Bath a month, 2 dependents and 35 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, program of the Tulakarn Chalermprakiat Hospital, program of Ministry of Education, program of Office of The Narcotic Control Boards, prevention and knowledge of narcotics therapy, personal experiences, opinions, and attitudes and so on. Juveniles of narcotics cases come from experimental curiosity by age development, family problems, separated parents, short of caretaking and affection in family, and dogging deviant peers. Problems and limitations of trying the case of narcotics against juveniles are none. Problems come from juveniles return to use and disable to withdraw, mal-cooperation from families, poor families, no time, short of understanding within families, and communication failure within families. It is recommended that knowledge should be provided for families and parents.

Narcotics must be by using drug injected into the body and needed medical therapy while the addicted matters require feeling to accept things inside the body but curable by time. Cognition of pros and cons, it is noted there are pros in medication but it sill-effect is damaging the body and hallucination, troubling surrounding people, and endangering societies. Narcotics are known by name but unseen except in picture and media during training. When handling narcotics trial against juveniles, the associate judge wishes, just 10% of juveniles are improved. The process of using discretion on narcotics trials is using instructing and cautioning, directing, and advising, to know about narcotics, encouraging to correct oneself, never forcing to quit narcotics but dialogue for juveniles to think by themselves and reinforcing and giving examples how to behave themselves when stay in the same communities. Factors for trying narcotics but benefit juveniles will be by examining environment, family condition, and education. Applying discretion against juveniles on narcotics and other cases – narcotics cases will be admitted for therapy, corrections, rehabilitation and medication as if seeing patients suffering illness and need spiritual

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supports to fight illness damaging ones' health. In other cases, they will be examined whether they are from behavior in order to find causes of offending before analyzing behavior, conversing, checking records, and interviewing. In these cases, they will be weighed on grounds of delinquencies, nature of action, and whether with any life damages.

Interviewee 14

She is 77 years old earning bachelor degree, widow, living in Bangkok province, a private business and housewife, earning 50,000 Bath a month, 2 dependents and 37 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, program of the Tulakarn Chalermprakiat Hospital, personal experiences, opinions, and attitudes and so on. Juveniles of narcotics cases come from dogging deviant peers, experimental curiosity, personal problems, family problems, environments, direct family involvement with narcotics, and on illegal errands by adult with pay. It is difficult to solve because juveniles find it normal and easy money with large amount. Problems and limitations of trying the case of narcotics against juveniles are none. Juveniles return to repetitively use, never fear any punishments. Problems are cycling in the same place endlessly and hard to be successfully solved. It is recommended that juveniles should be separated from the location for longer time. Searching team must gain real and clear data for directly solving this problem.

Narcotics drug and addicted material pay pros and cons relatively. However, narcotics effects are more deadly, preoccupied, losses of education, health, interpersonal, generosity, and empathy. Its pros are medication in painkilling and treatments but if over dose, it harms body and mind, troubles people around the user, endangers persons, societies and oneself. The known narcotics are yaba, marihuana, heroin etc., but never see the real stuff except in pictures and in media during training. When handling narcotics trial against juveniles, the associate judge wishes juveniles seriously quit it with conscience and integrity not to involve with it again. The process of using discretion on narcotics trials is allowing opportunity for corrections to the

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end until release back to societies. If their families and juveniles plan well to return to education or working, they must quit narcotics. If there is no plan, juveniles will be detained because if release they may harm public in other forms. Factors for trying narcotics but benefit juveniles will be by examining the search reports, dialogue with juveniles and their families. It is difficult to gain fact from juveniles and it requires questions those dig their thought and mind. By reason, they fear guilty so they unlikely give facts useful to trial. Therefore, it needs fact finding as deep as possible for their own benefit. Applying discretion against juveniles on narcotics and other cases – narcotics cases will be focused on medication and social treatment. The associate judge is really serious with the narcotics cases because they erode and link to other criminal crimes. For example, no drug and the juveniles must steal, or commit robbery total in order to gain money and the stuff. Then, they are sold out or exchange into the narcotics. In other cases, they will be examined whether they are from behavior or from their families, or from their peers in order to offend or to be the accomplice charged in to the same basket. Then they will be tried by facts and law.

Interviewee 15

She is 70years old earning master degree, married, living in Bangkok province, an official retiree, earning unquoted, 3 dependents and 6 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, program of the Tulakarn Chalermprakiat Hospital, personal experiences, opinions, and attitudes and so on. Juveniles of narcotics cases come from family mainly. Juveniles' involvement is because of facilitating environments to meet, experimental curiosity on errands for deviant peers. Critically, juveniles do not know narcotics pros and cons but flagging problems and use narcotics as solutions in order to forget all things. Problems and limitations of trying the case of narcotics against juveniles are none. However, proving problems are sometime successful but sometimes not because of juveniles and their families run short of cooperation and take it seriously in order to solve their own problems. Parents admit in order to quit the court.

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Narcotics drug known to other is after when it physically and mentally affects the person while addicted material is not known even closely observed such as internet and gambling. Narcotics pros and cons are found more cons against person, family and societies. Many narcotics are known but never seen real stuffs except in pictures and in media. When handling narcotics trial against juveniles, the associate judge wishes societies become better than present with countless problems. It is to help juveniles' future who will grow to be good adults. The process of using discretion on narcotics trials is to examine search reports, by observing juveniles during conservation, enquiring historical background, normal lifestyle, entering using narcotics and even whether being users or distributors by cases. If proceeded first time with the case, or peers leaves drugs unknowingly, they will be decided for probation and return to education not to fail their studies (case of still studying). Fact must be sought after to constitute considering for assistance. Factors of narcotics trial benefit juveniles are whether parents can correct, residential surrounding, and chance to repeat offending, emphasizing admission to different therapeutic institution. For example, if they are admitted for training will they change their behavior; if admitted to program of the Tulakarn Chalermprakiat Hospital, will they be cured? If they are seriously addicted, they will be admitted as in-patients and will they quit? Applying discretion against juveniles on narcotics and other cases – with the narcotics cases; reports, and result of test will be used whether innocent or guilty with confession. If guilty, they will be admitted for therapy, and correction. Narcotics cases are with clear evidence and easier to solve than other cases. Other cases needs to examine material evidences and witnesses for defense. They will be examined for their grounds and circumstances of the cases in order to maximize ways of punishment in associated with rehabilitation for offenders.

Interviewee 16

She is 50 years old earning bachelor degree, married, living in Bangkok province, running private business, earning 50,000 Baht a month, 6 dependents and 7 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court,

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programs of the Central Juvenile and Family Court, program of the Tulakarn Chalermprakiat Hospital, personal experiences, opinions, and attitudes and so on. Juveniles of narcotics cases come from problematic family background, parents, siblings, relatives, and short of care. Solving the environmental problems of offenders cannot be short-term but spiral back to the same delinquency. It requires change of residence such as admission to the Farsaiwitthaya School and spends prolong time cultivating in order to acquire integrity of creativity, positive attitude, reshaping lifestyle by status and realizing self-values in daily life spending discarding narcotics involvements. Problems and limitations of trying the case of narcotics against juveniles are none. Problems come from juveniles such as age during offending is 7-8 years deceived by adults in distributing narcotics and trafficking for small amount of money because of poverty. However, by law, they are sued under lawsuit but more petty case. It becomes gaps and tools for selfish and self-gain adults and fact-findings on entry of delinquency are likely impossible because children will lie. It is recommended that more times be permitted for searches and fact-findings for the benefit of considering for assistance. There should be training for additional information for the associate judge in solving the narcotics problem. There should be training for families for rationally instructing their children.

Narcotics drugs are used by users by inhaling, smelling and injecting and directly affecting the body while the addicted materials are perceive through eyes and to brain and creates desire. However, when time passed for a while, it is discardable by itself without any treatments. However, both create the same damages upon over uses both of them. Narcotics pros and cons are found on medicine if reasonable used. More cons are against person, mind, societies, intimate persons and other persons directly and indirectly. Many narcotics are known and some are met during seminar introduced by the office concerned but most are met in pictures and in media. When handling narcotics trial against juveniles, the associate judge wishes to see them quit the narcotics ring, which closes down their opportunities unlike common youth and harms themselves. Personally, the associate judge thinks that the performances of the Farsaiwitthaya School and the Fasai Pun-nam-jai Vocational Training Center help much in rehabilitation. Because juveniles are barred from narcotics location and subject to supervision with considerable time for them to ponder and to continue their

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education on both general studies and vocation. This gains them with knowledge upon returning to societies or for higher education because some can afford to complete their higher degree. It is to help juveniles' future who will grow to be good adults. Like at present, there are projects promoting extended education of the associate judge with fund and expenses. There are juveniles who finish the program and continue their bachelor degree. The associate judge wishes to see new breed acquire good thought to continue education like liker senior. The process of using discretion on narcotics trials is to examine search reports and records to find motive of delinquency, conversing, using open-ended questions allowing juveniles to think and to respond. Then all these facts will be shared for examination for right and proper direction and will not violate law. Factors of narcotics proceedings and benefit for juveniles are by examining their ages. At present, younger children enter narcotics ring even ignorant what it is. It is then very necessary to examine their ages, causes and motive else they will be stigmatized until their lifetime. Another part is to improve their family lifestyles. For example, being the middle child, they are unlikely attended from parents and left alone, unlikely seek advice from parents and whether their parents give good consultation. Applying discretion against juveniles on narcotics and other cases – with the narcotics cases which are not complicated ones and in the case of uses and confession of guilty, they will be admitted for medical therapy, correction and enhancing knowledge of prevention not to return to use. In other cases, they will be examined from evidences, number of time, violence, and effect against other people, causes, and behavior or habit. If it is the first time, they will be given opportunity for the sake of their future but if repeated and planned, they sill meet stronger measures of applying discretion.

Interviewee 17

She is 62 years old earning bachelor degree, married, living in Nakhonsithammarat province, running private business and an official retiree, earning 15,000 Baht a month, 2 dependents and 5 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, program of the Tulakarn

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Chalermprakiat Hospital, personal experiences, opinions, and attitudes and so on. Juveniles of narcotics cases come partly from their families. This affects societies and there is tendency of younger offending with more violence. For example, a child possesses 400 yabas. It proves that children easily become tools in narcotics delinquency. They admit that they are paid 500 Baht for carrying the stuff. Problems and limitations of trying the case of narcotics against juveniles are none. However, after trials, the associate judges cannot follow the case and they return to repeat the same delinquency. Parents are not prevalent in attending them because they emphasize working for happiness. This might come from the economic condition. It is recommended that there must be places where parent can attend their children with affection of the family. There should be projects to encourage extended education so that they can study as highest possible. Their gift must be found because they have special gift such as open locks.

Narcotics drug directly effect the body and needs medication while addicted materials are attendable by parents and correction. Pros are not found but cons damage health, committing crimes, theft, robbery total, rape, and gang rape. The worst is the narcotics distribution cases because it multiplies users. A distributor can have countless clients. The associate judge knows about narcotics from police lecturer during training with the local police. Trying the narcotics cases against juveniles, they should be given opportunity to quit the labyrinth to stop living with narcotics and moved to other career and continue their education with happiness in future. The process of using discretion in trying the narcotics cases will examine the addicted juveniles come from either a broken home or not. Association with deviant peer will turn them back to repeat delinquency. A project is proposed so that they can volunteer to join the project in order to improve and rehabilitate themselves such as junior monkhood or a moral camp and so on. Factors of trying the narcotics cases and benefits for juveniles are reasonably and appropriately familiarizing with them to create trust and to ease worries and to speak truth in order to add to fact in the trial for further assistance and judgment. Applying discretion in the trails of the narcotics cases and other cases – with the narcotics case, there will be flexibility because rehabilitation is possible but the direct disadvantage harms the offenders against their mind and body. In other cases, such as quarrels, robbery total, and snatches affects

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other people and in the case of attempt murder, it must be examined from the real incident spot whether it is by impulsiveness or habits in the subconsciousness.

Interviewee 18

She is 71 years old earning bachelor degree, married, living in Rajburi province, an official retiree, earning 50,000 Baht a month, 3 dependents and 16 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Office of Justice Court, programs of the Central Juvenile and Family Court, program of the Tulakarn Chalermprakiat Hospital, personal experiences, opinions, and attitudes and so on. Juveniles of narcotics should be rehabilitated rather than punishment and provide time and place for them to gain trust, voluntary cooperation in corrections such the one has bee organized the project of tripartite cooperation. The Ministry of Education, the Court of Juvenile and family and the associate judges co-establish the Fasaiwittaya School and Vocational Center of Fasaipannamjai. These places should have been where they can resort when they are in troubles. Most juvenile delinquencies come from communication in their families, misunderstanding each other, absence of warmness, and affection children should have from their parents. This turns them to associate with friends. Peer groups associated are addicted group, homeless, uneducated, jobless, no sable career, and bias habit trained since early age. Problems and limitations of trying the case of narcotics against juveniles are none during the office term. However, assistances unacheive as in the objective of the Court of Juveniles and family because of policy change when the management changes. It is recommended that correction must be paired between juveniles and their parents. It needs follow-up and evaluation. Successful performance of of juvenile quit addiction should be publicized for other as information.

Narcotics are an intake substance. An addicted is found and enticed to use and mostly by sight such as internet addicted, pornographic book addicted. Pros and cons of the narcotic drug s as found such as morphine, daily dosage of sleeping pills for the aged would be used in medication and under the physician controls. Ill-effects come after addicted and absence of the physician control and no limits uses and no serving

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the purpose of drugging. Ill-effects such as using sleeping pills to intoxicate women for rape or mixing with other substance for euphoria along enjoying parties. It is to seek addict-related enjoyment. Narcotics are well known in training program, posters, and various media. Trying the narcotics cases against juveniles, they should be saved from it, secured afar its claws, place, and environments. They should quit narcotics completely in order to become the good citizen and the future of the nation. The process of using discretion in trying the narcotics cases will examine the addicted juveniles' additional historical records. If confession, trials will be temporary suspended. The process taken is seeking maximum alternatives useful to them for corrections, rehabilitation and follow-up under the condition and commitment with the court. It needs to separate the drug-use cases and the drug-distribution cases from each other. The drug-use cases will examine type of drug, environment of uses, cooperation of parent in trails, juveniles' behavior, intelligence and ability, and users or distributors. If petty cases, they will be admitted to the Eagle Camp for 10-15 days entering the programs of IQ, EQ, and MQ; Moral and Ethical Camp. Most serious cases will be admitted in to the Correction Institution counted as intended murder, killing many people during living. Factors of examining the narcotic case contributes positive effect for juveniles. They will be examined from their behavior, intelligence, knowledge and ability in vocation and general knowledge. Examining juveniles' delinquencies in drug and other cases; the drug cases will finalize in erroneous walks and give opportunity for corrections appropriately. It emphasizes conversation, training for thinking, behavioral observations at met whether the family is warm, staying with parents, facial expression-enlivened or sorrow, thin by drug use or not; then decide them be rehabilitated. If it is the case of large amount distribution, juveniles will be admitted for training to block increase of the drug users. In other cases, there will be searches and exanimations by rational and circumstance of the case such as using gun in public, and automatic shootouts – they will be enter normal trials by law but examine their motive of action such as offending because having been assaulted before. They need checks of mental conditions and deeds before committing crime in details because and it may cause the innocent to get involve with injury and death. Most cases endanger societies and other people seriously. It should be change from detention into imprisonment.

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Interviewee 19

He is 73 years old earning master degree, married, living in Saraburi province, an official retiree, earning 50,000 Baht a month, 2 dependents and 5 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents are applied in narcotic proceedings) are from programs of Ministry of Health, of Office of Justice Court, and of the Central Juvenile and Family Court, personal experiences, opinions, and attitudes and so on. Juveniles of narcotic delinquencies, personally, they are found that personality, physicality, and key are their mind. Those weak will be easily and rapidly enticed to addiction, broken home, absence of warmness and affection righteously and correctly from their families, not being oneself, peer dependency, and thinking unable to solve one's problems. Therefore, they associate with friends of sympathy and speaking the same tone. Finally, the addicted friends give narcotic free try. After uses, they forget their problems. Not long, they have to buy and otherwise join the trafficking because it is a fly profit, easy to sell due to clients are waiting. Problems or limitations of examining addicted juveniles during term of office is none; most come from juveniles who cannot think, and problems of their parents who earn living until having no time for their children. It is recommended that it needs understanding with the offenders themselves, seeking way to withdraw them to be our side first. Physical medication is simple but mental medication is because they have been lengthily molded since birth and witnesses such environments. It begins with the absence of warmness and affection in their families. To treat this need double times of the loss. For example, delinquencies caused by absence of warmness and affection at the age of 16 years, the memory of the child that can recall is at 3 years of age. Therefore, the absence is 13 years. To medicate this case needs 26 years in order to return the warmness and affection to the juvenile. There should be campaign on knowledge from parents beginning to enter marriage, to have children, and then get pregnancy. Children must come from love. This process will reach the child in the womb by talks and touches of parents in their intimacy. This is part of having a family and there must be a government unit to specially handle this affair.

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Narcotic drugs enter to harm brain leading to hallucination and deviation. Otherwise, the users need to respond their mind to forget suffering within themselves at a moment only. They get the symptom of loss of mind, dysfunction, and create crime. The addicted material is not affecting the brain or loss of mind but having ill effect or education, loss of human relation. Pros and cons of narcotic – at first it is experiment as medicine. It is thus pros and cons in itself only if proper dose used by objective of medication. If overdose senselessly; it brings ill effect immediately. The interviewee knows every kind of narcotics as it is found and arrested in the communities of Bangkok because the interviewee is a committee member in the Welfare Aids Job in the Mental Health Section of Bangkok Metropolitan Administration. Upon trying cases of addicted juveniles; in theories, it is a welfare aids to juveniles to return to be good citizen and societies as normal youth. Actions take are inline with the policy of the Central Juvenile and Family Court emphasizing various corrections, giving them opportunity to think and living happily after dismissal. The process of discretion on trying the narcotic cases is to take the first time delinquency, emphasizing understanding in the family in order to give close care to juveniles returning homes. If there are more than once, they are demanded medication under the order of the court to medication centers for the addicts and short course training for vocation. If possession and distribution, they will be demanded long-term training to reduce narcotic problems upon dismissal. Factors to the trials and benefit the addicted juveniles, it need considering from societies, and environments engulfed by narcotics climates, which will easily lead them to the ring. Physically, it is easy to observe their parents and juveniles, but not mentally, because their subconsciousness to explore. Therefore, to try the narcotic cases and other cases, it needs to consider their deep mind. Discretion in trying delinquencies of juveniles in addiction and other cases is similar in order to seek processes or techniques to allow them for aids and physical and mental medication so as they can have positive thinking processes and improve themselves to be good. Punishment is just abiding by the principles of the professional judges. Discretion of the associate judges is the additional help if it does not affect societies such as the narcotic cases, petty theft, or assumed accomplice and so on. It theta are serious, they will mostly be admitted for training.

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Interviewee 20

She is 66 years old earning bachelor degree, widow, living in Bangkok , an private business, earning 350,000 Baht a month, 6 dependents and 5 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, of the Tulakarn Chalermprakiat Hospital, of the Restorative Justice Administration, of the Ministry of Social Development and Human Security. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are underage juveniles are used by their parents and relatives to offend. Environment makes delinquency common. They think involvement in narcotic is not harmful; peer group, and residence involving with narcotics. Problems and limitations are not found in juvenile narcotics trials but from the try of possession for distribution arrested by police. Juveniles testify that they have been forced for accusation. It is difficult to find facts. Recommendations are there must be a proper and rigid place to take care addicted juveniles. If many times offending, they must be admitted to the Observation Centers. However, if being detained many years in the Centers, they may learn unwanted career from peer group of 24 hours. Key is cooperation of the state to organize campaign, and suppression seriously, otherwise ill situations shall return.

Narcotic drug seriously harms the body either mental or body illness. The addicted material affect less than narcotics but affecting societies such as games of fights. Juveniles then imitate as in the games sensing no pains and death in real life is then similar in the game that they can reborn. Pros are least found but temporal happiness during using drug. Cons are commonly found, which are senselessly use drugs, ill active, and impulsive to offend. Thoughtless acts affect what later happen. The interviewee never see real drug but sees in training, posters and medicine. Upon trying the narcotic cases against juveniles, she wishes narcotics should be reduced, never wishes to see juveniles enslaved by narcotics and its rings because it is counted eroding the nation and seriously needed to be corrected. Taking action against juveniles to the Court of Juvenile and Family is the end cause. Attempts must be made for them to understand ill-effect of narcotics such in the schools e.g. project of

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Realize before Erring of the associate judges. The process of discretion in trying the narcotic cases is from documents followed by open-heart inquires with juveniles, and their parents in order to find fact, in order to cooperate in corrections and helps rather that punishment by sending for training. It is to show that trying from the associate judge is not to demand punishment but to find solution. Factors of trying the narcotic case and benefit them is training and exampling to point out righteous ways to walk. Discretion used with the narcotics cases and other cases, since the narcotic cases directly affect the mind and body those users are in their own world by drug potent. They need medication both mind and body. Personally, the associate judge spends more time with narcotic cases for instructions more than other cases and attempt to draw them from its ring as much as times permits and encourage them to be responsible and harm they can make to societies.

Interviewee 21

He is 70 years old earning master degree, widow, living in Bangkok , an private business, no response on earning a month, 5 dependents and 3 years of experiences as associate judge and now is a senior volunteer of think tanks of Her Majesty the Queen's Project.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are endangering themselves and more serious is the possession for distribution. Juveniles in the narcotic rife communities are eager to experiment, trying or introduced by adults, and deception to use. After addicted, it is craving and the simplest ways is to sell drug to find the profit for sue. Sometimes, the family sells drugs because of high profit by buying 200 Bt and sell 300 Bt. Most juveniles are uneducated, jobless, earning from selling and if arrested, they will not long dismissed. This is the loophole of law of the Court of Juvenile and Family where adults exploit children to offend. Problems and limitations are not found in juvenile narcotics trials but from their parents wit poverty, broken home, either parents having a new family, adjustment of juveniles with new families and rejecting each other. It is recommended that police, parents, relatives and the respected persons in communities

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should take care children. The government agencies must be serious on narcotic problems not to enter the Kingdom such as along the borders of Burma, Laos, and Cambodia where they produce drugs. International cooperation must be raised as the national agenda.

Narcotic drug harms the mind and body more than addicted materials, which affect education, and misspending time. Pros are relief pain by morphine in medication. Countless cons are found in societies such as hallucination, and ransom thinking that one will be assaulted. Narcotics are well known but never see the real stuff except in pictures and in media. In trying the narcotic cases against juveniles, it is preferred to see them return to be good, quit narcotic drugs, being good citizen and return to societies rather than imprisonment. The proceedings of trying the narcotic cases require additional inquiries from reports of the Observation Institution. If uses only, juveniles will be sorted out their aptitude and preferences. If vocational, they will be admitted to the vocational training school. If educating, they will be admitted for general studies or the non-formal school studies in order to wait for issue of punishment, probations and urine test. If test finds negative, they will be dismissed, if found, they will be punished and forced rehabilitation by agencies is taken. Factors in the trial of the narcotics cases and benefit juveniles is by considering habits, reaction of response, conversation, previous education, rules of laws and generosity for primary solution. If many repeat, they will be admitted to the Corrections for a period for chastening.

Interviewee 22

She is 60 years old earning bachelor degree, single, living in Bangkok , an private business, no response on earning a month and career, 3 dependents and 5 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, of the Tulakarn Chalermprakiat Hospital, and of the Restorative Justice. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are curiosity, experiment, imitating peers for acceptance among youth peer. Solutions require cooperation from all parties in societies and not

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by the court alone. There are no problems and limitations during trying the case against juveniles.

Narcotic drugs e.g. yaba, cocaine and heroine but addicted materials, e.g. cigarette and liquor. Pros are incomes from selling narcotics. Cons are harming brain, physical and mental health. Real drugs are not seen but long the training center, posters and various media. In trying the narcotic cases against juveniles, it is preferred not to see them involve in narcotic drugs again. The proceedings of trying the narcotic cases if uses or distribution. If distribution, they will be more seriously punished. Factors in trying the narcotic cases and benefit juveniles are considered by their daily living, educating or working, age, environment, residence, family, duration of uses and increase of doses. Applying discretion against juvenile delinquencies on narcotics and other cases; narcotics by uses will be help and corrections but distribution case will be admitted for training. By reason, the latter is the agent to narcotic rife and endangering other people who are not involve with narcotic while other cases will be tried by provisions of the criminal law.

Interviewee 23

She is 69 years old earning bachelor degree, married, living in Bangkok , an private business, an official retiree but no response on earning a month, 6 dependents and 6 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, of the Tulakarn Chalermprakiat Hospital, and of the Restorative Justice. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are they have been raise on self-centeredness, no sympathy. They think their parents do not love them, no time for them, absence of warmness. Therefore, they isolate themselves from their families to associate with their peer groups. Impolite words or reprimands disturb them. There are no problems and limitations during trying the case against juveniles. However, the dismissed juveniles to the same environment after admitted to the Observation Institution, they repeat their delinquencies.

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Narcotic drug if injected, juveniles will not know themselves but are advised by peers or adults. Most addicted materials will be outside home and simple to access at present and in each home such as pornographic movies, internet accessing having sex, and violent games, which are easy to find along game shops and absence of controls. Pros are for medical uses with limits doses and appropriateness in medication. Cons are endangering mind, body and societies. Knowing addicted substance such as cigarette, liquor, and marihuana because her husband has used them while others are known through medias. In trying the narcotic cases against juveniles, it is preferred to help rehabilitating their mind and body and encouraging their thought of self-consciousness and people around, doing things more useful for themselves, their families and societies. By reasons, narcotics are the cause to weaken the national force in future. The proceedings of trying the narcotic cases is considered from report and times of delinquencies emphasizing implanting integrity, training and pointing out that societies hate users but they can be corrected and returning to societies. Societies still forgive. It help to think about supportive activities of self-improvement such as playing games, music, and not to sue addicted substance to overcome troubles since it is a temporal self-deception during its potent. After effect, troubles are still the same. Therefore, it needs to find the cause of troubles. All humans are born to meet troubles but just only how to find proper solution. Factors in trying the narcotic cases and benefit juveniles is to adjust their perspectives. Adjusting the foundation of life is to love oneself and parents allowing them to express thinking and adding to what is absent. Applying discretion against juvenile delinquencies on narcotics and other cases; narcotics emphasizes considering environments, peers, and adults in communities in order to find advice to stay away what involve narcotics. Considering also what are absent from juveniles such as warmness in families where parents are attracted to involve in useful projects. In other cases, they will be examined by situation and circumstances of the case, causes of delinquency such as careless active, enjoyment over others' suffers, annoying others, stigmatizing woman in rape and consider damages happens and endangering societies and abiding in laws by professional judges.

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Interviewee 24

She is 68 years old earning master degree, married, living in Bangkok , an private business, an official retiree but no response on earning 35,000 Bt. a month, 5 dependents and 5 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, of the Tulakarn Chalermprakiat Hospital, of the Restorative Justice and of Bangkok General Inspector. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from the absence of warmness in their families, and negligence of parents. Juveniles run to their peers, and spend time uselessly. They stay at but never study and spend time outside homes and environment. Their family economic is unstable and deceived by selfish adults. Worst is members in families use, sell drug at the presence of juveniles, and use them in selling. There are no problems and limitations during trying the case against juveniles. However, juveniles avoid rehabilitation and repeat delinquency or sometime, they do not complete the program and cannot totally withdraw narcotics. It is recommended that parents should take special care their children during 10-18 years closely, provide warmness, familiarity, conversing in order to know their children's problems or pride in what they have done to award them and encourage them properly and deserving the family status.

Real substance of the narcotic drug is defined by law in Narcotics Act in-taken to the body in various ways and gets euphoria, mental hallucination, and gets ill-effects to brain. The addicted materials are found in objects in taken through eyes, ears, and tips of fingers and so on. Pros are use in medicine, which at fist is produced for medication. Later, it is used unlimited and misused leading to harmfulness against body, mind, and nervous system endangering societies if uncontrollable. Personally the interviewee never see and relay touch the stuff but through training, posters and media. In trying the narcotic cases against juveniles, it is preferred to see the drug-enslaved and victimized quit the narcotic rings and return happily independent from drug and its rings. Discretion in the trails requires fact-findings from authority involved, juveniles' families and themselves, individual examination. Rationally, each case is differed. Factors of its trial and benefits for juveniles are from considering

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reports of fact-findings and sort out strong point in order to encourage and support as well as improve weakness through such as education, and vocational training. Applying discretion against juvenile delinquencies on narcotics and other cases; narcotics cases will be prioritized because rehabilitations by program and close control can solves juveniles' problems. Other cases will be examined whether to what extent they affect societies at large, or whether they are immoral that makes them offend or by their moods, and overactive to commit crimes and they will be examined rationally and reasons to act.

Interviewee 25

She is 69 years old earning bachelor degree, married, living in Bangkok, private business, earning 50,000 Bt. a month, 6 dependents and 5 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, of the Tulakarn Chalermprakiat Hospital, of the Restorative Justice. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from peer association, believing friends more than families, internal relation in families, broken home, absence of warmness affection in families, resided communities adjoining narcotics. There are no problems and limitations during trying the case against juveniles. Most problems are absence of cooperation from juveniles and their families in rehabilitation, assistance, truancy from rehabilitation, and probations. They never show for urine test by appointment because they return to repeat on drug uses. The next arrival is by arrest to court. Recommendations are serious suppression because since the past only policy from top is active. When Policy is weak and absence of strictness; drug rife is found again.

Narcotics are the serious problems and endangering. What is known is the brain is addicted and just walking to pass where drug is used, the person think to return to use it. The addicted materials is stoppable such as stop using internet and games and less affecting societies than the narcotic drugs which harm body and mind, personality and the future of the country in order to replace the aged. There are pros and cons for the narcotic drugs. If sensibly used and with close controlled by the

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medical doctors, they are useful otherwise lethal effects. The interviewee never sees real stuff except in the training, posters, and media. In trying the narcotic cases against juveniles, it is expected that they quit drugs and never repeat committing crimes, never wish to see adults and juveniles offend. Children do not know what they have done is breaking the law. They must be saved from danger, which they do not initiate but forced by adults ignoring stigmatization in children. This makes them imprisoned. Discretion in the trails requires delinquency-based examination. If uses, they will be admitted for rehabilitation while uses and distribution will be admitted for rehabilitation and leveraging morals and ethics so that they create useful things for societies because selling seriously harm societies. Factors of its trial and benefits for juveniles are through explanation, instruction and advice of spending life free from drugs. Reports and questioning will be used in examining information related to themselves, their families, education, jobs and source of income. Applying discretion against juvenile delinquencies on narcotics and other cases. If uses, they will be given time for best medication and rehabilitation by the principles of the program. If selling, it will be based on law. In particular, not using but selling for gains and luxurious spending will be admitted for training by law. Other cases will be examined case by case because the causes of criminal delinquencies by law and evidence in disproval.

Interviewee 26

She is 64years old earning master degree, married, living in Suratthani Province , an official retiree, earning 50,000 Bt. a month, 4 dependents and 6 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, of the Tulakarn Chalermprakiat Hospital, of the Restorative Justice, of the Ministry of Education, and of the Office of The Narcotic Control Boards. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from living in the communities with narcotics, abandonment, struggles for survival, imperfect families, separated parents, children getting loss, and no spiritual attachment. There are no problems and limitations during trying the case against juveniles. Recommendations are rehabilitation spends little

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time but mentally, there must be process or techniques used with place, time, and experts in healing the absence.

Narcotics must be correctly and properly medicated, its ill effects endangers body ad mind. Recuperation is slow and harming brains and thinking process. The addicted materials are seen as a temporal astray because the ill effects are loss of time and education. Its ill-effect to communities is less than narcotic drug and needs less time in healing. There are no pros but cons that juveniles are helpless to look after themselves leading to the nation will lack quality people to improve the country in future. The interviewee has seen real stuffs from arrest conduct by her police brother and in the government agency where she is trained. In trying the narcotic cases against juveniles, it is expected that they quit drugs and emphasizing corrections, encouragement and following –up the role of the local health agents, police, associate judge, the church, the school, the communities, the community chairpersons, villagers, and parents. This is to follow-up juveniles closely after disposal of the whole case for exchanges of information, and Q&A. Proceedings in applying discretion in examining the narcotic cases will be the times of arrest for lawsuit and behavioral observation, conversation, uses, duration of uses and so the case will be suspended. Then, they will be admitted for rehabilitation as in-patients or out-patients by appropriateness. For example, a juvenile under education will be admitted as out-patient. By principles of rehabilitation and waiting for progress report and juveniles' improvement for the responsible units. Then they will be reconsidered by maximizing their benefits. Factors of its trial and benefits for juveniles are through cooperation, juveniles' needs and their parents. Applying discretion against juvenile delinquencies on narcotics and other cases, the narcotic cases will organize training additional knowledge such as affection, warmness, attentiveness on education, follow-up that parents pay more attention to their children, sympathy-based in order to persuade and attract juvenile to return to stand with pride. Other cases will be by law and finds loopholes to help giving opportunity in the case of mistaken by moods and feelings.

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Interviewee 27

She is 48years old earning master degree, married, living in Bangkok, private business, earning 30,000 Bt. a month, 4 dependents and 7 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, and of the Tulakarn Chalermprakiat Hospital. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from curiosity for experiment, acceptance of peer group, absence of self-confidence, low morale and role model and rightful advice. There are no problems and limitations during trying the case against juveniles. Problems are punishment is not to solve the origin causes because juveniles are just tools for the offended adults. Recommendations are juveniles must be temporally separated to stay in the proper place so that they can adjust themselves.

Narcotic drug is a needed substance when a body gets addicted; it needs the processes of medicine and social for medication. At the meantime, addicted materials are installation facilities and modern technology and when the equipment is outdated, it will be replaced. Pros are it drugs used with restriction and under control for the physical benefits, it will be useful; but if overused such as users overdose, it endanger even to life. The interviewee never sees real stuff except in the training, posters, and media. In trying the narcotic cases against juveniles, it is expected that they realize dangers and consequences to oneself and societies, right direction of integrity with appropriateness and more acceptable to societies than breaking laws and subject under court warrant. Proceedings in applying discretion in examining the narcotic cases will be considered from all basic foundation because mishaps has motive and results. Therefore, all data are important, users will be admitted for rehabilitation, or sellers will be admitted into institution or camps to reform attitudes in order to see their own values and ideas. Times are offered and later observing their improvement. Factors of its trial and benefits for juveniles are through education, family background, data of earning income, aptitude, interest in vocation. This is to find ways to further help them. Applying discretion against juvenile delinquencies on narcotics and other cases is that narcotics delinquency is compared to illness by law ,it need medication to

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allow the body stop needing drug and focusing on vocational training , so that they will not return to repeat their uses. Other cases will consider mainly their consequences whether they suffer others. Assistance is if the case comes from immorality, they will be admitted to project the court is organizing and so on.

Interviewee 28

She is 55 years old earning master degree, married, living in Bangkok, private business, earning 100,000 Bt. a month, 4 dependents and 2 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, and of the Tulakarn Chalermprakiat Hospital. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from weak families, which is the first important institution of societies in order to foster affection and warmness within families. Educationists should pay more attention in caring pupils and students; and law keepers must not offend themselves or not forced addicted substance to gain outstanding performance. There are no problems and limitations during trying the case against juveniles. Examining cases is the last cause solution, it will not solve problem. Politics are not serious in co-setting policy and strict measures. Recommendations are all parties must mobilize all forces of the government sectors, the private sectors, state enterprises, and all workplaces involved to seriously launch campaign and continuously.

Narcotics endanger health more than addicted materials. There are no pros but cons, which will damage the country at large areas. The interviewee never sees real stuff except in the training, posters, and media. In trying the narcotic cases against juveniles, it is expected that they realize true dangers and integrity to cooperate for their rehabilitation, quit drugs, and its rings. Proceedings in applying discretion in examining the narcotic cases will be considered from reports whether uses or distribution. If uses, they will be admitted to rehabilitation but if distribution, they will be admitted for training. If both uses and distribution, they will be admitted to the Engle Camp. Factors of its trial and benefits for juveniles are through considerations

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of education and data of earning daily income for daily living. Applying discretion against juvenile delinquencies on narcotics and other cases is to prioritize the narcotic cases by principles of kindness to help in order to stop living with narcotics. Other cases will commonly considered by legal process of the Court of Juvenile and Family.

Interviewee 29

She is 67 years old earning master degree, married, living in Roiet Province , private business, earning 25,000 Bt. a month, 1 dependents and 5 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, of the Tulakarn Chalermprakiat Hospital, and of the Office of The Narcotic Control Boards. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are normally, even there are no drugs nevertheless the juveniles can stay. However, because of curious experiment, they are enticed to test by peer, staying near drugs, easy to find, isolated and abandoned by parents. Then juveniles are seriously addicted and arrested to court. There are no problems and limitations during trying the case against juveniles. However, absence of time management organized by the family, juveniles lie, parents are unable to supervise and cannot follow them but know after they are arrested. The school at present empathizes academic and money hunting rather than attending them as their siblings. Recommendations are preparing schools to be ready to solve before juveniles turn to offend and before proceedings.

Narcotics drugs harm health and loss of humanness with mental disorder, hallucination, impulsive, self-harming and hurting others, suspicious, and fearing others to harm. Addicted materials in the body will not affect or hurt others but impair education for those game-addicts, truancy to play game, and lie to play game. Pros are not found but cons are numerous. The interviewee never sees real stuff except in the training, posters, and media. In trying the narcotic cases against juveniles, it is expected that they are totally rehabilitated, consciousness of what bad have been done, quit drugs and return to normal state of common juveniles, being useful in life

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spending with one's value. Proceedings in applying discretion in examining the narcotic cases will be considered from details given by parents, guardian, juveniles themselves, causes of using drugs, environment, and seeking causes of uses in order to collect data for assistance rather than punishment. Turning juveniles to realize what they have done will damage their own future. Factors of its trial and benefits for juveniles are through considering the existing project for juveniles to choose or volunteer in rehabilitation as demanded in the proceedings. Applying discretion against juvenile delinquencies on narcotics and other cases is being the narcotic cases and arrested for lawsuit. Most cases are found unintentional but the group wants to experiment, which will harm oneself more than others. This requires encouragement to persuade them to quit drugs by looking at oneself as assistance rather than punishment. Other cases will commonly considered morals to be co-instructed in order to see what has done is incorrect and unmatched and against the Five Precepts such as murder, attempted murder, but significantly adhering to the legal process for juveniles.

Interviewee 30

He is 50 years old earning bachelor degree, married, living in Bangkok , private business, earning 100,000 Bt. a month, 3 dependents and 4 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the Central Juvenile and Family Court, and of the Tulakarn Chalermprakiat Hospital. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from mental weakness inherited from families and environment. They can be easily led to improper direction. Narcotic rings victimize most juveniles. There are no problems and limitations during trying the case against juveniles. Problems are juveniles do not understand their rights and what having done are against law such as inhaling glue with friends, or given free or did not buy it. Recommendations are to provide knowledge of one's rights and basic law to realize one's basic rights one deserves.

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Narcotic drugs directly affect body, brain, thinking process and mind. Addicted materials affect daily lifestyle, behavior and emotional changes, rationality, violence, and aggression from games, which clearly affect behavior. Its pros are for healing pains of patients. Its cons are affecting body and mind of the users and affecting lifestyle and mental conditions of others such as families, parents, relatives. The interviewee knows many types but real stuffs are yabas met in arrest amid the market and spread around the area. Most met drugs are in posters and media. In trying the narcotic cases against juveniles, it is expected that they can adapt their sense and be optimistic to get help from other with sincerity. After receiving help, they should share with others so that they can think of sharing what is useful. This is what the interviewee want to contribute to juveniles that they quit drugs to replace their temporal crave. Proceedings in applying discretion in examining the narcotic cases will be considered from the first delinquency to maximize benefit such as parents admit them for rehabilitation and do not affect their education in case they have offended during studying. If being the second delinquency, it needs to revise the first process on its defects that fail the medication. Absences will be studied and solved. Factors of its trial and benefits for juveniles are through considering factors within the families, attention to their children, juvenile determine good things to improve themselves, their habits, their behaviors, their appearance and their aggressiveness observed from conversations. Applying discretion against juvenile delinquencies on narcotics and other cases is if the uses, rehabilitating process will be applied but if distribution, punishment will be used if the case affect societies and lead harms to others. Other cases will be abided by the proceedings of juveniles, their motive and consequences by rule of laws.

Interviewee 31

She is 52 years old earning master degree, married, living in Bangkok , private business, earning 100,000 Bt. a month, 6 dependents and 9 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court, of the

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Central Juvenile and Family Court, and of the Tulakarn Chalermprakiat Hospital, or the Office of The Narcotic Control Boards, if the Institute of Justice Administration for Juveniles and Family such as criminology, youth psychology, and of Restorative Justice. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from juveniles with impulsiveness, absence of self-confidence, absences of self-control, thinking process, proper decision-making and peer-based dependency. Problems directly affect juveniles are such as improper affection, parents preoccupied to solve economic problems, responsive to luxury, competing each other on new technological facilities. There are no problems and limitations during trying the case against juveniles. Most problems come from parents do not fully cooperate. It needs time in medication and they sometimes show-up. Therefore, medication fails. Parents totally ignore. Some medication is too short that the court extends medication or continues treatment else, medication fails. This leads repeat uses and return to court. Juveniles do not realize they have to behave rigidly in medication but they behave indifferently. That leads them back to addiction. Finally, the court is the last resort. Amendment that there must be punishment in medication but there is still improper places to continue the court proceedings. Recommendations are to be attentive since the beginning in the school to provide knowledge, counseling and guidance teachers with rigid suppression.

Narcotic drugs are types and substance enacted by law in-taken into the body by smoking, injection, and inhaling potential to affect nerves and ill effect against body, mind, brain, thought, and memory. They can directly and indirectly affect individuals, families, communities, societies and the country. The addicted materials are produced by technology for facilities or by objectives or by usefulness. On the contrary, when it is improperly used or absence of controls; it give pros and cons immediately, such as computer. Internet system for information surfing so fast, communitarian, in-out data, and if accessing the useful information, it raise valuable knowledge but if not by using as prostitution or deceit to rape, clips of sex, and easily accessed; this make youth to experiment as bases. They shall commit crime to meet their sex desire or playing violent games, shoot-out, killing, and fights with virtual reality. Juveniles take as example by their curiosity and trials. They cannot separate the real world and the virtual world and cyber world because the cyber world feels no

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pains and is able to begin again. Juvenile do not understand this because violent games are implanted in the sub-consciousness and when it is expressed, it harms societies. Pros and cons of narcotics- drugs are produced for medication under controls of the medical doctors in order to suppress pains. It is useful with quantity in control but otherwise by misrestricted quantity and mis-objectives, such as normally; it is dosing but in-taking by inhaling to direct it to brain. This permanently destroy the brain and difficult to recuperate. The interviewee never sees real stuff except in the training, posters, and media. In trying the narcotic cases against juveniles, it is expected that they know how to think, to realize ill effects of drugs, to think to solve and to improve oneself secure from drugs, that they can lead themselves to new lasting lives and good role model for their juniors who cannot think. This includes to return for spiritual support juniors who are circling (if chances be) with the sense of being the same class, same age, same experiences and likely easy to talk with outsiders. Proceeding of using discretion in examining narcotic cases are from search reports, details from parents and juveniles, causes of using drugs, environment, and root of using, in order to collect data to help rather to punish. They must be conscious of what done have harmed their future. Factors for narcotic proceedings and benefit juveniles are considered by background, historical records, family condition, education, vocational aptitude, thoughts, self-responsibility, integrity, perception, self-control, conduct after examination, self-improvement, using search reports and questionings so as to best finding facts. Then, assistance will be fruitful and serve their needs, achieving the court's objectives and juveniles will be happy to cooperate for their corrections. Applying discretion on juveniles' narcotic case and other cases - "every case un accepted by defendant, it is useless but otherwise fruitful." Discretion is not rather different except nature of the case, seriousness and direct effect to others. At first, it is to give opportunity for improvement on petty cases and adjust model to meet their assistance. For example, a narcotic case, it requires to add EQ and MQ. If serious addiction, they will be admitted to medication in a justice hospital, the narcotic therapeutic center in Pranakhon Sri Ayudhya Province. At least they should feel guilty and change their lives for better. If able to change thought to behaving will be half done. The next step will be organized with encouraging education or vocational training.

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Interviewee 32

She is 49 years old earning master degree, married, living in Bangkok , private business, earning 200,000 Bt. a month, 4 dependents and 2 years of experiences as associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of the Central Juvenile and Family Court, and of the Officer Advance Course, Navy. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from absence of attending care from parents, parental preoccupation on earning, no time for children, association with peers, acceptance–needed, belittled by peers, belittling to use drug such as 'not smart', building trust and use drug, or force to use by adults so as to include in the drug ring. Problems and limitations in the narcotic proceedings against juveniles are not found. Problems come from indifference of the family on their children in what they do; in what they eat, they have to help themselves. Parents do not know how to foster their children and societies stigmatize them. Communities never forgive but disgust. Juveniles find no good way-out, sensitive, and return to use drug and offend again all the time. Recommendations are to provide lasting medication. The government agencies involved must be serious in rigid suppression and must have strict measures to handle officers accomplice in offending.

Narcotic drugs are deadly to the body, the mind, societies but the addicted materials have got similar ill-effects but less than the drugs. Pros and cons of drug are the first is useful to medication but latter if misused, absence of control from experts will affect to brains, body, mind and societies. The interviewee has ever seen real stuff during training, in posters, and in exhibitions. In trying the narcotic cases against juveniles, it is expected that they know how to quit them and never return to use them through more attentiveness of parents than before. Proceeding of using discretion in examining narcotic cases are the juveniles think that they do not offend but it requires to find causes of uses and real causes. All can be solved if directed to the issue. Factors for narcotic proceedings and benefit juveniles are considered by all their useful information. Rationally, solutions used need cooperation from many parties for an offending juvenile in order to rehabilitate him/her. Applying discretion on juveniles' narcotic case and other cases – every case must be examined under the

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principles of corrections rather than punishment by the policy of the court of juvenile and family. Petty cases will be by treatment but law enforcement by judges will be used if serious ones.

Interviewee 33

He is 75 years old earning vocational certificate, divorced, living in Bangkok , private business, earning 500,000 Bt. a month, 9 dependents and 15 years of experiences and being chairperson of the associate judges of the court of juvenile and family for 4 consecutive years.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Office of Justice Court and of the Central Juvenile and Family Court. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are coming from ignorance of offending, imitating offending peers, associating with risk offending peers. Intending or with motive to use drug is found little. Families meet problems and turn then to sell drugs. There are no problems and limitations during trying the case against juveniles. Most problems come from the juveniles themselves who are thoughtless and not attempting to correct oneself. Recommendations are juveniles must be separated those addicted as drug users. There are two (2) types, i.e. beginners to use drugs and longtime users and seriously addicted, being users and sellers and finally the sellers only for taking discretion in clearly solving the causes of delinquency.

Narcotic drug is enacted in the narcotic laws while the addicted materials are in social. What are found are gambling, facility addicted, and computers. Juveniles will addict various games, hand-carried games, and mobile phone games. Pros are not found but cons are turning juveniles sluggish, uninterested in study, uninterested in doing useful things, preoccupying to find drugs for to meet sense of happiness. After no potent, they will search for it neglecting whether right or wrong. Drug names are known but never seen real stuffs except in posters or signboards. In trying the narcotic cases against juveniles, the interviewee determines to help them and encourages those who offend. However, they do not cooperate but repetitively offend even the court wish to help all the time. Proceeding of using discretion in examining narcotic cases are examining using behavior or selling in order to be admitted to various projects of

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the court and workplaces involved. If it is the first time, they will be have the opportunity for suspension to test their habit changes in order to begin their new lives with happiness by whether not using drugs. The successful treatment center is the rehabilitation Center of Pranakhon Si Ayudhya province and the Tulakarn Chalermprakiat Hospital. Factors for narcotic proceedings and benefit juveniles are considered by their families as keys for corrections because a one-sided effort will fail if without the assistance from their families. To wait for the court will certainly be failing but to arrest for detention and after dismissal, they will continue uses drug again. What are additionally found are their stubbornness and their expressed personality at presence; it can tell partly that the juveniles can cooperate for corrections or not. By reasons, some are aggressive and disobedient. Among them, some must be admitted for training. Applying discretion on juveniles' narcotic case and other cases – the narcotic cases by accusatory will be given opportunity to stay outside for treatment and healing but close follow-up will be taken by time permits. If being charged with selling, it is counted deadly to societies. If arrested as tools because of monetary needs, they will be admitted for education and granted fund such as admitted to the Farsai School. Other cases will be examined by evidences and testimony, motive of delinquency and its results and are there any victims of lifetime effects or returning to repeat by habitual offending, or sudden delinquency. Most rely one the discretion of the judges.

Interviewee 34

She is 60 years old earning bachelor degree, married, living in Bangkok , housewife, earning 50,000 Bt. a month, 5 dependents and 5 years of experiences as an associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of the Central Juvenile and Family Court and the Tulakarn Chalermprakiat Hospital. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are medication is good for their return to spend their lives in studying like others. However, it must be examined from their families, offending peer groups otherwise no long they will return to the same group and be arrested again. The entire group should be persuaded for treatment so that they

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will have friends in cooperating rehabilitation. There are no problems and limitations during trying the case against juveniles. Most problems come from their parents who see no significance of cooperation. They arrive at the court only by warrant as demanded by law only. Problems of internal communication within their families where parents think that their children obey them but they forget to observe their children's behavior. Recommendations are there must be a space for juveniles to express themselves and supporters seriously and continuously doing this job. It needs knowledge be intervened in the elementary levels for prevention, which will become easier to resolve rather than at the last end. There must be media and places where juveniles can access upon encountering problems and what they fear to tell by using the juvenile fronts.

Narcotic drug harms the mind, the body and health directly. It causes the absences of relation with the family, emotional development, proper emotional control in various situations, self-administration, including uninterested in learning or knowledge exploration-focused for future and no life goal. Pros are for relieving pains and insomnia for the aged but it must be under close attention to the medical doctor's prescriptions. Cons are upon the user whose brain has been destroyed and it will be difficult to revive which leads to loss of thinking process, self-control, worries, creating problems in communities. Upon hostage act, the user creates problems to societies, endangers persons not involved especially children and women. The interviewee never sees or experiences real stuffs except in pictures and in media. In trying the narcotic cases against juveniles, the interviewee determines to use her knowledge and experiences to help juveniles that they change their ways of lives, seeking approaches for corrections that they will not return to use drugs and be arrested again. Proceeding of using discretion in examining narcotic cases are to seek real causes form information, evidence and dialogue in order to dig deep how they involve in drugs. It needs to focus on corrections rather than punishment, sending them for treatment first and adding studying courses to enhance their thinking process. Factors for narcotic proceedings and benefit juveniles are considered by emphasizing mainly their families. By reasons, they are close to juveniles rather than the associate judges, witnessing events and their good behavior so that they can end the return to drugs in time. Applying discretion on juveniles' narcotic case and other

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cases – in particular the users with mental and emotional disorders, need to be treated by thinking process, and emotional control. The serious cases are the drug distributions, which are compared to sexual abuses, which stigmatize victims for lifetime. Other cases will be examined on motive of delinquency or astray but every case if it is adjustable to enable juveniles to revive themselves will by good but it needs times for provide them opportunity. However, their admission in any institutions will be inline with the enactment.

Interviewee 35

She is 48 years old earning bachelor degree, married, living in Bangkok , housewife, earning 100,000 Bt. a month, 5 dependents and 2 years of experiences as an associate judge.

The interviewee does not attend training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case). Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are from many things pressing on juveniles. They seek wayouts with their peers on pressures, wealth-driven, gain-driven alike others. When the close peers advise what is potential they will not resist. The case of drug is witnessed as trying to feel better and the drug is potentially giving results as peers have persuaded. Later, after using drug, juveniles forget their sorrows but when drug ceases activating, they return to the same sorrow. This is the life cycle of addiction and finally taken into custody and lawsuit. Problems and limitations on drug proceedings against juveniles are not found but there are cases of retirement for those who are studying. Therefore, they have no place to go and turn to mal-associations. There is shortage of opportunity for them to expose themselves. Recommendations are the Ministry of Education must add and intervene in the curriculums and activities with open-approaches for those who are at the studying-age.

Narcotic drug harms the mind, the body and health directly. It causes the absences of relation with the family, emotional development, proper emotional control in various situations, self-administration, including uninterested in learning or knowledge exploration-focused for future and no life goal. Pros are for relieving pains and insomnia for the aged but it must be under close attention to the medical doctor’s

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prescriptions. Cons are upon the user whose brain has been destroyed and it will be difficult to revive which leads to loss of thinking process, self-control, worries, creating problems in communities. Drugs are deadly to life. If cautious, they will be difficult to enter one's life since one clearly sees. Addicted materials are closer to one than drugs without exploring since they are in the residence in forms of entertainment, and facilitating technologies. If both have been addicted, drugs create unconsciously losses of fruitful time, physical development, and various sides of brain. Drugs give benefits to medication but deadly if negligence and wrongly uses. The interviewee never see real stuffs but in pictures and media. In trying the narcotic cases against juveniles, the interviewee wishes to spend to teach juveniles to stop and never return to drugs. Proceeding of using discretion in examining narcotic cases are to allow them to be inline with the proceeding but finally, it is training to show pros and cons in appearing to court and their weakness to be overcome such as EQ and MQ in order to change their habits but long times to be spent. In most drug case, juveniles distrust themselves. They are then dragged to the drug rings, easily. Therefore, to examine the drug cases, it needs to examine each life-background to find the best approach under the limitations of the court. Factors for narcotic proceedings and benefit juveniles are considered by parentality and willingness to have children. They affect fostering the growing child. Applying discretion on juveniles' narcotic case and other cases is not differed from discretion. Rationally, cases are waged by law and added by rehabilitation that they can reverse themselves to meet the real world after dismissal warrant.

Interviewee 36

She is 62 years old earning master degree, divorced, living in Bangkok, housewife, earning 100,000 Bt. a month, 2 dependents and 3 years of experiences as an associate judge.

Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of the Central Juvenile and Family Court and the Tulakarn Chalermprakiat Hospital. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are from broken home, negligent care, child of money-raising but unmet parents, no family associations and warmness, such

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as embracing and affection. To replace these, juveniles seek peers who are closest to them. Problems and limitations on drug proceedings against juveniles are not found but returning to drug uses and often subjected to custody and never admit guilty. Recommendations are there must be places to train parents to express parental affection because the Thais unlikely show parental love in their families.

Narcotic drugs and addicted objects are similarly deadly only just, what one views, such as wasting time, wasting relation with close persons, losses of studying, health, mental health and money. Pros are unfound but cons are multiple. The interviewee never see real stuffs but in pictures and media. In trying the narcotic cases against juveniles, the interviewee wishes to spend to teach juveniles to stop and never return to drugs. Proceeding of using discretion in examining narcotic cases are determining to reduce drugs cases in court. They consume time in rehabilitation. She want juveniles to realize danger at near to drug and guilty upon addiction. The proceeding is normally in line with the court. Recommendation for the juridical body is rehabilitation based on parent. If the families are disabling, they must be admitted to the Observation Institutions. Factors for narcotic proceedings and benefit juveniles are advising them set their life-goals and walk forward, and training to realize needs of rehabilitation. Applying discretion on juveniles' narcotic case and other cases is that the narcotic cases must be emphasized on rehabilitation or admitted to a program useful to them, and never wasting time for studying. Other terrifying cases such as gang rape, attempt murder, murder, and deadly assaults will be examining the roots, motive offenders' habit. Rationally, some assaults are deeply implanted within the juveniles' mind and difficult to treat because such juvenile is impossible to control their emotions. They must be under lawsuit by evidences, and code of punishment.

Interviewee 37

She is 67 years old earning bachelor degree, married, living in Bangkok, no information on career and income, 11 dependents and 5 years of experiences as an associate judge. Education/ training/ special courses/ seminar (topics/ useful contents applied to the try of narcotic case), from the programs of Laws, of the Central Juvenile and Family Court and the Tulakarn Chalermprakiat Hospital. Personal experiences, opinions, and attitudes towards juveniles of narcotics cases are from

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having residences in the locations, communities and families risky of committed criminal cases at 40%; return to offend because the first dismissal for rehabilitation, adults exploiting juvenile laws of short term detention. Problems and limitations on drug proceedings against juveniles are not found but juveniles stay with grand parents and when they offend, their grand parents did not appear to court because of aging.

Narcotic drugs are deadly to the body and impossible to recuperate but the addicted objects have less effect and recoverable faster than drug addicted. Pros are not found with drugs but cons are from non- prescriptive uses, no control and damaging everything and unable to live as normal people.

The interviewee never see real stuffs but in pictures and media. In trying the narcotic cases against juveniles, the interviewee wishes juveniles never return to use drugs and quit because it is good for them and benefit for the country to gain back their human resources. Proceeding of using discretion in examining narcotic cases are to add goodwill training, adding tips of thoughts, helping analyzing social background for the benefits of the proceedings. Factors for narcotic proceedings and benefit juveniles are to collect all possible information. Rationally, each juvenile own his/her background, habit, and different behaviors. It needs to have clear information in order to find proper corrections for each one. Applying discretion on juveniles' narcotic case and other cases is not differed from each other. That is allowing corrections rather than punishment. However, the circumstances of the case, criticality, and social effects must be in details in order to differently add to their corrections and not individually because each one is differed even with the same delinquency.

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CHAPTER V
DISCUSSION

The study of 'Factors Affecting toward Narcotic Trial of Associate Judges: central juvenile and family court' has been divided into 2 parts for discussions.

Part 1: Personal Background of the Targeted Population

5.1. Education/training/special course/ seminars (topic/useful contents applicable to the narcotic case proceedings)

5.2. Personal experience, opinion, and attitude related to juveniles of narcotic cases

5.3. Problems and limitations on trials of juvenile narcotic cases

5.4. Recommendations of the targeted population

Part 2:Knowledge of addictionology, delinquency and narcotic case proceedings

5.5. What are the differences between narcotic drugs and addicted materials?

5.6. Realizations of pros and cons of drugs of the targeted population

5.7. Types of drugs seen by the targeted population

5.8. Purposes of the targeted population in examining juvenile narcotic cases

5.9. The process the targeted population used in examining juvenile narcotic cases

5.10. Factors the targeted population used in examining juvenile narcotic cases and benefiting the juveniles

5.11. Differences in discretion of in examining juvenile narcotic cases and other cases

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Part 1: Personal Background of the Targeted Population

5.1. Education/training/special course/ seminars (topic/useful contents applicable to the narcotic case proceedings)

Most samples attend education/training/special course/ seminars (topic/useful contents applicable to the narcotic case proceedings) and experience of associate judge for many years. Topics of training are found that samples cannot remember contents but only the names of three offices organizing training, i.e. Office of the Justice Court, the Central Juvenile and Family Court, and the Tulakarn Chalermprakiat Hospital. Other units are mostly the immediate supervisory offices related to the samples, which organize training, the immediate supervisory offices sending them to attend meeting, and the offices inviting other offices to join training. For examples, they are Institute of Justice Administration Family, Police Department, Office of the Narcotics Control Board, Ministry of Education, Ministry of Public Health, Ministry of Social Development and Human Security, Department of Juvenile Observation and Protection, Ministry of Justice, The Naval Advanced Institute and Bangkok Metropolitan Administration. Training courses and related topics are such as The Process of Reconciliation Justice, Dispute Compromising, Prevention and Rehabilitation of Addicts, Narcotics Suppression, Psychology of Juvenile Counseling, Basic Knowledge of Narcotics, Knowledge of Addicts' Treatment, Juvenile Motivation, Family-based Narcotics Treatment, Prevention and Rehabilitation of Juvenile Addicts, Program of Administrator and General Inspector of BMA, and Program of Bachelor of Law.

5.2. Personal experience, opinion, and attitude related to juveniles of narcotic cases

The personal experience, opinion, and attitude related to juveniles of narcotic cases are found that most view only the delinquency, its causes, which come from various problems and they are connected. There fore the first one is the family problems such as broken home, the father with new spouse, the mother with new spouse. The juveniles reject the inc-coming person and think that they detach their affection. The second is short of the expression of family affection such as

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conversations and communication within their families, misunderstanding, embracing, and time-sharing. The third one is abandonment and admitting juvenile to stay with the aged grand parents.

The fourth one is parents exchanging impolite words after drinking alcohol including quarreling, and assaulting each other at the presence of juveniles. These are causes of cold families and unattractive to stay. When the delinquent cannot stay at homes, they flee to friends outside homes. This is the start of their problems through association with peers, persuasion from peers and needing acceptance, curios to test, free drugs from adults to replace the old distributors and hard to arrest. The critical thing is weak mind, short of self-confidence, short of morality and ethics in order to make proper immune for self-protection, short of thinking process with rationality in life spending. Problems are there are no places for their expressions and fruitful spending leisure time. They couple before the mature ages and when being spouses they easily become accomplices in the narcotic cases. In addition, environments outside home are narcotics hub and facilitate easily accessing drugs. It is also the problems of unstable family economy for both juveniles and their parents earning on daily wages. Problems of materialist consumerism lead to shortage of money and dug distributions in order to gain dishonest income. Problems of deception of adults for trafficking lead to raise income to buy materialist goods. The authority backs delinquency and uses juveniles as tools and short of close attentiveness from education personnel. Solutions taken by the associate judges in the proceedings are examining their families, emphasizing corrections, medication, rehabilitation, long-term implanting integrity, morality and ethics among juveniles, parents, guardians, in order to drive cooperation in solving problems of the delinquents. It is critically necessary to follow-up and having tools for assessment restlessly and cooperation from all offices involved.

5.3. Problems and limitations on trials of juvenile narcotic cases

Problems of fulfilling duties of the associate judges or samples are nil because they use counseling and honoring between the judge and the associate judge. By the principles of laws, the trails will be handled by judges whereas principles of assistance and corrections will be joined by the associate judges and later submitted to the judge. Principles of training are focused on their realization of guilty and creating

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motivation for self-correction. Problems come from non-cooperative from juveniles and their parents in giving facts, non- appearance to court for the proceedings, negligence to bring juveniles for treatment, non-seriousness in treatment cooperation for their children, lip-acceptance before the tribunal. These lead to avoidance of legal treatment, incomplete attending the program and failing to pass treatment controls. So, they return to the same environments and drug reuses. There are problems on shortages of improper, continuing and lasting rehabilitation locations. There are problems of fact-finding in the cases of arrest and forced guilty by the authority. The most critical problems are juveniles are only 7-8 years without any intentions to offend but deceived by adults or relatives in trafficking and gain money to buy candy. Upon arrest charges, the dispute matters are in their hands. All problems found with unanimous direction from the associate judges that families and environments are the end problems. However, problems in trail of narcotic cases in general are linked and affecting from the previous ones. Each case is differed in details.

5.4. Recommendations of the targeted population

Some samples recommend providing knowledge since the beginning of life spending in family, marriage, pregnancy, raising infants, children, and youth. For example, contraception: rationally, unintended pregnancy leads to abandonment, negligence of fostering, careless parents to attend their children. This leads to short of affection and warmness. Children have to strive by themselves. If conscious be, with positive thinking and with good peers, they will be good bit otherwise, they will behave immorally. Families and communities must prepare environments free from narcotics, caring each other, motivating to do good for working collaborators, using rationale to build understanding between children and guardians, preparing proper places to promote careers that bring income and studying in the higher levels. Samples agree with additional training to increase knowledge on narcotics continuously, and agree with applying principles of public administration and law in the trial of juvenile cases to maximize their benefits. There should be projects to encourage extended studies for juveniles to return to be good citizen enabling them to study higher. It also requires finding out their potentials, talents, and life preferences in order to find ways to support and close follow-up. Preventions are found that

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samples agree to study pros and cons during the second phase (Primary Education 4-6) because it is the stage of staying with parents but beginning to gradually moving away from parents to enter peer group at stage 3 (junior education level of 1-3). Collaboration with parents and schools is necessary in order to cover the gap and to keep up with situation as well as training morality and ethics, knowing self-values to lead one's life properly and creatively. As for suppression, the authority related must be strict and serious to do duties, free from corruption, and find clear and accurate facts to directly correct the cause and delinquency.

Part 2: Knowledge of addictionology, delinquency and narcotic case proceedings

5.5. What are the differences between narcotic drugs and addicted materials?

Most samples respond that narcotics are drugs such as yaba, ecstasy, and narcotics enacted in the Narcotics Act directly affecting body, brain and mind. Upon addiction, one cannot quit it alone. During its potent, the user may not be able to control oneself, assaulting others unconsciously, and time needed for treatment. Direct and indirect ill effects are countless such as losses of studies, family relation and surrounding people. On the contrary, the addicted materials are the mostly the addiction of internet, radio-TV, games, movies, pornographic books, comics, sex and gambling. Few mention about smoking, alcohol, and alcohol-based drinks. Samples mostly admit that the addicted materials give weaker effect, with short period of treatment and able to quit alone when growing more mature. Some samples admit about serious game addiction, which affects behavior. First is truancy to play games and damaging studies, time waste rather than spending time for physical exercise useful to health. Ill-effects from games are if sit playing fight games, battle, shootouts, and boxing those show violence, and aggression; juvenile will not detect and realize the real world and at the cyber world. Then, they express with friends or close person as if playing games. Differences between the drug and addicted materials

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are most cons are unlikely differed by affecting time management for fruitful time spending, attentiveness to study, truancy, with improper struggle of life. The effects on behavior and emotion are characterized with violence, and aggression. Differences found in the character, personality, gesture, and expressions of the addicts. They are easier detected than those addict materials such as games, internet, and modern facilities. Outsiders met will not know but easier to notice the drug addicts such as thin, and swarthy. If critically addicted, they are suspicious, horrifying, and hallucinating. The narcotic drugs are usually outside homes and difficult to access but the addicted materials are easy to access and convenient. Treatment of drugs needs time, medical process, interdisciplinary professionals, and many offices involved, quittance not involving with maturity. On the contrary, to quit the addicted materials mat need medication but growing to maturity those things will stop by oneself or by rational control and mutual understanding. Drugs in-taken destroy body and brain and hard to recover but the addicted materials takes shorter time for recovery and unclearly affecting the body. Finally, few samples admit alcohol, cigarette and alcoholic-based drinks are the addictive materials.

5.6. Realizations of pros and cons of drugs of the targeted population

Most samples think that there are little pros or nil. Most samples provide information that drugs are useful for medication if with proper control and by purpose-based. For example, morphine is used in healing pains during operation, last stage of cancer; and codepron used in coughing. Tranquilizer for insomnia of the aged; opium for stomachache, toothache, and various pains; amphetamine is previously used to stimulate working in outdoor and endurance or ability to read for long time during exams. At present, it is changed from eating to inhaling and with direct effect against brain with symptoms of inability to control oneself, becoming suspicious and fearing other to harm. Many cases have happened by psychosis. Almost samples find that they understand narcotic drugs well of their direct ill effects to the body and mind of individuals and their families. The continuous ill effects against societies leading to other cases caused by drugs are such as theft, robbery, robbery total, and gang robbery in order to gain money to buy drugs or critically, to distribute them and turn oneself to the trafficker.

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5.7. Types of drugs seen by the targeted population

Most samples know only their names but never see and touch the real stuff except in pictures and in media such as posters in the exhibitions, TV and printed maters. Some samples meet and touch real stuffs such as yaba (amphetamine), ecstasy, cocaine, de-weighting drug, tranquilizer, and krathom (madder leaf). Seeing them because during in medical clinics, the medical doctors must use drugs for medication; during patrolling with community police with the Office of the Narcotics Control Board. The reasons are to find solutions in treating narcotic problems in Bangkok communities such as Klongtei communities and so on. Some samples have their brothers being police and arrest narcotics and some see narcotics when they attend training in various offices such as the Office of the Narcotics Control Board and other offices. Some find in their families because in the past some of their family members smoked and in-tool marijuana.

5.8. Purposes of the targeted population in examining juvenile narcotic Cases

Most samples find that the targets are at the delinquents. They must be saved from drug dangers, quitting it and focused on medication and rehabilitation that they can totally withdraw from drugs with the assistance of medical doctors, and interdisciplinary professionals. Samples want to rehabilitate juveniles, cultivating their integrity, giving opportunity and gap for them that they still have opportunity to improve themselves. Least expectation is showing the righteous and proper way for them. It is found that some samples expect just only 10% of juveniles to totally quit drug uses. Some samples wish to apply personal experiences and work to help them in order to improve societies because at present, societies face countless problems. Through their experiences some samples contributes that part of successful treatment is the project of Fasai Hai Chiwit Mai (New Sky for New Life). There are Fasaiwitthaya School and Fasaipannamjai Vocational Training Center, the Central Juvenile and Family Court as offices organizing training to cultivate integrity, building optimistic attitude by barring them from narcotics location. They are successful when juveniles are convicted and after dismissal, they return to societies with pride and doing their honest profession.

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5.9. The process the targeted population used in examining juvenile narcotic cases

It begins with classifying cases from the circumstances of the delinquency. That is drug uses, uses-distribution, and distribution. The second step is to examine their causes or factors of delinquency from file of action, direct inquiry, confession and rejection of the charge, investigation from the Department of Juvenile Probation and Protection, Ministry of Justice. Evidences gained will be examined by nature of the case. Primarily, the case of sues will be suspended to allow delinquents for medication, correction and rehabilitation by admitting to the medication center supervised by medical doctor and the interdisciplinary professional or their parents admitting them. This includes advising the righteous and proper way in spending the normal life. Later, in order to enhance techniques of refusing drugs, living with others, sacrificing for the common good, happily stay with family, discipline-training in short course, joining public welfare, emotional development under many camps such as The Eagle Camp, the Moral and Ethic Camp, the EQ, MQ and IQ Camp, where some samples are guest speakers. The above process is use with the first timer delinquent or delinquency the samples see them deserve for corrections in each case. If many repeat delinquencies and linking to other case or the dismissal of the case, most samples agree that if serious and deadly against other, their discretion will be more intense. If deadly to other, most will demand admission for training based on the examination taken by the professional judge in the provision of laws.

5.10. Factors the targeted population used in examining juvenile narcotic cases and benefiting the juveniles

Factors are most found from investigations and inquiry to add to data such as personal history, age, background of living, talents, educational level, IQ, experience, potential seeking in order to support and to encourage, and aptitude of career. The second approach is to examine their families, family conditions, cooperation on correction, time provided from parents, caretaking, determination of having children, expressions, responses, and personality. Most are found aggressive to their parents. Sources of income are examined from family career and the juveniles, communities, environments of the residence, association with peer group, which real

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factors are leading them to involve in narcotics drugs. Most samples use building relation, familiarity, such as calling nicknames for reducing stress and expressing intention to help rather than punishment. The delinquent thus will cooperate in responding for the benefits of examinations and training to realize gratefulness to parents who have fostered them since infancy. They must realize their losses of study, works, and point out their self-values and their volunteering to join projects in order to increase their skills how to reject drugs, self-revival of behavior, skills of EQ,MQ and IQ, morals and ethics. Most samples critically adhere to the principles of trails that benefit juveniles in the provisions of laws and benevolence.

5.11. Differences in discretion of in examining juvenile narcotic cases and other cases

Most samples contributes that their discretion is to allow them best corrections. For the first drug use or first lawsuit, they will be case classification from investigation and historical records. This is in the trial stage. The verdict will be suspended to allow delinquent and their families to change their behavior and correction. If studying, it must not be affected. If serious addiction or risk to return to use by environment and peers , they will be admitted for medication in units involved such as the Tulakarn Chalermprakiat Hospital, the Thanyalak Hospital, the Narcotic Rehabilitation Center of Phranakhon Sri Ayudhya Province. They will be treated by the medical team of both outpatients and inpatients. Upon completion of every treatment process, the u nits will report to the Central Juvenile and Family Court for trial and verdict. Some cases needs increasing skills, moral and ethic development for the delinquent in order to adjust their thinking process, self-discipline, co-stray, and helping public welfare. Juveniles will be admitted to projects organized by the Central Juvenile and Family Court, military units and other units involved such as The Eagle Camp trained by the Artillery Command at Chanegwattana Road, Bangkok; and the Moral and Ethic Camp and so on. Samples find that the narcotic cases come from environment, peers, persuasion of adults, and community, and not from the immoral and unethical mind of juveniles but being introduced, and persuaded from outsiders for uses and for distribution with incentive objects. Most narcotic cases lead to other delinquencies such as theft, robbery, and gang robbery and so on. Some samples find

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that some case admitted guilty by subject to evidence, laboratory, or narcotic test equipments or find clearly narcotics within the body. What most samples find in the same direction is narcotic possession for distribution is deadly for all societies and harm individuals more. Samples feel pity in narcotic cases of juveniles that then the authority charge for arrest and juvenile do not know that they have been hire or used by adults to deliver those drugs. This is the gap of juvenile law and the adults use them to work because court verdict for training will be few years and dismissal. In the adult cases of narcotic possession, they will be imprisoned for longer years.

In the trials of other cases, most sample comment that they are actions of negligence and short of morality and ethics driven by internal action or thought and habit of the delinquent. The will be examined from circumstance of the case, motive and consequences based on the criminal proceedings but adhering to benevolence and focusing on corrections rather than punishment by law. Some female samples comment that crimes against person such as rape, gang rape are deadly to societies because they stigmatize the victims until life. Victimization is shameful and difficult to heal the female mind. They will be examined whether it is mental disorder or not by checking to seek comments from the medical doctor who join the proceedings. Some samples examine the dressing of the victims whether provoking or not. Most remedies are compromising. If settled, they can live as husbands and wives, if not it must be repayment by status. In the cases of assaults, they will be examined whether being assaulted first or after provocation and unable to tolerate leading to rage of the act. Causes are from violence, quarrel, beating in families, and juveniles witness these actions. Some samples have no differences in examining juvenile cases. They comment that juveniles are white cloth and clean, so they must be similarly corrected. In other cases, the proceedings can be used with evidences for cross-examinations.

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CHAPTER VI
CONCLUSION

The study of ‘Factors Affecting toward Narcotic Trial of Associate Judges: central juvenile and family court’ has been consecutively concluded as below:

The Research Objectives are study about proceedings of the Central Juvenile and Family Court (JFC), and roles of Associate Judges. The study factors related to functions of the associate judges. to find factors related to the proceedings of narcotic cases and benefits for delinquents. And to gain basic information for corrections, preventions and suppression of narcotic drugs. Population are 167 associate judges during 2549-2552 active in the Central Juvenile and Family Court. Samples are 37 associate judges during 2549-2552 active in the Central Juvenile and Family Court applying by snowball sampling.

6.1 Conclusions

From the study, the results are divided into 2 parts, i.e.

Part 1: The targeted population/ samples attend training for knowledge and skills in various areas f narcotics drug from units functioning on prevention, correction, and medicating addicts. The units are mostly the Tulakarn Chalermprakiat Hospital, the Office of Justice Court, the Central Juvenile and Family Court, the Office of the Narcotic Control Board. The immediate supervisory office sending personnel for training such as Institute of The Advanced Navy Personnel Development, Police Department Ministry of Education, Ministry of Public Health, Ministry of Social Development and Human Security, Department of Juvenile Probation and Protection, Ministry of Justice. Contents begin from basic knowledge of narcotic drug, reconciliation justice, compromising, medication, community-based therapy, matrix program, juvenile psychiatry, IPD, and OPD. Attitude and opinions about narcotic delinquents, most samples view that cause of offense and using drugs

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before arrest for lawsuit are from broken home, fostering, and expression within family, communication within family, peer association of narcotic risk, inconsistent study, nor occupation and proper income, curiosity for experiment, high-spirited, imitating peer and easily persuaded, private and family economy. Solutions recommended by samples are assistance and correcting families, emphasizing correction, medication, rehabilitation, cultivating integrity for long-term, cultivating morality and ethics for juveniles and parents in order to motivate cooperation in solving delinquents' problems. It is necessary to continuously conduct follow-up and assessment tools and cooperation in solving from units involved. Problems of functioning of samples are nil because they use counseling and honoring the judge and other associate judge. By principles of law, the judge will be the principal and the principles of help and their corrections. The associate judge will join proposing the judge on principles and techniques on training so that juvenile will be aware of offense and motivation and self-correction. Problems from juveniles and parents are the non-cooperation in giving facts and juveniles are just 7-8 years being arrested by being used or hired in delivering drugs. Recommendations are it is required to promote leaning beginning from planning the marriage life, pregnancy, fostering, steps in raising, correct way of giving affection, and educating, which must be consistent.

Part 2: Most samples understand narcotic drugs and addicted materials and distinguish them which is the narcotics and which is the addicted material. Few understand that cigarette, alcohol and alcohol-based drinks are addicting. Understanding pros and cons are found that most samples understand harms and dangers against individuals and societies more than benefits in medication. Most samples never see real narcotic stuff. They are trained and see them in pictures exhibited or in medias seen in common. Few see almost every narcotic stuff because of joining arrest and working in the medical clinic such as de-weighting pills, morphine for painkilling and operation. Some samples see them on exhibition and units functioning and from excursion. Purpose of the samples is that most samples determine delinquents are medicated, and rehabilitated from addiction by medicine and interdisciplined professions. Samples want to help them by using skills and

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private experiences through training, cultivating integrity, building positive attitude and never return to repeat uses with education and career as well as growing to be the good citizen for societies. It needs families close cooperation. Most samples have the process of using discretion in examining narcotic cases by classifying types of cases through circumstance of delinquency, i.e. uses, uses-distribution, and distribution. The following process is to consider causes or factors of delinquency and they are from files of lawsuit, inquiry, confession and rejections of the accused, the investigation records from the Department of Juvenile Probation and Protection, Ministry of Justice. Information collected will be examined by case. First, the narcotic cases will be suspended to allow opportunity for medication, correction; Adjustment of behavior by admitted in the units medicating narcotics organizing medication and with the teams of interdisciplined professionals or their parent bring them for medication. Factors used in examining the narcotic cases and useful to the delinquents, are found that most samples examines reports of investigation and inquiries by building relation, familiarity in order to reduce stress and express motive to help rather than punishment for the benefits of the narcotic proceedings. They are historical records, age, background of living, special knowledge and ability, educational levels, IQ, experiences, potentials or strength in order to supports and to encourage their various aptitudes. Differences in the narcotic proceedings with other cases, most samples have opportunity to handle narcotic cases much to most level. In the case of drug uses or first arrest, by case classification some parts neither have nor difference by adhering to the principles of laws and motive of delinquency. The results of delinquency are used benevolence and emphasis of correction rather than legal punishment. Examining other cases is mostly commented that they come from mistake or short of morals, ethics, and coming from inside or thoughts and habit of the delinquents.

6.2 Discussions

Due to the narcotic proceeding, it directly affects individuals and societies especially the narcotic delinquents and enter lawsuit. Therefore, the associate judges are a quorum of the proceedings must have knowledge, ability, skills and behavioral experiences, and updating. Proceedings need sensitivity and prudence because they

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will directly affect juveniles. Opportunity to work in such a honorable position , the researcher find that they must have high knowledge, ability and skills related , social status, spirit of public, and personal sacrifice for the common good and high respects and honor.

Promotion of the addictionlogy; the associate judges need to increase their knowledge of narcotics sciences, principles of psychiatry, and psychology resulted from narcotics in order to allow the proceedings or other cases begin s from narcotics is able to solve them easily and rapidly as well as to the point.

At present, juveniles develop committing to more deadly crime and might affect or come from narcotics. Therefore, persons involved must know its dangers affecting individuals within families, other individuals not involved, families and societies must have knowledge and skills in preparing them to stay happily and never return to use drugs.

Trends of the circumstances of the cases happening and from data printing matters, it is found that nature of delinquency is more violent and the ages are reducing, aggression, short of morals and ethics, unhappiness in societies. Persons involved in correcting juveniles are required to see problems in deep and clearly analyze. This is to find approach to address them especially; the narcotic problems returning have more rife closer to human each day.

Statements collected from this interview are:

-“Needed to earn living and no time to spare”

-“It is imperative that children and youth must be educated and properly trained on vocation.”

-“Children and youth must have knowledge on narcotic drug at the second phase level, to be ready and well-informed not to involve drugs in the third and forth phases.’

-“Children and youth are tabula lasa , untarnished and easy for correction.”

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- “Every case is focused on social responsibility, then allow juveniles to think how they can contribute for public services, and also guide them.”

6.3 Recommendations

6.3.1. To know issue of knowledge and addict in order to analyze delinquency

6.3.2. Provide knowledge and understanding the narcotics examination in the delinquents additionally for the associate judges in order to be factors in examining narcotics

6.3.3. Provide research, exploration and academic data in the issue of delinquency related more to narcotics drugs.

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APPENDIX

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แบบสัมภาษณ์

เรื่อง องค์ประกอบที่เกี่ยวข้องกับการพิจารณาคดียาเสพติดของผู้พิพากษาสมทบ

: ศาลเยาวชนและครอบครัวกลาง

Factors Affecting Toward Narcotic Trial of Associate Judges
: Central Juvenile and Family Court

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ส่วนที่ 1 ข้อมูลและภูมิหลังทั่วไปของผู้ให้สัมภาษณ์

1.1 เพศ .....

1.2 อายุ .....ปี

1.3 ระดับการศึกษา.....

1.4 สถานภาพ .....

1.5 ภูมิลำเนา .....

1.6 อาชีพ .....

1.7 รายได้ .....

1.8 บุคคลในครอบครัว .....

1.9 ประสบการณ์ในการเป็นผู้พิพากษาสมทบ จำนวน .....ปี

1.10 การศึกษา/การฝึกอบรม/หลักสูตรพิเศษ/การประชุมสัมมนา(เรื่อง/เนื้อหา/ประโยชน์ที่นำมาใช้กับงานพิจารณาคดียาเสพติด)

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1.11 ประสบการณ์ส่วนตัว ความคิดเห็น ทัศนคติ ฯลฯ เกี่ยวกับเด็กและเยาวชนที่กระทำความผิดในคดียาเสพติด

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1.12 ปัญหาหรืออุปสรรคการพิจารณาคดียาเสพติดของเด็กและเยาวชน(ถ้ามี)

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1.13 ข้อเสนอแนะอื่นๆ (ถ้ามี)

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ส่วนที่ 2 ข้อมูลเกี่ยวกับความรู้ด้านวิทยาการเสพติด การกระทำผิดของเด็กและเยาวชนและการพิจารณาคดียาเสพติด

2.1 ยาเสพติด ต่างกับ สิ่งเสพติด ในความคิดของท่านต่างกันอย่างไร

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2.2 ความรู้ ความเข้าใจเกี่ยวกับ คุณและโทษของยาเสพติด

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2.3 ท่านรู้จักยาเสพติดชนิดใดบาง/เพราะอะไร /เคยเห็น/สัมผัส

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2.4 สิ่งใดที่ท่านต้องการ เมื่อมาทำหน้าที่พิจารณาคดียาเสพติดให้กับเด็กและเยาวชน

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2.5 ท่านมีขบวนการอย่างไรในการใช้ดุลยพินิจของท่านในการพิจารณาคดียาเสพติด

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2.6 สิ่งใดที่ท่านใช้ประกอบการพิจารณาคดียาเสพติดและส่งผลดีต่อเด็กและเยาวชนที่กระทำผิด

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2.7ข้อแตกต่างในการใช้ดุลยพินิจพิจารณาคดีการกระทำผิดของเด็กและเยาวชนในคดียาเสพติดกับคดีอาญาอื่นๆ

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  S.S.G.Support Service Group Co.Ltd.

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