

Report No. 1139/2558 on Human Rights Protection in Judicial Administration – case on the rights of prisoners and unjust action claiming that there was an unfair in the pardon process and the relocation of the detention site.

- **Issues of Complaint:**

The Complainant filed the complaint to the National Human Rights Commission asking for justice and the rights in judicial procedure, rights of prisoners, and the unjust treatment to the prisoners. There was a claim that there was no justice in considering for royal pardon and the relocation of detention site. This is due to the provincial court had forward the summary and the verdict on the criminal case of the Regional Court which the Complainant was the defendant quite late. The late reading of the verdict had affected the rights of the Complainant in the reduction of penalty provided by the Royal Pardon Decree B.E. 2555 [2012]

- **Result of the NHRC Consideration**

The National Human Rights Commission had considered that complaint and looking at the information gathered from both sides, the Complainant and the Office of the Court of Justice. The NHRCT found out that the court had read the verdict late and that affect the rights of the defendant to be entitle to gain benefit from the royal pardon provided by the Royal Pardon Decree B.E. 2555 [2012] as claimed by the Complainant. However, the Provincial Court had resolved the mistake by lifting the imprisoned order dated May 28m 2013 and re-issue of the imprisonment order dated February 2, 2012 instead. This was enable the Complainant to be entitled to the royal pardon reduction of penalty by the Royal Pardon Decree B.E. 2555 on the fault committed on official duty in article 8(2) which was able to reduce one-sixth of the penalty. The Complainant had already gained benefit on this case.

- **Success and progress in the Human Rights Protection**

(1) Office of the Court of Justice informed the NHRC on the result of inquiry regarding the late reading of the verdict and sent together the copy of the imprison order document when the case had been closed.

(2) The Central Prison informed NHRC that the Provincial Court had issued a new imprison order to the Complainant. The penalty reduction had been made as the Complainant was entitled to gain from the Royal Pardon Decree B.B. 2555.