

A Person entitled for Applying Compensation

- Injured person or the accused
- Heir who received impact, in case injured person or the accused was dead
 - Legal representative or guardian, ascendant, descendant, wife or husband, in case the heir is a minor, an incompetent person or unable to apply by oneself.
 - Person appointed by written letter from injured person, the accused or heir when necessary and in line with the regulation

If an applicant doesn't agree with the decision made by the Committee, he/she can appeal to the Appeal Court within 30 days since being informed about the decision. The appeal has to be submitted to the Office of the Compensation for Injured Person and the Accused or a provincial court, where the applicant's residence is located. Then, the appeal will be sent to the Appeal Court.

Offices for Submitting Application

Bangkok Office of the Compensation for Injured Person and the Accused, Department of Rights and Liberties Protection, Ministry of Justice

Provincial Areas Legal Execution Office, Prison and Correctional Institution, Juvenile Observation and Protection Centre and Probation Office throughout the country.

Required Document

- ❖ Copy of identity card/copy of house registration
- ❖ Copy of document showing the change of name and surname
- ❖ Authorized letter
- ❖ Written consent in case there are many heirs
- ❖ Document of expenses for medical treatment
- ❖ Document of expenses for rehabilitation
- ❖ Document of career/ receipt of salary
- ❖ Death certificate of a death case



Required Document of Injured Person

- ❖ Copy of police daily report
- ❖ Copy of police investigation report

Required Document of the Accused

- ❖ Certificate of final judgment
- ❖ Warrant of detention, warrant of release
- ❖ Copy of the judgment(s) of the court(s) in every level in the case at hand
- ❖ Deed of lawyer appointment
- ❖ Lawyer agreement, where is not a pro bono case

PENALTY

If an applicant for compensation and expenses submits false information, he/she has to serve 3-year imprisonment or to pay a fine not exceeding 60,000 baht or both.



MANUAL

Receiving Compensation and Expenses

The Compensation for Injured Person and the Accused Act B.E. 2544 (2001)



Office of the Compensation for Injured Person and the Accused
Department of Rights and Liberties Protection
Ministry of Justice

When Injured, or Dead by Criminal Offence of Other Person, Injured Person can Apply for Compensation

When a person is injured physically and mentally or died from being raped, beaten or murdered for robbery, died from an offence unintentionally committed against her/him, faced an incident led to abortion or injured or died from a criminal negligence of other person. This includes older people and sick people who are abandoned and cannot help themselves. If they faced any of the said incidents, they should follow the following steps.



1. Report police officer where an offence occurred in order to prosecute the suspected
2. See doctor at a hospital for treatment or if the injured was dead please ask for a death certificate
3. Compile relevant document
4. Apply for compensation within one year since the offence has occurred

The Right of Injured Person to Compensation

General Case

- ❖ Expenses necessary for medical treatment as paid not exceeding 30,000 baht
- ❖ Expenses for physical and mental rehabilitation as paid not exceeding 20,000 baht
- ❖ Compensation for absence from working and the rate not exceeding 200 baht per day that not exceeding one year
- ❖ Compensation for other injuries as considered appropriate by the committee but not exceeding 30,000 baht

Death Case

- ❖ Compensation for injured person who died in amount of 30,000 baht not exceeding 100,000 baht
- ❖ Funeral expenses in amount of 20,000 baht
- ❖ Expenses for other injuries as considered appropriate by the committee but not exceeding 30,000 baht

Applying for Compensation When the Court Permitted to Withdraw the Case or Withdrawal of the Case derived from the Final Judgment

The Public Prosecutor charged the accused in a criminal case, and the accused was held in custody during trial and later it was clear that he/she was not guilty. Moreover, the case was withdrawn during prosecution or the court has considered non-guilty of the accused and issued withdrawal of the case as the final judgment. The accused should adopt the following steps.



1. Contact an official who read the verdict, in order to make a copy of the verdict and the copied verdict have to be certified by the official as follows.
 - A copy of the judgment of every court
 - A copy of a warrant of detention and release
 - A copy of a deed of appointment of a lawyer
 - A certificate of final judgment
2. A copy of the lawyering agreement, where is not a pro bono case
3. Compile relevant document
4. Apply for compensation within one year since the court permitted withdrawal of the case or since the court issued the final judgment

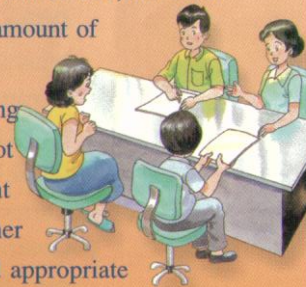
The Right of Accused Person to Compensation

General Case

- ❖ Expenses necessary for medical treatment as paid not exceeding 30,000 baht and the illness directly derived from being prosecuted
 - ❖ Expenses for physical and mental rehabilitation as paid not exceeding 50,000 baht and the illness directly derived from being prosecuted
 - ❖ Expenses for absence from working during prosecution and the rate not exceeding 200 baht per day starting from the absent date of working
 - ❖ Expenses for prosecution
 - Expenses for hiring lawyer as paid not exceeding the rate in a ministerial regulation.
 - Other expenses as paid not exceeding 30,000 baht

Death Case

- ❖ Compensation in amount of 100,000 baht
- ❖ Funeral expenses in amount of 20,000 baht
- ❖ Compensation for being deprived of support not exceeding 30,000 baht
- ❖ Compensation for other injuries as considered appropriate by the committee not exceeding 30,000 baht



The Committee will consider compensation for injured person or the accused in accordance with scale of offences, injuries, as well as scale of a case, suffer or problems received. This will include taking into account other channels injured person and the accused will receive compensation.