

The Thai system of criminal justice is based on an adversarial model which assumes that the best way to get the facts is to have a contest between the state and the prosecuting attorney representing the side of society and the victim versus the defense lawyer and the accused. The prosecution is required to prove its case beyond a reasonable doubt and the accused are presumed innocent until proven guilty. Because the battle would not be evenly match in a criminal trial if all the powers of the government were thrown against the individual charged with a crime, procedural safeguards have been clearly stated in the criminal procedure law of Thailand.

Among others, the right to a speedy trial is at the heart of the due process rights guaranteed by the law. Universally, this right has been thought essential to protect at least three basic demands of criminal justice in Thailand: (1) to prevent undue and oppressive incarceration prior to trial; (2) to minimize anxiety and concern accompanying public accusation; and (3) to limit the possibilities that long delay well impair the ability of an accused to defend himself. However, it is not defined in terms of the calendar and is not meant to permit prosecutors to rush an accused to hasty injustice.

With regard to the above importance, this investigation was expected to provide an understanding of practices and problems relating to the issue of speedy trial. In addition, this study was comparative in nature, that is, including through examinations of the experiences in major western countries.

Finally, deriving from the research findings within the limitations of this investigation were theoretical and policy recommendations for concerned scholars as well as the criminal justice administrators. Implications of this study may be used to reduce and reform or effectively deal with the problems encountered our criminal proceedings.