

## ABSTRACT

**Thesis Title : Legal Protection of Child Rights : A Study on  
Intra-family Child Sexual Abuse**

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Degree Sought : Master of Laws

Academic Year : 1999

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Under radical change off Thai Society mainly due to the economic crisis, family that is considered as most crucial fundamental social institute, is inevitably affected. In many cases, parents are so unable to bring up their children appropriately that it causes serious problem to their family. Sexual abuse is one form of serious child right violation that is mostly inflicted by one's home family member. Sexual abuse is both illegal and immoral act that renders severe negative impact to the abused child.

From a study on measures available in developed countries to protect children from sexual abuse by their own family's member found that the protective measures are highly systemized and harmonized. Each procedure corresponds the other in every step so well that the abused children are actually and practically protected. This can be achieved more feasibly by

coordination of multidisciplinary expert group in finding out fact and analyzing information concerning child victim, the offender, and impact from the offence on the child and his or her family, as well as planning for appropriate treatment and rehabilitation program for the best interest of the child.

In case of Thailand, this thesis finds that legal measures to protect the children either in form of criminal, civil, or special law are unable to truly safeguard many children from sexual abuse by their family's member. In order to improve Thailand's legal measures concerning child right protection, this thesis propose certain changes relating to criminal law measures such as application of safety measures for children in danger or believed to be in danger, and application of probation instead of punishment for offender. Regarding civil law measures, multidisciplinary expert group involving in the case of the child should be able to evoke guardianship over that child. In addition, there should be a mechanism that allows integration of a civil case concerning revocation of guardianship into the relating criminal case in order to have the child protected by both civil and criminal law measure at the same time. Special law providing for child welfare is also needed to focus on measures to improve relation in the family. All these proposals are also designed to be in accordance with the Child Right Convention.