

Concurrence of offences is one of the general principles of criminal law pertaining to the consolidation of offences. The analysis of such principle in both the Common law and Continental code systems reveals similar problem, and it is true in the case of Thai laws. The problem is the inability to indicate the precise demarcation between what constitutes single act and what constitutes several distinct acts.

Therefore, the best approach to the concurrence of the offences is to separate the two points of consolidation; the first point involves the acts and the second involves the legal provisions stipulating the offences. Such approach may halt further confusion which may result in the repercussion of other legal principles both substantive and procedural. Moreover, this thesis also indicates factors which effect the principle of concurrence of offences, i.e., the revision of legal provisions, the formation of charges; confessions and legal provisions interpretation.

When consider the purposes of punishment and the severity of the penalties, suitable punishment for single act which constitutes several offences shall be the most severe punishment provided by any single offence included. However, for multiple offences, the discretion to inflict punishment should be left to the trial judge to impose the most severe punishment for single offence included or to impose consecutive sentence when appropriate. In such case the acts as well as the offender should be taken into consideration. Besides, in the case of consecutive sentencing, maximum limit of punishment shall be clearly defined to prevent unrealistic punishment imposed by the court.