

**THE LAW ENFORCEMENT OF POLICE OFFICERS  
ON ILLEGAL ALIEN LABOURS**

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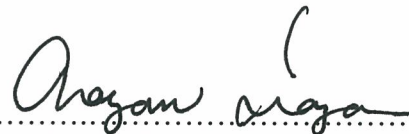
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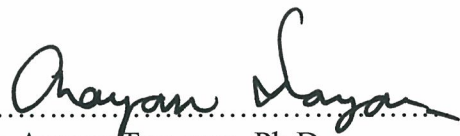
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# THE LAW ENFORCEMENT OF POLICE OFFICERS ON ILLEGAL ALIEN LABOURS

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## ABSTRACT

The objectives of this research were to study the following issues: (1) The problems and obstacles that occurred while the police officers were enforcing laws on illegal alien labours who were entering the country to work without a legal permit, employer or migration leaders and these officers also offered shelter to these illegal aliens 2) The factors effecting the law enforcement of police officers 3) The knowledge and understanding of police officers 4) The police officer's opinion on the effects of illegal alien labour. Quantitative research was conducted using Stratified Random Sampling to select 400 sample police officers working at numerous police stations on illegal alien labors issue in Ranong, Samutsakorn, Samutprakarn and Bangkok Metropolis. Data were gathered by mailing the questionnaires with a returned response of 83.33% (based on the total 120 sets of mailed and 100 returned questionnaires) which were collected from 20 January through 25 February 2010.

As for understanding the level of illegal alien labour management, the findings indicated that a majority or 62.5% highly understood the matter. This was followed by 23.9% who fairly understood and 13.3 % who well understood.

The findings from the analysis of the factors effecting the law enforcement of the police officers through the use of Multiple Stepwise Regression displayed statistical significance, 0.01 ( $R = 0.638$ ,  $R^2 = 0.244$ ,  $SE_{est} = .0652$ ,  $F = 32.129$ , sig of  $F = 0.01$ ) in the equation. These factors positively effected the law enforcement by the police officers with statistical significance of 0.01 were arranged in descending order as follows: 1) Knowledge of management policies on illegal alien labour, 2) Marriage status, 3) Economic impacts, and 4) Occupation title. The negative factors with similar statistical significance were the number of labourers under legal sponsors. Factors without law enforcement impacts were age, monthly income, educational level, training on illegal alien labour, social, and health impacts.

KEY WORDS : LAW ENFORCEMENT / ILLEGAL / ALIEN LABOURS /  
MULTIPLE REGRESSION

128 pages

การบังคับใช้กฎหมายของเจ้าหน้าที่ตำรวจ กรณีแรงงานต่างด้าวหลบหนีเข้าเมือง

THE LAW ENFORCEMENT OF POLICE OFFICERS ON ILLEGAL ALIEN LABOURS

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#### บทคัดย่อ

การวิจัยนี้เป็นการวิจัยเชิงปริมาณ มีวัตถุประสงค์เพื่อศึกษา 1) ปัญหา อุปสรรคในการปฏิบัติงานของเจ้าหน้าที่ตำรวจในประเด็นที่เกี่ยวกับการปราบปราม จับกุม ดำเนินคดีแรงงานต่างด้าวหลบหนีเข้าเมือง แรงงานต่างด้าวทำงานโดยไม่มีใบอนุญาต และนายจ้าง/ ผู้ประกอบการ/ ผู้นำพา/ ผู้ให้ที่พักพิงแก่แรงงานต่างด้าวหลบหนีเข้าเมือง 2) ปัจจัยที่มีผลต่อการบังคับใช้กฎหมายของเจ้าหน้าที่ตำรวจ และ 3) ความรู้ความเข้าใจของเจ้าหน้าที่ตำรวจเกี่ยวกับนโยบายการบังคับใช้กฎหมายแรงงานต่างด้าวหลบหนีเข้าเมือง และ 4) ความคิดเห็นของเจ้าหน้าที่ตำรวจเกี่ยวกับผลกระทบของแรงงานต่างด้าว ทำการวิจัยเชิงปริมาณ สุ่มตัวอย่างแบบหลายขั้นตอน โดยมีกลุ่มตัวอย่างของการวิจัยเป็นข้าราชการตำรวจที่ดำรงตำแหน่งในสถานตำรวจและปฏิบัติงานเกี่ยวกับแรงงานต่างด้าวหลบหนีเข้าเมืองในจังหวัดระนอง สมุทรสาคร สมุทรปราการ และกรุงเทพมหานคร รวม 400 คน เก็บข้อมูลโดยส่งแบบสอบถามทางไปรษณีย์ มีอัตราตอบกลับคิดเป็นร้อยละ 83.33 (คิดจากฐาน 120 ชุด ได้แบบสอบถามกลับคืน 100 ชุด) ระยะเวลาเก็บข้อมูลตั้งแต่วันที่ 20 มกราคม - 25 กุมภาพันธ์ 2553

ระดับความรู้ความเข้าใจเกี่ยวกับนโยบายการบริหารจัดการแรงงานต่างด้าวหลบหนีเข้าเมือง พบว่า ส่วนใหญ่ร้อยละ 62.5 มีความรู้ความเข้าใจเกี่ยวกับนโยบายการบริหารจัดการแรงงานต่างด้าวหลบหนีเข้าเมือง ในระดับดีมาก รองลงมาร้อยละ 23.0 มีความรู้ความเข้าใจในระดับ พอใช้ และร้อยละ 13.3 มีความรู้ความเข้าใจในระดับ ต่ำ ตามลำดับ

การวิเคราะห์ปัจจัยที่มีผลต่อการบังคับใช้กฎหมายของเจ้าหน้าที่ตำรวจ โดยใช้สถิติ Multiple Regression แบบ Stepwise พบว่า สมการที่ได้จากการวิเคราะห์มีนัยสำคัญทางสถิติที่ 0.01 ( $R = 0.638$ ,  $R^2 = 0.244$ ,  $SE_{est} = .0652$ ,  $F = 32.129$ , sig of  $F = 0.01$ ) ปัจจัยที่มีผลเชิงบวกต่อการบังคับใช้กฎหมายของเจ้าหน้าที่ตำรวจ อย่างมีนัยสำคัญทางสถิติที่ระดับ 0.01 เรียงตามลำดับ ได้แก่ 1) ความรู้เกี่ยวกับนโยบายการบริหารจัดการแรงงานต่างด้าว 2) สถานภาพสมรส 3) ผลกระทบด้านเศรษฐกิจ และ 4) ตำแหน่ง สำหรับปัจจัยที่มีผลเชิงลบต่อการบังคับใช้กฎหมายของเจ้าหน้าที่ตำรวจ อย่างมีนัยสำคัญทางสถิติที่ระดับ 0.01 ได้แก่ จำนวนผู้อยู่ในความอุปการะ ปัจจัยที่ไม่มีผลต่อการบังคับใช้กฎหมายของเจ้าหน้าที่ตำรวจ ได้แก่ อายุ รายได้ต่อเดือน ระดับการศึกษา ประสบการณ์ในการทำงาน การอบรมเกี่ยวกับแรงงานต่างด้าว ผลกระทบด้านสังคม และผลกระทบด้านสาธารณสุข

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## **CHAPTER I**

### **INTRODUCTION**

#### **1.1 Background and Problems Significance**

Extensive dynamic growth in Thai economy during globalization has turned the country into industrial society. From 1987-1991, Thailand's economy expanded in average 10.9% annually (Office of the National Economic and Social Development Council, 2008, p.3). This situation occurred same time with the country's launching into the global economy as well as increasing domestic and international investment. With the spreading of manufacture and economic growths to all regions, demand in labours increased extensively toppled with the reduction in population growth rate from 1.7% in 1987 to 1.4% in 1992 (Registration Administration, Administrative Department. Ministry of Interior, 2002, p.10), resulting in the nation population's structure, reducing numbers of people entering the job market, from 720,000 persons in 1992 to only 559,000 persons in 1993 and 479,000 persons in 1996, respectively (National Statistic Office of Thailand, 2009, p.5).

The 2008 survey on labours' demand among workplaces gave overall indications that most labours had moderate skills. Majorities had been working hard and very patience (55.6%), followed by good work disciplines (47.7%). Only few knew foreign languages (7.0%). Furthermore, certain businesses demanded more labours as much as 395,567 persons. Out of these numbers, there were shortages of labours in certain skill or those endured work for over 6 months amounted to 250,397 persons or 63.3% of total demand (National Statistical Office of Thailand, 2009, p. 1).

Moreover, in 2008 Thailand had produced nearly average of 300,000 High School graduates whereas vocational graduates nearly average 400,000 persons. However, the proportions of those entering the labours market area quite small because most of them decided to further their studies to earn higher salaries. Therefore, certain workplaces have hired low level education labours instead. Demand for this group has increased from inadequate labours and only half entered

the market. Then, total 1,093,237 legal and illegal aliens were imported into the country (Alien Labours Management Bureau, Department of Employment, 2010, p.8). As for labours in vocational level, the market is still small with the demand over number of labours available average yearly 20,000-30,000 persons. Meanwhile, the demand for labours in higher vocational level, the demand tends to be higher because they are willing to accept under qualified job which considered the waste in education (Yongyut Chalaem, Matichon Online, 2010, p. 16).

Decreasing population and workforce together with the government policy pushed for compulsory education and encouraged higher education. Meanwhile, only small number of unskilled labours entering the labour market while the Labour Intensive Industry continued to expand, increasing the demand of unskilled labours. Furthermore, certain number of Thai workforce had taken the job abroad (Kusol Soonthornthada and Umaporn Pattaranich, 2007, p.2). Those reasons created labor shortages in Unskilled Labour, (Semi-skilled Labour, and Skilled Labour. Then, employers or numerous workplaces must find other substitute labour which led to the influx of unskilled labour from the neighboring countries. This resulted from inadequate labour and demand of legal labour in agriculture, hunting, forestry, fishery, mineral and rock mining, manufacturing, construction and transportation, especially in the area at Tak, Ranong Samutsakorn and Choburi (Migration Research Institute of Asian Studies, Chulalongkorn University, 1979, p.20)

Such situation made the smuggling of illegal alien labour increasing rapidly and spreading throughout the country (Sini Jongjit, 2009, p.5). According to the survey of Department of Employment, Ministry of Labour and Social Welfare, in 1996, there were illegal alien labours in all 39 provinces which totaled to 717,689 persons in all regions. However, these were not the actual numbers because it had been expected that the true numbers of alien labours in Thailand should amount at least 1,000,000 persons (Kusol Soonthornthada and Umaporn Pattaravanich, 1997, p.2).

Labours shortages in Thailand and economic differences became the driven factors for alien labours to enter the country illegally. However, the government set up leniency to allow illegal alien labours holding Burmese, Laos, and Cambodia nationalities registered with Alien Registrar for obtaining the work permit, including guidelines to solve the existing problems. However, such policy which became

a factor driven illegal alien labours out of the country could solve immediate problems only short-term, also unclear, depending on the policies of each administration (Sirikarn Pattanasak, 2008, p.75). Furthermore, enforcing law with illegal alien labours could not proceed fully because most illegal alien labours failed to register and the business operators themselves lacked consciousness and concerned only their own benefits. They disobeyed the labours law in order to reduce cost and gain profit so they could compete. These business operators knew that illegal aliens were afraid to file the compliant. Moreover, the attempt to register alien labours was unaccomplished which in turn reducing numbers of alien labours (Sirikarn Pattanasak, 2008, p.86).

To date, there are total 1,093,237 alien labours in the Kingdom of Thailand. Out of these numbers, 185,408 are legal workers whereas 907,829 entered the country legally, equivalence to 83.04% of total legal alien workers. Majorities or 23.25% work in Bangkok vicinity, followed by 22.72% work in the South, 22.24%, and 14.88% respectively (Alien Labours Management Bureau, Department of Employment, 2010, p.8). Illegal alien labours issue has been a problem for the Royal Thai Government to solve since 1992. Many policies and measures were announced for over 15 years whereas the 7 strategies for managing illegal alien labours had been used with those holding Burmese, Laos and Cambodian nationalities since 2004, aiming to achieve the final target of legal alien labours employment with the set up of alien labour system. Guidelines were set in 2 stages, first by requesting all illegal alien holding Burmese, Laos, Cambodian nationalities residing in Thailand to report for registration, obtain temporary visa, and await deportation not more than 1 year but they could work while waiting. Second, changing status of those allowed to stay in the Kingdom of Thailand in stage 1 from illegal to legal alien labours was done by asking the member countries to certify nationalities and issue the support documents or passport to their citizens so the Royal Thai Government could issue them official visa to apply the legal work permit (Subcommittee for Suppression, Arrest, Prosecution Illegal Alien Labours, The Royal Thai Police, 2009, p.2).

Findings from the above-mentioned illegal alien labours policy of the government indicated that problem has risen when alien labours stayed together and created the shadow community quite different from Thai society with problems in crime, narcotic, overstaying, child labours, prostitutions, human smuggling,

Transnational crimes, and human rights which effecting the image the country (Sini Jongjit, 2008, p.8).

Furthermore, findings from the study on setting up policies for alien labours holding Burma, Laos and Cambodia nationalities from 2001 - 2008 for concrete results indicated that the punishment for breaking certain laws was not strong enough to make alien labours , smugglers and operators afraid or prevent them from repeating the crimes. Problems found mostly were smuggling alien labours into the country. When being arrested, and deported back to own countries, they would re-enter through illegal channels. Many arrested illegal aliens earlier returned and repeated crimes. Meanwhile, most operators continued to hire illegal labours and avoid registering alien labours or failed to inform the officials when the sponsored alien labours fled. Therefore, the punishment must be severe and direct at the smugglers and operators. At the same time, all concerned officers must be trained to actively enforce the law for strict law enforcement and serous penalty on both violators and authorities, especially executives who neglected or failed to follow the laws and may get involve with the capitalist or illegal movement such as the operators, or smugglers of illegal alien labours (Jetsada Meeboonlae, 2008, p.6).

Judging from earlier situations, even though the government wanted legal hiring and importing alien labours by allowing the employers/ operators who desired to hire illegal alien labours holding Burmese, Laos and Cambodian nationalities residing in the Kingdom of Thailand to report to local registrar for proper registration and legal work permit, leading to legal process. However, some employers/ entrepreneurs refused to comply with the laws and regulations and continued to hire illegal alien labours. Therefore, the Royal Thai Police had set up the strategies to suppress illegal alien labours by focusing on finding information and investigation, leading to the capture of smuggling network and ringleader, including those harboring illegal alien labours, business places/ employers hiring illegal alien labours. During the arrest of illegal alien labours, primary focus was on the employers/workplaces/ smugglers and those harboring illegal alien labours (Committee to suppress arrest and press charge on illegal alien labours, Royal Thai Police, 2009, p.8).

The law enforcement policy of the Royal Thai Police on suppression, arresting and prosecution of illegal alien labours without work permit, including the

control on employers, operators, smugglers and those harboring illegal alien labors for the budget year 2006 – 2009 suggested steadily increasing numbers illegal alien labours. By average, there are total 440,122 illegal alien labours arrested and charges with entering the country illegally, working without work permits. According to the report of the Royal Thai Police for the budget year of 2006-2009, employers/ operators/ smugglers and those harboring illegal alien labours, there were more arrests of employers /operators/ smugglers and those harboring illegal alien labours than any other years, by average the numbers amount to 6,071 cases per years (Police Strategy Office, 2009, p.14).

Upon further consideration together with problems on illegal alien labors, earlier measures and operations showed certain weaknesses which were unable to solve such problems completely, from suppression, bailing for labours, detaining and deportation. Furthermore, measures for solving illegal alien labours based on the Ministry of Interior Decree 422/2537 dated July 29, 1994 has never been put in practice, as well as lacking the mechanism to facilitate private sector support and participate in solving illegal alien labours effectively (Suthep Thumruk, 1997, p.4).

Furthermore, findings from the study on illegal alien problems-solving measures revealed numerous problems in the performance of suppression unit such as inadequate transparent measures, being lenient periodically, following the cabinet resolutions made them frustrated, inadequate budget for meal and vehicles to transport illegal alien labours out of the Kingdom, including problems on aliens entering and leaving the country through the unprotected border or smuggling labours through the sea. Besides, tourism promotion made it more convenience for illegal alien labours to enter the country. Findings indicated that the local police officers were not trained and familiar with alien labours management as compare to the Immigration police officers who had been trained specifically to handle alien labours (The Faculty of Environment and Resource Studies, Mahidol University, 2000, p.42).

This finding coincided with the follow-up and problems-solving of alien labours at Phuket that most alien labours failed to carry the work permit by having their employers claimed that the work permit might be lost while working which was rather difficult to check on site if their work status legal. Moreover, problems may occur while set sail because alien labours failed to carry the work permits and the



operators claimed that correct was information and changing constantly without notice which made it difficult for them to comply with the laws. As for the soldiers and police officers, problems were encountered during the arrest and deportation when they refused to take the order from civilian officers and failed to cooperate for better performances. Moreover, many agencies responsible for enforcing laws had not seriously administered the laws whereas the agencies officers failed to function properly from having bias and being afraid of losing job if they arrested the violators. Moreover, there had not been any system to reward the arresting officer from the fine or informant reward (Police Strategy Office). Recognizing the existing illegal alien labours problems from the controversy and arresting statistic of the Royal Thai Police, the researcher decided to study and write the Dissertation titled “The Law Enforcement of Police Officers” to find problems while administering policies and measures on the suppression, arrest and prosecution of illegal alien labours by focusing at the law enforcement with illegal alien labours working without permit and employers/operators/smugglers/ those harboring illegal alien labours , including presenting the study’s results to the Royal Thai Police Commander as the guidelines to set up the organization’s policies matching with the country current situation.

## **1.2 Objectives of the Study**

1.2.1 To study problems and obstacles on the law enforcement of police officers on suppression, arrest and prosecute illegal alien labours working without permit as well as seeking the punishment for employers/operators/ smugglers and those harboring illegal aliens.

1.2.2 Factors effecting the law enforcement of police officers regarding suppression, arrest and prosecute illegal alien labours working without permit as well as seeking the punishment for employers/operators/ smugglers and those harboring illegal aliens.

1.2.3 Police officer’s knowledge on law enforcement on illegal aliens.

1.2.4 Police officer’s opinion on the impact brought on by illegal aliens.

### **1.3 Scope of the Study**

1.3.1 Quantitative research was used to gather data through constructed Questionnaire based on the research criteria and Target Population which comprised of the police officers directly responsible for enforcing law in the suppression, arrest and prosecute illegal alien labours working without permit which violated the Alien Labours Act of 2551 and 2552 (2008/2009). Agencies in Ranong, Samutsakorn, Samutprakarn and Bangkok Metropolis with the highest statistic in suppression, arrest, employers, operators, smugglers and those hiring illegal aliens were selected as samples.

1.3.2 Studied issued was selected based on the relations between the law enforcement of police officers and illegal alien labours violations as follows:

1.3.2.1 Problems and obstacles in the law enforcement among police officers on illegal alien labours.

1.3.2.2 The law enforcement of police officers on illegal alien labours.

1.3.2.3 Knowledge and understanding of police officers about the policy to enforce law on illegal alien labours.

1.3.2.4 Police officers opinion on the effect of illegal alien labours.

### **1.4 Research Glossary**

1.4.1 Law Enforcement is applying the adapted law with real situation in suppression, arresting, and prosecution of illegal aliens labours.

1.4.2 Suppression is defined as setting checkpoints along the route frequently used for smuggling aliens and the smugglers , the verification of alien labours work permit, checking the place of business, including searching for illegal aliens entering the country without permit, harboring places and business places hiring illegal aliens.

1.4.3 Arresting refers to the arrest of illegal alien labours holding Burma, Laos and Cambodia Nationalities by police officers who recorded the incident before turning them to the Immigration Department or the nearest immigration checkpoint,

including the arrest of employers/operators/ smugglers and those harboring illegal alien labours.

1.4.4 Prosecution is recording the arrest of employers/operators/ smugglers and those harboring illegal alien labours before turning them to the inquiry official at the police station for litigation, including the litigation on employers/smugglers/ those harboring illegal aliens or operators.

1.4.5 Illegal alien labours is defined as illegal alien labours holding Burma, Laos and Cambodia Nationalities, including numerous government's guidelines and measures or those entering the country by land, sea and crossing border along Burma, Laos and Cambodia without legal document and working without legal work permit.

1.4.6 Policy in solving illegal alien labours' problems is defined as measures for solving such issue per the cabinet's resolutions by requiring illegal alien labors to register and obtain official work permit in operation since 1996.

1.4.7 Knowledge and understanding on illegal alien labours management policy is the police officers' knowledge and understanding on policy to manage those illegal alien labours holding Burma, Laos and Cambodia Nationalities, including numerous government's guidelines and measures.

1.4.8 Effect from illegal alien labours is police officers' opinion on economic, social and health impacts.

1.4.9 Monthly income is the police officers regular earnings per month.

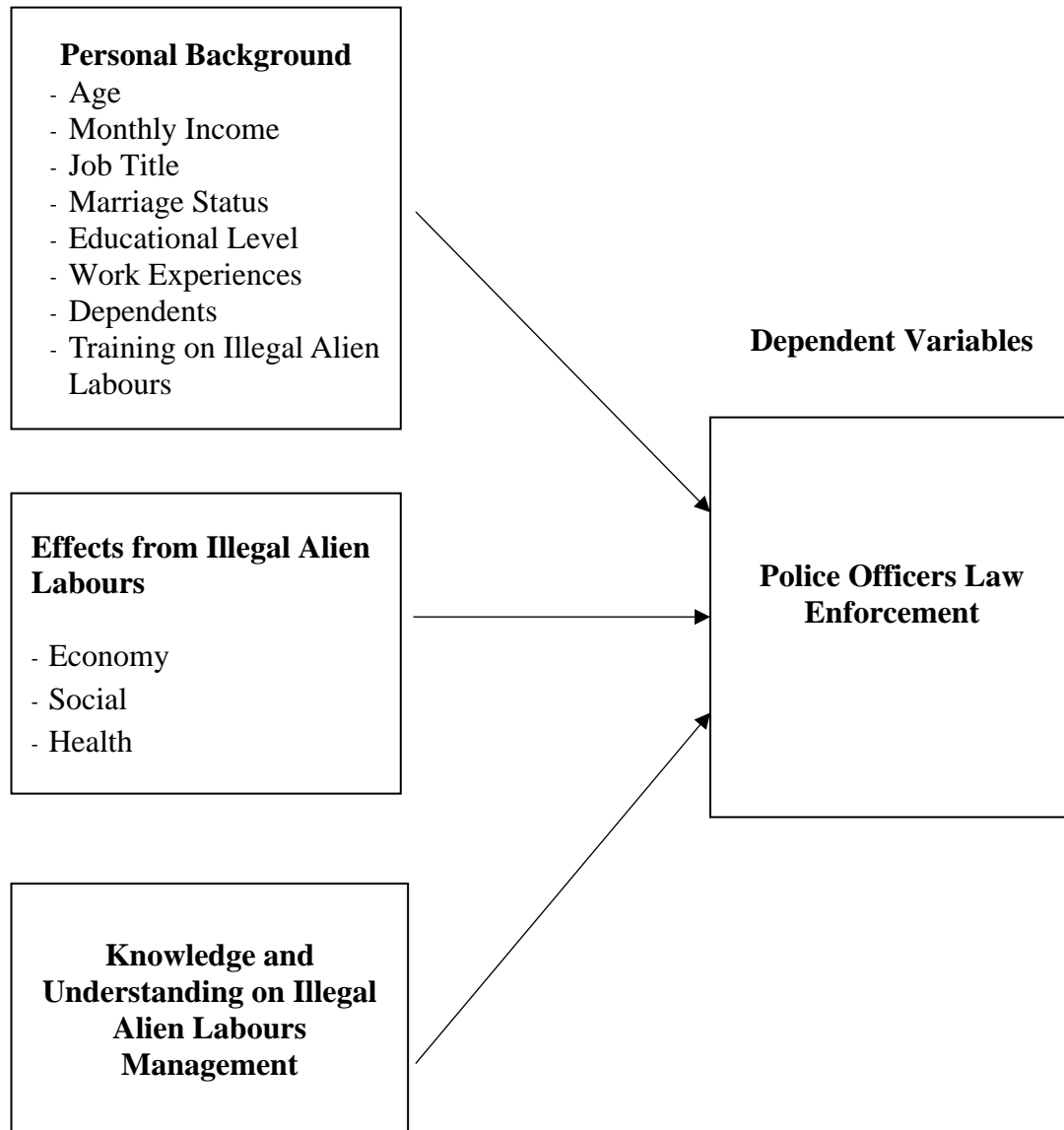
1.4.10 Work experience is defined as years of working experience in suppression, arresting and prosecution of illegal alien labours.

1.4.11 Dependent is defined as numbers of offspring, including those burdened police officers financially.

1.4.12 Training on illegal alien labours is the police officers' training on suppression, arresting, prosecution of illegal alien labours and other related measures.

## 1.5 Research Conceptual Framework

### Independent Variables



**Figure 1.1** Researches Conceptual Framework

## **1.6 Research Variables**

### **1.6.1 Independent variables**

1.6.1.1 Personal background such as age, monthly incomes, occupation title, marriage status, work experiences, dependents, training on illegal alien labours.

1.6.1.2 Effects of illegal alien labours on economy, social and health

1.6.1.3 Knowledge and understanding on illegal alien labours management.

### **1.6.2 Dependent variables**

The law enforcement of police officers in suppression, arresting and prosecution

## **1.7 Research Hypothesis**

Personal background, effects of illegal alien labours, knowledge and understanding on illegal alien labours effecting the law enforcement of police officer.

## **1.8 Expected Benefits**

1.8.1 To understand problems in operating and administering illegal alien labours in relations with suppression, arrest and prosecution of violators.

1.8.2 To perceive police officers' understanding the law enforcement on illegal alien labours of the Royal Thai Police.

1.8.3 To use as the guidelines for setting up policies of the Royal Thai Police matching with the country's situation.

1.8.4 To adapt model for measuring knowledge as the guidelines for police officers to apply the Royal Thai Police or other agencies.

## **1.9 Conclusions**

Smuggling illegal alien labours has continued increasing rapidly and widespread all over Thailand. The government set up policies to manage illegal alien labors holding Burmese, few employers/ operators refused to comply with the law and

continued to hire illegal alien labours. Even with the strict law enforcement of the Royal Thai Police in suppression, arresting and prosecution of illegal alien labours, employers, operators, smugglers and those harboring illegal alien labours, arresting numbers has continued to increase yearly. Earlier, the concerned agencies failed to strictly administer the laws strictly and the agencies officers failed to function properly from having bias and being afraid of losing job if they arrested the violators. Evidence revealed the alien labours did not carry work permits and the employers claimed that carrying work permit interfering with the workers' performances and may get lost which made it rather difficult to check if the alien labours were allowed to work legally. Besides, they claimed that the rules and regulations received were constantly changed without notice which made it difficult for them to comply with the laws and inform all employees.

Recognizing the existing problems, the researcher decided to conduct the study titled "The Law Enforcement of Police Officers: A Case Study: Illegal Alien Labours" to find problems while administering illegal alien labours controlling policies and measures. Findings from the study on suppression, arrest and prosecution, knowledge and understanding towards the Royal Thai Police policies on law enforcement towards illegal alien labours can be presented to the executives as the organization's guidelines to set up policies matching with the country's situation.

## **CHAPTER II**

### **LITERATURE REVIEWS**

The study on “The Law Enforcement of Police Officers on Illegal Alien Labours” focused on suppression, arresting and prosecution of illegal alien labours and aliens working without the valid permit, including on the suppression of employers, business operators, smugglers and those harboring illegal aliens. Relevant literatures on illegal labours, concepts and theories on law enforcement, and alien labours management in Thailand and overseas as well as other related researches were chosen for this study.

#### **2.1 Influx of Illegal Labours**

Since Thailand’s border connected to the neighboring countries, entering the country illegally can be done easily, especially along Burma, where the border stretches 2,401 kilometers. Persisting economic hardship in Burma is the prime reason for many Burmese and Burmese minorities entering Thailand to work illegally through Kanchanaburi, Ranong and Tak Provinces:

2.1.1 Kanchanaburi is one province where numbers of illegal alien labours increasing continuously and rapidly, estimated 30,000 -50,000 aliens each year, mainly through Sangkaburi (Udomdech Setabutr, 2008, p.1). At present, convenient and fast communication make illegal entrance easily traveling by 1) automobile along the border of Sangkaburi on Highway 323 heading to Kanchanaburi 2) taking a boat from Sangkaburi and area north of Vajiralongkorn Reservoir at ThongPaphum District to get on shore without patrol officers or at area officers signaling, boarding driven automobile along Highway323 heading for Muang District, Kanjanaburi and 3) Walking along the border until reaching Tsai Yok District or Muang District, Kanjanaburi, passing along the checkpoints until being picked up by the smuggler to the destination (Human rights subcommittee on ethic group, stateless migrants and displaced, Attorneys Council, 2008, p.10 ).

2.1.2 Ranong is another province with heavy alien labours entering country through this channel in the past 10 years, especially Burmese labours which remained working in the city or moved to other cities. Most of them have gone to the south and certain numbers went to Malaysia. Two main groups of illegal aliens are 1) Burmese labours of minority groups from different states, looking not only new settlement but also trading. They have come here as a family and living as a group among the Thais and 2) Rohingya which almost 100% in prime age who are here to work and sent money to the family only or use Thailand as the channel to travel to the third country such as Malaysia and Indonesia (Pakorn Puangned, Krungthep Turakit, Online, 2009, p.1).

As for the escape routes, Burmese used 3 main roads , first group of labours from Rangoon, Burma were gathered through illegal employment agencies, managed by the Thais, and sent directly to Ranong. Burmese labourers must pay expenses per head weight over 1 baht. Second group of labours moved from Rangoon to Marid to board the boat, heading to Ranong and third group of labours comprised of Burmese labours in southern Burma traveled directly to Ranong or Koh Song before entering Ranong. Labours of group two and three did not pay initial traveling cost because they managed to travel to the city by themselves (Asawin Wattanaviboon, 2001, p.92)

Then, Burmese's travelling to Ranong were done in 2 patterns: coming to the destination at Koh Song which connected to the tip of Ranong or baracading at Marid 1-2 days before traveling to Koh Song or in the second case, by engaging entire services of agent from Mae Lamyai and Koh Song, including traveling arrangement, lodging and foods (Thansettakit Online, 2008, p.16).

2.1.3 Tak is also the province with the border connected to Burma for hundred kilometers. Adjacent districts to Burma are Umpang District, Poppa District, Maesod District, Mae Ramad District and Ta Song Yang District, having Mae Sod and Maew Dee of Burma as important trade channel and Burmese labours used this channel to escape as well. Besides, the intense suppression of Burmese minorities since 1985 pushed over 50,000 Karens to find shelter in Thailand. Therefore illegal aliens labours in Tak are comprised of first group that came directly from Burma and second group belonged to those Burmese labours already settled in Tak and third



group, Karen Labours escaping from the camp (Youngyut Chalaemvong and Chalongsop Susangkarn, 1996, p.11).

Active illegal human trafficking ring comprised of officials, merchants working closely with the private employment company and occasionally hired locals began to transport labours outside 5 border districts, Umpang, Poppura, Maesod, Maeramad and Ta Song Yang after the 5<sup>th</sup> districts in Tak was granted leniency to hire labours from Burma based on the Cabinet Resolution dated March 17, 1992. These labours were sent to agriculture and construct areas in the lower northern region such as Kumpangpetch, Sukothai, Nakornsawan, Pijit and other area needed labours. Such labours also in demand for industries and constructions in Bangkok Metropolis, Samutprakarn and Patum Thani (Asawin Wattanaviboon, 2001, p.105).

## **2.2 Law Enforcement Approach**

Social orderly is being controlled by cultures, traditions, morals, and laws. At present, many measures had been erased though times because most people failed to see their values, only the law controlled a person to violate other rights because the law imposed the punishment on those refused to obey (Clarke, 2001, p.17). The study of law enforcement and social control Philosophy, Basic Philosophy of Justice System with the following theory and approaches

### **2.2.1 Law Enforcement and Social Control Philosophy**

Basic human nature based on human as the controller of own behavior and he would use reasons and knowledge to analyze advantages and disadvantages before acting anything. Therefore, the law must be used to control human approaches with reasons and knowledge to avoid criminal behavior (Pornchai Kunttee et.al, 2009, p.16). The new state searches for crime prevention and focused on operating through justice system and law enforcement and Formal Social Control (Clarke, 2001, p.19) comprised of agencies in the Justice Process with main mission to enforce laws effectively and equally, leading to the control of social offense based on the philosophy of law enforcement and social control in 3 aspects:

(1) The government used the legal measures to control behavior and protect the benefits of members in accordance with the public laws for having power over the people, not including the private law for the relations between the people with equal rights.

(2) The government is being mandated to select the officers to be responsible keeping things in order and content according to the laws.

(3) Law enforcement must be exercised on society's members under Justice Under Law with out bias or hatred.

All 3 measures indicated that the law is the controlling instrument of social offense. However, peace and safety in the society existing only when the people obey the law and the government official treat the offender righteously, Moreover, prevention measures in social harm must be strict and righteous to preserve Rule of Law which coincided with the administrative approach in Democracy as to collaborate between Law, Order and Justice (Veerapong Boonyopas et. al., 2006, p.8)

Furthermore, human is the controller or identifier of own behavior and society survived because all people accepting administrative power. Without this acceptance, society eventually collapses (Pornchai Kante, 2000, p.16) as being seen in the basic Philosophy of Justice System as follows:

**2.2.2 Basic Philosophy of Justice System:** In Criminology, Classical School of Criminology is considered the beginning of Criminology by directing the study on cause and understanding of criminal behavior based on the concept that the intense, speedy and certain justice process for punishing the offender can prevent and suppress crimes the most effectively (Pornchai Kuntee et.al, 2003, p.15). This study involved with Classical School of Criminology, Positive School of Criminology and Synthesis as follows:

**(1) Classical School of Criminology** was developed since 18<sup>th</sup> century by Italian philosopher name Cesare Bonesana, Marchese de Beccaria (A.D.1738-1794) with intention to revised the law and protect the accused from unrighteous judgment and severe punishment by the government. Important philosophy of Beccaria is free intention which he believed that intention defined human behavior. In this philosophy "Human has the reason to search for maximum

benefits from object and decision to choose to act or not to act. Human would choose all available alternatives sensibly to consider and calculate advantages or disadvantages from such action. After that he would choose or refrain from doing it” Beccaria believes that in order to prevent human from breaking the law, the punishment must be harsh, definite and quick (Beccaria cited Pornchai Kunttee et.al., 2000, p.16). Then this philosophy is considered individual has own freedom and any wrongdoings resulted from individual’s action willingly done which deserved proper punishment to stop him from repeating the offense (Purachai Piemsomboon, 1982, p.24)

This philosophy accepted the values and ethics based on the intention mentioned earlier. It stands by the principle of law which stated that “ Nullum Crimen nulla poena Sine Lege. Therefore, crime must be defined clearly under the scope of law while law enactment was done to set up measures for controlling human’s behavior. Furthermore, it must be the guarantee for human freedom both prescribed substances and prescribed method. When the accused broke the law, he must be punished accordingly. The purpose of the punishment is to suppress the crime (Purachai Piemsomboon, 1982, p.34)

**(2) Positive School of Criminology** based on the beliefs that criminal behavior resulted from factors beyond human control evolved from the concept of Classical School of Criminology in the early based on 20<sup>th</sup> century that focused on individual criminal behavior whereas the concept of Positive School of Criminology focused direct interest on scientific research and criminal (Pornchai Kunttee et. al., 2000,p.32) by having Cesare Lombroso to initiate scientific principles approach for studying the cause of criminal behavior and classified criminals into 4 types as follows: Born Criminals, Insane Criminals, Criminaloids and Occasional Criminals (Lindesmith & Levin, 1937 cited Pornchai Kunttee et., al, 2000, p.33) .

This philosophy is considered man influenced from the surrounding or physical and mental abnormality which caused offense or deviated behavior which resulted from the practice, leading to the correction of offender and determinism as the scientific principles to determine the approach in criminology by viewing crime as one of the social phenomena with reasons. Then, correction can be done effectively, not

only passing the law and punishment which may be too late (Purachai Piemsomboon, 1982, p.27), but required the crime prevention as well. When the cause of crime was corrected, legal approach should be minimal. This philosophy of punishment considered criminal as the one needed help and attention from society as well as feeling confidence in modern measures that could cure and improve personality of offender until capable of function normally. Then, the target of this legal control based on this philosophy aims to improve personality and behavior of the offender (Purachai Piemsomboon, 1982, p.30).

**(3) A Philosophy of Anti-Social Criminology** is the philosophy resulted from gathering conflict of both philosophies mentioned earlier and mixing them together to accomplish crime prevention and appropriate treatment on the offender. This philosophy considered individual free thinking within the surroundings realm, individual physical and spiritual as accepting the scientific approaches and the same times regarding values. When, criminal committing crime, it should be determined with both legal and social measures by having the laws as the guarantee people's right. Moreover, criminal laws must be amended to match the behavioral principles. This philosophy is the application of progressive measures to prevent offense directing and focusing at each individual offender, including the phenomena of social mishaps aiming towards The Systematic Resocialization of the Offender) (Purachai Piemsomboon, 1982, p.34)

The basic philosophy of Justice System affected directly on the government law enforcement. In another words, the Criminal Justice System comprised of Crime Control Model and Due Process Model

### **2.2.3 Criminal Justice System**

Concept of Justice System process stands on two alternatives, one to protect people's right while another choosing to control the crime. According to Herbert Packer (Herbert Packer, 1968, p.283-284), the Crime Control Model must consider social protection such as Freedom and Liberty of human with Public Order of the Society. Generally, the government must stay in balance, but in exercising its power, the government inevitably steps over the boundary. Then, Criminal Justice

System comprised of the Crime Control Model and the Due Process Model usually works opposite with each other.

(1) Crime Control Model focuses on the Justice System Effectiveness by directing at crime control, elimination and suppression. Therefore, criminal cases enter the system based on this theory must be processed accordingly, regularly without interruption through Screening Process in each step and continuously done from investigation, arresting, inquiry, prepare to file the case with the court, considering cases, punishing the offenders and releasing the defendants. Therefore, all mentioned Process for law enforcement required the Celerity and Certainty which meant for plan procedures with some flexibility. As for certainty, it refers to the chance for the offender to escape punishment which is the least possible. Therefore, steps for justice process must be free from ritual that may obstruct the process (Prathan Wattanavanich, 2002, p. 22).

The model of this justice system is based on Presumption of Guilt for the accused. It is searching for truth in accordance with crime suppression when the accused had been captured. This theory assumes that an accused had actually committed the crime. Then, he would follow the court procedure. According to this theory, fact finding in the court occurred less, mainly focused on diagnosis of the case in earlier stage of the justice process. The inquiry officers and attorney would screen the accused from the supporting evidence which make the suspect or innocent releasing closely and prosecution based on tight evidence that should lead to effective law enforcement (Prathan Wattanavanich, 1984, p.152).

Such procedures screened out the unnecessary case and bring only presented fact case to the court which should end the case in the inquiry or attorney stage. This model believes that presumption of guilt and screening numerous accused leading to numerous stages are under the Administrative operation, mainly inquiry officers and attorney which should be the primary indicator for the offense (Prathan Wattanavanich, 1984, p.26).

Crime Control Model emphasized on the effectiveness of justice process and focused on the responsibility of the administrative division. Then, the inquiry officers and attorney must be highly qualified. In this model, effective justice system

should accomplish 2 things 1) release the innocent quickly and 2) prosecute the accused with tight evidence or the accused confessed quickly (Prathan Wattanavanich, 2002, p.30).

(2) Due Process Model based on the law and law enforcement must be righteous based on steps of the existing justice system (Prathan Wattanavanich, 1981, p.52). Due Process of Law divided into 2 types 1) Legal Process involved with the protection of human's right based on the principle of freedom human has the right and freedom that cannot be violated and 2) legal process for consideration as the protection stated in the Constitution such arresting, and imprisonment .Human has the rights and freedom that no one can be violated 3) Legal processes as protection stated in the Constitution such arresting and searching (Decha Hongthong, 2002, p.24).

This theory disagreed with fact finding, not the formal theory of crime control theory of the agencies enforcing the law in the first place. A case must be considered officially before proceeding further with transparency in the Justice Court. Based on this theory, a person is not considered committing offense from evidence, only when the judgment passed by the authorized legal party that such person committed crime. Furthermore, the authorized person must follow the law diligently to protect an accused legal right. This theory expected the Judge Panel to be non-bias and considered the case according to the law. The court itself should revise the method for enforcing laws whether being righteous and inform the public (Prathan Wattanavanich, 1981, p.54).

Such concept coincided with the concept of Due process in USA which appeared in the Constitution fourth Amendment on giving's people's right or loss of life and assets with Due process. When problems related to people's right occurred, legal process would give individual the right to bring his case to court for legal consultation, the right in life, freedom or asset. The Fifth Amendment stated that the law must be enacted with reasons and people have the right to know the situation so they could decide whether or not to object the government's decisions. Furthermore, US Constitution stated that the limitation on people's rights, freedom and asset should

be under the court's consideration and method to deliver people's justice should involve all facts that the court must consider if the government was acting in Due process.

Therefore, Due Process Model assumed the Presumption of Innocence as the prosecution guideline of the government officials as the legal ritual to show that the accused had never been considered and judged by the court that he actually committed crime. Therefore, he cannot be treated as if being the accused before the court passing the judgment. Innocent suspect must be screen out and the criminal must be prosecuted quickly (Prathan Wattanavanich, 2002, p.8).

#### **2.2.4 Economic Crime Theory**

Economic crime is defined as "Breaking criminal law or other laws by people with economic status used their connection to damage business and the country's economy" (Edwin Sutherland, 1985, p.20) or another definition "Wrongdoing is committed by a knowledgeable individual used his position and expertise to cause severe damage to society and country" (Verapong Boonyopas, 2002, p.5).

#### **Economic Crime Features**

(1) Economic crime is different from ordinary crime. Most economic crime involved with financial benefit. In another words, criminal expected to gain mostly monetary benefit. As for ordinary crimes, they may result from many causes, especially mental imbalance, struggling to survive in the society which is not monetary benefit.

(2) Economic crime is related to the current economic and social conditions resulted from intense business competition for social recognition and wealth, factors that motivated individual to work at all cost to achieve fame and fortune even committing crime and damaging others.

(3) Economic crime is the misdemeanor even with minor criminal punishment; the damage can be extensive. Since economic crime has not affected individual rights and freedom directly, society regards such crime as non-violence crime with little punishment. If severe punishment imposed on economic crime, society may ban it. Most economic crime offenders usually received short jail sentences or fine.

(4) Economic laws are different from criminal laws as follows:

4.1 Even though a person committed economic crime received the criminal punishment but most punishment related to economy

4.2 Economic crime can apply administrative penalty such as control behavior, order to stop business or temporary halt the operation or even order the employer to reemploy the worker based on labor law.

4.3 Economic crime sufferer can file for damages based on relevant laws on economic crimes as much as 3 times of actual damages such as copyright violation lawsuit amounted to 3 times of actual damages.

4.4 Crime and law enforcement related to economic crime is similar to juvenile crime that has no intention to smear the criminals (Chatchaval Suksomjit, 1999, p.29).

### **2.2.5 Law Enforcement in Thai Justice System**

The theories and philosophy in the law enforcement were applied and practice differently which would affect people enforcing the law. Therefore, justice is being served depending on the Legislative Process and Law Enforcement Process as being the legal method through the police, attorney, court, correction institute, attorney and other related agencies in the justice processes, coordinated work systematically to prosecute the accused (Asawin Wattanviboon et. al., 2009, p.61). The first justice organization is the Philosophy of Traditional Criminology effecting the police law enforcement. Most police officers believed that crime would reduce when more perpetrators are captured. In order for effective crime prevention based on the Philosophy Traditional Criminology, police officers must enforce the law with arresting the most perpetrators faster with the least mistakes (Verapong Boonyopas et. al., 2006, p.10).

Furthermore, Royal Thai Police is an agency functioned as the law protector working under the many rules and regulations such as National Police Act B.E 2547, the Criminal Code and Criminal Code for Criminal Case Consideration and other related laws. The policpe offers must initiate the procedures from stating from receiving the case investigation, arrestment, searching, charging, inquiry, bailing, jail and presenting case to the attorney which based on the principles of law enforcement.



Moreover, the police agency is considered the product of political system which should concern the people's welfare through crime prevention or petition from the underprivileged people with appropriate and righteous treatment based on police officers' best judgment which has been influenced by the external factors (Asawin Wattanviboon et. al., 2009, p. 29-30).

The following Justice Administration organization, attorney and court, certain belief according to Classical School of Criminology used mainly for punishment and focused on scientific measures and technology as being seen from the evidence that emphasized on Eyewitness more Circumstantial Evidence such as scientific evidence except juvenile and family court, seeking to correct behavior , not only punishment as the acceptance of Positive School of Criminology. The final Justice Administrative organization is the Department of Correction. Even though its burden is punishing and using threats as if being applied philosophy of traditional criminology providing prisoner with vocational training is considered improving their personalities and skills based on Positive School of Criminology (Verapong Boonyopas et. al., 2006 , p.10).

As being stated, the study of relevant philosophy of criminology with the law enforcement which considered as the foundation of each organization in the justice system and other NGO is essential due to the conflict in basic philosophy for law enforcement in each organization and which made the system unorganized. In reality, relevant philosophy of criminology on the basic law enforcement of each organization must be improved in the same nature or similar to make the criminal justice process proceeded systematically, more effective and efficient, leading to the same purpose in controlling crime and eventually peace and social orderly (Verapong Boonyopas et. al., 2006, p.10).

As for the law enforcement based on Criminal Justice System such as Crime Control Model and Due Process Model, the justice process units in other countries have never enforced any specific laws, instead mixing both theories together by mainly considering the nature of offense, but no countries strictly follow due process. Any social with severe criminal problems may use Crime Control Model mainly and include Due Process Model. However, society with good crime control that has low criminal problems usually applied Due Process Model first and follows by Crime Control Model (Decha Hongthong, 2002, p.50).

In criminal crime perspective, the law enforcement on economic crime had not forced on intention and assumption that the accused still innocent. Most of times, the government officials would select different measures on enforcement judging how actions effected individual's right and damage (Chatchawal Sooksomchit , 1999, p.29-30).

(1) Ability to apply criminal measures or administrative measures on the accused depending on reasons of the government officials in such situation, perhaps combing with political reasons and the government policies.

(2) Change from using severe punishment (life execution or physical torture) to new approaches such as Corporate Probation.

Furthermore, economic crime is the action of educated person who applied specific and elaborate technique. Due to the different and elaborate conditions, economic crime is also different in its law and business tradition. Generally, criminal laws defined specific measures as for laws in economic crime, no specific laws established. Its law is uncertain, depending mainly on business tradition (Chatchawal Sooksomchit, 1999, p.30).

As the offensive nature of illegal alien labours under this study is under economic crime because the accused expected mainly monetary benefit because it related to economic status and current social conditions. Moreover, the punishment on criminal case is not quite severe based on the employer' financial conditions. Hard labours were scared so the government gave them the leniency to continue working up to now.

## **2.3 Alien Labours Management in Thailand**

Alien labours in Thailand must comply with alien and immigration laws. Any aliens or employers failed to follow such laws are considered committing crime. However, alien labours holding Burmese, Laos, Cambodian nationalities, especially, unskilled labours that the government granted leniency to stay in the Kingdom of Thailand since 2010.

### **2.3.1 Relevant Laws**

Two Employment Acts involved with alien labours are Alien Employment Act B.E.2551 and Alien Employment Act B.E 2522 which determine penalty.

**Table 2.1** Penalty for Aliens in accordance with Alien Employment Act B.E 2551

<b>Violation</b>	<b>Penalty</b>
1. Working against prohibiting Employment Act (article 6)	Maximum imprisonment 5 years or fine from 2,000 to 100,000 baht or both imprisonment and fine (article 33)
2. Working without work permit (article 7)	Maximum imprisonment 3 months or maximum fine 5,000 baht or both imprisonment and fine (article 34)
3. Article 12, Alien working without work permit.	Maximum imprisonment 3 months or maximum fine 5,000 baht or both imprisonment and fine (article 34)
4. Violate working conditions (article 9)	Maximum imprisonment 3 months or maximum fine 5,000 baht or both imprisonment and fine (article 34)
5. Continue working with expired work permit(article 15)	Maximum imprisonment 3 months or maximum fine 5,000 baht or both imprisonment and fine (article 37)
6. Continue working with expired work permit that had not been allowed to renew by the cabinet (article 17)	Maximum imprisonment 3 months or maximum fine 5,000 baht or both imprisonment and fine (article 37)
7. Doing different work from stating in work permit (article 21)	Maximum imprisonment 1month or maximum fine 2,000 baht or both imprisonment and fine (article 38)
8. Changing residence or workplace without permission (article 21)	Maximum imprisonment 1month or maximum fine 2,000 baht or both imprisonment and fine (article 38)

**Table 2.1** Penalty for Aliens in accordance with Alien Employment Act B.E 2551  
(cont.)

<b>Violation</b>	<b>Penalty</b>
9. Not carrying work permit while working (article 18)	Maximum fine 1,000 baht (article 35)
10. Failing to return work permit within specific time after ending assignment (article 9)	Maximum fine 1,000 baht (article 35)
11. Received BOI but failed to file petition for work permit within specific time (article 9)	Maximum fine 1,000 baht (article 35)
12. Received BOI to expand working duration but failed to file petition for work permit within specific time (article 9)	Maximum fine 500 baht (article 36)
13. Work permit damaged in necessary contents or lost (article 9)	Maximum fine 500 baht (article 36)

**Table 2.2** Penalty for Employers/Operators in accordance with Alien Employment Act B.E 2551

<b>Violation</b>	<b>Fine</b>
1. Hiring alien labours without formal work permit (article 22)	Maximum imprisonment 3 years or maximum fine 60,000 baht or both imprisonment and fine (article 39)
2. Hiring alien labours working differently from being stated in the work permit (article 22)	Maximum imprisonment 3 years or maximum fine 60,000 baht or both imprisonment and fine (article 39)

**Table 2.3** Penalty for Violators in accordance with Alien Employment Act B.E 2522

<b>Violation</b>	<b>Violator</b>	<b>Penalty</b>
1. Bringing illegal aliens into the Kingdom unlawfully or breaking the law by aiding illegal aliens	Individual	Maximum imprisonment 10 years or maximum fine 100,000 baht (article 63)
2. Harboring illegal alien labours or aiding alien to escape from being arrested	Harboring Homeowner	Maximum imprisonment 5 years or maximum fine 50,000 baht (article 64)
3. Being alien entering the Kindom without permit or over staying with expired or cancelled permit	Alien	Maximum imprisonment 2 years or maximum fine 20,000 baht or both imprisonment and fine (article 81)

### **2.3.2 Policies for Managing Alien Labours**

Policies and guidelines on alien labours management is directed at solving problems for illegal alien labours holding Burmese, Laos and Cambodian nationalities. The Cabinet set up the measures and policies to control illegal alien labours based on the cabinet resolutions as follows:

From 1997 to 1999, the leniency was issued for the alien labours to work in the specific area and business to solve labours shortages.

In 2000, the government set up the policy to import alien labours legally by cancelling employment periodically and establishing the organization to solve specific problems.

In 2001, the government had set up Illegal Alien Management Committee to solve alien labours problems for the entire system by opening for illegal alien labours holding Burmese, Cambodia and Laos to report for solving this problem.

In 2003, the agreement on employment with the original countries, Burma, Laos,, and Cambodia has been signed and the government set the policy to solve alien labours problems by assigning the Ministry of Labor to prepare Seven Strategies to solve illegal alien labours as follows: 1) Arranging alien labours employment 2) Set standard on alien labours same as Thai labours 3) Block alien labours from entering the country illegally 4) Focus on information and arresting employers 5) Deportation 6) Publicity and 7) Results assessment.

In 2004, the cabinet passed the resolution to manage alien labours under 7 major strategies.

From 2005-2009 the cabinet resolution allowed the alien labours holding Burma, Laos and Cambodia nationalities who had been reporting and registering with the Administrative Department for temporary staying in the Kingdom and working while waiting for deportation, not exceeding 2 years.

In 2010, the cabinet passed the resolution on January 19, 2010 to extend the time for proving nationality and giving leniency to illegal aliens holding Burmese, Laos and Cambodian nationalities that had been allowed to work in 2009 and the work permit would expire on January 20, 2010 and February 28, 2010. They were allowed to remain temporary in the Kingdom awaiting deportation not exceeding 2 years, ending February 28, 2012.

### **2.3.3 Alien Labours Measures**

Measures and conditions for issuing the work permit are summarized as follows:

(1) Consider the nation's security, opportunity for livelihood among the Thais and the demand for labours in economy and industrial sectors whether promoting economic or industry or generating the country revenues (such as importing or tourism), apply or not apply new technology, transmit or not transmit technology to Thai labours, having or not having labours shortages,

(2) Employers registered as Thai Jurisdiction Person with the registered capital of 2,000,000 baht of foreign Jurisdiction with transferred funds of fully paid 3 million baht, support 1 person, not exceeding 10 persons.

(3) Illegal aliens with support documents from the government agencies/ State Enterprises/ Public Limited Company

(4) Aliens working in the Foundation, Association or other Non-profit organizations or overall benefits to society.

(5) Others as specified by the Employment Department in accordance with the criteria for allowing alien to work, 2009.

Alien labours registered with the Administration Department would receive alien permit divided into 6 types as follows:

(1) Blue for fishery

(2) Green for agriculture

(3) Yellow for construction

(4) Orange for fishery related business

(5) Grey for housekeeping

(6) Pink for other occupations such as cultural related, animals' slaughter houses, mining, manufacturing, selling foods and beverage, manufacturing and selling clothes, laundry.

Any aliens assigned to specific alien card must always remain in that occupation. They are prohibited to change job. Any violations could lead to cancellation of permit based on Alien Employment Act B.E 2551, article 28 and the subject to minimum penalty 20,000 baht, article 52.

#### **2.3.4 Steps for hiring alien labours legally based on agreement between Thailand and other countries (MOU)**

Employers and business establishments need to hire alien labours to work in Thailand legally must proceed in the following steps;

##### **Step 1:** Identify Quota

Employment/ business establishment desired to employed aliens must file hiring petition with the alien employment office in the area after receiving the permit for alien, the Department of employment would issue the support document for quota of alien labours as the evidence.

##### **Step 2:** Petition for bringing Alien Labours to work in Thailand

Employment/ business establishment received quota file the petition for alien labour with MOU and copy of quota, details of needed hire labour, letter appointed the company to find labours in the destination country, samples of standard contract to be sent to the Department of Labour to issue the letter to inform the destination country for finding labours as required by the employers/ business establishments.

**Step 3:** Petition for work for Alien Labours

The employers/ business establishment had submitted the names of aliens from the destination country. The names and support documents from the employers must be submitted for alien labours through the Department of Employment with the letter to inform the Embassy or Consulated in the destination country and the Immigration office to issue visa and permit to stay in Thailand.

**Step 4:** Issuing Work Permit for Alien Labours

Alien received visa Non-Immigration Visa L-A from Thai Embassy or Thai Consulate after passing the Immigration checkpoint and certifying approval to remain in Thailand for 2 years.

### **2.3.5 Measures for Proving Nationality**

Proving nationality of alien labours holding Burmese, Laos and Cambodian is the procedures based on the cabinet resolution dated 30 January, 2008 and December 9, 2009 that agree with ality among illegal aliens holding Burmese, Laos and Cambodian nationality since 2006. The purposes are to employ by changing illegal alien labours status into legal labours and opening for the employers to bring alien labours in for reporting names to the original country to certify aliens' status so they could legally change their status.

Steps for proving Nationalities for Burmese, Laos and Cambodians are different from each other.

**1. Cambodia :** has 5 steps to prove nationality:

Step 1: Receive notice to prove nationality used copy of work permit (pink) or Tor Lor 38/1, copy of Quota Card and Power of Attorney

Step 2: Proving nationality by filling the petition form accompanied with pictures and 1,500 baht fee



Step 3: Submit Petition for VISA NON L – A with 500 baht fee, accompanied by C.I, Enter and Exit Card (Immigration 6), photos, copy of work permit (pink) or Tor Lor 38/1 and current quota card.

Step 4: Health checkup 600 baht fee, health insurance 1,300 bath with temporary passport

Step 5: Obtain work permit fee 1,800 baht/year and 100 baht for application, used C.I.), Doctor Certification, current quota card, map of workplace, photo, work permit (pink) or Tor Lor38/1

## **2. Laos : Proving Nationality**

Proving nationality is done in 5 steps as follows:

Step 1: Receive notice to prove nationality used copy of work permit (pink) or Tor Lor 38/1, copy of Quota Card and Power of Attorney

Step 2: Prove nationality by filling the application form to submit with photos and pay 3,000 baht fees for Temporary Passport)

Step 3: Submit Petition for VISA NON L – A with 500 baht fee, accompanied by C.I, Enter and Exit Card (Immigration 6), photos, copy of work permit (pink) or Tor Lor 38/1 and current quota card.

Step 4: Health checkup 600 baht fee, health insurance 1,300 bath with temporary passport

Step 5: Obtain work permit fee 1,800 baht/year and 100 baht for application, used C.I.), Doctor Certification, current quota card, map of workplace, photo, work permit (pink) or Tor Lor38/1

## **3. Burmese : Proving Nationality**

Step 1: Receive documents from the Provincial Employment Office in the area to travel for reporting nationality (Thai side) at Chiangrai, Tak and Ranong Provinces to prove nationality at the designate point, required document to prove nationality, permit to exit area and copy of work permit(pink) or Tor Lor 38/1.

Step 2: Push through Immigration process, use the document Tor Mor 41 and photo.

Step 3: Prove nationality (Burma side) and receive Temporary Passport, use form as specified, photo and documents sending labours to prove nationality.

Step 4: Petition for stamp VISA NON L – A, with 500 baht fees, temporary passport, entrance and exit cards ( Tor Mor 6), petition for stamp and photo.

Step 5: Labours report exit at Center (Thai side), use documents for labours to prove nationality (Thai side) use temporary passport stamp visa, accompanied the labours back to own country.

Step 6: Health check on alien labours, fees for health check 600 baht, Health insurance 1,300 baht, use temporary passport.

Step 7: Request work permit, application 1,800 baht/year and form 100 baht, use temporary passport, medical certificate, current quota card, photo, work permit (pink) or Tor Lor 38/1.

Such measures suggested the labour controlling steps set up by the government. In reality, system set up is rather complex and limited in time with high cost per person. Moreover, the law enforcement has its fault which unable to prevent illegal alien labours from reentering the country after being sent back to own country through the smuggling process. Some aliens that had been prosecuted entered Thailand through different channels. Meanwhile, most of business operators secretly used illegal labours to avoid complying with the law in alien registration or inform the officials when the alien labours escaped from their responsibilities. Part of reasons resulted from following the correct procedure in alien registration which is rather complicated procedures. Therefore, the employers used both legal and illegal aliens or all alien labours in their operations.

## **2.4 Alien Labor Management Overseas**

Thai labours wanting to work aboard must file the application for entering the destination country with such country's authority. After receivein the permit to enter the country, Thai labours would become legal aliens according to the law. Any illegal entries are considered breaking Immigration laws, subjected to penalties and deportation as stated in the Immigration laws (Panthip Kanjanajitra Saisoonthorn,

1997, p.15). This research had gathered alien international laws by focusing on the country with huge numbers of Thai labours such as USA, South Korea, Taiwan, Malaysia, Singapore and Hong Kong and summarized as follows:

#### **2.4.1 The United States of America**

Alien labours in USA can stay and work in USA if received Permanent Resident or Green Card Status. These aliens enter the country earlier illegally and remained to work in USA. In some cases, alien labours entered the city with formal Visa from US government based on law requirement. When Visa expired, alien labours still remain in the country without permission. Most of them entered the country on Tourists Visa (Academic and Planning Unit, Employment Department, 2007, p.17).

As for alien labours, USA has the Control Labour Law for illegal aliens, especially The Immigration Reform & Control Act of 1986, as the law made the numbers of aliens working in USA increased higher. This law aims to control of illegal Immigration Illegalization of Status as the alien labours that able to stay in USA legally as being concluded as follows:

(1) Controlling illegal aliens by setting measures to forbid illegal from hiring illegal alien labours. Any violations are subjected to 2,000 US dollars fine to 10,000 US dollars and the law prohibited unfair employment based on the skin color and birthplace.

(2) Controlling the influx of aliens and forbidden the officers to search farms, fields or agricultural area without the search warrant to capture illegal alien labours.

(3) Changing illegal alien status by setting the conditions for illegal alien labours to petition for changing in status so the alien populations could remain in the country legally.

Furthermore, Legalization of Status states that alien labours entered the country before January 1985, must file the petition to remain in the country remain temporary in the country as Temporary Resident Status within 12 months, starting from the date of the government's announcement and the alien labours must present clear evidence staying in the country on Unlawful Status before January 1, 1982 and

still residing illegally until the specified date. An alien residing legally on Non-Immigrant before January 1, 1982 must show expiration date of visa and still remain hiding in Thailand illegally. Therefore, alien labours remaining on Temporary resident status can petition for Permanent Resident Status or Green Card. Important aspect of such laws can be seen as in U.S.A as the quota system to set up and control the number of alien labours illegally residing in the country by requesting them to petition for changing the status.

#### **2.4.2 South Korea**

South Korea has lots of illegal alien labours. South Korean government had issued the policies to correct problems by passing the Work Permit Law to permit unregistered alien labours to continue working in the country provided that they remained working in south Korea not less than 4 years , starting from March 2004 in all 6 industries such as production, construction, services, agriculture, cattle and fishery (Lee Shin-wha, 2005, p.18). In 2004 , it intended for protected rights of alien labours and allow the employers facing labor shortages to hire alien labours by obtaining Work Permit from the Ministry of Employment for hiring aliens with maximum contract 1 year and the right to extend contract for another 3 years, including forbidden the employers to treat employees differently based on ethnic, birthplace, religious, gender, and social status by permitting foreign labours to work only in 5 specific business 1) medium and small production industries with regular employees less than 300 persons 2) fishery with the drag net boat 10-25 tons 3) agriculture and raising cattle 4) construction in the business with budget exceeding 30,000 million won and 5) six servicing businesses such as restaurant, cleaning the building, social service, caring for patients and housekeeping assistance (Jintana Pornpilaipun, 2010, p.13).

Moreover, The Act on Employment of Foreign Workers 2003 intended to create calamity among the business operators and to search for peaceful solution for developing economic system of the country and manage South Korean alien labour management by defining alien labours as individual who is non-korean and intended to work in the business or business establishment located in South Korean to earn income, having the condition for alien labours to work in Korea based on Alien

Employment Act article 18(1) which can stay in the country in the same duration specify by the Presidential Decree.

Such Act on Employment of Foreign Workers 2003 is focused on alien labour management and managed South Korean Economic systematically by given the right to work in South Korea within 3 years, starting from the date traveling into the country. Any aliens did not comply with the law would not be permitted to hire alien labours any longer.

Furthermore, the Employment Permit System Act (EPS) intended to change illegal alien status to alien legal labours by permit illegal alien labours who had been working in South Korea for 3 years remained in the country 2 more years under specific conditions. For illegal aliens staying over 3 years, they must leave the country within 1 year or being reprimanded which resulted in great reduction of illegal alien labours. However, this law had imposed the light enforcement on the employers because the law intended for employers' protection rights in hiring and forbidden employers' selective practice.

### **2.4.3 Taiwan**

Taiwan depended on alien labours to manufacture exports such as computer part, textile, plastic and automobile tires. Many alien labours entered the country to work, mostly from Thailand, Philippine and Vietnam. All of them must comply with Taiwan Immigration Law as follows:

(1) Forbidden illegal aliens to enter Taiwan in these cases  
1) No passport or being rejected for passport 2) Using fake passport to enter the country 3) Using other people's passport to enter the country 4) Use the expired passport or Visa to enter the country.

(2) Alien labours ataying in Taiwan longer than 15 days can petition for Alien Resident Certificate from the Ministry of Interior. As for those stay in Taiwan from 7 years up or offspring of Taiwanese holding different nationality and were allowed to stay over 5 years can apply for Permanent Resident in the following cases 1) Over 20 years old (for alien offspring) as for Taiwanese offspring holding different Nationality must be over 14 years old 2) Having good personality 3) Having

assets, skills or knowledge for self- support 4) Living in Taiwan for at least 270 days each year 5) Benefit the country from staying permanently.

(3) Alien Labours over 14 years old, entered the country for site visit or having permanent place to stay must carry passport and ready to show to the officer when want to inspect.

(4) Forbid alien labours entering the country to conduct any activities different from being stated in the Visa and being informed by the Government when first arrived.

(5) Alien labours may be deport if 1) Entering the country without having passport check as required by law 2) violation of the said 3) conduct forbidden activities or illegal work or different from stating in Visa 4) over-stay after Visa expired and not allow to stay any longer 5) Alien Resident Certificate was cancelled no particular reasons.

It can be stated that the The Immigration Law of Taiwan mentioned on the petition case for permanent resident since the government has not allowed alien labours working in Taiwan staying permanently, instead aliens can remain working in the country not exceeding 3years. Then, alien labours must leave the country and reapply for work again which cycle turns every 3 years. Punishment is being used with persons entering the country without formal passport such as pilot or airlines. Individual brought foreigner illegally into the country would receive penalty in accordance with the Immigration Act.

Alien labours may get arrested from Taiwan in the following cases:

(1) Illegal alien labours that have been arrested by the police officers must report to their employers or agents and employers are required to bring alien passports and visa to register and sent back to country. The airfare and traveling expenses must be paid by the alien themselves including the fine.

(2) When capturing illegal alien labours, the police officers can detain them for 24 hours. Beyond that, the case must be processed accordingly. After receiving the court summons, the officers would send illegal labours to the detention places. If the captured illegal aliens' passport still valid and had some monies, the police officers would impose fine maximum 10,000 Taiwan dollars. For aliens

escaping less than 3 months, calculated from the expiration date on the alien residency card. If the captured illegal aliens' passport is invalid but had some monies, the police officers would bring him to Trade and Economy of Thailand to issue CI to replace passport for returning to Thailand.

(3) Violation of laws such as having narcotics in the possession, stealing, inflicting injuries or raping, and quarreled, retained the accused not exceeding 24 hours unless the police can ask permission to extend retaining the aliens for controlling over 24 hrs.

#### **2.4.4 Malaysia**

Any illegal aliens entering the country without the permit of staying in the country illegally, including hiring alien labours illegally is considered breaking Malaysian Immigration Laws (The Immigration Act 1959, p.63) and being concluded as follows:

(1) Alien labours must enter the country legally. Alien labours that had their Visa cancelled or not given permission to extend their staying must leave the country immediately right after the cancellation of Visa or permit.

(2) Hiring illegal aliens labours is considered breaking this law and subjected to penalty from 10,000 -50,000 Ringit per each employee.

(3) Malaysia allowed alien to enter the county on the following cases 1) Permit to work 2) Provide labours per employers' request 3) traveling 4) transit to other countries 5) further education 6) specific purposes 7) temporary shelters for staffs of the airlines delivering packages or passengers to Malaysia. According to the Malaysian Immigration Laws, alien labors must enter the country legally with the legal work permit that listed the employer's name. Moreover, illegal alien labours without formal work permit must leave the country immediately. Thai traveler wishes to tour Malaysia can enter the country without Visa and remain within the given time by the law.

Illegal labours arrestment in Malaysia is being done by 2 main agencies (1) Custom Officers mostly searching or arresting in the restaurant (2) police officers randomly arrested on the streets or other places. When being arrested, the restaurant

owner would put up bail for the alien's release. The bail amount is negotiated, but the minimum for each case 20,000 baht. (<http://www.budutani.com/tomyummalay/07.html>)

#### **2.4.5 Singapore**

Singapore had the policy to import alien labours which based on Demand Oriented of business operators and employers, having important roles in importing alien labours. Singapore set up related rules or laws as follows: 1) Employment Act) to protect domestic and foreign labours, except Managerial and Executive levels , Confidential Employees, Domestic Workers, Seamen and officials. Labours exempted from this law must rely on employment contract stipulation which must be covered the following fundamental issues: hours of work, wages, bonus, compensation, overtime, holidays, taking leave, terminating contract, remuneration for layoff, retirement, maternity leave and taking leave to care for offspring. 2) Part-Time employment (Employment (Part-Time Employees) Regulations) for part –time employees (work less than 30 hours per week) that required contract to stipulated clearly on hourly wages( excluded compensation) total wages ( compensation, overtime, bonus and other) number of working hour per day or week, number of days working per week or month ( Kasikorn Thai Research Center, Positioning Magazine Online,2007,p.32)

Singapore Ministry of LAbour issued work permit for the alien under the (Employment of Foreign Worker Act, having the following details (Contact Singapore, 2010, p.14)

(1) Employment Pass (EP) for Professional and Executive with regular salary from 2,500 Singapore dollars for qualified employee. The Employment Pass has no employment limitation if Singapore employers would like to hire the expert this category.

(2) Personalized Employment Pass (PEP) issued to welcome a person with Global Talent to work in Singapore. The holder of PEP must earn salary total at least 30,000 Singapore dollars.

(3) S Pass for Mid-Level Skilled Worker such as technicians

(4) Work Permit (Foreign Worker) for Semi-Skilled Worker and Unskilled worker aged 16 – 50 years, earning less than 1,800 Singapore dollars.



(5) Worker Permit (Foreign Domestic Worker) for Foreign Domestic Worker aged 23 – 50 years who had never been working in Singapore before and at least 8 years education.

Aliens who received Work Permit (WP) are not allowed to work with other employers beyond stating in the permit, forbidding sexual relations or having offspring children with Singaporean or those received (Permanent Resident : PR). Pregnant ladies are forbidden to deliver the baby while carrying the work permit and carry the work permit at all times so they can be ready for the officers' inspection.

Furthermore, Singapore had set up the conditions for issuing Work Permit and S Pass to alien labours effective July 14, 2008. The employers collected the money from foreign labours or employment agencies "Whether being cash or materials" for compensation in hiring is the crime. The employers are forbidden to collect money from aliens carried Work Permit and S Pass for Levy, Security Bond. These rules were applied with all employers and employees who employed foreign labours with Work Permit and S Pass, including domestic workers.. Any violations are subjected to heavy fines and imprisonment based on Employment of Foreign Manpower Act (EFMA) of Singapore (Cholburi Employment Office , 2009, p.16).

Singapore has tough Immigration Act and imposed strict rules on entering the country illegally and those over-stays. Thai Passport holders can enter the country without Visa and stay 14 days. Staying beyond specified period is considered breaking the law, subjected to prison sentences up to 6 months and maximum fine of 6,000 Singapore dollars and being barred from entering Singapore.

Those entering Singapore must carry valid passport at least 6 months before the expiration date. Moreover, hiring illegal aliens in Singapore is considered strict violation of laws. Those hiring alien labours must comply with the article 91A of the Employment of Foreign Workers Act Chapter 91A) and Article 133 of the Immigration Act Chapter 133, otherwise facing the penalty as stated in Table 2.4 below:

**Table 2.4** Violations and Penalty based on Singapore Immigration Act

<b>Violation</b>	<b>Penalty</b>
- Hiring or arranging for domestic worker without the valid work permit.	- Equal Levy of domestic worker total 2 - 4 years and /or maximum imprisonment 1 year Repeat offenders Imprisoned Homeowner for 2 - 4 years
- Having domestic worker working in other occupations beyond stating in the work permit card	- Maximum Fine 5,000 Singapore dollars and/or maximum imprisonment 6 months.

Furthermore, many other Singapore laws imposed severe punishment such as illegal entering the country and engaging in prostitution, selling narcotics, weapons and other illegal activities may receive severe punishment up to life execution. Singapore is having strict rules in traffic, road crossing, dumping garbage and throwing cigarettes bud in the street.

#### **2.4.6 Hong Kong**

Alien labours wish to travel to Hong Kong, specific administrative Area must comply with the following Immigration Ordinance (Immigration department, 2008, p.16)

(1) Aliens travel for working, studying, establishing businesses or planning joint venture with local company must be granted visa from Hong Kong Government to stay longer.

(2) Aliens labours wish to enter Hong Kong as Visitor, if coming from Visa exempted countries are allowed to enter the country and stay for short period without Visa. Aliens labours wish to reside permanently in Hong Kong must be over 18 years old and invested in assets or deposited cash in Hong Kong for 6.5 million Hong Kong dollars for at least 6 months before petition for Permanent Resident to Immigration Department. Moreover, he must be self-support financially during the stay in Hong Kong, able to communicate in Cantonese or English well, no criminal or negative records with Hong Kong Immigration.

## **2.5 Documents, Articles and Relevant Documents**

### **2.5.1 Relevant Laws Enforcement**

The follow-up and assess project results based on the measures to relieve unemployment revealed that the follow-up and assess project based on relieve unemployment measure and findings on the measures indicated that immigration control system made it easy for alien labours to enter and exit easily because of lengthy border without the protection . This have made smuggling easily done and many reenter, even transported the sea . Moreover, tourism promotion facilitated smuggling illegal aliens and became problems and obstacles to the operation of the officers in suppression. Besides, the searching of business establishment for harboring alien was rather complicated because it required the search warrant form the court. The practice in accordance with Immigration Act B.E 2552 and Alien Employment Act of 2551 prohibited alien from working in heavy labours which disagreed with each other (Faculty of Environment and resources, Mahidol University, 2003, p.252),including related laws in alien labours measures which still haven't received any corrections to match with the Cabinet resolution, rather difficult. Almost all business establishments and business operators hired alien labours because of cheap labours even though Thai labours are cheaper than normal rate. In the practice the government agencies failed to inspect and enforce the law seriously. Furthermore, the punishment for the employers or business establishments were not string enough to make them afraid of hiring alien labors ( Faculty of Environment and Resourced, Mahidol University, 2000, p.210)

The study of Research of Development Division, Royal Thai Police found problems and obstacles in the prevention and suppression of illegal alien labours, starting from unable to capture illegal alien labours, inadequate modern equipment, new channel for smuggling illegal aliens and no cooperation from the business establishment to keep the record of aliens because they overlooked the importance of crime suppression from aliens. The crime committed by aliens was unreported by the employers. In searching for the suspect, the main obstacles was the local influence because these people had connection with local administration and country levels or

having benefited from hiring illegal aliens and caused difficulties in the arrest of the officers (Research and Development Section, Royal Thai Police, 2001, p.35-36)

Furthermore, the police officers agreed with the government's policies to register alien labours because it should relieve the business operators from labour shortages and the government could control epidemic, crimes, alien labours registration as another channel to control number of aliens apart from acquiring necessary information such as background, photo, fingerprints, and birthmarks which could help crime suppression more efficient and also led to the investigation of unfinished cases earlier (Research and Development Section, the Royal Thai Police, 2001, p.35-37).

Problems and obstacles in the suppression and prevention of illegal alien labours happened in the following areas 1) entering along the border easily due to geographical conditions as forests and mountain together with lacking cooperation from the locals 2) inadequate police manpower, especially the officers with authority to investigate, suppress, arrest and prosecute alien labours 3) lacking equipments to function properly, especially the instrument to check registration during duties such as hand held computer to speed up the process with accuracy 4) collaboration with other related agencies was still ineffective because each agency had to perform their mission first. Sometimes, working together created inconvenience from time differences and readiness. Moreover, leaking information or performance plan added on to more problems 5) lacking cooperation from the employers or business establishment to protect own benefits and refusing to follow the leniency and hiring alien labours. Therefore, police officers had not enforced the law seriously enough to make employers afraid (Boonchana Tuntakul, 2003, p.45-46).

This finding is coincided with the study for applying management policy in alien labours management among those holding Burmese, Cambodian, and Laos nationalities from 2001-2008 more concrete Jetsada Meeboonlae (2008). It suggested some laws had not applied punishment harsh enough for the smugglers/entrepreneurs to be afraid and repeated the offense. Problems found in illegal aliens, arrestment, pushing back to own country and reenter. Meanwhile, most business employers are still hiring illegal alien labours and avoid obeying the law and failing to register alien

labours or inform the officials when the sponsored alien escaped (Jetsada Meeboonlae, 2008, p.6).

In the past, the government agencies related to the administrative laws failed to enforce the law as the tools solve problems. Police officers had not collaborated work and still bias from being afraid that it may affected their positions if arresting the violators. Besides, their had not been any reward system by compensating the police officers from fine, including giving the informants part of bribe money (Labour Council, House of Representatives, 2009, p.12).

It can be seen that barricading new alien labours into the countries created problems in 3 areas

1) Geographical problems resulted from Thai border connected to the neighboring countries with numerous mountains, rivers and canals, including the passages in and out of the country made it rather difficult to stop and control influx illegal alien.

2) Inadequate budget allocation and manpower shortages, especially Immigration Bureau that responsible for barricading illegal alien labours. Main duties are investigating and recording regular entrance and exit of aliens. In the attempt to stop the influx of illegal aliens, Immigration Bureau asked the Provincial Police and Military for their assistance which may limit the practice and reduce the operation's effectiveness, including limiting budget in caring for illegal alien labours during the arrest (Pituk Rattanabunpot, 2004, p.19-20). In another words, budget received was normal, no additional amount when number of project increased. As a matter of fact, there was no additional budget even with additional project. After arresting alien labours, they had not been deported immediately; instead they were put in jail waiting for deportation which also increasing foods cost. Inadequate budget made it difficult to feed large numbers of aliens, including the lack of vehicles to transport illegal alien labours out of the country (Faculty of Environment and Resources, Mahidol University, 2003, p.210) and 3). Moreover, smuggle ring brought illegal alien labours into the country with the assistance of particular group and the government officials individual in smuggling illegal alien labours which made them escape from the officers' arrest (Pituk Rattanabunpot, 2003, p.21).

3) Royal Thai Police has duties in suppression, arrestment, and barricade new influx of illegal alien labours. Based on the actual numbers of illegal alien labours, there are over 2 million, but nearly 500,000 aliens making official report. Then, expenses in health check-up per each alien each year estimated 3,800 baht per year which tended to increase operation cost for employers. As for Ministry of Foreign Affairs, the Burmese government refused to take these labours back while the suppression, arrestment and barricade were ineffective because smuggling alien labours still continue up to now (Jetsada Meeboonlae, 2008, p.14).

### **2.5.2 Knowledge and Understanding on Alien Labours Polices**

Findings related to alien labours management indicated steps and limitation in unsuccessful providing One Stop Service because the steps for alien reporting only involved the Immigration officers and difficult finding work at the Employment Office in each Province . As for labours' health check-up, they must be checked separately at the specific public health place unable to finish within a day (Kusol Soonthornthada and Umaporn Patavanich, 1997, p. 114).

Regarding alien labours operation, it was found that this is the new academic subject for the police officers, only immigration officers received training in this area, not the local police officers which made them lack of understanding in dealing with labours (Faculty of Environment and Resources Studies, Mahidol University , 2009, p.252).

The study on “Illegal Alien Labours Management in Thailand” by Pituk Rattanabunpot (2003) revealed problems in the operation, investigation, control of illegal aliens because some groups when they were given the leniency to stay in Thailand temporary. Some remains during the petition for legal status. Such practices have numerous criteria and conditions. Then, the important measures used in the proof and detain individual involved with the operation of Administration Department for recording personal history and issuing color cards to the illegal aliens so they could identify themselves with the officers and remained in the specified area with proper practices. However, such practices could not operated effectively from 3 main problems 1) confusions and unclear practice, especially among police officers who lack knowledge and understanding , including confusion on guidelines and measures ,

on different color cards which made police officers lacking confidence in performance and unable to check status of aliens entering the country 2) problems from fake ID and exit permit. Minorities ID have many colors and types which created confusions for the police officers. To date, the numbers of illegal aliens, including hill tribes, refugees escaping the fight and other minorities used fake ID or other ID and fake exit ID to leave the area and the police officers were unable to detect and capture immediately from not familiar with the procedures. Apart from that, there was no reference to support checking aliens ID 3) other problems caused by increasing population, especially those illegal minorities. These groups had high birth rate and their children subsequently born were not registered so it was unable to inspect and control (Pituk Rattanabunpot, 2003, p.20).

### **2.5.3 Impacts of Alien Labours**

The government's illegal alien labours management policy usually gave leniency to the illegal alien labours to work in certain jobs and remained in the Kingdom temporary, waiting for deportation which concerned the control of individual behavior for Protective Regulatory Polices. Such government's policy affected the country and alien labours at least 3 dimensions (Kittiya Archavanitkul, 2004, p.3-5) as follows:

**1) Populations impact** caused by changing population's structure in age, gender and support rate, birth and death rate, urban populations congestions or congestion in the industrial sectors. These changes may be more or less depending on numbers and attributes of migrants such as gender, age, education and marriage status, (Kittiya Archavanitkul, 2005, p.73)

#### **2) Economic impact**

Positive impact is the illegal aliens substitution of labours shortages in productions, especially lower and dirty, hazardous and risky jobs which locals avoid doing them (Kittiya Archavanitkul, 2004, p.75). The hiring of illegal alien labours made the business establishments manufactured products and services more. Moreover, Thai labour left jobs frequently than foreign labours and hiring foreign

labours reduced employment cost (Academics and Planning Division, Department of Employment, 2000, p.46)

Negative impact on international trade created trade barriers and the slow down of low wages structure (Sini Jongjit, 2008, p.32) from local pressures in low wages (Pituk Rattanabunpot, 2003, p.22) , bargaining power and reduction of labor rights among locals labours because employers had alternatives which may result in working and hiring conditions , leading to negative change (Kittiya Archavanitkul, 2004, p.85) including the employers/business operators from lacking interest in the application of new technology in own production and the government lost huge budget to manage alien labours (Sini Jongjit, 2008, p.35) , especially on illegal aliens which affected Thai labours through reduction of work opportunities, and welfare and better employment because employers had foreign labours as the alternatives (Pituk Rattanabunpot, 2003, p.23).

**3) Social impact** caused by aliens labours getting together and establishing complex society within Thai society (Sini Jongjit, 2008, p.36). The influx of alien illegal labours could cause problems on disorder society and more crimes. These aliens were limited in their rights and opportunities from having illegal status. Therefore, they were lacking the bonding and social control which may risk committing crime. Anyhow, the future problems have been unsolved and may lead to problems and social and political impacts such as aliens over staying, settlement and families, trespassing the forest areas for livelihoods, foreign communities and nationality problems which may lead to petition for all rights and status, including minorities and international organizations and other developing organizations and conflicts and arguments with most people in the country, creating disharmony and hatred (Pituk Rattanabunpot, 2003, p.24), including violations of laws such as crimes, narcotics, child labours, commercial sex, human smuggling and human rights which affected Thailand unique image in world community (Sini Jongjit, 2008, p.56)

As for crime problems, most alien labours committing crimes entered the country illegally, including their offspring living in Thailand legally and illegally. Furthermore, crimes committed by aliens that happened among Thai people were small theft, being drunk, stealing and robbery. As being seen, the first 3 out of 4 items,



the fear of crime among people towards alien labours was stealing assets (Research and Development Division, Royal Thai Office, 2001, p.38). Furthermore, the escape route of alien labours was hiding and working with people of the same nationality in the country such as relatives, friends, or acquaintances without fear of the laws because these aliens had no history, photo to confirm individual (Research and Development Division, Royal Thai Police, 2001, p.40).

Besides, increasing numbers of unfounded aliens from not having the control system and definite residency could cause out of system activities such as illegal hiring, health treatment from illegal clinic, including the increase of crimes by uncivilized people. This sees that moving around, especially among illegal aliens created social disorderly in the country. On the other side of the coin, this migrant group is considered as underprivileged no bargaining power, so they tended to be taken advantages and have their rights violated in all aspects. The fragile side of this group led to more harms and the officials is uninterested in protecting their rights or in some case the officials had also taken part (Kittiya Archavanitkul, 2004, p.95).

As for expenses in social welfare, Thailand had burdened herself with changing birth rate, education of migrants' children or new born migrants and increasing health treatments which all these expenses were paid from taxes from Thai people (Krittiya Archanajakul, 2004, p. 103) which may become the conflict issue in the near future because the Thais felt that they have been takenm advantages when soime Thais are unable to access health service fully and these people have not been taxed as the Thais (Pituk Rattanabunpot, 2003, p.26)

#### **4) Health Impact**

When the number of population increased, health problems of Thai populationa must face the risk from spreading diseases. Some sicknesses which had disappeared from Thailand reappeared such as elephantiasis, Malaria and Tuberculosis. Most countries invented the system to prevent health problems and illnesses caused by migrants to protect own citizen. Furthermore, society must be burden with health cost and watching the spreading of contagious diseases such as increasing the treatment cost and building immunity to migrants' children or newborn which result in rapid increase of caring for alien patients. This has made the spending

in treatment of aliens in the border public hospital higher than those of Thais (Pituk Rattanabunpot, 2003, p.30).

On the contrary, the migrant workers may encounter health problem in the destination countries A) Bias and fear from the violation of basic human rights intentionally and unintentionally that may affect their healths and livelihood. B) Difficulty in accessing health service and education. 3) Different environment reduced human immunity, thus became easy contact local diseases. 4) Most migrants lived in the congestion areas, lacking clean and safe sanitation and essential public utilities such as drinkable water and clean water for consumption which may result in health problems and high rate of sickness. 5) Many migrant workers are facing malnutrition from low earnings which increased the risk of contact dangerous diseases (Kittiya Archavanitkul, 2004, p.116). This finding concurred with the work of Thanaporn Junyasiri and Sivaporn Ungwattana (2008) who found health problems among labours in the north in 7 areas 1) Lifestyles connected with health, changing job and employers, frequently moved around based on nature of jobs 2) Unhealthy environment in alien labours' community and shelters, lacking proper management and sanitation knowledge in environment, personal hygiene and clean foods. 3) Risky behaviors from having sexual relationship before married among labours, drinking and engaging prostitutes. 4) Most frequently found health problems were sudden diarrhea, malaria, unknown fever, pneumonia, sexual diseases, food poisons, red eyes while some encountered problems in family planning. 5) Estimated 1.2-1.5% of illegal alien labours contact HIV. Findings revealed that the spreading of tuberculosis and syphilis among alien labours had been the risky factors for spreading AID 6) Caring for health among alien labors was done mostly by buying medicine from drug stores, chemical and herbal medicines whereas some used the service of health clinic and the public health service places or specific clinic for illegal alien labours. Sexual culture had forbidden the health check-up with male medical doctors 7) Language barrier is the main cause for unable to access health service resulted from the aliens could not understand or communicate well or the service providers' negative attitudes towards alien labours and 8) alien labours are being afraid of cancelling employment from carrying the contagious diseases such as AID, Tuberculosis and Leprosy (Thanaporn Junyasiri and Sivaporn Ungwattana, 2008, p.124), especially those migrants in the big

city such as Chhianmai, Ranong and Samutsakorn who frequently chosen to engage in Public health facilities, only the emergency or accidents or problems from delivery. Normally, they bought their own medicine or used private health facility, even more expensive because they were living close by and going with discretion. For the migrants in the border provinces such as Ranong, they had another alternative by crossing border to Koh Song in Burma (Supang Janthavanich , 2006, p.208). Living in the country illegally made them spent less and earned more. Moreover, the aliens' inability to communicate in Thai made them solve their own health problems by seeking inexpensive treatment with traditional doctor or alien doctor. Those with little savings choose to engage in private services because feeling more confident without much inquiries. Most children born to alien labours delivered by midwife (Supang Janthavanich, 2006, p.206-207)

Besides, among legal aliens, findings indicated health problems from the employers seized alien Health card or ID (frequently changed job or employers), alien labours without Health card, difficult traveling for Health service ( prohibited different color cards to cross the district/ social security workers /labours prohibited crossing Provinces). Those registered in one area was not allowed treatment in another area (only emergency). As for those unregistered or entered the country illegally, they were unable to access any forms of health services (Thanaporn Junyasiri and Sivaporn Ungwattana, 2008, p. 124).

The follow-up of problems and obstacles from alien labours in Health Services at Phuket of the Labour Council, the House of Representatives (2009) indicated the following 1) Alien labours and Thais received the same services based on human rights. In Phuket, many alien labours engaged in public health services which made the Thais waiting longer for services. It angered some locals who thought of the hospital received more compensation in treating aliens than the Thais 2) Budget for servicing aliens is allocated higher than the Thais, especially in delivery, treatment which became the hospital burden and already reporting to Ministry of Health, but without any actions from the government(Labour Council, House of Representative, 2009, p.16).

### **5) Security Impact**

Many alien labours travelling into the country for different reasons, some as the political refugees or finding financial support, received the assistance from which affected Thailand's relations with the neighboring countries, including problems from transnational terrorists resulted from numerous alien labours entering the country and outside the control system. The suppression, arrestment and deportation of alien labours without the prove or locals' approval may create conflict between countries (Sini Jongjit, 2008, p.16-18), especially those scattered in Thailand. This may be the channel for mischief to spy and find country's confidential information which would threaten the nation defense and security. At the same time, internal conflicts in the neighboring countries which are still persisting pushed the refugees to enter Thailand even more (Pituk Rattanabunpot, 2003, p.30).

It can be stated that hiring alien labours has both advantages and disadvantages. The main advantage is to replace labours shortages, inexpensive wages and help business to continue operation. Major disadvantages are increasing crimes, spreading of diseases (Malaria, acute diarrhea, elephantiasis and AID) (Youngyut Chalamvong and Chalongsop Susangkarn, 1996, p.11). The government policies through the measures for pushing illegal alien labours out of the country and promote importing legal alien labours. This is the policy gearing towards the right direction and able to identify exact numbers of legal alien labours which could be administered with alien labours management. However, the follow-up of such measures caused problems in actual practice, especially measures in the proof of nationality and extension of alien labours work permit. Without clear distinction in these measures, measures for importing alien labours may be ineffective and inefficient. Moreover, identifying preventive and suppression measures on illegal alien labours along the border required strict measures. The heavy influx of illegal alien labours can certainly affected measures to import legal alien labours (Srisombat Choksombat et.al., 2007, p.101)

## 2.6 Conclusions

Conclusions were made from reviewing literatures that reasons for aliens selling labours and problem arise from hiring alien labours due to Thai labours refused to do certain jobs such as construction, sea fishery, marine transportation and sea fishery related businesses which are heavy, dirty and risky jobs with repetition and tedious jobs. When the local labours are unavailable, most business establishments have no other ways but to hire alien labours instead. Most aliens were Burmese who escaped the border patrol into Kanjanaburi, Ranong and Tak through 3 frequently used channels 1) by automobiles along the border 2) by sea on boat and landed at the shore free of border patrols 3) walking along the border and connecting with the automobile, having the agent or smuggler led to the area hiring alien labours.

In the study of enforcement measures on illegal aliens, the Criminal Justice System comprised of Crime Control Model and Due Process Model which have different procedures to follow. First, crime control model focused on efficiency, speed and precision of agencies primary responsible for Criminal Justice System. Second is on Due Process model that focused on the law and directed to righteous and protection of individual rights.

Many overseas justice agencies had not applied specific theory, rather mixing both theories together by considering the nature of crime against the social norms. Illegal alien labours issues is considered as economic crime because most violators expected financial gain, related to current economy and social status. Moreover, the punishments are light, mostly jail or fine sentences. Because of economic necessities and shortages of hard labours, the government passed the lenient policy to allow alien labours staying and working in the Kingdom.

Thai government had set the policy and measures to control illegal alien labors holding Burmese, Laos and Cambodian with 7 strategies as follows: 1) arrange alien labours employment system 2) set alien employment standards same as Thai labours 3) eliminate influx of illegal alien labours 4) suppression through finding information and arresting employers 5) deportation 6) public relations and 7) follow-up to assess outcomes. Later, from 2004-2009, the Cabinet passed the resolution for aliens holding Burmese, Laos and Cambodian nationalities reporting earlier and registered with the Administrative Department to stay temporarily and work while waiting deportation, not exceeding 2 years, effective until February 28, 2012.

From the study of Thai alien labours working in USA, South Korea, Taiwan, Malaysia, Singapore and Hong Kong revealed that USA tries to convert the status of illegal alien labours into legal alien labours through the Immigration Reform & Control Act of 1986. As for South Korea, Taiwan, Malaysia, Singapore and Hong Kong, these countries had not planned for this policy. Only Human Right Labour appeared in USA and South Korea, no such law in Taiwan, Malaysia, Singapore and Hong Kong.

So, illegal alien labours issues are still prevailed in Thailand, USA, South Korea, Taiwan, Malaysia, Singapore and Hong Kong. As for specific selection of minorities, this issue has appeared in Thailand, USA, South Korea, Taiwan and Singapore as well. It was found that only Thailand developed the lenient policy for alien labours with extension every 2 years. The main mission of the police officers is the suppression by setting the checkpoint to stop the aliens from entering the country or the smugglers, check alien identifications, business establishments, finding news on illegal aliens and aliens harboring places, business establishments and employers with illegal aliens working. When the police officers arrested illegal aliens, the arrest records were made before turning the aliens to the inquiry officials at the police station.

Furthermore, it was found that the operation officers lacking knowledge and understanding, frustrated about guidelines and measures, especially on different color alien cards which made them frustrating and lacking confidence, unable to check on illegal aliens' status. Fake identifications, duplicated exit permits became more problems. With many types and colors of minorities' identification, the police officers were confused and unable to identify ID card immediately without references.

Economic impact resulted from Thai labours refused to work on certain that such as construction, deep-sea fishery, marine transportation and related deep-sea fishery work. These jobs are dirty, risky, repetition, boring and required hard labours. When Thai labours are inadequate, the business establishments decided to hire alien labours to ease labours shortages in numerous industries which helped speeding the production and services, and reducing labour cost. Besides, the employers/business operators were uninterested in using new technology on own production while the government wasted huge budget in managing illegal aliens labours.

Social impact: Problems created by alien labours grouping together and settling a complex community, completely different from Thai society. The influx of aliens may create disorder and crimes in the city, including problems from the violation of laws such as crimes, drugs, over-staying visitors, child labours, sex selling, human trafficking, and transnational crime, human rights violations.

Health impact: Thai people are being exposed to contagious diseases that some alien labours carried with them. Certain diseases had disappeared from Thailand but became spreading diseases again such as elephantiasis, malaria and tuberculosis. Moreover, the government spending to care for these aliens has increased rapidly and became huge burden as being the case of the public hospitals along the border treating spent money treating more aliens than Thais.

## **CHAPTER III**

### **RESEARCH METHODOLOGY**

This quantitative research was to study problems obstacles and influenced factors in the law enforcement of police officers on the suppression, arrest and prosecution of illegal alien labours working without formal work permit, including employers/smugglers/those harboring illegal aliens and the police officers' understanding on alien labours law enforcement policy through the following research procedures:

#### **3.1 Research Method**

3.1.1 Documentary Research was conducted to study, search and gathered data on causes and channels for human trafficking, impacts from hiring legal alien labours, alien labours administrative and policy in Thailand and overseas, concepts and theories for the laws enforcement, including problems and obstacles from the law enforcement of police officers.

3.1.2 Quantitative Research was done through the constructed questionnaires as the tool to collect data.

#### **3.2 Research Populations**

Research populations were the appointed police officers who received salary from the annual budget of Royal Thai Police in charge of the 206,541 police officers during October 2008 which divided into 33,230 commissioned police officers and 173,311 non-commissioned police officers (Manpower Unit, Royal Thai police, 2008).



### 3.3 Sample Size and Random Sampling

3.3.1 Sample size was determined with the formula of Taro Yamane (Taro Yamane, 1973: 727-728) as follows:

$$n = \frac{N}{1 + N (e)^2}$$

Given e = Miscalculation of sample selection at .05

N = Population size

n = Samples size

Substitute:

$$\begin{aligned} \text{Sample Size} &= \frac{206,541}{1 + 206,541 (.05)^2} \\ &= \frac{206,541}{517.3525} \\ &= 399.2268 \end{aligned}$$

Populations comprised of 206,541 police offices were used to calculate sample size with the formula of Taro Yamane and derived with the exact sample size of 399.2268 police officers. Data were then collected from samples.

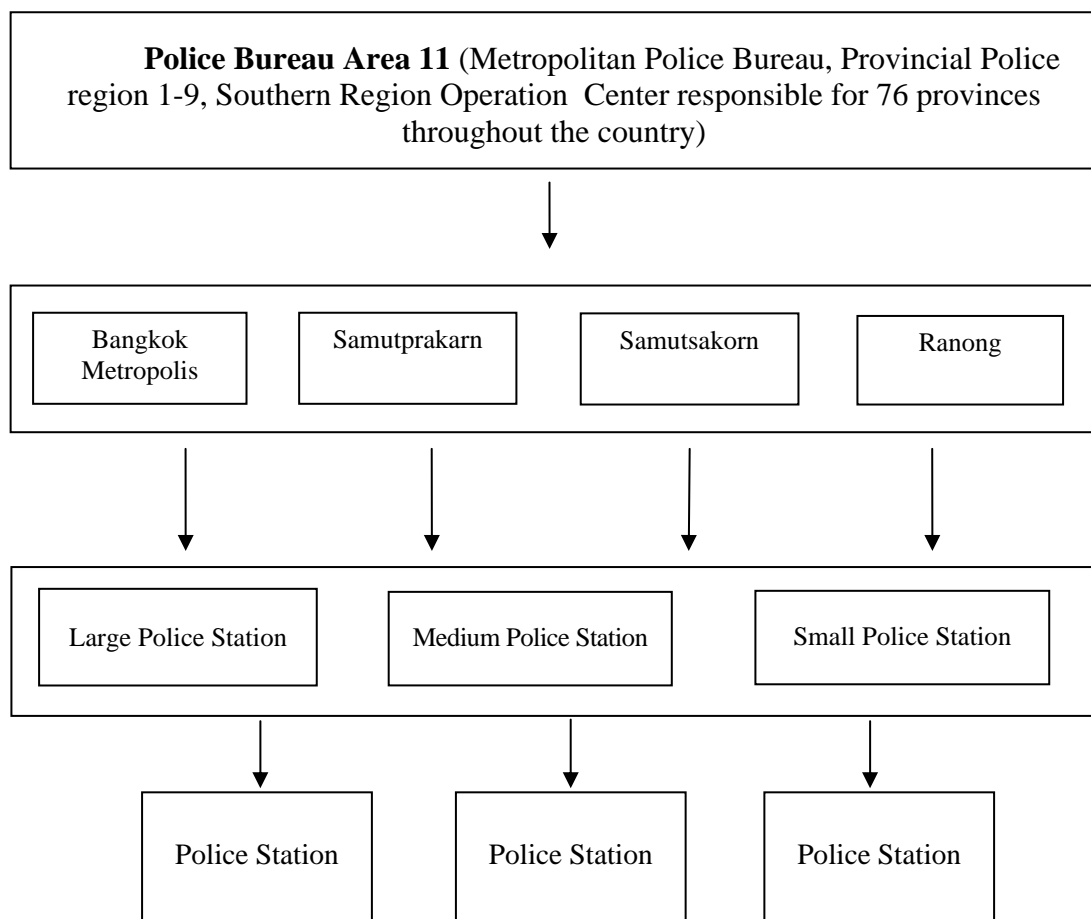
3.3.2 Multistage Sampling was done to derive at the Subject with good characteristics as the area representative assigned to each division in proportion with Sub-population) by using the following approach.

Step 1: Employed Stratified Cluster Sampling to divided areas into 11 Police Bureaus such as Metropolitan Police Bureau, Provincial Police region 1-9 and Southern Operation Center responsible for all 76 provinces. Random Sampling from each Central Bureau and Provinces to choose provinces through Purposive Sampling by selecting the following 4 provinces with the most problems in illegal alien labours: Ranong under Provincial Police Division 8, Samutsakorn under

Provincial Police Division 7, Samutprakarn under Provincial Police Division 1 and Bangkok Metropolitan under Metropolitan Police.

Step 2: Stratified Cluster Sampling was used in each province by dividing police stations into 3 levels: large, medium and small based on numbers of police officers on duties at each station before sampling station in each level which focused on size and police officers.

Step 3: In each police station, Purposive Sampling was used to select the police officers on duties in the police station and in charge of illegal alien labours as being shown in Figure 3.1.



**Figure 3.1** Multistage Sampling Process

**Table 3.1** Research Samples Police Stations

<b>Province</b>	<b>Large Police Stations</b>	<b>Medium Police Stations</b>	<b>Small Police Stations</b>
Bangkok	Payathai	Wang Thong	Thung Kru
Metropolis	Metropolitan Police Station	Lang Metropolitan Police Station	Metropolitan Police Station
Samutprakarn	Muang Samutprakarn Provincial Police Station	Provincial Police Station RachaDeva	Provincial Police Station BangPlee noi
Samutsakorn	Muang Samutasakorn Provincial Police Station	Kratumban Provincial Police Station	Banpaew Provincial Police Station
Ranong	Muang Ranong Provincial Police Station	Pak Nam Provincial Police Station	Lar-un Provincial Police Station

### 3.4 Samples Protection of Rights

In this research, samples were asked to participate voluntarily and informed of their rights, objectives of the research, steps for collecting data and research timeframe, informing their rights to accept or refuse. Moreover, samples could stop their involvement during the research if they were dissatisfied without any reprimand and all data given considered confidential data. All data would be overview so no real name revealed and samples could question the researcher at all times.

### **3.5 Research Tools**

#### **3.5.1 Constructing Questionnaire**

A set of questionnaire constructed as the research toll as follows:

3.5.1.1 Finding data from documents, articles and relevant researches related to illegal alien labours administrative policy working without formal working permit, including the law enforcement of police officers in the suppression, arrest and prosecution of illegal alien labours, including employers/ business operators/ smugglers and those harboring illegal alien labours .

3.5.1.2 Constructed Questionnaires from concepts, theories and relevant researches which divided the contents and structures into 4 parts as follows:

Part 1 contained questions related to the police officers' personal background through the application of Check List in rank, job title, duties, marriage status, age, years in service, monthly income, numbers of dependents , educational levels , specific training on alien labours, experiences working with alien labours, and specific policies or measures on alien labours.

Part 2 contained 15 Close-ended Questionnaires with questions on understanding illegal alien labours policy.

Part 3 contained 18 Close-ended Questionnaires with questions on impacts from illegal alien labours.

Part 4 contained 18 Close-ended Questionnaires with questions on the law enforcement of police officers.

Part 5 contained an Open-ended Questionnaires with a question on problems from performing duties related to illegal alien.

#### **3.5.2 Meaning and Scoring Criteria**

3.5.2.1 Total 15 questions to test understanding on illegal alien labours by determining the criteria for measurement as follows:

Correct	1	point
Incorrect	0	point

Nine correct answers comprised of 1, 2, 3, 4, 8, 10, 11, 13, 14. Then, the respondent would earn 1 point for “correct” answer and 0 for “incorrect” answer.

Six incorrect answers comprised of 5, 6, 7, 9, 12, and 15. Then, the respondent would earn 1 point for “incorrect” answer and 0 for “correct” answer.

Understanding assessment was done with Scoring Rubric through Holistic Rubrics to consider overall scores and determine quality level in 4 levels as follows (Gingkarn Sirisukon, 2010, p.8)

Points	Quality Level
Over 80% correct answers	Excellent
70%-79% correct answers	Good
50%-69% correct answers	Fair
Below 49% correct answers	Need Improvement

3.5.2.2 Total 18 questions regarding impact from illegal alien labours related to the following area:

Economy 8 questions No. 1, 2, 3, 4, 5, 6, 7, 8

Social 6 questions No. 9, 10, 11, 12, 13, 14

Health 4 questions No. 15, 16, 17, 18

Statement on positive opinion based on scoring criteria 0 – 5 as follows:

5 = mostly agree

4 = most agree

3 = moderately agree

2 = less agree

1 = least agree

0 = no opinion or unable to assess

Statement on negative contained 3 questions as No. 8, 11, 16 based on the following criteria.

1 = extremely agree

2 = highly agree

3 = moderately agree

4 = less agree

5 = least agree

0 = no opinion or unable to assess

Likert Scale was used as the criteria for assessing opinion on impact from illegal alien labours, judging on overall mean. Score 0.00 indicated no opinion or unable to assess which identified qualified level in 4 levels as follows:

Average Score	1.00 – 2.00	=	low impact
Average Score	2.01 – 3.00	=	medium impact
Average Score	3.01 – 4.00	=	high impact
Average Score	4.01 – 5.00	=	highest impact

3.5.2.3 Total 18 positive questions on the law enforcement of police officers were used for measuring performance in each area as follows:

Six questions on Suppression comprised of No.1, 2, 3, 4, 5, 6

Five questions on Arrest comprised of No.7, 8, 9, 10, 11

Seven questions on prosecution comprised of No.12, 13, 14, 15, 16, 17, 18

Measure criteria were set from 0 – 5 as follows:

5 = Excellent performance

4 = High performance

3 = Moderate performance

2 = Low performance

1 = Least performance

0 = no performance or unable to assess

The criteria for the law enforcement of police officers based on Likert Scales to assess overall mean scores. Mean score of 0.00 represented non-performance or unable to assess which identified qualified level in 4 levels as follows:

Mean Score	1.00 – 2.00	=	law enforcement at low level
Mean Score	2.01 – 3.00	=	law enforcement at moderate level

Mean Score	3.01 – 4.00	=	law enforcement at high level
Average Score	4.01 – 5.00	=	law enforcement at the highest level

### 3.6 Testing Quality of Tools

Research questionnaires were verified for the content accuracy by the expert from the Ethical Human Research Committee, Office of the President, Mahidol University reference the certified letter SOR TOR 0517.016(1)/1423 dated December 4, 2008. After that, all expert s and advisors recommendations had been incorporated into the questionnaires.

Later, amended questionnaires were tested with 30 police officers in the suppression and arrest of 30 alien labours in Choburi before finding Reliability Coefficient of the scores with Cronbach's coefficient of alpha (Cronbach, L. J., 1951, p.297-334). Reliability Coefficient higher than 0.7 was acceptable (Nunnally, 1978) and indicated reliability for applying with samples' data collection. Findings from testing Reliability revealed the following opinions on alien labours impacts:

Economy	=	0.7432
Social	=	0.7110
Health	=	0.7077
Overall	=	0.8224
Law enforcement on suppression	=	0.8190
Law enforcement on arrest	=	0.8350
Law enforcement on prosecution	=	0.9130
Overall Laws Enforcement	=	0.9315

### 3.7 Data Collection

The questionnaires were mailed to police officers at each police station to reach the sample quickly and conveniently as stated in Table 3.1 with further plan.

3.7.1 The researcher sent a letter to the selected samples to formally introduce himself , project names and research objectives and informed samples of their rights to participate in the research.

3.7.2 Mailing the questionnaires and documents to each research participant at his workplace, including an envelope and stamps for the participant to

sent back. The response rate was only 50%-60% (Bailey, 1987, p.162). Therefore, the researcher sent 40 sets of questionnaires to samples at each police station which totaled to 120 sets per each province. Samples were asked to return the questionnaires within 20 days, counting from the date received questionnaires. The researcher also contacts co-workers in the Metropolitan and Provincial Police Stations to help coordinating work.

3.7.3 Starting to collect data on January 20, 2009 for 20 days. From the mailed 480 sets of questionnaires, samples first returned 80-90 sets of complete questionnaires or 66.67%-75.00% (based on 120 sets). Then, second follow-up was done with the assistance of co-workers in the Metropolitan and Provincial Police Stations To telephone samples for returning the questionnaires until all were sent, 100 sets per each province as plan. Mail returning rate 2<sup>nd</sup> time was 83.33 (calculated from 120 sets and 100 returned questionnaires) which concurred with research results of National Education Association of USA that gathered returned questionnaires first time 63.4% and second time 83.6% (Isaac and Michael, 1982, p.134). Moreover, the research of Heberlrin and Baumgartner showed the return of questionnaires 48.1%. The follow-up was done 3 times with 68% response rate in the 1<sup>st</sup> time, 79.7% response rate in the 2<sup>nd</sup> time and 89.9% response rate in the 3<sup>rd</sup> time (Gall et al., 1996, p.303).

3.7.4 Data were collected from January 20, 2010 to February 25, 2010.

### **3.8 Data Analysis**

Quantitative data derived from mailing questionnaires to the sample police officers were compiled for results with SPSS for Windows Version 16.0 and analyzed with the following statistical approaches:

3.8.1 Frequency and Percentage for explaining general characteristics of samples as Nominal or Ordinal levels

3.8.2 Mean and Standard Deviation for explaining general characteristics of samples, including numerous variables as interval or Ratio.

3.8.3 Pearson Correlation Coefficient for testing associations between independent variables effecting the law enforcement of police officers. Stepwise



Multiple Regression was used to search for relevant predictor to the law enforcement of police officers as to build the Regression Equation from raw scores as follows:

$$\mathbf{Y} = \mathbf{b}\mathbf{x} + \mathbf{c}$$

Given

Y	=	Scores of predicted variables
b	=	Multiple Coefficient of Raw Scores (slope of regression)
x	=	Raw Scores
c	=	value

Mathematic Equation

$$F = \frac{MS_{Regression}}{MS_{Error}}$$

$$MS_{Regression} = \frac{SS_{Regression}}{k}$$

$$MS_{Error} = \frac{SS_{Error}}{n - p}$$

Degree of freedom derived from

Total = n-1

$$\text{Error} = n - p$$
$$\text{Regression} = k = \text{Total} - \text{Error}$$

### Determined Variables Codes

Code	Variables Codes	Value on Points
AGE	Individual Age	Real numbers
INCOME	Monthly Income	Real numbers
POS	Occupation Title	0 = Non-commissioned police 1=Commissioned police

**Determined Variables Codes (cont.)**

<b>Code</b>	<b>Variables Codes</b>	<b>Value on Points</b>
STA	Marriage Status	0=Unmarried 1=Married
EDU	Educational level	0=Undergraduate 1=Post Graduate
MEMBER	Dependents	Commissioned Police
TRAIN	Training on Alien Labours	Commissioned Police
EXP	Work Experiences	Commissioned Police
ECO	Economic Impact	0-5
SOC	Social Impact	0-5
HEA	Health Impact	0-5
KNOW	Understanding and understanding on Alien Labours administrative policies	0-15
ENF	Law Enforcement	0-5

**3.9 Conclusions**

The Quantitative Research was conducted to collect data through the constructed questionnaires. Research samples were selected among 206,541 police officers from the Royal Thai Police with the application of Taro Yamane and Multistage Sampling to derive with 400 samples. Bangkok Metropolis, Samutprakarn, Samutsakorn and Ranong were 4 chosen Provinces for gathering data due to problems in alien labours occurred most in these areas. Police Stations in each station were divided into 3 levels: large, medium and small. In each station, police officers were selected through Purposive Sampling, specifically those working in the Police Station on illegal alien labours.

Research questionnaires were divided into 4 parts as follows: Part 1 concerned with police officers personal data such as rank, position, duties, age, and years in service, marriage status, educational level, monthly income, and numbers of dependents, work experiences and specific training on alien labours. Part 2 concerned with the understanding on illegal alien labours administrative policy. Part 3 related to

the opinions on impacts from illegal alien labours. Part 5 concerned with problems from performing duties on alien labours, including opinions and suggestions.

Testing the quality of tools was done with the Cronbach's Coefficient of Alpha. Data were collected from January 20 – February 25, 2010 and conducted quantitative analysis to compile results with the computerized SPSS 16.0 for Window. The analysis was done through statistical methods of Frequency, Percentage, Mean, Standard Deviation and Pearson Correlation Coefficient. In order to find the correlations between the influenced predictor and the law enforcement of police officers, Multiple Regression was employed to analyze factors effecting the police officers' law enforcement.

## CHAPTER IV

### RESULTS AND DISCUSSION

The constructed questionnaire was used to collect data from police officers on duty at the police station and performed duties on illegal alien labours. Samples were selected from Ranong, Samutsakorn, Samutprakarn and Bangkok Metropolis. Total 400 sets of questionnaire were mailed to samples and all (100%) returned. Data were collected from January 20-February 25, 2010.

#### 4.1 Research Results and Discussions

Research results were divided into 6 parts as follows:

Part 1: Personal background

Part 2: Knowledge on illegal alien labours

Part 3: Impacts from illegal alien labours

Part 4: The law enforcement of police officers

Part 5: Factors effecting the law enforcement of police officers

Part 6: Specific policies and problems on illegal aliens labours

Analysis of such data comprised of questions, independent and dependent variables, numbers of items and level of data measurement.

**Table 4.1** Number and Measurement Level of Questions and Independent and Dependent Variables

Questions Areas	Number	Measurement Level
Rank	1	Nominal
Duties	1	Nominal
Years in Service	1	Ratio
Policies or specific measures on alien labours	1	Nominal

**Table 4.1** Number and Measurement Level of Questions and Independent and Dependent Variables (cont.)

Questions	Number	Measure Level
<b>Independent Variables</b>		
Age	1	Ratio
Monthly Income	1	Ratio
Position	1	Nominal
Marriage Status	1	Nominal
Educational Level	1	Ordinal
Official Tenure	1	Ratio
Dependents	1	Ratio
Training on Illegal Alien Labours subject	1	Ratio
Understanding on Alien Labours management Policy	15	Interval
Impacts from Illegal Alien	18	Interval
<b>Dependent Variables</b>		
Law Enforcement	18	Interval

Analysis results of acquired data from questions, independent and dependant variables yielded the following explanations:

### **Part 1: Police Officers Personal Background**

A Check List was used to learn about their background in rank, position, duties, age, years in services, marriage status, educational level, monthly income, numbers of dependents, work experiences related to alien labours and specific training on alien labours as being shown in table 4.2.

**Table 4.2** Number and Percent of Sample Background

n=400

<b>Personal Background</b>	<b>Number</b>	<b>Percent</b>
<b>Rank</b>		
Police Lance Corporal-Police Sergeant	38	9.5
Police Sergeant Major- Senior Sergeant Major	270	67.5
Police Sub-Lieutenant – Police Captain	57	14.3
Police Major – Police Lieutenant Colonel	30	7.5
Police Colonel	5	1.3
<b>Title</b>		
Group commander	308	77.0
Deputy Inspector.	56	14.0
Police inspector- Deputy superintendent	31	7.8
Superintendent	5	1.3
<b>Duties</b>		
Investigation	67	16.8
Inquiry	6	1.5
Suppression	289	72.3
Traffic	38	9.5
<b>Marriage Status</b>		
Unmarried	65	16.3
Married	330	82.5
Widow/Divorce/Separate	5	1.3
<b>Age</b>		
Under 30 years	1	0.3
30 – 34 years	61	15.3
35 – 39 years	89	22.3
40 – 44 years	143	35.8
45 – 49 years	39	9.8
50 – 54 years	55	13.8
Over 55 years	12	3.0
The youngest 24 years, the oldest 60 years, average age 41.3 years		

**Table 4.2** Number and Percent of Sample Background (cont.)

n=400

<b>Personal Background</b>	<b>Number</b>	<b>Percent</b>
<b>Years of Service from first appointment</b>		
Under 6 years	5	1.3
6 – 10 years	51	12.8
11 – 15 years	120	30.0
16 – 20 years	127	31.8
21 – 25 years	33	8.3
26 – 30 years	22	5.5
Over 31 years	42	10.5
Minimum 1 year, maximum 38 years, average 18.02 years		
<b>Monthly Income</b>		
Under 10,000 baht	5	1.3
10,000 – 14,999 baht	77	19.3
15,000 – 19,999 baht	187	46.8
20,000 – 24,999 baht	102	25.5
Over 25,000 baht	29	7.3
Minimum earnings 9,000 baht/month, maximum earnings 37,000 baht/month, average earning 18,266.83 baht/month		
<b>Dependent</b>		
None	60	15.0
1 – 2 persons	148	37.0
3 – 4 persons	178	44.5
Over 5 persons	14	3.5
<b>Completed education</b>		
Certificate/Mucher Certificate/ Upper Secondary School	177	44.3
Bachelor Degree	186	46.5
Master Degree	37	9.3

**Table 4.2** Number and Percent of Sample Background (cont.)

n=400

<b>Personal Background</b>	<b>Number</b>	<b>Percent</b>
<b>Training on alien labours program</b>		
Never been trained	294	73.5
1 – 2 times	84	21.0
3 – 4 times	10	2.5
Over 5 times	12	3.0
<b>Experiences in Suppression/Arrestment/ Prosecution of alien labours</b>		
None	83	20.75
1-4 years	53	13.25
5-10 years	105	26.25
11-14 years	54	13.5
15-20 years	100	25
Over 21 years	5	1.25

Findings from Table 4.2 that most respondents or 67.5% held the rank of Police Sergeant Major –Police Senior Sergeant Major, followed by Police Sub-Lieutenant-Police Captain and Police Lance Corporal-Police Sergeant at 14.3% and 9.5, respectively. The least number or 1.3% was Police Colonel. Total 77.0% held the rank of squad leader followed by 14.9% of Deputy Inspector and 7.8% of Police inspector- Deputy superintendent, respectively whereas 72.3% were responsible for suppression, followed by investigation and traffic details 9.5%, respectively.

Most respondents 82.5% married, only 1.3% widow, divorced or separated. Majorities or 35.8% aged from 40 years to 44 years, followed by 35-39 years and 30-34 years at 22.3% and 15.3%, respectively, by average 41.3 years.



Most respondents 31.8% had about 16-20 years in service, starting from the first appointment, followed by 30.0% with 11-15 years in service and the average years of service about 18.02 years.

Most respondents 46.8% earned monthly income from 15,000 baht to 19,999 baht, followed by 20,000 baht to 24,999 baht and 10,000 baht to 14,999 baht at 25.5% and 19.3%, respectively, by average 18,266.83 baht per month. Majorities or 44.5% had 3-4 dependents, followed by 1-2 dependents and no dependent, 37.0% and 15.0%, respectively.

Most respondents had high education in close proportion, starting with Bachelor Degree 46.5%, followed by 44.3% completed certificate, higher certificate or upper secondary school.

Most respondents or 73.5% had never been trained on alien labours , followed by training 1-2 times at 21.0% on suppression, retain aliens for deportation, alien occupations, alien living in Thailand , proving nationality , laws on alien trafficking, formal hiring under Memorandum of Understanding on Cooperation in the alien employment, preparing alien work history, learning problems on illegally entered the country from Cambodia, Burma, and Laos, making registration for alien labours, checking alien labours ID and their status, delivering court summon the witness, entering the Kingdom without permit, alien employment without valid permit and controlling contagious diseases.

Most respondents or 26.25% had experience suppression, arrestment and prosecution of alien labours from 5-10 years; followed by 13.5% with 11-14 years experiences and 20.75% had none.

## Part 2: Understanding on Illegal Alien Labours Management Policy

**Table 4.3** Number and percent of understanding on Illegal Alien Labours Management Policy by item

n=400

Statement	Correct	%
	Answers	
1. Alien labours system arranged by the Ministry of Labours is the integrated performance of the following 5 major agencies: Ministry of Interior, Ministry of Labours, Ministry of Public health, Ministry of Defense and the Royal Thai Police.	376	94.0
2. Alien labours with formal work permit must be sponsored by the employers and registered as required by law.	373	93.3
3. The Cabinet resolution gave the leniency to illegal aliens with 3 specific nationalities (Burmese, Laos and Cambodia) to stay temporarily in the Kingdom and work while awaiting deportation.	369	92.3
4. Businesses that allowed the hiring of alien labours are 1) Farming/growing fruits    2) mining    3) ceramics 4) constructed boat pillar    5) rice mill    6) raising animals 7) Sea fishery /related businesses    8) moving merchandises in the warehouses 9) maid    10) specific type of businesses	329	82.3
5. Individual can enter or leave the Kingdom through any channels.	315	78.8
6. Legal alien labours should keep the work permit at the workplace without carrying with him at all times	357	89.3
7. Documents to support registration of alien (TR.38/1) must be accompanied by photo, but no need for the fingerprint.	315	78.8

**Table 4.3** Number and percent of understanding on Illegal Alien Labours Management Policy by item (cont.)

n=400

Statement	Correct answers	Percent
8. The Royal Thai Police had focused mainly on the suppression of employers/business operators/ smugglers/ those harboring illegal alien.	324	81.0
9. In the arrestment of alien labours, it is forbidden to investigate further, leading to the arrestment of employers/business operators/ smugglers and those harboring illegal aliens.	257	64.3
10. The main targets of suppression illegal alien labours are factory, business establishments without authorization to hire illegal alien labours.	351	87.8
11. Normal targets are general work places such as restaurants or gathering places for illegal alien labours.	355	88.8
12. Authorized business establishments for hiring illegal alien labours do not need the officers to check for illegal hiring alien labours.	289	72.3
13. Alien labours with Burmese, Laos and Cambodian nationalities whose work permits expired February 28, 2008 can stay in the Kingdom waiting for deportation, not exceeding 2 years or February 28, 2010.	360	90.0
14. Approval for alien labours holding Burmese, Laos and Cambodia nationalities working in the Kingdom is the Ministry of Labour's responsibility.	278	69.5
15. Issuing the work permit is the duty of Employment Department, Ministry of Labour.	37	9.3

Table 4.3 94.0% of samples answered correctly on alien labours system arranged by the Ministry of Labours as the integrated performance of the following 5 major agencies: Ministry of Interior, Ministry of Labours, Ministry of Public health, Ministry of Defense and the Royal Thai Police.

Followed by item on alien labours with formal work permit must be sponsored by the employers and registered as required by law, The Cabinet resolution gave the leniency to illegal aliens with 3 specific nationalities (Burmese, Laos and Cambodia) to stay temporarily in the Kingdom and work while awaiting deportation, Alien labours with Burmese, Laos and Cambodian nationalities whose work permits expired February 28, 2008 can stay in the Kingdom waiting for deportation, not exceeding 2 years or February 28, 2010. Most answered correctly 93.3% , 92.3% and 90.0 %, respectively.

The issue mostly answered incorrect only 9.3% answered incorrectly regarding the issuing the work permit is the duty of Department of Labours. As a matter of fact, it is the responsibility of Administrative Department, Ministry of Interior, followed by arresting alien labor and forbidding lead to the arrest of employers/business operators /smugglers/ those harboring alien correct answer 64.3%, but the correct answer is allowing the lead to arrest of the above-mentioned people. Regarding issuing the work permit is the duty of Employment Department, Ministry of Labour, only 69.5% of samples did not know and on the item Authorized business establishments for hiring illegal alien labours do not need the officers to check for illegal hiring alien labours, only 72.3% answered correctly and the correct answer are is the authorized business establishments for hiring illegal alien labours only need to check for illegal hiring alien labours only.

All these questions showed that the respondents understood the alien management policies quite well, but failed to understand the procedures for approval and issue work permit, including suppression plan for illegal alien labours of Royal Thai Police.

**Table 4.4** Number and Percent of Samples' understanding level on Illegal Alien Labours Issue

n=400

<b>Correct</b>	<b>Knowledge/Understanding Level</b>	<b>Number</b>	<b>Percent</b>
Over 80 %	Excellent	250	62.5
70%-79%	Good	53	13.3
50%-69%	Fair	92	23.0
Under 49 %	Improved	5	1.3
<b>Total</b>		<b>400</b>	<b>100</b>

Table 4.4 62.5% of samples had excellent understanding of illegal alien labours, followed by 23.0% fair understanding and 13.3%, good understanding. Overall, most police officers had good to excellent Understanding , judging from answering correctly over 70% equaled to 303 samples and75.8%.

### **Part 3: Impacts from Illegal Alien Labours**

**Table 4.5** Number and Percent of Samples' Opinion regarding Impacts from Illegal Alien Labours on Economy

n=400

<b>Economic Impact</b>	<b>Number</b>	<b>Percent</b>
Low	0	0.00
Moderate	34	8.5
High	284	71.0
Highest	82	20.5
<b>Total</b>	<b>400</b>	<b>100.00</b>

Table 4.5 71.0% of the samples much agree from illegal alien labours impact on economy, followed by 20.5% most agree and 8.5% moderately agree.

**Table 4.6** Number and Percent of Samples' Opinion regarding Impacts from Illegal Alien Labours on Society

n=400

<b>Social Impact</b>	<b>Number</b>	<b>Percent</b>
Low	8	2.0
Moderate	52	13.0
High	237	59.3
Highest	103	25.8
<b>Total</b>	<b>400</b>	<b>100.00</b>

Table 4.5 59.3% of the samples much feel with illegal alien labours impact economy, followed by 25.8% most feel and 13.0% moderately feel with only 2.0% feel little.

**Table 4.7** Number and Percent of Samples' Opinion on Impacts from Illegal Alien Labours on Public Health

n=400

<b>Public Health Impact</b>	<b>Number</b>	<b>Percent</b>
Low	5	1.3
Moderate	89	22.3
High	180	45.0
Highest	126	31.5
<b>Total</b>	<b>400</b>	<b>100.00</b>

Table 4.7 45.0% of samples felt high impact from illegal alien labours on public health, followed by 31.5% highest impact and 22.3% moderate impact 22.3%.

**Table 4.8** Mean and Standard Deviation of Opinion on Impacts from Illegal Alien Labours

n=400

No.	Impact	Impact Level	Standard Deviation	Mean
1	Public Health	Much	0.85	3.94
2	Economy	Much	0.64	3.88
3	Social	Much	0.65	3.86
<b>Total Impact</b>		<b>Much</b>	<b>0.50</b>	<b>3.88</b>

Table 4.8 Most samples feel impacts from having illegal alien labours. Overall impacts were at much level with the mean 3.88. Judging impacts in each area, respondents feel much impact on public health, economy and social with the mean 3.94, 3.88 and 3.86, respectively.

**Table 4.9** Mean and Standard Deviation of Opinion on Impacts from Illegal Alien Labours by item

n=400

No.	Impact	Impact Level	Mean	Standard Deviation
1	Economic differences between Thailand and the neighboring countries as the attractive force drawing alien labours.	High	4.61	0.54
2	Alien labours caused crime rate to increase.	High	4.31	0.97

**Table 4.9** Mean and Standard Deviation of Opinion on Impacts from Illegal Alien Labours by item (cont.)

n=400

No.	Impact	Impact Level	Mean	Standard Deviation
3	Hiring illegal alien labours caused community expansion and became another complex community in Thai society.	High	4.27	0.75
4	Alien labours became sick with acute leprosy; tuberculosis and Elephantiasis were prohibited from obtaining work permit.	More	4.25	1.06
5	The government lost huge budget in administering alien labours.	Highest	4.15	1.04
6	Hiring alien labours is essential for deep-sea fishery and construction.	Highest	4.10	0.91
7	Hiring illegal alien labours reduced the production cost.	Highest	4.05	0.88
8	Alien labours are diseases carriers from own country.	High	3.92	1.21
9	Alien Labours Management Policy favored employers/ business operators.	High	3.91	0.88
10	Alien labours earned Little wages than Thai Labours.	High	3.84	1.09



**Table 4.9** Mean and Standard Deviation of Opinion on Impacts from Illegal Alien Labours by item (cont.)

n=400

No.	Impact	Impact Level	Mean	Standard Deviation
11	Most alien labours working in Thailand were illegal labours.	More	3.67	1.17
12	Most business operators/employers are facing skilled – labours shortages.	More	3.55	1.29
13	Hiring alien labours made the employers / business establishments failed to apply new technology to develop own products.	More	3.48	1.00
14	Alien labours do not need public health check-up for obtaining the work permit.	High	3.47	1.73
15	Alien labours are allowed to work in some business which may cause poor public health service.	High	3.26	1.17
16	Hiring alien labours created problems on alien labours bonding together.	High	3.25	1.29

**Table 4.9** Mean and Standard Deviation of Opinion on Impacts from Illegal Alien Labours by item (cont.)

n=400

No.	Impact	Impact Level	Mean	Standard Deviation
17	Existing alien labours stay together as the family, having children and do not have problems in nationality	Moderate	2.38	1.66
18	Alien labours quit their jobs more frequent than Thai labours.	Moderate	2.18	1.17

**Table 4.9 Samples agreed to each items as follows:**

The most impact in descending order were differences on economic status between Thailand and the neighboring countries was the attractive force drawing the labours, increasing crime and community expanded into another complex society. Besides, aliens labours had developed acute leprosy, and tuberculosis and elephantiasis were forbid from obtaining the work permit.

Effects are explained as follows, the government wasted huge budget on manage illegal alien labors. However, alien labours were essential for deep sea fishery, construction. Hiring illegal alien reduced the production cost. Moreover, illegal aliens brought disease with them from their countries. The alien management policy is considered favor employers/ business establishment and alien labors earned low wages than Thai labours. Most aliens working in Thailand entered the country illegally. However, hiring alien labours made the employers / business establishments failed to apply new technology to develop own products and alien labours do not need public health check-up for obtaining the work permit. Apart from that the effects are moderate.

### Part 4: Law Enforcement of Police Officers

**Table 4.10** Suppression Number and Percent

n=400

<b>Law Enforcement in Suppression</b>	<b>Number</b>	<b>Percent</b>
Low	0	0.0
Moderate	54	13.5
High	198	49.5
Highest	148	37.0
<b>Total</b>	<b>400</b>	<b>100.00</b>

Findings from Table 4.10 indicated that most respondents or 49.5% enforcing the law in suppression more and followed by the most suppression 37.0%, and moderate suppression 13.5%, respectively.

**Table 4.11** Arrestment Number and Percent

n=400

<b>Law Enforcement in Arrestment</b>	<b>Number</b>	<b>Percent</b>
Less	2	0.5
Moderate	95	23.8
More	152	38.0
Most	151	37.8
<b>Total</b>	<b>400</b>	<b>100.00</b>

Findings from Table 4.11 indicated that most respondents or 38.0% enforcing the law in arrestment more and followed by the most arrestment 37.8%, moderate arrestment 23.8%, and less arrestment .05, respectively.

**Table 4.12** Prosecution Number and Percent

n=400

<b>Law Enforcement in Prosecution</b>	<b>Number</b>	<b>Percent</b>
Less	7	1.8
Moderate	123	30.8
More	131	32.8
Most	139	34.8
<b>Total</b>	<b>400</b>	<b>100.00</b>

Findings from Table 4.1 indicated that most respondents or 34.8% enforcing the law in prosecution the most, followed by more prosecution 32.8%, moderate prosecution 30.8%, and less prosecution 1.8%, respectively.

**Table 4.13** Total Mean and Standard Deviation of Law Enforcement by Police Officers

n=400

<b>No.</b>	<b>Law Enforcement</b>	<b>Operation Level</b>	<b>Mean</b>	<b>Standard Deviation</b>
1	Suppression	Most	4.17	0.67
2	Arrestment	Most	4.05	0.87
3	Prosecution	More	3.76	0.97
<b>Total Law Enforcement</b>		<b>Most</b>	<b>4.03</b>	<b>0.78</b>

Table 4.13 By all, samples enforce the law most with Mean 4.03. Judging each area, samples enforced the law most in suppression and arrestment with average 4.17 and 4.05, respectively, followed by more in the prosecution with Mean 3.76.

**Table 4.14** Mean and Standard Deviation of Law Enforcement by Police Officers by item  
n=400

No.	Duties	Performance Level	Mean	Standard Deviation
1	You have checked on the work permit of alien labours.	Most	4.26	0.81
2	You have checked the suspect of being illegal alien labours.	Most	4.23	0.77
3	You have arrestmented the alien labours changing residency or workplace without approval.	Most	4.11	0.88
4	You have checked on the workplaces unauthorized hiring illegal alien labours.	Most	4.11	0.87
5	You have prosecuted alien labours working even though the work permit had been expired.	More	4.00	1.00
6	You have investigated on the alien labours smuggling channel and workplaces hiring illegal alien labours.	More	3.85	0.85
7	You have checked on the permit to hire illegal alien at the large construction site employed huge numbers of labours.	More	3.81	1.00

**Table 4.14** Mean and Standard Deviation of Law Enforcement by Police Officers by item  
(cont.)

n=400

No.	Duties	Performance Level	Mean	Standard Deviation
8	You have set up the checkpoint on the route frequently used in smuggling alien labours into the country.	More	3.74	0.94
9	You have prosecuted alien labours staying in The Kingdom even the permit had expired.	More	3.69	0.98
10	You have arrestment the alien labours entering the Kingdom without the work permit	More	3.68	1.12
11	You have arrestment the alien labours who had not carrying the work permit while working	More	3.63	1.08
12	You have checked on the permit to hire illegal alien at the large construction site employed huge numbers of labours.	More	3.61	1.00
13	You have prosecuted employers/ business establishments hiring illegal alien labours to do different work from stating in the work permit.	More	3.59	1.05

**Table 4.14** Mean and Standard Deviation of Law Enforcement by Police Officers by item  
(cont.)

n=400

No.	Duties	Performance Level	Mean	Standard Deviation
14	You have prosecuted employers/ business establishments hiring illegal alien labours without the work permit.	More	3.59	0.87
15	You have prosecuted alien labours working even though the work permit had been expired.	More	3.57	1.05
16	You have prosecuted home owners harboring illegal alien labours.	More	3.56	1.01
17	You have prosecuted the home owner helping illegal alien to avoid being captured.	More	3.55	1.06
18	You have arrestment the alien labours working differently from being stated in the work permit.	More	3.52	1.10

Table 4.14 Results of Multiple Regression Analysis indicated that the police officers enforce the law most in checking the work permit of alien labours and suspects entering the country illegally. Apart from that law enforcement is more in arresting alien labours changing residency or workplace without authorization, checking business establishment hiring illegal alien labours without permit, arrest

illegal alien labors, investigate news on getting alien illegal labours and the business establishment hiring illegal aliens for work, checking employer; permit to hire illegal alien labours in large construction site usually employed huge labours and set up the checkpoint along the route that aliens used for entering the country.

The police officers enforce the law at high level because the Royal Thai Police, having the Crime Prevention and Control Division prepare manual for checking, arresting and prosecution of alien labours/ employer/ those harboring aliens/business establishments/smugglers in 2005 for the operation unit used as a work manual for practicing, checking and suppression illegal aliens and responsible party. The focus is on checking aliens and arrest employer s and home owners who aided them, Check the said documents and learn about penalty thoroughly (Royal Thai Police, 2005, p.17-20). Such manual is the instrument helping the police officers to gain confidence in law enforcement and also work effectively.

### **Part 5: Factors affecting the Law Enforcement of Police Officers**

Analysis of factors effecting the law enforcement of Police officers in suppression, arrestment and prosecution of illegal alien labours and aliens working without the valid work permit through Stepwise Multiple Regression based on the following variables:

Dependent Variables such as the law enforcement of police officers comprised of age, monthly income, marriage status, educational level, and numbers of dependent, training on alien labours, work experiences, economic, social and public health impacts resulted from illegal alien labours and understanding on alien labours management policy.



**Determine Variable Coding**

<b>Code</b>	<b>Variable</b>	<b>Score</b>
AGE	Individual Age	Actual number
INCOME	Monthly Income	Actual number
POS	Position	0=non-commissioned 1=commissioned
STA	Marriage Status	0=unmarried 1=married
EDU	Educational Level	0=Undergraduate 1=Post graduate
MEMBER	Numbers of dependents	Actual number
TRAIN	Training on alien labours subject	Actual number
EXP	Work Experiences	Actual number
ECO	Economic Impact	0-5
SOC	Social Impact	0-5
HEA	Public health Impact	0-5
KNOW	Understanding of alien labour management policy	0-15
ENF	The law enforcement of police officers	0-5

When conducting Multiple Regression, the condition is independent variables must not relate Muchly to avoid problem in “Multicollinearity” which may make Regression coefficients miscalculated (Chtterjee and Price, 1977, p.155, Studenmund, 1992, p.264). Then, before conducting Multiple Regression, the researcher had found correlations of research variables which appeared in Correlation coefficients as being shown in Table 4.15.

**Table 4.15** Correlation Coefficients of age, monthly income, marriage status, educational level, dependents, training on alien labours, work experiences, economic, social and public health impacts from illegal alien labours and sample' Understanding on alien labours management policy

n = 400

Variable	Age	Dependents	Training	Work Experiences	Education	Title	Marriage Status	Knowledge	Economic Impact	Social Impact	Public health Impact	Law Enforcement
Income	.680**	.170**	.193**	.243**	.193**	.304**	.274**	.008	-.049	.081	.002	.125*
Age		.157**	.176**	.200**	-.028	.017	.469**	-.022	-.122*	.126*	-.047	.136**
Dependents			.207**	.267**	-.139 **	.032	.114*	.135**	.164**	.143**	.183**	-.098
Training				.274**	-.125-	.061	.153**	-.130 **	-.029	.228**	.132**	-.065
Work Experience					-.226 **	-.159 **	.287**	.026	.035	.024	.354**	.021
Education						.487**	-.092	.270**	.116*	-.114*	.017	.163**
Occupation Title							-.323**	.212**	-.019	.236**	.199**	.198**
Marriage Status								.001	-.019	.236**	.199**	.198**
Understanding									.257**	.064	.213**	.351**
Economic Impact										-.042	.368**	.171**
Social Impact											.339**	.058
Public health Impact												.153**

\*\* Statistical Significance .01

\* Statistical Significance .05

**Table 4.15 revealed the following correlations**

Monthly income correlated with age, dependents, training on alien labours, educational level and marriage status, having statistical significance 0.01  $r = .680, .170, .193, .193, .304$  and  $.274$ , respectively and also correlated with the law enforcement of police officers with statistical significance 0.05 ( $r = .125$ ).

Age correlated with dependents, training on alien labours, marriage status, having statistical significance 0.01  $r = .157, .176$  and  $.469$ , respectively and correlated with economic and social impacts, having statistical significance 0.05  $r = -.122$  and  $.126$ , respectively and also correlated with the law enforcement of police officers with statistical significance 0.01 ( $r = .136$ ).

Dependents correlated with training on alien labours, work experiences, educational level, Understanding on alien labours management policy, economic, social and public health impacts, having statistical significance 0.01  $r = .207, .267, -.139, .114, .135, .164, .143$  and  $.183$ , respectively and correlated with the marriage status, having statistical significance 0.05  $r = .114$

Training on alien labours correlated with working experiences, marriage status, Understanding on alien labours management policy, social and public health status, having statistical significance 0.01  $r = .274, .153, -.130, .228$  and  $.132$ , respectively.

Work experiences correlated with educational level, position, marriage status and public health impact, having statistical significance 0.01  $r = -.226, -.159, .287$  and  $.354$ , respectively.

Educational level correlated with position, and understanding on alien labours management policy, having statistical significance 0.01  $r = .487$  and  $.270$ , respectively, and correlated with economic and social impacts at statistical significance 0.05  $r = .116$  and  $-.114$ , respectively and also correlated with the law enforcement of police officers with statistical significance 0.05 ( $r = .163$ ).

Position correlated with marriage status, understanding alien labours management policy, social and public health impacts, having statistical significance 0.01  $r = -.323, .212, .236$  and  $.199$ , respectively and also correlated with the law enforcement of police officers with statistical significance 0.01 ( $r = .198$ ).

Marriage status correlated with social and public correlated with the law enforcement of police officers with statistical significance 0.01 ( $r = .198$ ).

Understanding on alien labours management policy correlated with economic and public health impacts, having statistical significance 0.01  $r = .257$  and  $.213$ , respectively and also correlated with the law enforcement of police officers with statistical significance 0.01 ( $r = .213$ ).

Economic impact correlated with public health impact, having statistical significance 0.01 ( $r = .368$ ) and also correlated with the law enforcement of police officers with statistical significance 0.01 ( $r = .171$ ).

Social impact correlated with public health impact, having statistical significance 0.01 ( $r = .125$ ).

Public health impact correlated with the law enforcement of police officers with statistical significance 0.05 ( $r = .153$ ).

Such variables had the Correlation Coefficients from 0.114 – 0.680, having no other independent variables over 0.8 (Chtterjee and Price, 1977, p.156, Studenmund, 1992, p.273, Tabacnick and Fidell, 2001, p.83) which may cause “Multicollinearity”. The researcher decided to conduct Stepwise Multiple Regression, using age, monthly income, position, marriage status, educational level, numbers of dependents training on alien labours, work experiences, understanding on alien labours management policy, economic, social and public health impacts as the predictors whereas the Mean of law enforcement by police officers was the criteria which had adapted as Log Scale to make it more standardize. Analysis results are shown on Table 4.16-4.19 as follows:

**Table 4.16** Minimum, Maximum, Mean and Standard deviation of variables used for analysis of Multiple Regression

<b>Variables</b>	<b>Less Value</b>	<b>Most Value</b>	<b>Mean</b>	<b>Standard Deviation</b>
Age	24	60	41.30	6.63
Monthly Income	9,000	37,000	18,266.83	4,638.16
Position	0	1	.23	.42
Marriage Status	0	1	.84	.37
Educational Level	0	1	.56	.50
Dependents	0	6	2.31	1.38
Numbers Training on Alien Labours	0	15	.67	1.74
Work Experiences	0	25	9.30	7.26
Understanding Illegal Alien Labours	7	14	11.71	1.64
Economic Impact	2	5	3.88	0.64
Social Impact	2	5	3.86	0.65
Public health Impact	2	5	3.94	0.85
Law Enforcement	2	5	4.03	0.78

Findings from Table 4.16 indicated that the minimum age of samples was 26 years and maximum 60 years with age 41 years, the minimum monthly incomes 9,000 baht and maximum 37,000 baht with average income 18,266 baht. Moreover, position, marriage status and educational level were acting as Dummy Variables. Findings revealed that majorities graduated with Bachelor Degree and hold the title of squad leader which was not at the commissioned level and married . Most of samples had never been trained to deal with alien labours (294). The maximum per officer was 15 times whereas some had no work experiences (83 ). An officer had maximum 25 years work experiences whereas average work experiences ran at 9 years. Some had no dependents (90 police officers) and some had as much as 6 dependents.

Regarding the understanding on illegal alien labours management policy, there were 15 questions. Most correct answers were 14 and least at 7 correct answers, having health, economy and social impacts at much level , with the Mean 3.94, 3.88, 3.8, respectively.

**Table 4.17** Results from Multiple Regression Analysis using age, monthly income, position, marriage status, understanding alien labours management policy, economic impacts, social impacts and public health as the predictors.

Source of Variation	Df	SS	MS	F
Regression	5	.677	.135	32.129**
Residual	394	1.657	.004	
<b>Total</b>	<b>399</b>	<b>2.336</b>		

\*\*Statistical Significance .01

Table 4.17 regarding Results of Multiple Regression Analysis indicated that understanding alien labours management policy, economic impacts, position and numbers of dependents displayed the linear correlations with the law enforcement of police officers, having statistical significance 0.01 which helped to construct the predicting equation before calculating Multiple Correlation Coefficient and weight of the predictor as standard and unprocessed scores, including the construction of Multiple Regression equation as being shown in Table 4.18 and 4.19.

**Table 4.18** Results of Multiple Regression Analysis between knowledge and understanding on alien labours management policy, marriage status, economic impact, position, and number of dependent with the law enforcement of police officers

Predictors	R	R Square	F
Understanding on Alien Labours Management Policy	.429	.258	61.808**
Understanding on Alien Labours Management Policy and marriage status	.564	.365	44.426**
Understanding on Alien Labours Management Policy, marriage status and economic impact	.607	.417	40.310**
Understanding on Alien Labours Management Policy, marriage status and economic impact and position	.623	.453	35.243**
Understanding on Alien Labours Management Policy, marriage status, economic impact, position and dependents	.638	.446	32.129**

\*\* Statistical Significance .01

Table 4.18 showed that the best predictor was the understanding on Alien Labours Management Policy. When adding another predictor, marriage status, it also increased Multiple Correlations, having statistical significance 0.01. Increasing more predictors, economic impact, work title and numbers of dependents, also increased Multiple Correlations, having statistical significance 0.01 as well. However, increasing other predictors in the equation had not increased Multiple Correlations, without statistical significance.

In conclusion, good predictors on the law enforcement of police officers comprised of understanding alien labours management policy, marriage status, economic impact. Position and numbers of dependents were also used to calculate

weight of the predictor to construct predicting equation on the police officer law enforcement as being shown on Table 4.19

**Table 4.19** Weight of Predictor effecting the law enforcement of police officers through Stepwise

Predictors	Beta	B	SE <sub>b</sub>
Understanding alien labours management policy	.500	.183	.009
Marriage status	.344	.161	.008
Economic impact	.328	.136	.007
Position	.244	.126	.002
Dependents	-.231	-.107	.002
<b>Constant = .347 , R = .638 , R Square = .446 , SE<sub>est</sub> = .0652 , F = 32.129**</b>			

\*\* Statistical Significance.01

Findings from Table 4.19 indicated that the weight expressed as the standard in the understanding on alien labours management policy, marriage status, economic impacts, position displayed the positive effect towards the law enforcement of police officers Beta = .500 .344 , .328 and .244, respectively. However, numbers of dependents sent negative results towards the law enforcement of police officers Beta = -.231.

Multiple Correlations of understanding on alien labours management policy, marriage status, economic impacts, job and numbers of dependents were equaled to .638. All 5 predictors could predict the law enforcement of police officers as much as 44.60%, having the miscalculation in the prediction equaled to .0652.

Forecast equation on the law enforcement of police officers expressed as follow:

The law Enforcement of Police Officers = .347 + .183 (Understanding on alien labours management policy) + .161(Marriage status) + .136(Economic impact) + .126(Position) - .107(Dependents)



To conclude, positive factors affecting the law enforcement of police officers understand on alien labours management policy, marriage status, economic impacts and position. Negative factor towards the law enforcement of police officers is number of dependents.

Factors not affecting the law enforcement of police officers are age, monthly incomes, educational level , work experiences , training on alien labours, social impacts and health impacts.

To explain, knowledge of policy on alien labours management effected positively on the law enforcement of police officers since the Royal Thai Police had set the plan to suppress illegal alien labours (2009) by focusing on arranging seminar to increase officers' efficiency , including sharing knowledge and experiences, brainstorm , including the presentation of problems , guidelines and recommendations to improve work such as integrating aliens labours system by 5 major agencies, Ministry of Interior, Ministry of Labours, Ministry of Public health, Ministry of Defense and Royal Thai Police . Legal alien labours who were allowed to work must be sponsored by employers and registered as required by law, whereas alien labours holding Burmese, Laos, and Cambodian nationalities with work permit about to expire on February 28, 2008 can stay and work in Thailand while waiting for deportation for 2 years, but not exceeding February 28, 2010. Moreover, Royal Thai Police had published the manual for checking, arrestment and prosecution illegal alien/ employees/ those harboring illegal alien/ business establishments/ smugglers (2005) as the guidelines for the police officers to follow. Then, the police officer with better understanding in alien labours management policy would strictly enforce the law better than those with less understanding

Marriage Status effected law enforcement of police officers positively because married people are aware of their family responsibilities, community and social responsibility towards, family, community and society. The married police officers would enforce strict law on the law breaker to be the role model for the family member, especially y those closely related to the family This is considered successful based on Maslow Need's Theory (MasLittle, 1943, p.370)in Belongingness and Love Needs, being loved and accepted from other made individual feel worthy and motivated them to work with strong desire to follow rules and regulations so they

could receive the recognition, leading to next step, Esteem Needs and Self-actualization Needs . Such demand had motive the married police officers to enforce strict law as example to next step. Then, married officers usually enforced strict law than unmarried.

Economic impact effectively law enforcement of police officers positively resulted from the officers seeing illegal aliens created economic impacts so they imposed very strict laws. The study of Yongyut Chalaemvong and Chalongpop Susangkarn (1996) indicated that labor shortages resulted from the local dislike heavy work , low pay and no one wants to do it. Moreover, with barrier in international trade, low wages, employers/ business operators lack of interest or the need to apply new technology in their production. The government lost huge budget in managing alien labours. Furthermore, group of influence politicians, employers, capitalists are directly benefit from cheap labours, no labours shortages and responsibilities.

As being said, alien labours management policies tend to favor capitalists, employers, influence politicians. To private agencies and Ngo, this policy motivated illegal alien labours entering Thailand to work. Meanwhile, private agency, and NGO support and protect illegal aliens labours by trying to raise their right as equal as Thai Labours which created many problems (Jetsada Meeboonlae, 2008, p.32). Therefore, some officers who see that illegal alien labours affected economy would impose strict law than those see less economic effects.

Position affected law enforcement of police officers positively which explained that officers with rank from the commission police officers with higher responsibility than non-commissioned officers. Being the commissioned police officer means following the Royal Police Officers rules and responsible for setting check point. With more honour and fame, rules and regulations of the Royal Thai Police , the commissioned police officers must enforced the law to arrest the law breaker quickly with the least flaw, using strict law to treat the law breaker righteously by punishing him in accordance with the law. The objectives of the punishment is the suppression to stop them from repeating the crime (Purachai Piemsomboon, 1982, p.34)

Currently, there are many protest channels to protest and the law to enforce the officers performing or not performing duties. The commissioned officers

must be careful when enforcing law. Usually commissioned police officers enforce stricter laws than non-commissioned officer,

Dependents affected law enforcement of police officers negatively which explained that numbers of dependent is the officers' financial burden which made law enforcement more lenient from alien labours management policy that tended to favor the capitalists and politicians. A group of capitalists benefits from cheap labours, no labours shortages and fewer responsibilities (Jetsada Meeboonlae, 2008, p.44). The officer neglected to take part with administrator, immigration and Ministry of Labor due to the policy of Central Office that created the gap from the government misbehavior (Yongyut Chalaemvong and Chalongsop Susangkarn, 1996, p.11-12). The government may receive petition from the influence politician, capitalist and employers to be more lenient with the suppression, arrest and prosecuted alien labours/ employers/ those harboring aliens/ business establishments/ and smugglers to exchange with assets that can feed family, including dependent for better living. Therefore, police officers with large numbers of dependent would enforce the law less strict than those with less dependent.

Factors not effecting the law enforcement of Police Officers Age, monthly income, educational level, work experiences, training on alien labours, social and public health impacts had not effected the law enforcement of Police officers because these personal used as the criteria to select officials. In another words, at the start of working with the government, all police officers required to pass the exam appointing rank at the same age with the same educational requirement. After the appointment, salary would be set and increase based on official tenure. In this case, most police officers had similar personal background which may not be different on the law enforcement of the police officer because enforcing law should be considered by the police officer that the law breaker must receive the punishment as being stated in the law with suppression as the objective of the punishment.

To avoid breaking the law again (Purachai Piemsomboon, 1982, p.34), Crime Control Model focused heavily on the effectiveness of justice process by emphasizing on administrative responsibilities. Then, inquiry offices and lawyer must be highly qualified to perform task. This way, effective justice system should bring success in 2 ways 1) Releasing the accused or the innocent quickly and 2) prosecuted

the accused with tight evidence or quickly confessed (Prathan Wattanavanich, 2002, p.12) which must be processed based on each steps regularly without interruption by having the Screening Process in each step that should proceed continuously as regular duties from investigation, arrestment, inquiry, and prepare the case for court charge, considering case, punishing misdemeanor and releasing the defendant, Justice is the process with intensity, speed and celerity in punishing law breaker and able to prevent and suppress crime in the most effective way (Pornchai Kantee et. al., 2000, p.15). Therefore, age, monthly income, educational level and work experiences had not effected the law enforcement of the police officers.

Alien Labours Training Program: 73.5% of samples had not received training, only 26.5% had been trained. Among trained samples, 21.0% had been trained 1-2 times, followed by 2.5% received 3-4 times training and 3.0% received training over 5 times. Result analysis indicated huge differences gap between the trained officers and untrained officers. After applying numbers in the multiple regression equation, miscalculation is unacceptable. Therefore, training on alien labours had not affected the Law enforcement of the police officers with statistical significance.

Social Impact had not affected the law enforcement of police officers explained that the Royal Thai Police tried to enforce law effectively and equally to control people from breaking the law. According to Herbert Packer, the law is the instrument to control law breaker. The police officer used the law to make society peaceful and safe place and treat law breaker righteously to maintain Rule of Law to match with democracy. This is to combine Law, Order and Justice. However, social impact is overall which may not disturb anything clearly. Then, the police officer may overlook social impact during the law enforcement. While perform duties, the police officers are usually considered both legal principles and political. If the social impact is light or not disturbing anyone suddenly, the police officers may be hesitated to use harsh enforcement to reduce conflict which suggested that social impact had not affected the law enforcement the police officers.

Public health Impact had not affected the law enforcement of explained that even the Thais must face the risk of contacting contagious diseases carried by alien labours. Some diseases once disappeared from Thailand had reappeared such as

elephantiasis, malaria, and Tuberculosis (Pituk Rattanabunpot, 2003, p.22). However, Royal Thai Police is not the main organization to provide healthcare for Thai People. This way, health impact is considered further away and not their duties because it is the Ministry of Health's responsibility. Therefore, during the enforcement of alien laws, the police officer tended to overlook health impact or perhaps the last thing to think about and health impact had not affected the law enforcement of the police officer.

## **Part 6: Specific Policies and Problems on Alien Labours**

Findings from questioning samples on specific policies and problems on alien labours with Open-ended Questionnaires indicated that the police station had set up specific policy apart from suppression, arrestment of illegal alien plan of the Royal Thai Police. Problems from aliens labours are found as follows:

### **1. Specific Policies on Alien Labours**

Samples gave information related to specific policy of the police station

- Prepare monitor list and blacklist for recording activities of alien labours/ employers/ those harboring alien/business establishments/ smugglers and working illegally
- Strictly check alien labours traveling in and out of the country
- Stop illegal alien labours from entering the country at all cost
- Set up 24 hours checkpoints on the major and minor roads
- Arrestment illegal alien labours
- Check traveling documents thoroughly before aliens entering the Kingdom

### **2. Problems on Alien Labours**

The police officers encountered problems in manpower, money, materials and management with enforcing the law.

#### **2.1 Manpower**

Because of the shortages of personals with expertise to suppress, arrest and prosecute illegal aliens/ employers/ those harboring aliens/business establishments/ smugglers, then there should be expert officers specialized in this area because it is new area which should involve immigration who knew and

understand more on labour issue (Faculty of Environment and Resources Studies, Mahidol University, 2000, p.32). Problems also raised unclear practice guide, especially the confusion from guidelines and measures, especially, the use of color cards which the police officers lack confidence in work and unable to check status of illegal aliens. Problems on fake ID and exit cards as well colorful made it rather confusing for the police officers. More important, there was no reference source to check (Pituk Rattanabunpot, 2003, p.20).

Numbers of police officers are less than the amount of work, not enough to handle increasing number of illegal alien which agree with problems from influx of new aliens arrival, especially the Immigration Office responsible for handling illegal aliens. Their main duties are checking and recording travelers' entrance and exit. For arresting illegal aliens, Immigration Office must ask cooperation from the Provincial Police and soldiers which have limitation to prevent efficient operation (Pituk Rattanabunpot, 2003, p. 19-20).

Because of the shortages of police officers working in the areas, the suppression, arrest, and prosecution of illegal alien labours/employers, those harboring illegal aliens/ business establishment/ smugglers were not done effectively as it should be. This concurred with the effort to stop alien labours from entering the city. Since Thai border stretched along the neighboring countries with mountains, rivers and canals, having numerous passages to enter and exit the country. It was difficult to stop those aliens who usually reentered the country. Moreover, moving labours through the sea and tourism promotion aided alien labors coming to the country easily (Faculty of Environment and Resources Studies, Mahidol University, 2000, Pituk Rattanabunpot, 2003, p.19-20).

The officers were unable to arrest illegal aliens regularly because of police workload at the station which coincided with findings from the study of problems and barriers in preventing illegal alien from entering the country that shortages of police officers reduce police officers' effectiveness. Besides each unit has own mission to follow and no time to collaborate works with other agencies whereas confidential information sometimes leak outside (Bonchana Tuntakoon, 2003, p. 45-46).

## **2.2 Money**

Police officers had never received budget or allowances on such performance, especially among operation officers. Some received less or very little until they were unable to carry on their assignments, particularly on suppression which concurred with the follow-up to assess situation and solve illegal alien problems in Phuket where the reward system to arresting every police officers from fine had not been used, including the reward to informants so called bribe money (Labour Council , House of Representatives, 2009, p.4-14).

When detaining illegal aliens at the police stations, police officers had no budget to care for them. Most of times, the police officer paid expenses out of own pocket when the alien labours were arrested and detained. Aliens must be fed, but the available budget was not enough to feed many aliens. Budget is insufficient not only buying foods, but also buying vehicles to transport aliens back to their countries (Faculty of Environment and Resources Studies, Mahidol University, 2000) (Pituk Rattanabunpot, 2003, p.19-20)

## **2.3 Materials**

Most available equipments are obsolete and belonged to the police officers because of shortages or ineffective which became the problems in the suppression of illegal alien labours, especially machine to check alien registration such as hand held computer to speed up the process ( Boonchana Tuntakul, 2003, p.45-46).

Shortages of vehicles, even available vehicle are in poor condition, not fast enough to chase after the truck full of aliens. This finding is coincided with the study of Research and Development Unit, Royal Thai Police, 2001, p.35).

## **2.4 Management**

Unclear policy, leniency periodically based on the cabinet's resolution caused problems and discontents among operational officers (Faculty of Environment and Resources Studies, Mahidol University, 2543, p.40).

Requesting formal search warrant is complicated procedures and sometimes the suspect knew about the search ahead of times. By law, police officers have no authority to search the premises; the search warrant must be issued from the court only.

No specific unit assigned to handle this matter which concurred with the finding in Phuket that soldiers and police officers often refused to take order from the administrator, without work coordination and unity to accomplish the work. Finding earlier indicated that the concerned unit with administering laws had failed to do so. Officers were not cooperated with each other and many fear threat on their jobs if arresting violators (Labours Council, House of Representatives, 2009, p.14).

## **Conclusion**

Constructed questionnaires was used for collecting data from the police officers on duty at the police station and performing duties related to illegal alien labours in the selected provinces , Ranong, Samutsakorn, Samutprakarn and Bangkok Metropolis. A set of questionnaire was mailed to each individual at the workplace which received 400 set of returned questionnaires or response rate of 83.33 (based on 120 sets, returned 100 sets). Data was collected from January 20-February 25, 2010. Research results were divided into 6 parts where part 1 related to police officers' personal background, part 2 on illegal alien labours management policy, part 3 impacts from illegal alien labours, part 4 on the law enforcement of police officers, part 5 on factors effecting the law enforcement of police officers and part 6 on specific policy and problems related to alien labours.



## **CHAPTER V**

### **CONCLUSIONS AND RECOMMENDATIONS**

This research aimed to study the following issues: (1) problems and obstacles occurred while the police officers enforcing laws on illegal alien labours entering the country to work without legal permit/ employer/ migration leader/ those harboring illegal alien labours 2) factors effecting the law enforcement of police officers 3) understanding of police officers on the law enforcement of police officers and 4) police officer's opinion on the effects of illegal alien labours. The study was done through relevant literature review on illegal aliens entering the country to sell labour, alien labours administrative policy of Thailand and aboard, concepts and theories on the law enforcement, including documents, articles and relevant research findings.

Quantitative Research was conducted to collect data through the constructed Questionnaires. Research samples were selected among 206,541 police officers working under the Royal Thai Police during October 2009. Sample sizes of 400 police officers were acquired by using Taro TYamane's formula and Multistage Sampling. Samples were comprised of the police officers working at the police station on illegal alien labours in Ranong, Samutsakorn, Samutprakarn and Bangkok Metropolis. Total 400 sets of questionnaire were mailed to samples and all (100%) returned. Data were collected from January 20-February 25, 2010.

## **5.1 Research Conclusions**

### **5.1.1 Police Officers Personal Background**

A check list was used to find the police officers' personal backgrounds on rank, job title, duties, age, and years in services, marriage status, educational level, monthly income, and numbers of dependents, work experiences and specific training on alien labours. Most respondents hold the rank of Police Sergeant Major-Police Senior Sergeant Major (67.5%), Group commander (77.0%) , in charge of suppression

(72.3%) , from 40-44 years old (35.8%) by average 41 years , years in services from first appointment from 16-20 years (31.8%) , married (82.5%), graduated with Bachelor Degree in similar proportion (46.5%) , monthly income from 15,000 - 19,999 years (46.8%) by monthly average 18,300 baht , 3-4 dependents ( 44.5%), experiences in suppression, arrest, litigation on illegal alien labours from 5-10 years (26.25%), never received any trainings on alien labours (73.5%).

### **5.1.2 Understanding on Illegal Alien Labours Administrative Policy**

Findings indicated that majorities or 94.0% answered correctly on integration alien labour system of 5 key agencies, Ministry of Interior, Ministry of Labour , Ministry of Public Health, Ministry of Defense and the Royal Thai Police, followed by the requirement on legal alien labours be sponsored by employers and formally registered. Regarding the cabinet resolution to allow the illegal alien labours from 3 specific nations (Burma, Laos and Cambodia) staying temporarily in the Kingdom of Thailand and working while waiting for deportation, including the illegal alien labours holding Burmese, Laos and Cambodian nationalities whose permits expired on February 28, 2008 and waiting for the deportation were allowed to maintain their residency in the Kingdom not over 2 years or exceeding 28 February, 2010, correct answers were 93.3, 92.3 and 90.0, respectively. The issue mostly answered incorrect or only 9.3% of correct answers was work permit issued by Employment Department, Ministry of Labour. The fact is Administrative Department, Ministry of Interior is responsible for issuing the work permit, followed by the next issue on the arrest of alien labours prohibited the arrest of employers/operators/ smugglers and those harboring illegal alien labours which 64.3% answered correctly. The correct answer is the arrest of alien labours les to more arrests of employers/operators/ smugglers and those harboring illegal alien. Next, issue on permitting alien labours from 3 specific nations (Burma, Laos and Cambodia) to stay temporarily in the Kingdom of Thailand is the Ministry of Labour's responsibility, only 69.5% answered correctly which suggested that the respondents misunderstood on agencies' duties. Regarding the establishments hiring illegal alien labours without the officials' inspection, 72.3% answered correct. The correct answer is the police

officers should inspect the establishment received permission to hire illegal alien labours and search for those who violated the law.

As for understanding level on illegal alien labours administrative policy, most respondents or 62.5% understood on such issue very well, whereas 23.0% understood fairly and 13.3 % understood well. Overall, most police officers understood the policy to manage illegal alien labor administrative policy from good to very good. Total 303 respondents or 75.8% answered correctly.

### **5.1.3 Impact from Illegal Alien Labours**

Regarding economic impact, illegal alien labours affected the following 3 areas in the descending order: Majorities or 61.3% most agreed, followed by 23.5% moderately agreed and 14. 0% highly agreed with economic impact from illegal alien labours.

On social impact, findings indicated that majority or 62.0% most agreed, followed by 23.3% moderately agreed and 12. 8% highly agreed with social impact from illegal alien labours, respectively.

As for health impact, findings indicated that majority or 34.8% moderately agreed, followed by 32.3% most agreed and 31.5% highly agreed with economic impact from illegal alien labours, respectively.

On overall impacts from illegal alien labours, findings indicated that the questionnaire respondents by average 3.88% most agreed with overall impacts. When judging impacts in numerous areas, findings revealed health, economy and social means as 3.94, 3.88 and 3.86, respectively.

Impacts from illegal alien labours by item described as follows:

The highest impact areas, in descending order are first economic differences between Thailand and the neighboring countries which attracted the influx of alien labours, increasing crimes from having illegal alien labours. As a result, hiring alien labours created another complex society in Thailand. However, aliens who became ill with leprosy, acute tuberculosis and Elephantiasis were prohibited from getting the work permit.

Next, high impact factors were the loss of huge government budget in managing alien labours, alien labours in demand for deep-sea fishery, construction,

hiring labor reduced production cost, alien labours carried diseases from own country, alien labours managing policy to benefit employers/ business operators/alien labours earned lower wages than Thai labours. Many alien laborers entered the country illegally, most business operators and employers lacked skilled-labours, hiring alien laborers made the employers / business operators neglected to apply new technology in developing own product, and no health checkup required for alien labours who wanted to obtain work permit for working in Thailand. The rest of all factors effected at moderate level.

#### **5.1.4 The Law Enforcement of Police Officers**

There are 3 ways in which the police officers enforced the law. In suppression, findings indicated that most samples or 52.0% applied the law at high level, followed by the highest level 32.5% and 15.5% at moderate level, respectively.

Regarding the law enforcement on the arrest, findings indicated that most samples or 37.8% applied the law at the highest level, followed by high level 33.0% and 26.5% at moderate level, respectively.

On the law enforcement on litigation, findings indicated that most samples or 43.0% applied the law at moderate level, followed by the highest level 31.8% and 19.0% at high level, respectively.

For overall law enforcement by the police officers, findings indicated that most samples or 4.03% applied the law at high level. Judging each area, it was found that samples enforced laws at high level in suppression, arrest and litigation with the mean of 4.17, 4.05 and 3.76, respectively.

As for the law enforcement by the police officers on each item, findings indicated that most samples applied the law at the highest level on checking work permit and suspects of being illegal alien labours. Then the law was enforced on other items such as arresting alien labours changing their residents or workplaces without permission, checking business places unauthorized to hire illegal alien labours, arresting illegal alien labours working without work permits, finding information on smuggling illegal alien labours and business places hiring aliens, checking large construction project that hired many labours , setting checkpoints along the route that illegal alien labours used to enter the country.

### **5.1.5 Factors effecting the law enforcement of police officers**

Analyze factors effecting the law enforcement of police officers in the suppression, arrest, litigation and prosecution of the violators through Stepwise Multiple with the following variables.

Dependent Variables are the law enforcement of the police officers.

Independent Variables are data on the individual background comprised of age, monthly income, occupation title, marriage status, educational level, and numbers of individual received sponsorship, training alien labours, work experiences, economic, social, health impacts and understanding administrative policies on alien labours.

Testing relations between independent variables revealed the coefficient correlations of 0.114 – 0.680 without any pair of independents correlated over 0.8 (Chtterjee and Price, 1977, p.156, Studenmund, 1992, p.273, Tabacnick and Fidell, 2001, p.83) which may cause problem of “Multicollinearity”. Then, factors effecting the law enforcement of police officers were analyzed through Stepwise Multiple Regression.

Findings from the analysis indicated that factors effecting positively on the law enforcement of police officers with statistical significance 0.01, understanding of illegal alien labours administrative policy, marriage status, economic impact and job title. As for factors effecting negatively on the law enforcement of police officers with statistical significance 0.01 was numbers of dependents.

Factors not effecting the law enforcement of police officers were age, monthly income, educational level, work experiences, training on alien labours, social and health impacts.

After calculating variables significance, findings expressed the significant weight as standard scores in understanding on alien labours administrative policy, marriage status, economic impact and job title, giving the positive affect towards the law enforcement as Beta = .500 .344 , .328 and .244, respectively. As for numbers of dependents, it sent negative affect towards the law enforcement of law officers as Beta = -.231 by having the Multiple Coefficient Correlations of understanding on alien labours administrative polices, marriage status, economic impact, job title and numbers of dependents equaled to .638 .

All 5 predictors were able to predict the law enforcement of police officers nearly 44.60% with the miscalculation equaled to .0652 which resulted in the forecast equation as follows:

The law enforcement of police officers =  $.347 + .183(\text{understanding on alien labours administrative policy}) + .161(\text{marriage status}) + .136(\text{economic impact}) + .126(\text{job title}) - .107(\text{numbers of dependents})$

### **5.1.6 The Police Officer's opinion on Problems related to Illegal Alien Labours**

Open-ended questionnaires were used to find problems on alien labours which described as follows:

Manpower: Numbers of police officers were unmatched with amount of work resulted from increasing number of illegal alien labours entering the country, including lacking police officers who had expertise in suppression, arrest and litigation. Besides, the police officers were unavailable to patrol all areas and work extensively from having duplicated duties.

Money: Inadequate or low budget which made the police officers unable to perform effectively or retain the alien at the station. Quite often, most police officers burdened themselves and some had not received the work allowances.

Materials: Most police officers supplied their own materials because the government did not provide enough materials or obsolete. In some station, vehicles were unavailable or in poor condition to chase after the alien truck.

Management: There is no definite policy and specific unit to handle the matter, including complication when asking for search warrant and quite often the operator knew about the search in advance.

## **5.2 Recommendations**

Research findings clearly revealed problems and obstacles in the law enforcement of police officers in suppression, arrest, and prosecution of illegal alien labours and those working without permit, including employers, business operators/ smugglers/ those harboring illegal alien labours. Furthermore, it suggested which factors affecting the law enforcement of police officers on suppression, arrest, and

prosecution of illegal alien labours. The key mechanism for solving illegal alien problems more effectively is enforcing the law. Therefore, the researcher recommended the findings as primary data for solving problems in the law enforcement of police officers which should solve overall illegal alien problems effectively.

### **5.2.1 Policies and Administrative Recommendations**

1) The Royal Thai Police should set the training course in illegal alien labours management, including other matters that may be affected by those problems, whether being economy, social or health on the continual basis by assigning the Training Bureau as the main agency responsible for training. It should be done as the way to increase individual educational level and the participant can use the certificate from training in considering promotion. This is the encouragement for the police offices to willingly receive training which should help solving problems in shortages of manpower to suppress arrest and prosecute illegal aliens. It also increased knowledge and understanding of police officers in strict law enforcement, as well as making them aware of social, economic and health impacts that may result from not strictly enforcing the law.

2) The Royal Thai Police should request to allocate budget for suppression to and prosecution of illegal alien labours by assigning the Immigration Bureau to prepare budget application for all agencies under the Royal Thai Police and sent the request to the Budget Office through the Ministry of Labours and Welfare so the concerned agencies would have adequate budget to suppress, arrest and prosecute illegal alien labours. Furthermore, the Royal Thai Police should consider set up the reward for the police officers who suppressed, arrested , leading to prosecution of aliens as to encourage police offers to work harder and make the Royal Thai Police's mission more effective.

3) The Royal Thai Police should propose setting the budget to invest in vehicles with the Budget Office by stating the reason in the mission, including the survey on the conditions of existing automobile to check the number and years remaining in service as the data for set up budget. Furthermore, police works should

be coordinated with local and Provincial Administrative agencies, to request the support budget for the operation vehicles which should solve problems in inadequate and inferior vehicles.

4) The Royal Thai Police should propose amending law related to alien labor so they could issue the search warrant to reduce the procedure and facilitate the operation.

5) The Royal Thai Police should assign the Office of Legal Affairs, Royal Thai Police as the key agency to update the manual for checking, arresting and prosecuting alien labours / employers/ those harboring and smuggling illegal alien labours. The updated manual must be printed in sufficient amount, enough for the police officers to use as the guidelines for effective performance.

6) The Royal Thai Police should arrange the meeting with concerned agencies by inviting executive at provincial level or representative to attend the meeting and share ideas and data so they could coordinate work with concerned agencies in the responsible and nearby areas, leading to faster and effective operation.

7) The Royal Thai Police should assign Office of Legal Affairs, the Royal Thai Police as the primary host for feasibility study of having the law to control alien labor in the area adjacent to the neighboring countries or such as Ranong, and Samutsakorn Provinces to accompany data in drafting the law proposed to the Ministry of Labour and Social Welfare for presenting further to the Parliament.

### **5.2.2 Recommendations for Further Researches**

1) The research should be conducted continuously or repeated every 2 years by increasing variables that might effect the law enforcement of police officers as the follow-up on problems and obstacles to see if they had been corrected as recommended , including learning about other related factors in setting policy, leading to effective problems-solving in illegal alien labours.

2) The study should be extended to other provinces to cover the entire country as well as comparing with other provinces with high and low numbers of alien labours to learn the existing problems in each area so data could be used to set up policy matching with the actual situation.



3) Both qualitative and quantitative researches must be conducted through arranging the Focus Group and inviting the officers from concerned agencies such as the police officers, administrative officers, military units, Employment Department and Public Health Department for in-depth learning of the existing problems, sharing ideas and cooperating with each other to solve problems effectively.

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## **APPENDIX**



Faculty of Social Science and Humanities

Mahidol University

Tel. 02-800-2840-78 ext. 1231, 1234

Fax.02-441-9324

Date: November 22, 2009

Subject: Requesting assistance in responding to questionnaire

To: All Police Officers

Attachment: A set of questionnaire

If I may introduce myself, I am Police Lieutenant Colonel Krisana Wattanathamrong, of Wang Thonglang Metropolitan Police who is currently attended Mahidol University and being a candidate for Doctorate Degree, have received the approval from Mahidol University to prepare the Dissertation on “THE LAW ENFORCEMENT OF POLICE OFFICERS ON ILLEGAL ALIEN LABOURS” which I hope for academic benefits and useful data to improve the police officers’ performance.

Therefore, I would like to request your cooperation in answering the attached questionnaire and returning by mail or contact the coordinator. Your kind assistance is much appreciated.

Respectfully yours,

Pol.Lt.Col. Krisana Wattanathamrong

Researcher

## QUESTIONNAIRE

### “ THE LAW ENFORCEMENT OF POLICE OFFICERS ON ILLEGAL ALIEN LABOURS ”

---

#### Part 1: Personnel Background

**Explanation:** Please fill in the blank or mark / in ☐ and provide actual information

1. Rank.....

2. Job Title.....

3. Duties

- ☐ 1. Investigate
- ☐ 2. Inquiry
- ☐ 3. Suppression
- ☐ 4. Traffic
- ☐ 5. Others

(Specified).....

4. Marriage Status

- ☐ 1. Single   ☐ 2. Married   ☐ 3. Divorced /Separated

5. Age..... Years

6. Years of service from first appointment.....years

7. Monthly income.....Baht

8. Numbers of dependents.....

9. Highest educational level

- ☐ 1. Certificate./ Higher Certificate / Associate Degree
- ☐ 2. Bachelor Degree
- ☐ 3. Master Degree
- ☐ 4. Doctorate
- ☐ 5. Others.....

10. Training on Alien Labours

- ☐ 1. No
- ☐ 2. Yes, No. ....times

1.

Subject.....

2.

Subject.....

3.

Subject.....

11. Having experiences in suppression, arrest and prosecution of illegal alien labours

☐ 1. No

☐ 2. Yes, for.....years

12. Are there any policies or specific measures to deal with illegal alien labours?

☐ 1. No

☐ 2. Yes

(Specified).....

## Part 2: Understanding on Illegal Alien Labours Management Policy

**Explanation:** Please mark Yes or No

No.	Questions	Yes	No
1	Alien labours system arranged by the Ministry of Labours is the integrated performance of the following 5 major agencies: Ministry of Interior, Ministry of Labours, Ministry of Health, Ministry of Defense and the Royal Thai Police.		
2	Alien labours with valid work permit must be sponsored by the employers and registered as required by law.		
3	The Cabinet resolution gave the leniency to illegal aliens with 3 specific nationalities (Burmese, Laos and Cambodia) to stay temporarily in the Kingdom and work while awaiting deportation.		
4	Businesses given leniency for hiring illegal alien labours are 1) working in field and orchard 2) mining 3) ceramics/pittry 4) boat construction 5) rice mill 6) raising cattle 7) fishery/fishery related business 8) moving goods in the warehouses 9) domestic workers 10) specific businesses		

No.	Questions	Yes	No
5	A person can enter or leave the Kingdom through any channels.		
6	Legal alien labours should keep the work permit at the workplace without carrying with him at all times		
7	Documents to support registration of alien (TR.38/1) must be accompanied by photo, but no need for the fingerprint.		
8	The Royal Thai Police had mainly focused on the suppression of employers/ business operators/ smugglers/ those harboring illegal aliens.		
9	In the arrest of alien labours, it is forbidden to investigate further, leading to the arrest of employers/business operators/ smugglers and those harboring illegal aliens.		
10	The main targets of suppression illegal alien labours are factory, business operators without authorization to hire illegal alien labours.		
11	Normal targets are general work places such as restaurants or gathering places for illegal alien labours.		
12	Authorized business operators for hiring illegal alien labours do not need the officers to check for illegal hiring alien labours.		
13	Alien labours with Burmese, Laos and Cambodian nationalities whose work permits expired February 28, 2008 can stay in the Kingdom waiting for deportation, not exceeding 2 years or February 28, 2010.		
14	Approval for alien labours holding Burmese, Laos and Cambodia nationalities working in the Kingdom is the Ministry of Labour's responsibility.		
15	Issuing the work permit is the duty of Employment Department, Ministry of Labour.		

### Part 3: Opinion on Impacts from Illegal Alien Labours

**Explanation:** Please mark in the space provided, and select the most agreeable statement, having the criteria for scoring 0-5 as follows:

5 = mostly agree

4 = most agree

3 = moderately agree

2 = less agree

1 = least agree

0 = no opinion or unable to assess

No.	Impacts from Illegal Alien Labours	Opinion Level					
		5	4	3	2	1	0
1	Alien labours earned low wages than Thai Labours.						
2	Economic differences between Thailand and the neighboring countries as the attractive force drawing alien labours.						
3	Hiring illegal alien labours reduced the production cost.						
4	Hiring alien labours made the employers / business operators failed to apply new technology to develop own products.						
5	The government lost huge budget in administering alien labours.						
6	Most business operators/employers are facing skilled – labours shortages.						
7	Alien Labours Management Policy favored employers/ business operators.						
8	Alien labours quit their jobs more frequent than Thai labours.						
9	Alien labours caused crime rate to increase.						

No.	Impacts from Illegal Alien Labours	Opinion Level					
		5	4	3	2	1	0
10	Hiring alien labours is essential for deep-sea fishery and construction.						
11	Existing alien labours stay together as the family, having children and do not have problems in nationality.						
12	Most alien labours working in Thailand were illegal labours.						
13	Hiring alien labours created problems on alien labours bonding together.						
14	Hiring illegal alien labours caused community expansion and become another complex community in Thai society.						
15	Alien labours are diseases carriers from own country.						
16	Alien labours do not need health check-up for obtaining the work permit.						
17	Alien labours are allowed to work in some business which may cause poor health service.						
18	Alien labours became sick with acute leprosy; tuberculosis and Elephantiasis were prohibited from obtaining work permit.						

#### Part 4: Law Enforcement of Police Officers

**Explanation:** Please mark in the space provided and select the most agreeable measure with your performance with the criteria for scoring as follows:

5 = Performing at the highest level

4 = Performing at the high level

3= Performing at moderate level

2= Performing at low level

1= Performing at the lowest level

0= No performance or unable to assess

No.	Law Enforcement of Police Officers	Performance Level					
		5	4	3	2	1	0
1	You have set up the checkpoint on the route frequently used in smuggling alien labors into the country.						
2	You have checked the suspect of being illegal alien labours.						
3	You have checked on the work permit of alien labours.						
4	You have checked on the permit to hire illegal alien at the large construction site employed huge numbers of labours.						
5	You have investigated on the alien labours smuggling channel and workplaces hiring illegal alien labours.						
6	You have checked on the workplaces unauthorized hiring illegal alien labours.						
7	You have arrested the alien labours entering the Kingdom without the work permit.						
8	You have arrested the alien labours working differently from being stated in the work permit.						



No.	Law Enforcement of Police Officers	Performance Level					
		5	4	3	2	1	0
9	You have arrested the alien labours who had not carrying the work permit while working.						
10	You have arrested the alien labours changing residency or workplace without approval.						
11	You have arrested the alien labours working without the work permit.						
12	You have prosecuted those assisting illegal alien labours.						
16	You have prosecuted home owners harboring illegal alien labours.						
17	You have prosecuted alien labours staying in The Kingdom even the permit had expired.						
18	You have prosecuted the home owner helping illegal alien to avoid being captured.						

**Part 5: Problems in performing duties on alien labours , including opinions and recommendations**

1. Have you encountered any problems during the suppression, arrest and prosecution of illegal alien labours and those working without work permit?

Manpower.....

.....

.....

Money.....

.....

.....

Materials.....

.....

.....

Management.....

.....

2. What are your recommendations to the Royal Thai Police on guidelines and policies on illegal alien labours?

.....

3. Other recommendations

.....

.....

Thank you for your cooperation  
Pol.Lt.Col. Krisana Wattanathamrong

## BIOGRAPHY

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