

## Abstract

The study, "Problems and Obstacles of Investigation Officers in Performing Their Duties in Protecting the Rights of the Accused Under the Thai Constitution B.E.2540 : A Case Study of Nakorn Phatom Provincial Police," has the objectives to study philosophy, concept, and theory of the rights and protection of the accused; to study the role of investigation officers in protecting the rights of the accused; to study the problems and obstacles of the investigation officers in protecting the rights of the accused; as well as to come up with an approach in increasing the effectiveness of the investigation works. The study was done by both documentary survey and field survey. The questionnaires were used as a tool to collect data from the sample size, which included investigation officers level 1, investigation officers level 2, and investigation officers level 3.

The findings from documentary can be concluded as follows: The important philosophy, concept, and theory on protecting the rights of the accused are the crime control approach and the due process approach. The due process approach has the main objective of protecting individual rights and freedom. It also became the foundation of "International law that is related to civil rights and individual rights 1966AD." The researcher studied the role, authority, and the form of investigation in protecting the rights of the accused in America, England, German, Japan, and Thailand as well as the Constitution of B.E.2540. This constitution has guaranteed much on the rights of Thai citizens and has had a large impact on the code of criminal procedure. It laid the basics on the practice and duty in protecting rights of an accused criminal of investigation officers as well as stated rights of children and youths.

The findings from field survey can be concluded that, the background of investigation officers was at the age of 31-40, married, positioned ranked from police second lieutenant to police first lieutenant, hold the position of investigation officer 1, and has experiences in the field of investigation works around 0-5 years. Most of the investigation officers hold Bachelor of Laws, which influenced better perceptions in the

rights in protecting the accused, the perception of investigation officer' duties, and contributed to better attitudes of investigation officers toward the rights in protecting the accused. However, the findings found that organization factors were obstacles in the investigation works. Similarly, the performance their duties of the investigation officers cause the problems and obstacles as well. Those problems and obstacles are that, there were too many investigation works, the number of investigation officers was insufficient, lack of tools, equipment and technologies to be used in the investigation works are lacking, and lack of budget for the investigation works. There is also the lack of opportunities to progress in the career or the chance of getting a promotion. In addition, the opportunities in acquiring more knowledge, skills and technology in investigation works had not been given constantly. As result, these affected the effectiveness and efficiency in performing the legislation work.

For hypothesis test, it found that the first hypothesis, the different characteristic of investigation officers is related to the different attitude in protection for the accused at the statistical significance 0.05 level. It therefore accepts the first hypothesis. The second hypothesis, the knowledge about protection the right of the accused in related to the different attitude in protection for the accused at the statistical significance 0.05 level. Therefore, it also accepts this hypothesis. The result of the last hypothesis accepts that the organizational factors are related to the different attitude in protection for the accused at the statistical significance 0.05 level.

Some suggestions for Royal Thai Police were that, the organization should promptly eliminate problems and obstacles that impede the investigation officers in completing their duties. There should be development in salary and wage systems of the investigation officers. The organization should constantly provide more opportunities, in acquiring knowledge, skills, and knowledge about new technologies, including the attempt to change the attitudes of the investigation officers in accordance with individual's right protection, which stated in Thai Constitution B.E.2540.