

C770089 : MAJOR LAW
KEY WORD: SCREENING OF EVIDENCE

CHAKRAPONG VIWATVANICH : SCREENING OF EVIDENCE DURING CRIMINAL
INQUIRY : THESIS ADVISOR : ASSO PROF. VIRAPHONG BOONYOBHAS, LL.M.
130 pp. ISBN 974-637-391-9.

To screen Evidence During Criminal Inquiry, Inquiry officials must select evidence in order to gather, as much as possible, the best evidence or the most valuable evidence that the courts may admit. The inquiry official should not include in his or her case file any evidence that has no meaningful implication in the case, and must also screen this kind of evidence out of the file. The inquiry official must, moreover, carefully make discretion with regard to the weight to be given to the evidence or the admissibility of such evidence, and take into account valuable characteristics of the evidence. To do so, the inquiry official must carefully and thoroughly consider the coherence and rationality of the evidence under consideration in in the context of other evidence concerned. Since the prosecution or non-prosecution order, and the judgment of the courts must base on evidence gathered by the inquiry officials, the efficiency and quality of the criminal justice system will be much improved if the inquiry officials are knowledgeable, skillful and ethical persons. Such improved efficiency, consequently, will guarantee fundamental rights of the people and create confidence in the criminal justice system as a whole.

However, there should be an independent organization that control the inquiry process and the work of the inquiry officials, so as to make sure that their duties are duly discharged in accordance with the principles of the laws, and the rights and freedom of the people has been fully and truly protected in accordance with the Constitution of the Kingdom of Thailand.

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